

Unveiling the Philosophical Essence of China's Century-Long Legal History Through the Lens of Traditional Historical Allusions, 1931-2020

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Abstract

The historical philosophy of the rule of law in China encapsulates the intellectual heritage and practical experience of a century of legal evolution, rooted in the broader context of Chinese governance and state-building. This framework preserves the innovative legal thought of the New Democratic Revolution while integrating the legacies of socialist revolution and national modernization. Over time, it has dynamically evolved to support the construction of a legal system adapted to the demands of socialism with Chinese characteristics. Grounded in this legal philosophy, China has systematically advanced its socialist legal system, contributing to the theoretical foundation that underpins national governance and the broader goal of the Chinese Dream of national rejuvenation. This study provides an in-depth examination of the integration and reinterpretation of legal allusions from 1931 to 2020, tracing their impact on the trajectory of China's legal development. By exploring these historical references, the research highlights the enduring spirit of legal innovation and the key achievements in China's rule of law construction. It further assesses the significance of the Third Plenary Session of the 20th Central Committee of the Communist Party of China in deepening legal reform and strengthening national governance. This analysis offers a comprehensive evaluation of both theoretical advancements and practical milestones in China's legal evolution, emphasizing their long-term importance for the country's governance and its future trajectory.

Keywords: Chinese Tradition; Historical Allusion; Historical Philosophy; History of the Rule of Law; Rule of Law

Introduction

The legal history of modern China, spanning from the establishment of the Provisional Central Government of the Chinese Soviet Republic in 1931 to the present, represents a profound evolution in the rule of law, shaped by the political, social, and economic contexts of each historical period. Throughout this century of struggle, China has encountered numerous challenges and new tasks that have necessitated continuous refinement of its legal philosophy, theories, and practices. The Communist Party of China (CPC), as the driving force behind the nation's legal transformation, has progressively integrated the lessons from the New Democratic Revolution, socialist construction, and subsequent periods of reform and opening up into a uniquely Chinese approach to the rule of law. This evolving legal framework reflects

the CPC's unwavering commitment to aligning the will of the people with the construction of a just, efficient, and socially responsive legal system.¹

At each stage of China's legal development, the integration of traditional wisdom, revolutionary ideals, and contemporary governance has played a pivotal role in shaping the nation's approach to law. From the early constitutional experiments of the Chinese Soviet Republic to the comprehensive legal reforms of the socialist era, the CPC has sought to balance ideological principles with the practical demands of governance.² The culmination of this approach can be seen in the development of socialism with Chinese characteristics, wherein the rule of law is not merely a tool of governance but an embodiment of the national spirit—an essential feature that reflects China's pursuit of justice, scientific legislation, and strict law enforcement.³

The period following the Reform and opening-up of 1978 marked a critical juncture in China's legal history. Under the leadership of Deng Xiaoping and successive generations of Chinese leaders, the CPC expanded its vision of the rule of law to encompass not only political stability but also economic modernization and social governance.⁴ This shift has been reinforced and deepened in the new era of socialism with Chinese characteristics, as articulated by Chinese leader, where the rule of law has become integral to the governance system and the realization of the Chinese Dream of national rejuvenation (Qi 2011). The outcomes of the 18th CPC National Congress held in 2018 further reflect this guiding philosophy of legal transformation.⁵ This session emphasized the central role of the rule of law in China's comprehensive reforms, advocating for legal innovations that would support both economic modernization and the broader national goals of justice, fairness, and stability. The session also reinforced the importance of maintaining the "red gene" of the CPC—an ideological commitment to serving the people and promoting the rule of law as a core element of governance.⁶ These reforms reflect a forward-looking vision, aiming not only to consolidate the theoretical contributions of the past century but also to lay the foundation for China's legal future.⁷

In this context, the exploration of China's legal history is not merely an academic exercise but an essential inquiry into the philosophical and practical elements that have guided the nation's legal evolution. From the integration of historical allusions rooted in Confucianism, Legalism, and traditional governance models, to the pragmatic considerations of building a legal system that serves a rapidly modernizing socialist state, this historical journey offers valuable insights into the dynamic interplay between tradition and modernity, ideology and practice, law and governance.⁸ This study seeks to provide an in-depth analysis of how the CPC's century-long journey in legal construction has evolved through different political eras, continuously adapting to the shifting needs of society while preserving the core principles of justice, rule of law, and governance. By examining key legal milestones and ideological shifts, the research offers a comprehensive view of how the CPC's legal philosophy—founded on a blend of traditional Chinese wisdom and modern socialist theory—has played a central role in shaping the country's governance and its trajectory toward the realization of the Chinese Dream.⁹

Research Methodology

This study employs a historical-legal research methodology to trace the evolution of China's legal system under the leadership of the CPC. By conducting a rigorous qualitative analysis of primary sources—including constitutional documents, Party resolutions, and legislative reforms—alongside an extensive review of secondary literature on Chinese legal history, the research elucidates both ideological and operational shifts that shape China's distinctive approach to law and governance. Archival sources from the National Archives Administration

of the CPC, complemented by seminal works on Confucianism, Legalism, and socialist jurisprudence, will establish a nuanced framework for examining how the CPC integrates traditional Chinese philosophical principles with socialist ideals. This comprehensive approach illuminates the CPC's adaptive fusion of historical and revolutionary legal concepts, capturing the Party's evolving strategies for governance, social justice, and economic development.

Initial Exploration During the New Democratic Revolution (1931-1949)

During the era of China's New Democratic Revolution, the CPC embarked on foundational explorations into the construction of a legal system that would serve the nation's revolutionary aims. Despite the profound social and political complexities of this period, the CPC maintained a steadfast commitment to safeguarding the interests of workers and peasants, placing their well-being at the heart of its legal endeavors. In doing so, the Party promulgated a series of critical laws and decrees through the institutions of revolutionary power, exemplifying the emerging philosophy of governance that would shape modern China's legal evolution (CPC 2011, 21).

Rooted in People and the Rule of Law (法治为要, 以人为本 Fazhi Weiyao Yiren Weiben)¹⁰

The establishment of the Provisional Central Government of the Chinese Soviet Republic in 1931 signified a pivotal moment in the CPC's legal construction, marking the birth of the first constitutional document in the Party's history. The *Constitution of the Chinese Soviet Republic* laid the groundwork for the CPC's nascent legal system by formalizing the political framework of the Chinese Soviet regime and delineating the rights and duties of its citizens. This constitutional initiative not only underscored the revolutionary regime's historic mission to advance its political agenda nationwide but also became a blueprint for future legal formulations. The initial *Constitutional Outline*, though not fully comprehensive, provided an essential template that would later evolve into a more detailed legal framework. It served as a precursor to over a hundred laws, decrees, and regulations enacted within a short span of two to three years. Notable among these were the *Provisional Land Regulations*, *Punishment of Corruption and Wastefulness*, the *Marriage Law*, and the *Organic Law of the Central Soviet Republic* (Wu, Yang & Ma 2023b, 61), covering diverse areas such as regime organization, land reform, marriage, and criminal justice. These legislative acts were a clear testament to the resolve and capacity of the Chinese Soviet Republic to institutionalize governance through legal structures, thus laying the cornerstone for a future society grounded in the rule of law.

