



Viewpoints on Ruling by Law in the Philosophical Thought of Han Fei Tzu*

Duong Thi Tuoi¹

Ho Chi Minh National Academy of Politics, Vietnam



[10.15408/jch.v12i1.38903](https://doi.org/10.15408/jch.v12i1.38903)

Abstract

During the Spring Autumn and Warring States periods, when Chinese society was in chaos and instability, Han Fei Tzu proposed a comprehensive view that law is the most effective tool to bring peace, stability, and justice. This approach, which stands in stark contrast to the contemporary emphasis on morality and virtue in governance, holds relevance even in modern times. The primary aim of this study is to elucidate the role of law in politics from a philosophical perspective, with a specific focus on Han Fei Tzu's thoughts on the application of law as the primary instrument in state governance. The study employs a qualitative method, comprising two main approaches: the literature approach and the law approach. The literature approach is used to analyze classical texts and philosophical works that discuss Han Fei Tzu's thoughts on law and governance, and to review modern academic literature that either supports or criticizes his views. Meanwhile, the law approach is used to assess how Han Fei Tzu's proposed concept of law can be implemented in the context of governance and whether its application aligns with modern legal theory. The findings underscore the importance of Han Fei Tzu's thoughts on law, which stress the need for consistency between theory and practice, and the comprehensive enforcement of law without any discrimination. His thinking also underscores the significance of law as a tool of social control that is not contingent on individual morality, but on absolute obedience to the rules set by the state. The study raises several critical questions about the relevance of Han Fei Tzu's views in the context of modern politics, and offers recommendations for further research on the role of law in achieving sustainable political stability.

Keywords: Han Fei Tzu; Rule of Law; Philosophical Thought

* Received: December 13, 2023; revised: January 23, 2023; accepted: March 21, 2024; published April 30, 2024.

¹ Ho Chi Minh National Academy of Politics, Address: 135 Nguyen Phong Sac - Nghia Tan - Cau Giay - Ha Noi,

Vietnam E-Mail: dtuoi1977@gmail.com ORCID ID: <https://orcid.org/0000-0003-4350-0550>

A. INTRODUCTION

Chinese society fell into an increasingly severe crisis at the end of the Spring and Autumn - Warring States period. The Zhou dynasty's decentralised feudal politics fell into crisis, with vassals rising to invade each other. During this period, China entered a period of unprecedented chaos with more than five hundred years of war, causing the dead to fill the fields, bones to pile up into mountains, and blood to flow into rivers. This socio-political phenomenon has given rise to many prominent thinkers to explain and propose ways to unify China. These philosophical thinkers proposed many theories, such as rule by virtue, equally fraternal to everyone, rule by law, etc. However, only the rule by law proved superior and appropriate, so it quickly became an ideological flag that contributed to bringing the Qin Dynasty's unification cause to victory, promoting the transformation of Chinese society from decentralisation to a centralised feudal regime. This transformation marked an important milestone in Chinese history.

The doctrine of the rule by law is associated with the name of philosopher and jurist Han Fei Tzu (280-234 BC). The doctrine was formed based on the unity of three sects: the Law of Shang Yang (390- 338 BC); The method of Than Dao (370-290 BC); The art of Shen Puhai (401-337 BC), developed brilliantly in the early Qin period and although not continuously supplemented and developed in history like other doctrines, is today from the perspective of science. We still find it exuding useful ideological values in modern legal methods to learn about this doctrine. Born over two thousand years ago, although there are still many limitations due to history and class nature, the view of the rule by law in Han Fei Tzu's philosophical thought still exudes many valuable ideological values. These ideological values played a positive role in Chinese history and have specific values today in building interdisciplinary philosophy. In this article, we will focus on clarifying the view on the rule by law in Han Fei Tzu's philosophical thought through issues such as the law's role, position and importance.

