Course description

This course introduces to students the basic knowledge about the operation of the Chinese legal system or legal institutions. It examines how laws are used in the social, economic, and political activities of the Chinese people. The course focuses not on the Chinese laws per se but on how laws are used in people’s daily lives. Examples or cases will be used extensively in the course to illustrate the topics included. Major topics discussed in the course include the interactions between legal institutions and the party-state (i.e., the party and the government), the behavior of legal workers (e.g., judges, police officers), citizens’ use of civil lawsuits and administrative litigation, and some important mechanisms through which citizens or other social actors seek justice in China.

Learning outcomes

After taking this introductory course, students are expected to: (1) know Chinese legal institutions and their functions; (2): be familiar with the ways legal disputes are resolved in China; (3) understand the mechanisms that can be exploited by citizens or other social actors to seek justice in Chinese society; and (4) be able to analyze basic legal issues in China.

Course requirements:

Students are expected to attend the lectures and complete the assigned readings. Students will be assessed in light of the following criteria:

1. Three in-class pop-up quizzes (5 points each)
   a. The quiz only covers what has been discussed in the previous class.
      e.g., the quiz on Friday will be about the lecture on Wednesday in the same week; or if the quiz is on Monday, it will be about what has been discussed in the previous Friday.

   b. Make-up quiz is possible but conditional.
      Asking for a leave in advance is needed in order to take the make-up.
      If you need to take a leave, you need to email Zhoutiti: zhuotiti@ust.hk and cc me at socai@ust.hk in advance. But one cannot take too many leaves.
2. Mid-term exam (37 points, multiple-choice questions)

3. Final exam (48 points, multiple-choice questions; non-cumulative)
Lecture notes and reading materials are available at the course (http://lmes2.ust.hk/portal
Or http://lmes2.ust.hk). Optional readings are available in the reserve section of the
library.

Lectures
Week 1  Introduction: law and society in China

“The Cultural Revolution”
http://members.fortunecity.com/stalinmao/China/Cultural/Cultural.html

Week 2  Introduction to legal institutions in China
“China’s Judicial System: people’s courts, procuratorates, and public security,,”
http://www.olemiss.edu/courses/pol324/chnjudic.htm

Suggested reading:
Randall Peerenboom, China’s Long March toward Rule of Law, pp. 280-290; 302-314.

Week 3  Legal workers in China
Peerenboom, China’s Long March toward Rule of Law, pp. 290-302.

Robert Marquand, “Change begins for a legal system that even China’s president has

Week 4  Citizens’ use of law in China (I)

Week 5  Citizens’ use of law in China (II)

Philip P. Pan, “In China, Turning the Law into the People’s Protector,” Washington Post, December 28, 2004; Page A01

Geoffrey York, “Low wages, cruel bosses, no rights: An army of migrant workers grows
**Week 6  Suing the government in China**

“Peasants’ burden prompts litigation, violence,” http://www.chinadevelopmentbrief.com,

**Week 7  Law enforcement in China**

Suggested reading:

**Seeking Justice in China: Redress Mechanisms**

**Week 8. Appeals and justice in China**
(Mid-Term Exam is in the last class of this week; it covers Lecture 1 to Lecture 6)


**Week 9  Petitions and justice in China**

Suggested reading:
“The extrajudicial execution of Cao Haixin, a good citizen of Zhengzhou,” translated from Chinese by Joe Chung.

**Week 10  Media and justice in China**
Li Xiaoping, “Focus (jiaodian fangtan) and the Changes in the Chinese Television History,” *Journal of Contemporary China*, vol. 11, no. 30 (2002), pp.17-34.

**Week 11  The People’s Congress**

Suggested reading:

**Week 12  Lawyers in China**  

**Week 13  To the Court or to the Street: Social Protests in China**  

Suggested reading:  

**Week 14  Final Exam**