

Research on the Predicament and Transformation of Traditional Legal Culture in China since Modern Times

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Abstract: Chinese excellent traditional legal culture is the spiritual core of the Chinese legal system, which accumulates the unique governance wisdom and value system. Since modern times, under the multiple pressures of the impact of Western legal culture, the change of social structure and the transformation of national governance, traditional legal culture has encountered survival crisis, and the system and value concept are in urgent need of reconstruction. This article systematically sorts out its modern historical situation, analyzes the driving mechanism and resistance factors of transformation, explores the specific transformation paths on the levels of system, thought and practice, and summarizes the historical experience and contemporary enlightenment of transformation. The transformation of modern traditional legal culture is not a simple Westernization or retro, but a creative transformation under the collision of Chinese and Western cultures, and the key to success lies in the organic unity of localization, absorption of the achievements of legal civilization and response to social needs. This process provides cultural nourishment for the modernization of Chinese-style rule of law, and also provides historical references for solving the traditional and modern problems of legal construction.

Keywords: Traditional Legal Culture; Modern Transformation; Changes in Circumstances; Modernization of the Rule of Law; Creative Transformation.

1. Introduction

The Chinese legal system is a unique existence among the world's five major legal systems, having undergone more than 2,000 years of development and accumulation, and has nurtured the excellent traditional Chinese legal culture with Confucianism as its core, the combination

of rites and law as its feature, and the people-oriented concept as its underlying color. Its refined "going out of etiquette and entering the criminal law" governance strategy, "the world is free of litigation" value pursuit, and "virtue and cautious punishment" cautious punishment thought not only profoundly shaped the governance model of traditional Chinese society and the behavior concept of the people, but also precipitated the unique wisdom of legal governance. The Chinese legal system is a crystallization of thousands of years of legal practice of the Chinese nation, embodies the unique Eastern legal wisdom, and has its own and system in the world's five major legal systems. [1] This argument accurately points out the contemporary value of traditional legal culture, and also points out the direction for the new era to promote the modernization of Chinese-style rule of law and to explore the modern connotation of traditional legal culture. After the Opium War in 1840, the Western powers broke the closed-door policy of China with their sturdy warships and sharp cannons, and the Western legal culture also intervened in Chinese society forcefully with unequal treaties and consular jurisdiction. The natural economic foundation, feudal autocratic political structure traditional social environment on which the traditional legal culture relied were severely disturbed. The Chinese legal system was facing the crisis of disintegration, and the traditional legal culture was falling into the dilemma of institutional reconstruction and value transformation. The "Whither and whither" of traditional legal culture has become the core issue in the process of modernization of Chinese law. In context, the historical encounter of traditional legal culture since modern times has been sorted out, and its historical logic of transformation has been clarified, which has become an important premise for exploring the value of traditional legal culture and solving the problem of "tradition and modernity" in the construction of rule of law. It is of great

theoretical and practical significance for the of the research perspective of legal culture history and the promotion of the construction of Chinese rule of law.

The academic community has formed multidimensional research results around the modern predicament and transformation of traditional legal culture. There are in-depth explorations of the core connotations such as the people-oriented concept and the principle of cautious punishment in traditional legal culture. [2] There are also achievements that explore its compatibility with Western legal principles. [3] At the same time, there are also studies that point out the conflict between its concepts such as "power without bounds" and "hierarchical compliance" and spirit of modern constitutionalism, as well as the influence of Western one-sided evaluation on the legal reform at the end of the Qing Dynasty. [4] The level of transformation path, scholars have put forward creative transformation schemes from the dimensions of legislation, judicature, etc., and have also analyzed the transformation dilemma of the dis between the transplantation of the system and the local culture and psychology. [5] However, the existing research mostly focuses on the discussion of a single dimension, lacks the sorting out the internal relationship between the changes in the modern situation and the transformation practice, lacks the systematic integration of the overall context of the transformation, and has not yet formed a comprehensive study of transformation motivation, resistance and path, and there is still room for further deepening and integration.

