

# Modern Enabling of Confucian-Daoist Holistic Thinking: Constructing of Criminal Legislation and Correction Paths for AI Ethics\*

Wang Tongjun

Beijing International Studies University, Beijing, China

The critical part of traditional Chinese dialectical philosophy can be mainly regarded as Confucian *Zhongyong* (the so-called Doctrine of Mean, focusing the familiar affairs of the day, termed by Roger T. Ames) and Daoist theoretical paradigms, including *Dao* follows *ziran* (spontaneity, keeping it self-soing) and *wu-wei* (non-coercive acting). Distinct from the one-dimensional technological rationality and binary oppositional thinking that dominate Western theoretical and practical systems, this Eastern dialectical thinking features unique cognitive logic of operational order, quantitative measurement and developmental boundary. Contrast with the dualism of modern rule-of-law optimization and digital technological iteration, traditional Confucian-Daoist dialectical wisdom delivers profound ideological nourishment for the modest, scientific and humanistic transformation of contemporary criminal legislation. It effectively rectifies prevalent modern governance maladies covering penal rigorism, generalized legislative design and rigid judicial adjudication. Furthermore, it presents targeted solutions for the born ethical hard nuts of artificial intelligence, resolving modernity paradoxes such as rigid algorithmic binarism, unbounded technological expansion and imbalanced human-machine interaction relations. Based on the heart of Confucian-Daoist oneness, this paper systematically explores the internal logical correspondence between traditional dialectical thought and modern criminal legislation as well as AI ethical normative systems. By sorting out practical predicaments in criminal justice system and intelligent technological application, it attempts to build up feasible empowering and correction paths for modern rule-of-law construction and digital ethical optimization, aiming to provide localized theoretical support and targeted practical strategies for highlighting the Chinese characteristic criminal rule-of-law mechanism and enhancing the sustainable and healthy development of modern AI technology.

**Keywords:** Confucian-Daoist philosophy, *Zhongyong* (the Mean), *Dao* follows *ziran*, modesty of criminal law, AI ethics

## Introduction

Thanks to the traditional Chinese philosophical culture, there lays an indigenous foundation for the construction of China's characteristic rule-of-law system and digital ethical system. Confucianism and Daoist thought complement and penetrate each other, witnessing a unique Eastern dialectical governance paradigm in

---

\* **Funding:** This paper is sponsored by the Undergraduate Education and Teaching Research Project of Beijing International Studies University-Teaching Team for the Course of Highlights of Chinese Culture (Financial Code: 3007/111100290106).

Wang Tongjun, Associate Professor, School of English Studies, Beijing International Studies University, Beijing, China.

the perspective of moderation, balance, and bounded development. The Confucian defines moderate normative principles for social operation, while Daoist cosmology establishes ultimate boundaries for human behavior and technological evolution. Handshaking, they can fight against the inherent disadvantages of modern instrumental reasoning and binary thinking, which have induced persistent problems in contemporary criminal justice and AI ethics.

Existing scholarly research on traditional Chinese legal philosophy mainly falls into three mature categories: Huang-Lao and Daoist legal values, Confucian rites-law integration and legal Confucianization, and traditional crime-punishment theories and their modern criminal law implications. In the field of Daoist legal research, academic circles have formed relatively systematic interpretations of different Daoist schools. Classical Lao-Zhuang Daoism lies in non-coercive acting and spiritual uplift, tending to dismiss rigid institutional constraints and resulting in a tendency of legal nihilism in early Daoist ideas (Chen, 2018). In contrast, the Huang-Lao school emerging in the Warring States and Han dynasties (over 2000 years ago) obtained the practical transformation of Daoist philosophy, organically integrating Daoist cosmic ontology with Legalist statecraft and institutional norms, and formally proposing the foundational proposition of “Dao generating law”. This theoretical innovation effectively compensates for the impracticality of Lao-Zhuang’s pure spiritual purification and the tyranny of Legalist severe punishment, laying a theoretical basis for moderate and institutionalized traditional manipulating (Xiang, 2015; Lu, 2023). Most current studies generally affirm that Daoist key concepts including Dao follows *ziran* and *wu-wei* natural flowing scheme profoundly shaped ancient Chinese legislative concepts, judicial styles, and social harmony-oriented patterns. However, scholars hold differentiated evaluative attitudes toward its historical and modern value. Critical research represented by Long (2004) points out that the Dao-centered legal tradition solidified the autocratic nature of ancient Chinese law, strengthened duty-oriented legal logic and simplistic statutory design, and long suppressed the germination of individual rights awareness, forming inherent institutional defects in traditional legal culture. By contrast, positive research focuses more on its modern transformative value: Yuan (2009) and Zhang (2018) demonstrate that Daoist holistic handling notions can offer ideological resources for modern legislative optimization and judicial reform; Su (2013) further expands the research boundary to folk legal governance, verifying the reasonableness of Daoist doctrines in guiding the unity of state law and folk norms; Jiang (2025) pioneers the application of Daoist moderation and boundary thought in AI medical ethics, opening up a new research direction for the modernization of traditional Daoist legal philosophy in digital scenarios.

