

Xiyuan Jilu and the Three Seals Code: A Comparative Study of Forensic Examination and Evidence Systems in Traditional Chinese and Thai Legal Civilizations¹

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Abstract

This article presents a comparative study of the forensic examination and evidentiary provisions in Xiyuan Jilu (1247), a seminal work on forensic medicine from China's Song Dynasty, and the Three Seals Code (1805), the foundational legal compilation of Thailand's early Bangkok period. Though differing fundamentally in textual nature—the former being a specialized treatise on autopsy techniques, the latter a comprehensive legal archive—both texts offer valuable insights into how pre-modern Asian legal civilizations approached the problem of judicial evidence. Rather than claiming equivalence, this study uses their differences as analytical leverage to illuminate divergent institutional paths. Through textual analysis, the study reveals both commonalities and divergences. Both texts exhibit systematic approaches to judicial evidence and emphasize the importance of physical injuries in legal determination. However, they differ significantly in normative form, technical approach, and judicial philosophy. Xiyuan Jilu adopts a knowledge-based structure centered on morphological analysis to pursue objective truth, reflecting the Song

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Dynasty's forensic empiricism. The Three Seals Code, by contrast, embeds evidentiary rules within a comprehensive legal framework, utilizing quantified compensation standards and emphasizing procedural justice grounded in Buddhist ethical principles. These differences illuminate the distinct paths through which East Asian and Southeast Asian legal civilizations developed their approaches to judicial evidence. The comparative analysis contributes to global legal history by demonstrating how divergent institutional, philosophical, and cultural contexts shaped the pursuit of judicial truth across pre-modern Asia.

Keywords: Xiyuan Jilu — Three Seals Code — Forensic examination — Judicial system — Comparative legal history

I. INTRODUCTION

The system of forensic examination serves as a core mechanism for achieving judicial truth in traditional legal systems. In the Chinese legal tradition, *Xiyuan Jilu* (洗冤集录, *Collected Records of Wrongs Redressed*), compiled by Song Ci (1186–1249) of the Southern Song Dynasty, synthesized the forensic examination experiences of previous generations, forming a relatively complete body of forensic medical knowledge.² This work provided an important foundation for subsequent judicial examinations.³

In his preface, Song Ci declared: “In all judicial matters, none is graver than cases involving the death penalty; in such capital cases, nothing is more crucial than establishing the initial facts; in establishing the initial facts, nothing is more essential than the autopsy examination. For upon this rests the determination of life or death, and the redress of injustice and grievances.”⁴ Song Ci thus placed autopsy examination at the core of judicial adjudication.⁵

In the legal tradition of the Ayutthaya Kingdom (1351–1767), the Three Seals Code (กฎหมายตราสามดวง), compiled in 1805 by order of King Rama I as an anthology of earlier legal texts, similarly incorporated evidentiary rules into its normative framework.⁶ These two texts respectively reflect the institutional practices in the field

² 宋慈, “洗冤集录” (1247) [Song Ci, “Collected Records of Wrongs Redressed” (1247)] (Chinese) Preface.

³ See Pierre-Étienne Will, “Forensic Science and the Late Imperial Chinese State” in Jongtae Lim and Francesca Bray, *Science and Confucian Statecraft in East Asia* (Brill 2019) 87–110 <[URL](#)>; Xia Zhuo, “Historical Shifts in China’s Forensic Medicine Education and Service Mode Since 1949” (2020) 10(3–4) *Academic Forensic Pathology* 131–43 <[URL](#)>.

⁴ Song Ci, “Collected Records” (n 2) Preface.

⁵ 黄丽云, “略论宋慈法治思想及当代价值” *东南学术* (2017) 4 [Huang Liyun, “A Preliminary Study on Song Ci’s Legal Thought and Its Contemporary Value” (2017) 4 *Southeast Academic Research*] (Chinese) 170–174; Liao Yuqun, “Song Ci, the Xi Yuan Ji Lu, and the Judicial Examination System” in *The High Tide of Science and Technology Development in China*, ed. Xiaoyuan, History of Science and Technology in China (Springer 2021)] 255–75 <[URL](#)>.

⁶ Chris Baker and Pasuk Phongpaichit, “The Child is the Betel Tray: Making Law and Love in

of forensic evidence within the traditional legal civilizations of East Asia and Southeast Asia. A comparative study of the two contributes to understanding the commonalities and differences in judicial evidence systems across different legal traditions.

