

A comparative study of instrumental value and purposeful value of economic law based on Sociology

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Abstract: The existence of economic law is to regulate and restrict economic behavior, and the value goal of economic law is also the theoretical basis and focus of economic research. But in the past research process is more scattered. From the perspective of systematization and hierarchy, the value objective system of economic law can be divided into two levels: instrumental value includes fairness of results, economic security and institutional efficiency, and purposeful value includes sustainable development. Based on this sociology, this paper discusses economic law and comprehensively analyzes the instrumental value and purpose value of economic law. The value objectives of economic law are studied, including instrumental and objective objectives. The research results show that in economic law, the relationship between instrumentality and purpose is mutually supportive, and the two jointly construct the value system of economic law.

1. Introduction

The legal standard is an important symbol that distinguishes one legal department from another, and it is a concentrated expression of the essence of law [1]. Economic law scholars interpret and construct their own different viewpoints based on their own ideas and values [2]. It can be divided into the following three types: One is monism, and some scholars who insist on this view believe that economic law should only have one value goal. The second is dualism. Scholars who insist on this view believe that economic law should have two complementary value goals. The third is pluralism. Scholars who insist on this view believe that economic law should adhere to the development trend of diversification and should have diversified value objectives [3]. The purpose of economic law is to maintain the rationality of its economic operation, improve the good and stable effect of economic development, so as to ensure the good operation of the national economy [4]. In addition, the instrumentality of economic law is to consider the various conditions of the operation of the market economy and to maintain fairness, justice, security and other requirements. The purpose of economic law is to maintain the rationality of its economic operation, improve the good and stable effect of economic development, so as to ensure the good operation of the national economy [5]. In addition, the instrumentality of economic law is to consider the various conditions of the operation of the market economy and to maintain fairness, justice, security and other requirements. These views have a lot of developmental impact on the norms and systems of economic law. Therefore, in the economic law system, more attention is paid to the security and fairness of development, social benefits and the unity of economic democracy and social order.

Economic law is the general term of the legal norms that the state intervenes, manages and regulates the economic activities with social consolidation from the perspective of overall economic development [6]. At the beginning of the establishment of the law, the principle of its implementation is purposefulness and instrumentality, which are also the dual attributes of the law. The value goal is very scattered and fails to systematize, which leads to the arbitrary expansion or contraction of the scope of the value goal of economic law. Various viewpoints are complicated but lack of demonstration, which inevitably leads to insufficient persuasion [7]. Public law, though not necessarily as developed as private law, has long existed. In the stage of monopoly capitalism, the economic crisis and monopoly brought about by free competition seriously damaged the foundation of capitalist rule. However, economic law has given special meaning to equity, which has been fully reflected in people's economic life, making equity more realistic and becoming one of the value

goals pursued by economic law. With the continuous development of society, the gap between the rich and the poor has also been widened. D still treats all people equally, it will aggravate this inequality [8]. Although scholars have different opinions, they play a very important role in the normative development of economic law. The value attributes of purposiveness and instrumentality are very important. Together, they have laid a good foundation, which is the key to maintain the rational operation of market economy and the basic guarantee [9]. Fairness, efficiency and security are the embodiment of instrumental value in economic law, and economic law has a very special meaning in the same concept. They work together in the basic dynamics of economic law [10].

2. The instrumental value of economic law

Economic law gives the special meaning of instrumental value to its own dynamic operation, and its instrumental value can mainly include fairness, efficiency estimation and security. The value goal of law is the subsystems in the social value system, which generally include fairness, freedom, equality, security, efficiency and order. In order to eliminate the economic crisis and ease labor and capital, the capitalist countries extend the "tangible hand" and regulate the monopoly at the height of social public interest. As an emerging legal department that has developed lately, economic law must have different value objectives and systems than traditional legal departments. Therefore, studying the value objectives of economic law, reflecting the economic state system and the pursuit of the status quo, will contribute to the rational operation of the economic rule of law. At the same time, it also helps to make the study of economic law rise to a rational height and avoid shallowness, so as to realize the internal harmony and unity of the economic legal system. In the past, the fairness in traditional civil and commercial law was mostly a fairness system established under the guidance of individualism and under the condition of compensation for equal value. However, such a fair system cannot narrow the gap between the rich and the poor, is not conducive to the coordinated development of society, and cannot meet the supply of social public goods. Equity under economic law tends to be substantial and can be effectively realized in economic life. At the same time, it makes the equity of results one of the value objectives of economic law.

