



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

宪 法

周叶中 主编

高等教育出版社
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内 容 简 介

本书是教育部“高等教育面向 21 世纪教学内容和课程体系改革计划”的研究成果,是面向 21 世纪课程教材,同时也是全国高等学校法学专业核心课程教材。本书共 3 编 25 章。在认真总结和吸纳 20 多年来我国宪法学研究成果的基础上,大大丰富和更新了宪法学教学内容,显著地调整和完善了宪法学课程体系。它的出版标志着宪法学教材在世纪之交初步完成了更新换代。

本书首创了以宪法基本理论——宪法基本制度——宪法实施为主线的宪法学教学体系。第一编《宪法基本理论》不但详细论述了宪法的概念、历史和基本原则,而且增设七章,分别论述了宪法的制定、宪法形式与宪法结构、宪法规范、宪法关系、宪法的价值与作用、宪法观念与宪法文化、宪法与宪政,从而使宪法基本理论趋于完善。第二编《宪法基本制度》不但具体阐述了国家性质、国家形式、公民的基本权利和义务、选举制度、国家机构、政党制度等方面的基本内容,而且着重对政体和政权组织形式的关系、政党制度与民主宪政的关系等问题进行了理论探究。对宪法实施理论的高度重视是本书的一个突出特点。第三编《宪法实施》以 7 章的篇幅,对宪法实施的概念、原则、条件、过程、宪法解释、宪法修改、宪法实施评价与违宪审查、宪法秩序等问题进行了全面系统地论述,从而廓清了宪法实施理论的基本框架。

本书可作为高等学校法学专业的教科书,也可供其他专业选用和社会读者阅读。

ABSTRACT

As an achievement of “the Reform Plan of Teaching Content and Course System in Higher Education Facing Twenty-First Century”, this book is one of key textbooks of the Science of Law in colleges and universities. It is composed of three parts including twenty-five chapters. On the basis of carefully summing up and absorbing the research achievements of the science of constitution in more than twenty years, this book greatly enriches and renews the teaching content of the science of constitution and remarkably adapts and perfects the course system of the science of constitution. The publication of this book indicates that the textbook of the science of constitution has been primarily renewed at the turn of the centuries.

This book starts the new teaching system of the science of constitution with the clue of fundamental theories of constitution, fundamental systems of constitution and enforcement of constitution. The first part, Fundamental Theories of Constitution, respectively expounds the drawing up of constitution, constitutional forms and structure, constitutional norms, constitutional relations, the value and roles of constitution, constitutional mentalities, besides detailedly expounding the concept, history and fundamental principles of constitution, and civilization, constitution and constitutionalism in seven additional chapters and thus makes the fundamental theories tend to reach perfection. The second part, Fundamental Systems of Constitution, emphasizes the theoretical inquiry into the relations of governmental form and organizational form of political power, system of political party and democratic constitutionalism. The marked feature of this book is to pay great attention to the theories of constitutional enforcement. The third part, Constitutional Enforcement, including seven chapters, completely and systematically expounds the concept, principles, conditions and process of constitutional enforcement, constitutional interpretation, constitutional reform, evaluation of constitutional enforcement and unconstitutional review, constitutional order, etc. and thereby gives the basic frame of the theories of constitutional enforcement.

This book can be used as the coursebook for legal majors of colleges and universities and also for other majors and social readers to use and read.

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