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ABSTRACTS

Development Contrail and Current Mission of Scientific Socialism

(4)

Duan Zhiwen, Shi Ran

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Abstract: The production of socialism needs two basic conditions, productivity and democracy. For this precondition, Marx and Engels conceived that socialism must come into being in advanced capitalism countries. Lenin had accomplished switched and brought socialism into the countries with backward economy and culture. For this, he pursued making up the two bases. After that, Stalin and Mao Zedong appeared departure during exploring the road of socialism construction. On the foundation of reacquainting the socialism essence, Deng Xiaoping returned to Marx& Engels, also to Lenin. That is to make up the two bases again. Now the base of productivity has been made up well, and the base of democracy needs to step further. During the progress of conceiving, switching, departure and recurring, the historic development of scientific socialism clearly indicates its current mission for its going a step further.

Key words: scientific socialism; historic contrail; current mission

Does Trade Openness Reduce Gender Discrimination in the Labor Market?

(10)

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Abstract: As a global phenomenon, gender discrimination reduces the economic efficiency. Becker (1957) came up with the view that trade openness intensifies the competition in product market thus forces many companies to drop gender discrimination policy which is costly. This will lower the extent of gender discrimination in the labor market. To verify this theory, this paper conducts empirical analysis using the panel data of 196 countries from 1990 to 2012. The results show that trade openness does increase women's labor participation rate compares to men and ease gender discrimination. We control many other factors which may possibly influence gender discrimination and subdivide the sample into several groups. And find this conclusion is robust and can be applied to different regions although with minor differences. This confirms Becker's theory to a certain extent.

Key words: trade openness; gender discrimination; market competition

Risk Appetite, Externalities and Transplant of Labor Standard

(17)

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Abstract: The signal effect of labor standard shows different characteristics in developed and developing countries while consumers' feedback to labor signal may have different characteristics. This paper not only theoretically proves the different characteristics and causes of transplant of labor standard between the developed and developing countries, but also analyzes the impact on the suppliers' net welfare and equilibrium labor standard with the positive externalities of labor standard. The study shows that, when the suppliers are risk-neutral, the final equilibrium labor standard is higher than that in which the suppliers are risk-averse under the game of buyers and sellers. When labor standard embodies the positive externalities in scale and efficiency type, the final net earnings of suppliers increase more. Meanwhile the equilibrium labor standard

will improve accordingly.

Key words: risk appetite; externalities; labor standard

On the “Public Nature” of Public Policy

(25)

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Abstract: When people use the word of “public policy”, they mean the policy is public. But the public nature of policy is not born to be. Historically, public is the product of industrialization and public policy appeared in the society since modern times. In the industrial society, the public policy is obtained through the democracy of representative system and scientific path, but both the ways eventually realize the formal public nature of policy while the substantial public nature of policy is lost. In the 1960s and 1970s, along with the rise of democratization, policy system is more and more open and inclusive. Mass and elite will both participate in the policy process and construct public policy in the relationship of mutual equality and mutual respect. Only then can the policy obtain the substantial public nature.

Key words: public policy; public nature; formal public nature; representative system; scientific

Evolution of Political Order and Family Law—Experience of China and Its Meaning

(34)

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Abstract: This paper stated the relation between evolution of political order and family law in historic context of China with “structure of political order” as the core concept. Family law is featured by general features of private law like equality and autonomy and it adjusts the most “primary” intimate relations as a department law with the strongest ethicality. By intervening into spontaneous order of humans, it participates in structuring the structure of political order, thus influencing its evolution. In this process, family law keeps its own rules and continuity to restrict, normalize and transfer changes of political order. On the other hand, political order needs to depend on the feature of family law to weaken the color of mandatory structuring and enhance its own legality approval. Therefore, family law is one of the prior solutions when structure of order under its dominance is imbalanced and changes also rely on its balance and stability.

