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THE ROLE OF LEGALISM IN THE DEVELOPMENT OF CHINESE LAW

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Abstract. *The legalism preached the Confucian approach to understanding and applying the law. It emphasizes the primacy of laws. The political and legal concepts of legalism became the defining factors of the progressive development of the law, its ideological foundations, its principles and institutions, as well as the enforcement mechanisms and the traditional legal understanding of the Chinese people.*

Key words: *legalism, Chinese law*

JEL CLASSIFICATION: K39, K30.

INTRODUCTION

The ethical-political dogmas of Confucianism and the political-legal concepts of legalism became the defining factors of the progressive development of the law, its ideological foundations, its principles and institutions, as well as the enforcement mechanisms and the traditional legal understanding of the Chinese.

Confucius put public morality above the law. The basis of human virtue, according to Confucius, was the moral principle "*li*". At the heart of legal thought was the strict observance of the legal law "*fa*". Over time, a compromise was reached between Confucianism and legalism which was expressed in the formula: "Where "*li*" is missing, let "*fa*" apply."

Over the centuries in China there has been a rivalry between two diametrically opposed legal schools: Confucianism and legalism. Confucianism (6th century BC) was based on spiritual nobility, humanism, ancient customs, seeking self-perfection and virtue. Adherents of this doctrine put public morality above the law: in their opinion, the basis of human virtue is a moral principle - "*li*". The jurists (3rd century BC) believed that any law (*fa*), even absolutely unjust, must be strictly observed, it can neither be evaluated nor discussed, and the best way to ensure its implementation is to increase the rigidity of the policy of the bureaucratic state in relation to its subjects.

During the Zhangguo period (5th-3rd centuries BC), the role of law is strengthened with a complex set of punishments. The complete legalist doctrine on the government of the people and the state is conceived by Shan Yang, the most brilliant representative of legalism, defending the absolute power of the ruler, who, with the help of a correct law, determines the entire life of his subjects.

Legalists, for their part, preached the idea of the futility and impossibility of people's existence outside of the strictest sanctions based on the obligation of preventive measures and collective responsibility that provide "good governance". They refused to acknowledge the existence of any link between the punishment and the severity of the crime committed. In their opinion, even the slightest violation of the emperor's orders was to be punished with cruelty. Preaching a kind of "equality"

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before the law and the inevitability of punishment for crimes committed, legalists sought to deprive the nobles and officials of the various principalities of their hereditary privileges, in the name of strengthening the central authority.

The aggravation of the confrontations between the two ideologies gave new impulses to the formation of new traditions and institutions of law in Ancient China. We refer to the second half of the century. 3rd BC when legalism, in its extreme form, becomes the official ideology of the first Chinese Qin empire (221-207 BC), and the legalists come to power, trying to forcefully erase Confucian dogmas from the people's consciousness by destroying his books. According to legend, Emperor Qin Shihuangdi in 213 BC ordered the burning of all Confucian books and sentenced 400 Confucian scholars to death.

The fusion of Confucianism and legalism contributed to the fact that "li" norms acquired a binding character and a greater formalism was established.

1. THE LEGALISM

Legalism, along with monism and Daoism, represents one of the original philosophical schools in ancient China, as we find it in the historical writings of Sim Tian (2nd-1st century BC). They were based on the strict observance of the positive law (*fa*) and the severity of the punishments. They pleaded for the supremacy of state power over the people (when the people are strong - the state is weak). They totally disregarded the man. They used the principle of collective responsibility - which led to the centralization of power. They advocated the widespread application of the death penalty.

From the jurists' point of view, any law (*fa*), however utterly unjust, was to be strictly observed, not to be subject to review or question, and the best way to ensure its enforcement was to increase cruelty the policy of the bureaucratic state in relations with its subjects.

The school of legalists or legalism is an ethical-political teaching in which the problems of man, the state and society are addressed. As a philosophical school, legalism appeared in the c. VI BC and was active until the 3rd century BC.

The doctrine of Legalism found its most complete embodiment in the activities of the ruler Ying Zhen, who entered history under the name Qin Shi Huang, which meant "The First Divine Ruler" who opened the Qin dynasty. In the year 221 BC assumed the title of emperor of all China, organized persecutions against the followers of Confucianism, ordered to bury alive 300 of its preachers and to burn Confucian books. Qin Shi Huang Ti carried out a series of reforms, strengthened his power, began the construction of the Great Wall of China. The wall became a reliable form of defense for the time, although it did not later save it from the invasion of Genghis Khan's troops.

