

# 浙江社会科学

ZHEJIANG SOCIAL SCIENCES



首批国家社科基金资助期刊  
全国中文核心期刊  
全国人文社会科学核心期刊  
中文社会科学引文索引 (CSSCI) 来源期刊

2015.2

# 浙江社会科学

(月刊)

2015年第2期

(总第222期)

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155 本期英文提要(ABSTRACTS)

本期执行编辑 徐灵燕

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## ABSTRACTS

### Comprehensively Promoting the Guiding Principles of the Law Construction for Human Rights: Interpretation of Human Rights on the Spirit of the Fourth Plenary Session of the 18th Central Committee (4)

Wang Xigen

(*School of Law, Wuhan University, Wuhan 430072, China*)

**Abstract:** Human rights are the logic origin and ultimate value goal of rule of law, and the law construction for human rights is the essential requirement for the comprehensive promotion of ruling the country by law. The comprehensive promotion of the law construction for human rights should be oriented by China's core values and issues, and its basic principles are the legalization of core interests, the programming of people subject, the equalization of legal status and the realization of national human rights situation. Furthermore, the human rights legislation system should be optimized from leadership, authority, judgment and democracy rights of human rights legislation, during which the law construction of economic, political, social, cultural and ecological rights should be more emphasized.

**Key words:** human rights; rule of law; reform

### An Analysis of "Society Ruled by Law": "Society-centered" Investigation (13)

Sun Wenkai

(*Law School, Nanjing Normal University, Nanjing 210023, China*)

**Abstract:** The characteristics of the mainstream views about the relationships between the state and society determine the singleness of the connotation of society ruled by law. According to the Marxism theory about human's natural, social and practical features as well as the theory about the existence ways being living in the state, society and community for humans, society ruled by law should include "the people society ruled by law", "the subject society ruled by law" and "the civil society ruled by law". "The people society ruled by law" mainly reflects the "political person" property of the social subject, and the core content is legal norms and limiting powers. "The subject society ruled by law" mainly reflects the "economic person" property of the social subject, and the core content is right guarantee and the administration by law. "The civil society ruled by law" mainly reflects the "lawyer" property of the social subject, and the core content is legal consciousness and the abundance by law.

**Key words:** Marxism; human nature; society ruled by law; connotation

### The "Name" and "Essence" of Constitutional Oath System (21)

Liu Liantai, Zhou Yu

(*School of Law, Xiamen University, Xiamen 361005, China*)

**Abstract:** The essence of constitutional oath system lies in the "constitution", it is an important way of constitution implementation. The "name" of constitutional oath system lies in the "ceremony", it is a kind of public expression of treating the constitution seriously. China's constitutional oath system has a fully constitutional basis, foreign constitutional oath system and the local practice of oath system provide ample intellectual resources for normatively constructing China's constitutional oath system.

**Key words:** constitutional oath; constitution implementation; ceremony; construction

**On the Basic Structure of China's Cultural Legal System**

(28)

Zhou Gangzhi

(*Law School, Central South University, Changsha 410012, China*)

**Abstract:** Cultural law belongs to emerging research fields in the United States, while it mainly embodies as the doctrines of "cultural constitution" and "cultural state" in Germany. The establishment of China's cultural legal system mainly embodies as the establishment of cultural law system and its implementation mechanism. Referring to German cultural constitutional jurisprudence, China should take "cultural constitutional norms" as the "top of pyramid", and construct a multi-level regulation system which consists of "cultural public law", "cultural private law" and "cultural economic law". The establishment of cultural legal system can be achieved by the "legislation enforcement mechanism" of "cultural constitution", and the improvement of cultural legal system can be achieved by the "standard integration mechanism" of "cultural constitution".

**Key words:** cultural law; cultural right; cultural public law; cultural private law

**Product Relative Price, Factor Endowment and Factor Income Distribution**

(33)

Fan Zhiyong<sup>1</sup>, Song Jiayin<sup>2</sup>

(*1.School of Economics, Renmin University of China, Beijing 100872, China; 2.School of International Studies, University of International Business and Economics Beijing 100029, China*)

**Abstract:** According to the Stolper-Samuelson theorem, in a country with rich labor resources, foreign trade can promote labor's income. However, since the middle of 1990s, labor income share in the total output continues declining in China. This paper finds that the relative price decrease of export products and the relative price rising of import products caused by exchange rate reform and aggregate demand structure distortion since the middle of 1990s have great negative effects on labor factor income share. The results based on translog GDP functions and seemingly unrelated models provide the theories and substantial evidence basis for the paper.