The compilation of the Three Seals Code took place under a specific historical impetus. According to the Code, during the reign of King Rama I, a case occurred involving an unjust judgment by a judge. A woman named Am Daeng Phon, wife of the royal blacksmith Nai Wensi, filed for divorce despite her husband being at fault. Am Daeng Phon then committed adultery with Phakeson, who was precisely the judge presiding over the case and showed favoritism toward her.⁷ This incident led King Rama I to recognize the confusion and injustice within the legal texts. According to the Code, King Rama I examined the legal texts preserved in three locations—the Royal Court, the Royal Treasury, and the Royal Library—and found that all three texts recorded: “when a husband is without fault and the wife requests a divorce, the law permits the wife to leave the husband.”⁸ King Rama I was deeply dissatisfied with this, considering such provisions unjust, and stated that the confusion and injustice in the law arose because “some people, driven by greed and delusion, shameless toward wrongdoing, sought only personal gain and arbitrarily fabricated laws.”⁹ Consequently, in 1805, King Rama I decreed the establishment of a legal compilation committee, composed of four court scribes (อักษณ), three judges (ลูกขุน), and four royal scholars (ราชบัณฑิต), totaling 11 members, who completed the compilation of the Three Seals Code in approximately 11 months.¹⁰ Upon completion, King Rama I ordered the creation of three copies, each consisting of 41 volumes, to be deposited in the Royal Treasury, the Royal Library, and the Royal Court, respectively. These copies were stamped with three royal seals: the Lion Seal (ตราพระราชสีห์) representing judicial authority, the Elephant Seal (ตราพระคชสีห์) representing military authority, and the Lotus Seal (ตราบัวแก้ว) representing fiscal authority. Hence the name Three Seals Code, which became the first systematically compiled code in Thai history.¹¹

This article adopts a textual analysis approach. In terms of text selection, Xiyuan Jilu is based on the original edition, while the Three Seals Code is based on the Royal Institute Edition published by the Vajirayana Digital Library.¹² By comparing, clause by clause, the normative provisions concerning forensic evidence in these two texts, this article seeks to reveal the commonalities and differences in evidence systems between the two legal civilizations and to explore the historical reasons for their formation.

Ayutthaya Siam” (2021) 1(1) Thai Legal Studies 1–21 <URL>.

⁷ กฎหมายตราสามดวง ฉบับราชบัณฑิตยสถาน [The Three Seals Code, *Royal Institute Edition*] (Thai), Law of Divorce (ลักษณผ่านเมย). Available at Vajirayana Digital Library: <https://vajirayana.org/>. Hereafter cited as Three Seals Code, *Royal Institute Edition*, with section name.

⁸ Three Seals Code, *Royal Institute Edition* (n 7) Law of Divorce.

⁹ Three Seals Code, *Royal Institute Edition* (n 7) Preface.

¹⁰ *ibid.*

¹¹ *ibid.*

¹² Three Seals Code, *Royal Institute Edition* (n 7).

It must be acknowledged at the outset that these two texts are not strictly comparable as “like” sources. *Xiyuan Jilu* is a focused, systematic treatise on a single subject—forensic autopsy—whereas the *Three Seals Code* is a sprawling legal compilation encompassing diverse areas of civil, criminal, and administrative law. This asymmetry, however, is not a liability but an analytical opportunity. The very fact that one legal tradition produced a specialized forensic manual while the other embedded evidentiary rules within a comprehensive code reveals fundamental differences in how each civilization conceptualized and institutionalized the pursuit of judicial truth. The comparison therefore proceeds not from an assumption of equivalence, but from a recognition of difference as historically informative.

II. XIYUAN JILU – THE KNOWLEDGE SYSTEM OF JUDICIAL EXAMINATION IN THE SONG DYNASTY

A. Background of Compilation and Intellectual Origins

Xiyuan Jilu was completed in the seventh year of the Chunyou era of the Southern Song Dynasty (1247). Its emergence was by no means accidental. The Song Dynasty represented the peak period in the development of China’s ancient judicial examination system, a situation attributable to multiple factors.¹³ First, Song rulers placed great emphasis on the construction of the legal system, adopting a national policy of “esteeming civil governance while restraining military power,” establishing “civilian governance” (文治) as the governing philosophy.¹⁴ Second, the judicial system of the Song Dynasty became increasingly sophisticated. Institutional arrangements such as the separation of trial and adjudication (鞫讞分司制), the retrial system for overturned cases (翻异别推制), the system for rectifying wrongful convictions (理雪制度), and the examination accountability system (检验责任制) legally ensured the implementation of the examination system.¹⁵ Third, the scholar-officials of the Song Dynasty actively engaged with worldly affairs. Influenced by an intellectual climate that valued innovation, independent thinking, and critical pragmatism, and particularly by the Neo-Confucian epistemology of “investigating things to extend knowledge” (格物致知), a large number of scholar-officials engaged in judicial practice that meticulously summarized the case-handling experiences of

¹³ 王亚杰, “宋代司法检验制度研究” [D] (南京师范大学 2017) [Wang Yajie, “A Study on the Judicial Examination System of the Song Dynasty” [D] (Nanjing Normal University 2017)] (Chinese).

¹⁴ 朱腾伟&宋玮玮, “《洗冤集录》的问世: 宋代类书编纂之功” 人民法院报 (18 日 12 月 2020 年) [Zhu Tengwei and Shen Weiwei, “The Emergence of *Xiyuan Jilu*: The Achievement of Song Dynasty Encyclopedia Compilation” *People’s Court Daily* (18 December 2020)] (Chinese).

