

LAW, POLITICS, AND SOCIETY IN CHINA
SYA 4930/ CCJ 4934 Spring 2023
Tue. 3pm – 4:55pm, Thur. 3pm-3:50 PM

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Office hours: Tues. 1pm-3pm, and by appointment

Course description:

This course will explore the intersection of law, politics, and society in China in the reform era (since 1978). Specific topics include legal reform, economic transition, social and political change, dispute/conflict resolution channels (e.g., courts and petitioning), lawyers, legal mobilization, enforcement of law, the media, civil society, social protest, the environment, among others. While the course focuses on the reform era, it also considers the legacies of the Mao era (1949-1976). Readings, lectures, and discussions will not only highlight macro-level processes of various change and continuity in Chinese law, politics, and society, but will also examine the impact of these changes and the experiences of individuals involved in these processes.

Education Objectives:

The course aims to:

- Enable students to develop their understanding of key institutions, practices, norms of China's contemporary legal and political system and of important changes, features, and processes of Chinese society and economy.
- Survey conceptual and methodological tools for studying the differences between law on the books and law in practice.
- Help students develop analytical and critical thinking skills with regard to law, politics, and society.
- Provide students opportunities for an in-depth understanding of China beyond the headlines.

Course Format:

This course will take a mixed format of lecture, student presentation, debates, and organized discussion. Students are expected to have read readings assigned for each class meeting and to be ready to discuss the relevant materials in a knowledgeable way. Failure to keep up with readings will limit your ability to both contribute to and learn from the class interactions; it also will undermine your capacity to perform well on assignments and achieve a good grade in the course. Some of these readings are quite challenging, **so be sure to allow plenty of time to give them adequate attention.**

Course Requirements:

Students' active participation is essential for this course. You should come prepared with one or two high quality discussion questions for the class each week. To this end, you should do all required readings *prior to* class (supplemental readings are not required). You are expected to post questions on Canvas before class and to participate in class discussion. It is also required to submit 3 response papers on the material, do a brief news report, make a presentation of supplemental material, hand in an outline of your final research paper, make a presentation of the research project, and submit your final paper in the end.

1. Attendance and Participation in Discussion (28%)

- Attendance & in-class participation (15%)
- Discussion posts on course readings (13%)

ATTENDANCE (13%)

Students are expected to attend class regularly. Excused absences can be applied to sickness with documents, quarantine for COVID-19, and other issues. If you are sick, stay at home.

IN-CLASS PARTICIPATION (2%)

To get full points, you have to speak up in class frequently *and* demonstrate a solid understanding of the readings.

DISCUSSION POSTS (13%)

To facilitate thought-provoking and informative conversations during class, all students are expected to submit discussion posts about the required readings via **Canvas** for *each* week.* Discussion posts should contain the following: 1) Two interesting and/or new takeaways (things you did not know) from the readings—one for Tues and the other for Thursday; 2) Two questions that help stimulate class discussion—one for Tues and the other for Thursday. The posts are due on Canvas by **8am** on **Mondays**. For instance, post for the readings of Week 2 is due by 8am of Monday of that week.

* ATTN: *no post is required for classes without assigned readings.*

In class discussion, you may be asked to provide further thoughts on your posts. Students who fail to share their discussion questions/comments during class when asked will receive an automatic zero for this assignment, even if they uploaded their discussion post prior to class. Therefore, it is crucial to be prepared to discuss before coming to class.

Reading guide: take notes and think about the following questions.

- 1) What is the author's explanatory objective? Pay special attention to how this is defined and operationalized.
- 2) What is the author's argument?
- 3) What is the logic connecting 1) and 2)? How convincing do you find this logic?

- 4) What are the intellectual roots and/or empirical inspiration for the argument?
- 5) Is the research design and methodology appropriate for the questions being asked?
- 6) What types of evidence, if any, is provided for the argument? Does the evidence actually support the intended argument? What type of evidence would strengthen or weaken the argument?

*For readings with quantitative analysis, if you have problems with the statistical part, you may skim it and focus on the nontechnical part.

2. Response Papers (30%)

Write **3** concise response papers (no more than 2 double-spaced pages) on topics which interest you most. For each response paper, select at least two readings for that week. Please refrain from merely summarizing them. Instead, make a *brief* summary and give an in-depth analysis on the readings. It is necessary to engage readings to *make an argument*. You may compare different readings to show how the information and arguments in one reading corroborate or contradict those in another reading, discuss how one reading sheds light on the content of another, or explain why the argument of the reading(s) is convincing (or not). Use the questions listed in the reading guide above as a guide for analyzing the readings, and be sure to state your argument clearly in the introduction.