**Key words:** relative price factor; factor endowment; income distribution

**The Consumption Behavior of Urban Residents from the Perspective of Life Cycle:  
Empirical Analysis Based on the Micro Data of China**

(43)

Li Xiaojia<sup>1</sup>, Jiang Cheng<sup>2</sup>

(*1.College of Public Administration, University of International Business and Economics, Beijing 100029, China; 2.College of Education, Peking University, Beijing 100871, China*)

**Abstract:** Using the micro data of 5121 urban households in 25 provinces by CFPS in 2010 and 2012, this paper combines LC-PIH model with the precautionary savings to study the influencing factors of consumption in urban families. The analysis shows that the positive effect of permanent income on household consumption is greater than the temporary income and assets. The uncertain income has a negative impact on the household consumption. Medical and unemployment insurance has a positive effect on consumption, while endowment insurance has a negative effect on consumption. The further analysis shows that the expenditure in low and middle consumption households is more sensitive to income than high ones. The negative effect of uncertain income on the expenditure in low consumption households is larger than that in high ones. The positive effect of medical insurance on expenditure in middle and high consumption households is greater than that in low ones. Unemployment insurance is just the opposite. The negative effect of endowment insurance on the expenditure in middle and high consumption households is greater than that in low ones.

**Key words:** urban residents; consumption behavior; life cycle

**On the Economic Approaches for Regulating NIMBY Conflicts and Externalities**

(54)

Zhou Yayue<sup>1</sup>, Yu Haishan<sup>2</sup>

(1. *School of Politics and Public Administration, Zhejiang University of Technology, Hangzhou 310023, China*;  
2. *Zhejiang International Studies University, Hangzhou 310012, China*)

**Abstract:** NIMBY (not-in-my-backyard) conflicts are the products of history. In the view of the conflicts between the environment and the public demand, the NIMBY conflicts will become even more violent. The fundamental reason is the negative externalities caused by the NIMBY projects. The mechanism of using economic approaches to reduce the negative externalities is to lower the excess supply of NIMBY projects and reduce the public resistance against those projects. There are two major approaches, auction market and negotiation market. However, either approach requires the public to have strong degree of organization, sense of participation as well as strong credibility of government and businesses.

**Key words:** NIMBY (not-in-my-backyard) conflict; externalities; economic approach; regulate

### **On the Development of Urban Community Mental Health Services in the View of Public Governance**

(60)

Huo Tuanying

(*Department of Public Administration, Party School of CPC of Hangzhou Municipal Committee, Hangzhou 301124, China*)

**Abstract:** Personal psychological problem will expand to a major public health problem and serious social problem if it comes out in extreme forms. In recent years, many domestic cities provide mental health services for the residents in the community. Now the public governance theory is gradually popular and localized in China, it provides a new perspective to study how to better develop community mental health services. Basing on this, the research draws a conclusion that the government, the mental health service agencies and residents play important roles in community mental health service system. They work together to promote the sound development of community mental health service work.

**Key words:** urban community; public governance; mental health services

### **From Passive to Active: On the Language Environment and its Assimilation Paths of New Generation of Migrant Workers ——From the Perspective of Social Linguistics**

(66)

Li Hong

(*College of Humanities, Ningbo Dahongying University, Ningbo 315175, China*)

**Abstract:** In the process of China's urbanization in China in China in China in China, the new generation of migrant workers should take the initiative to adapt to the language environment of the inflow cities and change the original language habits and ways of communication so as to change from passive acceptance to active application of language attitude, language affection, language assessment and language use. Basing on the social investigation, this paper takes the new generation of migrant workers as the objects and language assimilation as the main research content, analyzes the ecological environment and the evolution process of migrant workers' language from the perspective of social linguistics. Through the study, some main methods and development paths of language assimilation for migrant workers are put forward, which provide the theoretical support and practical strategies for enhancing the urban development capacity of migrant workers, improving their income, perfecting their living conditions and speeding up social integration.

