

环球法津评论 双月刊

总第四十六卷:2024年第6期(总第254期)

环球首发

劳动法对生产率、就业和失业及劳动收入份额的影响

——基于剑桥 Leximetric 数据库的新证据

[英]西蒙・迪肯 [伊朗]卡梅利亚・普尔克曼尼 5

主题研讨:《民法典》合同编通则问题研究

韩世远 27

预约亦约:缔约协议的法解释论 合同违法无效规则中行为规范与权限规范的区分

——以《合同编通则解释》第18条为中心

45

不当得利法的体系重构

——兼论合同无效、撤销后的法律效果

许德风 64

83

理论前沿

两种概括故意概念的区分与适用

——以《刑事审判参考》第1243号指导案例为切入点

GLOBAL LAW REVIEW is a bimonthly academic journal of law published by the Institute of Law, Chinese Academy of Social Sciences and distributed in China and abroad. Scholars and practitioners from all countries are cordially invited to contribute articles for the journal. Articles submitted may be in foreign languages or in Chinese. Any translations must be accompanied by author's authorization. Two copies of the journal will be sent to the writer or translator as soon as the article is published. All rights reserved.

GLOBAL LAW REVIEW Bimonthly

环境犯罪保护法益的再识别 戴小强 100 行贿罪从重处罚情节的规范适用 -兼论个罪从重处罚情节的功能定位 涛 117 我国行政诉讼继续确认判决论 商标混淆判断要件的功能定位及考察方法 环球评论
"缠扰行为"刑法却作 ——基于最高人民法院相关判决展 134 150 "缠扰行为"刑法规制的域外实践和中国路径 168 舯 国际法研究 国际投资法中的社会许可问题与中国因应 张金矜 185 中国知识产权法域外效力的理论阐释与实现进路 刘云开 201 《环球法律评论》2024年总目录 219

GLOBAL LAW REVIEW

Published by Institute of Law, Chinese Academy of Social Sciences(CASS)

15 Shatan Beijie, Beijing 100720, China

Email: glawreview@cass.org.cn

Tel: 010-64022194

Website: globallawreview.ajcass.com

版权为本刊所有。如欲转载、翻译或收录本刊内容,须先获得本刊书面许可。

GLOBAL LAW REVIEW

(Bimonthly)

Volume 46 November 2024 Number 6

CONTENTS

GLOBAL INITIAL PUBLICATION The Effects of Labour Laws on Productivity, Employment, Unemployment and the Labour Share of National Income: Analysis of New Evidence from the Cambridge Leximetric Database Simon Deakin & Kamelia Pourkermani THEME DISCUSSION: Studies on Issues relating to the General Provisions of the Book on Contract of the Chinese Civil Code Preliminary Agreement as a Contract: An Interpretive Analysis The Distinction between Mandatory Rules and Enabling Rules in the Rule of Invalidity of Illegal Contract - Centered on Article 18 of the Judicial Interpretation of the General Provisions of the Book Reconstructing the Framework of Unjust Inrichment Law: A Discussion on the Legal Effects of Failed Contract Xu Defeng 64 THEORETICAL FRONTS The Distinction between and Application of Two Types of General Intent - Taking Guiding Case No.1243 of the Reference to Criminal Trial as the Starting Point Wang Xuecheng Standardized Application of Aggravating Circumstances to Bribery Crimes: Also on the Functional Orientation of Aggravating Circumstances in Individual Crimes Jiang Tao 117 Theory of Continued Confirmation of Judgments in Administrative Litigation in China The Functional Positioning of and Examination Approaches to Elements of Trademark Confusion Xu Qing **REVIEW OF FOREIGN LAWS** Foreign Practice of and Chinese Path to the Prohibition of Stalking by Criminal Law Jiang Min **INTERNATIONAL LAW ISSUES** Theoretical Interpretation of and Realistic Path to the Extraterritorial Effect of China's Intellectual Property Law Liu Yunkai 201