

HISTORICAL AND LEGISLATIVE VALUES OF LE DYNASTY'S PENAL CODE IN VIETNAM

TRAN TUAN KIET (FIRST AUTHOR)¹, NGUYEN MINH TUAN (CORRESPONDING AUTHOR)²

University of Law, Vietnam National University, Hanoi ¹

University of Law, Vietnam National University, Hanoi ²

Email id: tuankiettran.law@gmail.com ¹

Email id: tuannm@vnu.edu.vn ²

Abstract - The medieval Vietnamese legal system was deeply influenced by Chinese law, a legacy shaped by over a millennium of Chinese rule before Vietnam secured its independence in the 10th century. As one of the great ancient civilizations, alongside Mesopotamia, India, and Egypt, China profoundly affected its neighbors, offering a rich legal tradition to study and adapt. However, the Le Dynasty's Penal Code went beyond mere imitation. By blending inherited principles with Vietnam's cultural and social realities, it became a uniquely Vietnamese legal framework. This raises an interesting question: what innovations in legislative techniques and content set this code apart? The following analysis explores these groundbreaking contributions, highlighting their historical and cultural significance.

Keywords: Le Dynasty's Penal Code, criminal law; creativity; legislative techniques; legislative content.

INTRODUCTION

Chinese law influenced Vietnamese legal system during the medieval era. This legacy is comprehensible, considering our country was under Chinese rule for over 1,000 years before gaining independence in the 10th century. China, Mesopotamia, India, and ancient Egypt are among the four earliest civilizations in the ancient East. It is logical to study and carry on Chinese law when near such a civilization. In terms of legislation, although there was inheritance and learning, the Le Dynasty's Penal Code did not copy verbatim, but created laws to suit the cultural characteristics of the Vietnamese people. So what are the innovations in legislative techniques and in the content of this Code? We will analyze and clarify these issues below.

1. Innovations in legislative techniques

Historian Phan Huy Chu believes that legislative technique is "the shaping of laws to suit the times" (PHAN, 1961, p. 94), basically a method of systematizing and codifying laws. When reviewing legislative techniques, it is impossible to avoid linking them to the dynastic context. The method of legislation of Le Dynasty's Penal Code differed from previous dynasties. Specifically, following Phan Huy Chu's Chronicle of the Dynasties shows that the Ly dynasty's Penal Code was faulty in being lenient, the Tran dynasty's Penal Code were faulty in being harsh and inappropriate, while the Le Dynasty's Penal Code was an exemplary codification work with outstanding advances compared to the two legal codes of the previous dynasties (PHAN, 1961, p. 95).

Commenting on legislative techniques when compared with the Ly and Tran dynasties, Phan Huy Chu wrote: "It is impossible to know and detail of the legal system of the Ly and Tran dynasties. About the Le Dynasty's Penal Code, people initially believed that the regime of the Tang and Minh dynasties in China influenced it absolutely. However, there were a lot of innovations in this Code." (PHAN, 1992, p. 291). Comparing between the Le Dynasty's Penal Code and Chinese laws, author Insun Yu, a Korean researcher, wrote that there are 407 articles in the Le Dynasty's Penal Code of the Le Dynasty alone. He found that among the 722 articles of this Code, 261 were borrowed completely or partly from Tang Dynasty Law, 53 articles from Ming Dynasty Law and 1 article from other laws (YU, 1994, p. 72-81). This means there are 407 articles entirely expressed the innovations of the Le Dynasty.

This Code introduced several legislative innovations that were advanced for its time. These innovations contributed to the development of Vietnam's legal system and showed a sophisticated



approach to lawmaking and governance. The code was methodically organized into rational sections and chapters, covering a wide range of legal areas, including criminal law, civil law, family law, and administrative regulations. This systematic arrangement made the laws easier to understand, apply, and enforce. By codifying laws into a single document, the Le Dynasty reduced regional legal disparities and ensured consistency in legal interpretation and application across the kingdom.