Back in 359-348. B.C. Shang Yang carried out a series of reforms that strengthened the central government: uniform written laws were introduced, measures of length and weight were simplified, and land reform was carried out. Shang Yang's reforms were aimed at destroying the community, establishing private ownership of land. All old landmarks were destroyed, land could be purchased and cultivated in unlimited quantities.

After taking the place of head of state, Qin Shi Huang Ti expanded Shang Yang's reforms throughout the country. The empire was divided into 36 regions, which in turn were divided into regions, counties and communes (the smallest administrative unit). In each region, the emperor appointed two rulers, representatives of the military and civil authorities. Former aristocratic titles were abolished, wealth and service to the state became the criterion of nobility, the court in the Qin empire was separated from the administration. A special judicial department was created, headed by

the *tingway*, which monitored the application of criminal law and also considered cases of the most serious crimes in the first instance, especially if they were officials abusing their official position.

In the second stage of the development of ancient Chinese law, beginning with the Zhangguo period (V-III century BC), at the end of the reign of the Chou dynasty, the role of law with its stable complex of punishments is strengthened. During this period in ancient China the legal doctrine was created. The school of jurists or "*fajia*" - advocates of the law of traditional legal thought, preached the Confucian approach to the understanding and application of the law.

This school was founded and developed under the conditions of a permanent clash of ideas with early Confucianism. Both schools promoted the idea of establishing a strong and easy-to-govern state, but they took different positions regarding the philosophical reasoning and methods of establishing such a state. Legalism emphasizes the primacy of laws, demonstrating that politics is incompatible with morality, and Confucianism stands at the opposite pole, emphasizing the importance of moral qualities in politics.

The school of jurists created the concept of the despotic state, based on the equality of all before the law, except for the ruler, considered the sole creator of laws. In the view of the forensics, the leader must know well the psychology of the people in order to lead them, and the main method of influence must be based on rewards and punishments.

Among those who made the greatest contribution to the development of this doctrine were mainly political people - ministers and reformers, acting in various kingdoms of ancient China until the 7th-3rd century BC. The most outstanding representatives of Legalism were Guan Zhong Zi Chan, Li Kui, Han Fei, Shen Bo - Hai, Li Si and of course Gunsun Yang (390 - 338 BC), the founder of Legalism, better known as Shang Yang. The activities of each developed in the same direction - towards strengthening the central authority, increasing the authority of the law, strengthening the central authority, the power of the ruler and his ministers, the strength of the administrative bureaucracy.

In a number of important points, the theory and practice of legalism were radically opposed to those proposed by the Confucians. In general, the jurists representing this doctrine in politics and ethics were realists. If the Confucians, at least at the beginning, considered politics to be a derivative of morality, for the legalists, practice and the needs of concrete development were in the foreground. The doctrine of the jurists was directed against the continuation of the system of clan relations. They paved the way for development.

Unlike the Confucians, with their principles of morality and ordinary rights, the promotion of humanity and a sense of duty, the worship of the ancestors, and the authority of the wise person, the legalists based their doctrine on the unconditional primacy of the Law, whose power and authority were to be realized through strict discipline and severe punishments.

At the beginning of the development of the school of legalism, its proponents set as their goal the establishment of uniform laws for the whole of China, thus ensuring stability, the achievement of legal order in society and, perhaps most importantly, the unification of the principalities. Legalists were convinced that man is born with love and hate, that he is animated by the desire to obtain wealth. As a result, the main means by which people could be controlled could be the law and the system of punishments and incentives developed on its basis. The law must be clear, the punishments harsh, and the rewards deserved.

Unlike Confucianism, which provided for the use of punishment according to the official position of the offender and his place in the kinship system, legalists supported the universality and

inevitability of responsibility for all, the law being binding on everyone. Thus, Han Fei, the most respected theorist of legalism, said: "If you are going to run the state based on the law, then apply it to everything. The law is not impartial to nobility, the straight line does not go around the broken line. From the requirements of the law the wise cannot deviate, and the brave will not dare to challenge it ... When governing the state, laws, rewards and punishments play the same role as a strong crew and a good horse on land, a light boat and oars comfortable on the water. Those who use them are successful. (Semigin, 1999)

2. HAN FEIZI - THE MAIN REPRESENTATIVE OF THE LEGALISM

"To rule the state by law is to praise good and combat evil."

