

The Harmony of Western Paradigm and Real Country of Transitional Economic Law

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Abstract: The logical assumption of Chinese economic law is based on the paradigm of western economic law, and it cannot reach harmony with Chinese reality. Putting forward the concept of "transitional economic law" can make china's economic law research return to the social reality of transitional china, solve the real problems in the reform reality, consciously distinguish from the western paradigm, so as to eliminate the serious legitimate crisis of chinese economic law.

1. Introduction

The exploration of change in socialist countries, which began in the 1950s, has lasted for half a century, and has involved more than 30 countries and a quarter of the world's population, which can be collectively referred to as trans-economic countries. Their economic operation cannot simply be defined by the developed and developing economies, nor is it suitable to be defined by the market economy and the planned economy, but embodies the unique commonality of the transitional economy[1]. In this case, it is the duty and mission of every economic researcher to study the harmony between the western paradigm of transitional economic law and the reality.

There are still many different theories in China's economics, but the differences and differences between the various theories are becoming smaller and smaller. After a long period of revision and adjustment, most economists agree that economic law arises from the failure of market self-regulation, the inherent defects of the market itself, and generally the externality, monopoly and public failure of the market, on the basis of which many economic theories have emerged[2]. In this case, the state and government need to help the market to avoid loopholes and problems and overcome the inherent defects through a "tangible hand ". The public power of the state government can intervene in the field of market macro-control only when the market's self-regulation cannot reach the ideal state and harmony. So in this case, we can clearly see that first there is the development of the market economy, then there is the economic law, the economic law is born in the development of the market economy. Although in many developed countries the emergence of economic law is in the opposite direction, such as the emergence and development of economic law in order to support, promote capitalism and market monopoly, the emergence and development of economic law in any case are based on the development of market economy, and when the self-development of market economy of these capitalist and monopolistic countries cannot meet the temporary and urgent needs of the state, such as the period of war, then the state will use public power to intervene artificially and centralize the control of market economy (Fig.1).Because the market can't meet the national war Temporary emergency needs, only the State can use its public power Completion of market forces Rule and concentration.



Figure 1 Market economy

2. Two Basic Models of Transition Economy

2.1. Progressive Rails

As the name implies, the progressive transition is to maintain the continuity and stability of the market economy in the process of transition. In fact, "continue ", "stable ", "development " is itself the criterion for reviewing and testing progressive transitions. From the point of view of China's actual transitional economy, the Chinese economic market did not set up a clear and standard market economy development system at the beginning, and in the early stage of reform and opening up, it took "developing the productive forces and liberating the productive forces" as the development direction. Deng Xiaoping also put forward in his speech on the Southern Patrol that the reform should be beneficial to the emancipation of the productive forces and the development of the productive forces and the improvement of the people's living standards Basic standards.

Progressive transition is not a step-by-step transition economy, but through transitional development, circuitous arrangements to make the reform of the market economy towards the ultimate goal of reform. For example, both china and vietnam have a system of two-price system in the process of the development of the transitional economy, and gradually develop towards the planned price system under the initial open market price system, and finally achieve the reform goal of two-track integration, and the market economy will generate the unified price on its own.

2.2. Radical Shift

The radical shift in the national market economy emerged between 1990 and 1994, after which it experienced a general development. This is because of the great economic crisis of the capitalist countries, the world economic crisis will form the economic depression of the vast areas, they will go through a long period of "labor pain ", the level of productivity of the economic market will fall at least 50% in the " labor pain period ", in this case, there is a radical shift economy.[3].

In the process of the development of the radical transition economy, constitutional transition is also included, that is to say, in the process of the development of the radical transition economy, the political and social aspects of the country will also carry out parallel transformation. The radical economic theory holds that the radical economic transition economy is a large-scale economic transition, and the large-scale economic transition is accompanied by the change of the large-scale economic system, which is a qualitative change of a country from political, social to economic development. And in the face of changes in the political system must not "cross a canyon in two steps ", which is also the significance of the radical transformation of the economy, because if the economic system reform is not completed in a short time, the old system will be a great obstacle to the new system (Fig.2).



Figure 2 Economic restructuring

3. Research Methods of Transition Economy

3.1. Full Compliance With the Western Developed Capitalist Market Economy Model

The most direct and traditional way to study the transitional economy is to follow the market

economy model of the western developed countries completely, and carry out the reform of the socialist country's economic system and the change of the market economy system through imitation and innovation. First of all, we should determine the development track and economic system of the market economy according to the development characteristics and the development situation of the market economy, and then judge the important standard of the social and economic system[4]. In fact, the existence of various social and economic systems in various countries is because of the existence of "special character of the system ", and the development of different market economy is also determined by the" special character of the system ". In short," special character of the system "is the particularity of the economic system and the uniqueness of the market development. Furthermore, the sequence of these five characteristics is divided into "basic characteristics" and "non-basic characteristics ", thus constructing the overall economic development characteristics and trajectories. The process of economic transition is also based on this (Figure 3). However, there are some limitations in this kind of research, after all, the characteristics and methods of research are somewhat dogmatic and mechanized, which will ignore the characteristics of the national market economy in the long-term transition process, and lack of foresight and comprehensiveness.



Figure 3 Economic transition

3.2. Economic Operational Mechanisms From Planning to Market the Change

Focusing on the change of operation mechanism from planned economy to market economy is an important reform strategy for national government to abandon centralization and planned economy. This kind of research method and research angle fully combine the change and direction of the economic system and political reform of the socialist country in the second half of the world[5]. The frequent occurrence of financial crisis not only brings great challenge to our financial industry, but also has a serious impact on the economic development of our country. China's economic market through the regulation of monetary policy to achieve government intervention in the market, market regulation and control of the important policy, is based on the law of value on the basis of innovative development, can reflect the important regulatory position of the government in the development of market economy. The planned economy shows its inherent malpractice and loophole more and more, the planned economy system turns to the market economy system is the inevitable trend. At present, more and more research shows that the market economy system cannot only regulate the level of market economy, but also influence the bank's risk-taking behavior by regulating the bank's risk tolerance. Under the background of frequent economic crisis, this kind of regulation and control from monetary policy is very important to the financial industry of our country, but it also has certain risks, for example, the risk that the bank faces, the bank is the economic center of our country, it plays an indispensable role in the circulation of funds and the loan of money. Moreover, because of the particularity of the bank, the bank risk is very different from the general enterprise risk, among which the most important reason is that the bank's daily operation is high debt management mode, which is also because the bank's daily operation is not a product but a currency, which also makes the bank risk have a variety of forms and special nature. Moreover, such studies are often confined to static institutional frameworks, compared to similar situations in the past, or to similar situations in mature market economies, and the results are hardly

accurate.

4. Conclusion

To sum up, the current theory of transitional economy has brought great influence on the development of market economy, and also prompted our country to discuss and think about the development of market economy. The socialist country should proceed from the actual situation, aim at the problem of the current market economy development, introduce and study the theory of transitional economics, deeply understand the economics of transition and its connotation, study the characteristics of different research theories and research methods of transitional economics, and think about its advantages and disadvantages.

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