- Innovation in layout and ways to adjust many complex social relationships

The Le dynasty's Penal Code regulated not only the criminal law field but also expanded to the civil law, marriage and family law and procedural law fields. However, social relations in the civil or administrative and procedural fields are still presented as criminal law because of the influence of the concept of "mixed content" between criminal law and civil law - a characteristic of Far Eastern law (TRAN, 2018, p. 3).

The very specific presence of typical civil law issues such as ownership, inheritance, and contracts (PHAN & PHAM, 2018, p. 13-25) has shown great legislative creativity that even the Tang Law has not yet regulated on this issue coherently. Typically, in the Tang Dynasty's Penal Code, the methods of establishment and form of contracts and wills were not clearly and completely specified like those of marriage and inheritance in Le Dynasty's Penal Code (WALLACE, 1997, pp.121-175). In the two chapters called "Marriage" and "Traditional Estate" of this Code, articles 366, 375, 376, 377, 383, 390 specifically addressed this issue clearly, especially consciously distinguish the origin and types of property of husband and wife. Author Vu Van Mau also commented that these two chapters, compared to Chinese Law, are also an innovation, even a testament to the advancement of legislative techniques (VU, 1973, p. 204-205). Placed in the political - economic - social conditions of Le dynasty, this Code could expect one of the most complex issues of maternity regime certainly showed the vision of the contemporary legislators.

Even though civil, procedural, and administrative regulations were more or less characterized by criminal law, lawmakers of this period were initially conscious of dividing criminal groups according to their nature.

In this Code, although lawmakers did not divide it into public, criminal and civil law fields like today, they consciously classified it into chapters: The general principles chapter (called Danh Le) includes 49 articles, stipulating basic issues of law such as the five types of punishments, the ten evils, the eight cases of sentence reduction, etc.; Guarding and Protecting (called Ve Cam) chapter includes 47 articles, regulations on protecting the forbidden palace, the capital and crimes related to guarding; Violations of the feudal mandarins chapter (called Vi Che) includes 144 articles regulating crimes related to mandarins; Military Chapter (called Quan Chinh) includes 43 articles, stipulating punishments for wrongdoings of generals and soldiers and military crimes; Marriage Chapter (called Ho Hon) has 58 articles regulating civil status, marriage and family; Real Estate Chapter (called Dien San) includes 32 articles regulating land and property relating to land; Adultery chapter (called Thong Gian) includes 10 articles regulating sexual crimes; Thieves Chapter (called Dao Tac) includes 54 articles regulating the crimes of robbery and murder; Fighting Chapter (called Dau Tung) includes 50 articles regulating the crime of fighting and the crimes of slander and insults; Fraudulent Chapter (called Tra Nguy) includes 38 articles regulating the crimes of forgery and deception; Miscellaneous Issues Chapter (called Tap Luat) includes 92 articles regulating crimes that are not classified in the previous chapters; Fugitive criminal chapter (called Bo Vong) includes 13 articles, regulating the capture of fugitive criminals; Trial chapter (called Doan Nguc) includes 65 articles regulating the trial and detention of criminals and specific crimes in this field.

The method of division of this Code is also different from that of the Tang Law. Division of this Code also differs from that of the Tang Law. Tang Dynasty's Penal Code is divided into two parts: the first part explains the general principles of criminal law, and the second part prescribes the specific crimes covered, along with the penalties for each of them. There are 12 books, 30 chapters, and 502 articles in the Le Dynasty's Penal Code. Although the section on general principles covers only 57 of the Code's 502 provisions, it covers nearly one-third of the entire Code (WALLACE, 1979, p.8).