Papers are due *before* Thursday class on the course Canvas page.

1 st response paper	Must be written between Week 2 and Week 5
2 nd response paper	Must be written between Week 6 and Week 9
3 rd response paper	Must be written between Week 10 and Week 13

*****LATE PAPERS WILL NOT BE ACCEPTED.**

3. Discussion Lead (8%)

For each Thursday (except Weeks 1 & 15 and the days for watching documentaries), one student will be in-charge of leading class discussion on a *required* reading of that day (pick one if there are more than one *required* reading). This assignment has two parts: 1) writing a memo 2) lead in-class discussion on that reading.

First, the student will develop a one-page memo that summarizes and comments on the key arguments and points made in the article. The memo will be graded 1) on the extent to which it accurately explains the main arguments and points presented in the article and 2) on the validity of your critiques of the article.

To lead the class discussion, the students should present the main arguments and comments and/or critiques of the reading of that day in an engaging manner. Do NOT simply read your memo. Presentation should be less than 10 minutes. Students may use PowerPoint Presentation or handouts when leading class discussion. Then, you are expected to raise insightful questions

to generate conversation with the rest of the class. Discussions should take less than 20 minutes, unless otherwise noted.

4. Supplementary Reading Presentations (9%):

You are expected to present a synopsis and discussion of a supplemental reading for the course (attached after each week’s required readings). In this presentation (no more than 10 minutes), you should introduce the main idea of the text, use your own language and examples to explain the arguments of the author(s), and *provide* a few *discussion questions* in relation to the overall theme of the course. Using these discussion questions, you are expected to engage with audience and to lead a brief discussion.

Your presentation will be graded on the extent to which it accurately explains the main arguments, concepts, and points presented in the article. You will also be graded on the validity of your critiques of the article.

5. Research Paper (25%):

A research paper (no more than 4 double-spaced pages), is due **at 11:59pm on Monday of last week**. The outline of the term paper is scheduled to submit by **11:59pm of Thursday of Week 12**. The research paper should make an argument and focus on a central question. You are free to select a topic of interest to you based on the course material and class discussions. **Topics can include, but not limited to, scrutinizing the role of campaign-style governance in police implementation (e.g., comparing different campaigns and their impact), comparing different channels for conflict resolution (e.g., petitions vs. filing law suits), examining diverse state responses to social protests and analyzing why, discussing why NGOs permitted are in China (take one or two NGOs as an example to show how it (they) interacts with authorities), and exploring media censorship or China bashing phenomenon.** More specific guidelines will be offered in the class. Besides the course readings, you should also introduce additional literature. UF librarians and the instructor will help you resolve problems about literature searching. For developing writing skills, you are encouraged to go to the UF Writing Studio for further help (see below the section “**UF Campus Resources Services**” for details).

**** LATE PAPERS WILL NOT BE ACCEPTED.**

A SUMMARY OF ALL ASSIGNMENTS

	Grading	Deadlines
Attendance and participation	28%	Discussion posts: 8am on Tuesday
3 response papers	30%	8am on Tuesdays
Discussion Lead	8%	Memo & questions due at the end of class
1 presentation of supplemental reading	9%	The date you signed up
Final paper & outline	25%	Outline (5%): 11:59pm of Thursday of Week 12

		Presentations: Week 15 Final paper (20%): 11:59pm on Monday of Week 16
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****NO LAPTOPS, TABLETS, OR CELL PHONES ARE ALLOWED IN CLASS.**

Score	Grade	Grade Points
93.4-100	A	4.00
90.0-93.3	A-	3.67
86.7-89.9	B+	3.33
83.4-86.6	B	3.00
80.0-83.3	B-	2.67
76.7-79.9	C+	2.33
73.4-76.6	C	2.00
70.0-73.3	C-	1.67
66.7-69.9	D+	1.33
63.4-66.6	D	1.00
60.0-63.3	D-	0.67
0-59.9	E	0.00

Here earning an “A” entails: *Excellent mastery of course material, student performance indicates a very high degree of originality, creativity, or both excellent performance in analysis, synthesis, and critical expression, oral or written student works independently with unusual effectiveness.*

More information on grades and grading policies is here:

<https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx>.