Han Feizi

Han Feizi (referred to by other sources as Han FeiTzu) is probably the most important jurist in ancient China. Very little is known about his life. He lived, roughly, between 280-233 BC, when the country was still just a group of small kingdoms that were at war with each other. It belonged to the Han dynasty that ruled between the 5th and 3rd centuries BC. He carried out his studies within Confucianism, under the patronage of the philosopher Xunzi, but later evolved into his own line of thought.

He is the initiator and main representative of the philosophical school called "legalism" or fa-chia, which is based on the interaction of three fundamental concepts: power (*shih*), the art of government (*shu*) and law (*fa*). Legalism challenged the Confucian idea of leading by example; rejected the idea of the innate goodness of human nature, understanding that, in fact, people's behavior is characterized by the quest to avoid punishment and achieve personal gain. The only way to remedy this was through strict laws punishing such undesirable behavior.

To ensure efficient administration and thus protect his authority, the ruler had to use various administrative techniques and the art of government (*deshu*). He was not to try to make people "good", but only to prevent them from doing evil, by instituting legal rules laid down by ministers.

Freedom did not really take place in such a system. The welfare of the state was placed above the rights of individuals. It was an authoritarian state, organized according to the principles of war, in which only peasants and warriors had a place, since military power was considered inseparable from agricultural production. All other occupations, especially those of a scientific nature, were to be suppressed.

Han Feizi's work was a synthesis of the legal theories of his time. Some of the 58 chapters of his work *Hanfeizi* are the fruit of other thinkers of that period who dealt with subjects related to law.

ZhaoZheng, the first emperor of the Qin Dynasty, was a follower of his writings. In the year 234 BC Li Li, the emperor's first minister and Han Feizi's former schoolmate, feared his growing influence and as a result imprisoned him on charges of duplicity. She later forced him to commit suicide by ordering him to drink poison. Han Feizi complied. For this reason it is said that he died because of an old friend who betrayed him out of envy. A perfect ending in tune with the turbulent reality of China at the time.

Han Feizi's work was a synthesis of the legal theories of his time. Some of the 58 chapters of his work *Hanfeizi* are the fruit of other thinkers of that period who dealt with subjects related to law.

Thus, by proclaiming the principle "the law is binding for all", supporters of legalism tried to deprive the nobles, officials of the various principalities, of their hereditary privileges, in the name of strengthening the central authority.

It is worth noting that this principle was strengthened by the principle of collective responsibility, which was first introduced by King Qin Xiao-Hun (361-338 BC), the initiator of this transformation being Shan Yang. The principle of collective responsibility went beyond the circle of people covered by family and kinship ties and extended to the unification of several communities (courts) - the so-called "five courts and ten courts". There was a mutual guarantee.

A relevant example of law enforcement in those days can be cited: for state crimes, not only the criminal was executed, but also three generations of his relatives, along the lines of his father, mother and even his wife. Another suggestive example from the legal sphere of that time: for the murder of the father, the murderer was tortured and killed, his younger brothers were beheaded, the house was destroyed to the ground, his teacher was punished, the officials responsible for the area where the crime took place were demoted, the neighbors who lived to the left and right of the perpetrator had their ears cut off (because they should have heard about the crime and reported it), the neighbors who lived in front of the murderer's house had their eyes gouged out (because they should have seen everything and to prevent crime).

The release from collective punishment could only be a preventive denunciation. This must be done very clearly, any inaccuracies in the wording of the denunciation implying punishment. Anonymous denunciations were prohibited, its subjects being released. Under penalty of death, denunciations against parents and other close relatives were prohibited, except for the killing of the father, in which case even the mother could be denounced.

Slaves who denounced their masters were subject to strangulation, except on the latter's charges of rebellion or treason. Thus, the total system of mutual tracking of subjects played a significant role in the consolidation of centralized power and became an essential point of the subsequent practice of public administration and legislation in China.

Preaching a kind of "equality" before the law, legalists supported the idea of the futility and impossibility of human existence outside of the most severe punishments. They refused to recognize the existence of any connection between the type of crime and the severity of the punishment. According to the coroners, severe punishment was needed for even the slightest violation of the emperor's orders.

