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宪政自由的价值维度

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摘要: 由宪法规则体系所规范的宪政自由, 有其内在的价值维度, 并呈现出一体三维的结构, 即个人场域的自主性、社会场域的创造性和与政治/国家场域的参与性。三者分别是基础性价值、终极关怀的价值和兼目的性与工具性色彩为一的价值, 相互连接形成现代政治中宪政自由的价值与功能的图景。

关键字: 宪政自由; 自主性; 创造性; 参与性

Value orientation of constitutional liberty

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Abstract: Constitutional Liberty, which is regulated by the rule system of constitution, has got its inner value orientation, which is the self independence in private sphere, the creativity in civil society sphere and the participation in political state sphere. They correspondingly represents the basic, ultimate, objective and instrumental value concern that are closely related to each other and form a one-body-three-orientation inner structure, which illustrate the value and functional ideal type of constitutional liberty in modern politics.

KeyWords: constitutional liberty; self independence; creativity; participation