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ABSTRACTS

Environmental Pollution, Public Health Demand and Economic Development

—Based on Regulation Effect and Threshold Effect

(4)

Yang Sihan, Tong Menghua, Zhang Xiaoyan

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Abstract: Based on the panel data of cities at prefecture level and above in China from 2003 to 2016, this paper uses panel fixed effect model and threshold regression method to explore the correlation mechanism among environmental pollution, public health demand and economic development. The result shows that, firstly, environmental pollution has a disturbing regulatory effect on the path of the impact of public health demand on economic development; secondly, the regulatory effect is nonlinear, the effect of public health demand on economic development appears suppress and then promote following the pollution increases; thirdly, the regulatory effect has significant regional heterogeneity. The economic development and fiscal decentralization can promote the inflection point ahead, reduce the negative impact before the inflection point and improve the positive impact after the inflection point. If the characteristic variables of city's economy and system are not considered, underestimated regression results will be gotten. This paper enriches the relevant research results of the relationship among environmental pollution, public health demand and economic development, and has important theoretical reference and policy enlightenment for China's urban coordinated environmental construction, people's livelihood construction and economic construction.

Key words: environmental pollution; social health demand; economic development; regulatory effect; threshold effect

The NEEQ Tiered System, Venture Capital and Stock Liquidity:

Empirical Evidence from PSM-DID Method

(16)

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Abstract: The tiered system is a basic and characteristic institutional arrangement of the NEEQ (National Equities Exchange and Quotations) market, and its policy effects have not been fully tested yet. This article takes the lack of liquidity in the NEEQ market as the entry point, and uses the "quasi-natural experiment" propensity score matching double difference method (PSM-DID) for the first time to study the impact of the tier adjustment of NEEQ companies in 2016–2020 on stock liquidity, and examine the role of venture capital in it. The study found that: (1) Venture capital can exert positive effects such as screening, supervision and certification, thereby increasing the probability of NEEQ companies being selected into innovation tier. (2) The transfer of NEEQ companies into the innovation tier will significantly improve their liquidity, while the transfer out of the innovation tier will reduce the liquidity, however, this effect has a short duration and tends to decline year by year. (3) The effect of the tiered system on stock liquidity is more pronounced in companies that are not supported by venture capital. (4) This article further finds that the newly launched "premium tier" has also significantly improved the short-term liquidity of stocks. This article enriches the domestic research on the function of venture capital, fills the academic gap by empirically applying the PSM-DID test on the policy effect of the NEEQ tiered system, and has positive meaning for evaluating and improving the construction of the NEEQ market system.

Key words: NEEQ; tiered system; venture capital; liquidity; PSM-DID

On the Realistic Path of Fully Implementing the Civil Code

(29)

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Abstract: The Civil Code is the first law named “Code” in the People’s Republic of China. It is a fundamental law of the market economy, an encyclopedia of citizens’ life, a declaration of civil rights protection, and a pillar of the nation for managing the people and governing the country. The promulgation of the Civil Code will surely provide important institutional guarantees for the people’s happy life, for the whole people to upgrade the national governance system and modernization of governance capabilities, and for the promotion of the high-quality development of the market economy. The implementation of the Civil Code is about to happen and the full implementation of it requires combing the current laws and regulations, realizing the mutual connections between the old and the new laws, and strengthening the enacting, amending or repealing of relevant laws. Meanwhile, legislative interpretation should be used as an important means to supplement, update, interpret, and improve the rules of the Civil Code. In addition, to restrict public rights and protect private rights requires advancing law-based government administration, and to fully implement the Civil Code should enhance combing and formulation of the judicial interpretation.