Han-Fei-tzu emphasized that "... humanity, duty and charity are not sufficient in themselves for the cause, and order in the state can be imposed by severe punishments". He emphasized: "Hard punishments indicate that the sovereign loves his people. If the punishment is light, then the sovereign does not love his people. If the punishment is strict and firmly administered and is clear to the people, then it is good for the sovereign. If the crime is significant and its punishment is insignificant, then disorder occurs. The territory of such a state will decrease as a result. Punishment is the only manifestation of love."

The representation of state legitimacy was somewhat different compared to earlier political and legal doctrines. Legalists developed their doctrine of power management technique.

The representatives of the coroners were the carriers of the interests of the wealthy members of the community, especially those who were not connected by blood relations with the aristocracy. This was the only political doctrine which, to a greater or lesser degree, expressed the interests of the merchant and slave-owning classes.

Legalists, like Confucians, advocated strengthening the central authority of a wise and virtuous sovereign and opposed the civil strife of the nobility and were against undermining the role of morality. But unlike the Confucians who called for the preservation and restoration of the former influence of the nobility and traditions, the legalists advocated a decisive reduction in the influence of the tribal nobility and the absolute unconditional power of the written and sovereign law.

In the book "Shang jun shu", the author of which is Shang Yan, it is stated that in the field of government it is necessary to concentrate all the power in the hands of the supreme ruler. In the treatise it is said "the intelligent ruler takes power into his own hands, establishes the law, and with the help of the laws brings order". According to the supporters of this doctrine, success in politics is achieved only by someone who knows the situation in the country and uses accurate calculations. They placed great importance on drawing on the experience of previous rulers in terms of economics and politics.

In their teachings, the legalists highlighted six "parasites": Li, music, Shi zing, veneration of the old order, fraternal duty, reluctance to fight. Thus, according to legal doctrine, if there are such negative elements in the country, the ruler will not be able to force the people to cultivate the land and fight. The state will inevitably become poor and dismembered.

In ancient China, the prestige of the bureaucracy was very high, it was called to take care of the people and guide them to good. The social significance and prestige of the bureaucracy was determined by the state apparatus. Compared to that of other ancient states in the east, this apparatus was distinguished by its numerous and great powers, including a number of departments such as: the financial department, the government tribunal, the military, the judiciary, the palace guard and many others. The officials of the central apparatus were appointed by the sovereign, who was also the supreme judge and was at the head of the military-bureaucratic apparatus.

When an official was asked to explain any law or order, the official had to give a clear answer to the request. In the "Book of the Ruler of the Shan Region", it was mentioned that those officials who dared to violate the text of the law or regulations or change the text by changing or adding hieroglyphs were to be punished with death (without the right to be pardoned).

Shang Yang insisted that an authentic copy of the laws and regulations be kept in the Heaven son's palace. The rights or duties of officials and officials had to be fixed, otherwise the way was opened to disorder. Fixing them was the way to establish order in society. The ruler himself must treat all officials equally. "When a ruler is fair to those who do not deviate from the observance of the law and do not indulge in favoritism, the dignitaries cannot hide anything from the ruler and the subjects cannot deceive him".

"If the law is binding on everyone, officials cannot commit crimes." If, however, an official has committed a misdemeanor and, in order to free himself from collective responsibility, someone will inform the ruler, then this person, informed by a noble person or a person of low origin, completely inherits the position, the degree of nobility, the field and salary of that official.

Thus, forensics have often considered the issue of rewards, incentives for appropriate behavior. Reward and salary had to correspond to merit.

The legal doctrines of the coroners have proven to be very viable. Thanks to Shang Yang's reforms and legal teachings, the provincial kingdom of Qin was able to quickly become more powerful. Under the reigns of Qin Shi Huang, the kingdom of Qin grew stronger and, defeating all rivals, was able to unite in 221 BC the entire state of China.

In the first Qin Chinese empire, legalism becomes an official ideology. Coming to power, legalists enforce their legal opinions through unsuccessful attempts to forcibly eradicate the dogmas of Confucianism from the mass consciousness by persecuting its adherents and destroying Confucian books.

Until the 2nd century BC the official state ideology in ancient China combined the positions of Confucianism and Legalism.

Unwilling to display a flexible policy in state management and consider the interests of all individuals without social support, the Qin empire, along with legalism, fell, giving way to the new Han empire.

