



面向 21 世纪 课 程 教 材  
Textbook Series for 21st Century

全国高等学校法学专业核心课程教材

# 刑法学

Criminal Law

主编 高铭暄 马克昌

执行主编 赵秉志

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## 内 容 简 介

本教材为教育部组织的面向 21 世纪的全国高等学校法学专业核心课程教材之一,由中国人民大学和武汉大学刑法学专业博士学位点的部分教授合作编著,供高等学校法学本科使用。

刑法学是高等学校法学教育中一门重要的主干课程。本教材努力按照高等教育法学专业主干课程教材的要求,正确地阐述我国刑法学的基本原理和基本知识,并注重内容的科学性、系统性、相对稳定性和时代特色。特别是为了适应国家改革开放、建设社会主义法治国的需要,本教材十分注意阐述研究我国新刑法典颁行以来刑事法治的新进展和刑法理论研究的新成果,以提高教材的学术水平和应用价值。

本教材除绪言外,分为上下两编:上编为刑法总论,系统而较为深入地论述了刑法通论、犯罪总论、刑罚总论方面的刑法基本原理与刑法总则规范;下编为刑法各论,在论述刑法各论宏观问题的基础上,逐章论述了我国现行刑法典分则规定的十类犯罪之共性问题和每种犯罪的罪刑规范及理论问题,对具体犯罪的论述根据理论与实务的需要有详有略、重点分明。

## ABSTRACT

This book is a core teaching material of legal science oriented for the State Higher Educational Institutions, it is also aimed at the 21st century legal science education according to the Ministry of Education. It is co-written by professors of Ph.D. education bases of Criminal Law from Renmin University of China and Wuhan University. This teaching material is targeted for the law major undergraduate students of higher educational institutions.

Criminal Law is one of the core courses in the legal science education of higher educational institutions. This material meets the requests of the core courses in the legal science education of higher educational institutions, as it illustrates the basic theory and knowledge of our country's criminal law, meanwhile, it is scientific, systematic, comparatively stable and up to date. Especially, in order to comply with the demands of adjusting to our country's opening policy and socialist legal state management, it attaches great importance to the illustration of the development of criminal theory and cases after the promulgation of our country's new criminal code. Thus, it is of higher academic and application value.

Besides the preface, this teaching material is divided into two parts: Part One is about the general provisions of criminal law, which discusses systematically and thoroughly the basic principles of the criminal law and criteria of the general provisions of the criminal law concerning the general survey of the criminal law, general provisions of crimes and general provisions of punishment. Part Two discusses the common issues of ten sorts of crimes regulated in the specific provisions of the current criminal law of China and the standards and theoretical issues of each type of crime chapter by chapter. According to theoretical and practical needs, the discussions of the concrete crimes are detailed in some places, concise in other places and hence well focused.

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DAK 57/10



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# 目 录

绪 言 .....	(1)
-----------	-----

## 上编 刑法总论

<b>第一章 刑法概说</b> .....	(9)
第一节 刑法的概念和性质 .....	(9)
第二节 刑法的创制和完善 .....	(11)
第三节 刑法的根据和任务 .....	(15)
第四节 刑法的体系和解释 .....	(19)
<b>第二章 刑法的基本原则</b> .....	(25)
第一节 刑法基本原则的概念和意义 .....	(25)
第二节 罪刑法定原则 .....	(26)
第三节 适用刑法人人平等原则 .....	(28)
第四节 罪责刑相适应原则 .....	(30)
<b>第三章 刑法的效力范围</b> .....	(33)
第一节 刑法的空间效力 .....	(33)
第二节 刑法的时间效力 .....	(37)
<b>第四章 犯罪概念与犯罪构成</b> .....	(42)
第一节 犯罪概念 .....	(42)
第二节 犯罪构成 .....	(49)
<b>第五章 犯罪客体</b> .....	(55)
第一节 犯罪客体概述 .....	(55)
第二节 犯罪客体的分类 .....	(58)
第三节 犯罪客体与犯罪对象 .....	(61)
<b>第六章 犯罪客观方面</b> .....	(64)
第一节 犯罪客观方面概述 .....	(64)
第二节 危害行为 .....	(67)
第三节 危害结果 .....	(76)
第四节 危害行为与危害结果之间的因果关系 .....	(81)
第五节 犯罪的其他客观条件 .....	(86)