Based on this, this article takes the predicament and transformation of modern traditional legal culture as the research object, and applies a variety of research methods such as literature research method, historical analysis method and comparative research method. The study is placed in the specific historical context from the late Qing Dynasty to the Republic of China, the external shocks and internal crises faced by traditional legal culture are systematically sorted out. The driving mechanism and resistance factors of its transformation are analyzed, and the specific transformation paths at the ideological and practical levels are discussed. The historical experience and contemporary enlightenment of transformation are summarized in order to provide historical reference for the creative transformation and innovative

development of Chinese excellent traditional culture in the new era.

2. The Historical Context of Traditional Legal Culture since Modern Times

2.1 External Impact: The Dominant Intervention of Western Legal Culture

After the mid-19th century, with the signing of unequal treaties such as the Treaty of Nanking and the Treaty of Shimonoseki, Western countries introduced Western legal system into China through the system of consular jurisdiction, and traditional legal culture encountered "external challenges". Western legal culture, with its core of individual rights, characterized by justice, and structured by the separation of powers, forms a stark contrast with the traditional legal culture of "duty-based", "ritual and law integrated", and "rative and judicial integrated", posing a fundamental impact on traditional legal culture.

From the institutional level, the Western codified legislative model, the independent judicial system, and the professional profession group highlight the institutional defects of traditional law, such as "all laws integrated" and "judicial administration not separated". In 1903, the draft of Criminal and Civil Procedure Law of the Qing Dynasty introduced the Western lawyer system and jury system, although it could not be implemented due to the opposition of the conservative faction, has marked the beginning of the disintegration of the traditional legal system.

On the level of thought, Western concepts such as "natural rights," "sovereignty of the people," and "Supremacy of law" have shaken the traditional Chinese legal culture's value foundation of "supremacy of imperial power" and "people-oriented rather than civil rights." Yan's of Montesquieu's *The Spirit of the Laws* introduced Western legal ideas systematically and critically exposed the fact that the traditional Chinese law was actually a tool for "gning the people," lacking effective constraints on imperial power. Liang Qichao proposed that "the only principle to save the time is the principle of rule of law" [6], and called for the transformation of traditional Chinese law with Western constitutional models. These enlightenment activities broke the ideological monopoly of traditional legal culture and promoted a fundamental change in the of the

essence of law among the scholar-bureaucrat class.

The evaluation of traditional Chinese legal culture by Western scholars has also profoundly influenced its survival. Western periodicals such as *The Chinese Repository* focused on criticizing "the torture" and "inequality" characteristics of traditional law, depicting traditional law as a symbol of "savagery and backwardness." This negative narrative, though biased directly influenced the direction of legal reform in the late Qing Dynasty. Wu clearly stated in their memorial "On the Deletion Heavy Laws in the Laws and Cases" that one of the core purposes of legal revision was to eliminate Western prejudices against Chinese law and to recover the right of consular jurisdiction [7].

2.2 Internal Crisis: Maladaptive Failure of Traditional Legal Culture

The drastic changes in the structure of modern Chinese society have brought about fundamental changes the internal environment in which traditional legal culture survives, its inherent historical limitations have become increasingly apparent, and it has fallen into an adaptive crisis. The changes in the economic base have integrated the material support of traditional legal culture. Traditional legal culture is rooted in the natural economy of self-sufficiency. Its institutional design and value concept of "emphasizing agriculture restraining commerce" and "family-based" are seriously out of touch with the realistic needs of the development of commodity economy and the rise of civil society since modern times. With initial development of Chinese national capital, new legal needs such as property rights protection, freedom of contract, and market regulation are constantly emerging, while there is a lack of corresponding institutional in traditional law.

