



中国·长春·吉林大学

CN22-1051/D  
ISSN1003-4781

# 当代法学

CONTEMPORARY LAW REVIEW

全国中文核心期刊  
中国人文社会科学核心期刊  
中文社会科学 CSSCI 来源期刊

2014/5

第二十八卷第五期(总第一六七期)

- 
- 论我国编造、传播虚假信息的刑法规制 ..... 赵秉志 徐文文(3)
- 论新刑事诉讼法实施后的公诉变更问题 ..... 龙宗智(16)
- 我国海商法中的实际承运人制度及其适用 ..... 傅廷中(24)
- 行政行为执行力的观念及其消弭  
——我国行政义务实效确保手段研究之刍议 ..... 王天华(34)
- 具体行政行为检察监督的制度架构 ..... 韩成军(44)
- 行政执法风险的内控机制初论  
——以食品安全执法为例 ..... 葛自丹(53)
- 刑法类推解释禁止之思考 ..... 赵运锋(61)
- 危险驾驶罪的主观要件研究 ..... 付晓雅(71)
- 离婚妇女婚姻家庭权益司法保障实证研究  
——以吉林省中等发达地区某基层法院2010-2012年抽样调查的  
离婚案件为对象 ..... 李洪祥(79)
- 技术服务不能及其救济 ..... 孙屹 王淑玲(89)
- 中国公司对外担保规则特殊性研究  
——兼论民法商法思维方式的对立统一 ..... 郭志京(97)
- 反垄断法的地位及其政策含义 ..... 张占江(109)
- 权利冲突视野下的劳动者知情权问题研究 ..... 杜宁宁(117)
- 刑事诉权体系的立法设定与实践表达 ..... 马明亮(124)
- 社会治理型民事检察制度初探  
——实践、规范、理论的交错视角 ..... 韩静茹(133)
- 国际技术许可中限制性行为法律规制的现实与挑战 ..... 刘亚军 陈焘(144)
- 国际海洋法仲裁法庭对菲律宾诉中国案的管辖权问题研究  
..... 李文杰 邹立刚(152)
-

**Contemporary Law Review**  
Vol. 28, No. 5 (Ser. No. 167), Sept. 2014

**Main Contents**

Criminal Regulation on Fabrication, Deliberate Dissemination  
of False Information in China ..... ZHAO Bing - zhi, XU Wen - wen(3)

Alteration of Public Prosecution after the Enforcement of New Criminal  
Procedure Law ..... LONG Zong - zhi(16)

The Application of Rules on Actual Carrier in China Maritime Law ..... FU Ting - zhong(24)

The Notion of Administrative Behavior Execution and Its Diminish: A Study on the  
Assurance of Administrative Obligation Effects in China ..... WANG Tian - hua(34)

Institutional Structure of Procuratorial Supervision on Specific  
Administrative Activities ..... HAN Cheng - jun(44)

Internal Control System for Administrative Law Enforcement Risk;  
Examples from Food Safety Administrative Law Enforcement ..... GE Zi - dan(53)

On the Prohibition of Analogical Interpretation in Criminal Law ..... ZHAO Yun - feng(61)

Subjective Elements of Dangerous Driving Crime ..... FU Xiao - ya (71)

Empirical Research on the Judicial Protection of Marriage and Family Rights for Divorced Woman:  
A Study on the Samples of a Court in Jilin, 2010 - 2012 ..... LI Hong - xiang (79)

Disability of Technical Service and Its Remedy ..... SUN Yi, WANG Shu - ling (89)

A Study on the Special Characteristics of Rules on Foreign Guarantee by Chinese Companies:  
Unity of Opposites on the Way of thinking in Civil and Commercial Law ..... GUO Zhi - jing(97)

The Status and Policy Implication of Anti - Monopoly Law ..... ZHANG Zhan - jiang(109)

An Inquiry into the Laborer's Right to Know in the Context of Conflict of Rights  
..... DU Ning - Ning (117)

Criminal Litigation Rights: Legislative Prescription and Practical Expression  
..... MA Ming - liang (124)

Civil Administrative Procuratorial System as Societal Governance:  
Practices, Norms, and Teories ..... HAN Jing - ru(133)

Legal Regulation on Restrictive Business Practices in International Technology Licensing:  
Reality and Challenges ..... LIU Ya - jun, CHEN Tao(144)

The Jurisdiction of International Arbitration Tribunal for the Law of the Sea Concerning South China  
Sea Dispute between Philippines and China ..... LI Wen - jie, ZOU Li - gang (152)

( Translated by HE Zhi - peng )

反映 当代 动态  
承担 代言 使命  
推动 法治 进步  
引领 学术 潮流

## 当代法学

(双月刊)

ISSN 1003-4781



主管、主办 吉林大学  
承办 吉林大学法学院  
编辑 《当代法学》编辑部  
出版 《当代法学》杂志社  
社长 姚建宗  
主编 姚建宗  
社址 长春市前进大街 2699 号  
邮编 130012  
电话 86-431-85166050  
传真 86-431-85166061  
投稿网址 [ddfx.paperonce.org](http://ddfx.paperonce.org)  
国内发行 吉林省报刊发行局  
邮发代号 12-342  
印刷 长春新华印刷集团有限公司

**Supervisor:**Jilin University  
**Sponsor:**Law School,Jilin University  
**Editor:**Editorial Department of Contemporary Law Review  
**Publisher:**Magazine House of Contemporary Law Review  
**Magazine House Director:**Yao Jian-zong  
**Editor in Chief:**Yao Jian-zong  
**Address:**2699,Qianjin Street,Changchun,China  
**Post Code:**130012  
**Tel:**86-431-85166050  
**Fax:**86-431-85166061  
**http://**[ddfx.paperonce.org](http://ddfx.paperonce.org)  
**Domestic Distributor:**Newspaper and Magazine Distribution  
Bureau,Jilin Province  
**Postal Distribution Code:**12-342  
**Printing:**Changchun Xinhua Printing Group Co.,Ltd.

定价:15.00 元