Studies on Confucian legal norms mainly focus on the historical evolution of ritual propriety-law relations and the modern creative transformation of Confucian ethical law systems. From the Pre-Qin (before BCE 221) contention of a hundred schools of thought to the Han Dynasty (BCE202-AD 220)’s dominance of Confucianism, Chinese traditional legal culture accomplished the historic transformation from the separation of ritual and law to their oneness, namely the long-term historical process of legal Confucianization (Ma, 2024). Today’s academic consensus confirms that Xunzi’s “rites-law focus” bridges the harmony of Confucian ethics and Legalist institutions, while the judicial practice of the Han Dynasty further institutionalized Confucian ethical norms into national legal systems, making ethics an essential standard for legislative formulation and judicial adjudication (Lu, 2020). This profound institutional change has shaped the humanistic and moderate characteristics of traditional Chinese law and can provide valuable localized resources for the modernization of China’s rule of law (Li, 2019). Yet, the now research presents obvious diversified perspectives and dimensional

differences. Macro-historical research sorts out the staged evolution logic of the wholeness of rites and law from a holistic perspective, clarifying the internal driving force of legal Confucianization. Micro-institutional research represented by Zhang (2016) conducts in-depth ethical analysis of typical traditional systems such as kin concealment, distinguishing Confucian rational skepticism toward “righteousness overriding kinship” and institutional rationality of kinship ethical protection. Furthermore, Geng (2017) puts forward a two-way interactive research framework, verifying the mutual shaping relationship between social structural changes and the continuous improvement of Confucian legal systems, which enriches the dimensional depth of traditional legal culture research.

In terms of traditional crime-punishment theory and modern criminal law innovation, contemporary research generally reflects on the loopholes of modern penal instrumentalism and inflexible penalty-centered rulings, fully affirming the modern practical value of traditional Chinese crime-punishment networking operations. Traditional criminal principles such as “expecting no-penalty”, leniency-severity balance, and moral edification prior to punishment break the single punishment logic of modern positivist criminal law, and reveal holistic dialectical thinking for optimizing modern criminal governance (Jiang & Zhang, 2025). Ma & Chen (2024) systematically summarize the four essential historical attributes of ancient crime-punishment relations, namely dialectical interaction, substantive balance, hierarchical typology, and flexible leniency-severity adjustment, and verify its guiding significance for modern criminal integration theory and standardized judicial adjudication. In the meantime, Western-derived criminal law modesty theory has been continuously localized and upgraded in Chinese academic research. Gao (2016) in details manifests the multi-dimensional connotation of criminal law modesty including subsidiarity, fragmentary nature, economic efficiency and tolerance, creating a restraint mechanism for penal power operation in legislation, judicature and penalty execution. However, existing research still has prominent deficiencies. Most studies separate Confucian ethical governance and Daoist boundary governance systems, failing to form a unified Confucian-Daoist dialectical modeling, leading to fragmented application of traditional wisdom. In addition, current research mostly centers on traditional legal history and traditional criminal law optimization, while the innovative application of Confucian-Daoist holistic holdings in emerging digital governance fields represented by AI ethics is still in the initial exploratory stage. Unified theoretical constructing and targeted practical path design are insufficient, leaving an important research gap for this study.

