JOURNAL OF SHANGHAI UNIVERSITY OF POLITICAL SCIENCE

& LAW

上海政法学院学报

第三十五卷 第

期

二〇二〇年

上 上 全 全 中国人文社会科学 AMI 扩展期刊 国高 玉 海 海 校文科学报特 优 市 秀 优 社 秀 科 色栏目 期 学 报 刊

市

优

秀

学

报

上海政法學院學報 (法治論業)

目 录

上合组织法治

俄罗斯刑法共犯制度法律属性相关论争及立法展开

庞冬梅 Васильев И.А. Сидорова Н.А. 1

美国量刑改革的源起、发展及对我国的启示借鉴 崔仕绣 11

法学前沿

非典型作品著作权保护之研究

——以音乐喷泉著作权侵权纠纷案为例 郑国辉 张宇佳 49

论虚开增值税专用发票罪的抽象危险犯本质

——兼与陈兴良教授和张明楷教授商榷 周铭川 57

民法典专论

我国民法典应承认诚信缔结的无效婚姻效力并确立宣告婚姻无效请求权的时效

徐国栋 73

论夫妻共同财产制体系中的管理权模式及其对债务形态的影响

——以《中华人民共和国民法典》(草案)的完善为中心 季红明 85

电子商务

WTO 电子商务规则提案比较及中国之应对 **贺小勇 黄琳琳** 105

运用"监管沙盒"促进区块链权力与权利的平衡

——以数字货币为研究的逻辑起点 李 晶 115

党内法规研究

全面"从严治党"是"依法治国"的政治保障之宪法学解读 魏健馨 125

党内规范性文件法治化过程中存在的问题与应对 王 婵 133

期刊基本参数: CN31-3011/D*1986*B*A4*144*ZH*P* ¥20.00*2000*12*2020*01

Journal of Shanghai University of Political Science & Law

THE RULE OF LAW FORUM

Vol. 35 No. 1 Jan. 2020

Contents

On Legal Attribute of Complicity in Russian Criminal Law: Related Arguments and Legislation
PANG Dongmei & Васильев И.А. Сидорова Н.А.
Reform in American Sentencing: Origin, Development and Its Implications for China
CUI Shixiu 1
Interpretation of Treaties Counts in Clarification of Common Consent by the Parties Concerned
CHE Pizhao 2
On the Inherent Relations between Law and Logic
ZHOU Zhirong & ZHANG Jicheng 30
Research on Protecting Copyright of Atypical Works
ZHENG Guohui & ZHANG Yujia 49
On Essence of Presumed Crime for Issuing False Special Invoices of VAT
ZHOU Mingchuan 57
On Recognition of Validity of Void Marriage Concluded in Trust and Establishment of Petition
Prescription for Invalidity of Void Marriage by Chinese Civil Code XU Guodong 73
On Management Mode of Marital Property and Its Impacts upon Forms of Matital Deb
JI Hongming 8:
A Comparative Study of Related WTO E-Commerce Motions and Response by Chin
HE Xiaoyong & HUANG Linlin 10:
Facilitating A Balance between Power and Right Arising from Block Chains by
Regulatory Sandbox Li Jing 11:
Political Guarantee for a State with the Rule of Law by Seeing Party Self-Governance
Exercised Fully and with Rigor: A Constitutional Analysis WEI Jianxin 12:
Challenges and Solutions in Legislation for Internal Normative Instruments of the Party
WANG Chan 132