Fairness has always been an ancient and unchanged legal value. In the existing meaning and scope of use, different scholars have comprehended and interpreted the fair results of economic law from different perspectives. The laws based on different views of fairness and other fair orientations are different, and the results are quite different. Especially in the manufacturing industry, most business managers focus on the control of manufacturing costs and sales. For example, the fairness of civil law and commercial law is generally individualistic-oriented, while economic law, as the basic law in the economic field, has a deeper understanding of fairness and pays more attention to thinking about the results. Therefore, it is particularly important to introduce the fairness of results in the value objective of economic law. On the basis of recognizing the rationality of the economic significance of the distribution gap, more emphasis is placed on the rationality of social significance. Therefore, the laws established on different fair views and the fairness or the pursuit of fairness are guaranteed to be very different. Therefore, guided by the modern trend of humanism and the concept of social welfare, economic law introduces the result fairness into its own value objective, and recognizes the rationality of the economic gap in the distribution gap, while taking into account the rationality in the social sense. Sex. The so-called locality is to adjust and analyze the development, economy and industrial structure of the country, to study the existing economic system, and to improve the content of the economic law.

As one of the invariable legal values, fairness has rich connotations and extensive scope. Different scholars have different perspectives in their analysis and thinking. There are different understandings and explanations about the fairness of economic law. Nevertheless, the fairness guaranteed by law and the fairness pursued by law are quite different. From the existing academic achievements, it can be concluded that fairness is a word with rich connotations, and scholars have analyzed and explained it from different perspectives. In the traditional civil and commercial law, fairness, guided by individualism, takes Abstract personality equality as a hypothetical condition, and establishes a fair system through equivalent compensation, which seems powerless to solve the

problems of the gap between the rich and the poor, the supply and the uncoordinated development. The role of economic law is to help the economically disadvantaged groups face inequalities in property and income, as well as in their natural abilities. There are obvious differences in abilities, gifts and wealth, which is a congenital inequality. Based on this, the fairness of the results is introduced into the value of economic law, reflecting the humanistic care traits that distinguish the law from economics. In order to ensure the fairness and impartiality of economic law. And to achieve its instrumental value better, it is necessary to fully consider the reasonable requirements of economic significance, strengthen the relationship with the local economic and social relations, and ensure its full integration. At this stage, fairness generally includes fairness of opportunity and fairness of results. Generally, it is based on laws of different disciplines and fairness, with the aim of ensuring fairness in the public. In theory, under the concept of sustainable development, the fairness of the pursuit of economic law should be fairer in a deeper and broader sense. It can be seen that the purpose of intergenerational fairness is mainly to reflect the concept that contemporary generations will preserve and preserve the earth's resources for generations.

3. The Purposeful Value of Economic Law

The purpose value covers the instrumental value and embodies the characteristics and spirit of economic law. From the perspective of the status and tasks of economic law in the market economy system, its objective value objective may be sustainable development. From the process of revealing the law of sustainable fairness, social fairness and fair research between people can be established. Under the guidance of the concept of sustainable development, economic decision-making should include: advanced (starting from reality, focusing on the future), comprehensive (focusing on the overall situation, formulating longer-term, most macro-level planning and decision-making), coordination (harmony between people and nature)). First of all, the economic law will have a significant impact on behavioral decision-making and behavioral operation mechanisms. It is necessary to change the traditional methods of operation and establish a reasonable production responsible system to ensure that the legal mechanism is enforceable. Historical experience has proven that many of the non-sustainable development policies that humanity has implemented in the past are the root causes of many social problems today. Sustainable development is a new development goal proposed by the current historical period in which human productivity is highly developed and under the new situation facing many major and even global problems. In this context, sustainable development needs to consider the orientation of economic decision-making, the focus of decision-making, the means of implementation of decision-making and the possible consequences of evaluation policy from a new perspective and from a broader and longer-term future interests. For example, we should establish the basic system of public decision-making, the responsibility system of decision-making and the evaluation system of effect, etc. From a new perspective, we should consider the benefits in a wider range and in the long run, analyze the economic behaviors of pollution prevention and control with behavior as the focus and means, enhance the use of science and technology, and seek a sense of harmony between economy and environmental resources.