Theoretical basis

Legal philosophy ([Saleh, I., Amri, N., et al. 2022](#)); ([Santoni de Sio, F., & Mecacci, G. 2021](#)); ([Munte, A. 2022](#)); ([Coll, A. R. 2021](#)) is a science that dates to ancient times with the desire to recognise the laws of law in society. The authors believe that, as an independent legal science, legal philosophy has the task of performing general scientific functions, has a methodological and epistemological nature and is an interdisciplinary scientific subject, branches of law and philosophy. Many approaches

and ways of determining its research object exist in the history of legal philosophical thought. Legal philosophy studies the meaning, nature, and concept of law, the basis of existence and position of law in society, the value and importance of law, the role of law in life society ([Taekema, S. 2021](#)); ([Flanagan, B., & Hannikainen, I. R. 2022](#)); ([Tănăsescu, M. 2020](#)); ([Tobia, K. 2024](#)). The authors also emphasise that legal philosophy has the task of finding truth in law, fairness, and humanity of law. Legal philosophy studies the law and the state, although the focus is on the law. Hegel considered legal philosophy the science of law, whose object of study is the ideology of law. ([Gilmullin, A. R., & Oksamytny, V. V, 2022](#))

Montesquieu's approach to legal philosophy is demonstrated in his work "The Spirit of the Law". He studies the State about the law and vice versa ([Brennan, T. 2022](#)); ([Spector, C. 2023](#)); ([Petersen, F. 2023](#)). The above researchers all share that legal philosophy is an interdisciplinary science between law and philosophy. Both legal science and philosophy must search for legal truth, requiring a science. The legal field concerns the philosophical aspect, not graft or imposition. The author believes that the principle of separation of powers in the organisation of state power is true. Approaching legal philosophy will allow a correct understanding of nature and practical application of the principle—division of power. We must be aware of the issue of division of power - the unity of opposites, unity is absolute, independence, division is relative in the unity of state power, state power in its essence is unified. The fluctuations of the world have increased the diversity, richness, vividness, complexity and newness in global political and legal life, events such as one country, two systems, the establishment of and strengthening state alliances, parliaments, common constitutions of these institutions, etc. These things need to be explained from the perspective of legal philosophy.

Research the relationship between ethics, law, democracy and freedom ([Ekardt, F., & Ekardt, F. 2020](#)); ([Mintarsih, M., & Sukamto, B. 2020](#)); ([Martin, G. T. 2021](#)); ([Wäscher, S., & Deplazes-Zemp, A. 2020](#)). Studies show that, in building a rule-by-law state, the issues that dominate the concerns of everyone, community, country, people and era are the relationship between ethics, law, democracy and freedom. These issues have also, in principle, been institutionalised in law ([De la Porte, C., & Jensen, M. D. 2021](#)); ([Michener, J., & Ford, T. N. 2023](#)); ([Börzel, T. A., & Zürn, M. 2021](#)); ([Chaisse, J., & Dimitropoulos, G. 2021](#)). Research has shown that law is only related to limited freedom; another limits one person's freedom. Legally recognised freedom exists in the state in the form of law. Laws are positive, clear, universal standards of affirmation within which freedom exists independent of the arbitrariness of individual individuals. The author believes that where there is law, there is freedom because the law is the essential tool that determines the preservation and expansion of personal freedom

while ensuring that individuals avoid arbitrary control. Convenience and arbitrary will of those in power.

Research on Han Fei Tzu's contribution to feudal society in China ([Kallinikos, P. 2023](#)); ([Hu, H., & Hu, H. 2021](#)); ([Marshev, V. I., & Marshev, V. I. 2021](#)). Studies show that Han Fei Tzu's views significantly contributed to building institutions for feudal dynasties in China, taking the actual results of work to check words and deeds. He emphasised the technical aspects of governance and observed reality to evaluate the right and wrong of human perception by appropriate requirements. The author believes that, compared to Confucianism and other ancient philosophical schools in China, Han Fei Tzu's perspective is more practical and scientific, capable of helping us perceive things and distinguish knowledge. Right - wrong to bring efficiency to useful activities. Han Fei Tzu was aware of the nature of prominent issues such as politics, law, political people, art, methods of social management, and human management. Those essential contributions of Han Fei Tzu inform human thought with unique concepts and approaches.

To research the views on the rule by law in Han Fei Tzu's philosophical thought, the author poses the following questions: (1) What is the view on the rule by law in Han Fei Tzu's philosophical thought? (2) How did the concept of rule by law in Han Fei Tzu's philosophical thought influence Chinese society? (3) Does the concept of rule by law in Han Fei Tzu's philosophical thought influence today's society?

