
专题聚焦：社会信用立法

“

”

[中图分类号] D922.1 [文献标识码] A [文章编号] 2096-6180 (2023) 06-0001-17

2014 2020

2014 6

2014 21

2022 11

2014 2020

2014 2020

1

2

2014 2020

2

12

71

1
21

2006

2

87

$$= + + \qquad = \begin{matrix} + \\ 2 \end{matrix} +$$
$$1 \qquad 10 \qquad 9 \qquad 19$$

22 23

14

14

14

39

49 11

38

11

" _____ "

51

7

52 1

16

13

6

58

2

5

71 1

71 2
73

13

16

" "

3

89

4

5

6

7

"

"

3	2021	273						
4		2020	4	105				
5		2015	3					
6					2019	2	92	
7	2021	280						

9

10

¹¹ 2018 6

GB/T 22117 2018

2

" _____ "

12

23

23

16

17

16

2002

16

17

2018

6

36

7 2

4

" "

3 25 2022 2022

13 6

14

21

22

23

2001

2001 15

2019

21

22

23

2021

305

24

21

1 260

1

19

24

2021

306 135

14

2009 25 2020 7 1 2013
631 16

6

97 99
1998 12 3 86
2 2022 9 29
61 11 25

31

28

29

98

/

25

2

11 1

Based on the ()

LI Xiaoan

When the directly translates a social mechanism into a legal system and molds the universal moral code into a legal norm of special significance, it will inevitably leads to the formal construction of legal norms based on the legal concept and the internal construction of legal norms aiming at the value judgment of legal consistency. That is, there are problems of coherence, logic and standardization between the external norm system and the internal norm system of the law. The deeper reasons for the conflict of experience, value and logic behind the construction and system lie in the vastness of social credit construction system and the multiplicity of legislative goals of and the , as well as the confusion of governance logic with credit logic and legal logic, which makes the logic of the normative system of the difficult to be consistent. Lawmakers should re-examine the normative nature of the from the perspective of the science of legislation, and through careful argumentation of normative concept, normative context, normative meaning and normative logic, the normative system can be rigorously connected, so as to achieve harmony and unity between actual effect and legislative purpose.

Social Credit System Construction Law (Draft for Soliciting Opinions); Normative System; Logic System