Key words: the Civil Code; law-based government administration; judicial interpretation; protection for private rights; China’s governance system and capacity

On the Rank of the Principle of Equal Protection of Real Right by Law

(37)

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Abstract: Legal status is the most abstract and its purpose and function are to solve the problem of whether the state, the collective, the private or other market subjects are recognized as civil subjects by civil law, that is, whether they can enjoy civil rights(including property rights) and bear corresponding obligations. Because it only solves this key point, its equality is relatively thorough. The right to development is second to the legal status, but it also belongs to the category of qualifications rather than specific civil rights. The problem it solves is that certain types of market entities can only engage in such business, and the other types can only involve in that activities, and they all must not go beyond the boundary. It is very important to many companies, and it is no exaggeration to say that it is vital to their lives. For there are different forms of development, such as normal development, thriving growth, and “survival in the cracks”, the status of market entities’ acquisition of property rights will show differences, which is directly related to the basic system of a specific society or a specific country. The principle of equal legal protection of real rights is at the end, because the equal legal status of market entities determines the equal development rights of market entities, which in turn determines the principle of equal legal protection of real rights. Without the equal legal status of market entities, it is difficult to exist the equal development rights of it, and then there is also no longer the principle of equal protection for property rights by law. The principle of equal legal protection of real rights also in turn guarantees the realization the legal status and the equality to the development rights.

Key words: market entity; legal status; the right to development; equal protection; real right by law

**An Analysis of the Rules of Judicial Termination of Contract in China Civil Code
from Procedure Law Perspective**

(46)

Xiao Jianguo, Song Shichao

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Abstract: The system of judicial termination of contracts established by China Civil Code includes two types: judicial termination based on change of circumstance and judicial termination by the breaching party of non-monetary debt. The former has a relatively solid foundation in practice and theory, while the latter is highly controversial. In the process of codification of the code, academia generally misunderstood the Article

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110 of the China Contract Law, trying to use the “contract deadlock” to demonstrate the necessity of judicial termination by the breaching party. Combining the legal principles of civil defense and confirming-action, the review from procedure law perspective shows that Article 110 of the Contract Law does not contain any legal loopholes that cause “contract deadlock”. The legislative reasons for the judicial termination system include the adjustment of the concept of contract law, the dormancy of the confirming-action and certain accidental factors. Judicial termination is an unnecessary and non-retroactive forming-action. Based on the provisions of the Civil Code and the principles of civil procedure, its judicial application has its own rules and characteristics.

Key words: judicial termination; forming-action; defense; impossibility of performance; change of circumstance

On the Relevance of Guaranteed Debt Litigation Limitations and Primary Debt Limitations

(58)

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Abstract: Guaranteed debt litigation limitations is the statutory period during which creditors seek public power to protect their guaranteed claims. The application of general limitations is not necessarily the same as the main debt of that. It is also completely different from the connotation of the guarantee period that determines whether the guarantee debt is generated. Although the guarantor can invoke the limitations defense of the principal debtor as a defense for not assuming the guaranty liability, it is not subordinate to the limitations of the main debt, and the expiration of the main debt of limitations does not result in guaranteed debt of limitations. The termination or suspension of the main debt limitations does not affect the calculation of the guarantee debt limitations. On the one hand, the initial calculation of limitations of the general guarantee debt, in principle, is a precondition that does not enforce a main debt court decision. When the limitations of the primary debt is terminated or suspended, the limitations of the general guarantee debt lawsuit has not yet commenced, so it is naturally impossible to cause the so-called interruption or suspension. On the other hand, the creditor's requirement for the joint guarantor to bear the guaranty liability does not presuppose that it requires the primary debtor to bear the guaranty liability. Because the two are not really joint debts, so the joint guarantor debt is also independent in the calculation of the limitations of action. Conversely, the termination or suspension of limitations for guaranteed debt actions has nothing to do with the limitations for primary debt.

Key words: guaranteed debt litigation limitation; guarantee period; joint debt; general guarantee; joint liability guarantee

Social Autonomy and Government Control: The Tradition and Factors of Rural Governance in China

(67)

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Abstract: In the long-term course of historical evolution, Chinese rural governance has formed social autonomy tradition and social control tradition. There are several structural factors, such as the tax system based on agricultural economy, the political concept of inactive imperial power, the social structure based on family ethics, the governance thoughts combining Confucianism and Legalism, and the disaster-prone ecological structure. At present, these traditional elements can be found in the current governance innovations. However, in order to truly promote the institutionalization of these practices and enhance the effectiveness of rural governance, it is necessary to recognize the applicable conditions and the inherent obstacles faced by

these traditions. Considering these, it's important to build a service-oriented government, construct social community in rural area, develop and protect new county sage, and realize the positive interaction between government management and social autonomy.