The transformation of political structure shook the institutional foundation of traditional legal culture. The decline of feudal autocratic monarchy and the establishment of republican system the political support of traditional legal culture such as "the supremacy of imperial power" and "the hierarchy of rites and laws" lost. The Provisional Constitution of the of China in 1912 established the modern political principles of democracy, republicanism, sovereignty of the people and the separation of powers, which thoroughly negated the political of traditional legal culture. The concept of "omnipotent

government" advocated by traditional legal culture was incompatible with the "limited government" required by constitutionalism, and an important obstacle to the construction of modern constitutionalism.

The transformation of social concepts has weakened the social identity of traditional legal culture. With the rise of new education and the spread of Western Enlightenment ideas the people's awareness of rights and the concept of equality gradually awakened, and the traditional legal culture advocating "no litigation"、"tolerance" and "hierarchical" were impacted. In the commercial disputes of Shanghai and Guangzhou during the Republic of China, businessmen actively cited Western legal theories to claim their rights and refused to accept the way of "mediation and settlement", which reflected the decline of the social identity of traditional legal culture.

2.3 The Intermediate Zone: The Transitional Forms of a Blend of Chinese and Western

Under the dual pressure of external shocks and internal crises the traditional legal culture did not completely disappear, but formed a series of transitional forms in the collision between Chinese and Western legal cultures. During the period of law revision at the end of Qing Dynasty, ministers of law revision such as Shen Jiaben and Wu adopted the strategy of "The Chinese system as the foundation, the Western system as a tool", introduced Western legal systems on the basis of retaining the core values of traditional legal culture, and formed a transitional legal system with unique characteristics. The process of formulating the "Qing New Criminal Law" concentrated on the transitional characteristics, and the legislative model of "Chinese and Western blend" became a typical form of the modern transformation of traditional legal culture In the legal practice of the Republic of China, on the one hand, Western civil law theories were cited to explain the legal provisions, on the other hand, folk customs were respected and a tripartite adjudication model of "code provisions—legal rationale—habitual supplement" was formed. This institutional innovation shows that traditional legal culture did not passively in the modern transformation, but gained new vitality through integration with Western legal culture.

3. The Mechanism of Transformation and the

Factors of Resistance of Traditional Legal Culture in Modern China

3.1 The Power of Transformation: The Dual Role of Internal Demands and External Promotion

The national demand for survival and rejuvenation forms the core power of transformation. Faced with the national crisis in modern times, "reform and self-strengthening" became the theme of the times, and the transformation of traditional legal culture was closely linked to the improvement of national governance capacity. Wu Tingfang pointed out that the revision of the law was "the hub of reform and self-strengthening", and only by reforming the traditional legal system we get rid of the judicial control of the powers and achieve national independence. The Nanjing National Government tried to establish a legal system adapted to modern national governance and enhance the state' governance capacity over society by constructing the "Six Law Codes" system.

The development of socio-economic has created an inherent demand for transformation. With the development of modern commodity economy and the growth of the citizenry, the legal culture of "family-oriented" and "duty-oriented" can no longer meet the needs of social development [8]. National capitalists urgently need legal protection property rights, contract freedom and market order, and the demand of ordinary people for personal rights and equality rights is becoming increasingly strong. These social demands have promoted the transformation of traditional legal to "rights-oriented" and "society-oriented". According to statistics, more than 20 commercial laws were enacted by the Nanjing National Government from 1929 to 1935, covering many fields such as companies, bills, insurance, etc., and a relatively complete commercial legal system was formed [9]

The Enlightenment Movement provided a cultural support for transformation. The New Culture Movement and the May 4th Movement and other ideological emancipation movements since modern times have disseminated modern ideas such as democracy, freedom, equality, and the rule of law, laying an ideological foundation for the transformation of traditional legal culture. Yan Fu systematically introduced Western legal thought into China. Liang Qichao called for replacing rule by man with rule by law; the

Chinese Revolutionary League put forward the theory of "the Constitution of Five Rights", which provided ideological guidance for legal transformation.

