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ABSTRACTS

China Central Bank Digital Currency: System Architecture, Impact Mechanism and Governance Path (4)

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Abstract: China's central bank digital currency (DC/EP) adopts a two-layer operation model. The architecture based on the D-RMB system mainly includes design, printing, issuance, circulation, exchange, return, inter-bank settlement and other links. The issuance of central bank digital currency in China will help enhance the People's Bank's currency status, enhance the effectiveness of monetary policies, improve macro-prudential management capabilities, and promote RMB cross-border payments. But at the same time, it also faces some uncertainties and potential challenges, including system security risks, digital wallet-related risks, and the cultivation of consumer habits. It is recommended to clarify the legal status of the central bank's digital currency through legislative forms, strengthen liquidity risk management of commercial banks, strengthen network technology construction, strengthen the review of account holders, optimize the anti-money laundering regulatory process, and strengthen cross-border transaction supervision and coordination mechanism construction to take a multi-pronged approach and explore a new governance path for central bank digital currency that suits China's resource endowment and supervision needs.

Key words: Central Bank digital currency; RMB DC/EP; operating mechanism; external influence; risks prevention and control

Trends and Causes of Inequality of Opportunity in Income in China: 1989–2015 (13)

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Abstract: Based on Roemer's classic definition of the sources of income inequality, this paper uses the data of CHNS 1989–2015 to calculate the trend of inequality of opportunity (IO) in income, provides a more reliable estimation interval of IO, and further decomposes the contribution of various observable environmental factors to IO. The results show that: The valuation of the upper and lower bounds of IO has a consistent change trend, which keeps rising continuously from 1989 to 2004, and tends to decline in the fluctuation from 2004 to 2015. The IO in income has the heterogeneity of birth cohort. Compared with the post-60s group, the opportunity space faced by the post-70s and post-80s group has shrunk. The structural composition of IO in income has changed. Since 2004, the contribution of the birth cohort has maintained at a considerable scale, the contribution of the household registration has gradually reduced, and the contribution of the father's income tends to enhance. This paper attributes the dynamic change of IO in income to the change of economic system, the change of enjoyment of rights and the transfer of family resources. We put forward relevant proposals to promote equal opportunity in income distribution.

Key words: income distribution; inequality of opportunity; fixed effect model; Shapley value method; causes

Theory on “the Unity of People and Country” Is the Fundamental Characteristic of Our Country’s National System and the Source of National Self-Confidence (25)

Hu Chenghuai

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Abstract: The article believes that the fundamental characteristic of the socialist state system with Chinese characteristics is “the unity of the people and the country”. The main factor that maintains and supports the “the unity of the people and the country” is the cultural psychology identity of “great unification” that has been passed down for nearly three thousand years (historical factors), realistic socialized individuals (realistic social foundations), and the operating mechanism of democratic centralism. This national system is of great advantageous. It is a form of high-level civilization and the source of national self-confidence, at the same time it also has its own limitations. Maintaining this national system is the most fundamental and important task of national construction.

Key words: national system; “Unity of People and Country”; national confidence

Normative Analysis of Article 22 in Hong Kong Basic Law (34)

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Abstracts: The Hong Kong Basic Law is a normative system oriented to practice, full of wisdom and openness. Based on the theory of “One Country, Two Systems”, the provisions of the Basic Law take into account different legal and cultural traditions, build a platform for dialogue between civil law and common law tradition, and provide a legal basis for the prosperity and stability of Hong Kong. With social changes, the Basic Law also faces some challenges in practice. This is a normal phenomenon of legal system and should not be exaggerated, or even politicized. The Article 22 of the Basic Law faces the same problems in practice. We need to make a serious analysis from different perspectives, including history, norms and reality, and try to grasp its historical context and connotation accurately, which will provide a theoretical basis for the effective implementation of norms.

Key words: Hong Kong Basic Law; the Central People’s Government; legal interpretation; social consensus

The Interpretation of the Hong Kong Basic Law: from the Perspective of the Relationship between the Central and Local Governments (44)

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Abstract: It is known to all that the Hong Kong Basic Law provides a dual-track mechanism of Basic Law interpretation. The NPCSC and Hong Kong courts share the power to interpret the Basic Law. The power of the former is general, unlimited and that of the latter is limited and subject to the former. Hong Kong courts developed a set of interpretative methodologies and the NPCSC also made some progress in the past few years. In practice, there is a mechanism of interaction which allows the courts to bring up the request for the interpretation. In the meantime, the NPCSC can also issue the interpretation on its own. In the past 23 years, the interpretation of the Basic Law has played a significant role in the system of One Country, Two Systems.