Against this research backdrop, this paper takes the structured Confucian-Daoist dialectical policy as the substantial theoretical tool. It systematically interprets the complementary logical mechanism of Confucian moderation and Daoist boundary governance, analyzes dual headaches in modern criminal legislation and AI ethics, and explores the intrinsic compatibility between traditional wisdom and modern governance. Finally, it paves targeted practical paths to empower criminal rule-of-law optimization and localized AI ethical construction, realizing the creative transformation of traditional Chinese legal philosophy.

### **Theoretical Matrix of Confucian-Daoist Key Dialectical Ideas**

Confucian and Daoist thoughts are not scattered traditional perceptions but a logically energetic and symbiotic dialectical mechanism. Confucian *Zhongyong* centers on human social governance and provides ongoing and softened behavioral norms, while Daoist philosophy anchors cosmic spontaneous laws and formulates a holistic ontological order framework. Their integration forms a complete governance paradigm featuring tempered social operation, bounded cosmic development, driving adaptation, and balanced

complementarity.

### **Confucian *Zhongyong*: Evolving Centrist Ethics for Social Harmony**

Contrary to the vulgar misunderstanding of passive compromise and mediocrity, Confucian *Zhongyong* reveals a vital reciprocal practical wisdom for social network and the coordination of human-society, human-technology, and human-self relations, thoroughly transcending rigid binary oppositional thinking. Its critical connotations consist of three interactive dimensions penetrating modern public administration. First, “excess equals deficiency”, which rejects extremist and absolutist behaviors and rules, favors limited boundaries in all practices, and opposes excessive intervention and laissez-faire negligence. Second, “upholding the mean by embracing both extremes”, which weighs interests and values on contradictory poles and seeks optimal dynamic equilibrium in conflicting relations. Third, “timely appropriateness”, stressing that the Doctrine of Mean, focusing the familiar affairs of the day illuminated by Roger T. Amers, is not a static unified standard but a contextually adaptive principle adjusted according to time, place, and individual circumstances, realizing the organic integration of normative rigidity and practical flexibility. Oriented toward fairness, moderation, responsibility, and order, Confucian *Doctrine of mean* establishes fundamental measurement norms for social institution upbuilding, technological application, and public governance.

### **Daoist Critical Legal Philosophy: Governance System Connecting Cosmic Dao and Human Affairs**

Daoist philosophy illuminates an ontological legal mechanism centered on *Dao*, following the leading logic of “*Dao* mothers law, law follows *Dao*, and *Dao* fathers law”. Covering legislative ontology, management moderation, discretionary criteria, and universal application principles, it forms a unique legal paradigm distinct from Western jurisprudence and Confucian ethical philosophy, with profound ontological and practical dialectical values and norms.

First, the principle of cosmic conformity embodied in *Dao follows ziran*. The Daoist maxim “Man follows earth, which in turn follows heaven-like, then following *Dao*, *Dao* following *ziran*” construes the supreme norm of Daoist legal philosophy. In Daoist cosmology, *Dao* denotes the objective universal law of all cosmic beings, possessing absolute objectivity and universality. Laws and social norms are institutionalized embodiments of spontaneous cosmic laws, rather than subjectively fabricated ruling instruments. Only institutions consistent with cosmic principles, human nature, and social operation qualify as authentic good law; harsh, trivial, and unreasonable arbitrary decrees inevitably disrupt social order, establishing the ontological legitimacy and scientific criteria for modern legislation.

Second, the modest governance principle of *wu-wei*. Daoist *wu-wei* does not imply passive inaction but non-arbitrary, non-excessive, and non-abusive intervention, essentially restraining the unlimited expansion of public power and technological power and maintaining definite intervention boundaries. Translated into managing practice, it embodies the last-resort attribute of regulatory means, authorizing moderate intervention only when conventional social norms fail to function effectively. Firmly opposing excessive penal complexity and arbitrary intervention, it is closely consistent with the modern principles of criminal law modesty and technological boundary ethics, serving as the fundamental ideology of modern moderate governing.

