

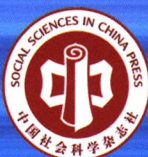


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ABSTRACTS

- (1) **An Analysis of the Party-Government Structure and Functional Mechanism of Contemporary Chinese Governance** Wang Puqu and Tang Bin • 4 •

One important reason of China's remarkably fruitful economic and social development is the effective operation of the party-government structure with Chinese characteristics. Compared with the governance structure relying on Weber-style hierarchy in Western countries, the institutional mechanism of China's national governance has its unique structure and functions: in terms of the constitution of administrative power, it is presented as a centralized and unified party-government structure formed by the ruling party through its political leadership, in profoundly shaping and integrating the government system with Chinese characteristics at the organizational and ideological levels. This structure has political authority and pioneering, as well as administrative normativity and hierarchy. With respect to the mechanism of function realization, contemporary Chinese governance implements the dialectical and unified operation principle of activistic governance and hierarchical governance, "activism" and "institutionalism," substantive justice and procedural justice, resulting in a unique mechanism of function operation, and has thus realized the organic combination of governance's dominance and foundation, strategic and routine, performance legitimacy and procedural legitimacy. In the practice of governance, the "flexibility" of governance and functional mechanism of the party-government structure underlie the superiority of national governance. In the historic process of deepening the modernization of the national governance system and governance capacity, the practice of reform and development requires a balanced coordination of political leadership and administrative norms. To this end, under the premise of strengthening the party's overall centralized and unified leadership, the rule of law should be taken as the basic strategy, and the political and administrative coordination and benign interaction of the party-government structure and its functional mechanisms should be continuously improved.

- (2) **The Concept of *Dasein*: Historical Clues in Marx's Early Situating of Thought** Zhang Yibing • 25 •

The crucial concept of *Dasein* (being there) in Heidegger's ontology is actually the *Dasein* in the sense of "existence" of the philosophy of Kant and Hegel. In his early writings, the young Marx frequently used such concepts as *Dasein* (existence), *gesellschaftliche Dasein* (social existence), and *Existenzweise* (the mode of existence), but during the period 1845-1847, when historical materialism was

formulated, he deliberately avoided using terms tinged with the hue of speculative philosophy, including *gesellschaftliche Dasein*, just as he no longer used the concepts of *Entfremdung* (alienation) and *Gattungswesen* (species-being). However, he made use of certain concrete historical realities in social life to represent the special qualities of historical materialism. It was not until 1848 that he returned to using the concepts of *gesellschaftliche Dasein*, *Existenzweise*, etc. in such economic manuscripts as *The Communist Manifesto and Capital*. One could say that it is not abstract social existence that determines social consciousness; rather, social existence regulates all human concepts. It is this that is the most important principle of historical materialism.

(3) The Institutional Basis of the Growth in Local Public Debts—From the Fiscal and Financial Perspectives *Mao Jie, Liu Pan and Lü Bingyang* • 45 •

The fiscal and financial systems and local public debts are inseparable. Theoretical research has found that under the weak financing constraints created by implicit financial decentralization, tax sharing has a positive stimulus effect on local public debt dependency and debt ratio. The mechanism behind it is that the increase in the proportion of tax sharing has enhanced the ability and motivation of local governments to expand the scale of debts, while the implicit financial decentralization has weakened financing constraints of local governments, making the motivation to expand the debt scale easier to achieve. The empirical results support the theory that the tax-sharing ratio is significantly and positively correlated with local public debt dependency and debt ratio, the coefficients on the interaction terms of tax-sharing ratio and financial decentralization are significantly positive, and the relationship between the tax sharing and the scale of local public debts is affected by macro tax rates and growth effects. The incentive effect of the fiscal and financial systems is the institutional reason for the continuous growth of local public debts, which is inspiring for scientifically controlling the scale of debts and preventing the debt risks.

