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## ABSTRACTS

### **A Study on the Informal Third – party Product Liability Governance Mechanisms (2)**

*Wu Xiaolu* (College of Public Administration, Zhejiang University, Hangzhou 310027)

*Shi Jinchuan* (College of Economics, Zhejiang University, Hangzhou 310027)

**Abstract:** On the basis of the product liability models with exogenous private arbitrators and with endogenous private arbitrators, this paper discusses the functions of informal third – party product liability governance mechanisms, as an incentive system of care of participants, market equilibrium quantities, and standards of product defect and so on. This paper concludes that without formal third – party product liability governance mechanisms (including product liability law and product liability regulations), as ex – post rules of correcting the information asymmetry between producers and consumers, informal Third – party product liability governance mechanisms can effectively reduce the risks of product liability or perform more effectively than formal mechanisms .

**Keywords:** Product Liability, Care, Defect, Informal Third – Party Product Liability Governance Mechanism

### **On the Minimum Wage System of China: Probable Effects on Income**

#### **Distribution and Economic Development**

(11)

*Wang Dihai* (Institute for Advanced Study, Shenzhen University, Shenzhen 518060)

**Abstract:** Based on China’s special conditions, the paper discusses the probable effects of China’s minimum wage system on income distribution and economic development in a dynamic view. The paper concludes that a minimum wage system which adapts to China’s special conditions can have three effects in our country: Firstly, the minimum wage system can improve income distribution and abate income inequality. Secondly, the minimum wage system with different minimum wage standards in different districts will probably force some low – skilled industries to transfer from coastal region to inland regions, and improve our country’s industrial structure. Thirdly, the minimum wage system can force low – skilled people to invest human capital and thus improve our human capital.

**Keywords:** Minimum Wage, Industrial Structure, Human Capital Investment

### **Separation – of – Powers System: The Erroneous, Reviews, Denials and Heritage (18)**

*Zhang Jinsong* (School of Politics and Public Administration, Soochow University, Suzhou 215123)

**Abstract:** The separation – of – powers regime which stems from Western countries has been not only censured to be something of capitalism from time to time, but also praised highly by terms. To regain the correct understanding of the separation of powers issue has the significant meaning in modern times. The system of separation of powers was chosen by most countries after the Bourgeois Revolution not because they had to but happened to choose it. On the contrary, it was the only choice for the Americans because of the particular national condition at the time. Most western countries chose parliament aria, and the appearance of the separation of powers regime in the West is quite by accident. In China, although governments from Qing Dynasty to Kuomintang’s rule had been attempting to carry out the separation of powers regime, they have never achieved the goal of the separation and balance of powers. This would never be able to realize under the state system affected by powerful feudal influence. So the Communists in China denied the regime, and chose the National People’s Congress system independently. Although the separation of powers regime does not suit China, the

thought of the decentralization and balancing of the powers it manifests is the common spiritual wealth of human beings, and China should also learn from that.

**Keywords:** Separation of Powers, Regime, Representative System, Feudal Dictatorship, Independent Choice, Model

**The Study of Personality and Psychoanalysis in Political Psychology** (25)

*Wei Wanlei* (Literature Department, China Youth University for Political Science, Beijing 100089)

**Abstract:** Political psychology had its origin from the attention to personal mentality and physiological in politics. Therefore, the psychopathology study of political personality has been the topic of this subject. However, to political theorists and psychologists, the concept of personality has different ranges. Psychologists explain personality as behavioral responses faced various stimulation, while political theorists are inclined to explain personality as a kind of psychological defense mechanism and explore further the effect of this mechanism on political action. From concept to methods, psychoanalysis both deepens and challenge personality study.

**Keywords:** Political Psychology, Personality Type, Psychoanalysis, Personality – Politics Analysis

**The Construction of Rural Financial Legal System with Chinese Characteristics: Historical Contexts, Realistic Barriers and Future Developments** (33)

*Wang Yuyu* (Southwest University of Political Science & Law, Chongqing 401120)

**Abstract:** In the space and time dimension, the special word elasticity of “Chinese Characteristics” includes different connotations; it can not only refract the historical context of rural financial legal institutions’ evolution, dialysis the realistic embarrassments, but also contain the future development of rural financial legal institutions. It is the premise and crucial point for the reform and innovation of Chinese rural financial legal institutions to master the different “Chinese Characteristics” and clearly recognize the problems of the Chinese Characteristics’ development.

