

在前进，中国法学还在发展，希望永在，所以我们在努力。

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## The Experience of Law Research in Contemporary China

——Guideline for *Law Research in Contemporary China*

Chen Su

**Abstract:** China's law research has experienced three periods in the past 60 years since the People's Republic of China was founded. In the first period (1949—1978), China's Law failed to construct its independent system or disciplinary system because it was subordinate to politics and over-reliant on the Soviet legal theory. In the second period (1978—1992), China's Law got rid of the shackles of both the “class struggle theory” and the dependence on the Soviet legal theory, and began to construct its independent system and its independent professional disciplines, which is characterized as full academic atmosphere, gradual building of subject, clearer division among the disciplines and more achievements in academic research. In the third period (1992—2009), China's law showed a progressive and prosperous development in which branch subject division is more and more detailed, fruitful achievements were produced and the standardization degree increased in academic research, theory research pointed to multi-level and made much innovation, legal education has been rapidly developed, law practices been increased, and foreign exchange in the field of law research become normalized as well.

**Key words:** contemporary law; history of China's law; law research

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### 观点选萃

## “显白—隐微”的写作技艺与当代解释学

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黑龙江大学哲学院博士研究生、黑龙江大学外国哲学研究基地研究人员高山奎在《“显白—隐微”的写作技艺与当代解释学》一文中指出：

施特劳斯的隐微写作和双重教诲学说被学界称之为经典解释学理论。过往的伟大作者一方面为了避免政治迫害，免遭苏格拉底式的命运；一方面洞悉到认识政治事务的重要性和紧迫性以及城邦和哲学的根本紧张，因此，他们采取隐微写作的技艺，使其作品以无害的外表刊行于世。但现代哲人基于对自由信念的过分偏执，忘却了古典哲人的审慎与节制，他们将自己作为真理的代言人，以无畏的知性真诚进行着大众启蒙的“丰功伟业”。但现代西方文化的危机以及现实领域的战祸连绵向哲学家们昭示了启蒙真理的局限或限度。正是基于对现代性危机的深刻反思，施特劳斯将目光转向中世纪哲人和古希腊哲人，并以谦卑的姿态和扎实的功夫开掘出几十篇解读古代经典文本的佳作，从而为现代读者理解古代哲人的文本提供了新的可能，同时对哲学解释学、解构主义等当代解释学的理论具有重要的震慑意义。

（周勤勤 摘编）