¹⁵ 李恒, “矜恤思想对宋代司法制度的影响” 青海省司法厅官网. 转载自人民法院报(18 日 10 月 2021 年) [Li Heng, “The Influence of the Philosophy of Compassion on the Song Dynasty Judicial System” *People’s Court Daily*, reproduced on the Official Website of the Department of Justice of Qinghai Province (18 October 2021)] (Chinese).

their predecessors, producing a substantial body of forensic medical literature.¹⁶

The intellectual origins of *Xiyuan Jilu* can be traced back to judicial examination experiences since the Five Dynasties period. In his preface, Song Ci stated:

I often reflected that errors in judicial cases often arose from mistakes at the outset, and mistakes in examination were always due to limited practical experience. Therefore, I extensively gathered various books transmitted in recent times, from *Neishu Lu* and several others, brought them together and distilled them, organized and corrected them, added my own insights, and compiled them into a single volume, which I titled *Xiyuan Jilu*.¹⁷

Thus, Song Ci broadly drew upon the achievements of his predecessors, including judicial examination texts such as *Neishu Lu* (内恕录), *Zheyu Guijian* (折狱龟鉴 / The Mirror of Judgment), and *Tangyin Bishi* (棠阴比事 / Parallel Cases from Under the Pear Tree).¹⁸ On this foundation, he incorporated his own rich practical experience to produce this comprehensive forensic medical work. According to scholarly research, *Xiyuan Jilu* referenced more than 10 types of earlier forensic literature, among which *Neishu Lu* exerted the most significant influence.¹⁹

It is noteworthy that *Xiyuan Jilu* is not a mere compilation of existing texts. Through his long-term personal judicial practice, Song Ci systematically organized, corrected, and supplemented these texts, ultimately forming a complete system of forensic medical knowledge. This work was not only a manual for conducting autopsies, but also established standards for judicial practice in ancient China. Its composition occurred much earlier than the systematic development of forensic medicine in Europe. Subsequently, through revisions and expansions in later dynasties, it exerted a profound influence on the development of forensic medicine worldwide.²⁰

B. Institutional Framework of Material Evidence Examination

The forensic examination system in *Xiyuan Jilu* was established upon a rigorous procedural framework. The work comprises five volumes and 53 sections, forming a complete institutional framework covering pre-examination preparations, examination procedures, methods for examining various types of wounds and deaths,

¹⁶ Zhu Te, “The Emergence of *Xiyuan Jilu*” (n 14).

¹⁷ Song Ci, “Collected Records” (n 2) Preface.

¹⁸ 최해별, “宋·元시기 ‘檢驗지식’ 의 형성과 발전: 『洗冤集錄』과 『無冤錄』을 중심으로” (2014) 69 중국학보[Choi Hae-Byoul, “Formation and Development of Autoptic Knowledge in the Song-Yuan Period Centered on *Xiyuan Jilu* and *Wuyuan Lu*” (2014) 69 the CHUNGKUKHAKPO (Journal of Chinese Studies) (Korean) 79–104.

¹⁹ *ibid.*

²⁰ 黄瑞亭, “宋慈《洗冤集录》与宋朝司法鉴定制度” (2006) 1 中国司法鉴定 [Huang Ruiting, “Song Ci’s *Xiyuan Jilu* and the Judicial Forensic System of the Song Dynasty” (2006) 1 Chinese Journal of Forensic Sciences] (Chinese) 57–60; 董向勇, “《洗冤录》勘检检查制度研究” [D] (郑州大学 2015) [Dong Xiangyong, “A Study on the System of Examination and Inspection in *Xiyuan Lu*” [D] (Zhengzhou University 2015)] (Chinese).

and the preparation of examination documents.²¹ Regarding the responsibilities of examination officials, Song Ci, in the “Ordinances” section of Volume I, clearly stipulated the legal liabilities of examination officials:

If a corpse that should be examined is not examined, or if after receiving the assignment the official fails to depart within two two-hour periods, or fails to personally attend the examination, or fails to determine the fatal cause of death, or makes an incorrect determination, each shall be punished as violating imperial decrees. If convictions have been altered based on examination reports, such cases shall not be eligible for voluntary surrender or self-reporting. If the circumstances are difficult to ascertain and the determination is erroneous, the official shall receive one hundred strokes with a heavy rod, and clerks and attendants shall be punished equally.²²