Key words: Hong Kong SAR; Basic Law; NPCSC; Hong Kong courts

The Principle of the Separation of Powers in Hong Kong SAR’s Common Law (54)

Luo Peiran, Chen Hongyi

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Abstract: Hong Kong has been a Special Administrative Region(SAR) of the People’s Republic of China since 1997 with its own highly autonomous legal and judicial systems based on English common law. Applying common law principles, the Hong Kong SAR courts have conceptualized “separation of powers” as a feature of the Basic Law and the Rule of Law in Hong Kong. This article demonstrates how Hong Kong courts

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have used “separation of powers” to describe and regulate the relationship among the institutions of government and as an operating valve of judicial non-intervention or deference vis-à-vis other branches of government. As the political narrative on the Hong Kong SAR’s political system indicates, the SAR has a political system that is “executive-led” and based on “separation of powers”.

Key words: Hong Kong Basic Law; separation of powers; courts; non-intervention; judicial deference

The Legal Limits of Investigation Power of Hong Kong Legislative Council (67)

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Abstract: The political structure of Hong Kong Special Administrative Region is one which is composed of guiding administration units, independent judiciary, with control and balance of administration and legislation. The base and core of political structure are separation of power and executive-led, which definite critically the legal limits of investigation power of the Legislative Council. When exercising the powers and functions in accordance with the article 73, the Legislative Council can summon persons concerned to testify or give evidence, and in accordance with the article 48(11), article 64, article 73(10) and article 85 of The Basic Law of Hong Kong Special Administrative Region, executive privilege and judiciary privilege are the limits of investigation power of Legislative Council, and Legislative Council should implement investigation in accordance with principle of aim-led and reasonably required. To make the Government to account to Legislative Council, Legislative Council can summon government officials concerned to testify or give evidence, but the power of Legislative Council is limited in the conditions of article 64 and the investigation should pass the “security and vital public interests” test.

Key words: political structure; executive-led; separation of power; power of investigation; executive privilege; judicial privilege

Chinese Society behind “Chinese Miracle” (76)

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Abstract: It is far from enough to think about “why China can” and the key foundation and deep sources of “Chinese miracle” by just exploring the abstract spiritual or conceptual causes. On the contrary, we should seek answers from Chinese society itself. Urban and rural grass-roots society of China showed huge resilience during this anti-epidemic war mainly because the agents including family, village and neighborhood were all strong communities. The social solidarity and the strength of self-organization was the solid foundation of the success of anti-epidemic war. In Chinese history, individuals had never been atomized. Neither “society” nor “state” once had been de-communized, let alone separated from each other. With a long history of embedded community structure from “family” to “state” and related identity transmission mechanism, mutual emotional identity and responsibility between the people and the state are still effectively maintained and keeping reproduced. That’s why huge practical energy could burst forth under the sudden epidemic disaster. The modernization history of western countries gave us a deep lesson that we shouldn’t just pay attention to the development of economy but ignored the defense of society. During China’s contemporary reform and opening-up and modernization, we should pay enough attention to the protection of society from tearing up or de-communized. In addition to the maintenance of general nested structure of community, we should also try our best to strengthen the construction of grass-roots community.

Key words: Chinese Miracle; Chinese Society; community; nested structure; historical heritage

Corporate Social Responsibility, Health Service and Health of Floating Population ——the Moderating Role of Government Regulation (82)

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Abstract: The floating population is the crowd which the implementation of health China strategy needs to focus on and the enterprise health service supply is the “cell” engineering construction of the implementa-

tion of the health of China's. To carry out health promotion activities of the floating population in the enterprise, it is both advantageous to prevent occupational hazards and easy to assess and improve their overall health. This study discusses the corporate social responsibility impact on health outcomes of the floating population, tests the mediating role of health services and government regulation. The empirical results show that: (1) The higher the degree of CSR fulfillment, the better the health outcomes of the floating population, indicating that CSR is a key factor affecting the health of the floating population; (2) Corporate health service plays an intermediary role in the impact of corporate social responsibility on the health of floating population, and the fulfillment of corporate social responsibility can have a positive impact on the health of floating population through corporate health service; (3) Government regulation can promote the health of floating population. Government regulation has no regulating effect on the relationship between corporate social responsibility and the health of floating population, but has a negative regulating effect on the relationship between enterprise health service and the health of floating population. The conclusion of this study provides experience and reference for enterprises to fulfill their social responsibilities by improving health services so as to promote the health of floating population.