Third, the dynamic adjudication pattern of *yin-yang* balance. The mutual transformation and dynamic equilibrium of *yin* and *yang* make up the core of Daoist cosmology and the essential criterion of discretionary decisions. No absolute good or evil, right or wrong, severity or leniency exists in cosmic beings; social conflicts and illegal acts arise from diverse causes and hierarchical differences, prohibiting rigid absolutist rulings. Daoism favors “virtue as *yang* and penalty as *yin*, such correlative mode of thinking first describe by Marcel Granet

(Roger T. Ames. A sourcebook in Classical Confucian Philosophy. The Commercial Press, 2023: 001), prioritizing moral edification before punishment”, eliminating the root of social disputes through personal cultivation and restraining extreme evils through penal sanctions. It unites universal normative dogmatism with individual contextual flexibility to achieve lenient-rigorous dynamic equilibrium in problem-solving.

Fourth, the egalitarian maxim of *all things equal in Dao*. Daoism prefers the symbiotic relatedness and essential equality of all world beings, denying hierarchical superiority and inferiority. This idea breaks the rule of traditional hierarchy and forms a primitive egalitarian legal view, asserting universal normative application without privileged exemption or differential treatment. It provides vital traditional theoretical support for the modern principles of equal legal application and inclusive technological equity.

### **Complementary Dialectic of Integrated Confucian-Daoist Thought**

Confucian *Doctrine of Mean* and Daoist cosmic ideas shape a perfectly complementary operating model and a complete traditional dialectical paradigm. The former highlights “balance”, concentrating on normative moderation in human social operation and resolving extremism, stiffness, and imbalance in social governance. Daoist *harmony of humanity and cosmos* and *Dao follows ziran* enhance “harmony”, anchoring the ontological origin of all beings and defining ultimate boundaries for governance and technological development to rectify unlimited expansion, subjective opposition, and ecological disorder. Their integration entails a holistic handling system featuring measured social practice, bounded development, humane regulation, and balanced operation, comprehensively correcting the one-dimensional defects of modern instrumental rationality.

## **Dual Dilemmas of Modern Managing: Deficiencies in Criminal Legislation and AI Ethical Crises**

The Modern criminal justice system and AI technology are both constructed based on Western instrumental rationality and binary logic, prioritizing efficiency, order, and quantitative indicators while tending to ignore traditional dialectical balanced thinking. This structural deficiency leads to dual practical problems, exposing the necessity and urgency of modernizing Confucian-Daoist traditional wisdom.

### **Practical Deficiencies in Contemporary Criminal Legislation**

Despite the continuous advancing of China’s modern criminal law system, residual instrumental criminal law concepts and traditional penal rigorism result in persistent legislative and judicial flaws that deviate from the core values of modesty, equity, and humanism. First, generalized legislation and excessive regulation prevail. The continuous expansion of criminal constitutive elements blurs the boundary of penal intervention, causing the criminalization of minor civil and administrative violations, violating the last-resort policy of criminal law and unduly restricting citizens’ behavioral freedom. Second, discretionary standards suffer from inflexibility and imbalance. Some judicial judgments over-rely on rigid legal provisions, adopt binary absolute judgment, and ignore multivariate factors including individual subjective malice, social contextual differences, and remorse attitudes, easily resulting in unbalanced sentencing and the absence of case-specific justice. Third, it overemphasizes punishment while neglecting moral uplift. Too much on penal deterrence ignores the prepositive role of moral cultivation and social correction, failing to eliminate the institutional roots of crimes and departing from the traditional cultural wisdom of “prioritizing intellectual enlightenment over punishment” and modern humanistic rule-of-law concepts. Fourth, governing equity remains to be improved, with sporadic discretionary deviations caused by identity and hierarchical privileges, and privileged exemption and sentencing imbalance not

completely eradicated.

### **Inherent Ethical Crises of Artificial Intelligence Technology**

Operating on mathematical logic and mechanical rationality, AI technology inherently underpins one-dimensional, absolutist, and boundaryless rational shortcomings, triggering multiple ethical problems. First, binary algorithmic operation and decisional formulaism. AI runs on binary coding of zero and one, pursuing absolute optimal efficiency and maximal benefits, yet fails to adapt to the complex, ambiguous, and multivariate humanistic contexts of social life, bringing about uniform rigid decisions and singular value prejudices. Second, uncontrolled technological expansion and boundary deficiency. Unrestricted iteration of computing power, pervasive data collection, and excessive intelligent penetration invade humanistic fields such as privacy protection, education, medical care, and judicature, weakening human subjectivity and inducing technological transcendence crises. Third, human-machine opposition and ecological imbalance. Modern technological thinking adheres to anthropocentrism and technocentrism, constructing an oppositional subject-object dualism among humans, technology, and nature. The unilateral exploitation and transformation of social and natural resources lead to human-machine alienation, ecological deterioration, and social disequilibrium, hindering sustainable development.

