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ABSTRACTS

Janus of the West: Civilization and Power ——Vision of the West of Modern Chinese Intellectual Elites (4)

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Abstract: Civilization and power, as two sides of one coin of the paradox of western society since ancient times, accompanied the history of social evolution in Europe. The contending struggle between reason and force is a microcosm of the dialectics of civilization. After the Sino-Japanese War of 1894–1895, Chinese Enlightenment intellectuals who pursued modernization came to understand the historical trend of world modernization by recognizing the “West”—the Janus who combines modern civilization and imperial power in one, and established two major goals of “civilization” and “prosperity” of China’s modernization with their vision of the West. The conception of the West held by Chinese intellectual elites is related to the value orientation of China’s modernization. The western civilized order of “Freedom as the essence, democracy as the utility” and the international order of social Darwinism of “the survival of the fittest” revealed by Yan Fu, Liang Qichao’s reflection on the dialectics of freedom and power in the process of civilization, Yang Du’s viewpoint of differentiation of “civilized countries” and “savage world” in the modern West, Chen Duxiu’s cognition of the “Beast of World Civilization” which refers to the simultaneous humanity and animality of western powers, Feng Youlan’s distinction between civilized “Westerners” and barbaric “Western countries”, all dialectically reveal the paradox of “right and might” of modern western social order and the international order, and also the conflict between humanity and animality of western modernization. Feng Youlan’s dialectical conception of the West of “conscious level” provides a key to comprehensive understanding of Janus of the West.

Key words: the West; civilization; power; modernization; intellectuals

Special Topic: On the latest Embezzlement and Bribery Judicial Interpretation Issued by the Supreme People’s Court and the Supreme People’s Procuratorate (16)

General Comment on Interpretation of the Supreme People’s Court and the Supreme People’s Procuratorate on Several Issues Concerning the Application of Law in the Handling of Criminal Cases of Embezzlement and Bribery (16)

Chen Xingliang

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Abstract: The adjustment of the amount standard concerning conviction and sentencing of embezzlement and bribery is the most striking feature in the latest judicial interpretation, which is issued by the Supreme People’s Court and the Supreme People’s Procuratorate. Overall, the adjustment corresponds to the social and economic development, and embodies the criminal policy of combining punishment with leniency in the corruption governance. But from the microscopic view, some specific stipulations need to be improved.

Key words: embezzlement and bribery; conviction and sentencing; amount standard; criminal policy of combining punishment with leniency

A Pragmatic Interpretation of “Seeking Benefits for Others”: Comment on Article 13 of Interpretation of the Supreme People’s Court and the Supreme People’s Procuratorate on Several Issues Concerning the Application of Law in the Handling of Criminal Cases of Embezzlement and Bribery (24)

Ye Liangfang

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Abstract: Article 13 of the latest embezzlement and bribery judicial interpretation, which is issued by the Supreme People's Court and the Supreme People's Procuratorate, makes up four rules to identify "seeking benefits for others", thus in a considerable extent, solves the long-standing problems to handle some cases in judicial practice. However, the article itself is the result of a judicial pragmatism. If considering that China is still in the process of building a country under the rule of law and far from completing, legalism and rule doctrine should be persisted when interpreting the articles of criminal law.

Key words: seeking benefits for others; taking advantage of one's position; legalism; pragmatism; legal fiction

Functions of Non-amount Circumstances in Bribery Cases: Comment on Articles 1-3 of Interpretation of the Supreme People's Court and the Supreme People's Procuratorate on Several Issues concerning the Application of Law in the Handling of Criminal Cases of Embezzlement and Bribery

(34)

Mo Xiaoyu

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Abstract: The judicial interpretation which made by Supreme People's Court and the Supreme People's Procuratorate, enables non-amount circumstances to make a criminal convicted despite the amount not meeting the standard, and to make the sentencing heavier than the original sentencing decided by the amount. It coincides well with the original purpose of legislation. However, such interpretation that concludes eight non-amount circumstances in the act of bribes violates criminal regulations about application conditions of the death penalty. Also, it can't handle corruption during selecting and appointing talents within the part, or punish in an overall way. In addition, it doesn't exercise accurate punishment on state functionaries with certain duties. In the perspective of improving legislation, non-amount circumstances should be categorized according to duties, the nature of benefited sought, and behavior patterns.