Throughout the Central Soviet period (1930-1937), the regime institutionalized the idea that 'the Chinese Soviet was built as a democratic dictatorship of workers and peasants'. This democratic structure empowered peasants, workers, and revolutionaries to elect representatives and actively engage in the governance of the regime, significantly mobilizing the revolutionary masses. This experiment provided invaluable practical experience, which would later influence the drafting of democratic constitutional frameworks in the early days of the People's Republic of China (Wang 2016). However, certain limitations persisted during this period, such as the ambiguous boundary between democratic and socialist revolutions and a tendency toward adventurism in prematurely transitioning to socialism (CPC 2011, 27). While these legal experiments were not devoid of imperfections—particularly concerning the misalignment between the principle of ethnic separation and China's actual ethnic relations—the legislative initiatives and judicial practices during the revolutionary period introduced fundamental concepts and principles that would be refined during socialist construction. The dialectical logic underpinning this era, embodied in the belief that 'time is the mother of thought, and practice is the source of theory', fostered a dynamic and adaptive legal philosophy. The CPC's emphasis on placing human welfare at the core of legislative efforts, with the rule of law as the

guarantor of societal well-being, happiness, and security, became a guiding principle that continued to shape China's legal development. Thus, the early explorations of legal construction during the New Democratic Revolution not only provided a vital theoretical and practical foundation for the legal system of New China but also exemplified the integration of historical wisdom and revolutionary practice. This period firmly established the rule of law as an essential element of national governance, rooted in a deep historical logic that emphasized the interplay of time, practice, and the evolving needs of the people.¹¹

Governing by Root Causes (法者, 治之端也Fazhe Zhizhi Duanye)¹²

The rule of law and the Communist Party of China were the fundamental political guarantee for the construction of the Soviet regime, and the law was the beginning of the rule. In the Central Soviet Area, the central government pushed forward legislation and gradually constructed a systematic Soviet judicial system. It included a series of laws, decrees and regulations covering a wide range of areas such as regime organisation, land reform, marriage and family, and criminal sanctions (Ouyang 2009).

Legal practice during the period of the Central Soviet Area disseminated the concept of the rule of law to the general public through public trials and travelling courts. In terms of the principle of trial, a corresponding judicial system and provisional judicial institutions were established. The courts of the Soviet Union were divided into lower and higher courts, which were responsible for hearing all kinds of cases. Trial procedures were carried out in strict accordance with the three stages of pre-trial, trial and execution, with emphasis on evidence-based adjudication and the prohibition of torture to extract confessions (Ren 2011). Through these measures, the legal awareness of the masses in the Soviet Union has been significantly raised, and the role of law in social governance has become increasingly prominent.

The legal system and practice of the Central Soviet Area period demonstrated its revolutionary and popular nature in a specific historical context, reflecting the Communist Party of China's working method of 'coming from the masses and going to the masses'. The laws of the Soviet period paid special attention to protecting the interests of peasants and labourers, promoting land reform and maintaining social justice, demonstrating the spirit of equality and justice in the red gene. At the same time, the construction of the rule of law during this period emphasised collectivism and democratic centralism, forming a strong organisational and enforcement mechanism (Figure 1). However, the legal system was not yet perfect, and its provisions were brief and not systematic or scientific enough; the law was enforced too harshly, and human rights and procedural justice were not well thought out. In addition, in a wartime environment, the implementation of the law is subject to greater constraints, and the stability and continuity of the law is weak. Nevertheless, these characteristics together constructed the historical lineage of the legal system in the Soviet Union, and the revolutionary spirit, people's standpoint and self-renewal ability of the red gene were also inherited and carried forward in the process, which not only effectively responded to the internal and external challenges, but also provided an important experience for the construction of the rule of law in the new China (Li & Xu 2023, 2). The legal practice in the Central Soviet Area laid the theoretical and practical foundation of the CPC in the construction of the rule of law, which has far-reaching historical significance.

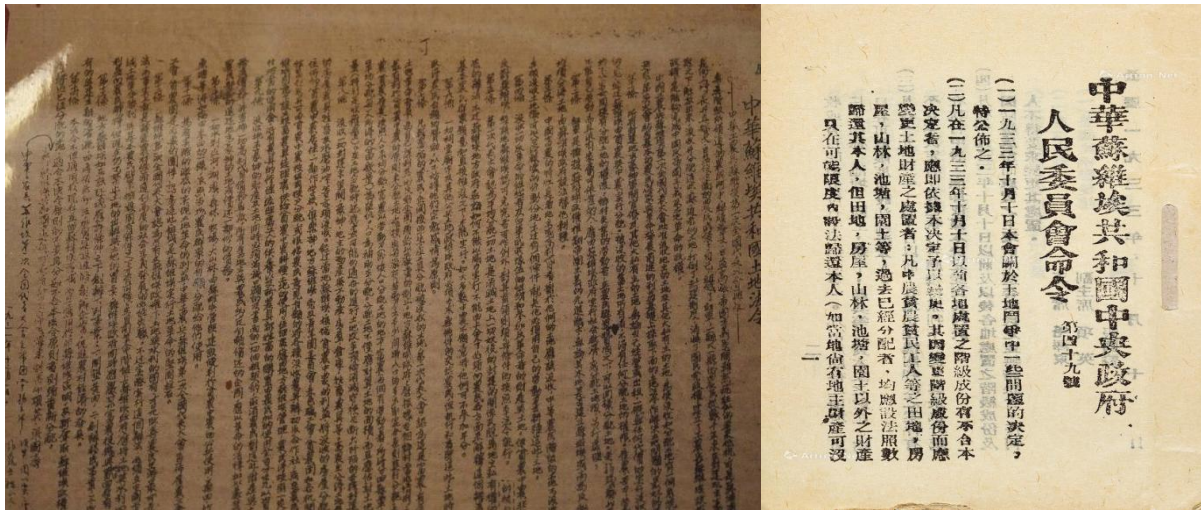


Figure 1: Documents on the site of the decrees of the Chinese Soviet Government.
Source: Party History Archives, Beijing, China, Document Legacy Exhibition.

The Supremacy of the People's Position (从民惟邦本到坚持人民至上 Cong Minweibangben Dao Jianchi Renmin Zhishang)

During the War of Resistance (1931-1945), the revolutionary bases, most notably the Shanxi-Gansu-Ningxia Border Region, embarked on an early attempt to build a government firmly rooted in the principles of the rule of law. Lin Boqu, the Chairman of the Border Region Government, articulated a vision for a democratic government that functioned within the legal limits, stating:

“A democratic government shall be a government of the rule of law, whose functions are limited to requiring the people to comply with their obligations under the law and shall not compel the people to fulfill obligations beyond the scope of the law; freedoms can only be deprived in accordance with the law, and the people cannot be unlawfully deprived of or restricted in their freedoms.” (Wu, Yang & Ma 2023a, 60)