### **Intrinsic Compatibility Between Confucian-Daoist Philosophy and Modern Governance**

The basic norms of Confucian-Daoist dialectical philosophy—moderation, modesty, balance, boundary adherence, and equality—are highly consistent with the fundamental norms of modern criminal rule of law and the substantial requirements of AI ethics, forming all-dimensional resonance in value orientation, governance measurement, operational logic, and developmental goals, and possessing strong modern adaptability and empowering value.

### **Value Compatibility: Unity of Humanistic Justice and Multivariate Symbiosis**

Confucian-Daoist thought consistently upholds humanistic ontology, opposing harsh oversight and technological separation, and pursuing the dynamic entirety of order maintenance and humanistic well-being. Daoist principles of *Dao follows ziran* and *wu-wei* modesty resist inhumane severe punishment and boundless technological expansion, embracing respect for inherent human nature and cosmic spontaneity. Confucian *Zhongyong* advocates moderate governance and inclusive pluralism, bridging public order and individual rights and interests. This value orientation coincides perfectly with the modern rule-of-law tenet of “balancing social order and human rights protection” and the AI ethical principle of “technology for humanity”, effectively enhancing the singular efficiency-oriented deviation of instrumentalism.

### **Measurement Compatibility: Unity of Modest Restraint and Boundary Mildness**

The focus of Daoist *wu-wei*, non-coercive acting and Confucian *Zhongyong*, similar to Doctrine of Mean, lies in restraining the unlimited expansion of administration and management and technological growing and developing and adhering to definite operational scale. The modern modesty rationale of criminal law provides that criminal law serves as the ultimate means of social governance with strictly restricted penal aggressiveness. Modern AI ethics requires fixed technological boundary norms to prevent arbitrary technological abuse. Both modern institutional rules are congruent with traditional wisdom of prudent punishment, too many bans, and non-arbitrary governance, offering unified moderate measurement standards for criminal regulation and intelligent technological application.

### **Logical Compatibility: Dynamic Dialectical Adaptation**

Confucian-Daoist two-sided thinking undergoes beyond Western rigid bifurcated opposition and embraces

evolving adaptation and middle-path integration. Daoist *yin-yang* balance centers on flexible adjustment of governance criteria in the light of objective contextual changes, combining normative rigidity and discretionary flexibility. Confucian *timely Zhongyong* goes for contextual adaptation to specific times and scenarios. This dialectical logic is highly adaptive to the modern criminal law system aiming at punishment compatible with crime and responsibility and the contextual governance logic of modern AI ethics, effectively resolving practical problems such as normative rigidity and absolutist decision-making, and attaining the dynamic balance between universal justice and case-specific justice, as well as between technological efficiency and humanistic temperature.

### **Practical Paths of Modern Governing Empowered by Traditional Confucian-Daoist Philosophy**

Relied on the essential implications and intrinsic compatibility of Confucian-Daoist dialectical thinking, along with practical troubles in modern criminal legislation and AI ethics, this section proposes innovative transformation paths for traditional wisdom from dual dimensions of rule-of-law optimization and digital ethical remodeling.

#### **Optimization of Contemporary Criminal Legislation Empowered with Daoist Legal Philosophy**

First, further minor crime governance and penal mitigation reform under Daoist *wuwei*, non-coercive action. The Daoist management wisdom of simplifying punishment and restraining arbitrariness, criminal legislation strictly upholds the modest bottom line, rigorously controls the threshold of criminalization, prudently establishes new charges and configures penal scales, and continuously promotes decriminalization and depenalization reforms. Behaviors with trivial conditions and minimal social harm are exempted from criminal liability. A gradient punishment system for minor crimes is upgraded to abandon one-size-fits-all severe sanctions, shrink the boundary of penal intervention, minimize penal operational costs, maximize social governance effectiveness, and protect citizens' legitimate behavioral freedom.

