

## A Brief Introduction of Shen Zi's Idea of Law

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### Abstract

Shen Zi is an important representative of legalism in the Pre-Qin period. He was the first to incorporate Taoism into legalism, and established his own theoretical system of law with unique characteristics. Shen Zi emphasizes power, and believes that “power” is the political basis for a monarch to find a state and enforce the law. Shen Zi also advocates that “the law” is fundamental for ruling a state, and proposes the idea of government by law, i.e., “upholding the law guarantees the governing of a state.” He also proposes the judicial principle of “everything should be resolved by law,” explains that “the law is established due to human relationships,” and the function of the law is “abandoning selfishness for justice.” Moreover, a monarch should “use Taoism to change the law” so as to maintain its adaptability. Shen Zi's idea of law is ingenious; it establishes a system of its own. It summarizes the theories of legalism, and has great significance and far-reaching influences.

**Key words:** Shen Zi; Tao; Power of the law; Justice vs. selfishness

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### INTRODUCTION

Shen Zi's name is Shen Dao, and was a citizen of Zhao which was one of the warring states. He and Tian Pian, Jie Zi, Huan Yuan etc. were all scholars in Ji Xia

in the state of Qi. His representative work is *Shen Zi*. In “The Biography of Mencius and Xun Qing” in the *Records of the Historian*, it is said that

Shen Dao, a citizen of Zhao. Tian Pian and Jie Zi, citizens of Qi. Huan Yuan, a citizen of Chu. All of them learned philosophy of the ancient emperor Huang and Lao Tsu, and were able to expound the major ideas of the ancient sages.

Shen Zi advocates criminal law and attributes it to emperor Huang and Lao Tsu. Sima Qian, the famous historian of the Han dynasty, author of *Records of the Historian*, had a precise and appropriate understanding of the theoretical composition of Shen Dao’s ideas long ago, and most contemporary scholars agree with his opinion. For example, the famous scholar Wailu Hou, in his *History of Chinese Thought* says “Shen Dao’s ideas include both Taoism and Legalism, but his legal thought is derived from the concept of nature’s law of Taoism.”

The biggest difference between Shen Zi’s idea of law and the representatives of legalism before him is, he not only agrees that “the law” is the way of managing a state, but also absorbs and improves Lao Tsu’s idea of “Tao”, and theoretically proves the reasonableness and necessity of the existence of “law”. In his *On Chinese Society*, Zhuang Zi writes about Shen Dao’s profound understanding of Tao:

Being just and do not form cliques, being amiable and selfless, letting nature take its course and ruling out prejudices...These are the some of the doctrines of ancient Taoism. Peng Meng, Tian Pian, and Shen Dao liked them very much, and thought the most important thing was the coexistence with everything in nature.

Shen Dao once says “Heaven can cover everything but cannot bear the weight of them; the earth can support them but cannot cover them; the great Tao can contain everything but cannot distinguish them.” One should know that everything is capable of something and incapable of other things, therefore, “your choice will not be comprehensive; your teaching cannot enlighten everyone, but the great Tao will not leave out anything.” Therefore, Shen Dao discards his wisdom and his own opinion, because he has no other choice. He lets himself be at the disposal of things and takes inspiration from that. Shen Dao believes Tao exists objectively and naturally, and its greatest characteristic is “justice.” The “coexistence with everything in nature” means to accept everything with no prejudice. How to avoid partiality? Shen Dao’s method is to “discard any subjective knowledge and self interest,” so as to establish an objective standard of things. That is so-called “material-centered,” i.e., to use an objective and specific standard as the carrier of Tao and the measurement of everything. And this objective standard is “law.” However, Liang Qichao once said, “material-centered legalism rids a person of the worry of establishing personality and the trouble of absorbing knowledge. Therefore, those advocates of legalism are actually advocates of materialism.” (Liang, 2004, p.170) Shen Zi turns the understanding of the objective law of “Tao” into the general justice of “law,” and proposes that “nature’s law requires following

nature's regular course, and if people forcefully change it, it will be weakened. The so-called 'following nature's law' means complying with the wishes of the people."<sup>1</sup> Shen Zi sees that "following nature's law" is the fundamental principle of coexisting with everything in nature, which is also the doctrine of Tao. He thus extends the idea of "natural law" to the human society and proposes his legal ideas of "ruling by power," "making legal judgments according to human relationships." After all, he advocates using law to rule a state, and is the first one to summarize the theories of legalism, proposes clear legal thoughts, and constructs a relatively systematic theoretical legal system in ancient China.

