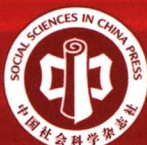


QK2103159

中国社会科学

SOCIAL SCIENCES IN CHINA

2021/02



SSCP

中国社会科学杂志社

1980年1月10日创刊

2021

中国社会科学

2

(月刊)

总第302期 2月25日出版

· 学术基本理论、基本问题、基本概念再反思 ·

再论强制阐释 张江 (4)

理性预设、规范性与多元表达

——“哲学普遍性”问题的跨文化视角 程乐松 (24)

· 新一轮科技革命与哲学社会科学 ·

刑事司法人工智能的包容性规制 李训虎 (42)

大数据技术与传统文献学的现代转型 刘石 李飞跃 (63)

· 中国共产党100年的理论与实践 ·

新中国精神与文学经典的生成 蒋述卓 李石 (82)

· 新发展格局与高质量发展 ·

中国城市劳动力市场中教育匹配的变迁趋势

——基于年龄、时期和世代效应的动态分析

..... 吴晓刚 李晓光 (102)

· 文明起源、文明互鉴与文化发展 ·

考古学视野下的黄河改道与文明变迁 袁广阔 (123)

论北朝隋唐的土地法规与土地制度 杨际平 (144)

· 中国特色哲学社会科学“三大体系” ·

构建中国特色政治学：学科、学术与话语

——以政治学恢复重建历程为例

..... 徐 勇 任 路 (165)

马克思唯物史观视域中的法治问题 张 盾 (183)

本期论文英文摘要 (ABSTRACTS) (204)

ABSTRACTS

A Re-Discussion of Imposed Interpretation

Zhang Jiang • 4 •

The construction of the Chinese hermeneutics must, first of all, have new insights and progress in solving many fundamental meta-problems. Imposed interpretation, as a kind of interpretation, has been very common in the study and theoretical construction of texts in various disciplines. By adopting the method of imposed interpretation, one steals objects and employs disguised discourse; using the name of the text, one elucidates one's own ideas, imposing these ideas on the text, and claiming that that is what the text means. Such a means of interpretation violates the rules of logic and ethics of hermeneutics, so its legitimacy should be questioned. Any interpretation has an object. The object is determined. The legitimacy of interpretation dissolves when it deviates from the determined object. In the psychological sense, there is a reason for imposed interpretation, but this does not mean that it is justifiable or insurmountable. This is just like the fact that a fallacy is unavoidable does not mean that it is justifiable or insurmountable, or that it is the truth. Interpretations with strong theoretical and logical force do not need to be imposed. Interpretation is of motivation-driven nature. The fundamental way to achieve proper and reasonable interpretation is to insist on the certainty of the object of interpretation and on the pursuit of hermeneutical wholeness, and to use rationality to effectively restrain the arbitrary outstretch of the motive of interpretation. Outside the field of literature, it is particularly important to be vigilant against imposed interpretations initiated by subjective motives. The effective way of limiting imposed interpretation is to insist on starting from the phenomenon itself, with a holistic view of and the multiple and multi-directional cycles of interpretation.

Rational Presupposition, Normativity and Pluralist Expression: A Cross-Cultural Perspective on the Universality of Philosophy

Cheng Lesong • 24 •

The question of the universality of philosophy is highlighted when seen from a cross-cultural perspective, for it reveals the tension between particularity and universality, as well as the connotations of the universality of philosophy. In terms of philosophical activities having the content of Chinese life experience, the universality of philosophy, the particularity of Chinese thought, and the uniqueness of Chinese expression together constitute a persistent theoretical tension. We distinguish the universality of philosophy from universal philosophy; the former stems from the universal presupposition of rational ability and points to the richness and diversity of the empirical world and maintains a dynamic balance between universality and pluralism in the normative attitude of discourse practice and conceptual activity. From the perspective of cultural subjectivity, it is necessary to avoid misleading views

that equate the universality of philosophy with Western philosophy; besides, normativity cannot be understood as specific censorship rules. The universality of philosophy requires a sense of boundaries and a normative attitude that will ensure that people from different contexts can have dialogue on the basis of rational ability and construct a space for dialogue and understanding. The concern for diverse objects based on the richness of experience gives philosophical concepts and arguments pluralist differences that encompass cultural differences and autonomy in terms of level of expression. All in all, it is only on the basis of the universality of philosophy that we can understand the normative requirements of philosophical activities and the diversity of cross-cultural philosophical reflection.

