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ARTICLES

1 An Overview of the General Data Protection Regulation—Evolution, Key Points and Major Issues

JIN Jing

The General Data Protection Regulation (GDPR) bears obviously functional legislative characteristics and reflects the complex nature of the data problem concerning the protection of diversified legal interests, which include the data subject's control over data, the usage of data by the controllers and processors, and the data sovereignty of a country (or region). GDPR broadens its scope of application by means of the market location principle and the concept of personal data processing. It follows the idea of pre-protection to construct data subject rights, pre-setting different types of data protection to the data collection and processing stage, and establishing non-absolute rights such as the right to data portability and to erasure. It introduces cross-border data transfer rules whose data "ownership" does not exclude "utilization". GDPR has encountered both value and technical dilemma, which are the biggest challenges raised by the balance of the legal value sequence under the context of global economic competition. The data legislative competition is in essence the global competition of the digital economy. The sequence of legal values is facing a process of changing balance and reorganization, which is the outcome of the different choices and pursuits of the legislators for market competitive advantages, long-term economic development and social goals. The problems brought about by digital technology are by no means limited to whether legislation is being implemented. It involves as well issues such as what kind of value sequence to adopt, how to legislate, and how to coordinate with the existing legal supervision system. Regardless of the legislative model, the technical path is by no means a desirable one, while the mechanical separation of data subjects from data controllers and the introduction of pure personal data protection legislation may not be the best option.

27 Transformation of the EU's Economic Governance Model in the Post-Crisis Period—A Perspective of the Social Market Economy Model

HU Kun

The EU's economic governance model follows the fundamental principles of social market

economy, placing a high value on price stability, perfect competition and balanced development, so as to ensure a fully competitive order. The financial crisis shows that with the deepening of integration, a serious lack of effectiveness exists within both the common policy and structural policy of the EU, the major instruments of the EU's economic governance. Under this background, the EU continues to move closer to the social market economy model and starts adjusting its economic governance model. On the one hand, the common policy like fiscal discipline has been strengthened to maintain the competitive order. On the other hand, the structural policy has been extended, with the stability policy tools having been introduced in order to ensure the stability of the macro-economic environment where the competition order is located.

48 The Separation between Names and Facts in the Distribution of EU Executive Decision-making Power: Patterns, Causes and Consequences

YANG Guodong

The deepening integration of the European Union is promoting the structure-framing of an "EU Government". However, the exerciser of the executive power in the EU remains to be clarified. The rules set down in the Lisbon Treaty, which entrust the Commission with "administrative function" and the European Council with the task of "deciding political directions", have made this problem even more ambiguous instead of providing clear answers. In practice, an executive decision-making pattern has been gradually formulated where the Commission and the European Council share the power to initiate policies. This pattern, different from the written rules though, appears to be reasonable to the extent that the democratic legitimacy and the political authority lie within the hands of the Member States. However, this pattern has resulted in the undermining of democratic control and supervision in that it leads to the expanding of executive powers both at the national and European levels. Further, this model has raised a series of other problems, such as the alienated role of the Commission, the marginalization of small Member States without efficient institutional remedies, which thus constitute potential threats to further integration. It is pointed out in the final part of this paper that the tensions between the names and the facts is in nature a result of the tensions between the commitments of the Member States towards integration and their practical tolerance to the integration project.

66 Passive Diplomacy Based on Pragmatism: Evolution of the EU's Policy towards the South China Sea Issue and Its Future Prospect

JING Xuanlin LIU Jinyuan

As the South China Sea issue becomes increasingly a focus attracting world attention, the

EU officially listed it as one of the three major security issues in the Guide to East Asian Diplomacy and Security Policy published in 2012. The EU's South China Sea policy has undergone three stages, namely a formative stage where the three frameworks had been formed, an adjustment one with gradual improvements and a final one where both stability and change existed, which reflects the characteristics of the principle of pragmatism. Although the EU's South China Sea policy is becoming maturing, there are still sharp contradictions among the member states as well as forced passiveness from its allies, which are the key bottlenecks containing its regional influence. The EU's intervention into the South China Sea issue originates not only from its consideration of the transformation of its Global Ocean Strategy, but from its concerns about the safety of the sea routes and the possible loss of its economic and trade interests. In addition, the vigilance against "China's rise" has accelerated the formation of the EU's South China Sea policy. It could be expected that in the future the EU's South China Sea policy will continue to follow the United States in the general direction, but the specific guidelines will present more characteristics of its own. At the same time, the EU's common position on South China Sea is faced with a risk of being collapsed, which will greatly weaken its overall effects. In fact, it is the core EU member states who will be the real influence factor. In the longer term, the South China Sea issue may become a potential instrument for the EU to strengthen its influence on East Asian security affairs and to exert pressures on China.

84 A Comparative Study of the Core Regional Ideas: the Concept of Resilience in EU and ASEAN

LI Feng

The concept of resilience has been coined as a core idea in the EU common foreign and security policy paper published in 2016, titled "Shared Vision, Common Action: A Stronger Europe". In fact, it was first put forward by Indonesia in the late 1960s and then incorporated by the ASEAN into the Treaty of Amity and Co-operation in Southeast Asia in 1976. There are both similarities and differences in the usage of this concept by the EU and Southeast Asia. The common concerns about state power, regional security and comprehensive and cooperative security governance by the EU and SA are the key determinant factors behind the great importance that both parties have attached to the concept of resilience, arising from the similar security backgrounds and contexts and the linkages and mutual influences at the institutional and norm levels between the two parties. However, distinguished differences exist as to the usage of this concept by the two parties in the spread of the norms, which can be attributed to the differences in the context, setting-actors and norm-institutional relationships in the two regions.

103 European Islamic Terrorism from the Perspective of Social Identity: Empirical Observation, Mechanism Exploration and a Case Study of Berlin Truck Attack

PENG Xiao

Islamic terrorism has become one of the hot issues in Europe, which has attracted a high degree of attention from the academia and society. But the intergroup origin inherent in the Islamic terrorism has not yet been brought to the forefront. On the basis of a critical and reflective thinking of the existing studies, this paper analyzes the group identity mechanism of European Islamic terrorism in a view to revealing the causes for group conflicts with the help of the Social Identity Theory. An analysis framework has been constructed including factors such as identity arousal, in-group gathering and intergroup estimation through a chain of social conceptions such as self-efficacy, shared values and a sense of relative deprivation, along with 2016 Berlin truck attack as an empirical evidence. In sum, the three levels of terrorists, terrorist groups and terrorism, as well as the internal logic of a number of relevant social facts, could be systematically understood from the perspective of social identity.

129 The Historical Logic of the Transformation of Humanism in Western Europe in the Middle Ages

YU Wenjie TIAN Fangning

With the spread of Christian civilization in Western Europe, classical studies had been introduced into the Western world. The complementarity of the two Greek civilizations determines that the transformation of Western European humanism would take place and be completed in such a situation. The historical trajectory of the transformation of medieval humanistic ideas and its internal logic has been demonstrated by the philosophical advance from the patristic philosophy to scholasticism, from realism to nominalism, and from Neo-Platonism to new Aristotelianism and by the variety of cultural elements that has helped complete the process of rational intervention, the birth of secular politics, the formation of individual meanings and the establishment of subjective.

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