**Keywords:** Chinese Characteristics, Rural Financial System, Legal institution, Historical Context, Realistic Embarrassments, Future Development

**“Neighbors’ Litigation” Events and the Evolution of Japanese Personal Legal Awareness** (41)

*He Dong* (Nanjing Normal University, Nanjing 210097),

*Zhuang Yanfei* (Zhejiang College of Sports, Hangzhou 310012)

**Abstract:** Many Chinese scholars often cite Japanese legal awareness researches to prove their ideas in their exploration of legal awareness. In the Japanese legal academic system, there were heated debates about its “backward” national legal awareness from the 1960s. Many of their views could be beneficial to the thinking and specific design of Chinese legal system. Unfortunately, some Chinese scholars didn’t pay much attention to the Japanese legal theoretical background and academic evolution. And they even ignored the criticism of Japanese legal academic system to some of these views. In response to this phenomenon, by using the “neighbors litigation” of 1983 as an example, this article gives a brief review on how the Japanese legal academic system retro – reviewed the “backward” Japanese legal awareness after this event. This article also criticizes some basic ideas of Kawasimatakeyosi and Ookimasao. Furthermore, this article tries to sort out and analyze the evolution of the researches in Japanese legal awareness from the Japanese legal academic system. We hope these can give a more comprehensive and profound understanding of the Japanese legal awareness.

**Keywords:** Legal Awareness, Litigation Dispute Resolution, Neighbor Litigation, Abhorrence of Litigation

**On Discrimination in Sentencing Activities** (49)

*Zhang Xun* (School of law, Nanjing Normal University, Nanjing 210046)

**Abstract:** The similarity between Discrimination in sentencing and deviation in sentencing lies in that

both present unjust sentencing, while the difference is that the latter reflects the objectivity of sentencing but the former usually shows the judge's false moral judgments. The ethics of the discrimination in sentencing consists of two parts: ethics of judges and defendant. The analysis of ethics of discrimination in sentencing helps to find the reasons for sentencing discrimination, and therefore helps to find countermeasures to tackle discriminations in sentencing.

**Keywords:** The Discrimination in Sentencing, the Deviation in Sentencing, the Pedigree of Ethics

**The Essential Questions of Ecology Marxism and some Enlightenment to Us**  
 ——A Critical Perspective (56)

*Zhang Hongling* (Teaching – Research Office for Sociology and Science of Culture,  
 Zhejiang Provincial Party School, Hangzhou 311121)

**Abstract:** Nature, technology, consumption and capital not only are important questions of modernity but also are essential questions of the construction of ecological civilization. Ecology Marxism, based on theoretical resources of Marxism, analyses the root cause and solution to ecological problems in capitalist age. By reflecting nature, technology, consumption and capitalist system, ecology Marxism explores deeply into the contemporary core issue of global ecological problems. This paper analyses the core questions of Ecology Marxism, and obtains some enlightenment to construct ecological civilization.

**Keywords:** Nature, Technology, Consumption, Capital, Ecological Crisis

**Interpretation on Historical Dialectic of Marx's Ecological Ideology** (65)

*Cui Jianxia* (School of Humanities and Social Sciences, Beijing Institute of Technology, Beijing100081)

**Abstract:** It is not consistent with Marx's real idea to deny that Marx's philosophy and economics include ecological ideology or simply equal Marx's ontology thinking in being compatible between humans and nature to ecological ideology. Actually, Marx's thinking in nature is objective nature though subjective practice and Marx's thinking in human is realistic existence. The essential characteristics of Marx's ecological ideology depend on the unity thinking of two aspects: achieving both Humanitarianism and Naturalism. Of course, it is only a fundamental thinking from Marx. We believe that it is a mission of academic researchers to discuss how to achieve the goal in historical dialectic interaction.

**Keywords:** Marx, Ecology, Humanitarianism, Naturalism

**Ecology under the Tension between Morals and Interests** (70)

*Wang Jiquan* (Zhejiang Sci – Tech University, Hangzhou 310018)

**Abstract:** Ecological civilization is the achievement by people in their development of material civilization and their improvement of ecological environment, which is the cultural morals aimed at the harmonious co-existence, virtuous cycle, integrated development and continuous prosperity between men and nature, men and men, men and society. During the process of human material development, men are bound to exploit from their existing environment and certainly destroy environment to some degree, which is the inevitable outcome of men's demands for their own interests. Moral regulation is needed to adjust this beneficial relation, so there are everlasting contradiction and tension between morals and interests. In the improvement of ecological civilization construction, the relation between morals and interests should be dealt with appropriately and correctly.