Academic Ethics:

The strength of the university depends on academic and personal integrity. In this course, you must be honest and truthful. Ethical violations include cheating, plagiarism, reuse of essays, improper use of the internet and electronic services, unauthorized collaboration, alteration of graded essays, forgery and falsification, lying, facilitating academic dishonesty, and unfair competition.

At UF, students are bound by The Honor Pledge which states, “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code.” On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: “On my honor, I have neither given nor received unauthorized aid in doing this assignment.” The Honor Code (<http://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor in this class.

Accommodation for students with disabilities:

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, www.dso.ufl.edu/drc/) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the instructor when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

UF Campus Resources Services:

1. Writing Studio, help brainstorming, formatting, and writing papers, 302 Tigert Hall, 846-1138, <http://writing.ufl.edu/writing-studio/>.
2. E-learning technical support, 352-392-4357 (select option 2) or e-mail to Learning-support@ufl.edu, <https://lss.at.ufl.edu/help.shtml>.
3. Library Support, various ways to receive assistance with respect to using the libraries or finding resources, <http://cms.uflib.ufl.edu/ask>.
4. University Counseling Center, personal and career counseling, 392-1575, www.counsel.ufl.edu.
5. Student Mental Health, Student Health Care Center, personal counseling, 392-1575, www.health.ufl.edu/shcc.
6. Center for Sexual Assault/Abuse, Student Health Care Center, sexual counseling, 392-1161.
7. Career Resource Center, Reitz Union, career development assistance and counseling, 392-1601, www.crc.ufl.edu.

Course Evaluations:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.

Tuesday Online Meetings

- For privacy concerns, Zoom classes will **NOT be recorded**. I will post on Canvas copies of the PowerPoint slides shown during the Zoom meetings,
- When logging into Zoom, make sure your **full name**, the same as it appears on Canvas, is displayed in your profile. This is very important to ensure that your attendance is recorded.

When attending a Zoom class or meeting, you should follow Zoom Etiquette Guidelines:

- Do not share your Zoom classroom link or password with others.
- Do not record the meetings.

- Dress appropriately.
- Your professor and classmates can also see what is behind you, so be aware of your surroundings. Make sure the background is not distracting or something you would not want your classmates to see. When in doubt, use a virtual background.
- Your background can express your personality, but be sure to avoid using backgrounds that may contain offensive images and language.
- Mute is your friend, especially when you are in a location that can be noisy. Don't leave your microphone open if you don't have to.

If you want to speak, you can raise your hand (click the “raise hand” button at the center bottom of your screen).

Reading Material:

There is no required book for this course. All readings are available on Canvas.

Course Schedule and Reading list

(*We may modify the schedule as needed depending on the pace of the class; any changes will be announced in class and on the course website)

Week 1: Introduction & Background

Tues. Introduction

Documentary screening: Under the Dome

<https://www.asianstudies.org/publications/ea/archives/under-the-dome/>

Thur. Background: Political, legal, and social change in China

No readings

Week 2 Economic transition and social change

Tue: Economic reform

Barry Naughton. 2007. *The Chinese Economy: Transitions and Growth*. Chapter 4: Market Transition: Strategy and Process, pp.85-110.

Thurs.: Social inequality and urban and rural transformation

Joel Andreas. 2008. “Changing Colours in China.” *New Left Review*, No. 54.

Only read: pp. 125-138.

David Bray. *Social Space and Governance in Urban China: The Danwei System from Origins to*

Reform. Chapter 7: Reforming the *Danwei*, pp. 157-193.

Recommended Documentary: Last Train Home (log into your UF account to watch it)

*Jonathan Unger. 2002. *The Transformation of Rural China*, Chapter 5: Disbanding Collective Agriculture, pp. 95-118 **and** Chapter 11: Assessing the Post-Mao Period, pp. 223-228.

Note: * stands for supplementary material for student presentations.

Recommended documentary: Bulkland (2017)

Week 3 Legal and political change

Tue: Legal Reform

Liebman, Benjamin L. "Legal reform: China's law-stability paradox." *Daedalus*, 143, no. 2 (2014): 96-109.

*Yang, Dali L. "China's troubled quest for order: leadership, organization and the contradictions of the stability maintenance regime." *Journal of Contemporary China* 26, no. 103 (2017): 35-53.

