



QK2022574

GLOBAL LAW REVIEW

中国社会科学院法学研究所主办

2020/第3期

(总第42卷)



环球法律评论

(双月刊)



环球法律评论 双月刊

总第四十二卷·2020年第3期(总第227期)

环球评论

美国算法治理政策与实施进路

[美]陆凯 5

美国启动刑事缺席审判的规范限定与司法裁量

初殿清 27

数字时代刑事侦查与隐私权保护的界限

——以美国卡平特案大讨论为切入口

朱嘉珺 41

理论前沿

我国公司人格的基本制度再造

——以公司资本制度与董事会地位为核心

徐强胜 57

双层股权结构的“日落条款”

沈朝晖 71

互联网平台用工的“类雇员”解释路径及其规范体系

王天玉 85

GLOBAL LAW REVIEW is a bimonthly academic journal of law published by the Institute of Law, Chinese Academy of Social Sciences and distributed in China and abroad. Scholars and practitioners from all countries are cordially invited to contribute articles for the journal. Articles submitted may be in foreign languages or in Chinese. Any translations must be accompanied by author's authorization. Two copies of the journal will be sent to the writer or translator as soon as the article is published. All rights reserved.

司法解释中的出罪事由及其改进逻辑

石聚航 101

不可靠证据排除规则的理论逻辑、适用困境及其出路

纵 博 117

魏玛宪法社会权的中国转化

李富鹏 133

国际法研究

《海牙判决公约》与国家相关判决的承认与执行

何其生 147

香港法院对内地破产程序的承认与协助

——以华信破产案裁决为视角

石静霞 162

马克思主义法学专栏

依法治国与依规治党有机统一的逻辑及其进路

林 华 177

GLOBAL LAW REVIEW

(Bimonthly)

Volume 42

May 2020

Number 3

CONTENTS

REVIEW OF FOREIGN LAWS

Algorithmic Governance Policy and Its Implementation Approach in the United States	<i>Lu Kai</i>	5
Initiating Criminal Trial in Absentia: Regulation and Discretion in the United States	<i>Chu Dianqing</i>	27
Lines Between Privacy Protection and Criminal Investigation in the Digital Era: Taking the Carpenter Case as the Entry Point	<i>Zhu Jiajun</i>	41

THEORETICAL FRONTS

Reconstruction of Basic System of Corporate Personality in China: Focusing on the Corporate Capital System and the Status of the Board of Directors	<i>Xu Qiangsheng</i>	57
The “Sunset Provisions” in the Dual-class Share Structure	<i>Shen Zhaohui</i>	71
Interpretation Path and Regulation System of “Employee-like Persons” in Internet Platform Employment	<i>Wang Tianyu</i>	85
Causes of Decriminalization in Judicial Interpretation and Their Improvement Logic	<i>Shi Juhang</i>	101
The Theoretical Logic, Application Predicament and Reform of Exclusionary Rules of Unreliable Evidence ...	<i>Zong Bo</i>	117
The Chinese Transformation of the Social Rights in the Weimar Constitution	<i>Li Fupeng</i>	133

INTERNATIONAL LAW ISSUES

Recognition and Enforcement of State-related Judgments in the Hague Judgment Convention	<i>He Qisheng</i>	147
Recognition and Assistance of Insolvency Proceedings in Mainland China by HKLC: from the Perspective of the Re CEFC Shanghai Case	<i>Shi Jingxia</i>	162

SPECIAL COLUMN ON MARXIST LAW SCIENCE

The Logic of and the Approach to the Organic Unity of Law-based State Governance and Regulation-based Party Governance	<i>Lin Hua</i>	177
--	----------------	-----

中国社会科学院优秀期刊
中国人文社会科学核心期刊
CSSCI来源期刊
全国中文核心期刊



封面设计:孙宇

邮发代号: 2-529
国内统一连续出版物号: CN 11-4560/D
国际标准连续出版物号: 1009-6728
国内定价: 35.00元

ISSN 1009-6728

9 771009 672208