

政治与法律

POLITICAL SCIENCE AND LAW



9 2019

上海社会科学院法学研究所主办

政治与法律 (月刊)

9月5日出版

2019年第9期 (总第292期)

=====

主题研讨 —— 科研经费制度的法治化探索

国家科研经费制度的宪法学释义.....	湛中乐 黄宇骁/2
科研项目经费规范化治理的法理元素考察.....	蒋悟真/14
科研项目经费预算改革的困境及其法治出路.....	胡 明/28

经济刑法

论虚拟财产的刑法保护	欧阳本祺/39
受贿罪罪刑配置问题之反思与消解.....	张金钢/55

专 论

论行政行为的构成要件效力.....	王世杰/64
论生态环境损害的行政命令救济.....	徐以祥/82
论刑法替代因果关系的归责：理论基奠与事实根据.....	张小虎/93

争鸣园地

中国海事诉讼时效制度的国际接轨与本土化的冲突及其解决.....	向明华/105
美术作品独创性理论重构：从形式主义到历史主义.....	刘文献/121

实务研究

企业存货动态质押的裁判分歧与规范建构.....	陈本寒/134
论生存机会丧失原理 ——以医疗损害责任中损害认定的例外为视角	陈煜鹏/148

POLITICAL SCIENCE AND LAW
(Monthly)

Edited by the Institute of Law
Shanghai Academy of Social Sciences

No.9, 2019 (Total No.292)
September 5

2	The Constitutional Interpretation of the National Scientific Research Funding System	Zhan Zhongle, Huang Yuxiao
14	Study on the Jurisprudential Elements of Normalized Governance of Scientific Research Project Funds	Jiang Wuzhen
28	On the Predicaments of Scientific Research Project Budget Reform and the Legal Solution	Hu Ming
39	The Protection of Virtual Property in Criminal Law	Ouyang Benqi
55	Reflection of the Punishments Prescribed for the Crime of Accepting Bribes and the Solution	Zhang Jingang
64	On the Effect of an Administrative Act as a Constituent Element	Wang Shijie
82	On the Remedy for Eco-environmental Damage through an Executive Order	Xu Yixiang
93	On the Imputation of Alternative Causation in the Criminal Law: Theoretical Foundation and Factual Basis	Zhang Xiaohu
105	On the International Integration and Localization of the Limitation System of Maritime Legal Proceedings in China and the Solution to Their Conflicts	Xiang Minghua
121	The Reconstruction of Originality Theory of Artistic Works: From Formalism to Historicism	Liu Wenxian
134	Divergence in Judgments on Dynamic Pledge of Inventories and the Norms Establishment	Chen Benhan
148	On the Doctrine of Loss of a Chance to Survive —from the Perspective of Exceptional Definition of Damage in Medical Malpractice	Chen Yupeng

政治与法律

2019年第9期
(总第292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.9, 2019 (Total No.292)
September 5

2	The Constitutional Interpretation of the National Scientific Research Funding System	Zhan Zhongle, Huang Yuxiao
14	Study on the Jurisprudential Elements of Normalized Governance of Scientific Research Project Funds	Jiang Wuzhen
28	On the Predicaments of Scientific Research Project Budget Reform and the Legal Solution	Hu Ming
39	The Protection of Virtual Property in Criminal Law	Ouyang Benqi
55	Reflection of the Punishments Prescribed for the Crime of Accepting Bribes and the Solution	Zhang Jingang
64	On the Effect of an Administrative Act as a Constituent Element	Wang Shijie
82	On the Remedy for Eco-environmental Damage through an Executive Order	Xu Yixiang
93	On the Imputation of Alternative Causation in the Criminal Law: Theoretical Foundation and Factual Basis	Zhang Xiaohu
105	On the International Integration and Localization of the Limitation System of Maritime Legal Proceedings in China and the Solution to Their Conflicts	Xiang Minghua
121	The Reconstruction of Originality Theory of Artistic Works: From Formalism to Historicism	Liu Wenxian
134	Divergence in Judgments on Dynamic Pledge of Inventories and the Norms Establishment	Chen Benhan
148	On the Doctrine of Loss of a Chance to Survive —from the Perspective of Exceptional Definition of Damage in Medical Malpractice	Chen Yupeng

政治与法律

2019年第9期
(总第292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