- Innovations in the way of regulating legal norms



The legal norms in this Code mostly included all 3 parts: assumptions - regulations - sanctions, expressing them directly (BUI, 2008, p. 63). For each specific law, lawmakers interpret the regulations in great detail, so each regulation will directly describe the behavior, nature, extent and legal consequences (NGUYEN, 2016, p. 71)... Lawmakers also develop fixed sanctions, corresponding to each specific behavior. For example, Article 585 stipulates: "If buffaloes of two families fight and die, these families will eat them together. If one buffalo still lives, the two families will use it together. If it is against this regulation, the fine will be 80 rods." The sanction of this regulation is "If it is against this regulation, the fine will be 80 rods." This is a fixed sanction. There are very few legal provisions in this Code that stipulate a broad penalty range. The positive point of this kind of regulation is to limit the arbitrariness of judicial mandarins (LUONG, 2010, p. 22-29). Another example, Article 233 stipulates:

The mandarins have been summoned to a meeting to discuss matters, or to resolve matters formally, or to judge a lawsuit, and the meeting date has been clearly set, but If they do not show up, the high-ranking mandarin will be fined 10 coins, the executive mandarin will be fined 5 coins, and the other mandarins will be fined 3 coins.

Comparing with the Tang Code, Wallace Johnson explains: The structure of legal norms in Tang Law has many parts. The Laws often begin with the phrase "in all cases". Next are the primary and secondary comments. Then there are questions and answers. The commentary conveys the essential information of the legislation, rather than the article itself (WALLACE, 1997, p. 43).

Thus, in terms of legal structure, Tang law is more complex than Le dynasty's Penal Code.

In addition, authorities commonly impose fines as sanctions on mandarins, following a similar practice as the Penal Code of the Tran Dynasty and the Tang Dynasty of China. However, compared to the law of the Tran Dynasty, which mainly confiscated fines for very light crimes such as "a fine of 5 coins for mandarins absent from the official ceremony" (YU, 2911, p. 20), the Le Dynasty's Penal Code was much more specific. There are 3 levels in which the Le Dynasty's Penal Code clearly categorized fines: 500-300 coins, 200-60 coins, and 50-5 coins (YU, 2011, p. 20).

The reason we can say that this shows creativity in the way of building legal regulations is because those regulations align with Vietnamese perception, psychology, habits, and cultural characteristics, particularly their simple structure. This way of legislation helps people know what to do, what to avoid, and mandarins also know clearly how to handle each behavior.

2. Innovation in terms of legislative content

- Specify the responsibilities of mandarins and limit the state power

The Code emphasizes the responsibilities of mandarins. Compared to the laws of the previous Ly and Tran dynasties, the Le dynasty expressed the regulations on mandarins' liabilities in two forms: legal responsibility and responsibility when performing public duties (PHAN & PHAM, 2018, p. 13-25). The code included provisions to prevent corruption, abuse of power, and neglect among government officials. It imposed strict penalties for misconduct, reinforcing accountability in governance. Confucian principles of governance demanded high moral and ethical standards from officials.

In order for the law to promote its own value, any subject, whether citizen or mandarins, must obey the law. In fact, the Penal Code of the Ly and Tran Dynasties both had provisions of leniency and non-punishment of the King's relatives. Because the Ly Dynasty's laws were still based on traditional beliefs, they were quite lenient and the Tran Dynasty especially respected the King's relatives, preventing foreign clans from usurping power (YU, 2011, p. 4).

The reason the Code emphasizes the responsibilities of officials with extremely strict regulations is because lawmakers of this period realized the importance of limiting the power of the government (YU, 2011, p. 4).

To ensure the spirit of respect for the law, judges must not exceed the legal scope when judging. For cases judged by the King personally, if they are not typical and have no possibility of becoming a model for future cases, they are not considered decrees supplementing the law: "Decree (of the King), it is only a temporary trial and not a permanent decree, then it is not allowed to cite that decree to judge [...]" (Article 685).



In terms of proceedings, judicial agencies are required to comply with a series of regulations that concretize the principle of judicial integrity in the process of applying the law. The procedural regulations, besides being stipulated in the two chapters "Bo Vong" and "Doan Nguc", are also directly and independently expressed in the Code called Quoc Trieu Kham Tung Dieu Le, the separate Procedural Criminal Code of Le dynasty. This Code regulates issues like time limit of cases and procedures for initiating lawsuits and appeals, recording judgments, publicizing them after trial... Compared to the laws of the Ly and Tran dynasties, lawmakers of the Le dynasty regulated proceedings much more specific.