B. METHODS

The article aims to clarify the rule-by-law perspective in Han Fei Tzu's philosophical thought and discuss these issues. To carry out the research goals and tasks well, the article must implement historical rigor, comprehensiveness, and multidimensionality and consider it in the development process of Chinese history. The article uses historical research methods to clarify the rule-by-law perspective in Han Fei Tzu's philosophical thought. Philosophical understanding of law is the task of legal philosophy as a science and particular subject. To carry out the research goals and tasks, the article must carry out historical rigour; that is, the research must be comprehensive, multi-dimensional, and historical - specifically, considering Han's views. Fei Tzu has many relationships with different angles, specific times, and spaces.

The author uses the *comparative method* to compare Han Fei Tzu's views with those of other philosophers and legal systems. This approach is intended to clarify and further appreciate his views' originality and influence. *Method of collecting information and documents*: The author collected documents such as books, newspapers, and magazines in China and other countries about the rule-by-law perspective in Han Fei

Tzu's philosophical thought to justify your observations. *Analysis and synthesis method*: The article uses this method to analyse the rule of law in Han Fei Tzu's philosophical thought. Based on that, it generalises and synthesises assessments.

C. RESULTS

1. The role of law in politics from a philosophical perspective

Faced with a chaotic situation, vassals rose to expand their territory. Most ancient Chinese thinkers believed that the cause of social chaos was weakening the Zhou dynasty's position. From then on, they agreed on respecting military authority, but each philosopher's solution differed. Legalists believe that the governance of the country and the people cannot be based on traditional rituals but must be carried out because of specific and strict laws. According to Han Fei Tzu, the law must be widely announced for everyone to know. Reward generously so that people compete with each other to do good deeds, and punish severely so people do not commit crimes.

Han Fei Tzu's concept of law is used as a standard to determine the right and wrong of actions and as a framework for correct praise and criticism. According to legalists, law is essential to maintain the king's victory because law is the root of kingship and to protect kingship, created by the king to force the people to enforce it, according to the concept: "*Law is the root of the king, punishment is the beginning of love.*" Law is necessary because it is a model to appease the people and make the country govern. It aims to eradicate the origin of disorder: "*To rule is the law, to cause chaos is private*". Here, Han Fei Tzu's thoughts unexpectedly met with great thinkers of ancient Greece, such as Solon (638-559 BC), who said that law is the guarantee for national peace; Heraclitus (530-470 BC) believed that city-states must be established based on law. The outstanding feature of law is the general rules of conduct, serving as a behaviour model for everyone in the community. The power of the law is guaranteed by political power to force people to obey. And vice versa, the law is enforced to strengthen and maintain the king's authority. The law is a unique guide and means to ensure successful governance. In addition to the law, it is the only support for the king to trust; all other relationships, such as king and subject, father and son, brother and sister, husband and wife, cannot be trusted and must always be vigilant. According to them, all feelings, such as respect, loyalty, filial piety... are always illusory. It is necessary and must be considered as a guideline to assess relationships between people based on the principle of taking advantage as a frame of reference, assuming that human nature is evil, always

competing. Tearing each other apart over interests, therefore, words praising trust between people are all false or naive in politics. To them, morality and kindness are just luxury goods, children's toys. The most precious thing is the law, which can only be the law. If the wise apply the law, they must follow it, but the brave will not dare to argue. To make all people follow the same path, nothing is better than the law. If the law is clear, then the superior person is respected and not infringed upon. The superior is respected and not infringed upon, so the king is strong and holds essential positions.

Arguing that the law is the most effective and efficient tool to maintain and strengthen the king's political power. According to Han Fei Tzu, a wise king must put law above virtue and good people. Not only that, but Han Fei Tzu also advocates taking the law as the only standard imposed on the values of ethics, emotions, culture... in social life. Han Fei Tzu discovered the vital role of law as an effective means of managing society, which is the logical development of the scientific cognitive process in the thinking of scientists. This is clearly shown in the issue of denouncing criminals raised by Han Fei Tzu. This is a measure to unify the thoughts of the entire people, creating the ability to strengthen order and security and control each person's actions. This ideology has laid the basis for state management by law. It is a primitive form of solitary civil obligation in modern legal science - a type of obligation that obligors have. Duties are always related to each other in the process of implementing the entire obligation, and the claims of the right holders are always considered a unified whole. Han Fei Tzu's method of denouncing criminals effectively prevented crime and maintained social order and security. This shows that since ancient times, legalists have been aware of the fundamental problem: Law is issued by the ruling class and is an effective tool to protect political power. Through the combination of power and law, the rule by law has allowed politics to separate from the domination of morality and clarified the true nature of the relationship between the ruler and the ruled as a relationship of power. Clearly outlines the scientific basis of the relationship between law and politics as a tool of political power.

