
D922.29

A

2096- 6180 2022 02- 0109- 19

1

20

80

1978

2

3

1

70

“

2019

4

2021BFX010

4

2

“

”

2017

7

2014

2

19

2019

4

118

3

2016

13 – 15

4

" "

" "

5

6

7

4	2019	1	188
5		1987	3 88
6	2015	1	3

7 Eliana Ferrara, *Kin Groups and Reciprocity: A Model of Credit Transactions in Ghana*, 93 *American Economic Review* 1730, 1730 (2003).

“ ”

“

” 8

9

“ ”

10

“ ”

11 “ ” “ ”

12

“ ”

“ ” “ ”

“ ” 13

14

20 60

15

“ ”

16

8 2016 91

9 2015 28 – 29

10 2013 3 81

11 2011 1 230

12 2004 1 7

13 2016 188

14 1997 34 191 – 192

15 2007 4 1057 20

50 1994 2

48

16 1989 1 79

17

19

11
guilds

18

19

20

21

17

2003

2

30

18

—

2003

4

129 – 130

19

18

2007

4

1057

20

“

”

“

”

2008

3

17

21

“

”

“

”

2008

3

19

“ ”

19

“ ”

“ ”

1

2

27

19

” “ ”

“

28 “ ”

29

30

26 “ ”

2007 6 12

27 Olive Hart & Holmstrom Bengt, *The Theory of Contracts*, in T. Bewley ed., *Advanced in Economic Theory*, Cambridge University Press, 1987, p. 71 – 155.

28 “ ” 2004 2 36

29 “ ” 2005 2 39

30 — 1998 2 62

31

32

33

34

35

36

“

“ ” 37

18

19

“

31

32

33

34

35

36

26

37

2013

2

110

1997

2

21

2002

4

7

1998

2

53

2013

1

160

2009

2

2003

5

139

” 38

18

19 70

39

19

40

“

” 41

42

38 1 2012 54

39 Jeremy Atack, *Firm Size and Industrial Structure in the United States During the Nineteenth Century*, 46 *Journal of Economic History* 463, 471 (1986).

40 Ronald Coase, *The Nature of the Firm*, 4 *Economica* 386, 394 (1937).

41 2004 4 52

42 2000 5 172

43

44

45

46

47

48

43	—	1997	2	21		
44	—	49			2003	2
165						
45		2007	1	23		
46				2004	89 – 91	
47	2015	302 – 305				
48	1810—1850		2017	1	73	

19

18

19

49

20

70

50

19

51

52

“

”

53

54

“

” 55

56

“ ”

GDP 14.2% 1956—1978 GDP 6.0% ⁵⁷

20 70
20 70

“ ” “ ”
deregulation 58

20 70

1978

20 80

“ ”

59

56

57

58

59

GDP

2016 4 5
2016 4 165
2002 6 163
2017 3 38

60

19

61

“

” 62

“

”

63

64

65

66

60		2019	1	190 – 191		
61	—			2008	6	170
62		2011	4	155		
63				2003	3	22
64				2017	2	126
65	—					2004 2 81
66				2001	3	44

failure 67 “ ” market 20
 “ ” public interest 68
 “ ” capture theory 69 “ ” regulation failure 20 80

70

“ ” 71
 72

73

67 2015
 68 Richard Posner, *Theories of Economic Regulation*, 5 The Bell Journal of Economics and Management Science 335, 336 (1974).
 69 2008 3 94
 70 2019 1 197
 71 2019 170
 72 2014 3 38
 73 2016 139 – 140

74

“

” 75

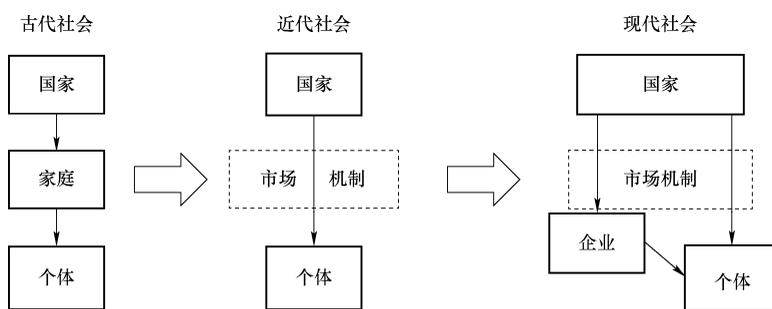
“ ” 76

“ ”

77

74		—			2014	8	91		
75				2016	146 – 147				
76		“	” —				2004	1	45
77				2014	5	58			
	2015	1	22						

1



1

“ ”

“ ”

“ ”

78

“

”

79

“

”

”

20 80

“

”

78

“

”

79

2014

1

104

2018

2

100

80 “ ”

81

82

“ ” digital revolution

15.5% ⁸³

84

85

86

“ ” social commerce ⁸⁷

“

80 2014 1 170
81 2010 2 31
82 2016 4 19 http://www.cac.gov.cn/2016-04/25/c_1118731366.htm

83 UNCTAD, *Digital Economy Report (2019)*, https://unctad.org/system/files/official-document/der2019_en.pdf, p. 48.

84 2021 <http://www.199it.com/archives/1314722.html> 6

85

“ ” 2016 3 14

86 “ ” 2015 4 301

87 Andrew Stephen & Olivier Toubia, *Deriving Value from Social Commerce Networks*, 47 *Journal of Marketing Research* 215, 219 (2009).

‘ , ‘ , ” 88

89

90

91

92

93

94

“ ”

“ ”

95

2020

“ ”

“ ”

88

2016 7 106

89

2018 3 43

90 Nick Hajli et al., *A Social Commerce Investigation of the Role of Trust in a Social Networking Site on Purchase Intentions*, 71 Journal of Business Research 133, 135 (2017).

91

2016 7 107

92

2015 2 136

93

—

2012 6 63

94

2013 7 129

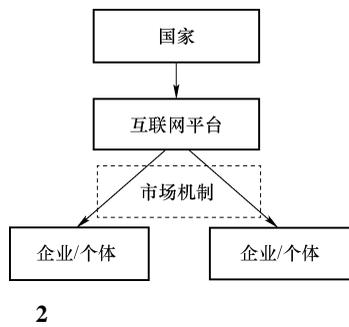
95

2021 5 102

“ ”
“ ”

96

2



“ ”

Evolution of Economic Law with Changing Social Structures

HOU Liyang

Abstract: The evolution of economic law has always been related to the revolution of social structures. The ancient society built the trio social institution comprising of state, family and individual due to long-term and information symmetric transactions. However, the rules of acquaintance society became bankrupted after the early modern society came. This obliged the early modern society to treat individual as abstract equal persons, and to regulate the latter by the market mechanism, thereby erecting the dual social institution between state and individual. However, the emergence of enterprises broke the assumption of equal persons, and thus the late modern society must regulate enterprise from a micro and macro perspective, hence establishing a new trio social institution including state, enterprise and individual. But this has led to actual and potential crisis of modern governments. The economic law in the future needs to be evolved through a co-governance between state and internet platforms, and ultimately form a quadruple social institution, namely state, internet platform, enterprise and individual.

Keywords: Economic Rule of Law; Social Evolution; Internet; Social Co-governance