However, to limit power, the law's function is not only to set out responsibilities for carrying out public duties, but also to stipulate prohibitions for mandarins. Lawmakers of this period saw the problems that once the rulers held power, it would be easy to fall into, such as forming factions and group interests; abuse of position and power or corruption, etc. According to this Code, forming factions creates opportunities for mandarins to abuse power, disperse the king's power, and is a seed of rebellion for the country. As for mandarins who rely on their positions and abuse their powers, they will inevitably cause hatred in the hearts of the people and create chaos in security and political order. The prohibitions of the law prevent the dangers arising from the concentration of too much power in the hands of the mandarin. For examples, the laws of avoidance ("hồi tỵ") (Article 98, Article 204, Article 210. Article 211) prevents mandarins and those who have close relationships with them (such as family members) from forming cliques that protect and serve each other's interests.

- Protect human rights, especially the rights of disadvantaged groups

Feudal society actually does not have a complete awareness of human rights, but is mainly based on the assessment of posterity when studying the principles of governing the country through the ideology of taking the people as the root, being pro-people and loving the people of the ancients. To be more precise, the element "people" is a core ideology, a motto to protect the country. If the king wants to keep the country, he must rely on the strength of the people. Nguyen Trai said that "only when the boat is turned over will one realize that the strength of the people is like water" (NGUYEN, 1976, p. 200).

Overall, the regulations of this Code concretize the ideology of protecting the legitimate rights of the people. For example, later regulations on the field of litigation expressed in Quoc Trieu Kham Tung Dieu Le also clearly stipulated judges, when adjudicating and applying law, must base on the spirit of ensuring the highest legal interests of the involved parties (PHAN & PHAM, 2018, p. 13 - 25). The Le dynasty's Penal Code also shows a very tolerant view towards people from disadvantaged groups through regulations to protect the lives of older adults and destitute. Articles 16, 665, 294, 295, 291, 365 mention reduction of penalties for people aged 70 and over, disabled people, orphans who cannot fend for themselves. In addition, there are also regulations combating slavery in Articles 291, 365 (NGUYEN, 2016, p. 72). In particular, in cases of crimes committed at a young age and not discovered until old age, retroactive effect is not applied (Article 17) (NGUYEN, 2016, p. 67). This humanitarian element represents a very progressive and unique ideology in the law of Le Dynasty compared to the law of Tang in China.

The ideology of human rights of this Code is the most progressive by promoting the status of women. In marriage and family, women can divorce when their legitimate rights are violated (Article 308, Article 333); The code also guaranteed property rights; they may own property and inherit property (Article 375). The law also clearly stipulates that there are three types of property that need to be distinguished during marriage: one is the property the husband inherits from his family, two is the property the wife inherits from her family, and three is the property that husband and wife earn together after marriage.¹ (NGUYEN, 2016, p. 6) What is interesting is that even when compared with the Hoang Viet Luat Le, the Penal Code enacted later by the Nguyen Dynasty in Vietnam, this Code is still the only one that recognizes the property rights of the wife (NGUYEN, 2016, p. 71). In the criminal field, the law also shows a certain tolerance for women when protecting their dignity and sacred rights: "To a woman sentenced to death or less, if she is pregnant, the punishment will be

¹Tran Ngoc Duong (2016), Op.cit., p. 6.



applied only after one hundred days from the time she gives birth." (Article 680). Tang laws influenced the Le Dynasty's punishments, but the punishments for women were relatively independent. For example, in the five-penal system, the Tang law applies without distinction between men and women, while the caning penalty of this Code only applies to men (YU, 2011, p. 13).

- Promoting the value of customs

While influenced by Confucian legal principles (borrowed from Chinese traditions), the Hong Duc Code was adapted to Vietnam's social, cultural, and economic conditions. It recognized and respected local customs, especially in areas like family law and inheritance.