(4) A Civil Law Perspective on the Interpretation of the Relationship between Principle and Exception *Yi Jun* • 68 •

The phenomenon of principles vs exceptions exists everywhere in law and jurisprudence, especially in the field of civil law that sees systematization as a standard. In the sense of normative connections, the relationship between principle and exception means that where there are two or more related norms, one is a norm of principle and the other a norm of exception. The latter is a deviation from the former, providing a behavioral mode that is opposite to that offered by the former. The relationship between principle and exception should be distinguished; it exists in many forms, and is an important link in systemic relations. In terms of logic, it is not the norm of principle itself but rather the combination of the norm of principle and the norm of exception, or the entirety of the factual elements constituted by the

two, that have the force to produce legal effect. In the normative sense, the relationship between principle and exception has a significant influence upon legal interpretation, arguing by analogy, and burden of proof. In legal interpretation, norms of exception should be strictly interpreted. In application by analogy, it is commonly held that the norm of exception should not be applied in arguing by analogy; and in the case of burden of proof, it can broadly be supposed that the party proposing the effect of the norm of principle should undertake the burden of proof with regard to the essential facts of that norm, while the party contesting its effect should have to present evidence for the essential facts of the norm of exception. The handling of the relationship between principle and exception is one of important tasks in civil legislation and is an important criterion for the degree to which civil legislation has a scientific and systemic nature. In this respect, civil legislation in China still has a long way to go.

(5) The Change of Disease Spectrum in Chinese Rural Areas and Its Interpretive Framework

Yu Chengpu • 92 •

From the early 20th century back to the early days of the founding of New China in 1949, rural residents were deeply plagued by infectious diseases and malnutrition ones. Thanks to a series of interventions, the incidence of infectious diseases in rural areas has declined since the late 1970s, and maintained a low prevalence level to this day; since the 1990s, the prevalence of chronic diseases in rural areas has risen rapidly, and chronic diseases have become a major health problem that plagues rural residents. From the perspective of life cause research, with reference to the emphasis on bio-social-cultural holism in medical anthropology, chronic diseases can be divided into chronic diseases with excessive loss and chronic diseases with excessive intake. The former are mainly chronic diseases represented by arthritis and intervertebral disc disease, which are the imprints of “hardships” in the early years; the latter are a sign of physical inadaptability, including hypertension and diabetes which occur when the bodies that had suffered from hunger and fatigue for long fail to fit for the sudden enrichment of material resources and reduction of physical exertion after the life became better. Fundamentally speaking, chronic diseases with excessive intake seem to originate from the current “sweetness of life,” but in fact it is the physical reproduction of early experience. Clarifying the complex relations between social system, livelihood model, cultural mentality, physical habits, as well as health and disease, and being aware of the transformation of disease spectrum in Chinese rural areas and its internal logic, will contribute to the rational formulation and precise implementation of the policies that promote health in rural areas.

(6) Losses in the Hermeneutic View of Historical Nihilism and the Reconstruction of the Knowledge Map of Interpretation

Zhang Zhengwen • 115 •

The losses in the hermeneutic view lead to the failure of the theoretical scene-shift. Contemporary historical nihilism is often expressed through various forms of

interpretation that lose the public nature of knowledge, which means that they are destined never to become a public cultural achievement with universal significance. In view of this, it is necessary, in the writing of contemporary history, to stick firmly to the basic principles of historical materialism, take as one's value claim the correct historical view of making a return to interpretation, fully integrate and absorb the excellent theoretical resources of Chinese tradition and Western modernity, present the true picture of historical facts with scientific attitudes, methods and standards, clarify the evolving lineage of thought, and return to the authenticity, truth, and knowledge of history. Thus the writing of contemporary history truly eliminates historical nihilism, reconstructs the knowledge map of interpretation, and achieves cultural perfection through the highest historical truth.