Key words: non-amount circumstances; downshift to incriminate; upgrade to sentencing; categorization

Tax Policy and Entrepreneurial Innovation

(41)

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Abstract: This paper considers the independently innovative behavior of firms under two different tax systems. We provide a simple proof that value-added taxes are profit-superior to business taxes when firms are encouraged to innovate. Under the value-added taxes institution, it is much easier for firms to improve the quality of products through innovation. Meanwhile, the price of product and the market share are enhanced, resulting in more revenue. At the important stage of Chinese economy, effective fiscal and taxation tools can promote industrial upgrading and guide the market transformation actively. And the key to fully exploit the taxation institution is to explore more conductive tax system for the innovation of firms. The conclusion in this paper is consistent with the reality, and is able to provide a theoretical foundation for the Chinese fiscal and taxation system reformation.

Key words: sales tax; value-added tax; innovation; industrial upgrading

Public vs. Private Ownership: Evidence from 2008 Financial Crisis

(48)

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(1. School of Accounting,Shanghai University of International Business and Economics,Shanghai 201620; 2.School of Accountancy,Shanghai University of Finance and Economics,Shanghai 200433)

Abstract: This paper studies how ownership type influences firm performance during 2008 financial crisis by modeling a fixed effect model based upon China listed company data. It is found that stated owned

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enterprises (SOEs) performed badly relatively to private firms under the crisis, which indicates that private ownership has operation advantage even in a slowdown economy. It is also found that a good public governance environment helps SOEs improve performance and reduce the gap between private firms' performance, while competition increases this disparity instead of advancing SOEs performance. Finally, that SOEs perform poorly in financial crisis is due to inefficient investment and excessive employment.

Key words: financial crisis; ownership; governance environment; competition

The Occupational Segregation between Enterprises Effects in the Gender Wage Gap (60)

ZhaoYuanyuan

(*Yancheng Institute of Technology, Yancheng 224051*)

Abstract: This paper analyzes the gender wage gap in the post-reform Chinese using a unique employer-employee matched dataset. The analysis shows that for women the distribution proportion in the enterprises has a significant negative impact on the wages. This is likely to lead women to work in low-paid occupations in the enterprise and obtain lower income in the same job. Thus, the gender wage gap get further expanded.

Key words: occupational segregation; gender wage gap; fixed-effects model(FE).

The Growth of All Living Things Depend on the Communication of Heaven and Earth;The Portray of Human Communication Map in I Ching (70)

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Abstract: I Ching, which plays a vital role in Chinese culture, has a close relationship with communication, not only in semantic, but also in social intercourse. It draws a "real map" for human interaction, and also constructs an "ideal world". In the view of I Ching, communication is the process of different things to contact, to fuse and to be unobstructed. Communication starts with establishing connection (Jiao), and completes with target of coming and going freely (Tong), and it has the dream of like-minded (He). Jiao in I Ching refers to the archetypal case of communication between Yin and Yang, and then extends in communication between man and woman, upper class and rough scuff in society. Tong in I Ching refers to the archetypal case of unobstructed road, and then extends in meaning of life growing well, and to make knowledge transmission smoothly, and to make communication between human beings. He in I Ching refers to the archetypal case of lidding implements, and then extends in meaning of being accord of Tao, of virtue and of aspiration of others. "Jiao, Tong and He" means to communication is the fusing across cultures and nations, the elimination of interpersonal obstacles, and the agreement of human and ideal worlds. Researching communication from inner logic is neither to interpret western theory, nor give different answers to those questions, but to put forward new questions and thinking styles and provide multiple angles on understanding human communication.

Key words: Chinese; I Ching; communication; theory; thoughts; ideas

Change Laboratory:the Practice of A New Method of Workplace Learning in China (82)

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Abstract: In recent years, develop Learning is becoming the most widely used, the greatest impact of a new learning model in workplace learning, and change laboratory study applied to talent development practices in the field of a base model. Physically, it is embedded in a workplace, with many intervention tools for building new practice mode miniature testing ground; in form, it is a different body from effects of different time periods in the same space in real-life situations the practice form and inspired by Vygotsky "dual stimulation" (double stimulation method) method of new ideas, generate new concepts, to form a new practice, and then gave birth to expand the study of the formation of a set of interventions (formative interven-

tions) method. Taking Chinese Universities KY research team for the study, try to change their existing innovation laboratory teamwork and learning, in order to verify the feasibility of local innovation laboratory in the application of China, and expect to be able to explore a set suitable for Chinese innovative laboratory conditions the fundamental mode.