Legislative creativity is clear in the promotion of the nation's traditional culture. The legalization of traditional customs into legal norms is very common. In marriage and family, the National Court of Penal Law has inherited many traditional customs of the nation through marriage ceremonies such as engagement ceremony, wedding grooming ceremony, bride welcoming ceremony,... or the habit of worshiping the deceased is even regulated in the division of inheritance (YU, 1994, p. 165), for example, the lawmaker stipulates: "To the property of the deceased, 1/3 of the assets will go to the parents (if the parents are dead, then to other family members) to maintain death offerings for that person".

To fit the social context, lawmakers of the Le Dynasty also promptly recognized important tasks that have always been emphasized since ancient times, such as dykes and agriculture. Not only is the state apparatus built with independent positions to handle dykes, but the obligations of people and authorities to build dykes, repair dykes, and protect dykes are all clearly stipulated in the law (TRAN, 2018, p. 6).

Article 40 of this Code stipulates: "Those in the highlands who commit crimes together shall be judged according to their own customs. Those highland people who commit crimes against people from other places will be punished according to the law." We can see that this is a legal norm that is highly appreciated for the creativity of lawmakers (TRAN, 2018, p. 4). Legislators of the Le Dynasty were not extreme in taking the Penal Code to eliminate and replace customs, but still recognized and considered them as an important source of law.

The code accounted for specific circumstances when determining punishments. For example: Reduced penalties for minors, older adults, and pregnant women; Consideration of intent and the context of crimes, such as self-defense.

In family relationships, Vietnamese people have always respected filial piety. This Code expressed filial piety fully, comprehensively, and consistently, such as children must respect their grandparents and parents and take care of them while they are still alive, old and weak. There are many regulations that show this profound filial piety, for example, children and grandchildren cannot sue their grandparents or parents (Article 511), and they will be punished if they hold a wedding while they are mourning their grandparents or parents (Articles 511 and 317). In addition, lawmakers also encourage behavior that shows filial piety. For example, Article 38 stipulates if the children and grandchildren are beaten with a stick or a cane on behalf of their grandparents or parents, the level of their crimes will be reduced.

3. Transforming the positive values of Confucianism into law

Lawmakers have flexibly transformed family ethics into this Code with innovations associated with the nation's fine customs and traditions. The Le Dynasty paid special attention to building a sense of family foundation - a basic requirement to establish social discipline and the origin of the Confucian sectarian system (NGUYEN, 2005, p. 40).

This Code combined legal norms with Confucian moral teachings. It not only punished crimes but also encouraged moral behavior, emphasizing virtues like filial piety, loyalty, and honesty. Many laws prioritize prevention of wrongdoing over punishment. Good governance was ensured, for instance, by holding officials accountable for negligence and abuse of power. Punishments were proportional to the severity of the crime, considering factors like intent, harm caused, and social impact. In some cases, the law encouraged compensation to victims rather than solely focusing on punitive measures, reflecting an understanding of justice as both corrective and restorative.



Humanitarian values with the word "humanity" are a central element of Confucius's doctrine and are also a throughout the spirit of this Code, expressed through two aspects: human moral values and political ideology of the ruler in this period. In terms of human moral values, this Code has a clear educational nature with regulations on filial piety for children and grandchildren in the family.

One reason the Codes of Lê Dynasty had many progressive values is because of the "obeying the law" ideology of the king Lê Thanh Tong. He said: "The law is the general regulations of the state, you and I must obey". That means he himself also has to obey the law. In this Code, there are many articles expressing the ideology of obeying the law, e.g., Article 683 stipulates: in the judgment, when impeaching, the judge must cite the exact article of law regarding that crime, and must not add or subtract. Article 685 also stipulates that the king's edicts on impeachment are only temporary, not permanent decrees, and cannot be invoked to judge later matters.

The Hồng Đức Code of the Lê Dynasty can be seen as a transformation of the positive values of Confucianism into law because it incorporated Confucian principles into its legal framework, shaping Vietnam's governance and social order. This transformation is evident in several aspects of the Code, which effectively translated Confucian ethical ideals into enforceable legal norms while adapting them to the unique cultural and societal context of Vietnam.

