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## ABSTRACTS

### **Institutional Construction and Practical Strategies of Common Prosperity** (4)

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2. *School of Public Affairs, Zhejiang University, Hangzhou 310058*)

**Abstract:** In China, the system of common prosperity is a key part of the system of socialism with Chinese characteristics and it is based on and driven by forming a society of common prosperity. In order to construct the common prosperity system, a relevant theoretical framework should be designed as per socio-economic realities and laws by proper management of the relationship between efficiency and fairness as well as development and sharing, and four dimensions including organization, norm, policy, and mechanism; thus, the systematic framework around the four elements can be provided with basic four characteristics including subject pluralism, norm binding, policy instrumentality and mechanism dynamics. Besides, it is necessary to fully support benign interactions between the theoretical design and local explorations; under unique social backgrounds and practical fields, local systematic innovations or explorations should be monitored in terms of joint participation by multiple subjects, legal guarantee for reform and innovation, social development balancing by policies, and stimulation of sustainable endogenous power, together with the discourse systems for social high-quality development and common prosperity, so as to not only maintain steady, sustainable and fast economic growth but also keep increasing welfare for the whole society and provide systematic resources for common prosperity.

**Key words:** common prosperity system; constituent elements; practice in Zhejiang

### **Agricultural Land Circulation, Deepening of Division of Labor and Economic Utility Improvement** (13)

Li Dongsong<sup>1</sup>, Zhang Zhilu<sup>2</sup>, Wang Xiaojie<sup>3</sup>

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**Abstract:** The agricultural land circulation system not only provides institutional guarantees for the mechanization and large-scale operation of agricultural land, but also stimulates the migration of affluent rural labor into cities and nonagricultural industries such as industry, creating opportunities for deepening labor division. Based on an overview of the development of agricultural mechanization and deepening of labor division in the process of land system change, this article constructs an emerging classical economic model to examine the equilibrium utility of the economy during the traditional agricultural stage, the household contract responsibility system stage, and the three rights division period. In terms of theory, research has found the possibility and conditions for agricultural land circulation and labor division to improve the economic situation of the economy. That is, when the transaction efficiency, the degree of specialization in production, and the labor reduction coefficient of workers meet certain conditions, and the proportion of agricultural population is small and maintains a certain corresponding relationship with the proportion of population in the agricultural machinery sector, the production mode during the three rights division period can further improve the economic situation; In terms of numerical analysis, according to research, with the deepening of labor division in the production of agricultural machinery and tools, the increase in the degree of specialization in the production of agricultural products and general industrial products will greatly enhance the individual equilibrium utility of the economy. In short, the strong institutional supply of land circulation policies has created a driving force for the division of labor in the dual economy, resulting in moderate scale management of land and division of labor in agricultural machinery production, which further promote the development of the agricultural economy under the new business model, thereby improving the utility of the economy.

**Key words:** agricultural land circulation; division of labor; dual economy; agricultural mechanization; production specialization

**Technological Innovation Investment, Intellectual Property Protection,  
and High-Quality Economic Development** (22)

Cheng Huifang, Liu Zhuoran, Hong Chenxiang

*(School of Economics, Zhejiang University of Technology, Hangzhou 310023)*

**Abstract:** Innovation is the primary driving force behind the high-quality development of China's economy. This article explores the impact of technology innovation investment on high-quality economic development by constructing a technology innovation investment index and using panel data from 30 provincial-level administrative regions from 2000 to 2020. Research has found that technological innovation investment significantly promotes high-quality economic development, and this conclusion remains valid after a series of robustness and endogeneity tests; From the perspective of technology innovation investment types, both enterprise technology innovation investment and technology R&D personnel investment significantly promote high-quality economic development. Further research has shown that the promoting effect of technological innovation investment on high-quality economic development is non-linear. The higher the level of intellectual property protection, the stronger the promoting effect of technological innovation investment on high-quality economic development. The conclusion of this article has important policy guidance value for how to reasonably allocate innovation resources and accelerate the coordinated development of innovation elements and intellectual property protection system in China.