**Key words:** new generation of migrant workers; language environment; language assimilation; methods and paths

### **New Social Capital Construction for the New Generation of Migrant Workers: Based on the Perspective of Employee Assistance Program**

(73)

Zhang Hongru, Ma Jiqian

## ABSTRACTS

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(*College of Business, Changzhou University, Changzhou 213164, China*)

**Abstract:** The city integration of the new generation of migrant workers is an urgent strategic problem in the process of people's urbanization. Employee assistance program promotes the new generation of migrant workers families integrate into the community, the individual integrates into the enterprises, the groups integrate into the society and the children integrate into the schools, and in turn enhances the secondary type social capital, organizational social capital and institutional social capital, so then forms a three-dimensional support network with the community, enterprises, government, market and society, constructs the new social capital for the new generation of migrant workers and promotes the new generation of migrant workers to realize their "dream city".

**Key words:** employee assistance program; new generation of migrant workers; new social capital; city integration

### **On the Interactivity of Production and Communication**

(78)

Guo Xiangcai

(*Department of philosophy, Party School of Zhejiang Committee of the CPC, Hangzhou 311121, China*)

**Abstract:** Production and communication are two basic complementary attributes in social activities, both play essential roles in the social and historical development. This is not only a fundamental principle of Marxist historical materialism, but also a basic premise of historical viewpoint of overstepping development for the late developing countries. Respecting the law of production-communication interactivity and choosing the way of overstepping development are of great significance to the realization of China dream as well as the rejuvenation of China.

**Key words:** production; communication; interactivity; overstepping development

### **Deconstruction of the Media Myth "I Said, Therefore I Am": The Linguistics Mechanism**

#### **Analysis about the "Construction of Subject" by Media Information Method**

(83)

Li Xizhen, Ma Min

(*Lanzhou University, Lanzhou 730000, China*)

**Abstract:** Mark Poster has a functional theory about how medium information to construct the subject in his books that *The Mode of Information* and *The Second Media Age*. Actually, it can be seen as the deconstruction of the medium myth that "I said, therefore I am". The essence of "subject construction" is that the medium plays the main function of "subject" evocation in the false ideology level, that is to say, the "subject" which is constructed by the information mode is actually the "another me" rather than "real me", is the product of "I was said, therefore I am" instead of "I said, therefore I am."

**Key words:** Mark Poster; medium myth; information mode; language construction; subject construction

### **Reinterpretation of Marxist Media View from the Perspective of New Media**

(92)

Chen Linbin

(*Zhejiang University of Media and Communications, Hangzhou 310018, China*)

**Abstract:** With the development of information network technology in the age of new media, the information and communication technology represented by internet appears and quickly becomes a major position for the public opinions. Basing on the situation of China's social network development, the present paper reviews the interpretation and development track of Marxist media view, analyzes the development reform process, the communication laws and the realistic risks of new media technology, and explores the reinterpretation of Marxist media view in China in the age of new media.

**Key words:** new media; Marxist media view; internet



**Law Spirit and Constitutional Consciousness :  
The New Research of *Ming Yi Dai Fang Lu* · *Yuan Fa*** (98)

Gu Jianing

(*Institute for Advanced Studies in Humanities and Social Sciences, Beihang University, Beijing 100191, China*)

**Abstract:** In the essay of *Ming Yi Dai Fang Lu* · *Yuan Fa*, Huang Zongxi not only transforms the law spirit from the law for emperor to the law for people, but also takes three generation of the testimonies of spirit and model system from the Six Classics as the basic constitution which has priority to the monarchical power while makes Confucian scholars as lawmakers. Therefore, it shows a clear consciousness of classical constitution. The political system of *Ming Yi Dai Fang Lu* contains a quite complete plan of classical constitution. Basing on the political wisdom of modern and even pre-Qin Confucianism, Huang Zongxi expresses the idea of classical constitution most distinctly, which makes a breakthrough in the conception about political system. In a word, *Yuan Fa* is in the core position of Huang's political thought while *Ming Yi Dai Fang Lu* can be seen as a political program centered on it.

**Key words:** Huang Zongxi; *Yuan fa*; classical constitution; govern the law; govern the people

**Aesthetic Modernity and Artistic Autonomy** (107)

Feng Liming

(*School of Literature, Wuhan University, Wuhan 430072, China*)

**Abstract:** Artistic autonomy is a basic principle of aesthetic modernity, which for a long time dominates artistic ideas and theories, and is the meta narrative of modern experimental art. Aesthetic modernity is the product of civil society, representing the ethos and politic appeals of enlightenment discourses. The fighting for the leadership in culture between civil society and the aristocratic in the age of enlightenment is the historic mechanism for the formation of aesthetic modernity, which first appears in Kant aesthetics, then undergoes through the modern currents of aestheticism, critic theories, formalism, new left thoughts, and becomes an ideology with a function of redemption. After the Second World War, civil society acquires the leadership in culture, the contradiction between civil society and aristocratic nation which causes the birth of aesthetic autonomy since the age of enlightenment vanishes gradually, naturally the theory of artistic autonomy comes to an end.