Second, enable the lenient and rigorous criminal legislative system based on *yin-yang* balance. There is the integration of the traditional Daoist paradigm of "virtue as *yang* and penalty as *yin*, prioritizing edification before punishment" into modern criminal policy to shape a balanced lenient-rigorous governance system. Lenient educational checking and balance is applied to first-time offenders, occasional offenders, remorseful offenders with minor subjective malignancy, with institutional arrangements for probation, exemption from punishment, and lenient sentencing. Severe standardized sanctions are imposed on heinous crimes endangering public security and national security to uphold social order bottom lines. Polished sentencing gradients and discretionary situations are formulated, and the guilty plea and leniency scheme is optimized to achieve the dynamic integration of rigid sanction and humane edification, embodying the dialectical middle-path policy.

Third, highlight scientific and humanistic upgrading of criminal legislation following *Dao follows ziran*, keeping it self-soing. Modern criminal legislation, complying with objective social laws and inherent human nature, timely abolishes outdated, harsh, and unreasonable legal provisions, optimizing charge settings and penal allocation. Legitimate defense and emergency avoidance mechanism are improved to protect individual legitimate rights and interests. Targeted normative clauses are formulated for emerging crimes such as cyber crimes and ecological crimes in response to social transformation, fulfilling accurate risk prevention without excessive penal punishment and achieving the inoculation of legislative norms, social reality, and cosmic

spontaneity.

Fourth, strengthen the equitable foundation of criminal justice rooted in the equality of all things in *Dao*. With Daoist cosmic egalitarianism, equal application of criminal law is fully implemented to eliminate identity privileges and hierarchical barriers in legislation and judicature. The regulatory system for duty crimes is optimized to prevent power rent-seeking and sentencing discrimination, ensuring universal equal legal application without privilege exemption for all social subjects and safeguarding the equity and justice of criminal rule of law.

### **Remodeling Modern AI Ethics with Integrated Confucian-Daoist Ideas**

First, restrain excessive technological expansion via Confucian *Zhongyong*'s prohibition of excess. Moderation is melted into the whole process of AI research, advancing, and managing, clarifying its instrumental orientation and opposing computing power involution, data predation, and boundless intelligent penetration. Regulations for data collection, algorithmic intervention, and intelligent substitution are standardized to prevent excessive technological invasion of humanistic fields, resolve technological transcendence and humanistic flaws, and obtain the balanced coexistence of technological innovation and humanistic protection.

Second, break algorithmic binary rigidity by way of the middle-path integration of *Zhongyong*. Traditional dialectical thinking reshapes the singular efficiency-optimization logic of AI and creates a multivariate balanced algorithmic decision-making system. Algorithmic design balances efficiency and equity, innovation and compliance, convenience and privacy, as well as development and security, eliminating algorithmic prejudice and uniform decision-making defects and enabling intelligent decision-making to adapt to complex and diverse humanistic social scenarios.

Third, regenerate human-machine symbiotic relations through Daoist harmony of humanity and cosmos. Triumph over the binary opposition of anthropocentrism and technocentrism, constructing an organic symbiotic community of humans, AI, society, and nature. Identify the auxiliary instrumental status of AI, eliminate technological hegemony and human-machine antagonism, and ensure intelligent technology advancements corresponding to social norms and cosmic spontaneity while adhering to dual bottom lines of humanity and ecology.

Fourth, define the evolving boundary of AI via Daoist *wu-wei* boundary identification. Take *Dao follows ziran* and non-arbitrary action as the final ethical criterion for AI development, inhibiting technological research and application that violates human nature, destroys ecology, and undermines social values. Restrain unrestricted technological stir, embrace AI transfer from unlimited expansion to moderate and sustainable development, and form a localized AI ethical mechanism linking technological rationality with Eastern humanistic wisdom.

### **Conclusion**

As the core essence of traditional Chinese legal culture and governance wisdom, Confucian-Daoist dialectical thinking contains profound managing logic of moderation, modesty, balance, binding boundary, and equality, which effectively remedies the inherent defects of modern instrumental rationality and provides a systematic localized solution for contemporary criminal justice scheme and artificial intelligence ethics. Daoist ideas are embodying the ontological boundaries and ultimate norms for legal and technological advancing, while Confucian *Zhongyong*, doctrine of mean, focusing the familiar affair of the day, is presenting dynamic moderate scales for social governance and technological application. Such oneness is shaping a complete operational system featuring humane rigid rules, bounded innovative growth and development, balanced social governance,

and confined technological evolution.