**Key words:** high quality development; innovative elements; intellectual property right; coordinated development

**A Historical Study on the Restrictions on Fundamental Rights:  
from Legally Restricted to Constitutionally Protected to Statutory Reserved** (31)

Zhang Xiang

*(Law School, Peking University, Beijing 100871)*

**Abstract:** From a historical perspective, the ways in which fundamental rights are restricted in the constitutions are various and spiral, from legally restricted, constitutionally protected to statutory reserved. In the previous constitutions before 1949, fundamental rights were restricted by laws subject to no further restrictions. Fundamental rights thus could not be protected effectively. Influenced by Marx's critique on the capitalist constitutions, the Chinese Communists adopted a way of constitutionally protected or absolutely protected in the early period. The current Chinese Constitution 1982 provides the fundamental rights with the restrictions prescribed by law, known as the model of statutory reservation. Adhere to the rule of law, the principle of statutory reservation in Chinese constitutionalism is implemented through the Law on Legislation and in the mechanism of the Record and Review.

**Key words:** restrictions on fundamental rights; statutory reservation; law on legislation, constitutional review; recordation and review

**"Prescribed by Law" as a Requirement for the Limitations on Fundamental Rights  
in Common Law Jurisdictions** (39)

Yang Xiaonan

*(Law School, Sun Yat-sen University, Guangzhou 510275)*

**Abstract:** Statutory reservation (prescribed by law) is regarded as a concept borrowed from German administrative law, without an exact counterpart in common law. Statutory reservation is based on the requirements of the justified state powers and the separation of powers which are shared in modern countries including common law jurisdictions. Under the framework of international human rights covenants, the mechanisms of constitutional review in the world interact with each other and share some common features eventually. From the perspective of historical studies and comparative law, the principles of due process of law which includes substantive and procedural requirements in American Constitution and legality in commonwealth countries which aim to prevent the arbitrary powers and provide with foreseeability could be thought as paralleling concepts of statutory reservation, with the same origins and ends.

**Key words:** prescribed by law; fundamental rights; due process of law; principle of legality

**The Functional Changes of Legal Reservations in France: from the Configuration of  
Legislative Power to the "Constitutionalisation" of the Legal Order** (50)

Wang Wei

*(Law School, China University of Political Science and Law, Beijing 100029)*

**Abstract:** In French law, the function of legal reservation was initially reflected in the balance of legislative and executive legislative competence. This balance has also led to a shift in the allocation of legisla-

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tive power and executive legislative power from “parallel type” to “vertical type”. Specifically, the French constitutional normative level of legislative matters explicitly enumerated in the formation of the legislative power and executive legislative power is clearly separated from the “parallel” normative structure, with the original imagination of the administrative reservation: the framers hoped to limit the expansion of parliamentary legislation in this way. However, the effectiveness of the reservation of laws depends more on the understanding in the jurisprudence of the courts of the areas reserved for parliamentary and administrative legislation, and in particular on the review of the legality of administrative acts by the Conseil d’Etat and the judgment of the Constitutional Council on the constitutionality of the configuration of the competences of laws and regulations. On the one hand, the Conseil d’Etat, as the defender of the executive power, attempts to strengthen the space of autonomy of administrative legislation by applying the legal barrier theory, but encounters strong counter-attacks from the empirical law. On the other hand, the Constitutional Council utilized the review technique of constitutionality reservation to strengthen the legislative slack as the review benchmark, thus further squeezing the space of administrative legislation, and inversely promoting the strength of parliamentary legislation, forming a “vertical” configuration of legislative competence. However, along with the change of practice, the mechanism of law reservation has gradually transformed from the configurator of legislative and executive legislative competence to the integrator of legal order, and the constitutional norms have played a full role in the legislative power, contributing to the “constitutionalisation” of the objective legal order.

**Key words:** reservation of laws; French public law; allocation of powers; constitutionalisation

### **Reservation of Law and the Retroactivity of Judicial Interpretation** (61)

Jiang Bingxi

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**Abstract:** In our country, the dispute about the retroactivity of judicial interpretation is not simply a dispute about temporal validity of law, but also involves different understandings of the normative nature of judicial interpretation, and is closely related to the distribution of legislative power between the legislature and the judiciary. Therefore, the normative analysis around this issue should also be included in the perspective of the principle of reservation of law, in addition to the principle of non-retroactivity of law. In the dimension of legal reservation, judicial interpretation, as a product of legislative power rather than judicial power, is justified as a secondary source of law with an independent normative rank because of its characteristics of the authority of norm formulation, the universality of norm effect, and the rightness of normative content. On this basis, the principle of trust protection further establishes the binding method of the principle of non-retroactivity of judicial interpretation through the elements of reliance performance and reliance worthy of protection subjectively. Combining both subjective and objective aspects, judicial interpretation should be constrained by the principle of non-retroactivity of law. Only when the new judicial interpretation does not adjust the relationship between citizens’ rights and obligations, or citizens’ trust in the past law is not worthy of protection, can the retroactivity of judicial interpretation be allowed. In addition, the retroactivity of judicial interpretation should be constrained by the adjudged force.

