

CHINESE LEGAL FAMILY



INTRODUCTION

- Its formation was decisively influenced by the political, legal, religious and ethical teachings of ancient China (Confucianism), which, although not widely enshrined in the current legislation, exist in Chinese law-making culture and legal consciousness.
- Of all the legal systems, only the Chinese one retained not only national characteristics, but also the characteristic features of socialist law.



FIRST STAGE (1949-1966)

- The legal system of the Chinese state in the historical period under consideration was formed under the influence of Soviet legal science.
- The first Chinese Constitution, the first laws of the PRC - everything was developed and adopted with the direct participation of Soviet specialists.





SECOND STAGE (1966-1976)

- During this period, in fact, not a single legislative act was adopted in China, the new Constitution of the PRC that appeared in 1975 was exclusively declarative.
- The constitutional system of state bodies, the statutory bodies of the CPC and public organizations were liquidated.



THIRD STAGE (1976-2001)

- The restoration of the legal system of the PRC after the "cultural revolution" is associated, first of all, with the adoption of the new Constitution of the PRC on March 5, 1978.
- It legally formalized the policy of the leadership of the PRC, aimed at restoring the country after a long destructive period of the "cultural revolution".

FOURTH STAGE (2001-2010)

- China's accession to the WTO in December 2001 served as an impetus for profound changes not only in the socio-economic, but also in the legislative sphere of the country.
- In the 10 years since joining the WTO, a number of new legal acts have appeared in China's legal system, and many previously adopted laws have undergone significant changes and/or additions.

The logo of the World Trade Organization (WTO) and its Chinese acronym (OMC). It features a circular emblem with a stylized globe design, composed of several curved, overlapping bands. Below the emblem, the letters "WTO" and "OMC" are inscribed in a bold, serif font.

WTO OMC

FIFTH STAGE (2011 - PRESENT)

- Currently, the legal system of the Chinese state is going through the fifth stage of its development.
- The legislator stepped up efforts to adopt the necessary regulatory legal acts for the country.



FEATURES OF THE PRC LEGAL SYSTEM

- The legal system of the People's Republic of China, formed in 2010, has a number of features that significantly distinguish it from similar systems in other countries of the world.





SMALL NUMBER OF LAWS

- It has a relatively small, in comparison, for example, with the Russian Federation, number of laws: 242.
- Legal regulation of public relations is carried out mainly at the level of subordinate normative legal acts, most of which are acts of the State Council of the PRC.

A hand is shown holding a red paper cutout of the map of China. The cutout features the Chinese flag's design, including a large yellow star and four smaller yellow stars in the upper left corner. The background is dark blue with a bokeh effect.

SPECIFICS OF REGULATION LEVELS

- The regulation of social relations existing in the PRC is carried out at three main levels:
 1. At the level of state (party) program documents;
 2. At the level of laws and by-laws, in the absence of some codified law-making acts.
 3. At the level of law-making acts adopted by local authorities and aimed mainly at regulating the socio-economic development of the region.



FEATURES OF THE "FORMULATION"

- The texts of Chinese normative legal acts that form the legal system of the PRC are characterized by vagueness, vagueness, and lack of specificity of wording, which was especially characteristic of law-making acts in the first years after the formation of the PRC and after the end of the "cultural revolution".

LEGAL CONSCIOUSNESS

- The Chinese try to “stay at a respectful distance” from the law, in their behavior they are guided not by legal norms, but by the desire to “save face”, not to be condemned by relatives and friends, strive to comply with generally accepted moral standards.



CONCLUSION

- Throughout its history, China's legal system has been based on criminal law, legal norms have always established severe legal liability for their violation, the core of which has been and remains criminal liability.
- Of all the legal systems, only the Chinese one retained not only national characteristics, but also the characteristic features of socialist law.



***THANK YOU
FOR YOUR
ATTENTION!***

