

**FACULTY OF LAW, UNIVERSITY OF VICTORIA**  
**2011-12 COURSE REGISTRATION - PRELIMINARY COURSE INFORMATION<sup>1</sup>**

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|------------------------------------|----------------------------------------------------------------------------------|
| <b>COURSE</b>                      | Law 343 A05 Chinese Legal System                                                 |
| <b>UNIT VALUE</b>                  | 1.5 Units (4 hours of instruction per week, condensed from the end of September) |
| <b>INSTRUCTOR</b>                  | Qianfan Zhang                                                                    |
| <b>TERM OFFERED</b>                | Fall 2011                                                                        |
| <b>CLASS TIMES</b>                 | See Schedule (course begins at the end of September)                             |
| <b>PREREQUISITES/CO-REQUISITES</b> | None                                                                             |

### **SUBJECT MATTERS TO BE COVERED**

The course will roughly cover the following aspects:

1. Introduction: Rule of Law or Rule of Virtue? Traditional Chinese View of Law
2. China's Quest for Modernization and Rule of Law: A Historical Overview
3. Basic Legal Framework
4. The 1982 Constitution: The State Structure
5. People's Congresses and Law-making Procedures
6. Legal Structure: Central Local Relationship
7. Role of Courts and Judicial Reform
8. Civil Law and Procedure
9. Criminal Law and Procedure
10. Theoretical Developments in Chinese Administrative Law
11. Administrative Litigations in China: Legal Progresses and Limitations
12. Fundamental Rights and Freedoms
13. Right to Property and Legacy of the Socialist Dilemma
14. Equality before Law?
15. Freedom of Speech
16. Religious Freedom
17. Pluralism in a Unitary Structure: Autonomous Nationalities and SARs
18. Future of Rule of Law in China: Political Parties and Political Reform

### **OBJECTIVES**

The primary objective of this course is to provide students with an introduction to, and a solid understanding of, the basic framework of the Chinese legal system. Central concerns of the course are the constitutional framework of Chinese law, the structure and roles of legal institutions, among others.

The course serves as a foundation for specialized study in numerous areas of Chinese law, such as constitutional law, administrative law, human rights law, and legal history. Students should gain basic knowledge to China's substantive and procedural laws, the legal culture and institutions, and the major problems in China's rule of law today.

### **METHODOLOGY**

Lectures and classroom discussion. It is expected that students will have read assigned materials prior to class and will be prepared to engage in discussions of them.

### **EXPECTED EVALUATION METHODOLOGY**

The evaluation consists of a research paper of 4000-5000 words in length, exclusive of footnotes and bibliography, which will account for 80% of the final grade. The additional 20% of the grade is based on the evaluation of a class presentation on the readings assigned for a particular class that each student will sign up for at the beginning of the course.

*May 1, 2011*

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<sup>1</sup> The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services ([lawmaass@uvic.ca](mailto:lawmaass@uvic.ca)).