Inclusive Regulation of Artificial Intelligence in Criminal Justice *Li Xunhu* • 42 •

Although the artificial intelligence (AI) of China's criminal justice leads the world, problems such as data monopoly, algorithmic black boxes, and arbitrary application scenarios have been exposed. In order to resolve these problems in a scientific way as well as the legality challenges, legitimacy concerns and ethical risks underlying them, we need to overcome traditional way of thinking, innovate our regulatory models, introduce the concept of technology empowerment and technological due process, and implement inclusive regulation of AI in criminal justice so as to achieve coordination between development and regulation. The deep integration of human rights protection in criminal justice and human-centered AI form the concept of technology empowerment, which can provide macro guidance at the conceptual level for the research and application of artificial intelligence in criminal justice. Technological due process, which is based on the traditional due process, can regulate the process of AI applications for the openness of judicial data, enhance the transparency of algorithms, and promote the establishment of an AI accountability mechanism in criminal justice. The application of data-driven judicial AI will influence the judicial structure and governance mode and have the effect of reshaping judicial operations, gradually forming a new model of judicial governance with man-machine collaboration. In the future, we should uphold the concept of human-centeredness and the idea of technological empowerment, reshape our value orientation and code of conduct under the new configuration of man-machine relations, and pursue the values of legal fairness and justice, in hopes of building a new pattern of man-machine collaborative judicial governance.

Big Data Technologies and the Modern Transformation of Traditional Philology

Liu Shi and Li Feiyue • 63 •

Big data technologies have triggered innovations in the production methods and structural transformation of traditional philology and have expanded its accessibility. The fragmentation, standardization, structuration and visualization of traditional philology constitute the “macro-texts” and “hypertexts” consisting of the various textual collections and databases, which have promoted the connections between different kinds of literature and the rediscovery of knowledge. The application of online analysis, bibliometrics, thematic modeling and other textual information

technologies can renovate classical philology's practical approach, enhance its consistency and empirical basis, catalyze the creation of new research patterns, and promote the modern transformation of traditional philology. Contemporary big data technologies have changed the way we perceive and grasp the scope of traditional philology, reflecting the pursuit of our capacity for knowledge mining, organization, management and reproduction.

The Spirit of New China and the Generation of Literary Classics

Jiang Shuzhuo and Li Shi • 82 •

The spirit of New China refers to the principal mental quality that accompanied the major historical events of different periods since the founding of the PRC in 1949. It was closely related to the creation of literature and the generation of literary classics. In different historical stages, the spirit of New China expressed itself in various forms. It mainly includes the spirit of patriotism, the spirit of independence, self-reliance and hard work, the spirit of national unity, the spirit of reflection, the spirit of reform and opening up, the spirit of keeping pace with the times, the spirit of diversity and integration, the spirit of people's creation, a shared future for mankind, etc. The three links of the "literary system—literary creation—literary criticism," manifest the dynamics between the spirit of New China and the generation of literary classics. On the one hand, the spirit of New China has to be transformed aesthetically into a specific mechanism for literary production which, with the help of the intervention and interpretation of theoretical-critical discourses, generates a literary classic; on the other, the interaction between literature and politics constantly enriches the connotations of the spirit. It is therefore necessary to create classic literary works that live up to the times and the people, taking a stand on the four levels of politics, the people, literary criticism and literary creation.

Changing Trends in Education Matching in the Chinese Urban Labor Market: A Dynamic Analysis of the Age-Period-Generation Effect

Wu Xiaogang and Li Xiaoguang • 102 •

The "graduates difficulty in finding a job" in the labor market is becoming an immediate and pressing problem. The global expansion of education in the past half century has led to a problem of education matching, particularly over-education, in labor markets across the world. This paper uses an age-period-generation model to evaluate the trend of educational mismatching in the Chinese urban labor market on the basis of China General Social Survey data (2003-2017). It shows that first, over-education overall shows a downward trend (period effect) with the upgrading of China's occupational structure. Secondly, with the spread of compulsory education and the expansion of higher education, over-education is rising rapidly in terms of birth cohort (generational response). Finally, a mismatch between individuals' education and their position in the labor market will have a long-term effect on their working life. These findings have significant theoretical value and policy implications for advancing China as an educationally strong country, building an education system that is coordinated with high-quality development, strengthening the linkages and degree of matching between education and the labor market, and allowing everyone to

display their talents.

Alterations in the Yellow River's Course and Changes in Civilization Seen in Terms of Archaeology

Yuan Guangkuo • 123 •

The Yellow River is well-known for silting up, breaking its dykes and changing its course, with the latter occurring several times. However, during the pre-Qin period the river's course did not change significantly. Instead, it had always flowed in the course recorded in the *Han Zhi*. The *Yu Gong* river recorded in literature was actually the *Han Zhi* river, while the "Yu Gong river" in Xunxian and Neihuang was the old course of the Qi river. A significant shift in the Yellow River's course began in the Han Dynasty. After 2,000 years of frequent changes of course and movement of the river bed, a 6-15-meter layer of thick silt formed in the lower reaches of the Yellow River, and this completely changed the natural landscape of hills, rivers and lakes that had existed in this area in the pre-Qin period, eventually forming the landform of boundless plain seen today. During this process, the development of civilization was interrupted and most of the cities in the area were destroyed. On the surface, the thousands of years of changes in the ecology and living environment in this area were due to the flooding, changes of course, and shifting of the river bed, but essentially, they resulted from mankind's overuse of natural resources.

