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ABSTRACTS

The Nature of Legal Rights: Is It Necessarily Connection with Moral Rights? (4)

Chen Jinghui

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Abstract: According to its literal meaning, the word “legal rights” means the rights in legal system. And then, legal rights are equal with taking goods from the duties in legal system, and the justification of legal rights is the utility principles of law, instead of moral rights. However, once theorists find that rights only related with directed duties which means rights-holder has capacity to control his choice in some domains, the moral rights would be the justification of legal right, because legal system and its principle could not explain the capacity to control.

Key words: rights; moral rights; legal rights; directed duties

Rights in the Tension between Facticity and Validity: Reflections on the Sources of Rights (13)

Zhu Zhen

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Abstract: Dershowitz's theory of the sources of rights reduces the difficulty of the Facticity/Validity and missets the field of solving the problem. The reflection of his theory shows that the core of the sources of rights is the relationship between the stability of the right, the normative validity of the right and the correctness of the content. Legal rights exist both in the positive law and in the normative sense. Right is related to value, but this relationship is not penetrable. The reality of right has independent value in the meaning of practical reasoning, but in the hard cases, we need to open the “veil of ignorance”, review the underlying reasons and the deep value behind the right, and redefine the right in combination with the facts of the case. The value does not presuppose the universally necessary validity, the value of the era of post-metaphysics is special, extensible and locally effective, and it is a process of finding consensus. In this process, the historical memory of the catastrophic disaster is particularly conducive to the formation of consensus, thus providing a new existence reason and space for Dershowitz's theory of the origin of the historical disaster of rights.

Key words: rights; sources; facticity; validity

Reconstruction of the Concept of Human Rights under the Trend of Human Rights Inflation: A Perspective from International Human Rights Law (24)

Huang Jinrong

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Abstract: The increasingly inflating human rights list has posed a big challenge to the traditional concept of human rights since the Universal Declaration of Human Rights was adopted by UN in 1948. Different theories of human rights take different approaches to this challenge. While the naturalistic conception of human rights attempts to exclude those unqualified human rights by defining the traditional concept of human rights more narrowly, the political conception of human rights has tried to redefine the concept of human rights from the perspective of political function of international human rights. Both the concepts and stan-

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dards of human rights advocated by the idealistic naturalistic conception of human rights and the realistic political conception of human rights are flawed in some respects. In order to have a more inclusive concept of human rights reflecting the true reality, it is advisable to define the concept of human rights as the rights that individuals and specific groups shall enjoy for the protection of the dignity of human being mainly with a view to limiting the state power.

Key words: human rights; concept; inflation of human rights; naturalistic conception of human rights; political conception of human rights

The Interest Theory of Concept of Rights

(36)

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Abstract: There are three important features in the social practice of rights: Firstly, individual interests is the end of rights, through protecting individual interests, rights defends the dignity of individual. Secondly, the rights in nature is a kind of practical reasoning, which begins with one's interests, by way of argumentations at the factual and value level, draws a conclusion that another undertakes certain duty. This practical reasoning condenses value consensus, and improves practical efficiency. Thirdly, rights can create new duties, thus provides a dynamical mechanism that resolves new problems emerging in social life. The interest theory of concept of rights grasps these three features, and offers reasonable explanation for the relationship of rights with value, duty and interests.

Key words: rights; interest theory; value; duty; interests

People's Test Theory

(47)

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Abstract: The people's nature of development determines that the broad masses of the people are the main body to test the development practice, especially the development effect. "People's Test" means that the broad masses of the people value a particular development activity, in order to examine the development of practice and the physical effect of the realization of the majority of people have access to feeling and satisfaction of a cognitive activity. The people's test includes three levels: people's profit, people's feeling and people's attitude. The people's test is final and fundamental at the level, comprehensive and synthetical in the sense of development effect. Besides, in the perspective of the subject of test, "the people" has the characteristics and advantages of the universality of the space range and the reality at the primary level. Practical logic, theoretical logic and political logic are the inherent logic of people's examination. To create a happy and happy life for the people through development, to listen to the opinions and voices of the masses through investigation and research, to overcome the limitations of the people's test through consultation with the people, and through the participation of the people in the governance of the country are our practices of implementing the people's test.

