

The Sequential Problems Of "Rule of Man", "Rule of Law" And "Rule of Virtue"

Xiang Li *

Zhejiang Chinese Medical University, Hangzhou, China

* Corresponding Author Email: 202112220702026@zcmu.edu.cn

Abstract. This paper delves into the historical evolution and interplay of the "Rule of Man," the "Rule of Law," and the "Rule of Virtue," uncovering their sequential emergence in governance models. It begins by tracing the roots of the "Rule of Man" in early human societies, evolving into democracy and monarchy. The limitations and advantages of "Rule of Man" are examined, ultimately leading to the emergence of "Rule of Law" and "Rule of Virtue." The discussion explores the origins of the "Rule of Law" in ancient Athenian politics and its gradual development into modern legal systems. It highlights the contrast between Roman law's focus on protecting aristocratic interests and the evolving Western emphasis on individual rights and freedoms. The concept of "Rule of Virtue" is presented as an extension of "Rule of Man," with examples from Eastern and Western cultures, showcasing their distinct moral emphases and governance styles. As the paper progresses, it underscores the interrelationships and balances among these three modes of governance, emphasizing that they often coexist and complement each other. The interaction between "Rule of Man," "Rule of Law," and "Rule of Virtue" is central to understanding contemporary social governance models. In summary, this exploration sheds light on the dynamic evolution of governance paradigms, providing insights into the historical and philosophical foundations of the "Rule of Man," "Rule of Law," and "Rule of Virtue" and their relevance in the modern world.

Keywords: Rule of Law; Rule of Man; Rule of Virtue; social administrative mode.

1. Introduction

In terms of social administrative modes, the "Rule of Man" and the "Rule of Law" have long existed in a somewhat antagonistic relationship. Both modes of governance have a long historical tradition. The "Rule of Virtue" is embedded in the "Rule of Man", having arisen before the "Rule of Law". The roots of the "Rule of Man" model can be traced back to as early as the primitive society, the clan tribal period - the human community in the initial hierarchical division. If natural law is the representative of "Rule of Man" in Western political thought, then it can be asserted that Roman law serves as the foundation for the Western concepts of the "Rule of Law". The notion of the "Rule of Virtue" in the Western world finds its origins in the era of Homer, with "Homer's epic" vividly portraying the people's aspiration for a society guided by virtue. Subsequently, philosophers such as Plato, Aristotle, and Cicero systematized and theorized the "Rule of Virtue".

In the context of China, the "Rule of Law" originated from Han Fei Zi during the Warring States period. Initially, its primary aim was to vie for hegemony within the Central Plains and to foster prosperity in the country. Nevertheless, over time, laws and the concept of legal governance in China became tools for emperors to wield unchecked authority, rendering it essentially a form of the "Rule of Man".

Under the background of the 21st century information revolution, artificial intelligence, the Internet, the development of statistical technology, this paper endeavors to identify a novel equilibrium and governance model encompassing rule by man, virtue, and laws. Excessive "Rule of Law" tends to make people neglect the connecting role of morality in society, while indulgent "Rule of Man" can lead to authoritarianism and dictatorship. However, a judicious fusion of these two paradigms has the potential to mutually reinforce one another, presenting an opportunity to achieve a more balanced and harmonious form of governance.

This topic consists of three main chapters: Chapter 2 examines the historical evolution of the three modes of governance: "Rule of Man", "Rule of Law", and "Rule of Virtue". Chapter 3 explores the

modern administrative mode of "three rules in one", encompassing its underlying conceptions, the dynamics and equilibrium among the three components, and the contemporary practices of modern social governance. Chapter 4 embarks on a journey to envision the potential realization of this new mode of governance and contemplate the conceivable challenges that may arise.

2. Historical evolution and characteristics of the Rule of Man, the Rule of Law and the Rule of Virtue

2.1. Historical Evolution and Characteristics of the Rule of Man

From a biological point of view, human beings are inherently social animals. Even in primitive societies, there was a hierarchical structure, with leaders emerging within tribal groups. This marked the genesis of the "Rule of Man." The Rule of Man has evolved through various stages of human history, from primitive society to slavery society, to feudal society, and even to contemporary democratic society.

