Confucianism versus Constitutionalism

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Abstract: Characteristics of legal culture of Confucianism and constitutionalism are discussed and primarily compared in this paper, which might be helpful to discard the dross and retain the essence for China's pursuit for the goal of rule of law. Confucianism and constitutionalism as two different legal cultures suitable to their respective era have many different characteristics. In Confucian legal culture, moral restraint is the best means to rule, so rule of man (virtuous emperor at best) is what Confucian legal practice consolidates.

Keywords: Confucianism, Constitutionalism, Comparison, Legal culture

1. Introduction

Culture always plays an important role in society, to which legal culture is no exception. When today's China is pursuing the goal of rule of law, a comparison on legal cultures between what the Chinese people had built in history and what modern people are building might help to discard the dross and retain the essence for this pursuit. Confucian legal culture exists in feudal China for several thousands years, while constitutional legal culture is a comparatively modern. Confucianism had been the orthodoxy of feudal China ever since the rule of Emperor Hanwu (Han Dynasty). Because of profound influence of Confucianism, feudal China's legal culture has very specific characteristics. Confucianism puts emphasis on people's obligation, Rites and spiritual conformity, which provides theoretical basis for rule of man in feudal China's sovereign. Its basic values, including familism, filial piety, loyalty, etc, had been integrated into the feudal China's law. Thus, when compared with each other, the feudal China's legal culture and modern constitutional culture do not seem to go into the same direction. The basic principles of constitutionalism in modern society are protection of human rights, equality before law, and restraint of state's power, while its classic philosophies are a set of theories including social contract, human rights theory, and separation of power. According to Rousseau, a constitution "is based on a genuine social contract rather than a fraudulent one would provide people with a better kind of freedom in exchange for their natural independence, namely, political liberty."[1] The social contract theory of John Locke, Thomas Hobbes and Jean Jacques Rousseau are foundation of modern constitutionalism.[2] This theory decides that constitutional culture is different from the Confucian legal culture in feudal China, if not contrary to it.

2. Comparisons on basic philosophies between Confucianism and Constitutionalism

2.1 Virtuous man vs. rational people

2.1.1 Virtuous man

Confucianism puts emphasis on individual's virtues, and holds that the community should respect the per-
son who acquires virtues (the superior man) through the self-perfection process for his virtuous example. Virtues, according to Confucianism, fundamentally include four characters: loyalty (Zhong), filial piety (Xiao), propriety (Jie), and righteousness (Yi). Confucius scholars assert that human beings are born with good will to pursue these characters.[3] Those who have acquired these characters are referred to as "Junzi" (gentleman). "Junzi" is highly praised in Confucian ideology because he is the ideal human being. Junzi sets a good example to the rest of society on how to observe to the rites (Li). So he is a respectable individual as well as an essential part to society.

According to Confucius worldview, the emperor should be the naturally born virtuous man (sage king), just like his appellation: the Son of Heaven (Tianzi). And also by the name of Heaven, the emperor should have concentrated supreme power. The command of the emperor is the highest law. For example, in Han Dynasty, law consists of four sources, yet the emperor's commands (ling) have the highest power.[6] But in Confucian ideology, the emperor also has duty, that is, to rule out of virtues. Confucius himself said, "To rule with virtue is like the North Star in its place, around which all other stars revolve, in homage." (The Analects (Lun Yu) II)[5] In other words, the emperor should rule with manifestation of his virtues so as to gain respect from his ministers and the civilians, which enables him to rule smoothly and thus achieve harmonious social order. But since there is no such thing as separation of power in feudal China's government, the emperor's supreme power over everybody is unshakable with no "checks and balances". Therefore, virtues of the emperor are often expected, but not forced, by the ruled.

2.1.2 Rational people

Constitutional legal culture puts emphasis on people's rationality with assurance of people's natural rights. Each individual, according to ethical theory of John Locke, is pursuing happiness and pleasure. Yet this pursuit has to be conducted rationally so as to grantee welfare of the individual as well as the whole society.[8] Therefore, to see from aspect of cooperation between individuals, rationality of individual is essential to a well-ordered society. Theorists of modern constitutionalism, such as John Locke and Thomas Hobbes, believe that each individual is rational human being equally born with the same natural rights (a term which is named as human rights by later scholars). These rights should not subject to any sovereign powers and these rights should be protected by government established according to the social contract.[5] Though the concepts of constitutional government vary with different theorists, yet one thing is common to all of them, i.e., the individual may retain his own natural rights that are beyond the interference of the sovereign.