**Key words:** judicial interpretation; reservation of law; non-retroactivity of law; reliance protection

### **Living Arrangements, Filial Piety Expectations and Mental Health of Older Adults** (70)

Li Liming, Wang Jieqiong

(*School of Humanities and Social Science, Xi’an Jiaotong University, Xi’an 710049*)

**Abstract:** With the strategy of healthy ageing, this study used the data from the China Longitudinal Aging Social Survey (CLASS) 2014 project and aimed to examine the relationships between living arrangements, filial piety expectations, and mental health among older adults, the differences between urban and rural areas were analyzed as well, thus the mechanism of the influence of living arrangements on depression levels of the elderly has been verified and enriched. Empirical results show that (1) living arrangements are reported to have a significant influence on depression in older adults, which means those who live with their children have lower depression levels; (2) the effect of living arrangements on relieving older adults’ depressive symptoms in older adults is moderated by a subjective factor: older adults’ filial piety expectations. Living with sons brings about significant positive effects on helping relieve depressive symptoms of those who endorse the thought that “raising sons for old”; (3) the suppressive effect of living with sons on older adults’ depression levels was found to occur mainly in rural rather than urban areas, while the moderating effect of filial piety expectations occurred mainly in urban areas rather than rural China.

**Key words:** living arrangements; mental health; filial piety expectations; moderation effect; rural-urban differences

**The Transformation Logic and Implementation Path From The Linkage of the  
“Three Social Organizations” to “Five Social Organizations”** (80)

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**Abstract:** “Three Social Organizations” faces problem of “four insufficiencies”, and the linkage of the “Five Social Organizations” came into being. The transformation from “Three Social Organizations” to “Five Social Organizations” is the requirement of grass-roots governance modernization. It is not only a quantitative change, but also a deep change in governance logic. Its governance objectives, governance subjects, governance mechanisms and governance resources have changed, and the community governance model shaped by it has also been upgraded. At a deeper level, the linkage of the “Three Social Organizations” upholds the dichotomy logic and is the product of the “state-society” relationship, with the purpose of promoting political and social interaction. The linkage of the “Five Social Organizations” adheres to the logic of three-way division and focuses on stimulating residents’ subjectivity and initiative. It is the product of paradigm of “state-society-individual” relationship, and can better achieve the goal of “benign interaction between government governance, social mediation and residents autonomy”. In order to effectively realize the transformation, it is necessary to focus on solving the problem of “what to connect, how to connect, and how to move”. The key is to use governance technology to improve the element structure, build a linkage mechanism, and create a governance community.

**Key words:** community governance; linkage of the “Three Social Organizations”; linkage of the “Five Social Organizations”; transformation logic

**Colleges and University Labor Education in the Context of the Emergence of Digital Labor** (89)

Xu Lei

(*School of Business Administration, Zhejiang Gongshang University, Hangzhou 310018*)

**Abstract:** Novel professions are emerging in large numbers in the context of the digital economy wave and the number of digital laborers is continuously increasing. Labor education in colleges and universities urgently requires transformation and innovation, with deeply embedding into the rapidly expanding new digital labor network, fostering more points of alignment between on-campus labor education and off-campus digital labor. The main obstacles that hinder the innovation of labor education in colleges and universities are the inadequate integration of theory and practice, insufficient infusion of digital elements, and detachment from the digital labor network. To overcome these obstacles, better embedding between the digital labor market and university teaching is necessary and actively engage in “embedded digital labor market” labor education. Colleges and universities can encourage both faculty and students to engage in flexible digital labor, establish university innovation and entrepreneurship parks towards the digital economy, develop empowerment mechanisms that foster deep interactions with digital enterprises and further leverage the boosting role of online education.