This provision directly linked examination responsibility with criminal liability, compelling examination officials to conscientiously perform their duties through severe legal sanctions.²³ According to scholarly research, the examination system of the Song Dynasty required that examination officials must personally sign a sworn statement, meaning that upon completing an examination, the official was required to personally sign a document affirming the truthfulness of the examination results and voluntarily accepting legal responsibility for any falsehood.²⁴ Additionally, Song Ci emphasized that examination officials must exclude external interference and maintain independent judgment: “Examination officials shall not accept requests from others, shall not accept bribes, and shall not pervert the law for personal gain. Violators shall be punished equally with the offender.”²⁵ These provisions constituted the institutional safeguards for Song Ci’s philosophy of judicial examination. In Song Ci’s view, examination was not merely a technical issue but also an institutional one. Only through well-designed institutional arrangements could the objectivity and truthfulness of examination results be ensured, thereby achieving judicial justice. As scholars have pointed out, institutional arrangements of the Song Dynasty, such as the separation of trial and adjudication, the retrial system for overturned cases, the system for rectifying wrongful convictions, and the examination accountability system, legally ensured the implementation of the examination system, embodying judicial principles of “tempering justice with mercy in punishment” and “emphasizing evidence.”²⁶

²¹ 张福坤, “从〈洗冤集录〉看宋代司法检验制度” 中国刑事诉讼法律网. 转载自人民法院报(23 日 12 月 2016 年) [Zhang Fukun, “Examining the Song Dynasty Judicial Examination System through Xiyuan Jilu” *People’s Court Daily*, reproduced on the Chinese Criminal Procedure Law Network(23 December 2016)] (Chinese).

²² Song Ci, “Collected Records” (n 2) Vol 1, “条令” [Ordinances] (Chinese).

²³ “从〈洗冤集录〉看宋代“依法审判”的法律思想” 北京市延庆区人民法院 (18 日 12 月 2020 年) [“Examining the Legal Thought of ‘Adjudicating According to Law’ in the Song Dynasty Through Xiyuan Jilu” *Beijing Yanqing District People’s Court* (18 December 2020)] (Chinese).

²⁴ Zhang Fukun, “Examining the Song Dynasty Judicial Examination System” (n 21).

²⁵ Song Ci, “Collected Records” (n 2) Vol 1, “条令” [Ordinances] (Chinese).

²⁶ 陈佳佳, “宋代录问制度考论” (2017) 35(2) 政法论坛 [Chen Jiajia, “The Detailed Discussion on the System of Luwen of the Song Dynasty” (2017) 35(2) *Tribune of Political Science and Law*] (Chinese)

C. Technical Standards for Wound Identification

The core content of Xiyuan Jilu lies in its systematic classification and identification methods for various types of wounds. Song Ci categorized wounds into three types—suicide, homicide, and accident—and made detailed distinctions based on the instruments of injury and the nature of the harm, forming a systematic set of technical standards for wound identification.

Regarding the distinction between death by hanging and death by strangulation, Song Ci provided detailed descriptions of the differing signs in Xiyuan Jilu. The location of rope compression yields distinctly different corpse signs: “If the rope compresses the upper part of the throat, the mouth is closed, the jaw is tightly clenched, and the tongue presses against the teeth without protruding If the rope compresses the lower part of the throat, the mouth is open and the tip of the tongue protrudes two to three-tenths of an inch beyond the teeth.”²⁷

In cases of suicidal hanging, where the body is suspended in the air, the rope is typically positioned below the throat, resulting in the characteristic signs of an open mouth and protruding tongue. In cases of homicidal strangulation, due to the differing direction of force, the location of the marks and the associated signs differ. To further distinguish between suicide and disguised hanging, Song Ci proposed methods for examining the tightness of the rope and the characteristics of the marks. Injuries formed before death exhibit “purplish-red with blood suffusion” (紫赤有血蔭) due to tissue hemorrhagic reaction, while injuries formed after death appear “simply white without blood suffusion” (只白色無血蔭).²⁸ This observation largely aligns with modern forensic medical conclusions.

Regarding the distinction between death by drowning and post-mortem submersion, Song Ci proposed even more refined examination methods. He clearly stated that drowning victims, due to “fighting for life before death, with qi and blood circulating and inhaling water into the intestines,” exhibit signs such as “both hands naturally curled, sand and mud in the spaces between the toes, water bubbles flowing from the mouth and nose, and abdominal distension with water present.” In contrast, those submerged after death exhibit “no water bubbles from the mouth and nose, no water in the abdomen and no distension, slightly yellowish complexion, and slightly emaciated muscles.”²⁹ These distinguishing criteria involved multiple examination indicators, reflecting Song Ci’s systematic grasp of autopsy signs. Additionally, Song Ci made nuanced distinctions between “falling into water” and “intentionally entering water” based on the manner of submersion, further enriching the technical standards for drowning identification.³⁰

Regarding the identification of beating injuries, Song Ci placed particular

91–100; Zhang Fukun, “Examining the Song Dynasty Judicial Examination System” (n 21).

²⁷ Song Ci, “Collected Records” (n 2) Vol 3, “自縊” [Death by Hanging] (Chinese).

²⁸ *ibid.*

²⁹ Song Ci, “Collected Records” (n 2) Vol 3, “溺水” [Death by Drowning] (Chinese).

