

POLITICAL SCIENCE AND LAW





上海社会科学院法学研究所主办



1月5日出版	2017年第1期(总第260期)
	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
<b>主题研讨</b> —— 深化司法体制改革研究 有关司法改革方向的几个司法理念与实践问题	周永坤/2
法院人员分类管理改革的历程、难点及其破解	
隐忧与出路:关于法官员额制的思考 ——基于A省B市C区法院员额制改革的实证分析	忻 陶 杨、赫 欣/24
<b>经济刑法</b> 非法集资犯罪规制的中国式难题 ——以地方政府处置办的设立与受害人的损失退赔 论拒不履行网络安全管理义务罪 ——以网络中介服务者的刑事责任为中心展开	
<b>专 论</b> 宪法实施须顺应人大制度的根本特点 ——一个中外比较研究的视角	万曜春/66
国家主义的两重维度	丁
央地两级授权立法的体系性思考	赵一单/89
论非物质文化遗产隐私权的保护	何炼红/99
自由贸易协定下的话语权与法律输出研究	王 燕/108
<b>争鸣园地</b> 法益侵害视角下持有型犯罪的重释 ——兼非法持有宣扬恐怖主义、极端主义物品罪的	合理性杜 磊/118
善意取得制度体系瑕疵祛除的拟制论解释 ——以善意取得中间法律效果的提出为核心	谢 潇 / 131
原则性禁止维持转售价格的立法错误及其解决	丁茂中/151

## POLITICAL SCIENCE AND LAW

(Monthly)

Edited by the Institute of Law	No.1, 2017(Total No.260)
Shanghai Academy of Social Sciences	January 5

2	On Several Ideological and Practical Issues Concerning Judicial Reform Orientation Zhou Yongkun
14	Evolution and Difficulties of Court Staffs Classification Management Reform and the Solutions
24	Worries and Solutions: Thoughts on Judge Post System Tao Yang, He Xin
37	The Difficulties of Regulating Offences of Illegal Fund-raising in China He Xiaoyong
50	On Crime of Refusing to Perform Internet Security Management Obligation Jing Lijia
66	The Enforcement of Constitution must Comply with Basic Characteristics of the System of National People's Congress
77	The Twofold Dimension of Nationalism Ding Yi
89	Systematic Thoughts on Delegated Legislation at Central and Local Levels Zhao Yidan
99	On Protection of Privacy in Intangible Cultural Heritage He Lianhong
108	Research into Decision-making Power and Legal Output under Free Trade Agreement 
118	Re-explanation of Offences of Illegal Possession from the Perspective of Legal Interests Infringement Du Lei
131	Fiction–Theory Explanation for Correcting Defects in Bona Fide Acquisition System
151	On Legislative Error of Prohibiting Resale Price Maintenance Ding Maozhong



发行范围:公开 邮政代号:4-375 国外代号:BM6622 刊号: ISSN 1005-9512 CN31-1106/D 定价: 20元 出版日期: 2017 年 1 月 5 日

## POLITICAL SCIENCE AND LAW

(Monthly)

Edited by the Institute of Law	No.1, 2017(Total No.260)
Shanghai Academy of Social Sciences	January 5

2	On Several Ideological and Practical Issues Concerning Judicial Reform Orientation Zhou Yongkun
14	Evolution and Difficulties of Court Staffs Classification Management Reform and the Solutions
24	Worries and Solutions: Thoughts on Judge Post System Tao Yang, He Xin
37	The Difficulties of Regulating Offences of Illegal Fund-raising in China He Xiaoyong
50	On Crime of Refusing to Perform Internet Security Management Obligation Jing Lijia
66	The Enforcement of Constitution must Comply with Basic Characteristics of the System of National People's Congress
77	The Twofold Dimension of Nationalism Ding Yi
89	Systematic Thoughts on Delegated Legislation at Central and Local Levels Zhao Yidan
99	On Protection of Privacy in Intangible Cultural Heritage He Lianhong
108	Research into Decision-making Power and Legal Output under Free Trade Agreement 
118	Re-explanation of Offences of Illegal Possession from the Perspective of Legal Interests Infringement Du Lei
131	Fiction–Theory Explanation for Correcting Defects in Bona Fide Acquisition System
151	On Legislative Error of Prohibiting Resale Price Maintenance Ding Maozhong



发行范围:公开 邮政代号:4-375 国外代号:BM6622 刊号: ISSN 1005-9512 CN31-1106/D 定价: 20元 出版日期: 2017 年 1 月 5 日