Key words: structure of political order; family law; field; balance

Legal Validity Analysis on Relinquishment of Priority Right of Price to Be Repaid in Construction Project

(42)

Chen Xinyong

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Abstract: The Contractor’s relinquishment of priority right of price to be repaid in Construction Project neither stops the generation of the priority right, nor abolishes the priority right, but it may set the contractor an obligation of not executing the priority right over specific mortgagee. Not executing the priority right over specific mortgagee is essentially to relinquish or modify the repayment order of the creditor’s rights. Only in the case of not violating the social public interest, the repayment order between the priority right and the mortgagee’s right can be relinquished or modified.

Key words: the priority right of price to be repaid in construction project; relinquishment; legal validity

**Between Legal Requirements and Public Opinions:
A Methodological Reflection Based on Law as A Flexible Order**

(49)

Song Xuguang

(*China University of Political Science and Law, Beijing 100088*)

Abstract: It is a dilemma for a judge who faced with the double demands of adjudication pursuant to law and of respect for public opinions. There maybe two ways to free oneself from the dilemma: first, there is no absolute conflict between legal requirements and public opinions in most cases, instead it is opinions

clash between judges and ordinary people for understanding statutes or tension between obligation to obey the law and individual justice; secondly, adjudication pursuant to law is not a rigid concept of formalist jurisprudence or a myth like what legal sceptics thought of. Law is a flexible order which makes it possible for judges to respect and even absorb reasonable parts of public opinions as much as possible on the premise that complies with their obligations of the rule by law. The limits of the flexibility can be measured in legal methodology while allocation of the burden of argumentation and arrangement in legal procedure will provide a rational justification and institution guarantee.

Key words: adjudication pursuant to law; public opinions; flexible; defeasibility; legal justification

New-type Community and Community Economy (56)

Pre-study On Community and Community Economy (*Li Yong*, Hang Zhou Municipal Social Governance Research & Assessment Center), Boosting Effective Integration of Society and Market through the Development of Community Economy (*Hu Zhengyu*, Hangzhou Development Research Center), Implications of New-type Community and "Charismatic" Leaders (*Pan Yihe*, College of Media and International Culture, Zhejiang University), New-type Community Gives Impetus to Economic Transformation and Upgrading (*Sun Yin*, Hangzhou Development Research Center), Neo-Community Economy and the Transition Development of Firms (*He Fang*, Hang Zhou Municipal Social Governance Research & Assessment Center)

Institutional Dominate: the Relationship between Township-government and Village Organization during the Process of the Innovating of Rural Governance (68)

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Abstract: Institutional dominate, a particular relationship between township-government and village organization, was formed during the process of the innovating of rural governance in recent years. It means township-government dominate village organization by the way of establishing systems and regulations. Institution is a governance technique, dominate is its purpose, and organizational integration is an essential way of it. The township-government regained allocative resources from fiscal transfer and micromanagement remodeled authoritative resources of the township-government. The character of institution and the institutional environment under the background of modernization of the rural governance made institutional dominate become a choice of the township-government. Institutional dominate enhanced the control upon the village organization, which contribute to implement the national will. However, it also has faced many problems and will lead to a series of governance dilemma.

Key words: institutional dominate; relationship between township-government and village organization; organizational integration; governance technique

"Individual Development": Theoretical Foundation of Wilhelm Von Humboldt's Idea of Society (73)

Sun Weihua

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Abstract: Humboldt's idea of society based on his theory of individual development. Society formation starts with the instinctive combining of individual human being, which stimulates individual development; individual liberty has an effect on individual development, which in turn improves social order. Social development means that society better meets the requirement of individual development, an outcome of individual development. Based on individual development, Humboldt tries to bridge the gap between individual and community by the way of emphasizing interactions between the two on the one hand, and highlighting individual on the other hand.

Key words: Humboldt; individual development; society formation; social order; social progress

ABSTRACTS

Study on "Potential Science–Wu Fuping Coefficient" ——from A Perspective of Symmetry and Aesthetics

(78)

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(1. *Zhejiang Academy of Arts and Culture, Hangzhou 310013*; 2. *Xi'an Jiao Tong University, Xi'an 710000*)

Abstract: The world we exist in is very likely to generate, transform and evolve under the domination of a few simple rules. If the material world can indeed perform "more is more", "more is one" and "one is zero" in and between the different levels, then all the important natural scientific problems can boil down to the potential function problem which is made up of derivative or partial derivative. That will be scientific and effective. If the ultimate designer considers fully the organic beauty of consistency and variability, symmetry and diversity, difference and connection, then the combination of the potential science and Wu Fuping Coefficient theory, perhaps can make us to have a deeper insight into the material world and all the operational mechanisms of the dynamic complex organic self-feedback systems through a new perspective.