2.1.3 Comparison

Though Confucianism and constitutionalism both put emphasis on the individual, their essential meanings are different. Confucianism reviews individual in the context of family or the hierarchical social system, but not in the sense of the individual himself. The four characters of loyalty (Zhong), filial piety (Xiao), propriety (Jie), and righteousness (Yi) are virtues that consolidate spiritual and behavioral conformity to social orthodox in feudal China. These virtues demand devotion of the individual, and if necessary without any reservation of the individual's rights. Confucianism in feudal China's law holds that people with different family background, social status and different extent of relativity of motive to Confucian norms may be differentially treated before law. But theories in constitutionalism review individual without any context. They see individual as individual, and assume that each human being has their own inviolable natural rights and they are equal before law. Nobody, according to the constitutional theory, is born superior to others like the Confucian sage king. Confucianism sees the individual as a part of society, and in order to achieve social harmony, the individual must learn to perfect himself with virtues of social significance. Constitutionalism views the individual as originally independent natural being, and in order to better protect his own existence and rights, the individual concede to a social contract on the basis of which the sovereign is established. Apparently, individual in Confucian the-
ory is more dependent than his counterpart in constitutional theory, though he may be more virtuous.

2.2 Comparison between concepts of well-ordered society

2.2.1 Confucian concept of well-ordered society

According to Confucian ideology, a well-ordered society depends on good orders of family and state, which needs the support of Confucian morality. Confucius believes that a society can be well organized by observing the rules that "let the lords be lords, the subjects be subjects, the fathers be fathers, the sons be sons." (The Analects XII 11) This means that everyone, no matter in the family or in the state, should act according to the preset behavioral and moral norms determined by his or her positions, and each person's rights are not equal.

In feudal China, family order depends on such a set of behavioral and moral rules. Though the family relationship in feudal China is a complicated network, three sets of relationship might be considered as basic. The first set of relationship is that between parents and son; the second is that between elder brother and younger brother; the third is that between husband and wife. In a family, parents, especially the father, have absolute authority over their offspring. The offspring should be absolutely obedient towards parents under the name of filial piety. Filial piety, according to The Analects II 5, "Mang Yi asked about filial piety. Confucius said, "Without deviation" But while advocates virtues of sons and daughters, Confucius does not put too much emphasis on virtues of parents. He only mentioned that the father should be benevolent to his children. Besides, brothers should have fraternal love towards each other, and the younger brother should be submissive to the elder. The wife should be affiliated to her husband, and have a lower position than her husband in a family or clan. These thoughts, namely virtues of family members, consist of the set of basic familial morality in feudal China. These rules objectively ignore the individual's rights and overemphasize value of the clan or family, which develops into ignorance of free will of individual and emphasis on obligation of the individual in legal culture.

To achieve a well-ordered society, the governance of the state is similar to that of family. The state is actually an extended family. The ministers and the civilians are considered as children (Zi Min) of the emperor, while the emperor is considered as the embodiment of Heaven. The ministers and civilians should be loyal and absolutely obedient to the command of the Son of Heaven. This idea eventually develops into one saying, "If the emperor orders his minister to die, the minister has to die." The Confucian ideology about the relationship between the emperor and the ruled in effect consolidates the interests and power of the emperor and gentry class. It indicates that factually no rights exist before the inviolable power of the emperor. However, different from the rule of family, Confucius puts emphasis on the virtues of the emperor. Confucius said, "When he himself is right, there is action without his order. When he himself is not right, he is not obeyed despite his orders." (The Analects XIII6) In other words, Confucius believes that the virtues of the ruler are essential to the sovereign's administration of power. Emphasis on the emperor's virtues reflects the Confucian scholars' thoughts about methods of curbing the arbitrary element in the sovereign, though the school of thoughts is not as practical and effective as the theory of the separation of power in constitutionalism.