Key words: people's test; development evaluation; people's attitude; investigation and research

Factor Market Distortion, Productivity and Firm Entry and Exit

(55)

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Abstract: The aggregate productivity is driven by selection mechanism of firm entry and exit and reallocation mechanism. This paper analyzes the mechanism among factor market distortion, productivity dynam-

ics and firm entry and exit, and tests it using Chinese industry survey data. Empirical results show that factor market distortion impedes the selection mechanism linked productivity, competitive effect of firm turnover and reallocation of factor resources. By decomposing the aggregate productivity in province level, factor market distortion is negative to contribution of reallocation in terms of the aggregate productivity. If there is 1% decrease in factor market distortion, the reallocation across firms would increase 0.53% and the net effect of firm entry and exit would increase 1.43% to contribution of aggregate productivity. This paper makes a unique aspect and policy implication of the relationship between factor market reform and aggregate productivity.

Key words: factor market distortion; entry and exit; total factor productivity; reallocation

The Mechanism of E-commerce Promoting the Upgrading of Agricultural Industry Cluster:

A Case of Flower and Wood Industry Cluster in Shuyang County, Jiangsu Province (65)

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Abstract: Based on the case of flower and wood industry cluster in Shuyang, this paper explored the mechanism of e-commerce promoting the upgrading of agricultural industry cluster. Agricultural industry cluster has certain advantages in the introduction of e-commerce. The introduction of e-commerce brings new demand conditions, new competitive environment, new supply network and new service system to the agricultural industrial cluster, makes further use of land and space, improves the entrepreneurial skills of farmers, and pushes the government to adjust the industry support ideas and behaviors, thus promoting the upgrading of the agricultural industry cluster. Local governments in featured agricultural industrial zones should make full use of the advantages of agricultural industry clusters in introducing e-commerce, timely changing the industrial support thinking and development strategy, actively embracing the new Internet economy, and striving to cultivate a favorable development environment for e-commerce entrepreneurship and innovation.

Key words: e-commerce; agricultural industry cluster; industry cluster upgrading; Taobao Village

“Return of Local Worthies”: Urban-Rural Circulation Repairing and Elite Structure Reconstruction —Taking the Changes of Urban-Rural Relations in the Past 40 Years of Reform and Opening-up as Analysis Background (71)

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Abstract: In the 1940s, facing the decline of rural society, Fei Xiaotong put forward the proposition of urban-rural organic circulation and rural reconstruction. Even today, after 40 years of reform and opening-up, “rural China” has accelerated to “urban China”, we are still in the process of solving this proposition. In recent years, the “return of local worthies” project is one of the new explorations with traditional characteristics. Compared with the ancient local worthies, the origin and composition of the new worthies have been diversified, but behind their return is still the “nested centripetal” structure of Chinese geographic identity. Under the background of imbalance of urban and rural development, the return of local worthies under the government’s “invitation” is not only conducive to the revitalization of the urban-rural organic circulation, but also conducive to the organic unification of the individual value and social value of new rural worthies. As a social force born in the local area and growing in other countries, the return of local worthies has reconstructed the structure of rural elites to a certain extent, but it cannot really replace the existing pattern of “rural administration and village governance”. At present, the key to promoting this exploration and practice lies in whether it can effectively highlight its commonweal attribute and folk identity, give full play to its comparative advantages in rural governance, and avoid falling into the practice mistake of separating fame from reality.