His assertion reflects early iterations of contemporary concepts of rule-based governance and the principle of limited governmental power. Lin's focus on the realization of justice within a legal framework reveals the CPC's emerging legal philosophy, which sought to balance state authority with the protection of individual freedoms (Wu, Yang & Ma 2023a, 60). In 1944, Lin further underscored the importance of justice in governance during a report to the Border Region Senate. He criticized local administrators who obstructed appeals or complaints from citizens, thereby stifling the people's ability to express grievances and seek redress. To counter this, Lin emphasized the need to open channels for citizens to monitor government actions and assert their rights. In response, the Shanxi-Gansu-Ningxia Border Region enacted a series of administrative regulations aimed at streamlining government operations and ensuring legal accountability. These included the *Shaanxi Gannin Border Area Governments and Cadres of Punishment and Reward Temporary Regulations*, the *Shaanxi Gannin Border Area Governmental Conference Provisional Statute*, the *Shaanxi Gannin Border Area New Official Program*, and the *Shaanxi Gannin Border Area Police Work Rules* (Wang 1997). These measures established a legal framework to regulate the behavior of government officials, ensuring that their actions were consistent with the law. The commitment to administration according to law was not merely theoretical but was actively implemented in

judicial practice. The cases of Xie Busheng in the Central Soviet Area and Xiao Yubi in the Shanxi-Gansu-Ningxia Border Region serve as key examples of disciplinary action taken against corrupt or negligent officials. The revolutionary government empowered the masses to supervise government workers, granting them the right to criticize, report, supervise, and even dismiss officials who violated the law. The imposition of Party and political disciplinary actions, and in some cases criminal punishment, demonstrated the effectiveness of local governments in maintaining a clean administration and promoting governance in accordance with the law (Shu 2015, 80).

In the revolutionary bases, the judiciary was not a detached institution but an integral part of the people's power. It reflected the CPC's commitment to a 'people-centered' legal system, one that strove to serve the masses and make justice accessible (Wu & Zhao 2016, 36). This was evident in various judicial practices such as circuit courts, which brought trials to the people, and measures that reduced or waived litigation fees for the economically disadvantaged. Such judicial innovations trusted and relied upon the people, incorporating their views into trials and mediation. This blend of formal and substantive justice helped foster a judiciary that was not only legitimate in the eyes of the people but also a critical mechanism for social governance. In *Chinese Traditional Historical Tales*, it is noted that: "In all periods of revolution, construction, and reform in China, the Party has always attached importance to the formulation and implementation of civil laws" (Wu, Yang & Ma 2023b). This sentiment was especially true during the Democratic Revolution, where the Central Soviet Area, amidst intense struggles, enacted numerous civil laws guided by Marxist principles (Chen 2004, 226). These laws, covering areas such as land, marriage, and labor rights, extended legal protections to peasants and workers, thereby supporting the broader revolutionary war effort. Additionally, these legal advancements offered valuable insights into the modernization of civil legislation, providing a scientific foundation for future legal frameworks (He 2024, 76). The exploration of legal systems in the revolutionary bases demonstrated that the construction of a legal system was inextricably linked to the grand revolutionary cause of the CPC. The 'revolutionary red gene' that permeated the CPC's rule of law philosophy during the New Democratic Revolution was carried forward into the new era, forming a consistent ideological lineage. This continuity, encapsulated in the Party's mission to serve the people, reinforced the principle that the people are the bedrock of the nation. The CPC's emphasis on the supremacy of the people in the construction of the rule of law and social development has driven the evolution of legal thinking, combining historical wisdom with contemporary realities to advance the rule of law toward greater maturity and sophistication.

This historical experience, accumulated through the CPC's long process of revolution, construction, and reform, underscores a critical lesson: the rule of law is not a static construct but a dynamic process that must evolve with societal needs and realities. It is through this dialectical approach—grounded in both the past and present—that the CPC has continuously advanced the legal framework of the Chinese state, guiding the nation's legal system toward greater institutionalization and perfection.

Initial Practice During the Period of Socialist Revolution and Construction (1949-1978)

The establishment of the People's Republic of China in 1949 marked the conclusion of an era dominated by a counter-revolutionary, anti-popular legal system rooted in semi-colonialism and semi-feudalism. This pivotal moment in modern Chinese history signaled the dawn of a new epoch characterized by the establishment of a socialist rule of law. Under the leadership of the CPC, the previous legal framework, including the archaic Six Codes, was systematically dismantled. In its place, a new constitutional order, drawing on the principles outlined in the Common Programme and the May Fourth Constitution, was instituted. This transformation not

only signified a profound ideological shift but also embodied a fundamental reconstitution of China's legislative, executive, and judicial structures (Zou, Shi & Ma 2021, 15). It was a historic leap, symbolizing the profound metamorphosis of China's legal landscape toward a socialist order (Qian & Sng 2021, 359) (Figure 2).

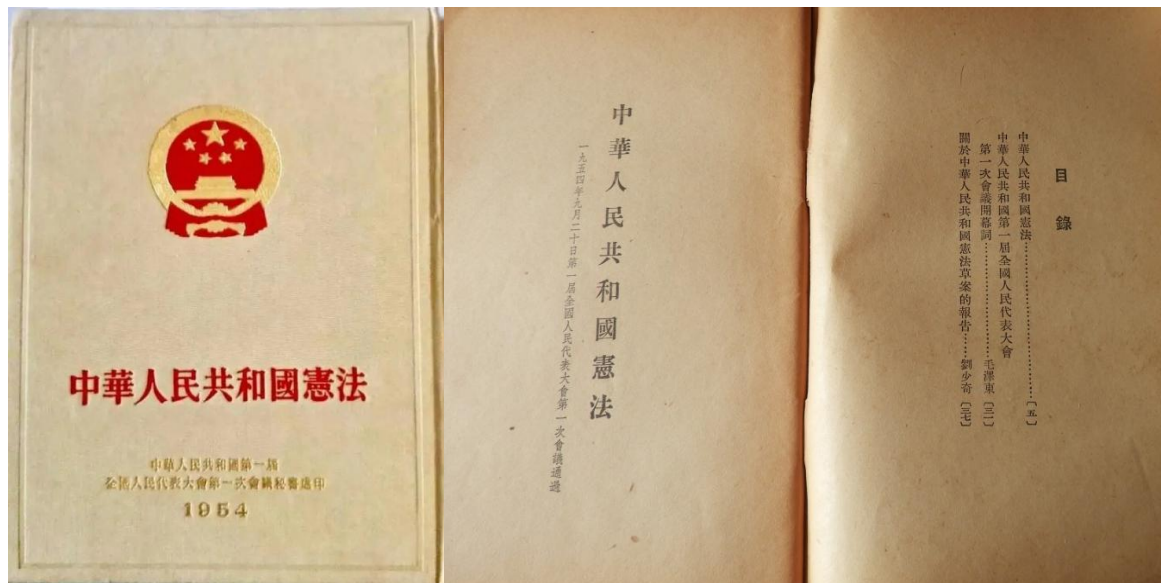


Figure 2: Original draft of the 1954 Constitutional Law of the People's Republic of China.
Source: Party History Archives, Beijing, China, Document Legacy Exhibition.