Key words: workplace learning; innovation laboratories; scientific collaboration change; develop Learning.

Animation Festival Image: Scale Development and Dimensional Measurement (90)

Zhu Qianqian

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Abstract: As an important content of city culture and city culture creative industry, Animation festival can make a contribution to city culture image. However, the dimensional measurement of animation festival image has not yet concern in the related academic. Based on literature study and in-depth interview, this study develops the scale of animation festival image. In order to test the scale, a total of 266 valid festival tourists collected on the scene of China International Cartoon and Animation Festival as data input. The empirical results show that: ①The scale of animation festival cognitive image has good reliability and validity, which can be divided into animation image, activity image, celebrity & enterprise image and corollary image; ②The scale of animation festival image has good reliability and validity, which can be divided into cognitive image and affective image; ③In the setting of animation festival, cognitive image is an important antecedent variable of affective image.

Key words: animation festival image; cognitive image; affective image; China International Cartoon and Animation Festival

On the Route Features of the Educational Policy Process with Chinese Characteristics: Based on Analysis of Embedded Multiple Cases (98)

He Wuhua

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Abstract: The phenomenon of educational policy with Chinese characteristics is so complex. From policy agenda to formulating of the program then to the implementing changes, education policy process has its own environmental basis and action logic. Since the beginning of reform and opening up, especially since the beginning of this century, the publishing and implementing of many important educational policies in China, fully demonstrate the distinctive features of the Chinese style: firstly, the interaction of the elite decision-making and the mass line; secondly, the educational policy pilot and demonstration occurring simultaneously; thirdly, the education policy transmitting, imitating, following and spreading; fourthly, the education policy learning, referring, localizing and innovating. To analyze the characteristics of the educational policy process with Chinese style is also a deep expression of the phenomenon of Chinese educational policy.

Key words: education policy; education policy process; route features; case analysis

From "Cartesian Moment" of Foucault to Descartes' "the Method as a Way of Ethics": On the Two Kinds of Method in Descartes' Discourse on Method (106)

Wang Hui

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Abstract: On the standpoint of late Foucault that "Know yourself" was the foundation of "care of oneself," he thereby located Descartes at a key points of transition of Method from the "Meditation" of Middle Ages to the modern "Method". Foucault asserted that "Cartesian moment" unsealed the modernity and "Cartesian method" suppressed the traditional spirituality and the "care of oneself". Hence the bond between philosophy and spirituality was broken, and the "Cartesian Intellectual Method" becoming a dominate power in modern. However, there was another method in Descartes' thought, which was "morale par provision," which required us to establish a life style and obeyed it as the primary principle of life. For Descartes had been representing the successor of classical spiritual exercise in Pierre Hadot and the *ēthos* as a way of phi-

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losophy in Foucault, "morale par provision" in Discourse on Method can be considered as one kind of the "Method as a Way of Ethics," which was the prerequisite and premise of "Cartesian Intellectual Method."

Key words: Cartesian moment; Cartesian method; spirituality; ēthos; morale par provision

The Threefold Ethical Paradox of Consumerism in Modern Society (115)

Zhu Xiaohong

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Abstract: As the product of modern society, consumerism has become a state of existence of modern society. Compared with the former era of consumerism, upon the popularity of consumerism in modern society, the productive labor is specified as "General Labor" in the abstract meaning, which, however, results in the alienation of the personality, needs and the overall survival of human being. Some post Marxists launched criticism on the consumerism in modern society by means of the studies in semeiology, humanism and other aspects from the perspective of ethics. Sorting of the results of criticism was mainly embodied in the revelation of the threefold ethical paradox of consumerism in modern society deeply hidden in the individuality and universality, subjective needs and objective demands, as well as the possession and existence. Such sorting not only has significant theoretical value to reveal the present Chinese consumerism triggered deep ethical problems, but also helps people in the modern society eliminate the harm of consumerism from the practical life level.