2.2.2 The social contract theory and well-ordered society

The theorists of modern constitutionalism believed that a well ordered society is based on the social contract with the entire civilians on the one side and the government on the other. According to modern theories, social contract is "promise or promises" to the civil society which is made by the "political units" for the purpose of establishing themselves. Originally speaking, the major concern of the social contract is to protect the individual's natural rights and maintain the welfare of the whole society. As Rousseau believed, the social contract offers one solution to one "fundamental problem", that is, "to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each,
while uniting himself with all, may still obey himself alone, and remain as free as before." [13] Social contract theory seems to be the right path to provide protection to both the individual's natural rights and the welfare of the whole society.

The social contract theory of Thomas Hobbes, John Locke, and Jean Jacques Rousseau all try to build up some kind of models for a well-ordered society. According to Thomas Hobbes, the individuals give up their rights to the state that will execute public power according to the natural laws for the benefit of the individuals, and the individuals have to obey the law promulgated by the state because they are "co-authors" of the law. According to John Locke, when the individuals accept the civil society, they also accept a common law; for the government, when it accepts the power from the civil society, it has made a promise to execute its power faithfully and leave room for the civilians to rebel against it. According to Jean Jacques Rousseau, the sovereign has to be the embodiment of the general will to which the individual is willing to subject oneself. [13] Though, the theories of these philosophies are quite different, but their objectives are similar, i.e. to build a well-ordered society in which the individual's natural rights as well as the general welfare can be guaranteed.

As the author of The Social Contract, Jean Jacques Rousseau has expressed this idea that might be essential to a well-ordered society established according to the social contract theory. The core of the idea is that neither individual's natural rights nor the sovereign should be neglected:

Is the welfare of the single citizen any less the common cause than that of the whole State? It may be said that it is good that one should perish for all; I am ready to admire such a saying when it comes from the lips of a virtuous and worthy patriot, voluntarily and dutifully sacrificing himself for the good of his country; but if we are to understand by it that it is lawful for the government to sacrifice an innocent man for the good of the multitude, I look upon it as one of the most execrable rules tyranny ever invented, the greatest falsehood that can be advanced, the most dangerous admission that can be made, and a direct contradiction of the fundamental laws of society. [14]

To achieve a well-ordered society, it demands both the individual's orientation and devotion to the general welfare, and the state's orientation and protection of the individual's proper rights. Neither of them should be regarded as superior to the other.

Yet one thing should be noted that in Rousseau's theory, "natural" is not an absolute term in organization of a well-ordered society, while a set of "artificial" orders are needed. As discussed by Maurizio Viroli, "In the context of the body politic, the word 'natural' becomes a synonym for 'individual'. The natural conduct of man is deemed virtuous only in the context of the family and community life. But this same mode of conduct becomes corrupt and blameworthy when it appears in the sphere of public institutions and the wider society." [15] According to Rousseau, legitimate government established on the basis of general will sometimes conflicts with the "natural" and the "natural" have to subject to its law because the individuals "have submitted themselves to the political yoke in accepting the supremacy of the general will." [16]

2.2.3 Comparison

If one word is used to describe the features of concepts of well-ordered society in ideology of Confucianism and constitutionalism respectively, "collectivism" and "individualism" may be the most proper.

According to Confucian ideology, a well-ordered society is a hierarchical one in which everybody acts according to preset behavioral and moral norms determined by their positions in the family and in the state. The basic components of a well-ordered society are well-ordered family or clan and well-ordered government. Individual exists in the context of family firstly, and in the contexts of government secondly if he is an officeholder or aristocrat. With only a few exceptions, the average individual usually does not exist for his own sake. Moral rules are essential to maintain a well-ordered society. Filial piety (Xiao) in the family and loyalty (Zhong) to the sovereign are the strongest moral rules in feudal China despite of transformation of times. These
moral rules have two fundamental features: unequal to different people and emphasizing the individual's obligation towards the collective. In Confucian theories about well-ordered family, we see moral norms on how to be a good son and a good younger brother, but we see little about how to be a good father and a good elder brother. The same with the theories about well-ordered government, we see many obligations of the ministers but we see little about "checks and balances" of the emperor's arbitrary rule. People who are nearer to the top of social or familial hierarchy have fewer obligations but more rights, just like the emperor. The inequality of morality facilitates the growth of collectivism in culture because the majority of people have to affiliate to some unit so as to share the benefits that the social rights of the prestigious head of the unit bring. Most people are educated by Confucian morality about what their obligations are and how they should fulfill these obligations, but little is known about people's rights. The individual's rights are severely limited and generally ignored and his free will is suffocated in the collectivism in Confucian ideology. Contrary to Confucian ideology, the social contract theory in modern constitutional legal culture regards the individual as the basic element of a well-ordered society. Everybody is equal before law, and everybody's proper rights should be protected without distinction, which is on the opposition of the Confucian ideology. This individual-oriented theory puts emphasis on the individuals' rights and the state's obligation. The social contract theory strongly apposes arbitrariness of the rulers, but the opposition does not necessarily mean that this theory insists that individual's rights are absolute without any cooperation with the state. Social contract theory in modern constitutionalism provides a way that is actually a compromise between the individual and the state for the establishment of well-ordered society. In such a society, individual should be the center, while the state is service-oriented to the individual's rights and interests of the entire civilians.