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## 1. POLITICAL AND LEGAL VIEW WITH MONARCHY AS THE CORE

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Shen Dao is a fanatic of monarchy. Using the monarchy as the core, he outlines his ideal mode of social administration from the perspective of establishing a national mechanism. It is reflected in the following two aspects:

(a) Shen Dao's political view is that "a state needs a monarch so as to survive." In his article in *Shen Zi, Powerful and Benevolent Rule*, he says,

In ancient times, people chose an emperor to rule and worshiped him, but the purpose was not to benefit him alone. That is, if there was not a royal ruler in the state, then the law cannot be implemented. To implement the law is for the purpose of ruling the state well. Therefore, to acknowledge an emperor is for the welfare of the state, and not that the state should serve the emperor; to support and accept a monarch is for the goodness of a nation, and not the other way round; to establish offices was for officers to better perform their duties, and not for their own enjoyment.<sup>2</sup>

Shen Zi realizes the reason that why a state, nation, monarch come into being and their functions. A monarch is the product of social needs. He appears for enlightening people of the principles of the world, and not for satisfying the selfish interest of a single person. Therefore, a monarch in Shen Dao's opinion is one who can grasp nature's law and serve the people; a monarch appears with the responsibility to rule a state. Shen Dao's thought about the emergence of monarchs and their responsibilities is quite ahead of his time and has progressive significance. Then, how can a monarch command the people? Where does his authority come from? Shen Dao believes, it is because of "power."

(b) The Theory of Ruling by Power. Shen Dao is famous for his advocacy of power. Liang (1996) thinks that "there are two schools in the ancient theory of legalism, and they both seem to advocate ruling by law and easily cause confusion, and yet they are diametrically different". One emphasizes "ruling by political

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<sup>1</sup> *Following Natural Law in Shen Zi*.

<sup>2</sup> *Powerful and Benevolent Rule in Shen Zi*.

strategy.” The other advocates “ruling by the power of the monarch.” Shen Dao is the representative of the latter. He explains what is power, how to actively obtain it, use it, and enforce it. His theory of power is actually his specific idea of the ruling method of a sovereign state. Shen Dao’s theory has rich connotations in several aspects. First, power exists objectively and can be manipulated. In *Miscellaneous Writings in Shen Zi*, he says,

There was someone traveling by sea, and he arrived in the state of Yue. That was because he had a boat. There was someone traveling on land, and he arrived in the state of Qin, that was because he had a carriage. Yue and Qin are far apart,<sup>3</sup> but the reason they could both arrive, it was because of mechanical instruments.<sup>4</sup>

The boat, carriage, or any other mechanical instruments are all tools of transportation which people depend on. A boat can carry people across the ocean, a carriage can carry people across far stretches of land. All of these tools can help people accomplish things they cannot by their own ability. Therefore, in essence, power is condition and natural law which objectively exist. Only by taking advantage of this kind of power, can people realize their subjective desires and reach their goals. Next, the respect a monarch enjoys and his authority both comes from power, and this power is absolute, which guarantees his rule and social order. In *Powerful and Benevolent Rule in Shen Zi*, he writes,

The snake frolics in the mist, the dragon flies in the clouds, and yet when the mist and the clouds all evaporate, they are nothing more than earthworms. That is because they have lost what they rely on. Therefore, if a sage surrenders to an unscrupulous person, that is because he lacks enough power. If an unscrupulous person submits to a sage, that is because he is in a powerful position. Yao, one of the wisest and capable ancient rulers, when he was an ordinary person, he could not even order his neighbor to do anything. But when he became the respected lord, he could execute orders and proclaim prohibitions. Therefore, virtuous people cannot make unscrupulous people submit to them, and yet power is enough to make virtuous people give in. So if an ordinary person can decide everything, it is because he has enough power; if a bow not strong enough but can shoot high and far, it is because it takes advantage of the wind; if a man does not have virtue but his orders can be carried out, it is because he has the aid of many people.<sup>5</sup>

He uses analogy to explain that only by using power can a person accomplish anything. By comparing the different powers of the virtuous and unworthy, he emphasizes the importance of power. With power, one can obtain an eminent position, make any order and get the help from people. Third, he advocates “respecting the monarch”, and opposes the idea of Confucianism which proposes “respecting the virtuous and using the honest people.” He also believes a country

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<sup>3</sup> Yue, a state in southern China. Qin, a state in the northwest of China.

