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ABSTRACTS

The Plural Mirroring towards Modernity

Wan Junren • 4 •

Plural mirroring towards modernity refers to recognizing the pioneering nature of modern Western civilization while at the same time proposing and arguing for the possibility of a pluralistic creation of modern civilization and “modernity.” By examining the complexity, inherent tensions and contemporary dilemmas of the process of generation and evolution of Western modernity, this article attempts to reveal the basic mechanism of modernity and the many possible paths towards modernity other than “Western modernity,” such as Chinese modernity and its possibility of realization. Economic globalization is the first and the only step towards achieving the goal of “modernity” in human society; any “de-globalization” or “anti-globalization” ideas and behaviors will hinder or even interrupt the process of human society to the ideal goal of “modernity.” History and reality have proved that “building a community with a shared future for mankind” is by far the most suitable concept in terms of explanatory power for humankind to pursue the ideal of “modernity.” It is theoretically and thoroughly superior to the existing “universalism,” “cosmopolitanism” and “globalism,” and is the latest understanding of contemporary Chinese of human modernity.

On the Communist Party of China’ s View of Modernization *Wu Zhongmin* • 21 •

The Communist Party’ s view of modernization is an integral part of the theory of socialism with Chinese characteristics. From the dimension of basic value orientation, the view emphasizes people-centered modernization; from the dimension of material basis, the view emphasizes the decisive role of modern productive forces; from the perspective of economic globalization, the view attaches great importance to opening up to the world; from the perspective of the advancement of all aspects of modernization, the view attaches great importance to comprehensive, coordinated and sustainable modernization; and from the perspective of bottom-line thinking, the view attaches great importance to the prevention of systemic social risks. The CPC’ s view of modernization is characterized by a strong practical character, a distinctive character of keeping up with the times, and an effective Chinese-style approach to modernization.

Marx’ s Idea of Modernity and the Practical Logic of Chinese-Style Modernization

Zang Fengyu • 39 •

Marx was both a critic of capital modernity and a constructor of a new modernity. While acknowledging the development of the productive forces in modern

society, he pointed out that the logic of capital is realized as a process of infinite multiplication and expansion of capital. While criticizing the modernity of capital, Marx proposes a new version of modern development, thus enhancing the quality of modern civilization. Marxism provided a powerful possibility and scientific and rational thinking for China's national liberation, activating the great force of reality and history that underpinned China's modernization. The Chinese way of modernization embodies the laws of socialist construction and human social development, and promotes the creative transformation and innovative development of the excellent Chinese traditional culture. The new form of human civilization created therein shows that a nation with its particular history in the world has successfully chosen a modernization path that is in line with its own reality, and the achievements it has made are of world historical significance.

From Control to Utilization: The Transformation of the Data Governance Model of Criminal Law in China *Yu Gai zhi* • 56 •

Data security and data sharing are fundamental goals of data governance. Influenced by the notion of data empowerment, current criminal law adopts a control model that focuses on the prohibition of "access," "leakage" or "theft" of data and thus to prevent abuse in advance. However, the control model ignores the public good nature of data and fails to protect the legal interests of data in a comprehensive and effective manner, resulting neither in effective data security nor data sharing. The model of exploitation aimed at controlling abusive behaviour is a realistic direction for the adaptation of the criminal law data governance model. The realization of this mode can be based on the following approach: setting up a special article in the general provisions of the criminal law to guide the interpretation of the legal interests of data in the sub-rules; limiting the control model of legislation to give full play to the independent value of data; adding crimes of abusing algorithms and providing illegal algorithm services to make up for the shortage of current criminal law norms; actively developing the reasons for preventing data-related crimes and avoiding the inhibition of data sharing goals due to the excessive intervention of criminal law.

"The Yan' an Talks" and Cultural Creation of Chinese Literature and Art

Zhao Xue yong • 75 •

Comrade Mao Zedong's "Talks at Yan' an Forum on Literature and Art" (the Talks) is an important achievement of the Sinicization of Marxist literary and art theory, which not only guided the new development of Chinese literature and art but also bore epoch-making value and significance in cultural creation. The cultural innovation of the Talks is prominently reflected in the evolution of *ren* (people) concept and the transformation of cultural values it brought about. The connotation of *ren* elucidated by the Talks has changed from the individualized "human" in the early stage of new literature movement to "the people." Establishing the orientation of creating literature and art "for the people," treating the people as the entity of cultural creation as well as pursuing the value of human liberation manifest the

profound transformation of cultural values. This transformation has given the revolutionary literature and art a distinctive nature of new democratic culture, enabling Chinese literature and art to obtain unprecedented cultural creativity. The Talks provided a feasible approach to the cultural creation of Chinese literature and art by proposing how to properly cope with the relationship between popularization and improvement. With grand historical bearing and contemporary awareness, General Secretary Xi Jinping's important expositions on literary and art work have enriched and expanded the Talks' spirit of cultural creation under new historical conditions. From the perspective of national rejuvenation and cultural creation, these expositions have made new and profound elucidation of important problems, i. e. the affinity to the people being the connotation of literature and art as well as the improvement problem of literature and art work, thus providing fundamental guidance for cultural creation of Chinese Literature and art in the new era.

The Productivity Level in the Song Dynasty

Jiang Xidong · 95 ·

Exploring the evolution and changes in social history should begin with research on the fundamental problem; the state of development of productivity. The Song dynasty witnessed at least forty-five cases of improvement of production technologies, production objects, and production tools, of which at least fifteen took place in agriculture and at least thirty in handicraft industry. The overall Song productivity level exceeded that of the previous dynasties, but it also had many limitations; seven bottlenecks restricted its further development. The Ming and Qing dynasties outperformed it in only two fields; agricultural technology and the fire lance [which used gunpowder], while failing to make major breakthroughs in the other five fields. Although the Ming and Qing dynasties surpassed the Song dynasty in terms of total productivity and technology, especially when it came to the introduction of crop-planting techniques, their per capita productivity and quality of development lagged behind, leaving the whole of society stagnant and conservative, for several reasons: no major breakthrough was made in production tools; some important tools even went backward, and the population increased sharply. Compared with previous dynasties and the Ming and Qing, the Song reached a peak productivity level. The changing productivity level is the primary reason for Song development, Ming and Qing stagnation, and the rise of Europe.