Unlike the moralists who sought to identify theocratic power with secular power, the legalists did not hesitate to cast aside the cliché concepts of the past, unequivocally returning to the supernatural that it had to offer. Only emphasises the role of law - the product of human judgment. They found faith in the subjective factor, promoted the ability to recognise and the power to transform in people themselves, and openly declared that the nature of politics is the relationship between people that is entirely personal. Worldly and shows that the factor of interests governs the relationship. Therefore, they promote the king's prestige, status, and law, not preach destiny and morality.

2. Law must be consistent with reality

Han Fei Tzu believes that the promulgation of laws must adapt to the times, according to the principle of changing times and laws. If the law changes with the times, the country will be governed, and the world will govern the people, then there will be results. The country will be in chaos if practice changes but the law does not. Life has changed, and the government will be divided if the ban doesn't change. Han Fei Tzu believes that governing a country has no immutable principles. Considering the contemporary context, when the ideology of Virtue has become orthodox and following the example of ancient virtuous kings has become a governance model, the above viewpoint of the rule by law is genuinely revolutionary and a high breakthrough.

Han Fei Tzu believes that the law must follow the people's customs. This ideology demonstrates the wisdom of the ruler: using the power of custom to strengthen the law, and custom is also an essential catalyst for law to promote its role in life. However, Han Fei Tzu is flexible in this matter. According to him, whether the law changes or remains unchanged does not depend on whether it is old or new, old or new, but the main thing is whether it is timely. That shows that, in Han Fei Tzu's opinion, there is always a unity between principle and the necessary flexibility of deep dialectical thinking.

This is the historical materialist viewpoint that, over 2,000 years ago, legalists with intuitive thinking were able to approach. It is truly a progressive, materialistic, and dialectical viewpoint when considering the problem. Consider the Legal issue as the theory's theoretical basis and important scientific starting point. The requirement for the law is to reflect the current socio-economic situation. From that point of view, the legalists have fiercely attacked the old Confucian view that always "*respects the ancestors*" and that the next generation is not equal to the previous generation.

Han Fei Tzu advocates that the law must be simple and easy to understand. It must be drafted so that it is easy for people to know and implement. From the point of view of the law, there is nothing better than unification and stability, making the people aware of it. From its function as a general pattern of behaviour, the law, in its nature, is fair, becoming a representative of justice. According to Han Fei Tzu, the law must be fair and protect the weak and the few, thus creating order in the country. Law is conceived as a common denominator to regulate different societal relationships into a unified order according to the ruling class's will. Justice must be

established on the basis that everyone is equal before the law - an advancement of the rule by law compared to the policy of class discrimination. However, because it originates from the ruling class's interests, the connotation of the concept of justice, according to Han Fei Tzu, is still one-sided and far different from today because it is only a fair regulation in obeying obligations between members of society. Therefore, the law only focuses on the interests of the State but disregards the rights of the people, and sanctions are often absolute in terms of punishment without seeing an equally important function of government. Law is education.

3. The law must be strictly enforced.

The promulgation of new laws only meets the necessary conditions to regulate social relations. What is more important is that those legal regulations are organised and implemented in real life to become law in reality and meet political requirements. Consistency between law and legislation is always an objective requirement in law construction and enforcement. Fully aware of this, Han Fei Tzu not only attaches great importance to building laws on a scientific basis but also requires it to be thoroughly enforced from top to bottom. The law's strictness is expressed first in rewards and punishments. The king must not be arbitrary but follow the country's rules and be fair and impartial. The policy of the rule by law is to absolutely uphold the law, to throw away all poetry, letters, rituals, and music that are the educational bases of the rule to bring everyone into a single framework of the law. Even in the King-Mandarin relationship, there is no need to express feelings of respect or friendship; only follow the law.