Key words: corporate social responsibility; health services; floating population; the government regulation

On Human Cognition and Consciousness

(91)

Nie Zhenzhao

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Abstract: Human cognition is a process from perception to thinking and then text. The combination of sense and consciousness constitutes the perception, thereby accomplishing the detection, recognition, retrieving, understanding and expression of external and internal information. Every form of human cognition is established after being confirmed by consciousness. Compared with computer systems, consciousness is the display terminal in the cognitive process. Because of consciousness, human beings are able to achieve the cognitive process from perception to thinking. Functionally, consciousness is similar to man expounding his own cognition through oral expression or writing. Human self-consciousness can be transformed in the respective brain area into other forms, such as sounds, symbols, facial expressions, body movements, etc., and then displayed, so that other people can recognize and understand them. In fact, this is also the cognitive process of consciousness from objective appearance to abstraction to objective appearance again. Human thinking proceeds from perception to the display of consciousness, and thus, the cognition enters the phase of brain text. Brain text is not the terminal stage of human cognition, but rather the beginning of a new cognitive stage.

Key words: sense; sensor; cognitive principle; function of consciousness; brain text

The Pragmatic Encroachment in Knowledge Attribution: Objections and Defenses

(101)

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Abstract: This paper attempts to defend pragmatic encroachment. Firstly, it can be divided into two weak and strong versions according to the different criteria for defining 'encroach', each of which is challenged by intellectualism and pragmatism. For the former, it can be defended from establishing the rationality of the thesis and proving the form of argument. Against the latter, we can resort to ideological cases and experimental philosophy to defend it based on intuition and knowledge model construction. Secondly, this paper proposes to solve the problem of knowledge attribution from a practical, fallibilist and contextualist perspective, and takes time-constraints sensitivity and epistemic excellence as examples to provide abundant supportive evidence for knowledge analysis. This paper supports pragmatic encroachment without considering it as a departure from the traditional path of knowledge analysis.

Key words: pragmatic encroachment; contextualism; invariantism; time-constraints-sensitivity; epistemic excellence

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Destiny and Knowing Destiny: An Analysis of the Pre-Qin Confucian Destiny Theory (108)

Yi Xiaokang

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Abstract: The reform of The Yin and Zhou Dynasties urged people to reflect on the Chinese traditional concept of destiny, which was endowed by the monarch and could not be changed, and the concept of destiny that "position leans on virtue" was recognized by the ruling class and even the whole society. During the ChunQiu and ZhanGuo Period, the Pre-Qin Confucianism represented by Confucius enriched the meaning of "destiny" on this basis. In the process of "destiny" being implemented into human's "destiny", virtue dispelled the limitation of individual destiny given by the absolute will of heaven, thus manifesting the significance of human's moral behavior. Yet for those individuals who are subject to destiny establish "knowing destiny" in the individual's positive moral practice, and realize the grasp of "destiny" in the perfection of their own virtue, so as to transcend the fear of realistic benefits and losses as well as the catastrophe of life span. In addition, the pre-Qin Confucianism also combined the moral practice process of knowing destiny with the personality of a gentleman, and set up the basic life attitude of a Confucian gentleman towards the responsibility of "destiny" and personal mission, which enriched the value connotation of a gentleman.

Key words: life; destiny; knowing destiny; gentleman personality; Confucianism

"Tree" in the Perspective of Neo-Confucianism Kung Fu Theory: Taking Zhu Xi and Yangming as Examples

(115)

He Shanmeng, Lu Han

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Abstract: This paper is divided into five parts. Starting from the typical image of "tree" in Chinese philosophy, this paper combs the different ways of using the same image by Zhu Xi and Yang Ming, and analyzes the differences in their thoughts through their different interpretations of the structure and growth of the "tree". The first part simply analyses the application of the image of "tree" in Chinese tradition, and leads to the use of the image of "tree" by Zhu Zi and Yang Ming. The second part mainly analyzes Zhu Zi's thought that "tree" is "Qi" and takes it as the object of contemplation, and thus reflects Zhu Zi's "conscious" and "deliberate" tendency in the moral cultivation Kung Fu of "Ge Wu". In the third part, the paper explains that Yangming takes "tree" as metaphor to show "Mind Is Principle", and takes "heart" as the root, branches and leaves as "program", summarizes Kung Fu as the source of cultivation, and maintains the integrity and consistency of the Ti and Yong. The fourth part analyzes the Kungfu theory of mind according to the items of Yangming's "tree" metaphor, which mainly implements the inner morality and the grasp of external position. The last part summarizes the differences between the image of tree and the theory of Kungfu of Neo Confucianism. We can use "grow" and "research" to distinguish the difference between the theory of mind and the theory of Neo Confucianism. In terms of the object of Kung Fu, it is the difference between the root of "Sheng" and the flower and fruit of "Cheng". Therefore, it can be seen from the "tree" to the necessity of achieving the goal in mind theory.

