

外国語要旨

Marriage and Family in the Qin Dynasty and early Han Dynasty of China—Considered by Connections with the Government

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The purpose of this thesis is to rethink the concept of “family” in the Qin Dynasty and early Han Dynasty. Though previous studies emphasized “families” from the point of view of the nation’s governance, they disregarded “spousal relationship” and “parent-child relationship”, which form the basis of “families”. If we do not understand how the internal relationship of “families” was constructed, we will not be able to concretely understand these “families”.

Thus, this thesis focused on “marriages” as the basis of “families”, examining the establishment requirements and the relationships of “spouses” and “parents and children”. At the same time, focusing on the legal framework of “family” by the government, I considered “families” of the time from two sides. In this thesis, I used principally excavated materials and considered the transition of “families” from the Qin Dynasty to the early Han Dynasty.

In the first part, I analyzed the penal system and the system of “*jue* 爵” (social ranks) as a preliminary step of understanding “family”. The second part considered the relationships of “spouses” and “marriages” which triggered those relationships.

in the Qin Dynasty and early Han Dynasty, the word “*Fuqi* 夫妻” (spouse) had three meanings: one was a relationship built on a private promise, another was a relationship built by social recognition, and the third was a relationship built by state authorization. This study proposes that “marriage” did not require permission from the government, but the government nevertheless guaranteed the right of people’s marital relationship and regulated it.

The Qin government probably determined “spousal relationship” by the family register, but when the Han Dynasty arrived, the spousal relationship of “*Pianqi* 偏妻” was added. This was a woman with a relationship to a family’s “husband”, but who did not appear on the family register of that “husband”. The government of the early Han Dynasty particularly emphasized the distinction between “*Pianqi* 偏妻” and other wives. This shows that, although the Han government placed special emphasis on the family register, it also

recognized a relationship of “family” beyond the sphere of family registers.

The third part investigated the legal framework of “family”. It was revealed that the “parent-child relationship” was not unconditionally established by blood relations but was determined by the legal status set by the government and the presence or absence of “spousal relationship” of the parents.

Additionally, I analyzed “*Zuo* 坐” and “*shou* 收”, which are the punishments targeting the “family” of a criminal. Analyzing the selection criteria and the factors in applying those punishments to “family” clarified the legal framework of “family”. A change was recognized in that process. This may be attributable to the reduction of the “*hu* 戶” (familial unit) from the Qin Dynasty to the early Han Dynasty.

Finally, in the final chapter, in order to explain the change of “family” shown in this thesis, I considered its connection with the government. It seems that the changes implemented by the early Han Dynasty—such as recognizing the relationship of “family” beyond the sphere of the family register and fortifying the order of “family”—were measures to maintain the concept of “family” that had become diluted by the reduction of “*hu* 戶”.

Thus, this thesis can explain the changes in the meaning of “family” from the Qin Dynasty to the early Han Dynasty, changes which are often confused.