The adoption of the Constitution of the People's Republic of China by the first National People's Congress in 1954 represented a milestone in the formalization of this new legal paradigm. For the first time since the establishment of New China, the socialist system under the CPC's leadership was codified in a fundamental law. The Constitution encapsulated the essence of state sovereignty, explicitly reflecting the socialist transformation of Chinese society, and entrenched public ownership as the cornerstone of the economic system. It also underscored the pivotal role of the working class, acting through the CPC, in governing the state, thereby articulating the foundational principle of governance. This foundational principle did not merely establish the locus of political power; it provided an enduring constitutional basis for the legitimacy of state authority.¹³

The civil rights and duties enshrined in the 1954 Constitution demonstrated the nascent socialist state's commitment to the rights of the people. Core rights, such as suffrage, freedom of speech, and access to education, were guaranteed, although their application was framed within the broader context of party leadership and the overarching national interest. In a similar vein, the economic provisions of the Constitution highlighted the preeminence of the public sector, offering clear direction for the state's socialist transformation of production means.¹⁴ These provisions played a crucial role in facilitating the socialist restructuring of handicrafts, agriculture, and capitalist industry and commerce, thus laying the legal groundwork for subsequent large-scale economic reorganization. The Constitution's economic provisions not only articulated the prevailing economic ideology of the time but also served as a legal instrument for advancing China's socialist economic agenda. Subsequent to the adoption of the Constitution, the Central Government enacted a series of fundamental laws that further consolidated the socialist legal order. These included the Organic Law of the People's Procuratorate, the Organic Law of the Central People's Government, the Election Law, the Organic Law of the People's Courts, and the Marriage Law (Smith 2021, 141). The socialist revolution and construction periods saw the rule of law in China undergo significant

fluctuations—ranging from initial establishment, through periods of difficulty, to stages of restoration. Despite these fluctuations, the state persisted in refining its legal infrastructure, gradually developing a socialist legal system imbued with uniquely Chinese characteristics.¹⁵ This evolving system encompasses not only foundational laws such as the Constitution, civil law, and criminal law, but also a broad spectrum of regulations across various sectors (Wu & Zhao 2016, 36), providing a full range of legal safeguards for national governance.

The Rule of Law over Time (法与时转则治Fayushizhuan Zezhi)

The principle that ‘the law changes with the times and governs’ encapsulates the dynamic nature of the rule of law, asserting that legal systems must evolve alongside societal transformations to effectively address new governance challenges. This concept was deeply reflected in the period of China’s socialist revolution and subsequent nation-building, where the law became a responsive and adaptable tool, laying the foundation for the construction of the new Chinese state and its governance. Laws were designed not only to reflect systemic changes but also to respond to the practical demands of the moment, reinforcing the need for legal frameworks to stay attuned to socio-economic conditions and national development priorities (Li 2007, 16). A pivotal embodiment of this principle was the formulation of the 1954 Constitution, which solidified the economic foundation of socialist public ownership and articulated the state’s commitment to transforming the means of production. The Constitution’s provisions not only mirrored the prevailing economic and social shifts but also served as a legal blueprint for socialist construction. These legal foundations facilitated the state’s policies, ensuring the smooth implementation of reforms that were crucial to the stability and development of the emerging socialist society.

Further reflecting this adaptive approach were laws such as the Marriage Law, which abolished feudal marriage practices and institutionalized gender equality, and the Labour Law, which safeguarded workers’ rights and underscored the state’s protection of the working class. These legal measures not only addressed pressing societal issues but also fostered social harmony and equity by embedding progressive values into the legal framework.

Crucially, this era of legal development was characterized by its fluidity. Laws were continually revised and improved to stay aligned with the evolving social landscape. For instance, during the agricultural collectivization movement, the state tailored laws and policies to the specific conditions of rural China, ensuring that legal governance supported and regulated the rural economy’s development. This process demonstrated how the law, as both a tool of state policy and a catalyst for societal change, was able to maintain relevance and efficacy amid shifting realities. This legal practice, grounded in the principle of ‘rule by law in keeping with the times’, ensured that China’s legal system remained responsive and adaptive. Through these practices, a distinct socialist legal system gradually emerged, providing essential legal safeguards for state-building and social stability (Chen 2004, 226). The legal innovations and adjustments during this period not only facilitated the success of the socialist revolution and construction but also accumulated a wealth of experience for the future development of China’s legal system. The ability of the law to evolve in response to social contradictions and developmental challenges enabled a harmonious advance of both legal governance and societal progress.

Early Response to Situational Convergence (备豫不虞, 为国常道 Beiyubuyu, Weiguochang dao)

Since the founding of the People’s Republic of China, the concept of the rule of law has progressively crystallized, integrating Marxist legal thought with the distinctive realities of China, thereby establishing both the theoretical and practical framework for the modernization of the rule of law in subsequent eras. The lessons drawn from this early period of legal

construction offer invaluable insights into the evolving nature of the legal system and governance, serving as a cornerstone for future legal developments. The concept of the rule of law during the socialist revolution and the establishment of New China carries profound implications, encapsulating the forward-looking and historically integrated nature of China's legal theory in the modern era.

At the core of this theoretical foundation is the integration of Marx and Engels' discussions on materialist history and legal thought, which provided the ideological underpinnings for the 'people's nature' in the context of Chinese traditional historical narratives. Marx and Engels (1848) famously posited that: "the movement of the proletariat is independent and works for the benefit of the vast majority of the people". Marx and Engels (1848) further articulated that the mission of the proletarian revolution was fundamentally rooted in serving the people. Marx (1875) also emphasized that: "the purpose of law is to protect human freedom", reinforcing the notion that law, as an instrument of governance, must safeguard the interests and liberties of the people. In the Chinese context, these Marxist principles were synthesized with the national conditions of China, transforming the people into the bedrock of socialist state-building and governance (Wang, Wang & Cai 2020, 338). This synthesis of Marxist legal theory and Chinese realities is further demonstrated through the leadership of the CPC, which became a defining feature of China's legal development. The principle of adhering to Party leadership remains an essential characteristic of socialist rule of law with Chinese characteristics, as articulated in academic discourse (Cha & Luo 2019, 13). This adherence elevates the governance strategy to encompass all aspects of the people's well-being, aligning the rule of law with the strategic objectives of nation-building. The principle of serving the people is thus elevated to a strategic dimension, not only influencing governance but also shaping legal development to reflect the collective will of the people (Marx 1875).

Moreover, the enduring principles of the rule of law, such as its emphasis on the people's central role, remain consistent with China's historical narrative while being continually refined in response to the evolving socio-political context (Li 2007). The leadership of the Party, the people's subjectivity, and the development of the legal system are interwoven, reflecting an unbroken ideological lineage. In light of the new era, with its complex challenges and emerging national tasks, China has crafted a series of innovative ideas and strategies that propel the modernization of its legal framework and governance capacities to new heights. These advancements underscore the resilience of the Chinese legal system, illustrating a readiness to adapt and respond to potential risks while fortifying the rule of law as an instrument of national governance (Huang 2006, 22). Through this dynamic synthesis of historical principles and modern strategies, China's legal system has evolved into a sophisticated mechanism that supports the country's overall governance and enhances its capacity to meet future challenges. The rule of law in China not only reflects the people's will but also serves as a vehicle for national progress, continuously driving the modernization of China's governance structures while safeguarding the nation's stability and development.