From the perspective of market economy, it is necessary to strengthen the analysis of the tasks of economic law. The goal of purposive value is sustainable development. The formulation of national economic development policy for sustainable development is to incorporate environmental and development issues into the decision-making process, improve the management system and system, effectively use economic means and other incentives, and lead national economic development to the direction of sustainable development. From the perspective of sustainable development, the legal protection in the world is mainly aimed at correcting unreasonable, unequal and unjust phenomena, such as the inequality of foundation, result and time ecological order. The practice and actual operation of economic law under sustainable development have a very wide-ranging impact, and this effect is also comprehensive and practical. For example, the impact of economic legal behavior on decision-making and mechanism should be reduced, and the previous production methods should be changed. It is responsible for economic production and establish a practical and

feasible legal mechanism. This issue is mainly related to the “Efficiency Principle“ and is the core content of sustainable development. Only from the actual needs of sustainable development, from the unsustainable production methods that are conducive to changing traditions, and the development of productive forces, can we further improve and improve the decision-making mechanism of economic legal acts. For example, how to establish and improve the decision-making open system, decision-making responsibility system, decision-making impact evaluation and effect evaluation system. On the basis of the sustainability perspective, economic law plays a facilitating role in maintaining social equity. On the one hand, it has an impact on the behavioral decision-making system (or mechanism). Under the concept of sustainable development, changing traditional production methods and increasing productivity can have a positive impact on the sound economic legal behavior decision-making system. On the other hand, impacting the implementation of economic behavior requires a new perspective and a global perspective, with a focus on future considerations, key tools, and possible consequences. Secondly, in the implementation of economic behavior, it is necessary to consider the perspective within the overall scope and strengthen the rational orientation of development orientation, key means, and possible consequences.

The so-called integrity is to emphasize the security of a country's economy as a whole, not part of it or part of it. For example, in the establishment of open decision-making system, we need to consider the effect evaluation system. From a new perspective, we should ensure the realization of wider and longer-term interests, strengthen the management of pollution prevention and control by behavioral focus and means, ensure the rational improvement of the use of science and technology, and pursue the coordinated relationship between economic development and environment. On the one hand, the concept of fairness has an impact. The soul, justice and fairness of law are impacted by the sustainable development content of "the principle of fairness". On the other hand, it has impacted the benefits and values of economic law. This impact comes from the sustainable development of the “Efficiency Principle“, which requires the role, benefits and value of the common law. Sustainability emphasizes the principle of efficiency and makes more content assessments under the role of the law and the benefits and value. Whether it is legislation or law enforcement or the judiciary, it is necessary to balance the interests of the eyes and the long-term interests, the overall interests and the local interests, and the economic interests and environmental benefits, to avoid rushing and have an impact on the follow-up work. Economic law is to correspond to the sustainable development model, and establish a new concept of benefits and values at the legal level.

4. Conclusion

In summary, this paper analyzes the instrumental value and purpose value of economic law. In the process of using economic law, we must maintain the basic fairness of society and promote the sustainable development of the economy. The purpose and instrumental value together form a complete economic law value target system, and there is a close relationship of mutual support and coordination. The instrumental value and purposeful value of economic law exist at the same time, which embodies the main development mode and direction of human beings, and also represents the benefits brought by law in the process of China's economic development. Ensure the rationality of the development model and development direction, and continuously deepen the realization of the political and economic system. As an instrumental value, sustainable development is the model and direction of human development in the future, and it is also the pursuit of the ideal of China's economic law. During the 13th Five-Year Plan, China's economic development is facing a new situation, and various contradictions are complicated, which requires guidance for sustainable development. In the end, the coordinated development of society, ecology and economy will be realized. In the course of future development, the political and economic system will be gradually improved and deepened. In the aspect of industrialization, the contradictions between before and after emerge endlessly and are complex, which need the support and resolution of economic law. Only in this way can our market economy move towards a more prosperous future. Restricting and restraining economic activities, the instrumental value and purposeful value of economic law

coexist, which also represents the main mode and direction of human development, and also represents the legal ideal in the process of China's economic development. In addition, in dealing with the economic problems of industrialization, it is necessary to consider all kinds of possible contradictions, timely management and control, and strengthen the support and dissolving role of economic law in order to ensure the development of the national market economy in a more reasonable direction.

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