The promotion of the legal profession group accelerates the transformation process. Since modern times, with the establishment of law schools and the rise of the trend of studying, a professional legal profession group has been formed. They participate in the formulation of laws and judicial practice, introduce western legal systems and theories into China, and pay attention to exploring reasonable core of traditional legal culture, becoming an important driving force for the transformation of traditional legal culture.

3.2 Transformation resistance: Double Constraints of Historical Inertia and Realistic Dilemmas

The historical inertia of traditional legal culture hinders the transformation process. legal culture, after thousands of years of accumulation, has been deeply embedded in social structure and people's minds, and its "rule by man" ideology, "hierarchy", and "law-avoidance" tendency have strong historical inertia. The feudal landlord class, in order to maintain its vested interests, tried its best to maintain the legal system and opposed fundamental changes. The general public, under the long-term influence of traditional legal culture, has a deep-rooted concept of "fear of litigation" "aversion to litigation", and has a low acceptance of modern legal system, resulting in modern law being "unsuitable for the soil" in grass-roots practice.

Political turmoil and regime change disrupt the continuity of transformation. Modern China has experienced multiple historical periods, including the late Qing Dynasty, the Republic China, and the warlord era, with frequent regime changes and turbulent political situations, which have seriously damaged the continuity and stability of legal transformation. The frequent changes in political power led to a lack of long-term planning in legal reform. For example, during the rule of the Beiyang warlords, from 1912 to 1928, five constitutional documents were promulgated successively, and the legal system changed frequently, which has always been in a "fragmented" state, making it difficult to form systematic transformation of traditional legal culture.

The weakness of the economic base limited the

material support for transformation. The modern Chinese economy developed slowly, and the natural economy still prevailed, lacking the base to support the operation of modern legal system. The establishment and implementation of modern legal system need perfect market mechanism, sound social organizations and sufficient financial support, and the backward economic situation modern China led to a severe lack of these conditions. According to the investigation of the National Government's Ministry of Industry in 1933, more than 70 of disputes in rural areas across the country were still resolved through family and gentry mediation rather than resorting to the courts. The deep-seated conflicts between Chinese and Western legal cultures increase the difficulty of transformation. There are fundamental differences between Chinese and Western legal cultures in terms of concept, institutional design, and ways of thinking, which result in the transformation of traditional legal culture is not a simple "grafting" or "transplanting", but need to find a balance between two heterogeneous cultures. This highlights the difficulty and complexity of transformation.

4. The Specific Path of the Modern Transformation of Traditional Legal Culture

4.1 Systemic Transformation: Institutional Reconstruction from "Unity of Ritual and Law" to "Separation of Ritual and Law"

The modernization of the legal system. The modernization of the traditional legal system began with the revision of laws the late Qing Dynasty, which established a system of separate and specialized legal departments by drawing on the legislative model of the civil law system [10]. The "The New Criminal Code of the Qing Dynasty" in 1911 first distinguished public law from private law and substantive law from procedural law, establishing the basic framework of modern criminal law. The promulgation of the Civil Code of the Republic of China from 1929 to 1931 marked the initial establishment of China's modern civil law system. This code not only drew on the structural layout of the German and Swiss civil codes, but also retained reasonable elements from traditional legal culture. For example, the "dian right" system originated from traditional pawn customs, and the "family system" provisions continued traditional family ethics concept.

Independent reform of the judicial system. The system of "unity of administrative and judicial powers" in traditional legal culture has gradually been replaced by the "judicial independence" system in modern transformation. The "Judicial Organization Law of the Dali Yuan" at the end of the Qing Dynasty established the four-tier three-instance system and the principle of judicial independence, separating judicial power from administrative power. During the Republic of China period, the judicial organizational system was further improved, with the establishment of the Supreme Court, High Courts, and Local Courts, and the establishment of a system where judges independently adjudicate. At the same time, the mediation system in traditional justice underwent creative development. The dispute resolution mechanism combining "civil mediation" and "court mediation" during the Republic of China period not only continued the traditional value pursuit of "no litigation in the world" but also incorporated procedural norms of modern mediation. For example, the "Civil Procedure Law" of 1935 stipulated that "the court may, in the course of litigation, conduct mediation ex officio or upon the application of the parties," incorporating traditional mediation into modern judicial procedures.

