



The Hebrew University of Jerusalem

Syllabus

Governance in Contemporary China: Between Law and Politics - 46916

Last update 21-10-2020

HU Credits: 2

Degree/Cycle: 2nd degree (Master)

Responsible Department: Asian Studies

Academic year: 0

Semester: 2nd Semester

Teaching Languages: English

Campus: Mt. Scopus

Course/Module Coordinator: Dr. Tamar Groswald Ozery

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Coordinator Office Hours:

Teaching Staff:

Dr. Tamar Groswald Ozery

Course/Module description:

The course aims to provide an overview of the current methods of governance in the People's Republic of China ("PRC") with an emphasis on Chinese law and legal institutions. China's modern legal system cannot be understood in isolation from its political, economic, and social structures. Much of the course will, therefore, focus on the interaction between the legal system and the parallel, often more powerful, mechanisms of political governance.

The Chinese world has a rich legal and governance tradition, expanding over more than 2000 years before the complex encounter with the modernizing "West" (and Meiji Japan) in the 19th century. That long tradition continues to shape the PRC's struggle with "Legal Construction" which started in the late 1970s and continues until contemporary days. Our discussions will be focused on contemporary days, with some observations on the historical path when relevant.

Course/Module aims:

Through selected readings of secondary materials and primary sources in English translation along with selected video sections in class, students will become acquainted with the most current governance issues in contemporary China and with the legal institutions that were designed to address them. Each of our 7 sessions will be dedicated to a different substantive area of law & governance:

- Session 1: A) Introduction; B) The Party-state system: Political and Administrative Institutions
- Session 2: Engagement with the Outside World
- Session 3: Economic Transition (corporations and markets) and Accompanied Legal Institutions
- Session 4: Individuals vs. The Party-state: Enforcement against Crime
- Session 5: Individuals vs. The Party-state: Constitutionalism and Human rights in China
- Session 6: Taiwan and Hong Kong – Legal status and controversies
- Session 7: The Face of the Future (Law & Politics, where to?)

Learning outcomes - On successful completion of this module, students should be able to:

By the end of the course, students will have greater familiarity with the PRC's governance methods in a variety of substantive areas. Students will gain knowledge about the institutional design of Chinese laws and legal institutions, how they were developed and for what purpose, how they function, and their interaction with a

parallel political governance system. Students will begin to understand the reality and feasibility of “rule of law” (as contrasted with “rule by law”) under China’s Party-state system.

Attendance requirements(%):

100%

Teaching arrangement and method of instruction: Seminar

Course/Module Content:

Each of our 7 sessions will be dedicated to a different substantive area of law & governance:

- Session 1: A) Introduction; B) The Party-state system: Political and Administrative Institutions*
- Session 2: Engagement with the Outside World*
- Session 3: Economic Transition (corporations and markets) and Accompanied Legal Institutions*
- Session 4: Individuals vs. The Party-state: Enforcement against Crime*
- Session 5: Individuals vs. The Party-state: Constitutionalism and Human rights in China*
- Session 6: Taiwan and Hong Kong – Legal status and controversies*
- Session 7: The Face of the Future (Law & Politics, where to?)*

Required Reading:

Syllabus will be uploaded

Additional Reading Material:

Course/Module evaluation:

End of year written/oral examination 0 %

Presentation 0 %

Participation in Tutorials 20 %

Project work 60 %

Assignments 20 %

Reports 0 %

Research project 0 %

Quizzes 0 %

Other 0 %

Bonus

Additional information:

The course is condensed yet set to cover a wide variety of sub-legal fields. Therefore, course is heavy on reading. If you wish to understand contemporary China and its governance system, you must recognize that there is a certain amount of information that needs to be absorbed. Hence, prior reading of the assigned materials is vital for the understanding of our discussions in class.

Students are expected to do all the “assigned” readings prior to class meetings. Given the short period through which the course takes place, I highly recommend that you begin (and if possible, even finish) your reading assignments well in advance before the course’s start date.

The syllabus also lists a good deal of “optional” reading, which is truly optional, and offered to students to aid them in doing more extensive reading if they wish and to aid them towards the final assignment.