

## 【法治上海】

- 取世博经验，坚持法治与社会管理创新，推进上海更好发展 金国华（1）
- 上海市基层检察院刑事案件量刑情况思考 费晓华（3）

## 【法学论坛】

- 论检察权的属性与运行特点 王玄玮（9）
- 行政诉讼审查标准体系的重构  
——以行政规范性文件的效力与司法适用为视角 刘家海（18）
- 社区矫正试行阶段的组织管理体制亟需改革与完善 刘 强（29）
- 《刑法修正案（八）草案》分则部分评述 张 建 俞小海（35）
- 论基因遗传权的保护  
——以单身女性生育权和死刑犯父母人身权为视角 万广军 杨遂全（44）
- 偷拍的侵权法分析 张志坡（51）
- 论我国生态补偿法律制度的完善 黄润源（56）
- 中国—东盟贸易关系法律协调机制比较及完善 顾华详（62）
- 海上恐怖主义犯罪与海盗犯罪的含义及其关系 童伟华（72）

## 【法治时评】

- 转变理念是解决看守所非正常死亡事件的治本之策 严 励（81）

---

**【专题研讨】**

未成年人犯罪防控机制与法律问题新探

未成年人犯罪的新特点及防控对策 丁亚秋(86)

.....  
刑事一体化视野下未成年人犯罪轻刑化制度研究 张雅芳(92)

.....  
对未成年人轻罪记录消灭的思考和制度设计 顾文(98)

.....  
未成年人犯罪心理及矫治方法 杨丽平(103)

.....  
未成年犯罪嫌疑人逮捕的必要性及工作完善 施红 洪萍(107)

---

**【域外借鉴】**

德国法治国概念源流考略及新探 刘争志 林恩伟(111)

.....  
有限合伙人的责任庇护  
——美国经验与中国实践 张辉(122)

---

**【司法实务】**

物业服务企业物业费请求权探析 睢晓鹏(130)

.....  
“使用以虚假的身份证明骗领的信用卡”之行为辨析 王永杰 师青正(135)

---

2010年总目录 (142)

.....  
2011年征订启事 (封三)

**Journal of Shanghai University of Political Science & Law**

**THE RULE OF LAW FORUM**

**Vol. 25 No. 6 Nov. 2010**

**Contents**

Adhere to Legal System and Social Administration Innovation to Promote Development of  
Shanghai with World Expo 2010 Experience.....JIN Guohua(1)

Thinking about Sentencing Discretion of Criminal Cases by Shanghai Grass-roots  
Procuratorates.....FEI Xiaohua(3)

Attribution and Operation Features of Prosecutorial Power.....WANG Xuanwei(9)

To Reconstruct Review Standard System of Administrative Litigation.....LIU Jiahai(18)

To Reform and Perfect Organization Management System during Experimental Period of  
Community Correction.....LIU Qiang(29)

Review on Specific Provisions of Draft Criminal Law Amendment VIII  
.....ZHANG Jian & YU Xiaohai(35)

Protecting Gene Genetic Right.....WAN Guangjun & YANG Suiquan(44)

Analysis on Surreptitious Photograph in View of Tort Law.....ZHANG Zhipo(51)

Perfecting Chinese Eco-compensation Legal System.....HUANG Runyuan(56)

Comparing and Perfecting Legal Coordination Mechanism of Sino-ASEAN Trade  
Relationship.....GU Huaxiang(62)

Implications of Maritime Terrorism Criminality and Pirate Crime and their Relations  
.....TONG Weihua(72)

Changing Idea-Key Strategy to Avoid Non-normal Death Incident in Detention  
Centre.....YAN Li(81)

New Exploration on Legal Issues and Control Countermeasure of Juvenile Delinquency  
...DING Yaqiu, ZHANG Yafang, GU Wen, YANG Liping, and SHI Hong & HONG Ping (86)

Origin and New Inquiry into Concept of State of Law in German  
.....LIU Zhengzhi & LIN Enwei(111)

Liability Asylum of Limited Partner: American Experience and Chinese Practice  
.....ZHANG Hui(122)

Study on Claim for Real Estate Service Fee to Enterprise.....SUI Xiaopeng(130)

Debates on Conduct of Using Credit Card Obtained by Fraud with False Identity  
.....WANG Yongjie & SHI Qingzheng(135)