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## Dai Viet Law during the period of the King Le Thanh Tong (1442-1497)

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### Abstract

Le Thanh Tong (1442-1497) is a prominent historical figure of our country in the fifteenth century and has a great influence in many ways for later eras. He has intelligence, vision and talent in many fields; His patriotism, love for the people, national awareness and a sense of responsibility in front of giang son xa tac are always the resources for all his activities. With those qualities plus assertiveness, dare to think, dare to do, Le Thanh Tong successfully implemented a comprehensive national reform. Philosophical thought of

Le Thanh Tong, especially the thought of having made important contributions to bringing the country out of crisis and developing to the pinnacle of centralized feudalism in the regime feudalism of Vietnam: Le Thanh Tong's point of view on the legal role; Legal contents of Le Thanh Tong; and Le Thanh Tong's point of view on law enforcement. That thought until now is still practical and useful history lessons in the construction of the current state of the Socialist Republic of Vietnam.

**Keywords:** Le Thanh Tong, Law, Philosophy, Viet Nam

### Introduction

Law is an important historical category for socio-economic development. The law was born on the basis of the emergence of private property regime and the conflict of class that developed to the point of unconditioning. In addition, laws are born on the basis of the recognition of social norms and precedents as well as the promulgation of new rules. From that, it can be understood: Law is a system of generally obligatory rules, promulgated (or recognized) by the state, demonstrating the will and interests of the ruling class and being home guaranteed water performance by coercive force; is the most effective tool to adjust basic social relations to the will and interests of the ruling class in caste society.

Le Thanh Tong is the fifth king of the Le dynasty, is one of the longest reigning and in power in Vietnamese history. Under his decisive rule, Dai Viet entered a period of economic, cultural, social, educational and military prosperity during the second half of the 15th century. Le Thanh Tong's internal and external achievements made Dai Viet a great power in Southeast Asia, as well as making the Vietnamese monarchy reach its most golden peak, Before and after, no king of Vietnam had achieved such prosperity. During nearly 40 years in power, Le Thanh Tong has established for his era a stable socio-economic, affirming a new development step in the history of the Vietnamese nation. This article mentions the philosophical thought of Le Thanh Tong, especially the philosophical thought of law.

### Literature Review

With rich content, and special values, Le Thanh Tong's philosophical thought on law has attracted the attention of many research scientists in many aspects, through rich, deep, various topics. In general, his research works and assessment of the value of his philosophical thought about law have typical works:

First of all, it is Complete Annals of Đại Việt, (4 volumes), Social science Publishing House, Hanoi, 1998, is a valuable history in many aspects, especially the historical value of state thought and Vietnamese law; a precious heritage of Dai Viet national culture. This is a monumental work compiled by many historians from Le Van Huu from Tran dynasty (13th century), through Phan Phu Tien, Ngo Si Lien, Vu Quynh of the Early period of Le Dynasty (15th century), and Pham Cong Tru, Le Hy of Revival Le dynasty, and their associates (17th century). The work has shown us very clearly the issues of thought, philosophy, state, law, education, science, militar... mentioned in this great work.

Next is the Vietnam Historical General, by Truong Huu Quynh - Dinh Xuan Lam - Le Mau Han (editor), Education Publishing House, Hanoi, 2006. In the fourth part, chapter IX and chapter X of this work, the authors have presented systematically the historical, economic, socio-political and cultural conditions of the Dai country. Vietnam in the fourteenth – 15th centuries, from

then on with an overview of the historical context for the formation and development of state thought and law of Le Thanh Tong. In which, in chapter X, part I, the authors have pointed out the political situation in Dai Viet period in the fourteenth and fifteenth centuries, that is to build and consolidate the government; building the defense foundation; legislative. In which, notably Le Thanh Tong inherited, amended and supplemented new provisions, greatly contributing to the re-construction of a complete legal set, which is the Hong Duc Law to manage society. When talking about the values of this law, the authors commented quite deeply and comprehensively: "The Hong Duc Law marks a high level of development of legal ideology of the Dai Viet people, quite complete. Therefore, it was used during the four centuries of the Le dynasty" (Truong, Dinh & Le 2005: 320) The General History of Vietnamese Philosophical Thought, Volume 1, National University Publishing House, Hanoi, 2002 by Nguyen Hung Hau. The author has pointed out the characteristics of the history of Vietnamese philosophical thought and presented and analyzed quite comprehensively and deeply about legal philosophical issues in Le Thanh Tong's legal thought in the lineage. flowing Vietnamese thought history.