³⁰ *ibid.*

emphasis on the relationship between wound color and fatality. He meticulously described the morphological characteristics of wounds produced by different instruments, linking wound color to the degree of injury and time of infliction, thereby forming a systematic method for assessing injury severity. Regarding the distinction between antemortem and postmortem injuries, Song Ci explicitly stated: “Only when there is blood suffusion surrounding the mark is it a beating injury inflicted before death” (其痕周匝有血蔭方是生前打損),³¹ using the pathological sign of “blood suffusion” as a key distinguishing indicator. Regarding the determination of fatal body parts, Song Ci identified the head, chest, breasts, ribs, abdomen, and genitalia as “critical fatal areas” (要害致命去處).³² Regarding the difference between wounds resulting in immediate death and those resulting in death after several days, Song Ci also made detailed distinctions, asserting that the degree of toxic accumulation was closely related to the time of death.³³ These discussions closely linked wound color, wound morphology, injury location, time of death, and fatality, forming a systematic approach to injury assessment and reflecting Song Ci’s profound insight into forensic medical examination.

III. THE THREE SEALS CODE – THE SYSTEM OF MATERIAL EVIDENCE IN THE AYUTTHAYA KINGDOM

A. Code Compilation and Legal Tradition

The comparison in this study focuses on four specific components of the Three Seals Code that address matters comparable to those in *Xiyuan Jilu*. First, the Law of Quarrels and Assault (วิวาทดาตี) addresses the assessment of physical injuries inflicted by violence, which parallels *Xiyuan Jilu*’s discussion of wound identification and fatal versus non-fatal injuries. Second, the Law of Evidence (พระไอยการลักษณะกฎหมาย) establishes rules for judicial fact-finding, including provisions on judicial bias and witness testimony, which correspond to *Xiyuan Jilu*’s procedural framework. Third, the Law of Social Hierarchy (พระไอยการพรมศักดิ) links injuries to quantified compensation based on the victim’s status, which contrasts with *Xiyuan Jilu*’s qualitative morphological analysis. Fourth, the Law of Ordeal (ลักษณะพิสูท ดำน้ำ ลุยเพลิง) addresses evidentiary gaps, which complements *Xiyuan Jilu*’s assumption that autopsy can resolve most factual questions. These four components are selected because they represent the Ayutthayan legal tradition’s most developed responses to the same basic judicial challenges that *Xiyuan Jilu* addresses: how to determine facts, how to assess injuries, and how to ensure the integrity of judicial decision-making.

The Three Seals Code represents the culmination of the legal tradition of

³¹ Song Ci, “Collected Records” (n 2) Vol 2, “打損” [Beating Injuries] (Chinese).

³² *ibid.*

³³ *ibid.*

Thailand's Ayutthaya Kingdom. Since its establishment in 1351, the Ayutthaya Kingdom endured for 417 years, developing a legal tradition rooted in the Indic legal tradition based on the Manusmriti (Dharmaśāstra), while also integrating indigenous legal cultures such as those of the Khmer and Mon peoples.³⁴ According to the Three Seals Code, Thailand's legal tradition was deeply influenced by Indian culture, with the Dharmaśāstra texts transmitted through the Mon people serving as the primary source of law:

During the Ayutthaya period, Thai law was influenced by Indian culture, transmitted through the Mon people in the form of the Dharmaśāstra texts, which the Mon called Thammasattham texts. These were adopted as legal principles for governance and adjudication of various cases for the well-being of the people. The Dharmaśāstra texts were regarded as sacred scriptures, believed to have been bestowed by God to the king as principles for administering justice.³⁵

The compilation of the Three Seals Code can be traced to the comprehensive legal revision undertaken during the reign of King Rama I in 1805. According to the Code, the immediate catalyst for this compilation was an unjust judgment in a divorce case. After comparing three versions of the legal texts, King Rama I discovered that they contained unjust provisions. He then decreed the establishment of a legal revision committee composed of 11 scholars to comprehensively organize the legal texts inherited from the Ayutthaya Kingdom. The committee completed the compilation of the Code within approximately 11 months. All legal texts were organized into 27 volumes, each stamped with three royal seals—the Lion Seal representing judicial authority, the Elephant Seal representing military authority, and the Lotus Seal representing fiscal authority—hence the name Three Seals Code.³⁶ According to the cover pages of each volume of the Code, these laws were successively completed in 1805 (2348 Buddhist Era, 1167 Chula Sakarat).