On the Land Order and System During the Northern Dynasties and the Sui and Tang

Yang Jiping • 144 •

The Land Edicts (*diling* or *tianling*) of the northern dynasties and the Sui and Tang were land laws and regulations. These were, however, only superstructure norms; they could not decide the nature of land ownership. The Land Edict of the northern dynasties contained clauses on the granting and receiving of land, but the adjustments it made were carried on within the scope of the household's original land holding; this meant that in reality it did not touch on the granting and receiving of land. This was the inevitable result of the conflict between the rulers' ideals of state land ownership and the realities of private land ownership. When the Edict was implemented, the Northern Wei and the Northern Qi dynasties followed a dual-track system: a universal land grant system for the Tuoba settlements in northern Xianbei area and a system of restricted land holdings and household registration for the settlements where the Han dominated. During the Sui and Tang dynasties, the system for the Tuoba was cancelled as they were no longer the ruling class. There were no cases of officials actually being granted or receiving land according to the Land Edict during the Sui and Tang dynasties, but there were quite a few cases in which no land was granted or received. The Tang *tianling* was abolished between late Tang and early Song dynasties, not in the first year of Jianzhong (780).

Constructing Political Science with Chinese Characteristics: Discipline, Scholarship and Discourse—The Example of the Restoration and Reconstruction of Political Science in China

Xu Yong and Ren Lu • 165 •

The features, style and scholarly character of philosophy and the social science

• 207 •

are the products of having developed to a certain stage, a sign of maturity, a symbol of strength, and an expression of confidence. In China, since its restoration and reconstruction in 1980, political science has devoted itself to the construction of political science with Chinese characteristics, which provides a benchmark for its development. China's unique political foundation, its unique political issues and its unique position in the changing world order make Chinese political science autonomous and self-constituting in scientific research, which means it has begun to show distinctive Chinese characteristics. Compared with European and American political science, political science with Chinese characteristics is characterized by Marxist guidance of the disciplinary system, the integrated orientation of the academic system and the inclusive features of the discourse system. With China's increasingly important role on the world stage, we have to be good at integrating all kinds of resources—ancient and modern, Chinese and foreign—and speed up the construction of political science with Chinese characteristics.

The Issue of the Rule of Law from the Perspective of Marx's Historical Materialism

Zhang Dun • 183 •

The core issue of law-based governance is the rule of law. The rule of law means the dialectical unity of the idea of law and reality. Based on Marxism's understanding of the rule and historical materialism, and guided by Marx's critique of legal philosophy, following the intrinsic dual structure of the idea of law and reality and combining the actual historical process of the development of modern rule of law, this paper mainly discusses the following three theoretical issues of the rule of law. Firstly, the foundation of the social material relations of the rule of law is the market economy. The rule of law itself is the product of the interaction between the reform of economic relations and legal relations. To be specific, it is the abstraction of property relations in the capitalist market economy that gives rise to modern law, and produces the formal justice of law embodied in the principles of freedom and fairness, and rights and obligations. Secondly, Marx's critique of the limitations and essential defects of the formal justice of law based on his historical materialism reveals higher goals or ideas for the modern rule of law. This is "social justice as substantive justice." More specifically, it aims to eliminate the oppression of bourgeois property rights and realize the social liberation of proletariat with the achievement of public welfare as the supreme goal of the rule of law. Thirdly, the theoretical effect of Marx's critique of legal philosophy on contemporary Western legal philosophy is reflected in contemporary Western philosophers' understanding of the modern rule of law. To a large extent, this understanding follows the theoretical direction revealed by Marx and transcends the Western tradition of the rule of law in the doctrine of formal justice. In addition, it emphasizes the status and significance of social justice as substantive justice in the rule of law, thus making the formal justice of law inherent in substantive justice as much as possible.

国家社会科学基金资助期刊

中国社会科学

SOCIAL SCIENCES IN CHINA

2021年 第2期(月刊)

主 管：中国社会科学院

主 办：中国社会科学院

(北京建国门内大街5号)

编 辑：《中国社会科学》编辑部

出 版：中国社会科学杂志社

(北京市朝阳区光华路15号院1号楼11-12层，邮编 100026)

编 辑 部：010-85886569

网上投稿：<http://www.cssn.cn/>

订阅电话：010-85885198

电子邮箱：skbfxb@126.com

数字订阅平台：<http://szyd.cssn.cn/>

网上订阅：中国社会科学网 <http://www.cssn.cn/>

中国社会科学杂志社官网 <http://www.sscp.cssn.cn/>

印 刷：北京科信印刷有限公司

订 阅 处：全国各地邮局

国外发行：中国国际图书贸易总公司

(北京 399 信箱 邮编 100044)

如发现印装质量问题，请与印刷厂联系调换。电话：010-62903036

ISSN 1002-4921



扫码订阅

刊号：ISSN1002-4921
CN11-1211/C

国内代号：2-531 国外代号：BM171 定价：100.00 元