In this direction, there is also the work on History of political institutions and the rule of law of Vietnam, volume 1, volume 2, by the authors Phan Dang Thanh and Truong Thi Hoa, The National political Publishing House, in 1993, studied quite elaborately, focusing on explaining the contents of ideological points of view through the system of terms on the category of statutory regulations, ordinances, decrees in order through the Vietnamese feudal dynasties.

Research on this topic also has other works such as: Vietnamese Civil Law Curriculum, Hanoi Law University, Publisher People's Police, 2003; National construction plans of his father by Bui Xuan Dinh, Justice Publishing House, Hanoi, 2004; Legal works of the dynasties of Vietnam and the countries of Cao Van Lien, Publishing House. Youth, 2004; Curriculum on State History and Vietnamese Law, Hanoi Law University, Publisher. People's Police, 2004; National policies of the feudal state governments of Vietnam, Phan Huu Dat and Lam Ba Nam, National Political Publishing House, Hanoi; in 2011; History of political thought, Publishing House. National Politics, Hanoi, Ho Chi Minh National Academy of Politics.

Regarding the research works on Le Thanh Tong's ideology in general, his legal ideology in particular, Le Thanh Tong's poetic work, by Mai Xuan Hai (editor), Literature Publishing House, 1986; Le Thanh Tong, by Nguyen Ta Nhi (edited), National culture Publishing House, 1998; Portrait of Vietnamese culture, volume 2, by Ta Ngoc Lien (edited), Social Science Publishing House, Hanoi, 1999; Vietnamese literature from the X century to the first half of the eighteenth century, by Dinh Gia Khanh - Bui Duy Tan - Mai Cao Chuong (editor), Publisher. Education, 2000; Career Le Thanh Tong and Le Clan in Quang Nam - Da Nang, by Pham Ngo Minh - Le Duy Anh (editor), Publisher. Da Nang, 1999; Ten typical Vietnamese emperors, by Dang Viet Thuy (edited), Publishing House. People's Army, 2011; ... In the above works, there must be some great works such as Mai Xuan Hai: Poetry of Han Han Le Thanh Tong (General Collection), Publishing House. Literature, Hanoi, 2003. These are elaborate and massive scientific works that provide readers with the most complete and reliable way of many different angles of Le Thanh Tong's thought.

In summary, Le Thanh Tong's research works on the philosophy of law on the perspective of the origin, function and role of law. However, the above works have not focused on in-depth research on the philosophical ideology of law by Le Thanh Tong.

## Results and Discussion

### Philosophical thought on the legal role of Le Thanh Tong

Le Thanh Tong ascended to the throne in a chaotic country. He realized that if only the method of virtue could not stabilize the situation, it would be difficult to win people's hearts when using the rule of law. Le Thanh Tong chose to rule the country as a combination of the rule of law and virtue. Le Thanh Tong advocates to highlight the organization and management of society between the virtue of law and the rule of law because:

*Firstly*, in order to highly concentrate state power in the hands of the king, simplify administrative agencies and serve as a tool to regulate social relations, quickly and widely deploy on the whole society scale, in order to increase the discipline of water, creating conditions for the development of all aspects of the country;

*Secondly*, the state is a special organization of the political power of the feudal class, but that power is only exercised, deployed and effective on the basis of strict enforcement of laws, laws such as means to exercise the power of the state, of the kings;