Comprehensive Advancement in the New Period of Socialist Modernisation (1978-2020)

China's recent legal reforms signify a deliberate, intricate effort to fuse traditional Chinese legal philosophy—most notably the Confucian and Legalist principles—with socialist tenets, thereby shaping a governance model that not only addresses contemporary challenges but also preserves deep-seated cultural continuities (Zhang 2016). Initiating with the economic reforms of 1978 under Deng Xiaoping, China transitioned toward a 'socialist market economy', and this shift brought about a revitalized emphasis on social stability and order rooted in Confucian ideals of hierarchical harmony and deference to authority (Shambaugh 2013, 45). Deng's approach, often encapsulated by the phrase "crossing the river by feeling the stones," implicitly

reflected Confucian ideals of moderation, carefully orchestrating incremental change to maintain societal equilibrium (Vogel 2011, 22). In more recent developments, the implementation of policies such as the social credit system reflects an alignment with Confucian principles of collective responsibility and ethical governance, demonstrating a modern adaptation of the ideals of ‘unity of rites and laws’ and the ‘rule of morality and law’ within contemporary state practices (Creemers 2018). By promoting ‘trustworthiness’ and enforcing behaviors that correspond with moral standards, the social credit system echoes the Confucian emphasis on virtue as a cornerstone of societal harmony, while simultaneously advancing the socialist objective of fostering collective accountability (Loubere 2017). This synthesis of traditional and socialist values in modern legal reforms reveals the CPC’s nuanced approach to governance, balancing historical continuity with strategic adaptation to meet the evolving needs of Chinese society.

Between 1978 and 2012, the concept of the rule of law in China underwent a significant historical evolution, transitioning from nascent ideas to widespread acceptance. The implementation of the reform and opening-up policy in 1978 signified a pivotal moment in China’s recognition of law’s role in facilitating economic and social development, rendering the popularization of the rule of law an essential component of the nation’s modernization efforts.

Deng Xiaoping’s pronouncement in 1978—“there is a law to follow, there is a law that must be followed, law enforcement must be strict, and violations of the law must be investigated”—served as a foundational directive, heralding the onset of the rule of law’s popularization (Deng 1993, 11). As economic reforms advanced, the establishment of a market economy necessitated a robust legal framework, with the rule of law emerging as a cornerstone of coordinated economic growth.

The 1982 revision of the Constitution of the People’s Republic of China further enshrined the principle of human rights, thereby affirming the rule of law at a constitutional level. Throughout the 1980s, the gradual establishment of a comprehensive legal system saw the introduction and implementation of numerous foundational laws and regulations, including the Criminal Law, the General Principles of Civil Law, and the Administrative Procedure Law. This legislative momentum facilitated the permeation of the rule of law concept across various societal strata (Gao 1998, 36). In the 1990s, the advancement of the rule of law gained additional momentum, driven by state efforts to enhance public awareness and understanding of legal principles through intensified legal education. Notably, in September 1997, the 15th National People’s Congress articulated the strategic objective of constructing a socialist state governed by the rule of law, marking a significant milestone in this popularization process. Concurrently, the establishment and refinement of the legal aid system bolstered public trust in the legal framework. With the dawn of the 21st century, the proliferation of the Internet markedly accelerated the dissemination of the rule of law concept. The Internet emerged as a vital platform for legal advocacy, facilitating a range of initiatives aimed at popularizing legal knowledge and enhancing public legal awareness.

In 2012, the 18th National Congress of the Communist Party report catalyzed a transformative shift, advocating for the comprehensive advancement of the rule of law and the establishment of a socialist state founded upon legal principles—a move that elevated the concept’s prominence to unprecedented levels (Xi 2014, 122). This period marked a pivotal integration of legal governance not only within governmental and economic spheres but also across social life, embedding the rule of law as a shared consensus and normative code of conduct among the Chinese populace (Long 2012, 32). Tracing the trajectory from 1978 to 2012 reveals a dynamic evolution in policy advocacy, legal practice, and societal acceptance, establishing the rule of law as both a framework and an ethos within Chinese society. This process of legal integration not only fortified the legal system but also laid a robust foundation

for sustained social and economic progress in China. However, philosophical tensions arise as Confucian values, which emphasize hierarchy and respect for authority, at times conflict with the Marxist ideals of class equality and social justice (Bell 2015, 122). Confucianism, with its emphasis on stability and the maintenance of established social hierarchies, often stands in contrast to Marxist thought, which advocates for dismantling class stratifications and uplifting the working class. The CPC's approach to harmonizing these ideals is embodied in its "people-centered" development policy, which has driven reforms such as the expansion of social welfare systems and intensified poverty alleviation efforts, a focus that intensified under President Xi Jinping's administration from 2013 to 2020 (Xi 2020, 16). This policy, while firmly rooted in Marxist principles of equity and service to the public good, simultaneously reflects Confucian values by prioritizing societal harmony (Bakken 2019, 27). Thus, China's recent legal reforms exemplify a flexible, adaptive legal philosophy that thoughtfully incorporates elements of Confucian, Legalist, and socialist thought, crafting a governance model that sustains social stability, promotes collective welfare, and dynamically addresses the evolving challenges of contemporary governance (Chen 2017).

Undaunted by the Risks and Will of the Road (志之所趋, 无远弗届 Zhizhi Suoqu, Wuyuan Fojie)¹⁶

Since Deng Xiaoping's pivotal speech during his southern tour in 1992, China has expedited the construction of a socialist market economy, with judicial reform emerging as a critical component of this transformation. These reforms have progressively advanced, providing indispensable institutional support and legal safeguards essential for the flourishing of the market economy. The core objective of judicial reform has been to enhance judicial independence and impartiality, establishing a fair, efficient, and transparent judicial system that safeguards market order and protects the legitimate rights and interests of all market entities.¹⁷

Foremost among these reforms is the significant enhancement of judicial independence. By systematically reducing interference from local governments, the budgets of courts and procuratorates have been placed under the jurisdiction of the central government. This financial autonomy has empowered judicial and prosecutorial bodies to exercise their adjudicative and prosecutorial powers with greater independence and integrity.¹⁸ In parallel, substantial progress has been made in promoting the transparency and standardization of judicial procedures. Measures such as the implementation of public trial systems, the publication of adjudication documents, and the promotion of 'sunshine justice' have collectively made the judicial process more transparent, thereby enhancing the credibility of the judiciary and fostering greater public trust in the administration of justice (Qi 2011).

Additionally, there has been marked progress in the professionalization of judicial personnel. Through rigorous selection mechanisms, continuous vocational training, and robust professional safeguards, the qualifications and ethical standards of judges and prosecutors have been significantly elevated. Notably, reforms in the judge quota system have resulted in a reduction in the number of judges, while improving the overall quality of adjudication, thus raising the standards of justice. These reform initiatives have collectively established a robust legal and institutional foundation for the operation and development of the socialist market economy. Through judicial reform, the legitimate rights and interests of market participants have been more effectively protected, and the security and predictability of market transactions have been enhanced. This, in turn, has stimulated the vitality and stability of the market economy. In sum, the deepening of judicial reform represents a crucial element in the broader context of establishing the socialist market economy and is an integral aspect of China's comprehensive reform agenda. These reforms provide institutional guarantees for the orderly operation of the market economy, advancing the construction of the rule of law in tandem with economic development, and laying a solid foundation for future economic and social progress.

