

Compilation and Research of the Taiwan Colonial Court Records Archives

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ABSTRACT

The Court of the Government-General of Taiwan, the first modern-style court in Taiwan, began operation in July 1896 and had since then deeply influenced the judiciary and life of Taiwanese for half a century under Japanese colonial rule. In July 2000, the judicial authorities of post-war Taiwan launched a search for judicial records related to the Japanese colonial era in eight District Courts that were established before 1945. By February 2009, colonial judicial documents stored in District Courts of Taipei, Hsinchu, Taichung (some of the original documents had been moved to the Training Institute for Judges and Prosecutors) and Chiayi had been retrieved and reorganized, while part of those stored in the district courts in Hualien and Kaohsiung, and even in land offices had also been recovered but still waited further reorganization.

In order to deepen our understanding of Taiwan legal history through these precious materials, I had worked with my team to reorganize the recovered colonial court records since 2002. With joint effort from the NTU library, the database of the Taiwan Colonial Court Records Archives (TCCRA) was finally compiled and made available in September 2008 to scholars worldwide for academic research. At the present stage, the TCCRA consists of 5,645 volumes of reorganized judicial documents, including 4,139 volumes of civil case documents, 1,216 volumes of criminal case documents, and other judicial administrative documents. The archives comprise mainly originals of civil and criminal verdicts as well as notarized contracts. These data cover the entire Japanese colonial era (except for civil verdicts between 1895 and 1914) and concern the area in western Taiwan north of Chiayi geographically.

The TCCRA reveals the sudden encounter of Han immigrants who carried

with them traditional Chinese legal culture and the aboriginals, those assimilated with Han culture and those retaining their indigenous legal culture, with the modern continental court system, and the process of their mutual adaptation in colonial Taiwan. In combination with the Tan-hsin Archives and the judicial archives of the Republic of China after 1945, the TCCRA can be utilized to examine the operation of Taiwan's judicial system under different regimes over the last two centuries. Comparative study can also be made between the TCCRA and judicial documents produced in other parts of Imperial Japan or in Qing and Republican China. Nevertheless, because the TCCRA contain mainly official documents, private documents should also be used as supplements to obtain an overall perspective of legal life experience among Taiwanese.

The abundant resources available from the TCCRA could meet many intellectual needs of researchers from different fields and various disciplines or concerned with specific issues. Thus, potential users of the TCCRA should not be restricted to students of legal history, but open to the whole academic community. The TCCRA are expected to contribute to both the accumulation of knowledge and the civilization of humankind.

Keywords: Taiwan Colonial Court Records Archives (TCCRA), Court, Civil Verdicts, Criminal Verdicts, Public Notary, Database