

## Course Syllabus

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### *SOCI 140K – Law and Society in China*

Fall 2025	Instructor: Kwai Ng
PCYNH 121	Office (for Student Hrs): SSB 466
Class Time: M/W/F 1:00-1:50	Student Hrs: Fridays 2:30-4:30pm

#### *COURSE DESCRIPTION*

*Welcome to SOCI 140K, Law and Society in China!*

For a long time, law was assumed to play only a minor role under Chinese Communist rule. This is no longer tenable. We explore how law actually functions in China and what it reveals about the governance of the world's second most populous country. Although not explicitly comparative, the course will also highlight differences between China's legal system and those of Anglo-American countries and, to a lesser extent, other East Asian societies.

#### *READINGS*

All the course readings can be accessed via **e-reserves** (<http://reserves.ucsd.edu/>).

#### *ASSIGNMENTS AND GRADING*

Grade Distribution	Due Date	Percentage
Weekly Collective Quizzes	Every Friday (almost)	25%
Midterm Exam	October 24	25%
Participation		20%
Extra Credit Assignment #1	November 21	2.5%
Extra Credit Assignment #2	December 5	2.5%
Final Exam	December 8	30%

## GRADING SCALE

A+ 100 – 97	B+ <90– 87	C+ <80– 77	D <69–60
A <97 – 94	B <87– 84	C <77– 74	F <60 – 0
A- <94 – 90	B- <84– 80	C- <74– 70	

## COURSE REQUIREMENTS EXPLAINED

Your grade for the quarter will be calculated on the basis of the following course requirements:

### 1) Weekly Collective Quizzes (25%)

This assignment is designed to promote understanding through discussion with other students in your group. It also develops a sense of community by having you work together to answer questions about the reading material. The assignment makes it so that you depend on each other for this portion of your grade. There will be short collective quizzes at the beginning of class every Friday starting week 1. Each quiz covers the readings assigned for that day and the previous lecture. Each quiz consists of questions that you will have to answer by consensus with your small group. This means you cannot select an answer on your own. The only question you must answer individually is the last question, which will ask you to grade yourself on your contributions to completing the quiz. All digital devices must be put away during the quiz, but you are allowed to bring printed copies of the readings. There will be no quizzes on Week 9 and the quiz for Week 10 will take place on Wednesday (December 3). The collective nature of the quizzes requires your attendance and participation in the quiz. No make-up quizzes will be available. But if you happen to miss a quiz for any reason, you can do one of the extra-credit assignments described below to make up the lost points. *(I'd like to credit Professor Michel Estefan for introducing me to the format of collective quiz)*

### 2) In-class mid-term exam (25%)

This exam will be held in class on October 24 (Friday). It will consist of multiple-choice questions and short answer questions. The exam will cover both readings and lecture materials that are *not* taken directly from the readings. You may bring whatever notes and readings you wish.

### 3) In-class final on December 8 (30%)

This exam covering the entire course. *It will consist of multiple-choice questions, short answer questions, and long-answer questions.* The exam will cover both readings and

lecture materials that are *not* taken directly from the readings. You may bring whatever notes and readings you wish.

#### *4) Participation (20%)*

*Your participation will be graded based on the following criteria:*

- *Posting to the “Introduce Yourself” discussion board. (5pts)*
- *Attending class lectures (15pts)*

#### *EXTRA CREDIT ASSIGNMENTS*

I will finalize the topics of the two extra credit assignments by the end of the second week.

#### *COURSE FORMAT*

For most weeks, our schedule will look like this:

- 1) Use the home page link to go to the new week’s module. Use the “Next” button at the bottom of each page to progress through the module.
- 2) Start engaging with the content in the Canvas module, which may include readings, videos, and other activities.
- 3) Attend classes on Monday and Wednesday, when we will typically focus on lecture, large group discussion.
- 4) Attend class on Friday, when we will do the group quiz, discussion the questions of the quiz, and additional lecture/instruction.

#### *AI TECHNOLOGY POLICY*

While AI is a powerful tool, its use in this class undermines the learning process and can disproportionately disadvantage students less familiar with it. Developing critical thinking, writing, and analytical skills without relying on AI is essential to your academic and career success. Using AI also makes it difficult for me to evaluate your effort and learning progress. Please complete course assignments without using AI. Please respect this policy to ensure a level playing field and to build the skills necessary for your education.

#### *CONTACTING INSTRUCTOR*

Please try to send me messages via Canvas rather than through the campus email system. This helps me keep track of all your messages.