As China continues its path of socialist modernization, the relationship between governance and development remains pivotal. The rule of law, as an essential pillar of socialism with Chinese characteristics, is the bedrock for maintaining social order, fairness, and justice. Moreover, it serves as a vital guarantee for promoting high-quality economic development. General Secretary Chinese leader has emphasized that the rule of law must permeate all aspects of economic policymaking and governance, asserting that a society governed by law requires not only the normative application of legal principles but also broad acceptance and support from all sectors of society. As Chinese leader states: “The rule of law is the basic way of governing the country” (Qi 2011, 73).¹⁹

This approach underscores that the formulation and implementation of economic policies must be grounded in legal principles to ensure that economic activities are conducted within a robust legal framework. By cultivating a sound legal environment, economic agents can engage in fair competition under clear and consistent rules, thereby reducing uncertainties and risks in the marketplace. This enhances both the stability and sustainability of economic growth.²⁰ It is important to recognize that the rule of law and economic development are mutually reinforcing and complementary. A well-functioning market economy depends on a sound legal system and effective governance mechanisms, and the rule of law remains an indispensable safeguard for promoting high-quality economic development in the new era.²¹ The philosophy underpinning the history of the rule of law in China reflects a deep commitment to comprehensively promoting legal reforms while advancing economic modernization. It also exemplifies the Party's innovative development of its governance theory, ensuring that the legal framework aligns with the correct trajectory of economic development (Zhang 2021).

As General Secretary Chinese leader has noted: “Where there is will, there is no limit to what can be achieved” (Long 2012, 82). Under the strong leadership of the CPC, China has unwaveringly pursued the path of socialist rule of law with Chinese characteristics. Amid the sweeping currents of reform and opening up, this legal framework has yielded significant achievements. The path of the rule of law not only reflects China's unique circumstances but also solidifies the central role of legal principles in national governance, thus reinforcing the vision and goals of realizing the great rejuvenation of the Chinese nation.

Governing the Nation by Taking Stock of the Situation (观俗立法则治, 察国事本则宜 Guanyu Lifa Zezhi, Chaguoshi Benzhi)²²

The establishment of the strategy of ruling the country according to law represents a landmark in the history of China's legal development, marking a significant shift in the governance philosophy and practice of the CPC and the Chinese government. This strategy, which gradually emerged as China's understanding of the importance of the rule of law deepened, became a central feature of governance following the nation's reform and opening-up process. It was formally articulated at the 15th National Congress of the CPC in 1997, when China began to prioritize the formulation and enhancement of legal frameworks to regulate economic activities and ensure the effective implementation of reform policies (Zhou 2011, 5). As economic reform progressed, the operation of the market economy increasingly relied on legal support, with the rule of law becoming not only the foundation of economic development but also a critical guarantee of social stability.

The 1997 Congress marked a turning point in governance, as the CPC put forth the ambitious strategic goal of “ruling the country according to law and building a socialist country based on the rule of law” (Zhou 2011, 45).²³ This declaration reflected a fundamental transformation in the CPC's approach to governance, moving from a reliance on rule by man and policy to governance grounded in law and legal principles. At the heart of this strategy was the regulation of government behavior, the protection of citizens' rights, and the safeguarding

of social fairness and justice—all under the aegis of the law. The implementation of the strategy of a state governed by law has been accompanied by continuous improvements to the legal system and a broader popularization of the concept of the rule of law. One key milestone was the 2004 amendment to the Constitution, which enshrined the protection of human rights within the constitutional framework, reflecting the deepening embrace of the rule of law.²⁴ Furthermore, landmark legislation such as the Administrative Licensing Law,²⁵ the Property Law, and the Labor Contract Law has contributed to a relatively comprehensive legal system, forming the legal foundation necessary for governing the state in accordance with the law (Figure 3).

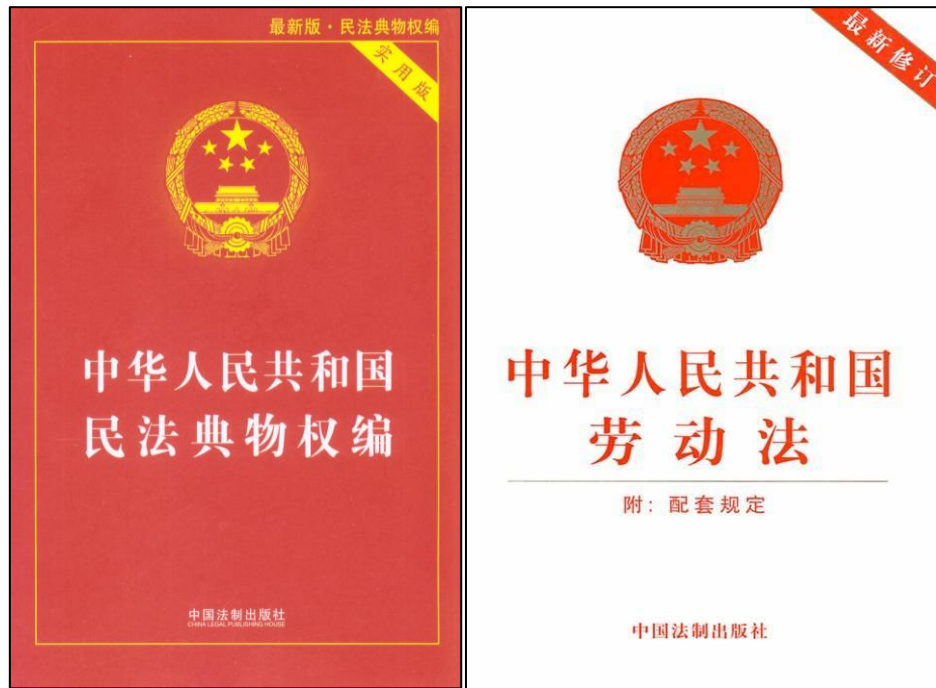


Figure 3: Original 1997 Labor Law and Property Law of the People's Republic of China. Source: Party History Archives, Beijing, China, Document Legacy Exhibition.

Simultaneously, judicial reforms have been advanced under the momentum generated by the rule of law strategy. Central to these reforms are the goals of judicial independence and impartiality. Institutional reforms of courts and procuratorates have aimed to enhance the independence and credibility of the judiciary. Initiatives such as public trials and the public disclosure of adjudication documents have increased judicial transparency and impartiality, fostering greater public trust in the judiciary (Zhang 2023, 11). Moreover, the establishment of a legal aid system has enabled ordinary citizens to safeguard their rights through legal channels, further cultivating a societal environment grounded in the rule of law. The introduction of the strategy of ruling the country according to law signifies a critical milestone in China's transition from policy-based governance to law-based governance. This shift has not only strengthened the legal system and deepened judicial reforms but has also significantly contributed to the popularization of the rule of law within Chinese society.

Additionally, the strategy embodies the core principles of the 'Four-in-One' theory, which encompasses the rule of law path, rule of law culture, rule of law system, and socialist rule of law with Chinese characteristics. As Zhang Qianfan expounds, this theory reflects an integrated approach to legal governance that has been instrumental in advancing the practice of the rule of law in the context of China's modernization (Long 2012, 122). China's legal philosophy, rooted in its rich governance traditions—such as the maxim “to observe the laws

of the people is to rule, to examine the state is appropriate”—has been adapted and systematized to meet the demands of the new era (Long 2012, 123). The contemporary strategy emphasizes the centrality of CPC leadership as the core axis of governance, recognizing the fundamental role of the rule of law in national governance. This strategy underscores that ruling the country according to law represents not only a profound transformation in national governance but also a key to sustaining long-term stability and prosperity.