- *Emphasis on Filial Piety and Family Values*

Confucianism places a high value on the family as the foundation of society, emphasizing filial piety (respect for one's parents and elders) and harmony within familial relationships. It reflected this by regulating familial roles and duties, such as obligations of children to care for aging parents; criminalizing acts that disrupted familial harmony, like abuse of parents by children; protecting inheritance rights to ensure the preservation of family property and continuity. Examples: Article 2: Mandates children's obligations to care for their aging parents. Failure to fulfill filial duties could lead to legal consequences, emphasizing the Confucian ideal of filial piety; Article 3: Punishes children who physically or verbally abuse their parents, placing a strong emphasis on respect for elders within the family; Article 375: Protects the inheritance rights of family members, particularly to ensure the continuity of the family lineage, a core Confucian concern.

- *Upholding Social Hierarchy and Order*

Confucianism advocates a well-ordered society based on clearly defined hierarchical relationships, such as ruler-subject, parent-child, and husband-wife. The Code institutionalized these relationships. It outlined duties and responsibilities for individuals within these roles, ensuring societal stability. Offenses against authority figures, such as rebellion against the king or insubordination to parents, were severely punished to maintain social order. Examples: Article 1: Outlines the relationship between the ruler and subjects, establishing loyalty to the king as the highest duty, in line with Confucian hierarchical principles; Article 47: Prescribes severe penalties for rebellion, insubordination, or acts that threaten societal stability, reinforcing the Confucian concept of maintaining order through proper hierarchy; Article 129: Punishes wives who cannot obey their husbands, but also regulates husbands' responsibilities, reflecting Confucian marital roles.

- *Ethical Governance and Accountability*

A core Confucian ideal is the concept of a moral ruler and ethical governance, where the king and officials serve as moral exemplars for society. It incorporated this by holding officials accountable for misconduct, corruption, and negligence; establishing that even the king was subject to the law, reinforcing the Confucian principle that rulers must embody virtue and adhere to ethical standards. Examples such as article 75: Holds mandarins (officials) accountable for negligence or corruption. It specifies punishments for officials who misuse their power, reflecting Confucian ideals of ethical leadership; article 76: Mandates the dismissal of officials who cannot perform their duties adequately, reinforcing the importance of virtuous and competent governance.

- *Integration of Morality and Law*

Confucianism does not distinguish sharply between morality and law, viewing both as means to cultivate a harmonious society. The Hong Duc Code seamlessly integrated Confucian moral teachings into its legal provisions, using the law not just to punish but to educate and guide citizens towards virtuous behavior. Examples such as article 200: Prohibits immoral behaviors, such as adultery,



reflecting Confucian concerns with personal virtue and social ethics; article 203: Criminalizes acts that disrupt public order or communal harmony, emphasizing moral conduct as essential for societal stability.

CONCLUSION

The Penal Code of the Le Dynasty represents a remarkable achievement in Vietnam's legal history. This code reflects a sophisticated approach to governance by creatively balancing complex social relationships with systematized and consistent legal principles. It was not only a tool of state control but also a reflection of Vietnamese cultural values, psychology, and traditions. By codifying laws in written form, it increased transparency and accessibility for officials and literate citizens, reducing dependence on arbitrary or unwritten customs. Efforts to disseminate the laws further ensured that citizens were aware of their rights and obligations within the legal framework.

Its progressive and innovative ideas distinguished it, many of which remain valuable today. These advancements can be seen in both its legislative techniques and its substantive content.

1) Unlike modern laws, which often rely heavily on references between legal documents, the Hong Duc Code favored direct expression. This method enhanced accessibility, allowing even non-experts to understand the law and its sanctions. The clarity of these provisions made it easier for individuals to identify their rights and obligations and for officials to apply the law consistently.

2) The Code addressed the potential for arbitrariness in applying penalties by aiming to classify offenses based on their nature and societal impact. Narrowing the range of penalties for specific acts ensured greater fairness and consistency in judicial decisions.