Thur: Tradition and Change in Governance

Elizabeth Perry. 2007. "Studying Chinese Politics: Farewell to Revolution?" *The China Journal*, 57: pp.1-23.

Andrew Mertha. 2009. "Fragmented Authoritarianism 2.0": Political Pluralization in the Chinese Policy Process. *The China Quarterly*, pp.995-1012.

* Bernstein, Thomas P. and Xiaobo Lü. 2003. *Taxation without representation in Contemporary Rural China*. Introduction, pp.1-16.

Week 4 Governance

Tues: Lobbying

Scott Kennedy, "Comparing Formal and Informal Lobbying Practices in China: The Capital's Ambivalent Embrace of Capitalists," *China Information* 23, 2 (2009): 195-222

Thur: Campaign-style Governance

Sun, X. (2020). Campaign-Style Implementation and Affordable Housing Provision in China. *The China Journal*, 84(1), 000–000.

Kristen E. Looney. 2014. China's Campaign to Build a New Socialist Countryside: Village Modernization, Peasant Councils, and the Ganzhou Model of Rural Development. *China Quarterly*.

* Kennedy, J. J., & Chen, D. (2018). State Capacity and Cadre Mobilization in China: The Elasticity of Policy Implementation. *Journal of Contemporary China*, 27(111), 393–405.

Recommended documentary: The Chinese Mayor (2015)

Week 5 Dispute/conflict resolution (I): Courts

Last week available to write your 1st response paper.

Tue. Channels for conflict resolution: A Review

Yongshun Cai. 2008. "Social Conflicts and Modes of Action in China." *The China Journal*. No. 59, pp.89-109.

* Ethan Michelson. 2008. "Justice from Above or Below? Popular Strategies for Resolving Grievances in Rural China," *The China Quarterly* 193: 43-64.

Thurs. Courts

Rachel Stern. 2014. "The Political Logic of China's New Environmental Courts." *The China Journal*, no. 72. Pp. 53-74.

Yang Su and Xin He. 2010. "Street as Courtroom: State Accommodation of Labor Protests in South China," *Law & Society Review* 44(1):157-185.

* *Legal mobilization*: Gallagher, Mary E. "Use the law as your weapon! Institutional change and legal mobilization in China." *Engaging the law in China: State, society, and possibilities for justice* (2005): 54-83.

Week 6 Dispute/conflict resolution (II): Administrative Litigation & Petition

Tue.

O'Brien, Kevin J., and Lianjiang Li. 2004. "Suing the Local State: Administrative Litigation in Rural China." *The China Journal*, no. 51 (January): 75–96.

Luehrmann, Laura M. 2003. "Facing Citizen Complaints in China, 1951-1996." *Asian Survey* 43(5): 845–866.

*Li, Lianjiang, Mingxing Liu, and Kevin J. O'Brien. 2012. "Petitioning Beijing: The High Tide of 2003–2006." *The China Quarterly* 210(2012): 313–334.

Thur:

Cai, Yongshun (2004), Managed Participation in China, *Political Science Quarterly*, 119, 3, 425–451.

Documentary screening: *Petition* (<https://www.youtube.com/watch?v=1TeQQJRytag>)

Week 7 Lawyers & Elections

Tues.

Ethan Michelson "The Practice of Law as an Obstacle to Justice: Chinese Lawyers at Work" *Law and Society Review* 40(1): 1-38 (2006).

*Yuezhi Zhao and Sun Wusan. 2007. Public opinion supervision: possibilities and limits of the media in constraining local –officials. In Elizabeth Perry and Merle Goldman (ed.), *Grassroots Political Reform in Contemporary China*. Harvard University Press, pp. 300-326. (Media and censorship)

Thur: People's Congress

Manion, Melanie. "Authoritarian parochialism: Local congressional representation in China." *The China Quarterly* 218 (2014): 311-338.

Documentary screening: Please Vote for Me
(<https://www.youtube.com/watch?v=KD1QsX2hOnk>)

Recommended documentary: China from the Inside—Power and the People (PBS)

Week 8 Enforcement of law

Last week available to write your 2nd response paper.

Tues: In Daily Policing

Scoggins, Suzanne E., and Kevin J. O'Brien. 2015. "China's Unhappy Police." *Asian Survey* 56(2): 225–42.