The King is the one who proposes and holds the law in his hands and is also the highest person with the right to enforce the law. More than anyone else, the King must set an example to bring himself within the framework of law enforcement. The king's wisdom is a prerequisite to ensuring effective law enforcement. To do so, the king must completely put aside privacy and only obey the law. Han Fei Tzu saw individual will as the source of lawlessness. He believes that when the law is disregarded and placed under the subjective will of the rulers, the disaster of decline occurs. Thus, while Duc Tri advocates for the king to set an example of virtue, "rule by virtue" advocates for the king to set an example of obeying the law. Law is a sharp weapon to protect the king's prestige. Therefore, the king must use the law effectively by holding the powers of reward and punishment to control his subjects, requiring the reward and punishment to be authentic to the right person and properly promote the effectiveness of the law. Han Fei Tzu approached the principle of combining education with

punishment; punishment is to deter and prevent crime. This ideology is far different from the ideology of the ancient Western countries expressed in the Roman Law, which stipulates the principle of equally mechanical and crude retributive punishment. Han Fei Tzu's thought has overcome the limited and specific cognitive limits to reach the further goal of meeting political requirements, reflecting the superiority of dialectical materialist thinking on one side and the other. Is mechanical metaphysical thinking. Han Fei Tzu believes that the law must be popularised so that no person can make the excuse that they do not know the law and thus accidentally break it. Dissemination and propaganda are the first steps in organising enforcement, ensuring that the law comes to life with the ultimate goal of making the ruling class's will come true in real social life festival.

D. DISCUSSION

Research suggests that, from the historical materialist point of view, Han Fei Tzu's theory of rule by law accurately reflects its laws of motion ([Cotesta, V. 2021](#)); ([Yuxi, F. E. N. G. 2022](#)); ([Suresh, P. 2022](#)); ([Nedelea, M. O. 2022](#)). In this study, the author believes that the above statements are incomplete because Han Fei Tzu's rule-by-law doctrine also represents the voice of the rising feudal landlord class to replace the position of the ruling class—slave-owning aristocracy in ancient Chinese society. Taking the stance of the contemporary progressive class, Han Fei Tzu found the vital role of law in maintaining and protecting ruling power, considering it a unique weapon in social management, thanks to which the ruling class creates internal unity to have the conditions to cope with the external situation to complete its historical mission. The rule by law was born to meet the needs of history. The author also agrees with ([Van Dung, V., & Hoa, L. M. 2023](#)) that, due to the abolition of the values of doctrines such as virtue, love, etc., in this aspect, rule by law again reflects a historical step backwards.

Some views say that Han Fei Tzu upholds the law, considering the law as a tool for state and social management ([Hu, H., & Hu, H. 2021](#)); ([Hillier, J. & Cao, K. 2023](#)). The author believes this statement is not specific because Han Fei Tzu's views on law have surpassed contemporary thinkers. Han Fei Tzu's views on the law are comparable to those of John Lock, Jean-Jacques Rousseau, and Montesquieu. The two ideas are over a thousand years apart but have many strange similarities. If Han Fei Tzu upholds the law, everyone must obey it, leaving only the highest privilege for one person, the king. Then thinkers like

Duong Thi Tuoi

John Locke, Jean-Jacques Rousseau, and Montesquieu advocated that everyone is equal before the law.

Han Fei Tzu's theory of rule by law correctly reflects objective laws, so it has met the requirements of history ([Liang, L. 2023](#)); ([Luo, G. 2023](#)). In this work, the author believes that Han Fei Tzu's theory of the rule by law has transcended time and is still valid today. With the concept of using law as a tool to rule the country, Han Fei Tzu's rule-by-law doctrine had a guiding impact for a long time in China's feudal social system. The reason why Han Fei Tzu's doctrine is valuable in the work of governing the country, was applied by Qin Shi Huang and unified China is because Han Fei Tzu's rule-by-law ideology has synthesised three doctrines of Confucianism and Taoism, France in which Confucius is the construction document, the rule of law is the blueprint, Taoism is the construction technique of that house. Today, to a certain extent, some contents in the concept of Han Fei Tzu's political policy, such as legality, transparency, clarity, rigour, fairness, universality of the law, etc., still have suggestive value for countries in general and Vietnam in particular.