3) It was ahead of its time in recognizing and protecting the rights of women, establishing gender equality in familial and societal roles. Women were granted inheritance rights and protections in marital disputes, reflecting an awareness of their significant contributions to family and society. While primarily serving the feudal class, the Code introduced many provisions aimed at protecting the lower classes, including commoners, slaves, older adults, children, and pregnant women. These measures showcased an unexpected compassion and humanity in a feudal legal system.

4) The Code specifically regulated the duties and punishments of mandarins, ensuring that even high-ranking officials were held accountable under the law. Notably, it emphasized the principle that no one, not even the king, was above the law—a defining characteristic of the rule of law.

5) Recognizing the family as the cornerstone of society, the Code included detailed provisions to protect familial relationships and uphold moral values, underscoring its importance as a foundation of social stability.

6) The Code acknowledged the role of customs in resolving disputes, as seen in Article 40, which allowed for the application of local traditions. This recognition preserved regional practices while integrating them into the national legal framework, promoting harmony between customary and formal law.

The Hong Duc Code stands as one of the most comprehensive and historically significant legal systems in Vietnamese history. Rooted in Confucian principles, it marked Vietnam's assertion of legal and administrative independence from Chinese influence. By reflecting Vietnamese traditions, social structures, and governance ideals, the Code showed a sophisticated understanding of societal needs. Its systematic structure covered all aspects of governance and daily life, from criminal and civil law to family and administrative regulations. Its progressive provisions, including protections for women and vulnerable groups, showcased a forward-thinking approach to justice and equity. The Code's influence extended beyond the Le Dynasty, serving as a foundational legal reference for later regimes, such as the Nguyen Dynasty. It remains a powerful symbol of Vietnam's rich legal tradition, illustrating how a nation can creatively adapt external influences while asserting its unique cultural identity. Its legacy is a testament to the balance between authoritarian governance and the ethical imperatives of social justice and compassion.

**REFERENCES**

1. BUI XUAN DINH (2008), *Historical value and contemporaneity of law*, *Science Magazine*, No. 04 (116).
2. LUONG VAN TUAN (2010), *Advances in officialdom in the State and Criminal Law*, *Journal of State and Law*, No. 8.
3. NGUYEN MINH TUAN (2005), *Positive influences of Confucianism in the Hong Duc Code*, *National University Scientific Magazine, Economics - Law*, Volume XXI, No. 3.
4. NGUYEN THI BANG (2016), *Some comparisons on the Hong Duc Penal Code (Le dynasty) and the Hoang Viet Code (Nguyen dynasty)*, *Southeast Asian Studies*, no. 7.
5. PHAN HUY CHU (1961), *Lich Trieu Hien Chuong Loai Chi*, Volume III, *Historical Publishing House*.
6. PHAN THI LAN HUONG, PHAM THI DUYEN THAO (2018), *Ideology of upholding the law in Vietnamese feudal dynasties*, *Journal of Legislative Studies*, No. 8 (360).
7. TRAN NGOC DUONG (2018), "The national court's criminal law - a model of legal codification in Vietnamese feudal times and lessons for the work of codifying and perfecting legislative techniques in our country", *Journal of Legal Sciences*, No. 01 (113).
8. VU VAN MAU (1974), *Vietnamese Ancient Law and Judicial History*, Volume I, No 3, *Saigon*.
9. YU INSUN (1994), *Vietnamese law and society in the 17th - 18th centuries*, *Publishing House. Social Sciences*, Hanoi.
10. YU INSUN (2011), "Legal system of the Ly and Tran dynasties of Vietnam. The relationship between Tang law and Le dynasty penal law", *Historical Research*, No. 1.
11. *The Tang Code*, Volume I, *General Principles*, translated with an introduction by Wallace Johnson, *Princeton Academic Press*, 1979.
12. *The Tang Code*, Volume II, *Specific Articles*, translated with an introduction by Wallace Johnson, *Princeton Academic Press*, 1997.