<sup>4</sup> *Miscellaneous Writings in Shen Zi*.

<sup>5</sup> *Powerful and Benevolent Rule in Shen Zi*.

should be ruled by only one person, so as to strengthen and maintain the “power of the monarch.” He says,

By crowning a monarch, the vassals cannot usurp his position; by granting titles and territories to the vassals, the literati and other officials can not usurp their positions; by giving authority to the wife, other concubines cannot usurp her position; by acknowledging the son born of the wife, other sons born of the concubines cannot usurp his position. Otherwise there will be no peace and order, and if there are opposing sides there will be fights, and fighting will result in them hurting each other. Therefore, the harm is because there are fighting sides and will not occur because of one side. Therefore, if two officials are at equal positions, the country will definitely become chaotic, and if this does not happen, it is because there is a monarch. Peace depends on the monarch, and without one, there will definitely be chaos.<sup>6</sup>

He believes by establishing authority, the subordinates will have no ambition to usurp, and maintaining the position and respecting the power of the monarch is the guarantee that the country will not become chaotic. Therefore, “people are ruled by only one monarch and everything uses the law as the standard, is the essential principle of a country.”<sup>7</sup> It is clear that by promoting “ruling by one monarch” as “the essential principle of a country,” Shen Dao’s idea of respecting the monarch and strengthening his power is firm.<sup>8</sup>

Fourth, he proposes that the march should comply with the current situation and take no action, the monarch relaxes and ministers work but only devote to their own duties and should not step over. Shen Dao says:

The right relationship between the monarch and his ministers is that ministers work and the monarch relaxes, the monarch enjoys life and the ministers work without complaints. The ministers should do their best to perform their duties well, but the monarch does not need to participate, and only enjoys the result. In this way, no business of the country cannot be dealt with well, and this is the right way to govern a country. If a monarch does everything himself, occupies himself and even does more than the ministers, that is relieving the ministers of their duties and suffers himself, and the ministers will relax and enjoy life.<sup>9</sup>

This statement by Shen Dao clearly defines the relationship between a monarch and his ministers, that is, a monarch should take no action, let the ministers dedicate to their responsibilities. Only by doing this the relationship between the superior and the subordinates will not be harmed, and no one will overstep his duty. This is the correct way to rule. Shen Dao’s idea of power is that the monarch is the supreme authority, and the subordinates should perform their duties devotedly. He says,

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<sup>6</sup> *Establishing Virtue in Shen Zi.*

<sup>7</sup> *Miscellaneous Writings in Shen Zi.*

<sup>8</sup> *Ibid.*

<sup>9</sup> *Miscellaneous Thoughts on People in Shen Zi.*

A wise monarch uses his ministers in this way: Let them be loyal and dedicated but not overstep their duties and positions. If a monarch makes mistakes, he corrects them himself, then the subordinates do not dare to be arrogant. Officials at every level make their best efforts for the country, and do not dare to be lazy. All officials cultivate their moral characters and devote to work, modestly and respectfully serve their ruler. In this way, the governing of a country achieves the ideal level.<sup>10</sup>

Shen Dao believes that a wise monarch makes his ministers loyal and do not overstep their duties, every one must do their best, in this way the country will be governed well. Shen Dao's these statements show that he thinks power not only means authority, position, help, but also a definitive "order" or "principle". The order of the relationship between the monarch and the subordinates is that the monarch has authority and the subordinates all have their own duties and apply their different capabilities.

Shen Dao's political theory is closely related to his legal theory, and both come from his profound understand and flexible application of the objectivity and generality of "Tao". His political theory is the basis of his legal theory, and both their aim is for the establishment of an un-corrupted orderly ideal society. Authority and power are the guarantee for a monarch, and the promotion of ruling by law is the restriction of the sovereign's political power. It is for the purpose of establishing a mode of behavior that all members of the society should comply with.