*Thirdly*, the law in the early years of the Le sect was not strictly enforced, and the people suffered many injustices: "Jailers are not fair. They always punish guilty people heavily, but sinners who corrupt judges will be released" (Hoang, 1998: 370) <sup>[6]</sup>. For these reasons, Le Thanh Tong especially emphasizes the point of organization and social management by law, which not only shows the will of the feudal state and generally compulsory for the entire nation but also as a tool to adjust social relations, manage society, ensure social order and the benefits of the ruling class, is the means to convey Le Thanh Tong's political thinking into social life. of the people. Le Thanh Tong writes: "If a country without reward and punishment, even Duong Ngu cannot manage that country" ("*Nước mà không có thưởng phạt thì dẫu Đường Ngu cũng không thể trị được thiên hạ*") (Hoang, 1998: 430). Therefore, Le Thanh Tong advocates that in all aspects educate people according to Confucian principles, using rituals to educate people according to social ethical standards. For example, the king has composed 24 doctrines to teach the people, wanting to build a society with ethical and cultural standards in the Confucian model. On the other hand, Le Thanh Tong always upholds the law, sets out the laws to bind people and the whole society in order, has discipline and discipline, on that basis, upholds and promotes the standard values and social ethical relations. That is the close harmonious combination between "moral rule" and "rule of law" in Le Thanh Tong's thought building a good society, as the goal is the basis of the rule of law; and the rule of law means organizing the social management by the strict law as a means and an instrument of virtuous rule. Le Thanh Tong's thought on the role of law is expressed in a number of aspects as follows:

1. *Le Thanh Tong tried to reinforce and build a strong state institution, including, legal system was the key mainstay.* It can be seen that the basic content of the Code is protection of kingship, bureaucracy, caste order, and patriarchal family. In criminal institutions, the Law

provides 10 intolerable felonies (thap ac) and eight categories of persons entitled to immunity (bat nghi), in which emphasis on crimes that infringe rights advantage of the dynasty. That is the manifestation of the application of "rule of law" by King Le Thanh Tong in the martial arts.

2. *Le Thanh Tong tried to consolidate the state apparatus organization in the direction of totalitarian rules. This is a historic turning point in the paradigm shift from the aristocratic Ly-Tran monarchy with Southeast Asian color Buddhism to an East Asian Confucian bureaucratic monarchy.* Laxity in the organization of the state apparatus and in central-local relations, the king-aristocracy in the previous dynasties, has been properly recognized by Le Thanh Tong, one of the dangers of social unrest. Therefore, along with many other measures, the enactment of the Criminal Kingdom can be seen as a measure to acquire power by means of the law itself. This continues to be a concrete manifestation of the policy of using "rule of law" to stabilize the social order of King Le Thanh Tong.
3. *Le Thanh Tong advocated using morality to make the people feel peaceful and manage the people.* These thoughts are codified into each law, upholding the role of moral stereotypes, upholding compassion, paying attention to human duties in society... Le Thanh Tong said: "The law is the public law of the state, the king and the officials must follow". This point of view is the core point of view, as well as the basis of the construction of legal and state affairs in the early Le dynasty. Besides, King Le Thanh Tong is always conscious of taking the people as the root, and respecting the power of the people. For example, in order to protect the people from land grabbing, *the National Dynasty* imposed a legal framework for the rich: The noble houses that appropriate the people's fields and ponds, from one acre or more, shall sanction the crime, and at least five acres, the crime of satire; if interested or less, the trial increases two levels and must compensate as the law... Or as in the aforementioned "ten evil things" ("Thập ác"), the crimes that violate traditional morality (filial piety, immorality, meaninglessness...) are also condemned felony crimes. Thus, it can be seen that the thought that uses the moral foundation of Confucianism as the basis to rule the nation and the peaceful people is a major undertaking in the Criminal Kingdom, demonstrating the will to combine "moral rule" with "law of rule" in the thought of King Le Thanh Tong.

### **The content of legal thought of Le Thanh Tong**

Le Thanh Tong's point of view on law not only shows quite closely and deeply in defining the role of the law, but also demonstrates consistently and throughout the point of view on legal system content building law on organization and management of socio-economic development. Stemming from the requirements to build a complete legal dictionary to stabilize the social order in favor of the ruling class, protecting and defending the dictatorship of the Dai Viet feudalism in the fourteenth and fifteenth centuries, Le Thanh Tong re-leveled and built a complete law that was *the National Court of Criminal Law*. The highlight of *the Imperial Court* is that the combination of moral rule and rule of law makes the law smooth between the Confucian ideology and the customs, customs and ethical traditions of