To a certain extent, the Rule of Man can be categorized into two types: Type I is democracy and Type II is monarchy. However, Type I democracies cannot be classified as Rule of Man to the full extent. In Athens, all male citizens could participate directly in local political governance through voting. In modern governance, however, elections are often held in the form of "indirect democracy", which relies more on a set of "electoral rules". In the "indirect election" governance, political candidates through the legal process to win the election, get the position, in view of this, most modern democracies will also be tacitly accepted: the elector through the legal process to win the election, its behavior and decision-making should still follow the law (or constitution), not to be usurped. The law (or constitution) should still govern the conduct and decisions of electors who have won their elections through the legal process.

Analyzing the advantages and disadvantages of "direct democracy", a kind of Rule of Man, from Athenian democracy, which helps to form a free and liberal social environment and promotes unprecedented economic, political and cultural prosperity. It has led to unprecedented economic, political and cultural prosperity. However, the equal distribution of political power among individuals from diverse cultural backgrounds may sometimes lead to the abuse of democratic power, as witnessed in instances such as the demagoguery of the masses, which ultimately resulted in the exile of Socrates. Additionally, direct democracy, originally suited for small, ancient states, faces challenges in adapting to modern, highly developed societies with complex productive forces.

2.2. Rule of Law in Emergence and Practice

The concept of the Rule of Law finds its roots in ancient civilizations, with early traces found in societies such as Mesopotamia, where the Code of Ur-Nammu and the Code of Hammurabi established written laws and principles. However, it was in ancient Athens and Rome that this concept began to take on a more structured form.

Ancient Athenian politics can be said to be the forerunner of Western democracy, emphasizing concepts like legal equality and citizen involvement in decision-making. In contrast, Roman law, although not a direct precursor to the Western legal system, can be seen as an early exploration of the "Rule of Law". From the point of view of the object of service, Roman law is to protect the interests of slave owners and aristocrats, rather than the state, or the entire social system. In terms of how to interpret the written law, Rome did not have a complete and rational legal system that encompassed all citizens within its borders, so it is difficult to call ancient Rome a legal state.

Many scholars have argued that the Rule of Law often goes hand in hand with a democratic republican form of government. In recent times, the development of the legal system in the West has been better than in the East. A materialistic historical analysis reveals several key factors contributing to this phenomenon:

- a) The presence of democratic traditions and the Rule of Law in ancient Greece and Rome.

b) Geographic discovery, the scientific revolution, the rapid development of productive forces, the rise of the bourgeoisie, the new aristocracy elevated the demand for democratic politics.

c) The philosophical underpinnings of natural human rights, social contracts, and the separation of powers during the Enlightenment served as the theoretical basis for establishing the Rule of Law.

In contrast, many Eastern countries, such as China, Japan, South Korea, imported their modern legal systems, relying on learning and adapting Western political systems in response to the challenges of new Western political civilizations. For example, the Manchu dictatorship to the Republic of China in China, and the Meiji Restoration in Japan were all urgent modifications of their own politics under the strong impact of the new political civilization in the West.

2.3. The Philosophical Basis and Relevance of Rule of Virtue

The Rule of Virtue is an extension of Rule of Man, particularly concerning its relevance in dictatorial contexts. This concept finds rich historical roots in various philosophical traditions. Plato, for instance, outlined the "Four Master Virtues" that a ruler should embody. In ancient China, thinkers like Gaotao espoused similar ideas, emphasizing the importance of "Nine Virtues". Chinese Confucianism, in particular, offers a rather comprehensive and varied description of the Rule of Virtue.

From the historical period, one can discern a close relationship between the prominence of the Rule of Virtue and the dynamics of feudal autocracy: In 221 B.C., China established a centralized monarchical autocracy and later embraced Confucianism as its dominant ideology. This ideology prominently featured the Rule of Virtue and the cultivation of virtues as its core tenets. Notably, periods of Chinese history marked by the Rule of Virtue coincided with prosperous dynasties. For instance, the Tang Dynasty's "Golden Age" and the Han Dynasty's era of "Rule of Wen and Jing" were characterized by the pervasive influence of the Rule of Virtue.

Globally, the Rule of Virtue has garnered recognition and admiration for its role in promoting ethical governance. Its enduring significance underscores the universal appeal of virtue-based principles in shaping societies and leadership worldwide.