<b>第七章 犯罪主体</b> .....	(87)
第一节 犯罪主体概述 .....	(87)
第二节 刑事责任能力 .....	(89)
第三节 与刑事责任能力有关的因素 .....	(92)
第四节 犯罪主体的特殊身份 .....	(99)
第五节 单位犯罪 .....	(103)
<b>第八章 犯罪主观方面</b> .....	(106)
第一节 犯罪主观方面概述 .....	(106)
第二节 犯罪故意 .....	(109)
第三节 犯罪过失 .....	(116)
第四节 意外事件 .....	(120)
第五节 犯罪目的和犯罪动机 .....	(121)
第六节 认识错误 .....	(124)
<b>第九章 正当行为</b> .....	(128)
第一节 正当行为概述 .....	(128)
第二节 正当防卫 .....	(130)
第三节 紧急避险 .....	(138)
<b>第十章 故意犯罪的停止形态</b> .....	(144)
第一节 故意犯罪停止形态概述 .....	(144)
第二节 犯罪既遂形态 .....	(149)
第三节 犯罪预备形态 .....	(152)
第四节 犯罪未遂形态 .....	(155)
第五节 犯罪中止形态 .....	(160)
<b>第十一章 共同犯罪</b> .....	(166)
第一节 共同犯罪概述 .....	(166)
第二节 共同犯罪的形式 .....	(171)
第三节 共同犯罪人的刑事责任 .....	(176)
<b>第十二章 罪数形态</b> .....	(185)
第一节 罪数判断标准 .....	(185)
第二节 一罪的类型 .....	(189)
第三节 数罪的类型 .....	(204)
<b>第十三章 刑事责任</b> .....	(207)
第一节 刑事责任概述 .....	(207)
第二节 刑事责任的根据 .....	(214)
第三节 刑事责任的发展阶段和解决方式 .....	(219)

<b>第十四章 刑罚概说</b> .....	(225)
第一节 刑罚的概念.....	(225)
第二节 刑罚的功能.....	(228)
第三节 刑罚的目的.....	(231)
<b>第十五章 刑罚的体系和种类</b> .....	(238)
第一节 刑罚的体系.....	(238)
第二节 主刑.....	(240)
第三节 附加刑.....	(249)
第四节 非刑罚处理方法.....	(256)
<b>第十六章 刑罚裁量</b> .....	(259)
第一节 刑罚裁量概述.....	(259)
第二节 量刑的原则.....	(261)
第三节 量刑的情节.....	(267)
<b>第十七章 刑罚裁量制度</b> .....	(278)
第一节 累犯.....	(278)
第二节 自首与立功.....	(281)
第三节 数罪并罚.....	(291)
第四节 缓刑.....	(300)
<b>第十八章 刑罚执行制度</b> .....	(308)
第一节 刑罚执行概述.....	(308)
第二节 减刑.....	(311)
第三节 假释.....	(315)
<b>第十九章 刑罚的消灭</b> .....	(320)
第一节 刑罚消灭概述.....	(320)
第二节 时效.....	(321)
第三节 赦免.....	(326)

## 下编 刑法各论

<b>第二十章 刑法各论概述</b> .....	(329)
第一节 刑法各论与刑法总论的关系.....	(329)
第二节 刑法分则的体系.....	(331)
第三节 具体犯罪条文的构成.....	(333)
<b>第二十一章 危害国家安全罪</b> .....	(340)
第一节 危害国家安全罪概述.....	(340)

