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## 从俄苏之承看坚持我国民事检察监督基调的必要性

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**摘要:** 从前苏联解体到俄罗斯, 尽管政治体制发生了巨变, 但其民事检察制度却几经变化又回到了原点, 最后基本上保持了前苏联民事检察的原貌, 其法律监督的基调仍然未变。深受前苏联监督基调影响的我国民事检察制度的变革虽势在必行, 但无论从宪政还是从理论正当性的角度来看, 其法律监督的基调都不应该也不可能予以改变。换言之, 未来民事公诉的兴起, 并不意味着我国现行民事抗诉监督制度的必然终结。

**关键字:** 前苏联; 俄罗斯; 监督基调; 民事检察; 民事公诉

## On China's civil procurational supervision keynote

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**Abstract:** Eversince the breakup of the Soviet Union to Russia, its political system has undergone a change, but the civil prosecution system has been back to the original point, and its legal supervision tone remains unchanged. China's civil prosecution system has been deeply influenced by the Soviet Union. Though the reform of China's civil prosecution is inevitable, viewed from the constitutional legitimacy or the theoretical standpoint, its legal supervision keynote should not be changed. In a word, the arising of civil public prosecution doesn't mean the end of current civil counterplea of prosecution in China.

**KeyWords:** the Soviet Union; Russia; legal supervision keynote; civil prosecution; civil public prosecution