Against the dual background of rule-of-law modernization and digital civilization construction, in-depth exploration of the contemporary value of Confucian-Daoist thoughts and the in-depth incorporating of traditional dialectical wisdom with modern criminal legislation and AI ethical systems can not only effectively tackle practical deficiencies such as generalized criminal legislation, discretionary inflexibility, and punishment-based governance, enhancing the Chinese characteristic criminal justice system, but also handle AI ethical dilemmas including binary rigidity, technological transcendence, and boundary deficiency, offering a Chinese paradigm of intelligent ethics. This practice represents the creative shift and innovative advancing of excellent traditional Chinese culture, providing profound traditional wisdom and unique Eastern management aspirations for the modernization of social governance and the sound support of digital civilization in the new era.

### References

- Chen, X. (2018). From “Dao Follows Ziran” to “Dao Begets Law”: On the Development of Huang-Lao Thought to Daoism. *Philosophical Researches*, 5, 62-69.
- Gao, C. G. (2016). Systematic Interpretation and Theoretical Remodeling of Criminal Law Modesty. *People’s Procuratorial Semimonthly*, 3, 5-9.
- Geng, H. T. (2017). Research on the Interaction Between the Confucianization of Feudal Law and the Evolution of Ancient Social Structure. *Management Observer*, 4, 71-73.
- Jiang, L. (2025). The “Technique” and “Dao” of AI in Healthcare: Ethical Reflections Based on Daoist Thought. *Chinese Medical Ethics*, 38(2), 201-206.
- Jiang, X. M., & Zhang, L. Y. (2025). Interpretation of the Idea of “Aspiring for No Penalty” and Its Contemporary Enlightenment for Criminal Law. *Academic Exchange*, 2, 36-44.
- Kan, H. Y. (2016). A Glimpse of Dao-law Thought in Huainanzi. *Journal of Taiyuan University of Technology (Social Sciences Edition)*, 34(4), 59-62, 71.
- Li, D. J. (2019). Rule of Law and Human Ethics: The Modern Value of the Traditional Confucian Legal Order. *Academic Frontier*, 18, 104-107.
- Long, D. X. (2004). *Dao and Chinese Legal Tradition*. Jinan: Shandong People’s Publishing House.
- Lu, G. X. (2023). The Logical Approach of Huang-Lao Dao-law Thought. *Journal of Tianjin University (Social Sciences)*, 4, 368-374.
- Lu, J. F. (2020). An Exploration of the Relationship Between Rites and Law in Ancient China from Pre-Qin Confucian Thought. *Comparative Study of Cultural Innovation*, 4(34), 163-165.
- Ma, R. C., & Chen, K. X. (2024). The Historical Quality of Crime-Penalty Relations. *Guandong Journal of Academic Studies*, 2, 5-24.
- Ma, X. H. (2024). An Exploration of Legislative and Judicial Experience in Ancient China: Also on the Confucianization of Ancient Chinese Laws. *Journal of Beijing Administration Institute*, 3, 84-94.
- Su, J. (2013). Exploring the Rationality of Folk Legal Resources from Laozi’s Thought of Dao Models Nature. *Guizhou Social Sciences*, 5, 77-81.
- Xiang, D. (2015). An Analysis of the Thought of “Dao Generates Law” in The Four Classics of Huangdi. *Climb (Philosophy and Social Sciences Edition)*, 34(5), 135-142.
- Yin, H. G. (2016). Research on Liang Shuming’s Neo-Confucian Legal Thought. *Studies in Political Science and Law*, 2, 69-139.
- Yuan, X. Z. (2009). The Influence of Daoist Thought on the Pattern of Traditional Chinese Legal Culture. *Northern Legal Science*, 3(4), 135-146.
- Zhang, G. J. (2016). A Doubt About Placing Righteousness Above Family Loyalty and the Founding of Kinship Concealment. *Political Science and Law Tribune*, 34(4), 176-182.
- Zhang, M. (2018). The Influence and Reference Significance of Daoist Thought on Chinese Rule-of-Law Construction. *Studies in Chinese Daoism*, 2, 26-29.