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从民权到民生 ——近现代中国社会变革的法理逻辑演变

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摘要: 近现代中国的历史是一部寻求社会变革的文化资源和理论依凭的历史。借助中国古代的民本观念, 近代中国的思想家们围绕救亡图存进行了关于民本观念的民权化改造, 意欲以民权改良或者变革近代中国, 但其目的并没有实现。到了现代中国, 已有的文化启蒙奠定了某种形式的民众根基, 现代中国的思想家们(主要是共产党人)凭借初步民权观念, 以民生为本, 领导了现代中国新民主主义革命, 并取得了初步成就。从民权信仰再到民生理念, 一种内在一致性的法理思维逻辑在演绎。特别是民生理念, 奠基于新民本观念之上, 糅合民权观念, 从而构成一种新的与以人为本相呼应的法理理路。

关键字: 民权; 民生; 民本

From civil rights to people's livelihood:
the jurisprudence logic changing of China's society's reform
in
modern times

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Abstract: To pursue the culture resources and theory foundation lies at the core of the early modern history. The ideologists in the early modern China changed people-oriented into civil right in order to improve or reform China by civil rights, but failed. Preparatory culture enlightenment has laid a foundation in the form of people's basement in modern China. The ideologists in the modern China who were mainly communists depending on civil right and paying attention to people's livelihood had led the new democratic revolution, and they attained preparatory victory. There's a jurisprudence logic change on internal coherence from civil rights to people's livelihood. Especially people's livelihood, which is based on the people-oriented and combining civil right, paves a new people-foremost jurisprudence path.

KeyWords: civil rights; people's livelihood; people-oriented

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