Rule of Virtue" in the East and the West also has a different emphasis on morality. In Eastern cultures, rulers tend to adopt a "Rule of Virtue, teach the people through rituals" approach, based on the people-oriented ideology. This perspective underscores the significance of maintaining hierarchical class orders while sometimes sidelining individual rights and freedoms. A historical example can be found in ancient China's feudal period, where virtues like "tax reduction" and "fewer wars" were prioritized, while aspects like the people's right to education (even adopting the Feudalism obscurant), and engagement in business (the "Fool's Policy") received less attention. On the other hand, Rule of Virtue in the West emphasized the freedom and rights of the individual and advocated the self-realization of the individual. For example, Aristotle believed that the importance of morality in the governance of society lies in the fact that "the election of administrators is based on the value of character and ability, and the courts of public justice represent the will of the masses".

3. Three-in-One Governance: The Modern Model of Social Governance

3.1. The Essence and Concept of the Three-in-One Governance Model

In the complex landscape of modern society, relying solely on one method of governance is inadequate. Instead, it requires a seamless integration of three distinct yet interrelated approaches: the Rule of Virtue, the Rule of Man, and the Rule of Law. Moral Governance elevates the collective moral standard by emphasizing virtues and shared principles, aiming to improve the moral fabric of society by nurturing individual character and moral conduct. Human Governance focuses on selecting, developing, and guiding leaders with the necessary skills and unwavering commitment to societal betterment. Rule of Law provides a comprehensive legal framework to protect rights and maintain fairness, safeguarding equal rights and responsibilities for all members of society, contributing to overall harmony and stability. The unity of the three rules is aimed at achieving more effective and

sustainable social governance, maintaining social stability and promoting social progress. This approach underscores the interconnected nature of modern social governance, transcending traditional models.

3.2. Interaction and Balance Between "Rule of Man," "Rule of Law," and "Rule of Virtue"

3.2.1 The interrelationship between the Three-in-One Governance model

The Three-in-One Governance model thrives on the intricate interplay between the Rule of Man, the Rule of Law, and the Rule of Virtue. Examining their historical emergence, we find a fascinating sequence. In terms of the sequence of emergence, the Rule of Man came first, and in order to perfect it, the Rule of Virtue and the Rule of Law were born. And these three modes of governance are interactive. What is shared by all adherents of natural law is the conviction that the system has at its core the notion of good and that human beings are inherently inclined to pursue good and avoid evil [1]. In turn, the concept of "good" can be echoed in the concept of "Rule of Virtue". A key principle of the doctrine of natural law is that human positive law must correspond to natural law; On the stronger understanding of this ideal of correspondence, human laws that are incompatible with natural law are invalid. As Cicero described the law: Law is universal, based on nature, discovered by reason and overrules any positive law that disagrees with it [2]. Natural law not only recognizes the law on the law, but also agrees that other laws should follow the sequence of law, subordinate to the status of natural law, everyone, including those in power should be subject to the natural law, and the "Rule of Law" of the order of the mandatory echo. Therefore, it can be concluded that natural law is a combination of the Rule of Virtue and the Rule of Law.

3.2.2 The Balance and Trade-offs in the Three-in-One Governance Model

The essential difference between the Rule of Man and the Rule of Law lies in whether the legal system has a higher authority, people (including rulers, subjects) need to obey the law, or people have a higher authority. In real life, the pure "Rule of Man" or "Rule of Law" often does not exist, but often use a kind of mutual integration, mutual composition of the relationship exists in a country. This coexistence stems from the interdependence of system authority and elite authority, each compensating for the other's limitations and working in synergy to meet the demands of governance [3]. Elite authority is generated by relying on the elite's character traits, expertise skills, advantageous resources, etc., which can be directly felt by people. This form of authority swiftly influences the practical activities, but is inherently subjective, arbitrary and uncertain, and not stable enough [4].

Illustrating this intricate relationship, we can turn to history and borrow a heroic perspective. Consider Napoleon: militarily, his exceptional talents were instrumental in stabilizing France and achieving victory. At 26, Napoleon helped the Governor's government to quell the armed rebellion of the royalists in Paris, and at 27, he defeated the first anti-French alliance with fewer people than with more people. Legally, he formulated the Napoleonic Code, which united France's legal system and protected individual liberties and property rights and provided an important opportunity for the French people to develop the Rule of Law and to improve the quality of life. However, at the same time, Napoleon restored the monarchy and practiced dictatorship, emphasized military heroism and nationalism, and his conquest and control of foreign countries brought endless wars and destruction.