the Vietnamese people. Legal weapon as a tool to support building a strong feudal state, in terms of modern legal science, this law will include the legal norms shown in many other legal branches. together: civil law, marriage and family law, criminal law, procedural law, administrative law... In order to go deeper and learn more about *the Imperial Court*, we find the scope of adjustment is very wide, covering all activities of social life, from the relationship between my king, my parents, and the relationship. family, village, relations in the fields of economy, politics, administration, diplomacy and military are regulated very specifically and in detail, the most prominent feature is the status of women in society. Highlighted, although still limited and with some narrow class conceptions, this law also introduced many provisions to protect human freedom and democracy, including the protection of the class. low in society, such as the protection of the democratic freedom and democracy, besides there are provisions on specific penalties against the slavery of the people, the special point in the law is not There is a distinction of class status in society, with a consistent will to use the law to rule the country and manage society. In fact, *the Imperial Court* was not entirely created by Le Thanh Tong, nor was it built separately in the Hong Duc years (1470-1497), but was the product of the period of the peak development of the feudal regime. practice of the Vietnamese government, during the Le period. Le Thanh Tong's merit was to revise the rules of the previous kings to complete this dictionary. Basically, this law is criminal law, as its name implies - Le Trieu Hinh Laws, but in fact it is a law synthesizing many disciplines of law (criminal, administrative, civil, litigation, marriage, family, ...) and is reflected in all fields, from economy, culture, education... The essential purpose of this law is to maintain social order, protect the nation and the kingdom. permission. However, in the opinion of the king of the law, however, a human spirit is also evident here. *The Imperial Court* consists of 722 articles, divided into 16 chapters, clearly defining the crimes, penalties, trials, litigation, social relations... both show class consciousness and nationality. and humanity. It can be said that the structure, the law has escaped the construction of the northern feudal-style chapters, he arranged the chapters regulating social relations of similar or related nature. into one chapter, such as the third volume of a six-chapter code with a focus on regulating relationships of marriage, property and inheritance. *The Imperial Court* is essentially the Penal Code, and its provisions are accompanied by criminal sanctions. But the content of the provisions of the law is very broad. In addition to the criminal law as we understand it today, there are also civil law, criminal law, marriage law and procedural family law.

1. Civil law: *The Imperial Court* regulates the regime of ownership (including state ownership, village ownership and private ownership), inheritance institutions (including willary and statutory inheritance), and appropriate institutions. contract (sale, mortgage, loan agreement). In which: *Regarding the institution of property rights*: For the Civil Law in the National Court, the law is mentioned to three ownership rights: ownership relations (state ownership, village ownership, private ownership contractual relationship and land inheritance relationship (land relations)); *Regarding the institution of the contract*: The sale and purchase contract is a type of contract signed on an equal basis and voluntarily between the parties in accordance with the

provisions of the law, the type of contract takes effect, but if between the two parties When one party is forced or threatened to buy or sell land, the contract is ineffective and contrary to the law. *On the institution of civil liability*: The civil liability institution in the Imperial Court of law is the whole set of regulations and the governing nature of the relationships of each individual in society. Although by nature, this is a criminal code (criminal state law), but it contains elements related to civil liability for willful or unintentional fault, or compensation for damages, physical and emotional damage caused by the subject or the object, thereby determining criminal or civil liability. However, by comparing with the current legal regulations or from the perspective of legal science, the content of civil liability is the actual loss caused by the error. In special cases, the responsibility must lead to the principle that compensation depends on the heavy and light circumstances to have a corresponding penalty or criminal prosecution.