The professional development of the legal profession. In traditional legal culture, the roles of "criminal justice officials" and "local officials" were combined with judicial functions, which were gradually replaced by a professional legal profession group during the modern transformation. In the late Qing Dynasty and early Republic of China, a number of professional judges, prosecutors, and lawyers were trained through the establishment of law schools, the formulation of lawyer laws, and the establishment of a judge examination system. The promulgation of the "Interim Regulations for Lawyers" in 1912 marked the establishment of a modern lawyer system; the implementation of the "Lawyer Examination Law" in 1927 established professional standards for the selection of judges. According to statistics, in 1936, there were more than 12,000 registered lawyers nationwide, and over 80% of the judges had a background in law and politics education. The professional development of the legal profession group promoted the integration of traditional legal culture and Western legal culture. [11]

4.2 Ideological Transformation: The Value Evolution from "Obligation-Based" to "Right-Based"

The transformation from a people-oriented philosophy to a civil rights ideology. The concept of "the people are the foundation of the state" in traditional legal culture emphasizes the monarch's responsibility to "protect" and "nourish" the people, which is essentially an obligation-based political ethics. Since modern times, under the influence of Western civil rights ideology, the traditional people-oriented philosophy has gradually transformed into modern civil rights ideology. Kang Youwei, Liang Qichao, and other reformers advocated for "extending civil rights" and "establishing a parliament," transforming the people from "subjects" to "citizens." The "Three Principles of the People" proposed by the Chinese Revolutionary League further systematized the idea of civil rights. Later, propositions such as "sovereignty resides in the people" and "five-power constitution" combined reasonable elements from traditional people-oriented concepts with modern civil rights ideas. Mo and Liu's research points out that the Confucian people-oriented tradition served as the cultural fulcrum for modern China to accept Western civil rights concepts. Early enlightenment thinkers such as Wang Tao and Zheng Guanying utilized the concept of "the people are the foundation of the state" to achieve a localized interpretation of Western civil rights ideology [12].

The evolution from the concept of non-litigation to the concept of the rule of law. In traditional legal culture, the concept of "no litigation in the world" emphasizes achieving social harmony through moral education and mediation to resolve disputes, and holds a negative attitude towards litigation. Since modern times, with the complexity of social contradictions and the awakening of rights awareness, the concept of non-litigation has gradually evolved towards the concept of the rule of law. Intellectuals have advocated for "active litigation" and "using litigation to safeguard rights", proposing to resolve disputes and safeguard rights through legal channels. During the period of the Nanjing National Government, the Civil Procedure Law simplified litigation procedures and reduced litigation costs, providing institutional guarantees for the public to safeguard their

rights through litigation. At the same time, reasonable elements in the traditional concept of non-litigation have been retained and transformed. The establishment of the modern judicial mediation system is a product of combining traditional mediation wisdom with modern legal concepts, achieving an organic unity between "resolving disputes" and "safeguarding rights".

The transformation from the concept of ritual law to the concept of legal principle. In traditional legal culture, the concept of "unity of ritual law" integrates moral ethics and legal norms, with law serving as a tool to maintain the order of rituals and ethics. Since modern times, under the influence of Western legal thought, the concept of ritual law has gradually shifted towards the concept of legal principle. Shen Jiaben proposed that "legal principle is the ultimate principle of public and private rights," advocating that law should follow its own logic and principles, rather than simply relying on rituals and ethics. Legal scholars during the Republic of China further advocated for "the supremacy of legal principle," emphasizing the independence and authority of law, and distinguishing it from moral ethics. This transformation is reflected in judicial practice as a repositioning of "emotion, reason, and law." Judges no longer regard rituals and ethics as the core basis for judgment, but instead base their decisions on legal provisions and the spirit of legal principle, taking into account natural justice and human sentiment, achieving an organic unity of the three.