Key words: social governance; rural governance; autonomy; Baojia; Township Treaty

Non-profit Intermediary: A Public Affairs Participation Pattern of Social Organization from the Perspective of Social Capital Theory

(78)

Hu Wei, Gao Yingce

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Abstract: For social organizations, especially those that are normally not directly involved in the provision of public services, this study proposes the “non-profit intermediary” as an operation pattern of involvement in public affairs. The social capital theory emphasizes the role of social relations in reducing the difficulty of transactions and promoting cooperation between individuals or organizations. Based on this, if a wide range of social organizations can cultivate social capital and apply it to the aspects that contribute to public welfare, they can help the social development as “non-profit intermediaries” by focusing on social relationship networks. By demonstrating the cultivation of social capital in the daily activities of the alumni association network of Zhejiang University and the application of social capital in the COVID-19 epidemic, this paper also provides support for the model of “non-profit intermediary” based on typical cases.

Key words: social organization; social capital; non-profit intermediary; public service; alumni association

“Gender” Revolution and Two Forms of Gender Constructivism

(88)

Sun Mingzhe

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Abstract: As an important part of Western political correctness, gender pluralism is becoming more and more powerful, and has formed the theoretical and practical trend of replacing the dual sex-perspective. Through the elaboration of gender revolution, a unique western language and cultural change, two forms of gender constructivism and its uniqueness in western culture are presented. Since the 20th century, “gender” has been used to refer to Xingbie, and has gradually replaced “sex” since the 1970s, which has led to the contradiction between the naturalness and sociality of gender. When “sex” is replaced by “gender”, the relationship between gender and physiology is theoretically denied, which promotes and strengthens the gender pluralism to become a legitimate social concept. This is a cultural change with unique Western characteristics.

Key words: gender pluralism; gender Constructivism; gender perspective; “Gender” revolution; feminism

What Is “Chinese Hermeneutics”?

(95)

Pre-subjective Interpretation: The Foundational Concept of Chinese Hermeneutics (*Huang Yushun*, Collaborative Innovation Center for Confucian Civilization, Shandong University); What Kind of Chinese Hermeneutics Should Be Expected? (*Fu Yongjun*, Chinese Hermeneutics Research Center, Shandong University); The Constructions from Western “Philosophical Hermeneutics” to Chinese “Philosophical Exegesis” (*Zhang Xiaoxing*, Advanced Institute for Confucianism Study, Shandong University)

The Basis of Individual Right to Life of National Legitimacy

—The Logical Starting Point of Rousseau's Social Contract Thought

(107)

Jin Dan

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Abstract: Rousseau thinks that the establishment of social contract is actually in pursuit of a state's legitimacy, an effective way to ensure the stability and peace of the country. From the perspective of contract theory, state legitimacy is a social contract in form, but in essence, the logical starting point of the contract

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is the individual's right to life. Therefore, the legitimacy of the state lies in providing the "public will basis" for the individual's right to life by means of social contract. Under the State Community, the individual right to life will inevitably encounter internal conflicts, that is, the contradiction between the community and the individual on the right to life. In this case, according to the law of social contract theory, the legitimacy of the state is to solve the internal conflict of individual right to life.

Key words: right to life; state; legitimacy

On the Endogeneity, Coordination and Ecology of Moral Education Community (112)

Cao Zheng, Ren Shaobo

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Abstract: The endogeneity, coordination and ecology of moral education community have rich connotation: endogeneity contains the internal law of the development of moral education, which based on the generation and satisfaction of the main needs of moral education, it determines the power generation of moral education community. The essence of coordination lies in breaking the barriers between the subjects and elements of moral education, and exploring the systematic construction of moral education community in three dimensions: macro, meso and micro. Ecology highlights the inheritance and transformation of moral education community in the environmental change, and promotes its continuous evolution. Deepening the understanding of the endogeneity, coordination and ecology of moral education community is not only the need of the objective to improve the effectiveness of moral education practice, but also help to construct a three-dimensional education system with moral education as the fundamental task.