3 Confucianism in feudal China's legal culture

3.1 Confucian attitude toward the role of law

Confucius himself put Rites before law while emphasizing the ruler's virtues because of his belief in the social function of the superior man. He said, "Lead through policies, discipline through punishments, and the people may be restrained but without a sense of shame. Lead through virtue, disciple through the rites, and there will be a sense of shame and conscientious improvements." (The Analects II2) [17] Virtue, according to Confucius, is the best means of ruling of the sage king. And by contrast, law is not a ruling way of choice.

Confucianism does not encourage lawsuit. Confucius himself said, "In hearing litigation, I am just like other men, but I try always to eliminate the need for litigation too."(The Analects XII 13) [18] The effort to eliminate lawsuit in Confucian legal culture may find its origination in Confucian moralized idealistic social model of "Da Tong" (greatest unity) where people behave out of virtues for the benefits of each other without disputes. People are educated by Confucian virtues that disputes should be avoided, and even when disputes do happen, they are educated to tolerate so as to keep social harmony, no matter whether this harmony ever exists. In general, the discrimination towards litigation is one feature of Confucian legal culture.

3.2 Rites and law

As the two major social ordering tools, rites are the basis and principle to which law is the subordinate and implementer. They consist of one legal system of feudal china's government. Since, according to Confucian ideology, human being is born with good wills and is apt to pursue virtues, it is the ideal way to achieve a harmonious and stable society that the superior rule by his virtues while everyone observes Rites. Rites may be considered as a set of extended law in function, which govern broadly the relationships between the ruling and the ruled, the senior and the junior, man and woman, peers and so on. Since Rites are paramount social law, people have to act according to them. But as discussed above, virtues and morality are needed when people observe to Rites. Therefore, by nature, Rites has one function that law does not have, that is Rites consolidate
spiritual conformity of the ruled to the ruling class. But law, with a position inferior to rites in social control, is applied to people who cannot meet the minimum requirements of community or the sovereign. Both Rites and law are used in governing by rulers since the Han Dynasty, while the emperor's command is higher than both of them in power and the emperor's virtues are still important to govern, but not essential in reality as in belief of Confucian scholars.

3.3 Law and Confucianism

Confucianism, Rites and law are all social control tools for maintaining social order in feudal China. Rites and law are complementary to each other. Confucianism is essence to both of them. Confucianism is soul to feudal law, therefore, Confucian spiritual rules are also super rules to feudal legislation and jurisdiction.

The purpose of feudal China's legislation is largely to maintain the hierarchical social order so as to protect the supreme power of the emperor and the fundamental interests of the ruling class. The basic principles to the legislation of feudal China are as the following: the ministers should act according to the will of the emperor; the son should act according to the will of his father; the wife should act according to the will of her husband. These principles are exactly Confucian ideology. Laws promulgated according to these principles aim to consolidate the highest position of the emperor and the feudal social ladder. And through these principles, we may see that someone, e.g., the emperor, in society only enjoy rights but without obligations, while some others, e.g., the inferior in a family, only have obligations but no rights. With development of feudal China's legislation, concrete measures and details of these principles are written into the law. In Han Dynasty, "Bayi", namely "Eight Considerations" \[^{10}\], are legalized. A person within "Bayi" has prestige of reduction of penalty, which indicates that inequality of people before the law is determined by the law itself. In Beiqi Dynasty, "shiwu", namely "ten categories of wickedness"\[^{20}\] appeared in the law. People whoever commit the crimes in "Shiwu" are unforgivable, even if they are in the "Bayi" category. "Shiwu" further consolidates the highest power of the emperor and the fundamental interests of the ruling class. One important feature of "Shiwu" is that merely thoughts about endangering the norms of Confucianism are punishable, though without practical actions. This feature reflects that except for behavioral conformity, spiritual conformity is also demanded by legislation in feudal China. Thus, freedom and privacy are almost impossible terms in feudal China's law.