Key words: Tree; Mind theory; Neo Confucianism; Yangming; Zhuzi; kungfu

The Misreading to *On Judgement · Questioning Confucius* and Its Meaning

(123)

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Abstract: Wang Chong criticized Confucius' thought in his article of *On Judgement · Questioning Confucius*, pointing out such problems as "unknown difficult questions", "hidden implications" and "illogical contexts" etc. As a matter of fact, it is the misreading resulted from not understanding the characteristics of *The Analects of Confucius* in the form of quotation type. In terms of quotation style, the meaning of quotations is formed by both the sentence meaning plus concrete contexts and the special object involved. It was originally meaningful to the object that the discourse is concerned with and has been known by the attendee. They can be naturally omitted when being narrated. The so-called problems of "hidden implications" and

“illogical contexts” do not exist when they come into the scene of resulting in quotations. However, this kind of misreading is of great significance in our modern time. It is specially praiseworthy for its thinking way of indicated logicity, systematization as well as its critical spirit of Confucian classics in Great Unity.

Key words: Wang Chong; the article of Questioning Confucius; the style of quotation; critical spirit

On Formalism in the Aesthetics of Nature

(128)

Hu Youfeng

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Abstract: Upon the revival of the aesthetics of nature in the 1960s, formalism has instantly become a reference point for aestheticians to reflect on and remodel the long tradition of natural appreciation. The extreme formalists represented by Clive Bell proclaim that the appreciation of nature, in analogy to that of art, should be based solely on its formal features, largely overlooking other aesthetic properties. The anti-formalists represented by Allen Carlson, in contrast, believe either that the nature does not harbor any formal features or that a pure formalism in natural appreciation is impossible or tends to become trivial. There are also moderate formalists, as represented by Nick Zangwill and Patricia Matthews, who despite recognizing the possibility and importance of formal appreciation tend not to take it as the only legitimate way of doing natural aesthetics. The author thus advocates a more inclusive and expansive formalism in natural appreciation. Such a theoretical stand holds that (1) the “formal features” of nature shall be extended from the “visual” to the “somatic” level; (2) the “formal features”, in addition to symmetry, harmony and equilibrium, shall also take on board irregularity, disorder or imbalance intrinsic to both natural objects and ecosystems to which they belong; (3) and that the appreciation shall go deeper into the “life process” of nature, relishing its rhythm of life and death.

Key words: formalism; natural forms; the aesthetics of nature; nature

The Influence of Silk Road on Ethnic Integration in Yuan Dynasty

(135)

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Abstract: The Silk Road is a synonym for the east-west traffic and trade routes in ancient times. In the Yuan Dynasty, a large number of immigrants entered China and settled down through the Silk Road on land and sea. Due to the colossal sizes of nationalities and people involved, locals in Yuan Dynasty began to use “Semu people (meaning people with colored-eyes)” to describe all ethnic groups from Northwest China, western regions and even Europe. The emergence of Semu people in fact promoted the further fusion of races in China.

Key words: the Silk Road; immigrants; Semu people; ethnic integration

Human Beings Never Learn from History?

(145)

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Abstract: Hegel’s aphorism “human beings never learn from history” has been popular in China, and it appears more frequently in times of crisis. In fact, this assertion has a natural flaw: a universal negative judgment will collapse completely as soon as it encounters a real case. This is the meaning of “easy to say it exists but difficult to say it doesn’t exist (言有易言无难)”. Facts have proved that both individuals and social groups can learn from history, but some of them have obvious limitations and can not get good effect. From the perspective of the pre-figurative society and the spontaneous working system of human brain, Hegel’s maxim has its profound rationality. However, in this innovative era, empiricism is undoubtedly more dangerous.

Key words: Hegel; historical lessons; easy to say it exists but difficult to say it doesn’t exist; pre-figurative society; post-figurative society; brain cognitive system

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