The "indirect democracy" of different electoral processes is a dynamic balance between the "Rule of Man" and the "Rule of Law". For example, in the selection of the Prime Minister of the United Kingdom, each voter is eligible to vote for his or her preferred candidate, which can be regarded as a "direct election" in the "Rule of Man", but the candidate is nominated by the "Rule of Law" through the "nomination" method. However, the candidates are elected by "indirect election" through "nomination", and at the same time, the candidates should follow the law in decision-making and behavior, rather than purely obeying the will of the people or individuals, which can be regarded as the "Rule of Law".

Institutional authority as a result of the operation of public authority, is a collective rationality, has a strong stability, to make up for the inherent defects of the elite authority. With the development of

productive forces, the expansion of the potential personal influence of the public, the people's participation in national politics increased, society inevitably gave birth to the national governance system more democratization, procedural needs, accompanied by the expansion of the demand for the Rule of Law. This can be supported by the correlation between the three elements of the revolution in productivity in Western Europe, the rise of the capitalist state, and the rise of parliamentary democracy. As governance becomes more democratized, institutional authority takes precedence, gradually eclipsing elite authority, which transforms into a facet of institutional authority.

3.3. Exploring Modern Models of Social Governance

In contemporary society, the level of civilization has reached unprecedented heights. The introduction and establishment of governance systems have undergone meticulous scrutiny and specific procedural frameworks. One of the noteworthy shifts occurring in contemporary governance is the changing role of elite groups. Traditionally, elites wielded authority that often manifested in the imposition of their will upon the public. However, in modern times, this dynamic is undergoing a substantial transformation. Elites are increasingly at the forefront of adhering to established systems and, critically, leading the public by example. Their authority is transitioning towards a more pronounced submission to the authority of the system itself. It reflects the collective "public will" in operation, with elite groups not merely conforming to established norms but actively guiding and endorsing these norms for the greater benefit of society.

This shift towards elite groups acting as champions of governance systems underscores the contemporary emphasis on transparency, accountability, and the Rule of Law. In essence, the exercise of elite authority aligns increasingly with the operational framework of established systems. Consequently, as modern governance continues to mature, elite authority becomes intrinsically entwined with, and subservient to, the prevailing systems, thus fostering a more harmonious and effective societal order.

4. Constructing the Path of Harmonious and Stable Society Governance

4.1. Trends and Challenges in Future Social Governance

In recent decades, groundbreaking technological advancements, such as Internet technologies, new energy sources, novel materials, and advances in biology, have significantly accentuated the characteristics of digitalization, connectivity, and informatization in our contemporary era. Globalization, as a social movement [5], its process is accelerating as never before under the current level of productivity development. According to the results of chatGPT4 generalization, the process of globalization may increase economic inequality, exacerbate social and cultural conflicts, and increase the prevalence and spread of infectious diseases, among other problems.

The right direction of globalization is to build a more equal world in the pursuit of decentralization. The establishment of the European Union, NATO, and the United Nations, for example, all hope that through the new governance system, the management of resources can be integrated in order to reduce costs and improve efficiency, while at the same time achieving peace and stability within the sphere of influence. Therefore, the innovation of a new governance model that promotes "peace and development" is imminent.

Recent years have witnessed the rapid evolution of Internet technology, driving innovations in digitalization, artificial intelligence, big data, and other groundbreaking technologies. The vast troves of data amassed through digitized information systems offer remarkable potential for addressing significant challenges and enhancing societal well-being in numerous ways [6]. Revolutionary technological and media breakthroughs present a new challenge or opportunity for the current mode of government. If one reforms one's own mode of governance in the absence of a new model of productivity development, a new model of social class, and a new model of social power (or "social group influence"), it will easily lead to a failure of governance, and in serious cases, it may even lead to the downfall of the government.

