本期聚焦: 旅游合同辅助人民事责任的比较法研究

法国法上的旅游损害责任...叶名怡 (1)

论意大利法中旅游合同之债务不履行责任的规范构成...张晓勇 (18)

旅游契约履行辅助人之责任

——以台湾地区法院实务见解为中心…许政贤 (29)

学术专论

干不确定处寻确定:论司法的本质是自由裁断...周 赘 (44)

法律重复现象检视

——从检察官法与法官法的对比展开...熊赖虎 (56)

行政授权:宋代法规之公文样态

——基于碑刻史料的研究...李雪梅 (65)

德国基本权利第三人效力的整全性解读...许瑞超 (81)

- " 共犯正犯化 "立法之质疑
- ——以帮助信息网络犯罪活动罪的增设为视角..._{王兵兵} (98)

机构投资者在公司治理中的力量与局限

——以美国经验为分析视角...楼秋然 (107)

国际能源投资合同主要法律条款的选择

——以产量分成合同范本为实例…张正怡 (117)

域外译文

共同正犯与正当防卫、防卫过当…[日]桥爪隆著 王昭武译(125)

经典判例

警察有权搜查公众手机信息吗?

——莱利诉加利福尼亚州案…沈定成 凤立成译 (137)

东吴法学先贤文录

实证法学导言...陶天南 (152)

封面题字:华人德 英文审校:何香柏 流程编辑:张盼盼

期刊参数:CN32-1846/D*2014*q*16*160*zh*P* ¥20.00*2000*13*2017-02

[本刊得到 Charles B.Wang Foundation 和江苏天贤律师事务所资助]

JOURNAL OF SOOCHOW UNIVERSITY

Law Edition

Main Contents

Volume 4 No.1, 2017

Tourism Damage Liability in French Law Ye Ming-yi (1)

The Normative Composition of the Liability for Breach of Travel Contract in Italy Law Zhang Xiao-yong (18)

The Responsibility of the Travel Organizer for the Assistant of Perform in Travel Contract: Focusing on the Decisions of Taiwanese Court

Cheng-Hsien HSU (29)

Seeking Certainty in a World of Uncertainty: On the Discretion Essence of Judicature Zhou Yun (44)

Legal Duplications: Comparative Analysis of Prosecutors Law and Judges Law of P.R.C. Xiong Lai-hu (56)

Administrative Authorization: Regulation's Official Document Patterns in Song Dynasty Li Xue-mei (65)

The Third Party Effect of Fundamental Rights in Germany

Skepticism on the Legislation of Accomplice Becoming Principal Offender: A Perspective of the Crime of Helping Cybercrime

Wang Bing-bing (98)

The Forcer and Limitation of Institutional Investors in Corporate Governance: Lessons from the U.S. Lou Qiu-ran (107)

Choices of Primary Legal Clauses for International Energy Investment Agreements: Taking Product Sharing Agreements as an Example

Zhang Zheng-yi (117)

The Joint Principal Offence and Justifiable Defense and Excessive Defense [Japan] Hashizume Takashi (Author) Wang Zhao-wu (Translator) (125)

Do the Police Have the Right to Search the General Public's Phone Information? Riley v. California Shen Ding-cheng Feng Li-cheng (Translator) (137)

Introduction of Positive Jurisprudence

Tao Tian-nan (152)

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