#### *STUDENT HOURS*

I encourage you to visit me during my student hours as often as you want or need to. This is a time for us to discuss your interests or concerns with the course content in more depth. If you cannot make it to the scheduled student hours, send me an email and we will arrange to meet at an alternative date and time. You can schedule a student hours appointment here:

<https://calendly.com/kwng-ucsd/student-hours-fall-2025>

### *DIGITAL DEVICE POLICY*

To foster an effective learning environment, I do not allow the use of laptops during lectures. Research shows that laptops tend to negatively impact your academic performance. I will make an exception if you require a laptop as part of a documented accommodation. By minimizing digital distractions, I hope to promote comprehension and participation.

### *REQUIRED TEXTS*

There is one required text:

*Embedded Courts: Judicial Decision making in China*. Kwai Hang Ng and Xin He. Cambridge University Press 2017.

Other course readings can be accessed via e-reserves (<http://reserves.ucsd.edu/>)

### *SCHEDULE OF READINGS AND OTHER ASSIGNMENTS*

While I strive to adhere to the schedule of topics and readings, adjustments may be made as needed.

#### *Wk 0 Friday, September 26: First Meeting*

I will outline the course syllabus and discuss the logistics with you.

#### *Wk 1 September 29, October 1 & 3: Introduction*

Tamir Mustafa and Tom Ginsburg, "The Function of Courts in Authoritarian Politics" 1-22 in *Rule by Law* New York:Cambridge University Press

Zhu Suli "The Party and the Courts" 52-68 in *Judicial Independence in China*, edited by R. Peerenboom. New York:Cambridge University Press.

#### *Wk 2 October 6, 8, 10: Chinese Judicial System in Context*

Chen, Jianfu. 2008 "Legal Institutions" in *Chinese Law: Context and Transformation*: 147-170.

Huang, Mitzi. "Seeds of Legal Discontent - The Luoyang Seed Law Case: A Case Study of the Rule of Law in China." 3 *Dartmouth C. Undergraduate J.L.* 32 (2005)

Qianfan Zhang, "A constitution without constitutionalism? The path of constitutional development in China," *International Journal of Constitutional Law*, 8(4) (2010), 950-76.

Wk 3 October 13, 15, 17: Administrative Embeddedness

*Embedded Courts* Chapter 4

Minzner, Carl. 2011. "Judicial disciplinary systems for incorrectly decided cases: the imperial Chinese heritage lives on." In Woo, Margaret and Gallagher, Mary (eds.), *Chinese Justice: Civil Dispute Resolution in Contemporary China*. New York: Cambridge University Press, 58–90

WK 4 October 20, 22, 24: Political Embeddedness I

*Embedded Courts* Chapter 1

He, Xin. 2009. "Administrative law as political control mechanism" in Balme, Stephanie and Dowdle, Michael (eds.), *Building Constitutionalism in China*. New York: Palgrave MacMillan, 143–162.

O'Brien, Kevin J., and Li, Lianjiang. 1999. "Selective policy implementation in rural China." *Comparative Politics* 31(2), 167–186.

IN-CLASS MIDTERM: October 24 (Friday)

Wk 5 October 27, 29, 31: Political Embeddedness II – Mediation

*Embedded Courts* Chapter 5

Kwai Hang Ng and Xin He "Internal Contradictions of Judicial Mediation in China" *Law and Social Inquiry* 39(2): 285-312.

Wk 6 November 3, 5, 7: Social Embeddedness

*Embedded Courts* Chapter 6

Li, L. (2012). "The "Production" of Corruption in China's Courts: Judicial Politics and Decision Making in a One-Party State." *Law & Social Inquiry*, 37(4), 848-877.

Ting Gong, "Dependent judiciary and unaccountable judges: Judicial corruption in contemporary China," *The China Review* 2004

Wk 7 November 10, 12, 14: Economic Embeddedness

*Embedded Court Chapter 7*

Xin He, "Court Finance and Court Responses to Judicial Reforms: A Tale of Two Chinese Courts" *Law and Policy* 31(4): 463-86.

Rachel Stern, "On the Frontlines: Making Decisions in Chinese Civil Environmental Lawsuits" *Law and Policy* 32(1):79-103.

Wk 8 November 17, 19, 21: Legal Consciousness in China

Quan Liu, 2023. Legal Collusion: Legal Consciousness under China's One-Child Policy

Xin He, Yuqing Feng, 2016, "Mismatched Discourses in the Petition Offices of Chinese Courts" *Law and Social Inquiry* 41(1)212-241

Wk 9 November 24, 26, 28: Good Samaritan Law/Lawyers in China

Qingxiu Bu, "The Good Samaritan in the Chinese Society: Morality vis-a`-vis Law Judges in China" *Liverpool Law Review* (2017) 38:135–157

Wk 10 December 1, 3, 5: Chinese Judges

*Embedded Courts, Chapter 2 & 3*

Kwai Ng, "Is China a "Rule-by-Law" Regime?," 67 *Buff. L. Rev.* 793 (2019).

IN-PERSON FINAL: December 8 (Monday), 11:30a – 2:30p