**Keywords:** Morals, Interests, Tension, Ecological Civilization

**Shaoxing's Population Scale and Talent Prolific Phenomenon during Ming and Qing Dynasties** (74)

*Pan chengyu* (Yue Culture Research Center, Shaoxing University, Shaoxing 312000)

**Abstract:** "Notes of a Sea Voyage" written by Choe Po, a Korean official during the Ming Hongzhi years records that the population size and prosperity of Shaoxing was three times as much as those of Ningbo at that

time, which is drastically different from modern experience and statistics. Meanwhile, with regard to the rise and fall of the population of Shaoxing during Ming and Qing dynasties, there has been no systematic study. Based on previous results and the large amounts of historical data, this article points out that Shaoxing's population size was likely to have reached 6 million in the late Ming dynasty. Even a conservative estimate could reach 4.6 million, and Shaoxing's total population ranked first in the province in the heyday of the Qing Dynasty, a record of the highest population of Shaoxing which has never been reproduced. The author also believes that while Shaoxing culture got great development, Shaoxing became the cradle of the country's outstanding talents during Ming and Qing Dynasties and that Shaoxing's great cultural development benefited from the development of the population of Shaoxing.

**Keywords:** Shaoxing, Ming and Qing Dynasties, Population Size, Shaoxing Culture

**Discussion on Escaping Marriage and Becoming a Monk in Liu Dabai's Life** (83)

*Liu Jiasi* (Humanities College, Shaoxing University, Shaoxing 312000)

**Abstract:** A popular statement about Liu Dabai's life experience is that he once escaped marriage and became a monk, which originated from Tian Xing and Chen Yude. However, this statement is not true. Since Liu Dabai's first marriage in 1899, he had experienced painfully the loss of wife three times. He neither escaped marriage nor became a monk in order to escape marriage. He stayed at home during the period between 1899 and 1909, which was supported by the ample evidences in Liu Dabai's works. Consequently, this misconception should be corrected from now on.

**Keywords:** The Studies of Modern Writers, Liu Dabai, Life

**Distinctive, Profound and Pragmatic——**

**A Positive Analysis on the Academic Features in Shaoxing** (89)

*Liang Yong* (Law School, Shaoxing University, Shaoxing 312000)

**Abstract:** Grounded upon the positive analysis on the literati and academic features of Shaoxing since the East Han dynasty, which accumulated gradually in the Song, Ming and Qing dynasties, this paper sets out to present the opinions that the literati in Shaoxing featured themselves with distinctive critical spirits, profound insight, and pragmatic values, on which the distinguishing utility essence of the literati mentioned above was systematically based.

**Keywords:** Academic Features in Shaoxing, Traditions, Distinctive, Profound, Pragmatic

**On the Concept and Constituents of Traditional Sinology** (98)

*Song Zhiming* (Philosophical Courtyard of Renmin University of China, Beijing)

**Abstract:** From the view points of time, nationality, integrity, hierarchicness, the meaning of traditional sinology can be grasped. Confucianism, Buddhism and Taoism are the basic constituents of traditional sinology. Their theoretical features and spirit are "undertake", "wisdom witness", "beyond the free and easy" respectively. Three schools have "the cultivation of personality", "to yearn for beauty" and "social harmony" in common. The three schools combine together to build the spirit of the Chinese people in the world and to cultivate the spirit of the Chinese nation.

**Keywords:** Traditional Sinology, Characteristic, Consensus, Integration

**Rhetorical Purpose and Rhetorical Guiding Principle** (104)

*Hu Xizhi* (School of Chinese Language and Literature, Fuyang Teachers College, Fuyang 236041)

**Abstract:** Rhetoric aims at increasingly appropriate and effective communication through the optimum wordings. Rhetoric is characteristic with hierarchy. Conformity with communicative objectives is identified as rhetorical guiding principle which involves four maxims: (1) the content of rhetorical discourse is supposed to be suitable for communication; (2) the form of rhetorical discourse is required to be appropriate for communi-

cation; (3) rhetorical discourse can produce additional sensuous pleasure and intellectual persuasion; and (4) rhetorical discourse can bring a satisfactory reaction from audience

**Keywords:** Rhetoric, Rhetorical Purpose, Guiding Principle

**A Discussion of the Snake Metaphor and Its Changes in Modern Times** (110)

*Wang Shike* (CSLC, Zhejiang University, Hangzhou 310028)

**Abstract:** Snake is a key image in both Western and Chinese cultures. Based on the studies of mythology, folk literature and comparative literature, employing the blending theory of the cognitive linguistics, this paper analyzes the origins of the snake metaphor presented in *Mujiewen* written by Lu Xun and discusses the interesting extension of the snake image from the myth and folk literature to modern literature. We attempt to offer a linguistic angle to interpret Lu Xun's works and to study the literary discourse.