第二节	危害国家安全罪分述·····	(341)
<b>第二十二章</b>	<b>危害公共安全罪</b> ·····	(353)
第一节	危害公共安全罪概述·····	(353)
第二节	危害公共安全罪分述·····	(355)
<b>第二十三章</b>	<b>破坏社会主义市场经济秩序罪</b> ·····	(383)
第一节	破坏社会主义市场经济秩序罪概述·····	(383)
第二节	生产、销售伪劣商品罪·····	(386)
第三节	走私罪·····	(395)
第四节	妨害对公司、企业的管理秩序罪·····	(401)
第五节	破坏金融管理秩序罪·····	(408)
第六节	金融诈骗罪·····	(427)
第七节	危害税收征管罪·····	(438)
第八节	侵犯知识产权罪·····	(448)
第九节	扰乱市场秩序罪·····	(456)
<b>第二十四章</b>	<b>侵犯公民人身权利、民主权利罪</b> ·····	(467)
第一节	侵犯公民人身权利、民主权利罪概述·····	(467)
第二节	侵犯公民人身权利、民主权利罪分述·····	(469)
<b>第二十五章</b>	<b>侵犯财产罪</b> ·····	(504)
第一节	侵犯财产罪概述·····	(504)
第二节	侵犯财产罪分述·····	(506)
<b>第二十六章</b>	<b>妨害社会管理秩序罪</b> ·····	(531)
第一节	妨害社会管理秩序罪概述·····	(531)
第二节	扰乱公共秩序罪·····	(533)
第三节	妨害司法罪·····	(555)
第四节	妨害国(边)境管理罪·····	(565)
第五节	妨害文物管理罪·····	(569)
第六节	危害公共卫生罪·····	(576)
第七节	破坏环境资源保护罪·····	(583)
第八节	走私、贩卖、运输、制造毒品罪·····	(591)
第九节	组织、强迫、引诱、容留、介绍卖淫罪·····	(600)
第十节	制作、贩卖、传播淫秽物品罪·····	(604)
<b>第二十七章</b>	<b>危害国防利益罪</b> ·····	(609)
第一节	危害国防利益罪概述·····	(609)
第二节	危害国防利益罪分述·····	(611)
<b>第二十八章</b>	<b>贪污贿赂罪</b> ·····	(626)

---

第一节	贪污贿赂罪概述·····	(626)
第二节	贪污贿赂罪分述·····	(627)
<b>第二十九章</b>	<b>渎职罪·····</b>	<b>(646)</b>
第一节	渎职罪概述·····	(646)
第二节	渎职罪分述·····	(648)
<b>第三十章</b>	<b>军人违反职责罪·····</b>	<b>(677)</b>
第一节	军人违反职责罪概述·····	(677)
第二节	军人违反职责罪分述·····	(679)
<b>后 记</b>	·····	(696)

## Table of Contents

<b>Preface</b> .....	(1)
Part One General Provisions of the Criminal Law	
<b>Chapter 1 Outline of the Criminal Law</b> .....	(9)
1.1 The Concept and Nature of the Criminal Law .....	(9)
1.2 The Initiative and Perfection of the Criminal Law .....	(11)
1.3 The Foundation and Aim of the Criminal Law .....	(15)
1.4 The System and Analysis of the Criminal Law .....	(19)
<b>Chapter 2 Basic Principles of the Criminal Law</b> .....	(25)
2.1 The Concept and Meaning of the Basic Principles of the Criminal Law .....	(25)
2.2 The Principle of a Legally Prescribed Punishment for a Specified Crime .....	(26)
2.3 The Principle in the Equal Application of the Criminal Law to Anyone Committing a Crime .....	(28)
2.4 The Principle of Suiting Punishment to Crime and Criminal Responsibility .....	(30)
<b>Chapter 3 The Scope of Validity of the Criminal Law</b> .....	(33)
3.1 The Spatial Validity of the Criminal Law .....	(33)
3.2 The Validity in Time of the Criminal Law .....	(37)
<b>Chapter 4 The Concept of Crime and the Constitution of Crime</b> .....	(42)
4.1 The Concept of Crime .....	(42)
4.2 The Constitution of Crime .....	(49)
<b>Chapter 5 The Object of Crime</b> .....	(55)
5.1 Survey of the Object of Crime .....	(55)
5.2 The Classification of the Object of Crime .....	(58)
5.3 The Object of Crime and Target of Crime .....	(61)
<b>Chapter 6 The Objective Aspects of Crime</b> .....	(64)
6.1 Survey of the Objective Aspects of Crime .....	(64)