A central tenet of China's philosophy of the history of the rule of law is that Party leadership and the rule of law are mutually reinforcing, ensuring that the rule of law remains the cornerstone of both national governance and social stability. As emphasized by CPC leaders: “A nation thrives when the rule of law flourishes, and a nation is strong when the rule of law is strong” (Long 2012, 131). This notion encapsulates the vital importance of the rule of law in securing national development and social progress. Through this systematic framework, China is not only able to consolidate the rule of law foundation in national governance and foster the coordinated development of its economy and society, but also to elevate its modernization efforts to a higher level. By blending the wisdom of traditional Chinese governance with modern rule of law principles, this framework transcends the limitations of contemporary legal theories and has become a cornerstone for promoting China's legal development in the new era.

Staying True to the Original Mission (不忘初心, 牢记使命 Buwang Chuxin, Laoji Shiming)

The phrase “not forgetting the beginning and keeping the mission in mind” was first articulated by General Secretary Chinese leader at the 19th National CPC in 2017 (Zhou 2011). At this congress, Chinese leader emphasized that the Party's original mission is to seek happiness for the Chinese people and revival for the Chinese nation. He stressed that every Party member and cadre should uphold this mission, maintain a firm commitment to their original intention, and continuously promote the Party's work.²⁶ The Party's mission is closely tied to the social revolution, which is a response to new historical challenges and practices across various eras. This revolution aims to clarify and address the evolving productive forces (Li 2007). In this context, the Party has sought to modernize the governance system, aligning it with the rule of law, which now serves as a cornerstone for national stability and progress. This modernization is designed not only to consolidate past achievements but also to create the necessary conditions for future economic and social growth.

The path of the rule of law in Chinese socialism was born out of the country's historical trajectory of revolution, construction, and reform. It encapsulates a comprehensive approach to governance, reflecting the achievements and experiences of building socialism under the CPC. China's philosophy of the rule of law, deeply influenced by Marxist jurisprudence, is infused with the Party's revolutionary spirit and rich experience. It serves as a scientific guide for advancing socialist democracy, improving the people's livelihoods, and ensuring national security and social stability. By promoting a culture of law, China has fostered an internal and external environment that emphasizes respect for, adherence to, and utilization of the law (Zhang 2021, 5). The rule of law in the new era, anchored in the CPC's leadership, further emphasizes the rule of law's strategic and foundational role in China's development. Rooted in its “red gene” of revolution and reform, China continues to uphold the principles of law in economic and social governance, maintaining a commitment to not forgetting the original mission and adapting to the demands of the new era (Zhang 2023, 15). This ensures the Party's leadership in navigating national and global challenges, while staying grounded in its original purpose.

The philosophy behind China's rule of law has also grown in response to the global landscape, offering Chinese wisdom and innovative models for governance. This philosophy not only addresses the evolving demands of modern China but also reflects theoretical

innovations that guide the rule of law in the new era (Qiu & Xu 2013, 33). As a theoretical and practical guideline, it has become a cornerstone for building the rule of law and realizing the great rejuvenation of the Chinese nation.

As highlighted in ‘The Law is the Beginning of Governance’, the rule of law has become the foundation for modern state governance in China (Chen 2017, 92). From the traditional concept of ‘the people are the foundation of the state’ to the modern ‘people-centered’ approach, the rule of law has consistently emphasized the Party’s purpose of serving the people (Feng 2017, 325). The rule of law and ethical governance are two complementary forces driving the modernization of China’s governance system. By drawing on past experience and incorporating modern governance strategies, China has crafted a socialist rule of law framework with unique characteristics suited for the new era. This blend of ancient wisdom and contemporary practice has enabled China to open a distinct path for the rule of law in the context of socialism with Chinese characteristics, providing both a theoretical foundation and practical guidelines for the country’s ongoing governance and legal reforms.

The Intellectual Essence of Traditional Chinese Philosophy and China’s Legal History in the Last Hundred Years

Legal philosophy in China is profoundly rooted in its historical context, drawing from ancient traditions and philosophies that have influenced legal thought for millennia. The Confucian concept of ‘Ren’ (仁, benevolence) and the Legalist emphasis on stringent laws create a framework within which the evolution of legal philosophy can be comprehended. The transition from these ancient paradigms to the legal reforms of the twentieth century underscores the interplay between historical allusions and the philosophical foundations of law. One pivotal traditional trope that has significantly influenced the understanding of law in China is the concept of ‘Harmony’ (和谐 *Hexie*). Embedded deeply within Confucian philosophy, this notion asserts that social order and stability are achieved through harmonious relationships among individuals and between individuals and the state.²⁷ Historical narratives frequently invoke this trope, demonstrating how laws are crafted to promote societal harmony rather than merely enforce compliance. In the early twentieth century, as China confronted rapid social and political upheaval, the imperative for harmony became increasingly pronounced. Legal reforms sought not only to modernize the legal framework but also to restore a sense of order and equilibrium within society (Sun 2018, 775). The revival of traditional values, particularly those associated with Confucianism, played a crucial role in shaping the legal discourse during this transformative period.

Another prominent historical trope is the ‘Mandate of Heaven’ (天命 *Tian Ming*), which has historically underpinned the authority of rulers and the legitimacy of governance (Xiao 2021, 39). This trope underscores the belief that rulers derive their right to govern from divine sanction, contingent upon their ability to maintain social order and promote the welfare of the populace. The nexus between law and morality becomes evident in this context; when rulers fail to uphold their responsibilities, the ‘Mandate’ can be rescinded, leading to their ultimate downfall (Zhou 2020, 555). This philosophical underpinning has persisted throughout China’s legal history, continuing to influence contemporary legal thought and governance practices (Orts 2001, 42). The revival of this trope in modern discussions of legitimacy and authority reflects a profound yearning for stability and moral governance in an era characterized by rapid change. The persistence of traditional themes, such as the importance of social harmony and moral governance, remains palpable in contemporary legal practices. The concept of ‘Rule of Virtue’ (德治 *Dezhi*) epitomizes this synthesis, advocating for a legal system that prioritizes ethical governance and the moral responsibilities of both rulers and citizens (Berring 2004, 22). This perspective stands in stark contrast to purely punitive legal systems, reflecting a unique

approach to justice that emphasizes social welfare and community well-being. In contemporary China, the resurgence of Confucian values within the legal discourse illustrates the enduring relevance of traditional historical tropes. The promotion of ‘socialist rule of law’ frequently invokes these philosophical foundations, suggesting that legal reforms ought to be rooted in the moral and ethical teachings of Confucianism. The integration of these values into modern legislation and legal practice demonstrates how historical allusions continue to shape the philosophical essence of law in China.



Figure 4: Marxist Philosophy Embedded in Chinese Legal Philosophy (Applied Monographs). Source: Party History Archives, Beijing, China, Document Legacy Exhibition.

