

QK1830395

政治与法律

POLITICAL SCIENCE AND LAW



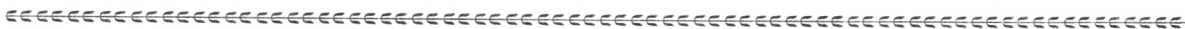
6 2018

上海社会科学院法学研究所主办

政治与法律 (月刊)

6月5日出版

2018年第6期(总第277期)



主题研讨 —— 法定犯理论的发展

- 法定犯正当性研究 白建军 / 2
——从自然犯与法定犯比较的角度展开
- 违反行政许可构成非法经营罪问题研究 陈兴良 / 13
——以郭嵘分装农药案为例
- 论行政行为对刑事审判的拘束 王世杰 / 26

经济刑法

- 网络参与行为刑事归责的“风险犯”模式及其反思 敬力嘉 / 41
- 非法吸收公众存款罪之行为类型研究 邹玉祥 / 55
——基于网贷背景下的教义学展开

专 论

- 从宪法修正案看我国修宪方式和程序的完善 杜强强 / 63
- 论房屋征收补偿数额的合理性司法审查 耿玉娟 / 73
- 正当防卫限度的判断规则 吴允锋 / 82
- 最高人民法院刑法解释权的功能扩张与复归 王 帅 / 94
- 论我国民法典形成之时总则编之调整 柳经纬 / 104

争鸣园地

- 论行政立法与行政规范性文件的区分标准 王留一 / 115
- 从“丰菜之争”看个人信息上的权利构造 任丹丽 / 131

实务研究

- 非诉调解协议司法确认程序的实践误区及其矫正 刘加良 / 140
- 审判阶段非法证据排除规则适用的实证考察及困境突破 任素贤 / 152

POLITICAL SCIENCE AND LAW

(Monthly)

Edited by the Institute of Law
Shanghai Academy of Social Sciences

No.6, 2018(Total No.277)
June 5

-
- 2 Research on the Justifiability of Criminalizing Malum Prohibitum
— From the Perspective of Comparison between Malum in Se and Malum Prohibitum
..... Bai Jianjun
- 13 Research on the Crime of Illegal Business Operation for Violating Administrative Licensing
— Taking the Case of Guo Rong Sub-packaging Pesticide as an Example Chen Xingliang
- 26 On the Binding Effect of Administrative Act on Criminal Trial Wang Shijie
- 41 Comments and Rethinking about the “Risk Offence” Mode of Identifying
Criminal Responsibility for Internet-Participating Conducts Jing Lijia
- 55 Study on Types of Behavior of Illegally Collecting Public Deposits
— From the Perspective of Dogmatics in the Context of Online Lending Zou Yuxiang
- 63 On the Improvement of the Method and Procedure of Amending China’s Constitution
from the Perspective of Amendment to Constitution Du Qiangqiang
- 73 The Judicial Review on the Reasonability of the Amount of Compensation
for the Housing Expropriation Geng Yujuan
- 82 Rules for Determining the Limit of Self-Defense Wu Yunfeng
- 94 On the Functional Expansion and Restoration of the People’s Supreme Court’s Power
of Interpreting the Criminal Law Wang Shuai
- 104 The Amendment to the General Provisions When Enacting Civil Code of China Liu Jingwei
- 115 On the Standard of Distinction between Administrative Legislation
and Non-legislative Administrative Rule Wang Liuyi
- 131 On the Construction of Rights in Personal Information from the Dispute between SF Express and Cainiao
..... Ren Danli
- 140 The Mistakes in Implementing Judicial Confirmation Procedure of Non-litigation Mediation
Agreement and Their Correction Liu Jialiang
- 152 The Empirical Investigation and the Difficulty Breakthrough of the Application
of the Exclusionary Rule in Trial Stage Ren Suxian
-

政治与法律

2018年第6期
(总第277期)

出版单位 《政治与法律》编辑部
(上海市淮海中路622弄7号)

(邮政编码:200020)(电话:021-33165351)

ISSN 1005-9512



定价:20元

POLITICAL SCIENCE AND LAW

(Monthly)

Edited by the Institute of Law
Shanghai Academy of Social Sciences

No.6, 2018(Total No.277)
June 5

-
- 2 Research on the Justifiability of Criminalizing Malum Prohibitum
— From the Perspective of Comparison between Malum in Se and Malum Prohibitum
..... Bai Jianjun
- 13 Research on the Crime of Illegal Business Operation for Violating Administrative Licensing
— Taking the Case of Guo Rong Sub-packaging Pesticide as an Example Chen Xingliang
- 26 On the Binding Effect of Administrative Act on Criminal Trial Wang Shijie
- 41 Comments and Rethinking about the “Risk Offence” Mode of Identifying
Criminal Responsibility for Internet-Participating Conducts Jing Lijia
- 55 Study on Types of Behavior of Illegally Collecting Public Deposits
— From the Perspective of Dogmatics in the Context of Online Lending Zou Yuxiang
- 63 On the Improvement of the Method and Procedure of Amending China’s Constitution
from the Perspective of Amendment to Constitution Du Qiangqiang
- 73 The Judicial Review on the Reasonability of the Amount of Compensation
for the Housing Expropriation Geng Yujuan
- 82 Rules for Determining the Limit of Self-Defense Wu Yunfeng
- 94 On the Functional Expansion and Restoration of the People’s Supreme Court’s Power
of Interpreting the Criminal Law Wang Shuai
- 104 The Amendment to the General Provisions When Enacting Civil Code of China Liu Jingwei
- 115 On the Standard of Distinction between Administrative Legislation
and Non-legislative Administrative Rule Wang Liuyi
- 131 On the Construction of Rights in Personal Information from the Dispute between SF Express and Cainiao
..... Ren Danli
- 140 The Mistakes in Implementing Judicial Confirmation Procedure of Non-litigation Mediation
Agreement and Their Correction Liu Jialiang
- 152 The Empirical Investigation and the Difficulty Breakthrough of the Application
of the Exclusionary Rule in Trial Stage Ren Suxian
-

政治与法律

2018年第6期
(总第277期)

出版单位 《政治与法律》编辑部
(上海市淮海中路622弄7号)

(邮政编码:200020)(电话:021-33165351)

ISSN 1005-9512



定价:20元