In jurisdiction, Confucian norms are more important than the law. The judges are officials who may know Confucian classics thoroughly, but with little knowledge about the law. It is therefore natural that they apply Confucian principles in jurisdiction. In the Han Dynasty when Confucianism firstly becomes the dominant thoughts, Confucian spiritual rules are reflected in jurisdiction as Chunqiu Jueyu. Chunqiu is a book of Confucian classics. Chunqiu Jueyu in essence means "the authority was legally recognized as having the power to determine guilt and innocence according to the Confucian classics, even when it sometimes had to sidestep the law."\[^{21}\] In other words, if a person's action is illegal but consistent with the norms of Confucianism, he will be free from penalty. This is one important feature of feudal China's legislation, i.e., to determine crimes according to the criminals' motives. Besides, the senior and the junior in one family should shelter crimes of each other (except crimes in "Shiwu"), which is written into law ever since Qin Dynasty. This principle factually gives the head of family or clan legitimacy in dealing with internal crimes except for those in "Shiwu", which consolidates feudal family order.

Application of law also has to be in accord with the fundamental interests of the whole country. Feudal China is an agriculture-oriented society; therefore, agricultural activities are the most important activity in all social activities, including application of law. In Han Dynasty, Dong Zhongshu, a famous Confucian scholar, believes that human being and Heaven are one in essence, and both of them can resonate to the feelings of each other. Therefore, penalty, especially death penalty, should be carried out at proper time of the year so as not to offend Heaven. Since then, this belief is spread and inherited by the following dynasties. Usually, death
penalty is often carried out in the autumn and winter when Heaven does not foster lives. This principle of application of law objectively facilitates the agricultural activities and social stability.

4 Constitutionalism in modern legal culture

4.1 The supremacy of the law

In modern constitutional government, law is the supreme standards of judgment on social activities and relationships. In the legal system, the constitution alone takes up a supreme. The basic principles and values of constitution are also the highest standards of the state. Supremacy of the constitution and other law has three layers of meanings. The first is that among all social standards, including morality, politics, religion, etc., law is the most authoritative. No policy, rule, etc., should be in adversity to the constitution at least. The second is that all individuals, units, and governments have to behave in accordance with the law. The public power of any individual, unit and government has to be authorized by the law. Therefore, any administration of public power without consent of law is illegal. The third is that every person is equal before the law, regardless their races, religions, backgrounds, and etc. Therefore, the supreme position of the law is deemed as a prerequisite of establishment of constitutional government.

4.2 Justice and law

According to ideology of modern constitutionalism, law is a major method to realize social justice. Definition of justice might vary in different cultures. Yet according to ideology of modern constitutionalism which develops in western culture, justice should be based on the general will and wish of people and should protect individual's rights equally. Justice as an ideal cannot realize itself. Modern constitution enacted by representatives of the majority may serve as the embodiment of justice. The advantages of constitution and law, such as force bolstered by the government, protection of human rights and restraint of public power, also enable themselves to serve as one major method of maintaining social justice. The constitution and other law standardize justice and maintain it practically and effectively, so people who seek for justice prefer to turn to the law.

4.3 Protection of human rights and restraint of state's power

Protection of human rights and restraint of state's power are common principles of constitutions and constitutional governments. Human right, like justice, is not a term easy to define. But universally, human rights include freedom, equality, "dignity and worth of the human person" and livable progressing material life. Since human rights like freedom and equality may not co-exist with dictatorship and arbitrariness, protection of human rights demands restraint of state's power. The model of restraint of state's power may be different in different countries, but its essence is separation or distribution of powers. Take the U.S. as an example. In the U.S., the national power of the judiciary, the executive, and the legislative are distributed to three different branches that have checks and balances toward each other. Therefore, any violation of human rights by any branch will be checked by other branches. Division of power makes all governmental activities finally subject to the will of the people, while people through their representatives may regulate the governmental activities by means of law and election.