Key words: potential science; golden section law; "the rabbit problem"; Wufuping Coefficient

Analysis on Justice Theory of Amartya Sen

(89)

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Abstract: Amartya Sen criticizes transcendental institutionalism with social realism method in methodology, uses open neutrality instead of closed neutrality in defining the form of justice. Meanwhile, in the concept of justice, Sen discusses freedom and equality based on feasible ability, emphasizes the importance of the right with purpose-right theory, and then considers that legal rights are as important as moral rights. Sen's justice theory is unique which takes on three aspects. Firstly, its methodology is realism. Secondly, the viewpoint of justice includes pluralist culture and various idea of justice. Finally, the theory of justice concerns about global justice.

However, Sen's justice theory has some limitations. For example, the reflection of the neutral spectator is hard to guarantee the neutrality and objectivity of the justice, the conclusions lack of convincing because of reconciling apparently opposing views. In addition, for his strong tendency of Reformism, the doctrine of justice has limited the attention of the reality.

Key words: justice; feasible ability; freedom; equality

The Moral Conflict in Medical Ethics Review and the Construction for Procedural Consensus

(98)

Liu Chanjuan

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Abstracts: With the rapid development of modern biological science and technology, all sorts of relation that makes human beings exist has been deeply changed, and it also created numerous and complicated ethical dilemmas and even ethical conflict. That all brings out unprecedented challenge for the review work of medical ethics. Ethical reason appears the finiteness of rationality clearly and then it is hard to give the rational interpretation for solving ethical dilemmas under the realistic predicament when medical fields facing cultural diversity, scientific ambiguity, relativity of medical ethics appraisal and so on. Then how to keep the ethical balance and solve the ethical dilemmas for the review work of medical ethics? Maybe Engellaardt's procedural consensus could provide a feasible and reasonable way to solve the realistic problems of moral ambiguity and conflict.

Key words: review of medical ethics; ethical conflict; procedural consensus

Human Capital Agglomeration and Regional Innovation: Evidence from Zhejiang

(103)

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Abstract: This paper examines the effect of human capital agglomeration on regional innovation from the perspective of agglomeration economy. We propose three densities of professionals, college graduates and

skilled workers to measure human capital agglomeration. Using a county-level panel dataset from Zhejiang province, our fixed effect estimation result shows that the agglomeration of human capital is conducive to the improvement of regional innovation. One increase in the density of professionals, measured as number of professionals per square km, is associated with 5.6 percentage increase in regional innovation. Our estimates indicate that the increase in the density of professionals over the sample period can account for about 10.5% of the improvement of regional innovation in Zhejiang province. Our results provide some implications for implementing regional innovation-based development strategy.

Key words: human capital; regional innovation; agglomeration

Saul Bellow's Conservative Attitude in 1960s: on Herzog and Mr Sammler's Planet (109)

Wu Yuesu

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Abstract: In the 1960s, Bellow as a typical conservative writer, expressed his openly critical attitude to the radical movement in America. In his two representative novels *Herzog* and *Mr Sammler's Planet*, he made a detailed description of the chaos of the Age as well as the individualistic moral disorientation of modern society. Based on a rational and traditional cultural horizon, he deeply reflected the problems of the 1960s and modern society, by using his realistic narrative strategy.

Key words: Saul Bellow; 1960s; conservative

Human Self-Verification and Confusion:

A Rebours Regarded as the Spiritual Specimen of Decadence (114)

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Abstract: A Rebours gives the description of a morbidly aesthetic syndrome about the decadent Des Esseintes. Based on the related issues of The New Practical Aesthetics, it could be found that A Rebours presents the structure of human self-consciousness in Des Esseintes's aesthetic activity. His aesthetic activity gives the answer to "the essence of art and beauty" in the practical way: a verification of human affection. Des Esseintes's aesthetic activity is the alienation of the process of "nature transforming to human". His morbid symptom is the loss of the sense of freedom which is caused by the obstruction of emotional communication in the objectification. His story is the tragedy spiritual specimen in that specific time.