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Key words: local worthies; urban-rural relationship; organic circulation; geographic identity; governance elite

Study on the Economic Power Increase of Migrant Workers' Self-organization (79)

Pan Dan

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Abstract: The income gap between urban and rural areas is the main reason for migrant workers to work in cities and towns, so the migrant worker groups also have diversified economic interests. As a main body in the public governance network, the self-organization of migrant workers to meet the demands of economic interests of migrant workers through organized means, such as information platform to improve the probability of employment of migrant workers, integration of social resources to carry out education and training, promoting social security so as to avoid economic difficulties, and mediating labor disputes in order to obtain reasonable benefits. Through the organizational means, it can enhance the economic rights and interests of migrant workers, improve the economic weak status of migrant workers, and achieve the economic empowerment goal of migrant workers.

Key words: migrant workers; self organization; empowerment

The Comparative Analysis of the Intergenerational Differences among Backflow Migrant Workers (87)

Liu Yuxia, Chen Ruisan

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Abstract: With the social development and economic growth, more and more new generation of migrant workers return to their hometown. However, there are obvious differences between the new and old generations of migrant workers because of their different age and different experiences. Based on extensive investigation and data analysis for 28 villages in Anhui, Guizhou and Zhejiang provinces, the results showed that there were significant differences between new and old migrant workers in terms of motivation, ideology, skill level, career selection, political participation and lifestyle etc. Local government can carry out policy guidance on migrant workers by comparative analysis between these two groups: (1) Taking advantage of the new generations to leverage their entrepreneurship and political participation. (2) Promoting the transformation from the traditional to modern peasants for the old generations and focusing on their social security. All of these suggestions will contribute to Rural Revitalization and the construction of new-type urbanization.

Key words: backflow migrant workers; intergenerational differences; rural revitalization; policy

On the Debate between Experimental and Traditional Philosophy (95)

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Abstract: Experimental philosophy aims at establishing a new philosophical method by criticizing traditional philosophical practice. This move gives rise to a series of meta-philosophical debates. However, both sides of the debates keep begging their opponents' questions and it largely due to the confusion of different focuses. To solve this problem, one should articulate some core concepts and investigate how philosophical practices take place to identify at what experimental philosophy really targets and to what extent it is justified. According to our analyses, there are three supposed targets: armchair philosophy, thought experiments, and philosophers' uses of intuitions. Contemporary armchair philosophy is innocent because of the naturalistic turn; the justificatory status of thought experiments depends on whether it is legitimate for

philosopher to take intuitions as evidence. But one should distinguish between surface and robust intuitions. Traditional philosophers also tend to refuting surface intuitions as evidence. Therefore, the focus of this debate is whether robust intuitions could be used as evidence.

Key words: experimental philosophy; armchair philosophy; thought experiment; intuition; evidence

The Relationship between Confucianism and Shusu and Its Significance (102)

He liye

(Hangzhou Business School, Zhejiang Gongshang University, Hangzhou 310018)

Abstract: The relationship between Confucianism and Shusu is a controversial issue that has not been studied in depth. Shusu is different from witchcraft and alchemy. The relationship between Confucianism and Shusu is multifaceted. Historically, the early Confucianism was related to the activities of Shusu, and after the Han Dynasty Shusu was not separated from the Confucianism. Confucian scholars have different attitudes toward Shusu, but the most do not negate. From the view of ideological point, the destiny of fate, the fate and the virtue determined by the ambiguity of life in the activities of Shusu, they are in harmony with the thoughts of Confucianism. Confucian also endorsed the method of heavenly induction and sincerity can work wonders. However, Confucianism is based on virtue, justice, not careerism. In general, it opposed to the practice of seeking for fame and wealth in Shusu. In today's context of realizing the great rejuvenation of the Chinese nation and modern science and culture as the main body, on the one hand, we must revive and carry forward China's excellent traditional culture, and on the other hand, we must also prevent and oppose the superstition. To this end, we should make the relationship between Confucianism and Shusu clearly.