5 Comparison in legal practices of two legal cultures

Comparisons between Confucian and constitutional legal practice may lead us to see many differences or even contrariness in the two different legal cultures. Differences between the two legal cultures in practice are mainly as follows: 1) rule of man vs. rule of law: 2) discrimination against lawsuit vs. pursuit of justice. These differences will be discussed respectively.

The main contrariness between rule of man and rule of law lies in what should be the supreme in governance. As have mentioned, the emperor in Confucian theory is the Son of Heaven with naturally born virtues to execute concentrated supreme power. Rites and law in Confucian ideology practically achieve the same of
fect, that is, consolidating the supreme power of the emperor. "Bayi" and "Shiwu" in legislation, "Chunqiu Jueyu" in jurisdiction and theory of Dong Zhongshu all aim to preserve prestige of the ruling class and the power of the emperor. The emperor has concentrated power including that of the legislative, executive, and judiciary. The emperor's command is highest law, yet the emperor stands for the feudal class that is the minority in the population. Therefore, the will and interests of the majority are generally ignored. Human rights, especially those of the majority, seem to be lighter than the Confucian norms, which might be seen in the application of law and emphasis on the Rites. The emperor is also the supreme judge of the state. The "WuFuzou" statute in Tang Dynasty exemplifies the highest power of the emperor in jurisdiction. The emperor's power is generally beyond any "checks and balances". However, in a government of Rule of law, law takes up the supreme position. The law is enacted by people's representatives according the will of the majority people. Therefore, the law embodies and protects the people's rights and interests. And law equally protects every person. Law is a method to protect human rights for those laws against protection of human rights cannot be possibly adopted in a constitutional government. All public power is distributed according to the law, and all exercises of public power have to conform to the law. Otherwise, these activities are illegal. In order to better protect human rights, the law holds that public power has to be separated among different branches with checks and balances towards each other; therefore, dictatorship is least possible to happen.

Discrimination against lawsuit in Confucian legal culture and pursuit of justice in constitutional legal culture may originate from the different worldviews of the two legal cultures, and their respective effects also differ significantly. In Confucian legal culture, Rites are much more emphasized than the law. This means that cultivation of people's virtues is more important for maintaining social harmony than punishment of people's heterodox ideas or behaviors in Confucianism. Virtues demand people's tolerance. Emphasis on people's virtues is actually requirement of people's tolerance towards each other in disputes. In Confucian ideology, people in litigation are at least not well educated. Therefore, the mandarins in feudal China take it as their responsibilities to "eliminate the need for litigation". And the people themselves often choose to tolerate if any disputes occur among them. In constitutional legal culture, however, people believe that law realizes justice, so it any disputes occur, people turn to law for the pursuit of justice. The reason of this belief might date back to the very origin of constitutional legal culture that insists that human being is born with individual natural rights. This culture origin does not put obligation of people above their rights. People in the constitutional legal culture believe that they should seek justice for themselves in disputes; therefore, there is not discrimination against lawsuit in constitutional legal culture. The effect of discrimination against lawsuit in Confucian legal culture leads people to be tolerant and peaceful, while that of pursuit of justice in constitutional government leads people to aware their own rights.

6 Conclusion

Confucian legal culture and constitutional legal culture as two legal cultures differ greatly from each other in basic philosophies and legal practice. Confucian philosophy holds that moral restraint is the best means to rule while constitutional philosophy insists that law consist with people's will is the most accountable way of regulating a society. Therefore, rule of man (virtuous emperor at best) is what Confucian legal practice consolidates while rule of law is the aim that constitutional legal practice is to realize. Confucian philosophy put emphasis on collectivism while constitutional philosophy put emphasis on individualism. Therefore, people's obligations are prominent in Confucian legal practice while people's rights are the cores in constitutional legal practice. Confucian philosophy does not regard lawsuit as the best way to resolve disputes while constitutional philosophy holds that law should realize justice and protect individuals' proper rights and interests. Therefore, litigation is discriminated in Confucian legal practice while justice is pursued through law in constitutional le
gal practice. Though ancient Confucianism and modern constitutionalism have many contradictions, it should be remembered that as cultures suitable to their respective backgrounds, any of them should not be regarded to be absolutely inferior or superior to the other. And in China's march towards the goal of rule of law, the suitable parts of each legal culture should be adopted so as to build a harmonious, prosperous and well-ordered country.

References:
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