Key words: Joris-Karl Huysmans; A Rebours; self-verification; decadence

"Boudoir Reclusion": Identity and Value Selection of Talented Women in Late Ming and Early Qing Dynasties (120)

Lou Hansong, Wu Lin

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Abstract: The attitude and behavior pattern of "boudoir reclusion" by talented women in the late Ming and early Qing dynasties has broken the traditional "wife of a hermit", which attached to the husband. Under the special environment in this period, the talented women actively seek social identity as an independent hermit, as well as expand identity by different ways of reclusive lives. The important role women playing in the family's choice of reclusion, and the change of roles, provide a new dimension on the study of reclusion culture.

Key words: late Ming and early Qing dynasties; talented women; reclusion

A Concise Inquiry on the Chinese References in Max Weber's Confucianism and Taoism (126)

Wang Shuihuan

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Abstract: This article listed the Chinese References that Max Weber had cited in his famous book

ABSTRACTS

Confucianism and Taoism, it claims that some scholars criticized Max Weber's Chinese Study accomplishment just because of Weber's shortcomings of understanding Chinese literature, it is somehow unfair to Max Weber. Based on a closely check on the China related references in Confucianism and Taoism, the author found that Weber had made the best of using the China Study accomplishments in Europe in that era, this even contain his explanation on Dunhuang Documents. As far as the criticism from the so-called "academic standard" was concerned, the author gave us examples of other two famous scholars Chen Yinkoh and Marcel Granet, on the comparative study, this article gave a vivid scene about the "academic ecological system" in Germany in 1920s. Max Weber's contribution to "paradigm innovation" of comparative historical analysis played more essential role on theoretical enlightenment than its shortcomings in Chinese references.

Key words: Max Weber; Confucianism and Taoism; European Sinology; Chen Yinkoh; Marcel Granet

Policy Analysis of the Clean Energy Development in China under the Perspective of Policy Tool

(140)

Zhao Haibin

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Abstract: The development and utilization of clean energy promotes the coordinated development of energy, economy and environment. Since the Eleventh Five-Year Plan, China has made a series of policies to increase the guidance and support for the development of clean energy. In the paper, the clean energy policy analysis framework was established using Rothell and Zegveld's three different types of policy tool theory and clean energy industry chain. Then, the clean energy policy in china was analyzed by the methods of statistical analysis and content analysis. The problems existing in the selection and use of policy tools were presented, and the corresponding policy optimization suggestions were put forward.

Key words: clean energy; policy tool; statistical analysis; policy optimization

Research on Plaintiff Qualification of Civil Environmental Public Interest Litigation

(145)

Bai Yan

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Abstract: With public concern about the living environment over importance of economics, moreover, since the local government still has some local protectionism, making victims of environment pollution cases seek administrative relief is not valid. Thus, civil environmental public interest litigation was prominent. While before civil public interest litigation and Environmental Protection Law changed, some provinces introduced the relevant interim measures, but for the plaintiff qualification in civil environmental public interest litigation has a big difference. In this paper, combined with the newly revised civil public interest litigation and Environmental Protection Law, and compared extraterritorial judicial experience to analyze the plaintiff qualification, making some theoretical contribution to our country's civil environmental public interest litigation.

Key words: civil environmental public interest litigation; plaintiff qualification

The Cultural Responsibility of the Rural Teachers in the New Rural Construction

(150)

Wu Huiqing, Guo Wenjie

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Abstract: The rural teachers should participate in construction of new rural culture and the cultural mission of intellectuals while they imparting knowledge and educating children. At present, marginalized in the role of the rural public life, the rural teachers will face a new crisis, which has revealed the lack of identity and publicity, the backwardness of the local knowledge's conservation and development, the urgency of improving cultural quality. Hence, rural teachers should be involved in construction of rural community culture, improve the effectiveness of local culture education through direct method and indirect method to fulfill the responsibility of the new rural cultural construction.

Key words: the new rural construction, rural teachers, cultural responsibility

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