6.2	The Dangerous Act .....	(67)
6.3	The Dangerous Result .....	(76)
6.4	The Causality between the Dangerous Act and The Dangerous Result .....	(81)
6.5	The Other Objective Conditions of Crime .....	(86)
<b>Chapter 7</b>	<b>The Subject of Crime .....</b>	<b>(87)</b>
7.1	Survey of the Subject of Crime .....	(87)
7.2	The Ability of Criminal Responsibility .....	(89)
7.3	The Elements Concerned with the Ability of Criminal Responsibility .....	(92)
7.4	The Special Identification of the Subject of Crime .....	(99)
7.5	Crimes Committed by a Unit .....	(103)
<b>Chapter 8</b>	<b>The Subjective Aspects of Crime .....</b>	<b>(106)</b>
8.1	Survey of the Subjective Aspects of Crime .....	(106)
8.2	Criminal Intent .....	(109)
8.3	Criminal Negligence .....	(116)
8.4	Fortuitous Event .....	(120)
8.5	Criminal Purpose and Criminal Motive .....	(121)
8.6	Error of Cognition .....	(124)
<b>Chapter 9</b>	<b>Justifiable Acts .....</b>	<b>(128)</b>
9.1	Survey of Justifiable Acts .....	(128)
9.2	Justifiable Defence .....	(130)
9.3	Act of Rescue .....	(138)
<b>Chapter 10</b>	<b>The Suspended Situation of the Intentional Crime .....</b>	<b>(144)</b>
10.1	Survey of the Suspended Situation of the Intentional Crime .....	(144)
10.2	The Situation of the Accomplishment of Crime .....	(149)
10.3	The Situation of the Preparation for Crime .....	(152)
10.4	The Situation of the Attempt of Crime .....	(155)
10.5	The Situation of the Discontinuance for Crime .....	(160)
<b>Chapter 11</b>	<b>Joint Crimes .....</b>	<b>(166)</b>
11.1	Survey of Joint Crimes .....	(166)
11.2	The Form of the Joint Crimes .....	(171)
11.3	The Criminal Responsibility of Complice .....	(176)
<b>Chapter 12</b>	<b>The Form of Quantity of Crime .....</b>	<b>(185)</b>



12.1	The Standards of Judgement of Quantity of Crime .....	(185)
12.2	Types of One Crime .....	(189)
12.3	Types of Plural Crimes .....	(204)
<b>Chapter 13</b>	<b>The Criminal Responsibility .....</b>	<b>(207)</b>
13.1	Survey of the Criminal Responsibility .....	(207)
13.2	The Foundation of the Criminal Responsibility .....	(214)
13.3	The Development Stages and Solution Modes of the Criminal Responsibility .....	(219)
<b>Chapter 14</b>	<b>Survey of Punishment .....</b>	<b>(225)</b>
14.1	The Concept of Punishments .....	(225)
14.2	The Function of Punishments .....	(228)
14.3	The Purpose of Punishments .....	(231)
<b>Chapter 15</b>	<b>The System and Types of Punishments .....</b>	<b>(238)</b>
15.1	The System of Punishments .....	(238)
15.2	Principal Punishments .....	(240)
15.3	Supplementary Punishments .....	(249)
15.4	Method of Non-penalty .....	(256)
<b>Chapter 16</b>	<b>Measurement of Punishments .....</b>	<b>(259)</b>
16.1	Survey of the Measurement of Punishment .....	(259)
16.2	The Principle of Punishment .....	(261)
16.3	The Circumstances of Measurement .....	(267)
<b>Chapter 17</b>	<b>The System of the Measurement of Punishment .....</b>	<b>(278)</b>
17.1	Recidivists .....	(278)
17.2	Voluntary Surrender and Meritorious Performance .....	(281)
17.3	Combined Punishment for Several Crimes .....	(291)
17.4	Suspension of Sentence .....	(300)
<b>Chapter 18</b>	<b>The System of the Execution of Punishment .....</b>	<b>(308)</b>
18.1	Survey of the Execution of Punishment .....	(308)
18.2	Commutation of Punishment .....	(311)
18.3	Parole .....	(315)
<b>Chapter 19</b>	<b>Annihilation of Punishment .....</b>	<b>(320)</b>
19.1	Survey of Annihilation of Punishment .....	(320)
19.2	Limitation .....	(321)
19.3	Immunity .....	(326)