

唐代宮中的監獄

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宮中人或服勤於宮中者，在宮內觸犯法禁或發生事端，則收押於宮中監獄，並由其審理，不必交付外廷法司處分。蓋宮中人本不得隨意出入宮禁，宮中事更不得漏洩於外，尤其是宮闈祕聞豈能讓外廷法司發掘出來，有損皇朝威嚴。宮中的監獄以內侍省、禁衛軍所屬的獄所為最重要的兩大體系，並稟持著貴賤、男女異獄的原則施行。身分尊貴的皇室成員獲罪，不繫於一般獄所，通常另於殿院關囚室拘禁。宮中案件在處理上有三種方式，一是執法者的行政監督，二是直接由皇帝自為裁決，三是透過司法審判來定罪。宮中監獄雖是一個獨立的司法領域，但唐中期以後，宮獄審理的案件愈發不限於宮中人、宮中事，甚至與外廷法司、府縣爭奪司法權，這與皇帝庇護，宦官擅權，有絕大關係。在獄政管理上，宮中監獄未必按法令規定行事，而防止冤案發生的司法救濟措施，也因外朝官吏難入宮獄檢查，讓宮獄成為封閉性高，且跳脫法律約束的場域。

關鍵詞：唐代、宮廷、監獄、法律、獄政管理

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Palace Prisons in Tang Dynasty

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People who lived or served in the palace, in the event that they broke the law, violated a prohibition, or caused an incident, would be detained in the palace prison. They were handled by the prison officials directly without the need for disciplinary action from juridical authorities outside of the palace. People in the palace were forbidden to leave the palace at will, and word of events that happened inside of the palace were not to be leaked to the outside world. This was especially so regarding stories about members of the royal family; these could not be discovered by the external juridical authorities as it would jeopardize the imperial reputation. There were two major systems of prisons within the palace; these belonged to the Imperial Household Bureau and Imperial Guards respectively. The prisons were run under the principle of separating prisoners into different locations according to their social status, such as noble and poor, or male and female. When nobles such as members of the royal family committed a crime, they were not detained in a general prison; they would be sent to a cell somewhere in the imperial palace that was specifically for detaining such offenders. There were three ways to handle the crimes committed in the palace. The first was under administrative supervision by the law enforcement officials. The second was direct adjudication by the emperor. The third was to reach a verdict via a trial in a judicial court. Even though the prison system within the palace had an independent jurisdiction, from the mid-Tang on, the cases it handled were no longer limited to people in the palace and to incidents that occurred in the palace; it even fought over jurisdiction with external juridical authorities and the county governments. This was definitely related to

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imperial protection and eunuch interference. In matters of prison administration, the palace prisons might not follow the regulations and laws; the juridical relief measures that could prevent injustices from happening were not possible since it was extremely difficult for external officials to enter the palace prisons for inspection. This allowed the palace prisons to become places that were shut off to the outside world and not bounded by the laws.

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