**Key words:** modernity; aesthetic modernity; artistic autonomy

**"Narration without Innovation" and the Cultural Genes in Bureaucratism** (113)

Liu Chang

(*School of Literature, Nankai University, Tianjin 300071, China*)

**Abstract:** Cultural ideology is one of perspectives in the academic discussions about sociological damages and causes of Bureaucratism, such as "narration without innovation". Narration without innovation contains the cultural genes of Bureacratism. It is not only a cultural attitude and mode of thinking, but also reveals the consciousness of arbitrary hierarchy in Bureacratism. Ancient scholars' reverence for "innovative thoughts" can be seen from the thoughts including "original fault of subjects", teachers and government officers as one, saints create and sages narrate, and classification of academic articles. In Chinese traditional culture, Bureacratism dominates not only social resources such as material, properties and all kinds of privileges, but also has the right to dispose cultural resources like language and publication. It even exists in the relationships of cultural innovation and inheritance. Therefore, the relationships between writing and narration may provide another path of studying China's Bureacratism.

**Key words:** narration without innovation; bureacratism; cultural genes; saints create and sages narrate



**The Concept, Measure and Impacts of Social Network: A Literature Review** (122)

Guo Yunnan<sup>1</sup>, Zhang Jinhua<sup>2</sup>, Huang Xialan<sup>1</sup>

(1. *School of International Trade and Economics; University of International Business and Economics, Beijing 100029, China*; 2. *College of Trade Economics and Management, Zhejiang University of Technology, Hangzhou 310023, China*)

**Abstract:** Starting from the concept of social network, this paper interprets its meaning, different measure methods and the impacts on the microeconomic behaviors. Specifically, as a kind of social capital, social network plays important roles in smoothing consumption, increasing investment and financing, promoting employment, reducing poverty and improving income distribution because of its advantages in sharing information, providing guarantees and sharing risks. Also as an informal institution, social network can compensate for the defects of the formal institutions in resource allocation. More importantly, the gradual development of formal institutions (such as the formal financial system, democratic elections) may weaken or strengthen the impacts of the social network in its former structure.

**Key words:** social network; social capital; informal institution; literature review

**"Public Sphere" and Market Economy** (133)

Feng Gang

(*Department of Sociology, Zhejiang University, Hangzhou 310027, China*)

**On the Path of Economic Responsibility Audit Servicing State Governance  
from the Perspective of Ruling the Country by Law** (137)

Qian Shuixiang, Ge Xiaolin

(*Shaoxing University, Shaoxing 312000, China*)

**Abstract:** Economic responsibility audit is not only an important way to strengthen the power restriction and supervision, but also is the effective measure to improve the efficiency of state governance and promote ruling the country by law, it is the best point for national audit to participate governance. At present, economic responsibility audit faces higher requirements and new challenges under the background of the modernization of national governance ability and ruling the country by law, therefore, exploring the path of economic responsibility audit servicing state governance has an important significance. Deepening economic responsibility audit needs to implement the power list system, improves the audit results announcement system, innovates the audit mode of equality and interaction, and strengthens the cultivation of culture for responsible government, to better serve the country governance.

**Key words:** economic responsibility audit; state governance; ruling the country by law

责任编辑 徐灵燕

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声 明

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封面设计：田田

主管：浙江省社会科学界联合会  
主办：浙江省社会科学界联合会  
编辑：《浙江社会科学》编辑部  
出版：浙江社会科学杂志社  
国内统一刊号：CN33-1149/C  
国际标准刊号：ISSN1004-2253  
国内发行：浙江省报刊发行局  
国外发行：中国国际图书贸易总公司  
订阅处：全国各地邮局  
国内邮发代号：32-102  
国外发行代号：BM4573  
定价：18.00元

网 址：<http://www.zjskw.gov.cn>  
投稿网页：<http://www.zjskw.gov.cn/index/tougaolist.aspx>  
广告经营许可证号：3300004000069  
印 刷：浙江海虹彩色印务有限公司  
出版日期：2015年2月15日  
地 址：杭州市省府2号楼  
电 话：0571-87053204  
邮 编：310025

ISSN 1004-2253



9 771004 225157