E. CONCLUSION

Han Fei Tzu's view of the "rule by law" is essential to building and maintaining social order. From the perspective of legal philosophy, it has been shown to clarify the relationship between ethics, law, democracy, freedom, legal awareness, and some legal philosophical issues. To stabilise society, Han Fei Tzu implements the rule by law to ensure fairness and stability in society. Han Fei Tzu often emphasises the role of law and the "rule by law" as tools to control power and protect people's rights. Based on the consideration of history and society in its dynamics, Han Fei Tzu inherited the view of "the rule of law" to build a theory of rule by law and the art of state governance that meets the needs of the people and the demands of history.

Acknowledgement

I thank the Vietnam Statistics Committee for providing the research data needed to complete this work. I am also grateful to the Ho Chi Minh National Academy of Politics Director, who created favourable conditions for me to do the research.

REFERENCES

- Börzel, T. A., & Zürn, M. (2021). Contestations of the liberal international order: From liberal multilateralism to postnational liberalism. *International organization*, 75(2), 282-305. <https://doi.org/10.1017/S0020818320000570>
- Brennan, T. (2022). Teaching by Contradictions: Montesquieu's Subversion of Piety in The Spirit of the Laws. *The Review of Politics*, 84(4), 520-544. <https://doi.org/10.1017/S0034670522000651>
- Chaisse, J., & Dimitropoulos, G. (2021). Special economic zones in international economic law: towards unilateral economic law. *Journal of International Economic Law*, 24(2), 229-257. <https://doi.org/10.1093/jiel/jgab025>
- Coll, A. R. (2021). Philosophical and Legal Dimensions of the Use of Force in the Falklands War. In *The Falklands War* (pp. 34-51). Routledge.
- Cotesta, V. (2021). Legalism: How to Create a Well-Ordered Society. In *The Heavens and the Earth: Graeco-Roman, Ancient Chinese, and Mediaeval Islamic Images of the World* (pp. 247-257). Brill. https://doi.org/10.1163/9789004464728_021
- Ekardt, F., & Ekardt, F. (2020). Ethics and Law of Sustainability—Especially of Freedom, Human Rights, Democracy, and Balancing in a Reinterpreted Perspective. *Sustainability: Transformation, Governance, Ethics, Law*, 111-223. https://doi.org/10.1007/978-3-030-19277-8_3
- De la Porte, C., & Jensen, M. D. (2021). The next generation EU: An analysis of the dimensions of conflict behind the deal. *Social Policy & Administration*, 55(2), 388-402. <https://doi.org/10.1111/spol.12709>
- Flanagan, B., & Hannikainen, I. R. (2022). The folk concept of law: Law is intrinsically moral. *Australasian Journal of Philosophy*, 100(1), 165-179. <https://doi.org/10.1080/00048402.2020.1833953>
- Gilmullin, A. R., & Oksamytny, V. V. (2022). The Development of Philosophical and Legal Ideas about Legal Laws in the Teachings of German Classical Philosophy (Kant, Fichte, Hegel). *BiLD Law Journal*, 7(2s), 206-212.
- Hillier, J., & Cao, K. (2023). Towards a new 'old' theory for planning in China: The potential of Huang-Lao thought. *Planning Theory*, 22(4), 380-403. <https://doi.org/10.1177/14730952231163246>
- Hu, H., & Hu, H. (2021). Governing the Public—Management to Others. *Principles of Chinese Management*, 225-266. https://doi.org/10.1007/978-981-33-6522-3_7