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## 2. THE LEGAL IDEA OF RULING BY LAW

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Shen Dao places great emphasis on the function of law, and believes the law is absolutely necessary for the governing of a country, is the "essential principle of a country." The law has powerful social functions. It can resolve disputes and controversies, appease resentments and get rid of selfishness, reward goodness and punish evil. A monarch must discard ruling by subjective judgments and use the law to govern. All members of the society must abide by the law. Shen Dao's idea of law is quite profound and thorough, which includes the following specific aspects:

(a) The law is indispensable for governing a country. He says, "Even the law is not perfect, it is still better than there is no law. It is used to unify people."<sup>11</sup> He believes even imperfect law is better than no law, because it can unify people. To govern a country, there must be law. Without law, the country cannot be governed well. "If a country does not have stable policy, officials do not have long-lasting law to follow, the country's politics will become more and more erroneous."<sup>12</sup>

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<sup>10</sup> *Knowing Loyalty in Shen Zi.*

<sup>11</sup> *Powerful and Benevolent Rule in Shen Zi.*

<sup>12</sup> *Ibid.*

(b) Law Has Powerful Social Functions. It can make a single standard, resolve disputes and controversies, appease resentments and banish selfishness, reward goodness and punish evil.

A rabbit runs on the street, a hundred people try to catch it. There are greedy people, and no one can decide to whom the rabbit belongs. Even a monarch as wise as Yao cannot resolve the problem, not to mention common people. And yet when there are full of rabbits on the market, people pass by and do not look, it is not because they do not want the rabbits, but because there is a standard to decide ownership, so there are no disputes.<sup>13</sup>

Shen Dao uses this vivid metaphor to explain the importance of deciding ownership, and once it is decided, people get what belong to them, there will be no more disputes. Therefore, Shen Dao thinks a wise monarch should distinguish people's merits according to their contributions, and reward people according to law. The law can stop selfishness and calm down resentments. He says, "The greatest function of law is stopping selfishness,... the establishment of law makes selfish interests inoperable."<sup>14</sup> Therefore, the greatest function of the law is getting rid of selfishness. As a single standard, the law is the basis of deciding reward and punishment, so that people will not hold grudges and can live together peacefully. "When there is law, everyone receives what he deserves, either reward or punishment. It is not subjectively decided by the monarch, therefore they have no resentments and can be on friendly terms."<sup>15</sup>

(c) He opposes a monarch rules by his own subjective judgments, and advises him to rule by using the law. Shen Dao advocates that a monarch should rule by taking no action, and opposes his arbitrary reward or punishment as well as does everything by relying on his own ability. He says,

If a monarch does not use the law but depends on his own subjective judgments, then sentencing someone to death or rewarding someone are all his own subjective decisions. But people getting rewards will endlessly want more; even if the punishment is just, the people who are punished will endlessly want their punishment to be reduced. The monarch abandons the law and judges things subjectively, and the result is people with the same merits gets different rewards, while people with the same offenses are punished differently. This causes resentments.<sup>16</sup>

Shen Dao's "ruling subjectively" means a monarch only relies on his own ability to do everything himself, it is so called "personal." However, one's ability is limited. In *Miscellaneous Writings in Shen Zi*, he says "using one's own knowledge to judge everything, and yet who has enough knowledge?" Therefore, a monarch relying on his own subjective judgment to reward or punish will cause the result of "people

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<sup>13</sup> *Miscellaneous Writings in Shen Zi*.

<sup>14</sup> *Powerful and Benevolent Rule in Shen Zi*.

<sup>15</sup> *Miscellaneous Writings in Shen Zi*.

<sup>16</sup> *Ruling in Shen Zi*.

with the same merits get different rewards, and people with the same offenses are punished differently.” On the contrary,

people divide horses by drawing lots, people divide lands also by lot, it is not because how clever such a method is, but because it can get rid of selfish interests and resentments. Therefore, a monarch should rule by the law and not by the subjective judgments of his own, then everything is determined according to law. The law determines who gets rewarded or punished, and people will not rely on the monarch’s own arbitrary decisions, and there will be no resentments but peace.<sup>17</sup>

Shen Dao clearly sees the limitation of subjective ruling, and the law is the just and objective standard, so even the supreme authority of a monarch needs to be restricted by the law. He dares to propose to restrict a monarch’s power, and this has great progressive significance. Shen Dao advocates the law, and his understanding of the importance of law reaches the level of a country’s political regime, therefore, Guo Moruo in his *Book of Ten Criticisms* writes, “Shen Dao is a representative of legalism in a strict sense.” (Guo, 2012, p.262) By this he fully acknowledges Shen Dao’s legalist identity.