Key words: moral education community; endogeneity; coordination; ecology

Cheng Hao and Cheng Yi's Discussion on the "Kingly Way" and "Governance" and Their Significance in the Contemporary (117)

Fan Lizhou

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Abstract: Cheng Hao and Cheng Yi's political thoughts focus on the first place on the origin of the monarch's mind. Compared with the improvement of the military and criminal legal system, as well as that of fiscal and taxation and administrative efficiency, "rectifying the monarch's mind" is more thorough and more important. The kingly politics they interpret can and must occupy the primary position, because it is the order and command of the heavenly principle. Kingly politics is the conscious response of the politicians to their inner nature. Following the heavenly principle to implement kingly politics is not only the manifestation of the cause of the "outer king", but also the requirement of the "inner saint". Therefore, kingly politics should conduct "pure kingly governance" by the saint king with "pure kingly heart". At the same time, the Cheng brothers also explored specific ways to govern the country and did not exclude the role of compulsory discipline forces in controlling the society. Numerous political issues forced them to think in line with the times, rather than simply looking for ready-made answers from ancient schemes. The theory of the Cheng brothers spread through the "nine misters of the Yuanfeng period" in Zhejiang and Jiangxi, acting as the precedent of the Yongjia School of the Southern Song Dynasty. The origin of the Zhe-studies comes from the Luo-studies. The Cheng brothers' thoughts of the rule of man embodies a persistent identification with morality and it still has its unique meaning in the contemporary context of "rule by law" and "rule by virtue".

Key words: the Cheng brothers; the Kingly Way; governance; rule by man; Zhe-studies

How Should Contemporary Literature Be Written with Integrity and Complexity ——A Kind of Investigation based on "Historicization" (127)

Wu Xiuming

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Abstract: The historicization of contemporary literature is based on the historical, logical and rational

judgment of a large number of historical texts. It not only needs to do specific and practical knowledge genealogy work, but also needs to have a high-level overall observation and integration. In this respect, integrity and complexity are undoubtedly the two important keywords or entry points leading to the deep level. How to observe and grasp the overall history of the intertwining of "integration" and "heterogeneity" from the height of historical knowledge, presenting its complexity while still clarifying the history as it should be, is a responsibility of researchers. Only by establishing an overall in-depth analysis framework and giving a clear interpretation, can we achieve a more accurate and more profound evaluation and grasp of contemporary literary history.

Key words: integrity; complexity; historicization

Drifting Away?

—On the Divorce and Union between Literary Theory and Literary Practice (138)

Zhu Guohua

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Abstract: This paper starts with a succinct review and aims at a critical reflection of the relationship between literary theory and literary practice since the New Era. The paper observes, literary theory, flourished at the beginning of The New Era, has functioned, along with literary criticism, as an integral component to a community of literary interpretation, and developed a benign interactive relationship with literary practice. However, literary theory has gradually drifted away from literary practice since it took on the so-called discipline autonomy. While this process may be irreversible, the author maintains that literary theory can be expected to have a future as it may develop in response to a certain mode of grand literature into a new discipline in the humanities and become a theoretical foundation for liberal arts literacy.

Key words: literary theory; literary practice; literary criticism; grand literature

Water Environment of the Yellow River, the Huai River, the Grand Canal as well as Lakes and the Water Conservancy System of Subei Area in the Middle and Late Qing Dynasty (145)

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Abstracts: Water environment change of the Yellow River, the Huai River and the Grand Canal made the lake bottom of Hongze Lake silt up and river bed of the Yellow River rise. To ensure the canal to be unblocked and the Yellow River to be controlled, the authority built Gaojiayan in order to accumulate water of the Huai River to fight against flow of the Yellow River. With the further silting up of the Yellow River bed as well as increasing frequency of Yellow River entering into the lake, the whole hydrological situation characterized with ecological governance model when the authority carried out the water control strategy in order to accumulate water of the Huai River to fight against flow of the Yellow River had stopped appearing. This change forced the authority to concentrate the critical control point of flow on the area named ShanYang and Xuyi where five dams were located. Based on this, a new control point formed. More water flow discharged through dams, accelerating the open of channels leading to the Yangtze River and aggravating the flood in Lixiahe area. All environmental changes not only caused flood, but also promoted the development of Weitian field system and Duotian field system in Subei area.

Key words: water conservancy in north Jiangsu; Great canal; Polder field

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