**Key words:** digital labor; labor education; colleges and universities; innovation and entrepreneurship

**Labor Dialectics in the Digital Age:  
Contemporary Interpretation Based on Marx’s Philosophy of Labor** (97)

Zhang Yixiu

(*School of Marxism, Hangzhou City University, Hangzhou 310015*)

**Abstract:** Entering the digital age requires adhering to Marx’s historical materialist methodology and positioning digital labor from the macro perspective of digitalization of production. In terms of basic elements, digital labor is based on digitalized labor materials and is differentiated into broad and narrow digital labor based on the object of labor. In digitalized production, the general labor in the foreground and the hidden data-based labor in the background complement each other, and the so-called “audience labor” is just an appearance. Digital labor has the duality of natural and social relations, which the concept of “immaterial labor” fails to understand and break through. The products of digital labor, especially data, have use value and value, but the two should not be confused. From the perspective of the objectification of digital labor, we can avoid misinterpreting the source of value, production contribution and factor income of data, avoid falling into “data fetishism”, and ensure that the digital economy is on the right track.

**Key words:** digital labor; data; Marx; audience labor; immaterial labor

**Causality Justification and Thing Enslavement Criticism of “Digital Fetishism”** (103)

Yan Song

(*Institute of Marxism, Zhejiang University, Hangzhou 310058*)

**Abstract:** “Digital fetishism” is a product of the era of digital capitalism, which reflects people’s wor-

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ship to data goods, digital technology and digital capital. Digital technology, Data goods and Digital capital are the three major components of digital capitalism, and they all come from or serve "data". The most remarkable feature of the digital capitalism era is that "data" has become a new means of production. The causal inspection of data is the basis for judging the appearance logic and presence pattern of "Digital fetishism". "Digital fetishism" shows its "material servitude" symptoms by three patterns of digital technology discipline, digital commodity alienation and digital capital materialization. The criticism and transcendence of the material servitude of "Digital fetishism" must return to Marx's "alienated labor" liberation theory, which covers the three structural systems of workers recognize the alienation of their own labor, workers' conscious elimination of the social nature of alienated labor, and workers establish new social relations, providing the fundamental way and method to criticize and transcend the material servitude of "Digital fetishism".

**Key words:** digital capitalism; digital fetishism; causal relationship; pertinence relation; human liberation

### **An Ethical Approach to Digital Medicine in the Era of Intelligence —Reflection on the Theory of "Moral Objectification"**

(114)

Ye Shaofang, Liu Chanjuan

*(Research Institute of Medical Humanities, Wenzhou Medical University, Wenzhou 325000)*

**Abstract:** The advent of digital healthcare in the era of intelligence is precipitating a swift transformation of conventional medical treatment practices, thereby giving rise to a multitude of ethical quandaries and conflicts that exceed the bounds of human imagination. Consequently, it becomes imperative to approach the progression of digital healthcare in a judicious manner. Can digital healthcare be subjected to moral objectification? Furthermore, how ought we to construct a framework for digital healthcare ethics? This article is grounded in Verbeke's theory of "moral objectification." It aims to analyze the ethical predicament encountered in the realm of digital healthcare. Meanwhile, it attempts to examine the "moral initiative" of digital healthcare as a whole that integrates information technology and medical activities. By employing the technique of imbuing value into artifacts, it elucidates the ethical characteristics of numbers and technology, thereby fostering the emergence of a "moral turn" in the realm of digital healthcare. Additionally, it offers a framework for responsible and rational deliberation in the advancement of digital healthcare, facilitating further exploration of ethical standards, principles, and norms.

**Key words:** digital healthcare; ethical dilemma; moral objectification

### **Reinterpreting the Basic Motivation of Marx's "Withdraw from the Public Stage to the Study"**

(121)

Zhao Xiaole

*(School of Marxism, Sanya University, Sanya 572022)*

**Abstract:** The analysis of the motives for Marx's "withdraw from the public stage to the study" is overshadowed by the intellectual search for the concepts of "the embarrassing position of having to discuss so-called material interests" and "assailing doubts". In fact, Marx's "withdraw from the public stage to the study" to the study of economic problems and the critique of political economy was motivated by multiple factors. Among them, the "initial motivation" was the "the embarrassing position of having to discuss so-called material interests" during the *Rheinische Zeitung* period, while the ideological dilemma of the inadequacy of previous research results to assess the British and French doctrines of ideal socialism, and the principled disagreement with the moderate position of the publisher of the *Rheinische Zeitung*, Marx's determination to make this turn was further motivated. In essence, this marked the historic beginning of Marx's "two transformations".