**Keywords:** Snake, Metaphor, Blending Theory, Lu Xun, Literature Analysis

**Development and Prospect on the Study of Community Structure** (116)

*Du Haifeng, Cai Meng, Yuan Tingting, Jin Xiaoyi, Feldman*

(Xi'an Jiaotong University, Xi'an 710049), (Stanford University, CA 94305 USA)

**Abstract:** Community structure is one of the important research hot spot in the field of complex network. The aim of this paper focuses on introducing the theory and method of community structure to the field of social science. Firstly, the concepts of community structure and modularity are introduced. Secondly, the gap between community structure and cohesion subgroup of social network analysis are summarized, again, the community structure studies of social networks also are explored. Thirdly, the basic characteristics of the network's community structure and the modularity are discussed, and a normalized modularity is put forward. Fourthly, a basic algorithm framework based on the modularity for detecting the network's community structure is summarized.

**Keywords:** Social Network, Community Structure, Modularity

**China Medical Anthropology Research Review since 1980** (123)

*Zhang Ning, Zhao Lisheng*

(Center for Studies of Minorities in Northwest China of Lanzhou University, Lanzhou 730020)

**Abstract:** Since the reform and opening in China, the medical on medical anthropology research has achieved great developments from zero startup, experiencing foreign theory translation and introduction, to assimilation of foreign theories to gradually localization of theories. This paper reviews thirty years of academic research work, with the intention of sorting out and analysing the achievements and shortcomings in the theoretical analysis and field practice of scholars so as to discuss the possible follow-up direction of research.

**Keywords:** Medical Anthropology, Research, Review

**Commentary of China's Rural Social History nearly A Decade** (131)

*Zhu Jue* (School of Humanities, Zhejiang University, Hangzhou 310028)

**Abstract:** In this paper, the research results of rural social history over the past decade are presented, including two categories, one is the synthesis research results, and the other is thematic research results. While reorganizing the series of fruitful results in the past decade of the field of rural social history, the paper points out that the decentralization of research vision, the new excavation and use of historical data, a variety of research methods applied in the study of the rural social history in recent years are our results. At the same time, the article points out that in future research, we should focus on contemporary rural society to serve the contemporary Chinese society, focus on case studies in order to avoid our research into a "from the conclusion to the conclusion" and we should use the methods of horizontal comparison and integration into the oral application, so that our research is more vivid, more close to the truth of history.

**Keywords:** Rural Social History, Commentary, Historical Paradigm

**Absorptive Capacity: Definitions and Determinants—A Literature Review** (136)

*Liu Qinghai* (Institute of Africa Studies, Zhejiang Normal University, Jinhua 321004)

**Abstract:** In recent years, Absorptive capacity has become the focus of many researches, especially education, technology diffusion and regional income gaps researches. The article reviews the definitions and determinants of absorptive capacity in literature. In the end, some suggestions are given.

**Keywords:** Absorptive Capacity, Education Level, Technology Diffusion, R&D Expenditure, Human Capital

**The Political Analysis of Relationship between Democracy and People's Livelihood - Empirical Research on Democratic Pattern of Hangzhou Urban Management** (143)

*Wang Kan* (Party School of the Zhejiang Committee of CCCP, Hangzhou 311121)

**Abstract:** The theory of "Democracy Promote People's Livelihood" is advanced experience of urban management, which has been created by Hangzhou citizens. It has paced the whole nation in both theory and practice view. Promoting solution of the livelihood issues by democratic work - style is the initial meaning of "Democracy Promote People's Livelihood". For several years, the "Democracy" has been changed from useful device to normal state of citizen's life. On this logic level, the theory of "People's Livelihood Promote Democracy" has taken on rapid and healthy development.

**Keywords:** Democracy, People's Livelihood, Urban Management

**Analysis of Zhejiang Non-governmental Finance and Guidance on Its Development under the Rule of Law—Meeting Summary of "Non-governmental Finance Guidance and Regulation"** (151)

*Li Youxing, Xu Yating, Li Longzheng, Chen Feidan, Fan Junhao*  
(Guanghua Law School, Zhejiang University, Hangzhou 310018)

**Abstract:** The seminar of "Non-governmental Finance Guidance and Regulation", based on the current situation of Zhejiang non-governmental finance, analyses its existing problems and reasons. On the basis of determining the nature and classification of the non-governmental finance, the seminar probed into some important issues, such as the legal validity of the loan contract between enterprises, the demarcation between the non-governmental finance and illegal fund raising, the adjustment of interest rate, the legal liability and so on. Under the premise of the "autonomy of will" principle, the experts and scholars put forward ways to regulate and guide the non-governmental finance. They designed a governmental supervisory system of the non-governmental finance including the regulatory mode, regulatory content, regulatory body, the regulatory measures, etc. Finally, as the core of the governmental supervisory system, they did specific study on the governmental register system.

**Keywords:** The Non-Governmental Finance, Government Management, Register