2. **Criminal Law: Criminal Law in the Imperial Court of Penalty** is a system of legal documents defined in the classical types of five punishments such as Xuyun, Scepter, Map, Liu, Death, and satire. Penalty law has material content and dominant nature covers the entire content of the law, in which the criminal principles, the criminal group and the penalty system are mainly: classic five forms including xuy, staff, map, save and death is shown as follows: “*Xúy*” is a whip penalty, with 5 frames from 10 to 50 whips, accompanied by a fine penalty and office, applies to both men and women; “*Trương*” is a penalty of hitting sticks, there are 5 frames from 60 to 100 cane, this penalty is only for men; “*Hình phạt xuy*” is often imposed on women, while staff is often used by men. In many cases, these two main penalties become additional penalties for the heavier main one; “*Độ*” are a hard punishment; “*Lưu*” is the punishment of torture exile; “*Tử*” is a punishment that takes away the life of a prisoner, there are 3 penalty frames: slash, slash, and mausoleum.
3. **Marriage law**: Starting from the Confucian point of view with patriarchal ideology, respect for men, considering marriage to have someone to maintain the family and the lineage, marriage must ensure the stability, harmony and hierarchy of family, inheriting incense, ancestor worship, marriage in Le So society is regulated very closely. Laws of the Le So period spent a lot of regulations on this issue. The Law on Marriage and Family in. *The Imperial Court* is one of the rather profound contents in Book III, the Criminal Kingdom, which is the Family Marriage or the Marriage and Family Law. The issue of marriage and family is defined into law not only due to the practical requirements of political and social stability, but it also realizes the notions of morality and morality in the paternity and husbandry relationship, brothers... The core content of a family relationship is derived from the concept of filial piety and meaning. The crime of filial piety and dishonesty is said to be one of the ten evil that must be punished. Due to the influence of Confucian notions of morality and morality, the Criminal Court had the concept of male and female when admitting that a man has many concubines.

### Thought about law enforcement by Le Thanh Tong

Along with the view of the legal content in Le Thanh Tong's thought, it is also expressed in the point of view on law enforcement. As a great politician and culturalist, Le Thanh Tong understands the great role and profound significance of the law enforcement method in order to ensure fairness, progress, and socio-political stability. In the context of the Dai Viet society in the fourteenth and fifteenth centuries, there was a crisis in the country's internal political institutions, there were many contradictions, above and below there was no dignity, and social order was reversed. morality and morality decline; To stabilize social order, enhance status, authority, interests and consolidate the political regime, Le Thanh Tong advocates law enforcement must be *strict; equality and fairness; humanitarian spirit; supervise and combine the rule of law and the rule of law in the process of law enforcement against society.*

In Le Thanh Tong's state mind and law, law is always necessary, but what is more important is how it is implemented, after all, all the turmoil of the country begins with the disciplined disorder, the water is loosened. Thereby, Le Thanh Tong emphasized the strictness of law enforcement, he was absolutely right when he declared that the founding of the chapter, the regime was to keep the discipline. He is perfectly reasonable to use particularly strict words to announce to hundreds of officials and hegemony that: “Người nào làm rối loạn phép nước thì giết bỏ chớ không thương, gia thuộc bị đi đày ra boi biên viễn” (Chu, 1943: 61). This is how he emphasized the importance of keeping the discipline of the law, as the basis for national unity. In addition to the promulgation of legal documents, to establish the people's trust and love with the authorities, Le Thanh Tong also advocates building a contingent of officials who act on behalf of the king to execute the law. He said that those who hold the law, are those who hold the right balance, so in order to properly execute the law, they must be proficient in the law, have certain skills and experience to apply the law rules right. Therefore, when selecting a contingent of mandarins, the content of the exam is to learn about the law. Maintaining discipline, first of all, starts from the head, from the person holding the reins and from the state officials. If you do not keep the discipline, you will be in trouble. In the feudal state apparatus, the contingent of bureaucrats was very large and with a dual role, both as a manager and as a judge, the situation of officials abusing their power to bully the people was quite common. In order to protect the legitimate interests of the people, it is required to respect the law of the mandarins, those who hold the right to birth and kill the people are punished by law. That will prevent abuse of power, arbitrary use of power in officials at all levels, especially high-ranking officials at the central level, in order to clean and strengthen the state apparatus.

In addition, Le Thanh Tong also paid special attention to strictly obeying the laws and orders of the king. Le Thanh Tong writes: “If the king gives a ban on something but intentionally does the opposite, it will be judged, or something. If it is urgent, add the crime” (Nguyen, 1998: 125)<sup>[10]</sup>.

Not only that, in the point of view of social management by law, Le Thanh Tong also emphasizes *equality and fairness* before the law. In it, he determined that the king, although the supreme ruler, must also rule by law. Because, if the law is not strict, and the law is not strictly enforced from above, the

king's supremacy will decrease. Therefore, Le Thanh Tong requires that everyone from the king to me must strictly obey the law.

