



环球法律评论 双月刊

总第四十二卷·2020年第3期(总第227期)

环球评论

美国算法治理政策与实施进路

[美]陆凯 5

美国启动刑事缺席审判的规范限定与司法裁量

初殿清 27

数字时代刑事侦查与隐私权保护的界限

——以美国卡平特案大讨论为切入口

朱嘉珺 41

理论前沿

我国公司人格的基本制度再造

——以公司资本制度与董事会地位为核心

徐强胜 57

双层股权结构的“日落条款”

沈朝晖 71

互联网平台用工的“类雇员”解释路径及其规范体系

王天玉 85

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

司法解释中的出罪事由及其改进逻辑

石聚航 101

不可靠证据排除规则的理论逻辑、适用困境及其出路

纵 博 117

魏玛宪法社会权的中国转化

李富鹏 133

国际法研究

《海牙判决公约》与国家相关判决的承认与执行

何其生 147

香港法院对内地破产程序的承认与协助

——以华信破产案裁决为视角

石静霞 162

马克思主义法学专栏

依法治国与依规治党有机统一的逻辑及其进路

林 华 177

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: <http://www.globallawreview.org>

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 42

May 2020

Number 3

CONTENTS

REVIEW OF FOREIGN LAWS

Algorithmic Governance Policy and Its Implementation Approach in the United States	Lu Kai	5
Initiating Criminal Trial in Absentia: Regulation and Discretion in the United States	Chu Dianqing	27
Lines Between Privacy Protection and Criminal Investigation in the Digital Era: Taking the Carpenter Case as the Entry Point	Zhu Jiajun	41

THEORETICAL FRONTS

Reconstruction of Basic System of Corporate Personality in China: Focusing on the Corporate Capital System and the Status of the Board of Directors	Xu Qiangsheng	57
The “Sunset Provisions” in the Dual-class Share Structure	Shen Zhaohui	71
Interpretation Path and Regulation System of “Employee-like Persons” in Internet Platform Employment	Wang Tianyu	85
Causes of Decriminalization in Judicial Interpretation and Their Improvement Logic	Shi Juhang	101
The Theoretical Logic, Application Predicament and Reform of Exclusionary Rules of Unreliable Evidence	Zong Bo	117
The Chinese Transformation of the Social Rights in the Weimar Constitution	Li Fupeng	133

INTERNATIONAL LAW ISSUES

Recognition and Enforcement of State-related Judgments in the Hague Judgment Convention	He Qisheng	147
Recognition and Assistance of Insolvency Proceedings in Mainland China by HKHC: from the Perspective of the Re CEFC Shanghai Case	Shi Jingxia	162

SPECIAL COLUMN ON MARXIST LAW SCIENCE

The Logic of and the Approach to the Organic Unity of Law-based State Governance and Regulation-based Party Governance	Lin Hua	177
--	---------	-----