**Key words:** *Rheinische Zeitung*; material interests; French tendencies; Yearbook of German and French

### **The Intrinsic Correlation of Emotion, Pure Moral Knowing and Action: Wang Yangming's Theory of the Unity of Knowledge and Action Revisited**

(128)

Lu Yinghua

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**Abstract:** This article illustrates two action-related aspects of pure moral knowing: (I)moral motivating power and (II)practical ability. Moral emotion unifies all aspects of pure moral knowing. There is a significant degree difference in clarity of consciousness, motivating power, and promotion of external knowledge between pure moral knowing without action and various levels of pure moral knowing refined through action. This reading could solve seeming contradictions and logical problems in Wang's theory of the unity of knowledge and action, and better clarifies our moral experience.



**Key words:** Wang Yangming; pure moral knowing; moral emotion; the unity of knowing and action; moral motivating power; practical ability.

### **Data-driven Approach to Literary Communication** (136)

Shao Bin, Liu Haitao

(*School of International Studies, Zhejiang University, Hangzhou 310058*)

**Abstract:** The spread and influence of an author and his works have been extensively investigated via qualitative description. However, in the era of big data, data-driven study of literary communication is gradually coming into being. In this paper, we propose a data-driven model of literary communication and illustrate it with a case study on the spread of Ernest Hemingway's literary fame in the whole 20th century. It is found that: (1) in the era of big data, macro perspectives such as distant reading and Culturomics play an increasingly important role in the studies of literary communication; (2) the data-driven model of literary communication highlights the importance of quantitative investigation based on distant reading and Culturomics, but also includes qualitative analysis drawing on close reading and the theories of literary sociology; (3) the literary fame of a writer and his works is often manipulated by non-literary factors, which can be summarized based on communication data.

**Key words:** literary communication; data-driven; Ernest Hemingway; Culturomics; corpus

### **The Breaking of the Refurbished Novel Had Promoted the Modern Canonization of the Si Da Qi Shu** (143)

Wen Qingxin, Zhang Jingjing

(*College of Literature, Yangzhou University, Yangzhou 225002*)

**Abstract:** Modern renovated novels had carried out various renovations and reversals of Si Da Qi Shu with a new text structure and meaning system. The relevant creation adopted the way of imitating the past and discussing the present, which led to the strong realistic orientation of Si Da Qi Shu in the novel text. For example, Lu Shie had adopted a humorous style of writing and a game attitude, and had seized the perspective of peculiar to reconstruct the text of Si Da Qi Shu. This approach ensured the consistency between the book's elevated text system and the modern value system. In short, the renovation novel had deepened the diversity of the text features and meanings of Si Da Qi Shu with the perceptible images and readability of the characters' stories. This not only increased the attention of Si Da Qi Shu, but also expanded the text. So, it helped to strengthen the classicality of Si Da Qi Shu and its significance in modern times.

**Key words:** Si Da Qi Shu; renovated novels; Lu Shie; classic construction

### **Zhejiang in World History: A Panoramic Overview** (150)

Gong Yingyan

(*Institute for East Zhejiang Culture Studies, Ningbo University, Ningbo 315211*)

**Abstract:** Zhejiang is the main birthplace of Chinese marine culture, an important source of East Asian marine culture, and a gateway for ancient China's foreign communication. Throughout history, the course of Zhejiang overseas communication can be summarized as: it was founded in prehistory, originated in the Han and Jin dynasties, developed in Tang dynasty, flourished in the Song and Yuan dynasties, underwent drastic changes during the Ming and Qing dynasties, and greatly transformed in modern times. In the vast historical landscape of China's overseas communication, Zhejiang has gradually stepped from the periphery into a hub maritime East Asia. After the 16th century, it was among the first to be integrated into the global maritime trade network, and responded to the globalization in a passive yet arduous manner. It is only since the reform and opening-up that Zhejiang has not only positively faced the fierce challenges of new waves of globalization, but also actively participated in the process of globalization, and even influenced the course of globalization. Therefore, only through reform and opening-up can Zhejiang continue to prosper. It is also a truth for all China.

**Key words:** Zhejiang; maritime culture; culture communication; maritime silkroad; globalization; reform and opening-up

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