The evidentiary framework in the Three Seals Code differs fundamentally from that of Xiyuan Jilu. The Three Seals Code is not a specialized forensic manual; rather, it integrates rules of evidence into a broader framework of legal norms. The Code consists of 27 legal texts covering various fields including civil, criminal, and administrative law. Among these, the Law of Quarrels and Assault (วิวาทคดี), the Law of Evidence (พระไอยการลักษณะกฎหมาย), and the Law of Social Hierarchy (พระไอยการพรมศักดิ์) are particularly closely related to evidentiary matters.³⁷

³⁴ Robert Lingat, "Robert Lingat (1892–1972)" (1972) 24(3) *Revue Internationale De Droit Comparé* 702–4 <[URL](#)>; 元振军, "泰国的法律与宗教" [D] (广西大学 2015) [Yuan Zhenjun, "Law and Religion in Thailand" [D] (Guangxi University 2015)] (Chinese).

³⁵ Three Seals Code, *Royal Institute Edition* (n 7) Preface.

³⁶ *ibid.*

³⁷ Andrew Harding and Munin Pongsapan (eds), *Thai Legal History: From Traditional to Modern Law* (Cambridge University Press 2021) <[URL](#)>.

B. The Fundamental Principle for Judges: Eliminating Four Kinds of Bias

When articulating the fundamental principles of judicial adjudication, the Three Seals Code first emphasizes that judges must eliminate four kinds of bias (อคติ ๔ ประการ).³⁸ This term derives from the Pali word *agati*, literally meaning “improper path,” and in the Thai legal tradition it specifically refers to the four types of prejudice to be avoided in judicial decision-making. The Code elaborates on this principle in the “Indra Language Section” (หลักอินทภาษ):

Judges must consider and decide cases with impartiality, free from bias favoring any party arising from the four kinds of bias (*agati*): *Chandagati*—bias arising from desire, favoring gifts and bribes; *Dosagati*—bias arising from anger; *Bhayagati*—bias arising from fear; and *Mohagati*—bias arising from delusion.³⁹

These four kinds of bias—ฉันทาคติ (bias arising from desire), โทสาคติ (bias arising from anger), ภยาคติ (bias arising from fear), and โมหาคติ (bias arising from delusion)—originate from the Pali Buddhist tradition and constitute fundamental principles that judges must eliminate when adjudicating cases.⁴⁰ The Code further states that judges who render unjust judgments due to bias will suffer severe karmic consequences: A judge who renders a judgment with bias, lacking impartiality, commits a sin more grievous than the sin of killing innocent people and numerous virtuous persons. Even if one performs immeasurable meritorious deeds, one cannot erase this sin.⁴¹

This principle reflects the characteristic integration of Buddhist ethics with judicial practice in Ayutthayan law, emphasizing that the moral cultivation of judges is the fundamental guarantee for achieving judicial justice.

C. Case Classification and the Material Evidence System

The Three Seals Code established a systematic classification system for cases. The Code comprises 27 legal texts covering various fields including civil, criminal, and administrative law. Among these, the Law of Quarrels and Assault (วิวาทดาตี) is most closely related to forensic evidence. According to the Code:

The Law of Quarrels and Assault contains provisions concerning offenses involving quarreling, insulting, and bodily assault, including both physical fighting with fists and the use of sharp or blunt weapons to injure others, resulting in injury, serious injury, or death. It classifies the nature of the offenses into multiple categories and prescribes

³⁸ Three Seals Code, *Royal Institute Edition* (n 7) พระไอยการลักษณะกฎหมาย [Law of Evidence] (Thai).

³⁹ *ibid* หลักอินทภาษ [Indra Language Section] (Thai).

⁴⁰ Frank E. Reynolds, “Dhamma in Dispute: The Interactions of Religion and Law in Thailand” (1994) 28(3) *Law & Society Review* 433–51 <URL>.

⁴¹ Three Seals Code, *Royal Institute Edition* (n 7) พระไอยการลักษณะกฎหมาย หลักอินทภาษ [Law of Evidence, Indra Language Section] (Thai).

distinct penalties and compensation for each category.⁴²

Within this framework, wounds were established as an independent and important category of evidence. According to the provisions of this law, in cases involving bodily injury, wounds themselves constitute the core factual basis for adjudication, and judges must determine the facts of the case through examination of the wounds.⁴³

D. Rules of Evidence in the Law of Evidence

The Law of Evidence (พระไอยการลักษณะกฎหมาย) of the Three Seals Code systematically sets forth provisions concerning witness qualifications and the validity of testimony. The Code classifies witnesses into three categories: Thippayan (divine witnesses) consist of virtuous monks, scholars, royal scholars, and titled nobles; Udon Phayan (intermediate witnesses) consist of lower-ranking officials, merchants, and commoners; and Uttari Phayan (lower witnesses) consist of the parties' siblings, friends, the deaf, the blind, those suffering from severe illnesses, and beggars.⁴⁴

In addition to the above classification, the Code explicitly lists 33 categories of persons who may not serve as witnesses, including vagrants, beggars, and children lacking worldly knowledge, unless both parties mutually consent to accept their testimony.⁴⁵ This strict classification and exclusion system reflects the great importance the Ayutthayan legal tradition placed on witness qualifications, aiming to ensure the truthfulness of testimony by defining witnesses' social status and moral character.