Key words: Confucianism; Shusu

A Research on Chinese Version of The Philosophy of Wang Yangming by Henke (110)

Wang Yu

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Abstract: The Philosophy of Wang Yangming by American scholar Henke, is the earliest collection of Wang Yangming's works in the English world. It has a great influence for a long time. However, Henk did not know what the Chinese version he translated exactly was. It was not until 1964 that David S. Nivison proved that Henk translated from Yangming Xian Sheng Ji Yao by Shi Bangyao, but there were many versions of this book in the late Qing Dynasty and the early Republic of China. This paper compares various versions of Yangming Xian Sheng Ji Yao, and finally proves that Henkde's translation of "The Collection of Professor Yang Ming Corrected by the Ministry of Education" is printed by Shanghai Mingming Society Press.

Key words: Wang Yangming; Henke; Shi Bangyao; englishment

Talk on Paper: Reflection and Reconstruction of

Chinese Contemporary Literature Theory

(116)

Value Judgment Criticism Consciousness Reading Experience—Three Topics of Literary Criticism (Gao Yuanbao, *Department of Chinese Language and Literature, Fudan University, Shanghai 200433*), Always Ensure the "Presence" of Marxist Literary Theory and Criticism (Zhang Yongqing, *School of Liberal Arts, Renmin University of China, Beijing 100872*), How the Localized Literary Theory System will Be Possible (Zhu Guohua, *Department of Chinese Language and Literature, East China Normal University, Shanghai 200241*), On the Construction of Contemporary Chinese Literature Theory (Hong Zhigang, *School of Humanities, Hangzhou Normal University, Hangzhou 311121*), Reaffirmation of the Cultural Modernity Programme—On the Reconstruction of the Theory of Chinese Contemporary Literature (Huang Jincheng, *Department of Chinese Language and Literature, East China Normal University, Shanghai 200241*)

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On the Dimensions of Thought and Pursuit of Poetry of Chinese Modern Radio Drama of the War of Resistance

(133)

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Abstract: Chinese modern radio drama of the War of Resistance has high ideological and artistic value. From the perspective of the written history, the great War of Resistance is national holy war dominated by the government that is motivated by the people's cry and the Party and the League's strong advocacy. In terms of the spiritual drive revealed, it is promoted by the combined efforts of mundane clan ethics and national ethical criterion based on the Chinese people's mission of salvation which leads to the indomitable will of fearing no sacrifice and fighting bravely against the enemies. This is the internal cause of the War of Resistance, defeating the strong by the weak. The pursuit of poetry and the depth of artistic description is reflected in the radio drama that covers the shortage of propaganda with ingenious idea and the writing of human nature and aesthetic appeal and creates strong aesthetic appeal. Therefore, Chinese modern radio drama of the War of Resistance adding new artistic characteristics to Chinese modern literature has important significance no matter from the perspective of propaganda, historical writing or artistic innovation.

Key words: modern literature; radio drama of the war of resistance; dimensions of thought; the pursuit of poetry

Chi-Su-Pin-Tong and the Commercial Life in Ningbo in Late Qing Dynasty

(145)

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Abstract: A manuscript copy of Late Qing dynasty entitled as Chi-Su-Pin-Tong was kept in the National Chengchi University. The main contents of the manuscript copy are the commercial letters written by a businessman known as Uncle Jin, an agent living in Ningbo from Quan Zhou, Fu Jian Province. These letters showed that Ningbo was not only an important exchanging center of the commodities both from North and South China, but also an integral component of the international trade system. When Qing government ceded Taiwan to Japan after the Sino-Japanese of 1894-1895, the market in Ningbo was seriously affected. It was also known that the commercial competition in Ningbo was very fierce, and the merchants living in Ningbo obtained the business information by telegraph, the latest invention in the world at that time.

Kew words: Chi-Su-Pin-Tong; Ningbo; Fu Jian merchants; Fangs Hao

Economics and Economists Who do not Study the Economy

(150)

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