Moreover, a comparative analysis between traditional Chinese legal allusions and Marxist legal thought reveals both alignment and tension within China’s evolving legal framework, reflecting a blend of continuity and adaptation.²⁸ Traditional Chinese legal philosophy, rooted in Confucian and Legalist thought, emphasizes moral governance and collective harmony over individual rights. Confucianism values ethical rulership, encouraging leaders to act as moral exemplars to maintain societal order and stability, while Legalism emphasizes state authority and strict laws to enforce control. These traditions prioritize the collective welfare, focusing on societal harmony and cohesion, ideals that still resonate within China’s legal consciousness today.²⁹ In contrast, Marxist legal thought, grounded in the theories of class struggle and materialist dialectics, emphasizes egalitarianism, social justice, and the law’s role as a mechanism for achieving class equity. According to Marxist philosophy, law serves as a tool for the proletariat’s liberation from class oppression, aiming to dismantle hierarchical structures rather than reinforce them.

Despite the divergent philosophical roots, both traditions address central questions concerning authority, justice, and the law’s role in governance. Traditional Chinese thought views the law as an instrument for achieving societal harmony through moral integrity and hierarchical respect, whereas Marxist thought considers it a means for advancing the interests of the working class and ensuring equity (Li 2007; Orts 2001, 43). This difference introduces inherent tensions within China’s modern legal system, particularly as the CPC seeks to harmonize Confucian hierarchy with Marxist egalitarianism. However, the CPC strategically

adapts both traditions by creating a legal framework that prioritizes the collective welfare and social harmony emphasized in Confucianism while also pursuing the Marxist goals of class equity and state-led development (Orts 2001; Wu & Zhao 2016, 32).

In the contemporary Chinese legal landscape, the CPC's philosophy strives to harmonize competing ideologies through a 'people-centered' governance framework that prioritizes public welfare and mitigates social disparities (Smith, 2021). This approach is operationalized through a series of legal reforms and policy innovations, where Confucian and Legalist ideals are interwoven with Marxist tenets to form a distinctly Chinese model of rule of law. Key reforms, such as expanded social welfare provisions and strengthened environmental regulations, exemplify this synthesis, embodying a reconciliation between ancient ethical constructs and socialist objectives. For instance, Confucian principles traditionally emphasize harmony with the natural world and collective well-being, values which now find resonance in the CPC's promotion of environmental stewardship and social equity—both foundational aspects of socialist legal thought (Sun 2018).

As China continues to modernize at a rapid pace, propelled by economic liberalization, urban expansion, and intensified global integration, the task of reconciling these philosophical traditions has grown increasingly complex. Issues like environmental sustainability, intellectual property rights, and social equity raise new challenges that traditional legal frameworks may not fully address (Qiu & Xu 2013; Wu & Zhao 2016). Intellectual property rights, for instance—a field with limited historical precedent in traditional Chinese jurisprudence—demand a sophisticated balance between fostering domestic innovation and accommodating the demands of global economic integration (Zhang 2021). Thus, China's legal philosophy must evolve, adapting traditional ideological insights into a flexible, contemporary framework that remains firmly rooted in Chinese cultural values, yet is capable of navigating the complexities of modern governance.

A comparative look at other legal systems, particularly those in Western contexts, highlights the distinctions between Chinese legal philosophies and Western notions of justice. In many Western systems, individual rights are paramount, and the rule of law is seen as a protector of personal freedoms. In China, however, traditional legal allusions such as 'unity of rites and laws' and 'concurrent rule of morality and law' continue to influence a legal framework that places social harmony and moral governance above individual autonomy (Zhang 2023; Zhou 2020). This perspective underscores a collective model of justice, rooted in Confucian ethics, which prioritizes stability and social order over personal liberties. Consequently, China's rule of law embodies a distinct approach to achieving societal order, blending these collective-oriented historical perspectives with Marxist ideals of egalitarianism (Smith 2021).

The implications of this synthesis are profound for contemporary policy and legal practice in China. The CPC's ongoing endeavor to blend Confucian harmony with Marxist class-consciousness manifests in a legal system that supports stability, fosters collective welfare, and emphasizes state authority (Gao 1998, 52). The CPC's vision of socialist governance thus forms a framework that is deeply intertwined with China's historical values and responsive to its unique socio-political context. While tensions between hierarchical Confucian structures and egalitarian Marxist principles persist, the flexibility within the CPC's approach to legal reform demonstrates an adaptive, culturally resonant legal philosophy (Wu & Zhao 2016).

In sum, China's legal model exemplifies a distinct pathway in which historical continuity and ideological adaptation coalesce, drawing from both traditional and Marxist principles to address modern challenges. The comparative analysis underscores that while philosophical foundations may vary across cultures, legal systems universally grapple with analogous questions of justice, authority, and governance. As China continues to shape its role

on the global stage, the dynamic interplay between its historical values and modern legal philosophies will undoubtedly inform its evolving legal landscape, providing valuable insights for global discourses on governance and the rule of law.

Conclusion

China's construction of the rule of law represents a highly nuanced synthesis of historical wisdom with modern legal philosophy, adeptly navigating the imperatives of domestic governance and global engagement. Grounded in enduring maxims like 'ruling a large country is like cooking a small delicacy' (治大国如烹小鲜, Zhidaguo Ru Pengxiaoxian) and 'if the law is enforced, the country will be governed' (德法合治, Defa Hezhi), China's legal framework underscores precision, equilibrium, and careful governance as foundational for national stability and sustainable progress. Drawing on these historical insights, China's rule of law integrates moral and legal governance traditions, exemplified by principles such as the 'unity of rites and laws' (礼法合一, Lifa Heyi) and 'concurrent rule of morality and law' (道德并行, Daode Bingxing). These traditional paradigms are recontextualized within the CPC's governance strategy, ensuring a continuity of cultural values while responding to contemporary governance demands.

China's present-day approach reaffirms the relevance of traditional philosophies in addressing modern complexities. By merging strict legal enforcement with ethical governance, the CPC demonstrates that law functions not merely as a regulatory mechanism but as a central pillar for social cohesion, national rejuvenation, and socialist modernization. The CPC's commitment to constructing a 'rule of law China' that is firmly rooted in both historical legacies and socialist principles highlights the adaptability and intellectual depth of this evolving legal philosophy. Tracing China's legal development from the revolutionary framework of the Chinese Soviet Republic to the socialist rule of law established after 1949 reveals both transformative institutional changes and enduring philosophical continuity. By reinterpreting Confucian ideals of moral governance and social harmony alongside Legalist principles of state authority and control, the CPC aligns these with its 'people-centered' approach, adapting classical ideals to meet the needs of the modern legal system. Recent reforms, implicitly influenced by Confucian and Legalist traditions and complemented by Marxist principles of social justice and equity, underscore how these historical philosophies continue to shape policy, focusing on equity, public welfare, and societal order.

This study contends that modern Chinese legal policy—rooted in Confucian ethical standards, Legalist pragmatism, and socialist legal theory—embodies the CPC's concerted effort to harmonize traditional values with the state's socialist objectives. Although inherent tensions persist—such as Confucian hierarchy juxtaposed with Marxist egalitarianism—the CPC's governance framework strives to reconcile these competing values. This synthesis of legal reforms, integrating both ancient cultural insights and socialist principles, illustrates how China's rule of law remains deeply anchored in its cultural and historical wisdom while advancing the CPC's vision for socialist governance. The result is a unique legal model equipped to address contemporary governance challenges while fulfilling China's long-term aspirations for national unity and rejuvenation.

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