E. The Supplementary Role of Ordeal

The Law of Ordeal (ลักษณะพิธีสูท ดำน้ำ ลุยเพลิง) of the Three Seals Code stipulates that when conventional evidentiary methods could not establish the facts of a case, ordeal could be employed as a final measure. The Code records:

This law serves as the final measure for determining the outcome between parties, relying on phenomena that transcend or exceed natural standards as indicators. . . . Before resorting to this method, the case must have already undergone all appropriate judicial proceedings, yet it lacks eyewitnesses, circumstantial evidence, and other evidence, making the truth unascertainable; only then is the use of ordeal permitted. There were seven forms of ordeal: 1. Lead retrieval; 2. Oath-taking; 3. Walking together on hot coals; 4. Submersion together in water; 5. Swimming upstream in a race; 6. Crossing a river in a race; 7. Each lighting a candle, with the one whose candle extinguishes first being deemed the loser.⁴⁶

⁴² Three Seals Code, *Royal Institute Edition* (n 7) วิวาห์ดาตี [Law of Quarrels and Assault] (Thai).

⁴³ *ibid.*

⁴⁴ Three Seals Code, *Royal Institute Edition* (n 7) พระไอยการลักษณะกฎหมาย [Law of Evidence] (Thai).

⁴⁵ *ibid.*

⁴⁶ Three Seals Code, *Royal Institute Edition* (n 7) ลักษณะพิธีสูท ดำน้ำ ลุยเพลิง [Law of Ordeal] (Thai).

F. Social Hierarchy and Compensation for Damages

The Law of Social Hierarchy (พระไอยการพรมศักติ) of the Three Seals Code linked compensation for personal injury to the social status of the parties involved. The Code stipulates that the calculation of compensation was based on the victim's social status (measured in *rai* of rice fields), with the severity of the injury determining the proportional reduction in compensation. According to the Code:

The Law of Social Hierarchy contains provisions concerning the determination of a person's value according to gender, age, and various statuses when calculating compensation in cases causing harm to the life or body of another. It also sets forth the criteria for judges to determine compensation and fines in various cases, based primarily on the *sakdina* (field-grade hierarchy) of the victim whose life, body, or reputation has been harmed and of the person causing such harm.⁴⁷

IV. SIMILARITIES AND DIFFERENCES BETWEEN THE TWO EVIDENTIARY SYSTEMS

A. Comparison of Normative Forms

Xiyuan Jilu and the Three Seals Code exhibit significant differences in the normative form of their evidentiary systems. The former is a specialized forensic medical work whose content entirely revolves around autopsy examination techniques; the latter is a comprehensive code in which evidentiary rules are integrated into a broader framework of legal norms.

From the perspective of normative structure, Xiyuan Jilu adopts a “knowledge-based” organizational format. The work centers on examination techniques, arranged according to the logical sequence of examination procedures, wound classifications, and determination of causes of death, forming a complete system of forensic medical knowledge. This organizational format reflects the Song Dynasty academic tradition of “investigating things to extend knowledge” (格物致知), systematically studying judicial examination as a specialized field of knowledge.

The Three Seals Code, by contrast, adopts a “norm-based” organizational format. The evidentiary system is embedded within a normative framework encompassing case types, judicial procedures, and penalty application. Examination itself is not an independent field of knowledge but rather a technical means for implementing the law. The Code classifies cases into 27 legal texts, each addressing specific types of disputes, with evidentiary rules dispersed throughout these texts.

⁴⁷ Three Seals Code, *Royal Institute Edition* (n 7) พระไอยการพรมศักติ [Law of Social Hierarchy] (Thai).

B. Comparison of Technical Approaches

In terms of technical approaches, Xiyuan Jilu and the Three Seals Code also reveal marked differences. The examination techniques in Xiyuan Jilu are based on “morphology,” inferring the timing, manner, and cause of injury through meticulous observation of wound morphology, color, location, and other characteristics. For instance, Song Ci’s distinction between hanging and strangulation was based on differences in the morphology of rope marks; his distinction between drowning and post-mortem submersion was based on differences in corpse posture and the contents beneath the fingernails.

The technical approach of the Three Seals Code, in contrast, is characterized by “quantification.” The Code directly links wounds to compensation amounts, determining liability for compensation through quantitative standards. The calculation of compensation was based on the victim’s social status (measured in *rai* of rice fields), with the severity of the injury determining the proportional reduction in compensation. Although this quantitative technique is less refined than the morphological analysis in Xiyuan Jilu, it exhibits greater regularity and operability.

The differences between these two technical approaches reflect different judicial needs. The morphological techniques in Xiyuan Jilu served the purpose of determining guilt and sentencing in criminal cases, requiring precise judgment regarding the nature and fatality of injuries. The quantitative techniques in the Three Seals Code served the purpose of calculating civil compensation, requiring injuries to be translated into quantifiable amounts of compensation.