(d) Shen Dao believes that the law is a necessary existence and must be followed by all members of society. He finally summarizes it:

The law is the most just way to rule a country. The wise cannot break the law and wantonly make schemes, a debater cannot break the law and wantonly argue, if a scholar breaks the law, he will not have a good reputation, and if an official breaks the law, he will not have credit. I can suppress my happiness or anger, but cannot live without the law. My family can be punished, my relatives can be executed, but there cannot be no law.<sup>18</sup>

Shen Dao’s advocacy of the law regards “the law” as the standard of all behavior, the law is “the most just principle,” therefore, “the law” must run through all social and political life. His idea was undoubtedly unique at his time. Hu Shi says, “Mencius proposes using “law made by previous monarchs,” Xun Zi proposes regarding “wise monarchs as teachers,” and these are both the standard original meaning of “law.” Shen Zi’s “legalism” is more advanced than these representatives of Confucianism. The “law” that Shen Zi says is not old law made by previous monarchs, but standard law which prescribes “punishment and reward.” Shen Zi understands the function of the law best.” (Hu, 1991, p.232) Other than this, Shen Dao thinks the law is the basis and the major means for governing a country, this idea is diametrically different from “governing by virtue” promoted by Confucius, “governing by taking no action” promoted by Lao Tsu, “governing by using virtuous people and implementing righteous politics” promoted by Mo Zi.

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<sup>17</sup> “Ruling” in *Shen Zi*.

<sup>18</sup> *Miscellaneous Writings in Shen Zi*.

### 3. THE PRINCIPLE OF MAKING LAW BASED ON HUMAN RELATIONSHIP

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Shen Dao's theory of power is based on his understanding of the objective regularity of natural potential, and his understanding of the origin of law is based on his understanding of the objective naturalness of "human beings." In *Following Natural Law in Shen Zi*, he writes:

Nature follows natural law and expands, and if you artificially change it, it will become smaller. Following natural law also means complying with the ways of the people. People all want to work hard for themselves, and if you want to make them work for you, they you will not find suitable people to do that. Therefore, previous monarchs do not use those who do not accept salaries, and do not give those with low salaries difficult jobs. If people do not do their best, the monarch will not use or promote them. Therefore, a monarch should take advantage of people's characteristic that they all want to work for themselves, and do not force them to do things they do not like to do. Then everyone will like to work for you. This is following natural law and the ways of the people.<sup>19</sup>

Shen Dao's theory of following the natural law and the ways of the people has several meanings: First, natural law is objective and does not change. The reason nature is expansive is because everything "follows natural law." Here he points out the relationship between natural law and following it, and the two are inseparable. By following natural law to do things, the general principle becomes specific, and this is the same as what Lao Tsu says.

Second, the object of following is the ways of the people. Natural law is not unfathomable, but comes from the people themselves. This is the general principle of following the ways of the people.

Third, the general principle of the ways of the people is "doing things for themselves." People all have the essential nature of making self interest as their priority. Shen Dao says, "If a family is rich, even distant relatives will come; if a family is poor, even brothers will separate. That is not because they do not love each other, but because their interests conflict."<sup>20</sup> He points out "self interest" can alienate siblings. He also says, "A coffin maker hopes people die and do not mind the ugliness of corpses, because he can make money."<sup>21</sup> He gives a penetrating description of people's tendency to pursue self-interest. He sees this as people's essential nature. Therefore he says, "the law does not originate from heaven or the earth, but from the human society. It conforms to the wishes of people."<sup>22</sup> That is, the law is the objective principle based on general and objective human nature.

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<sup>19</sup> *Following Natural Law in Shen Zi*.

<sup>20</sup> *Miscellaneous Writings in Shen Zi*.

<sup>21</sup> *Ibid*.

<sup>22</sup> *Ibid*.

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## 4. THE JUDICIAL PRINCIPLE OF EVERYTHING SHOULD BE DETERMINED BY LAW

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Shen Dao's advocacy of the law elevates it to the essential means of governing a country, and says it is "the most just way of ruling." He gives the law authority and inviolability, and also emphasizes realizing the function of the law in actual judicial practice. He says,

A wise ruler should not listen to rumors, but should use political strategies and the law to observe gains and losses. He should not listen to anything which is against the law; not acknowledge any work which is done by breaking the law; not appoint any relative or friend who does not make contributions; not appoint relatives based on favoritism; implement the law but not exclude those he loves. Then the superior and the subordinates will be at peace, and only the law can guarantee this.<sup>23</sup>

Here he clearly advocates that a monarch should use the law as the basis for judging a person's speech and behavior, deciding rewards and appointments. A monarch does everything according to the law, and especially emphasizes making appointments should not be based on favoritism, implementing the law should not exclude those he loves. The law should be used everywhere and determine everything, and is the magic weapon for a monarch to rule. In addition, Shen Dao promotes implementing the law to the level of defending it with life. He says, "Officials should defend the law with life."<sup>24</sup> He believes government officials should resolutely defend the authority of the law in their lives. He finally concludes: "Let all people obey the monarch, all things are determined according to law, this is the essential principle of governing a country."