- Hu, H., & Hu, H. (2021). Situational Governance-Management of Specific Situation. *Principles of Chinese Management*, 343-381. https://doi.org/10.1007/978-981-33-6522-3_10
- Kallinikos, P. (2023). Political Realism in the Chinese Warring States Period and the European Renaissance: Han Fei and Machiavelli. *Conatus-Journal of Philosophy*, 8(1), 127-166. <https://doi.org/10.12681/cjp.29669>
- Liang, L. (2023). The Fable of the Public Welfare Competition Recorded in Han Feizi and Its Implied" Public Opinion Theory". *Frontiers of History in China*, 18(1). <https://doi.org/10.3868/s020-012-023-0002-6>
- Luo, G. (2023). Taoist Ethics of "Nonaction" and "Detached from Righteousness and Benefit." In *Traditional Ethics and Contemporary Society of China* (pp. 175-215). Singapore: Springer Nature Singapore. https://doi.org/10.1007/978-981-99-0256-9_6
- Marshev, V. I., & Marshev, V. I. (2021). The Origins of Management Thought: From Fifth Millennium BC to the Fifth Century. *History of Management Thought: Genesis and Development from Ancient Origins to the Present Day*, 77-152. https://doi.org/10.1007/978-3-030-62337-1_2
- Martin, G. T. (2021). Power, Justice, and Freedom. The Links Between Global Democracy and Human Liberation. *Journal of Globalization Studies*, 12(1), 3-17. <https://doi.org/10.30884/jogs/2021.01.01>
- Michener, J., & Ford, T. N. (2023). Racism and health: three core principles. *The Milbank Quarterly*, 101(Suppl 1), 333. <https://doi.org/10.1111/1468-0009.12633>
- Mintarsih, M., & Sukamto, B. (2020, March). Natural rights in relation to freedom of democracy. In *International Conference on Law Reform (INCLAR 2019)* (pp. 95-99). Atlantis Press. <https://doi.org/10.2991/aebmr.k.200226.019>
- Munte, A. (2022, August). Philosophy of Giorgio Agamben-Homo Sacer's on the Independent Curriculum for Learning in Indonesia: Critical Reflection. In *International Seminar Commemorating the 100th Anniversary of Tamansiswa* (Vol. 1, No. 1, pp. 464-468).
- Nedelea, M. O. (2022). The role of legalism in the development of Chinese law. In *Development Through Research and Innovation-2022* (pp. 67-76). <https://doi.org/10.53486/dri2022.06>

- Petersen, F. (2023). Montesquieu and the Concept of the Non-Arbitrary State. *The European Legacy*, 28(1), 25-43. <https://doi.org/10.1080/10848770.2022.2106638>
- Saleh, J., Amri, N., Kamal, M., Abdullah, A., & Mukhtar, M. (2022). Marriage Guidance Towards Family Resilience in Aceh: A Study of Islamic Law Philosophy. *Samarah: Jurnal Hukum Keluarga dan Hukum Islam*, 6(2), 594-613.
- Santoni de Sio, F., & Mecacci, G. (2021). Four responsibility gaps with artificial intelligence: Why they matter and how to address them. *Philosophy & Technology*, 34(4), 1057-1084. <https://doi.org/10.1007/s13347-021-00450-x>
- Spector, C. (2023). Montesquieu. In *Handbook of the History of the Philosophy of Law and Social Philosophy: Volume 1: From Plato to Rousseau* (pp. 249-257). Cham: Springer International Publishing. https://doi.org/10.1007/978-3-031-19542-6_33
- Suresh, P. (2022). Political Leadership in China: A Historical Perspective. In *Foreign Policy of China Under Deng Xiaoping: Contemporary Relevance and Continuity* (pp. 55-101). Singapore: Springer Nature Singapore. https://doi.org/10.1007/978-981-19-4764-3_3
- Taekema, S. (2021). Methodologies of rule of law research: why legal philosophy needs empirical and doctrinal scholarship. *Law and philosophy*, 40(1), 33-66. <https://doi.org/10.1007/s10982-020-09388-1>
- Tănăsescu, M. (2020). Rights of nature, legal personality, and indigenous philosophies. *Transnational environmental law*, 9(3), 429-453. <https://doi.org/10.1017/S2047102520000217>
- Tobia, K. (2024). Legal concepts and legal expertise. *Synthese*, 203(4), 107. <https://doi.org/10.1007/s11229-024-04512-3>
- Van Dung, V., & Hoa, L. M. (2023). Theoretical Perspectives of the View of Human in the Confucian Philosophy in Pre Qin Dynasty. <https://doi.org/10.24204/ejpr.2021.4022>
- Wäscher, S., & Deplazes-Zemp, A. (2020). Freedom of research in a democratic society: Is there a contradiction between socially desirable science and freedom of research? *EMBO reports*, 21(6), e49928. <https://doi.org/10.15252/embr.201949928>

Duong Thi Tuoi

Yuxi, F. E. N. G. (2022). Ancient China and the Responsibility to Protect: An Under-Studied Topic of Legal History. *Asian Journal of International Law*, 12(2), 342-369. <https://doi.org/10.1017/S2044251322000054>