5. Historical Experience and Contemporary Enlightenment of the Modern Transformation of Traditional Legal Culture

5.1 Adhering to the Local Cultural Roots is the Prerequisite and Foundation for Transformation

The modern transformation practices of traditional legal culture demonstrate that any successful legal modernization cannot be separated from the roots of local culture. When revising the law, Shen Jiaben adhered to the principle of "referencing both ancient and modern, extensively examining both domestic and foreign practices", drawing on Western legal systems while also focusing on excavating the reasonable core of traditional legal culture. The retention of traditional systems such as pawn

rights and family systems in the Civil Code of the Republic of China made it more adaptable to the realities of Chinese society and improved the implementation effect of the law [13]. Conversely, reforms that blindly copy Western legal systems while ignoring the adaptability of local culture often lead to "not fitting the local conditions". For example, the Criminal and Civil Procedure Law of the late Qing Dynasty failed to be implemented due to its overly radical introduction of Western legal systems. The concepts in traditional legal culture such as "the people are the foundation of the state" and "promoting virtue and cautiously punishing" have inherent compatibility with the spirit of modern rule of law and are important local resources for legal transformation.

5.2 Absorbing the Achievements of Human Legal Civilization is an Important Driving Force for Transformation

The legal philosophy, institutional design, and governance techniques embedded in Western legal culture provide important references for the modern transformation of traditional legal culture. The construction of modern legal systems, the establishment of judicial independence, and the professional development of the legal profession all draw on the achievements of Western legal civilization, which have greatly promoted the modernization of traditional legal culture. At the same time, absorbing foreign civilization must adhere to the principle of "selecting the good and using it", rather than blindly copying. For example, during the Republic of China period, legal reforms drew on the legislative style of the civil law system while making adaptive adjustments based on Chinese social realities, such as retaining reasonable elements of traditional family systems in the family law section. Huang 's research emphasizes that the core of the "second combination" lies in discovering the points of convergence between Western legal principles and excellent traditional Chinese legal culture, and achieving the organic integration of foreign civilization and local culture. [3]

5.3 Responding to the Real-World Needs of Society is the Key Guiding Principle for Transformation

The modern transformation of traditional legal culture has always been closely linked to the needs of social reality, with practical demands

such as national salvation, economic development, and social governance constituting the core orientation of the transformation. The late Qing Dynasty's law revision was aimed at reclaiming consular jurisdiction and achieving national self-improvement; the commercial legislation during the Republic of China period was to adapt to the needs of commodity economic development; and the modernization of grassroots governance was to resolve social conflicts and maintain social stability. Practice has proved that only legal transformations that respond to the needs of social reality can gain strong vitality, whereas legal reforms that are divorced from social reality are bound to fail. Guan Wei's research points out that the dilemma of modern legal transformation lies in the failure of institutional transplantation to respond to the practical needs of the people, resulting in a disconnect between law and society.

5.4 Achieving Creative Transformation is the Core Path of Transformation

The modern transformation of traditional legal culture is not a simple matter of "denying tradition" or "copying the West", but rather a creative transformation achieved on the basis of critically inheriting tradition and absorbing foreign civilizations. The transformation of traditional "people-oriented philosophy" into modern "civil rights ideology", the transformation of "no litigation concept" into modern "mediation system", and the transformation of "combination of ritual and law" into modern "combination of governing the country according to law and governing the country by virtue" are all successful practices of creative transformation. This transformation not only retains the reasonable core of traditional legal culture but also endows it with modern connotations, achieving a dialectical unity between tradition and modernity. Chen and Zhong's research suggests that the core spirit of the integration of "emotion, reason, and law" has become an important guiding principle for modern justice to balance legal and social effects through creative transformation. [13]