The Han Dynasty (3rd century BC - 3rd century AD) represents the last stage of the formation of ancient Chinese law. With the Han dynasty, the process of synthesizing the ideas of legalism and Confucianism on the basis of renouncing certain extremes begins. This is the stage of the formal victory of Confucianism. As a result of the ideological and theoretical symbiosis of various concepts of government and legal conception, a new doctrine emerged - Chinese Orthodox Confucianism. As a result of the synthesis of the two opposing schools - Confucianism and legalism, a legal system began to form in ancient China, which played a significant role in the further development of the state and law. Ancient Chinese law had a significant impact on the history and existence of Chinese civilization and a particularly strong influence on the legal thought of the Far East.

3. LEGALISM REPRESENTATIVES

Huan Yu was the first Chinese thinker to introduce the concept of governing the state with the help of laws (646 BC). He asserted the universality of law, claiming that laws are the "Fathers" of the people. Ruler and officials, superiors and inferiors, nobles and scoundrels—all must conduct themselves according to the law. Huan Yu believed that this was the great art of government.

Legalism or, as it was called by the Chinese, the Fa-chia school was based on laws, therefore its representatives were called "legalists".

The founder of Legalism is Shang Yang (390-338 BC) who is recognized not only as a thinker but also as a reformer and statesman. Originating in an impoverished aristocratic Chinese nation of the Wei kingdom, he was the first thinker in China to create the theory of the despotic state and elaborated the main ideas of the legalist school about the governance of the state and society.

Shang Yang actively contributed to the creation and consolidation in the middle of the 4th century BC. in the Qin kingdom of such a state system. 100 years later, the ruler Qin Shi Huangdi managed to unite the country.

The founder of the ideology, Shang Yang began his work in a stormy era. In the 4th century B.C. the Chinese states fought each other almost continuously. Of course, the weak became victims of the strong. In 376 BC the territory was divided between the states of Han, Wei and Zhao. This event had a huge impact on the Chinese rulers: everyone perceived this split as a warning. Already in the age of Confucius, the son of heaven (supreme ruler) had no real power.

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Han Fei (280-233 BC) was the thinker who completed the systematization of legalism as an ethical-political teaching. He synthesized the main ideas of three forensic currents – the principle of governing the state with the help of laws, provisions; the principle of power, authority and the principle of the method of government, the art of power, administration - in a unique theory of despotic power.

The greatest theorist of legalism who perfected this doctrine is Han Fei. He is credited with having created an entire treatise "Han Fei Tzu". According to it, it is necessary to regulate the relations between people, especially between the ruler and the society. The ruler's place, he believed, was established by the heavenly deities. Han Fei also develops the idea of the immoral nature of man. Man tends to his own success, and this fact, Han Fei believed, should be used in social relations. The citizen sells his capabilities in order to receive something useful and profitable instead. In his view, the past should not be repeated. New ways of governing must correspond to new historical relations. Thus, not simply the order, but the laws of the ruler "create" men. Beginning with the 3rd century BC the process of merging legalism with early Confucianism into a single teaching takes place.

However, according to researchers, the founder of legalism was Shang Yang. In addition, the works of Shen Bu Hai and Shen Dao played an important role in the development of legality. Thus, Shen Bu Hai created a technique for controlling the work and checking the abilities of government officials.

In ancient China, the possibility of equal rights of states was not foreseen. Every ruler faced a choice: dominate or submit. In the latter case, the subject's dynasty was destroyed, and the territory of his country was incorporated into the state that won the war. As a result, the only way to avoid extinction was to fight to dominate the neighbors. In such a war where everyone was fighting everyone, respect for moral standards and traditional culture weakened.

A danger to the ruling power was the privileges and hereditary rights of the nobility. The key task of the ruler, who was interested in a strong army, ready for battle, was the concentration of all resources in his hands, the centralization of the country. For this, the reform of society was necessary. The transformations had to target all spheres of life, from economy to culture. Thus we can understand the objective of gaining dominance over the entire territory of China. These tasks were reflected in ideas of legitimacy. Initially, they were not intended as temporary measures, the implementation of which is due to extraordinary circumstances. Legalism emerged as a solution to provide the foundation upon which a new society could be created.

The key words of the philosophy of legitimacy were expounded in the work of Shan-chiun-shu. Authority is attributed to the founder of Shan Yang's ideology. He came from an aristocratic family, a small city-state. He tried to make a career in the ancient Wei Dynasty, but could not.