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## 5. THE LEGAL VALUES OF ABANDONING SELFISHNESS FOR ESTABLISHING JUSTICE

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As the essential principle of governing a country, the legal values should be "abandoning selfishness for establishing justice." He says,

Therefore, to use a tortoise to divine fortunes and misfortunes in order to establish fair understanding; to use scales to weigh things in order to establish just standards; to use legal instruments and deeds to establish just credit; to use measurements for measuring the length of objects in order to establish just standards of censorship; to use legal system and books of etiquette in order to establish just morality. All means for establishing just standards are for abandoning selfishness.<sup>25</sup>

When Shen Dao mentions "just, fairness", he often uses words for describing

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<sup>23</sup> *Superior and the Subordinates in Shen Zi.*

<sup>24</sup> *Miscellaneous Writings in Shen Zi.*

<sup>25</sup> *Powerful and Benevolent Rule in Shen Zi.*

tools such as “tortoise,” “scales.” These tools all have the function of establishing objective measuring standards. He uses these to explain that “the law” means objective and just, is “just morality”, “fairness”, “generally acknowledged truth”, just like scales or instruments for measurement, is universally existing social understanding of justice. He emphasizes the objectivity and general applicability of the law. What Shen Dao means by “selfishness” is “selfish thinking”, “selfish motive”, “selfish behavior”. It generally refers to unscrupulous and selfish behavior because of individual subjective will. What Hu Shi says about Shen Dao’s idea of “abandoning selfishness” is: “Believing in getting rid of subjective selfish thinking and establishing objective standards.” (Hu, 1991, p.232) Shen Dao’s “selfishness” especially refers to the subjective will and individual wanton behavior of a monarch. Even though a monarch represents national will but is still restricted by the law. What Shen Dao says as “appointing officials not based on favoritism, implementing the law but not excluding loved ones” shows his idea that public interest and personal interest must be separated, and one must not abuse one’s power to seek personal gain. To establish “justice” is for the purpose that “selfishness” is inoperable.

The greatest function of the law is to get rid of selfishness; the greatest responsibility of a monarch is to prevent people from contending with each other. If implementing the law and yet seeking personal gain, then it is selfishness conflicting with the law, and the chaos it causes is worse than there is no law.<sup>26</sup>

Therefore, law and selfish desires are two extreme opposing sides. The law is the tool for prohibiting the unchecked spreading of selfishness. Therefore, “The law is for unifying the behavior of all people and is for protecting the interests of all the people and is a just system.”<sup>27</sup>

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## 6. THE VIEW OF USING THE TAOIST WAY TO DEVELOP THE LAW

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Shen Dao not only believes that the law is the essential means of governing a country, but also thinks it should not always remain the same, but should change with current situations, to “use the Taoist way to develop it.” He says,

If a country does not have law, it will be chaotic; if it always only follows the old law and does not change, the country will go downhill... It is the monarch’s responsibility to use the Taoist way to change the law.<sup>28</sup>

At the same time, Shen Dao thinks that the law is made by the monarch, and should

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<sup>26</sup> *Miscellaneous Writings in Shen Zi.*

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

“conform to the wishes of the people,” and the wishes of the people” change with time. Therefore, a monarch should make appropriate law according to the actual situation. Shen Dao’s idea of the development of law is rare, valuable and have farsightedness.

Shen Dao’s legal ideas are rich in connotations, and are unique among the theories of Pre-Qin scholars. The cor is to unite the objective law of Tao with the actual governing of a country, and to use the law as the essential principle. Shen Dao comprehensively explains the origin, function, value of the law and the principle for making law and judicial decisions. He systematically summarizes the theories of legalism, and plays a key role of advancing the theories of legalism. His legal ideas still have practical significance today, and are a gem among the theories of Chinese law.

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