

**JOURNAL OF
SOOCHOW UNIVERSITY**
LAW EDITION

ISSN 2095-7076

蘇州大學學報

【法學版】

2014

第1卷 第3期
Volume 1 No.3

● 本期聚焦: 立法者的历史叙事

论立法者

——在政治正义的意义上思考正当法,并论及法律的渊源和品格……………许章润(1)

立法者:灵魂与城邦

——对柏拉图《理想国》的法律哲学阐释……………翟志勇(21)

立法者的局限

——柏克与英帝国的宪政危机……………白龙(31)

法国民法学说演进中对立法者认识的变迁

——以惹尼、莱维、里佩尔为例……………朱明哲(42)

● 学术专论

当下中国司法公信力的经验维度

——来自司法一线的调研报告……………周贇(55)

魏官品令考

……………梁健(68)

宪法视野下的人宅犯罪问题

……………马荣春(79)

论自然资源国家所有权的法律创设

……………王克稳(87)

土地利用二元体系下“小产权房”问题的法律规制

……………方乐坤(101)

人民陪审员改革向何处去?

——司法目的论视域下中国陪审制功能定位与改革前瞻……………吴英姿(110)

● 域外译文

“善良之人”与“诚实信用”……………[意]里卡尔多·卡尔迪利著 翟远见译(118)

● 经典判例

人民是否有权决定废除对少数族裔的优待?(上)

——密歇根州诉捍卫平等权联盟案……………李松锋译(131)

● 东吴法学先贤文录

侵略国界说的研究……………梁璠立(150)

封面题字 华人德 英文审校 陈仪
期刊参数: CN32-1846/D*2014*q*16*160*zh*P* ¥15.00*2000*13*2014-08
[本刊得到 Charles B.Wang Foundation 资助]

JOURNAL OF SOOCHOW UNIVERSITY

Law Edition

Main Contents

No.3, 2014(Serial No.3, Vol.1)

● Issue in Focus: Historical narratives of Legislator

On Legislator: Just Law, Sources and Characters of Law in the Context of Political Justice

.....*Xu Zhang-run*(1)

Legislator: Soul and City-State: The Legal Philosophy Interpretation of Plato's Republic

.....*Zhai Zhi-yong*(21)

The Limitation of Legislator: Edmund Burke and the Constitutional Crisis of the British Empire

.....*Bai Long*(31)

Narratives about "Legislator" in the Mutation of French Civil Law Doctrines (1880s—1940s):

Focus on Gény, Lévy and Ripert.....*Zhu Ming-zhe*(42)

● Exploration of Specialized Issues

Experience Dimension of Today's China's Judicial Credibility: A Report from Judicial

Frontline of China.....*Zhou Yun*(55)

An Investigation of "Guanpin Ling of Wei".....*Liang Jian*(68)

Crime of Intrusion Into the Dwelling Under the View of Constitutional Law.....*Ma Rong-chun*(79)

Creation of State Ownership of Natural Resources.....*Wang Ke-wen*(87)

Legal Regulations of the Problem of Houses with Limited Property Rights from the View of Land's

Binary-utilizing System.....*Fang Le-kun*(101)

The Direction of the Chinese People's Jury System Reform: A Reflection from the Teleological

Perspective on the Roles of Chinese Jury System and Future Reform.....*Wu Ying-zi*(110)

● Translated Legal Literature

Good Man and Good Faith..... [Italy]*Riccardo Cardilli*(Author) *Zhai Yuanjian*(Translator)(118)

● Classical Case in Review

Schuette, Attorney General of Michigan v. Coalition to Defend Affirmative Action, Integration and

Immigration Rights and Fight for Equility By Any Means Necessary(BAMN) ET AL.

.....*Li Song-feng*(Translator)(131)

● Earlier Explorations of Dongwu Jurisprudence Scholars

Studies on the Doctrine of Aggressing Borders.....*Liang yun-li*(150)

Supervised by the Department of Education, Jiangsu province
Sponsored by Soochow University
Edited by the Editorial Board of Journal of Soochow University
P.O.B 163, No.1, Shizi Street, Suzhou 215006, PRC
Tel: (0512) 65225991
Email: sudafaxue@126.com

Editor-in-chief: Hu Yuhong
Associate editor: Fang Xinjun Shangguan Piliang
Kang Jingkui
Issued at home and abroad
International distribution by the World Trade Corporation
of Publication, China

苏州大学学报

法学版(季刊)

2014年第3期(第1卷·总第3期)

2014年8月20日出版

主管单位:江苏省教育厅

主办单位:苏州大学

编辑出版:苏州大学出版社有限公司

地址:苏州市十梓街1号163信箱

(邮编:215006)

电话:(0512)65225991

电子邮箱:sudafaxue@126.com

主编:胡玉鸿

副主编:方新军(常务) 上官丕亮 康敬奎

印刷:常熟市教育印刷有限公司

发行范围:国内外公开发行

国内发行:苏州市邮局

订 阅:全国各地邮局

国内代号:28-452

国外发行:中国国际图书贸易集团有限公司 北京399信箱

国外代号:Q9092

定 价:15.00元

中国标准连续出版物号: $\frac{\text{ISSN}2095-7076}{\text{CN}32-1846/\text{D}}$

ISSN 2095-7076