In addition to ensuring the strictness and fairness of the law, in the way of social organization and management, Le Thanh Tong also demonstrated the humanitarian spirit in law enactment and enforcement. He wrote: "Delayed execution of punishment for pregnant women and for 100 days after giving birth. Those who are responsible for executing sentences that do not comply with this regulation will be punished according to the regulations" (Tran, 1996: 199) <sup>[15]</sup>. It is also about protecting the unhappy and weak people in society. Le Thanh Tong wrote: "'Who strips clothes and belongings of the insane, of the drunk, will be punished by paying twice as much" (Nguyen, 2006: 145) <sup>[11]</sup>; "Widows, orphans, and those who are severely disabled, do not have relatives to rely on, cannot make a living on their own, the officials have to take care of them, but if the officials leave them alone, the officials will be beaten with 50 of rod cane. If they are provided with food and clothes, but the officials take stealthy rake off, they will close to the crime like a storekeeper stealing public goods" (Nguyen, 2006: 113) <sup>[11]</sup>. However, in traditional Vietnamese villages, "village rules" are just as important as the law, so in addition to the strict application of the law to social management, Le Thanh Tong also allows the village to build and to amend their village's contracts and regulations to suit the new conditions, as long as the village rules are not contrary to state laws. Le Thanh Tong has agreed between the village rules and the law, taking the law to punish people who do not follow the village's custom when the custom has been approved by the state. In particular, for ethnic minorities, the trial according to Le Thanh Tong must proceed "Follow their custom" (Vietnam Social Science Committee, 1976: 271). Through that point of view, Le Thanh Tong basically limited and narrowed the village's autonomy, increased the village's dependence on the central state, and consolidated the bureaucratic monarchy.

At the same time, In order to encourage, bind, and consolidate this servant's loyalty to the king, Le Thanh Tong not only advocates binding the servant's loyal relationship with oaths to heaven and earth, but also through checked and supervised closely by court laws. In his edict, Le Thanh Tong wrote: "You and I have sworn to heaven and earth to use a gentleman, to leave the mean people" (Nguyen, 2007: 145) <sup>[12]</sup>.

Along with the method of strict law implementation; equality and fairness; humanitarian spirit; monitoring, but also harmonious combination between the line of virtue and the rule of law in the method of law implementation. Virtue is the way, the way of organizing and managing a society based on ethical standards as well as the principles of order and moral relations, to define the responsibilities and duties of each person, in order to adjust moral norms of human ethical behavior and human relationships, maintaining social order. The ethical approach to water treatment is mainly manifested through voluntary action, self-discipline based on certain moral principles and standards, which are encouraged by social opinion, impacting within the conscience human. In this way, if the "cause" is the basic content of the virtue, the "civility" is the standard rules, the means to accomplish that content. Civility means the politeness, the ritual, is the way of manners, is the standard of rules, laws and regulations of the order of social relations, from the family to the society. And the rule of law, which is the method, the way to rule the

country by law, law, and moreover, the law is recognized by society as a standard and principle to regulate the ethical behavior of people. The rule of law uses the law and punishment recognized by the society, as the basis and criteria for judging right and wrong, good and bad, and from that, there are rewards and severe punishment for all people in the commune festival. It is also a tool to correct human ethical behavior. On that basis, it contributes to human education and especially to maintain stable social institutional order.

Thus, if morality upholds the role of morality, that is to respect the subject's voluntary action, self-consciousness, derived from internal motives, the rule of law will absolute the role of law. Only pay attention to enforcement by state law, that is, respect the imposition from outside. The opposition between the rule of law and the rule of law is not in fact the opposite of the ruling class's nature, purpose and ideology, but it only differs in the way and method of the ruling class in the behavior control of human, differs in the level of demand by society. Therefore, it can be said that the rule of law and the rule of law are always companions, working towards stability for social morality as the basis of the law, not vice versa, that is, the law is formed by legalize some of the most basic ethical standards, so legal standards not only do not oppose but also fundamentally agree with moral standards. Thereby, we affirm that the rule of law is considered the minimum morality, and morality is considered the maximum law.