(7) The Ideological Method and Discourse Mode of the *Zhuangzi* from the Perspective of Public Reason during the Warring States Period Yu Xuetao • 130 •

“*Bian* 辨 (dialectic)” is the ideological method commonly used by Chinese philosophers during the Warring States Period, “*bian* 辩 (argument)” is the popular discourse mode for them, these two constituted the two cornerstones of the public reason of the Warring States. Confucians, Mohists, Taoists, Legalists, and Logicians not only practiced “dialectic” and “argument,” but also discussed both. Pre-Qin philosophers all attached importance to “dialectic,” but had different attitudes to “argument.” The prevalence of debate during the Warring States Period had spawned many public issues that focus on discrimination. Despite its adjustment of controversies, *Zhuangzi* still advocates the discerning of objects, and the doubt about and analysis of the certainty of concepts as an important method. Although the book is remarkable for its preach of “not arguing,” argumentation is also a common way that it uses in its discourse. Naming and logic analysis are the development patterns of the dialectic in the *Zhuangzi*. Its naming is to propose concepts in a purely rational world and define them. Progressive analyses to excavate the truth of things are the distinguishing features of the dialectic in the *Zhuangzi*. For the analysis of certain public issues in the *Zhuangzi*, its naming and analytic mode expanded and deepened the connotation of public reason in the Warring States Period. The *Zhuangzi* raised the artistic level of the argumentative essay to a new height with a discourse that is good at discrimination and analysis.

(8) An Overview of the Evolution of *Ci* (词) Poetry from the Perspective of its Normative System Shen Songqin • 156 •

Throughout the 20th century, a large number of works on the history of *ci* has appeared, most of which have attached the evolution of *ci* to the history of dynastic change. This not only leads to shortcomings in dealing with the history of *ci* at periods when one dynasty was succeeding another, but also to some extent neglects or bisects the overall operation of the *ci* normative system in terms of artistry.

Drawing on the existing fruits of *ci* history and giving attention to scrutiny of the operation of the normative system of *ci* is the due task of research on *ci* history. Taking the formation of the normative system of the *ci* and its adoption, synthesis and change thereafter as the field of vision and reviewing the evolution of *ci* from the Tang to the Qing, it can be seen that the *ci* has gone through about four historical stages: gestation amid construction, with an initially flourishing period of composition amid construction; new changes amid extension, with renewed vigor in *ci* composition amid these changes; restoration amid decline, with the resurgence of *ci* composition amid restoration; and integration amid stagnation, with the revival of *ci* composition amid integration. Only when we interrelate the rise and fall of different dynasties according to “current events” and “successive time periods” to the normative system of *ci* will we be able to gain a more comprehensive understanding of the evolution of *ci*.

(9) The Substitution of Paper for Bamboo or Wooden Slips and the Upward Movement of Basic Ruling Centers in Ancient China

Zhang Rongqiang · 180 ·

The substitution of paper for bamboo and wooden slips had an important impact on the local administration and power operation modes in ancient China. During the Qin and Han dynasties, due to the inconvenience when writing the bamboo-or-wooden-slip scrolls, and the difficulties in transporting and keeping, all kinds of basic account books and registers such as household registration could only be produced in the townships, and at most they were delivered to the county-level institution. The basic administrative functions these instruments had to control the people and impose taxes and corvees carried were mainly performed by the township-level institutions, which were the utmost branches of the state power. However, the political status of township officers between official and civilian, and their economic behaviors of cruelly oppressing and exploiting the common people, had always been criticized by the rulers; the emperors could do nothing but sighing deeply, because the imperial government had no way to control those basic account books and registers which were necessary for the audits, and could not prevent local governments from submitting false reports. After paper replaced the bamboo-or-wooden-slip scrolls, under the internal drive that imperial government eradicated the defects and strengthened centralism, the creation of various basic account books and registers was moved up to the county governments, and the basic-level affairs were also centralized in the hands of the county heads. Although the substitution of paper for bamboo or wooden slips to paper provided technical conditions for the upward movement of basic ruling centers, the county governments did not have the ability to directly face the scattered, individual and small farmers. With the changes of local social structure in the late Tang Dynasty, the emerging gentry gradually stepped onto the stage of rural politics, thus opening up the situation of the later generations of “the imperial power does not go down the county.”

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