Financial Policy and Social Economy in the Song Dynasty

Li Huarui · 113 ·

In the Song dynasty, industrial and commercial taxation far exceeded agricultural taxation, to an extent which no other dynasty could match. This phenomenon was largely due to its strongly utilitarian financial policies. The court made industrial and commercial taxation its main revenue source; it operated effectively through the use of market features and the laws governing market relationships and the commodity economy, and actively stimulated consumption. Under this dominant policy, rulers seeking huge wealth used state power to mobilize various resources, implementing a system of monopolies and commercial taxation. This in turn actively stimulated the

commodity-monetary economy, expanding the scale of market exchanges and promoting the development of the commodity economy. Song financial policies manifested the imperial state's unique advantage of economic intervention, a feature of its prosperous commodity-monetary economy unlike other dynasties.

The System of Civil Officials Commanding the Military and Its Effects in the Song Dynasty *Chen Feng* • 130 •

The system of civil officials commanding the military, first established in the Song, took shape on two basic planks. Having learned the lessons of history, the early Song dynasty strengthened its control over generals and commanders, and beginning in the Zhenzong reign, scholar-officials dominated state administration. The new system, designed to seek stability, was marked by civil officers managing the military; its purpose was to prevent military generals from endangering the state and even turning against the regime. It was a double-edged sword; on the one hand, it reduced the effectiveness of the military and jeopardized the borders; on the other, it helped maintain the stability of the ruling order and of civilian rule, and thus objectively contributed to sustainable social, economic, cultural and educational development. From the perspective of the course of world civilization, this precocious system was similar to those in modern Western countries. As an institutional innovation, it is historically significant.

The *Xiangyi* Theory and the Evolution of the Rural System *Bao Weimin* • 147 •

Ma Duanlin put forward the theory of *xiangyi* (township officials), stating that in the early imperial period of China, *xiangshou* (township sheriffs) and *lixu* (village officers) were officials, but beginning in the Tang and Song, these posts were filled by those with non-official posts, who were especially difficult in meeting heavy official demands. This theory is not entirely in line with historical facts. Beginning with the Qin and Han dynasties, the *xiang* (township) was a regional quasi-political unit, and the township sheriff was a low-ranking official. In the Sui dynasty, the township was changed to a joint household unit, and the sheriff became a retainer from a non-official household. Village officers were always appointed from these households. The new taxation system, which was based on property, had a profound impact on grassroots administration. From the Tang to the middle of the Northern Song, due to the large size of village (management) units, the most important business of grassroots administration, tax collection, was mostly controlled by the upper households or by people who filled the posts on behalf of others. Compared to county administration, the administration of townships and villages had not yet become a major problem. With the implementation of the new law of the Xifeng reign, tax units of 100 households were set up within the scope of the *dubao* (500 households), and heads of *dabao* (50 households) were set up as heads of these households for tax collecting purposes. In this process, the government's power was further extended to the grassroots, and the administrative burden of tax collection was spread across most of the middle strata and even the lower households.

In the Southern Song, there was a worsening situation as “the government demanded taxes based on false registers, and the people suffered corvée labor that destroyed the family.” This influenced the later *lijia* system.

The Situation and System of Transport in the Song Dynasty

Cao Jiaqi • 168 •

Overall, the center of Song transport shifted first eastward and then southward, forming a transport network centered on the capital city and reaching to the strategic border areas. This, along with a preference for maritime transport in dealing with overseas countries, was the result of the joint action of the international political situation and the internal factors of the Song dynasty. Song financial needs, under pressure from the military recruitment system and military garrisons, led to increased merchant levies, thus promoting the development of internal and external commercial transport. This corresponded to the international situation in Europe and Asia, especially the Crusades, and led to the unprecedented development of maritime transport and trade. At the same time, the complex international and domestic situation led to a demand for and increase in the communication of information unprecedented in Chinese history. In order to control this massive information flow, a hitherto unseen variety of information channels and new information transmission systems emerged in the Song dynasty. The most striking were the new arrangements for the postal system, the militarization of messengers, and the permission for officials to use postal messengers to transmit private letters. These internal and external linkages reveal not only the deep-seated motives behind the overall situation and institutional characteristics of Song transport, but also the historical reality of its development. The conservative nature of the system and the regional differences in Song transport management can also be seen as the outcome of the interaction of internal and external factors.

The Protection of Women’s Land Rights in the Song Dynasty

Chai Rong • 187 •

In the Song dynasty, women’s rights to land were mainly derived from gift or inheritance. The protection of women’s land rights was based on a holistic legal theory that emphasized practical effects, and these rights were reflected and guaranteed at both the legislative and judicial levels to a certain degree. In order to pursue benevolent government and maintain filial piety, judges often broke through the limits of the legal code and provided many systematized judicial interpretations protecting women’s land rights. The main reason such rights were protected by law under the Song was their special social context; women’s real rights were expanded by their improved status in the family and their position in labor. The principle of filial piety elevated senior women’s legal status, and Neo-Confucian teaching were not yet binding on women’s actual land rights. Drawing on the Song dynasty’s holistic legal theory of the protection of women’s land rights and their systematized judicial interpretation is a way of using traditional Chinese legal culture to improve today’s legal arrangements.