For historical context, consider the changes in the global military security landscape since the 1990s, driven by advances in high-tech military capabilities. Major world powers have realigned their military strategies in response to this evolving landscape. For instance, the resounding success of the United States in the Gulf War highlighted the critical importance of national defense modernization to leaders worldwide [7]. Looking further back, in the 17th century in England, for example, the development of Protestant forces, capitalist economy and new aristocratic forces, William III and Mary II adapted to the new situation and accomplished the Glorious Revolution in the form of "bloodshed-free", and gradually established and perfected the constitutional monarchy. In contrast, the collapse of the French imperial system and the establishment of the republic represent a failure by the traditional forces, symbolized by Louis XVI, to adapt to the emerging dynamics of power. This incapacity to respond adequately resulted in the regime's overthrow through a violent revolution led by civil organizations outside established institutions.

4.2. Exploring the Path of Harmonious and Stable Society Governance

In modern society, there are already theories and practices similar to the "Three-in-One". For example, China's rural revitalization strategy puts forward the "Rule of Law, Rule of Virtue and Rule of Man", and its "Rule of Man" is characterized by the grassroots people managing themselves, which has something in common with the democratic politics of the ancient Athenian city-state. This model embraces a democratic system on a localized scale, characterized by a relatively straightforward governance process and rooted in local nuances, with governance effectiveness closely tied to the quality of those in leadership roles.

Analyzing the potential and challenges of integrating "the unity of moral, Rule of Law, and Rule of Man" can be exemplified through the case of China's rural revitalization. Scholars examining the social governance case in Tongxiang, Zhejiang Province, suggest that the success of "the unity of the three rules" hinges on active citizen participation. Without the "protagonist" of the people, the governance performance of "Three-Governance-Integration" will be greatly undermined. In the context of "the unity of the three rules", "Moral Governance" serves as an informal framework that necessitates clarity and institutionalization, ensuring its sustained impact. Ultimately, the effectiveness of informal norms is safeguarded through well-defined systems and implementation mechanisms [8]. Therefore, before the implementation of the new political system that integrates the Rule of Law, the Rule of Virtue and the Rule of Man, the construction of its theoretical foundations and the related institutional structure should be completed.

The governance model based on "self-governance" and "Rule of Man" is primitive in nature, with high demands on the governors, so we cannot neglect the building of the cultural literacy of both the governors and the governed. According to historical experience, democratic self-governance by groups lacking good literacy is highly uncertain and risky. Consequently, the "Rule of Law with morality at its core" governance model may be implemented as a preliminary step, suitable for the period before high-quality and widespread groups are cultivated. The comprehensive "Rule of Law, Rule of Virtue, and Rule of Man" governance model can be adopted only once such high-quality groups have been effectively nurtured.

5. Conclusion

The "Rule of Man," rooted in our primitive tribal past, reflects an early form of governance in which leadership emerged naturally, often resting in the hands of charismatic figures. Despite its potential for localized effectiveness, this system is susceptible to authoritarianism and instability. The advent of the "Rule of Law," exemplified by Roman jurisprudence and modern legal systems, introduced a critical shift by establishing structured, consistent rules that applied to all, regardless of their station in society. While this approach ensures fairness, it sometimes falls short in addressing the nuanced moral dimensions of governance. The "Rule of Virtue," grounded in principles of moral conduct, emphasizes the importance of virtue and shared values in governing societies. Historically

exemplified by ancient China's Confucianism and Western philosophers like Plato, Aristotle, and Cicero, this model prioritizes the moral compass of leaders and citizens.

In today's world, where the rapid advancement of technology and globalization has transformed governance paradigms, these historical models must be considered in concert. The dynamic interplay between the "Rule of Man," "Rule of Law," and "Rule of Virtue" reflects the need for a balanced approach to governance. This synergy can serve as a foundation for a more sustainable and efficient social administration. Otherwise, the following problems may arise: the plurality and relativism of morality will lead to the problem of non-universality of norms; the non-compulsory nature of morality will lead to the inability to deal with people who are sexually evil; and the boundaries of moral interests will lead to the limited nature of altruism [9]. As we navigate the complexities of our contemporary world, the sequential evolution of these models remains a crucial guide. The imperative is to harmonize and integrate the strengths of each model to adapt to new challenges, such as the opportunities and pitfalls presented by globalization and technological advancements. By recognizing the timeless value of moral integrity, the necessity of consistent laws, and the importance of capable leadership, we can forge a path towards a more harmonious and stable society.

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