In the year 361 BC the Qin ruler Xiao-gun ascended the throne and called on all able-bodied inhabitants of China to join the project of reclaiming the territory that once belonged to the kingdom. Shan Yang was admitted to work for the ruler. He created a strategy to consolidate the state through large-scale reforms.

One of the courtiers objected to Shan Yang, saying it was not possible for a government to neglect the traditions and customs of the people. Shan Yang retorted that an ordinary person adheres to ancient customs, and a scientist studies them. An intelligent person creates the law, and the simple

man obeys. The ruler appreciated Shan Yang's determination and intelligence and gave him complete freedom of action.

Soon, the state passed new laws. This moment can be considered the beginning of the realization of legitimacy theses in ancient China.

Legalism is primarily the strict observance of laws. According to this, all the inhabitants of the state were divided into groups that included 5 and 10 families. All were "connected" through a system of mutual responsibility. Whoever did not report on a criminal was severely punished, he was cut in two. The informer was rewarded similarly to the warrior who beheaded an enemy. The one who hid the criminal/offender was punished. If the family had more than 2 men, it paid a double tax. People who asserted themselves in battle were given a bureaucratic title. People engaged in scandals or quarrels were punished according to the gravity of the act. All the inhabitants, from the young to the old, had to engage in farming, weaving and other gainful activities.

A few years later, the reforms were complemented by new initiatives and transformations. Thus began the second stage of the development of legality. This manifested itself primarily in the process of destroying the patriarchal family. Thus, adult sons were forbidden to live in the same house as the father. In addition, the administrative system was unified, units and measurement systems were standardized. The general trend of the measures taken was the centralization of government, the consolidation of power over the people, the consolidation of resources and their concentration in one hand, that of the ruler.

CONCLUSIONS

The whole concept proposed by Shang Yan reflects his hostile opinion towards people, an extremely low assessment of their qualities. Legalism propagates the idea that only through the use of harsh laws and drastic and violent measures can the population be taught to obey and maintain order. The private property interests that the new aristocracy sought to satisfy came into conflict with the archaic foundations of community life. Consequently, the ideologues of legalism did not appeal to the authority of traditions, but to changing social conditions. Being at odds with Confucianists and Taoists, who demanded the restoration of the old order, legalists emphasized the idea of the impossibility of returning to the old order. They said that benefits can be obtained without imitating antiquity.

The ideas of the jurists reflected only the simple opposition of contemporary conditions to the past. Adherents of this system intended to carry out large-scale political and economic reforms. In the sphere of government, they intended to concentrate all power in the hands of the ruler, depriving the governors of their powers and turning them into mere officials.

They believed that an intelligent king would be concerned with establishing laws, and with their help, order would be brought to the state. Also, the exclusion of the hereditary transfer of positions was foreseen. In the administrative positions it was recommended to be appointed those who proved loyalty to the leader of the army. Business qualities were not considered. Only one thing was required from the candidates - obedience to the leader.

According to the legal experts, it was necessary to restrict the autonomy of the community and to subordinate the family clans to the local administration. They did not deny community self-government, but promoted a set of reforms aimed at establishing a direct check on state power over citizens. Among the main processes envisaged were: the planning of the administrative division of the country, the formation of a local bureaucratic service, etc.

The laws, according to legal experts, should be the same for the entire state. The law was considered to have a repressive orientation, considering the criminal punishment and the administrative orders of the ruler. As for the interaction between the power and the people, Shan Yang regarded it as a confrontation between the parties. From his perspective, in an ideal state, the ruler achieves his powers through force. He is not bound by laws. Consequently, civil rights, guarantees of expression have no place.

The law acted as a means of preventive and frightening terror. Even for the most insignificant crime, according to Shang Yan there needed to be the death penalty. The punitive policy had to be complemented by measures to defeat dissent.

The official recognition of the doctrine, as mentioned above, allowed the state to consolidate and begin the conquest of territories. At the same time, the spread of legalism in ancient China had extremely negative consequences. The realization of the reforms was accompanied by an increased exploitation of the people, despotism, the cultivation of fear among the population, raising the level of people's suspicion.

Taking into account the discontent of the population, the followers of Shang Yan abandoned the boldest positions of this doctrine and began to fill it with a moral content, bringing it closer to Taoism or Confucianism. The views reflected in this concept were shared and developed by important representatives of the school: Shen Bu-hai, Zing Chan and others.

Han Fei supported the application of existing laws in the field of public administration.

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