C. Comparison of Judicial Philosophies

The differences in judicial philosophy between Xiyuan Jilu and the Three Seals Code reflect the distinct value orientations of traditional Chinese law and Ayutthayan law. Xiyuan Jilu emphasizes “seeking truth,” making the pursuit of objective truth the fundamental goal of judicial examination. In his preface, Song Ci explicitly stated: “In all judicial matters, none is graver than cases involving the death penalty; in such capital cases, nothing is more crucial than establishing the initial facts; in establishing the initial facts, nothing is more essential than the autopsy examination,”⁴⁸ emphasizing that examination is the key to discovering the truth. The Three Seals Code, by contrast, places greater emphasis on “justice,” prioritizing procedural fairness and judicial virtue as the core values of judicial examination. The Code repeatedly emphasizes that judges must eliminate the four kinds of bias and conduct examinations in accordance with legal norms. This difference in philosophy is also reflected in the systems of examination accountability: Xiyuan Jilu ensures the truthfulness of examinations through severe criminal sanctions, while the Three Seals Code places greater emphasis on the moral cultivation and professional integrity of

⁴⁸ Song Ci, “Collected Records” (n 2) Preface.

judges.

It is worth noting that these two judicial philosophies are not diametrically opposed. *Xiyuan Jilu* also emphasizes the professional ethics of examination officials, requiring that they not accept requests from others or receive bribes. The Three Seals Code also values the truthfulness of examinations, requiring judges to “conduct careful examinations and distinguish truth from falsehood.” The two legal traditions are consistent in their fundamental goal of pursuing judicial justice, differing only in their respective emphases.

V. CONCLUSION

Xiyuan Jilu and the Three Seals Code respectively represent paradigmatic forms of evidentiary systems in the traditional legal civilizations of East Asia and Southeast Asia. Through a comparative study of these two texts, we can draw the following conclusions:

First, both legal traditions exhibit a high degree of systematicity in their evidentiary systems. *Xiyuan Jilu* constructed a system of examination techniques centered on morphological analysis, while the Three Seals Code established norms for injury assessment characterized by quantified compensation. Although the two systems differ in their technical approaches, both embody the pursuit of judicial truth.

Second, the two legal traditions display distinct characteristics in their normative structures. As a specialized work on examination, *Xiyuan Jilu* adopts a knowledge-centered normative structure; as a comprehensive code, the Three Seals Code embeds its evidentiary rules within a broader framework of legal norms. This difference reflects the divergent positions that the two legal civilizations assign to judicial examination.

Third, the two legal traditions emphasize different aspects of judicial philosophy. *Xiyuan Jilu* places greater emphasis on “seeking truth,” treating examination as a means of discovering factual reality; the Three Seals Code places greater emphasis on “justice,” treating evidentiary rules as a tool for ensuring procedural fairness. Although these philosophies differ, both serve the fundamental goal of judicial justice.

Fourth, the two legal traditions share commonalities as well as differences in their rules of evidence. Both value wounds as evidence, yet they differ significantly in examination methods and compensation standards. *Xiyuan Jilu* emphasizes precise determination of injury characteristics through morphological analysis, while the Three Seals Code transforms injuries into compensation amounts through quantitative standards.

A methodological note is warranted regarding the textual asymmetry between the two sources. This study does not claim that *Xiyuan Jilu* and the Three Seals Code are equivalent texts, nor does it measure one against the other as if they were. Rather, the comparison proceeds from the recognition that differences in textual form—specialized treatise versus comprehensive code—are themselves historically

meaningful. They reflect divergent modes of legal knowledge production: the Chinese tradition's impulse to systematize forensic technique as an autonomous field of expertise, and the Thai tradition's integration of evidentiary matters within a holistic legal framework informed by Buddhist jurisprudence. The value of this comparison lies precisely in illuminating these different institutional logics, not in adjudicating which system was more "advanced" or effective. Future research may extend this framework to include other Asian legal traditions, such as Vietnam's National Dynasty Criminal Code, to further test and refine these observations.

For contemporary legal development, traditional forensic medical knowledge provides important historical reference. Both the emphasis on ensuring examination truthfulness in Xiyuan Jilu and the quantitative assessment norms established in the Three Seals Code offer valuable insights for modern evidence systems. As research in global legal history deepens, comparative studies of evidentiary systems across different legal traditions contribute to a more comprehensive understanding of the diverse paths of legal development and provide historical resources for the improvement of contemporary evidence law.

This article has primarily adopted a textual analysis approach to conduct a comparative study of the evidentiary systems in the two texts. However, gaps may exist between institutional texts and actual judicial practice. Future research could further examine the actual operation of these systems in judicial practice. Additionally, subsequent studies could expand the comparative scope by including other East Asian forensic medical works, such as Vietnam's National Dynasty Criminal Code (*Quốc triều hình luật*), into the comparative framework, thereby more comprehensively revealing the evolutionary paths of evidentiary systems in traditional legal civilizations.

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