

## **The characteristics of traditional Chinese law: Codex, Legal Value and the trial system in Comparative Perspective**

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### **Abstract**

This article analyzes traditional Chinese legal System from comparative viewpoints. The author made research on the code, the concept of the norms and the trial system in traditional Chinese Legal system. It is of great importance for the contemporary Chinese society to study traditional Chinese legal system, so that the Chinese can know more about whether the reform of the legal system in late Qing Dynasty till now is successful or failed, whether the goal of the reform has been achieved or not, and whether the traditional Chinese legal system still exerts great influence on the Chinese society today. Without research like this, little insight may we gain into the extent and the way the Chinese Legal System helps shape today's Chinese society.

In this article, the author tries to present that the main value of the traditional Chinese legal system is to maintain three relationships, namely, that between the Qing imperial court and the people, husband and wife, and the father and the son. This kind of value was very well structure in the traditional Chinese legal system, so people in Qing Dynasty were very taming and lack of creativity. This may explain in part why the Qing failed to fight against challenges brought about by Western society and why the court later decided to make reforms in its legal system.

**Keywords:** Western European, Legal system The concept of legal order, Codification, Traditional Chinese legal system, the form of legal norms, Codex, Trial system