Key words: consumerism; ethical paradox; individuality; possession; demand

Translations & Researches on Li Yu's Works in Russian Language (121)

Gao Yuhai

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Abstract: As a novelist and opera writer, Li Yu retains great influence home and abroad. In comparison with those in Japan and Europe, translations and researches on Li Yu's Works in Russian are insufficient and full of misses. This article tries to tackle the issue and correct mistakes.

Key words: Li Yu; Shier Lou; Xianqing Ouji; Russian

Supplementary Research on the Life and Works of the Poet Gong Feng in Southern Song Dynasty (126)

Cui Xiaojing

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Abstract: The paper has completed the research of Gong Feng, a poet of talent and learning in Southern Song Dynasty, who hadn't been promoted and his corpus was lost, his life was nebulous. Gong Feng visited Jing Tang after he passed the imperial examination in the eighth year of Chunxi, and traveled to Guangdong in the ninth year. He acted as a professor in Hanyangjun in the first year of Shaoxi. He visited Zhu Xi in the fourth year of Qingyuan after he worked in Fujian province in the first year of Qingyuan. He posted his poem to Lu You, who had recommend Gong Feng as a talent, in the winter of the third year of Jiatai. He got a better position to manage the national wealth in the second year of Kaixi but was deposed in the next year. He stayed at his home in Wuyi until his death in the tenth year of Jiading. About the poems of Gong Feng, the paper has found that climbing the new pavilion of temple Xingsheng was not written by Gong Feng. And the paper has newly gathered his fourteen poems and three essays.

Key words: Gong Feng; life; works

Textual Research on Versions of Zuoshi Boyi Written by Lv Zuqian (133)

Ci Bo

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Abstract: Zuoshi Boyi is one of the widespread books of Lv Zuqian, which is important on academic studies. The book has two main versions, one with 168 essays and the other 86 only. This article discusses

the relevance of these versions and meanwhile introduces its spread in Japan.

Key words: LvZuqian; ZuoshiBoyi; version

**The Binary Opposition of “the Sense of Reality” and “the Sense of Nihility”:
on Trilling’s Criticism of James Joyce** (138)

Xu Zhiqiang

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Abstract: Lionel Trilling constructs his core idea of the criticism of James Joyce with the binary opposition of “the sense of reality” and “the sense of nihility”. His unique perspective and standpoint of criticism are demonstrated by his definition of the moral nihility of Joyce and its negative effect by the questions of the transformation of aesthetics of fiction. Nonetheless, it is too opinionated to interpret Joyce’s writing as the dispelling and the sarcasm of experience or the representation of the alienation or aloofness in the sense of the world outlook of the author. This essay attempts to summarize Trilling’s theory of fiction and accordingly propose doubts and deliberations on Trilling’s criticism of Joyce.

Key words: Lionel Trilling; James Joyce; the sense of reality; the sense of nihility; binary opposition

**The Practice and Thinking of Protection to Zhejiang Mountain Village
——Taking Songyang County as An Example** (143)

Li Yueliang

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Abstract: With the development of industrialization and the construction of new countryside, China’s traditional villages disappeared gradually and the history of traditional villages, construction and ecological value also arouse people’s attention. Yankenglingtou village, also called “Artists Village” which is in Songyang County, Zhejiang Province, provides practical reference for just emerging in the mountain village of protection through the development of specific customers’ hotel, taking into account the environmental advantages of natural resources development, livelihood security of villagers, village’s economic development and non-material cultural heritage protection practice and so on.

Key words: traditional village; living protection; mountain village; Yankenglingtou village

A Study on the National Spirit of Wang Zhengting (151)

Shi Yabo

(*Ningbo Communist Party School, Ningbo 315000*)

Abstract: Wang Zhengting, a legendary Chinese celebrity, was a well-known politician, diplomat and social activist in the Republic of China (1912–1949). He was widely involved in many fields, and went to America to learn law when he was young, accordingly with a board world horizon and open mind. Wang followed Mr. Sun Yixian’s thoughts of democratic revolution, and tried his best to safeguard the national sovereignty and territorial integrity in the fields of diplomacy, sports and social service, etc. He also made great contribution to promoting China to be a modern democratic country. This paper focuses on Wang’s national spirits and explores his devoted life to the construction of the nation based on his autobiography. Nowadays, on the way to pursuing Chinese Dream, national spirit is still a necessary drive to make the dream come true.

Key words: Wang Zhengting; national spirit; Chinese Dream

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