The moral law and the rule of law are two different fields of political form, these two lines oppose each other, but always have a bound relationship between people and society and between people together. In it, virtue is not only the purpose but also the requirement for the rule of law; And the rule of law is not only the foundation, but also the method and practical way to attain the rule of virtue. A society with just moral education, calling for voluntariness, self-awareness and without using law can not build an orderly and stable society. On the contrary, if we only use the rule of law, we only pay attention to the law, figure to maintain social order, it is impossible to build a sustainable and good society. Mencius wrote: "Just being kind is not enough to rule; the law alone is not enough to make people obey" (Manh, 1996: 5).

In the context of the Dai Viet society in the fourteenth and fifteenth centuries, there was a crisis in the country's internal political institutions, there were many contradictions, above and below there was no dignity, and social order was reversed morality and morality decline; In order to stabilize social order, improve status, power, interests and consolidate the political regime, Le Thanh Tong inherited the ideological values of the rule of water rule of the previous dynasties in the calendar. history; the policy of combining two views of the rule of law and the rule of law, on a patriotic stance and a deep national spirit in its political principles.

Le Thanh Tong's concept of combining "virtue" and "rule of law" in Le Thanh Tong's way of rule of country is not mutually exclusive, but unified and complementary; if there is only morality, which is kindness, goodness is not enough to rule and maintain social order; And vice versa, if there is only the law, it is not enough to win people's hearts and make people obey. Therefore, in order to maintain the stability of social order, Le Thanh Tong must reconcile these two ways as the hands of the rulers. Le Thanh Tong wrote: "If a country without reward and punishment, even Duong Ngu cannot

manage that country" (Hoang, 1998: 430) <sup>[6]</sup>.

When upholding morality, Le Thanh Tong always relies on ethical standards, and above the law and law, is a binding means to bring people in a society to live well. On the contrary, when using criminals and laws, he always focuses on morality and protects ethical standards, customs, and customs and uses it as a foundation to guide human educators towards life has strict discipline and discipline. It can be said that the law must be based on ethics, uphold ethics and aim towards the standard values of ethics. This means that, if the law is effectively implemented, the promulgation of the law must be ethical. If the law is too rough and immoral, it will be a strong reaction from society. Therefore, enacting laws that are not based on moral standards will inevitably exclude society.

Thus, Le Thanh Tong's ideology on law to closely combine the line of rule of law with the rule of law in the rule of law, on the one hand, Le Thanh Tong advocates the promotion of morality, morality, and moralization for people to manifest in all relationships in society; on the other hand, he also always pays attention to using the law to severely reward and punish the violations of moral standards and the order of dignity in society. In order to protect the fine customs and customs and use pure fine customs to guide people towards a disciplined, disciplined life. Thereby, he restored the water order and discipline to create a solid foundation and foundation for Dai Viet society to stabilize and develop. Assessing the view of fusion in the way of rule of country by Le Thanh Tong, the thinker Insun Yu said: "Le Thanh Tong's way of rules was institutionalized by law which was the product of two different ideologies: Confucianism and what Chinese historians of legal history was known as the Legalism... The combination of these two ideologies, which became the guiding way for the later Le kings was not a unique creation of Thanh Tong, but because he followed the legal tradition of China" (Insun, 1994: 41-42) <sup>[7]</sup>.

### Conclusion

As a form of social consciousness, Le Thanh Tong's ideology about law, on the one hand, reflects the essential characteristics and requirements of the history of Vietnam in the fourteenth and fifteenth centuries, as well as inheritance and development of socio-political views in the cultural tradition of the Vietnamese nation, formed in the process of building and defending the country, Le Thanh Tong's thought on law was formed and developed; developed and expressed in the Imperial Court of Law, a product of the peak period of the feudalism of Vietnam. Although there are certain limitations, due to historical conditions and class stance, but with extremely rich and unique contents, Le Thanh Tong's ideology on law still remains meaningful and is a useful history lesson for the task of building a socialist rule-of-law state in Vietnam today. It can be said that Le Thanh Tong's ideology on law marked a new development step in Vietnam's ideological history, making a decisive contribution to the consolidation and development of Dai Viet society in the Le So period.

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