*Zang, Xiaowei, and John Pratt. "Are Street-Level Bureaucrats in China Hardnosed Cops or Consultants? An Institutional Account of Policing Behavior in Autocracy." *Journal of Contemporary China* 28, no. 116 (2019): 232-244

Thur: In Protest Control

Li, Yao. 2019. *Playing by the Informal Rules: Why the Chinese Regime Remains Stable Despite Rising Protests*. Cambridge University Press, Chapter 3: Accommodating Informal Norms In Regime-Engaging Protests, pp. 47-76.

*Weller, Robert. 2012. "Responsive Authoritarianism and Blind-Eye Governance in China." In Nina Bandelj and Dorothy J. Solinger (eds.) *Socialism Vanquished, Socialism Challenged: Eastern Europe and China, 1989-2009*. New York: Oxford University Press, pp. 83-102.

Week 9

Spring Break: no class meetings!

Week 10 Media (I)

Tues. Media censorship

King, Gary, Jennifer Pan, and Margaret E. Roberts. "How censorship in China allows government criticism but silences collective expression." *American Political Science Review* (2013): 326-343.

Thur: Manufacturing Consent

Han, Rongbin. "Defending the authoritarian regime online: China's "voluntary fifty-cent army"." *The China Quarterly* 224 (2015): 1006-1025.

Week 11 Media (II)

Tues: Critical reporting

Repnikova, Maria. "Contesting the State under Authoritarianism: Critical Journalists in China and Russia." *Comparative Politics* 51, no. 1 (2018): 41-60.

Thur: Self-censorship

Stern, Rachel E., and Jonathan Hassid. "Amplifying silence: uncertainty and control parables in contemporary China." *Comparative Political Studies* 45, no. 10 (2012): 1230-1254.

* Stern, Rachel E., and Kevin J. O'Brien. "Politics at the boundary: mixed signals and the Chinese state." *Modern China* 38, no. 2 (2012): 174-198.

Week 12 Civil Society

Tues.

Tony Saich, "Negotiating the State: The Development of Social Organizations in China," *The China Quarterly* 161 (March 2000): 124-141.

*Anthony J. Spires. 2011. Contingent Symbiosis and Civil Society in an Authoritarian State: Understanding the Survival of China's Grassroots NGOs. *American Journal of Sociology*, vol.117, Issue.1, pp.1-45 (ATTN: long article).

Thurs.

Guobin Yang, "Environmental NGOs and Institutional Dynamics in China." *The China Quarterly* No. 181 (2005), pp. 46-66.

Dai, J., & Spires, A. J. (2018). Advocacy in an Authoritarian State: How Grassroots Environmental NGOs Influence Local Governments in China. *The China Journal*, 79, 62–83.

*Gasemyr, Hans Jorgen. "Navigation, circumvention and brokerage: The tricks of the trade of developing NGOs in China." *China Q.* (2017): 86.

Week 13 Social protest

Last week available to write your 3rd response paper.

Tues.

Kevin J. O'Brien. 2006. *Rightful Resistance in Rural China*. Chapter 1 Rightful Resistance, pp.1-15 **and** Chapter 3 Boundary-Spanning Claims, pp. 50-66.

*Ching Kwan Lee. 2014. State & Social Protest. *Daedalus*, Vol. 143, No. 2: 124–134.

Thur.

Fu, Diana. "Disguised collective action in China." *Comparative Political Studies* 50, no. 4 (2017): 499-527.

* William Hurst. 2004. "Understanding Contentious Collective Action by Chinese Laid-Off Workers: The Importance of Regional Political Economy." *Studies in Comparative International Development* 39 (2), pp. 94-120.

Week 14: The Environment

Tue.

Elizabeth Economy. 2014. Environmental Governance in China: State Control to Crisis Management. *Daedalus*, Vol. 143, No. 2: 184–197.

Yunxiang Yan (2012). Food Safety and Social Risk in Contemporary China. *The Journal of Asian Studies* 71, pp 705-729.

*Ding, Iza. "Performative Governance." *World Politics* 72, no. 4 (2020): 525-556.

Thur.

Van der Kamp, Denise S. "Blunt force regulation and bureaucratic control: Understanding China's war on pollution." *Governance* (2020): 1–19.

Documentary screening: Under the Dome – Investigating China's Smog (Chai Jing, 2015)

(<https://www.youtube.com/watch?v=T6X2uwlQGQM>)

Week 15: Student presentations on final paper projects

Final paper due: 11:59PM on Monday of Week 16

NO LATE PAPER ACCEPTED