6. Conclusion

Modern China is in a period of comprehensive transformation of its social structure and governance system, and it is also a crucial historical juncture for the Chinese legal tradition to evolve from its traditional form to a modern

paradigm of the rule of law. As the spiritual core and practical foundation of the Chinese legal tradition, the excellent traditional legal culture of China has embarked on a path of modernization transformation distinct from that of the West, under the intertwined influence of multiple factors such as the strong intervention of Western legal culture, drastic changes in the local socio-economic structure, and profound transformations in national governance needs. This transformation is not a simple passive adaptation in the form of "shock-reaction", nor is it a complete Westernization divorced from its local roots, nor is it a cultural revival adhering to tradition. Instead, it is a creative transformation process in which traditional legal culture realizes self-sublation and active integration through institutional reconstruction, ideological evolution, and practical innovation in the midst of historical changes. Its century-long exploration spanning from the late Qing Dynasty to the Republic of China outlines the early historical trajectory of China's legal modernization and demonstrates the endogenous modernity and adaptive vitality of the excellent traditional legal culture of China.

From the "separation of ritual and law" system initiated by the law reform at the end of the Qing Dynasty, to the perfection of sectoral laws and exploration of judicial independence under the construction of the Six Laws system during the Republic of China period, traditional legal culture has undergone a systemic transformation from "the integration of various laws" to systematization, and from "the unity of administration and justice" to specialization. It has also shifted from the obligation-based "supremacy of the monarch" to the rights-based "sovereignty resides with the people", from the moral education of "no litigation in the world" to the legal practice of "integration of litigation and mediation", and from the ethical dependence of "unity of ritual and law" to the independent value of "supremacy of legal principle". Traditional legal culture has achieved a modern reshaping of legal concepts and value pursuits. The retention of the pawn right system, the standardization of mediation mechanisms, and the transformation of the people-oriented concept into civil rights are typical practices of deep integration between Chinese and Western legal cultures, demonstrating that traditional legal culture possesses inherent potential to excavate reasonable cores and adapt to practical

needs in its dialogue with modern rule of law. This transformation practice spanning over a century has shattered the cognitive misconceptions of "dualistic opposition between tradition and modernity" and "modernization of the rule of law equates to Westernization", clearly revealing the core principle of modernization of legal culture: the development of the rule of law in any country cannot be separated from its local cultural roots, nor can it reject the excellent achievements of human legal civilization. Only by achieving an organic unity between the inheritance of local culture, the reference to foreign civilizations, and the needs of social reality can a legal system with national characteristics and suitable for the country's national conditions be constructed. The exploration of the transformation of traditional legal culture in modern times has not only clarified the historical logic and accumulated practical experience for the modernization of Chinese law, but also made the core wisdom contained in the Chinese legal tradition, such as the people-oriented ideology, the concept of cautious punishment, and the pursuit of harmony, become a profound cultural nourishment for the construction of Chinese-style modernization of the rule of law.

As we enter a new era, we must advance the modernization of Chinese-style rule of law and build a Chinese legal system. We cannot separate history or ignore the inherent value of traditional legal culture, nor can we adhere to outdated practices or blindly copy traditional governance models. Only by adhering to the fundamental principle of "two integrations", drawing historical wisdom from the transformation process of modern traditional legal culture, and persisting in basing ourselves on China's national conditions and cultural roots, can we explore the modern legal value of traditional legal culture through creative transformation and innovative development. By deeply integrating it with modern legal concepts and institutional practices, we can revitalize the excellent traditional legal culture of China in the new era, providing solid cultural support and practical guidance for comprehensively promoting the rule of law and realizing the great rejuvenation of the Chinese nation.

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