

中国法学会主办

双月刊(总第228期)

国家社科基金资助期刊



Q K 2 2 3 4 1 0 7

中国法学

CHINA LEGAL SCIENCE

深入学习研究习近平法治思想原创性贡献 为加快建设社会主义

法治国家而努力奋斗 王 晨

习近平法治思想关于“坚持抓住领导干部这个‘关键少数’”

的若干原创性贡献 陈训秋

论习近平法治思想的制度逻辑 李 林

互联网法院的时代创新与中国贡献 景汉朝

“无效行政行为”制度的追溯与认定标准的完善 胡建森

2022/4



□ 特稿

- 深入学习研究习近平法治思想原创性贡献 为加快建设社会主义法治国家而努力奋斗
——在深入学习研究阐释习近平法治思想研讨会上的讲话 王晨 5

□ 习近平法治思想研究

- 习近平法治思想关于“坚持抓住领导干部这个‘关键少数’”

- 的若干原创性贡献 陈训秋 11
论习近平法治思想的制度逻辑 李林 26

□ 数字法治研究

- 互联网法院的时代创新与中国贡献 景汉朝 49
数字法学视野下的网络空间治理 何邦武 74
数据财产的权利架构与规则展开 沈健州 92
数据科技伦理法律化问题探究 黎四奇 114

□ 行政法治研究

- “无效行政行为”制度的追溯与认定标准的完善 胡建森 135
从相邻权到空间利益公平分配权：规划许可诉讼中“合法权益”的内涵扩张 成协中 156
行政许可条件设定模式及其反思 林华 175
行政诉讼司法建议的功能扩张及省思 王云霞 196
“法律脱嵌治理”：中国式邻避纠纷的制度成因及治理 何艳玲 213

□ 学术专论

- 《民法典》视域下的一般人格权 温世扬 232
论醉驾案件的程序出罪 史立梅 250
中国最高审判体制的刑民分立——传统与现代化 聂鑫 270
检察环境公益诉讼的理论优化与制度完善 陈晓景 288

本期执行编辑：李游

CHINA LEGAL SCIENCE

No. 4, 2022 (Serial No. 228)

August 9, 2022

Studying and Researching the Original Contribution of

- Xi Jinping Thought on the Rule of Law in Depth, and Striving to
Accelerate the Construction of a Socialist Country under the Rule of Law:
Speech at the Seminar on In-Depth Study and Interpretation of
Xi Jinping Thought on the Rule of Law Wang Chen (5)
- Original Contributions of Xi Jinping Thought on the Rule of Law
- on ‘Upholding the Oversight over Leading Officials, the Key Few’ ... Chen Xunqiu (11)
- On the Institutional Logic of Xi Jinping Thought on the Rule of Law Li Lin (26)
- Era Innovation of Internet Courts and China’s Contribution Jing Hanchao (49)
- Cyberspace Governance from the Perspective of Digital Law He Bangwu (74)
- Right Structure and Rule Development of Data Property Shen Jianzhou (92)
- Research on Legalization of Data Technology Ethics Li Siqi (114)
- Retrospective of ‘Invalid Administrative Act’ System and
the Improvement of Its Identification Standard Hu Jianmiao (135)

From Adjacent Rights to Fair Distribution Rights of Spatial Interest:

- Connotation Expansion of Legitimate Rights and
Interests in Planning Permission Litigation Cheng Xiezhong (156)
- Setting Mode of Administrative Licensing Conditions and Its Reflection Lin Hua (175)
- Function Expansion and Reflection of

- Judicial Suggestions in Administrative Litigation Wang Yunxia (196)

Making Governance Disembedded from Law:

- The Institutional Cause and Governance of Chinese NIMBY Disputes... He Yanling (213)
- General Personality Rights from the Perspective of the Civil Code Wen Shiyang (232)
- On the Procedural Decriminalization of Drunk Driving Cases Shi Limei (250)
- The Separation of Criminal Divisions and Civil Divisions of
the Highest Judicial System in China: Tradition and Modernization Nie Xin (270)
- Theory Optimization and System Perfection of
- Prosecutorial Environmental Public Interest Litigation Chen Xiaojing (288)

Translator/Proof Reader: Wang Hao



中国法学
CHINA LEGAL SCIENCE

ISSN 1003-1707



9 771003 170229

0.8>



微信号: zgfxzs

国际标准连续出版物号: ISSN 1003-1707
国内统一连续出版物号: CN 11-1030/D

每期定价: 80.00 元