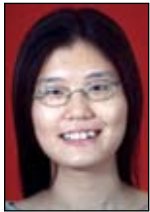




Columbia Students Pursue Research and Public Interest Positions In China

Haas Fellow 2006: Liu Jingjing Works for National Resources Defense Council



In 2006, the Center for Chinese Legal Studies in conjunction with the Center for Law in the Public Interest awarded the Haas Fellowship to Liu Jingjing, who hopes to pursue a career in environmental advocacy in China.

Ms. Liu began her internship with the San Francisco office of the National Resources Defense Council in October 2006. Her major tasks involved legal research on environmental regulatory reform in China and other Asian countries or areas, including Japan, South Korea, Singapore, and Taiwan. The purpose of her research was to provide policy analysis and suggestions for reform based on the experience and lessons of other Asian countries to help improve China's environmental enforcement practice.

Ms. Liu received her LL.M. from Columbia Law School in 2006. She also earned an LL.M. as well as her LL.B. from Sun Yat-sen University School of Law in Guangzhou.

Recently Ms. Liu accepted a job offer from Vermont Law School as a program administrator for its new environmental law programs in China. She will be helping Vermont Law School and its Chinese partner, Sun Yat-sen University School of Law in Guangzhou, build environmental law clinics in China.

Established in 2004, the Marc Haas Public Interest Fellowship supports recent Columbia Law School graduates from greater China to work in public interest law internships in the United States immediately after graduation.

John Oldham Fellowships

The Center for Chinese Legal Studies named four Columbia Law School students as Oldham Fellows to work in the public interest or to conduct research in China during summer 2006. The four students were Megan Fluckiger, Angela Huang, Bang (Steve) Lin, and Qian (Lisa) Wang. The fund honors John Rochester Oldham ('83).



Meghan Fluckiger ('08)

Ms. Fluckiger researched the use and availability of scientific evidence in Chinese criminal proceedings. Her research focused on the "DNA War," which she believes has existed in the United States since "DNA fingerprinting" was first introduced. The question she took with her to China was whether a similar battle over DNA evidence existed there.



Angela Huang ('08)

Ms. Huang conducted research into the different management systems in U.S. and Chinese law firms. She noted that this research is important because many U.S. law firms struggle with developing client relationships in China, managing their smaller Chinese branch offices, and figuring out how to bill clients so they can be competitive with the P.R.C. law firms. She focused on how major P.R.C. law firms may be able to gain a competitive edge on U.S. rivals. She also looked at internal relationships between partners and associates and at their goals, such as becoming partners, going in-house, or going overseas.



Bang (Steve) Lin ('08)

Mr. Lin interned for the Employment Legal Clinic of the China University for Political Science and Law. Through this clinic students provide pro bono legal advice and service to the community, in particular to migrant workers on employment-related matters. Mr. Lin spent much of his time translating the clinic's marketing information, intern-evaluation reports, and other materials for use in future funding applications. He also assisted the student interns with intake, interviews, and telephone consultations.



Qian (Lisa) Wang ('08)

Ms. Wang worked at the China Rule of Law and Governance Program (CRLGP) of the American Bar Association's Rule of Law and Governance Program. Much of her work entailed organizing and attending meetings with Chinese attorneys; assessing English and Chinese documents for U.S. experts; and organizing and attending conferences regarding death penalty reform, migrant workers rights, environmental protection, and the development of public interest law in China. She met with leading practitioners and delved into environmental litigation in China.



中國法律研究中心

SPRING 2007

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http://www.law.columbia.edu/center_program/chinese*



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The Impact of the Internet on Chinese Courts



Timothy Wu

On July 18, 2006, Columbia Law School professors Benjamin Liebman and Timothy Wu delivered a lecture in Beijing on the impact of the internet on Chinese courts. The talk was hosted by the Center for International Law at the Institute of Law, the Chinese Academy of Social Sciences.

Professor Chen Zexian, who is a professor of constitutional law and the director of the Center for International Law, as well as a former visiting scholar at Columbia, served as the commentator. Professors Liebman and Wu presented findings from a forthcoming article that examines the impact of the internet on China's courts. The article, the product of extensive interviews across China, asks what China's internet revolution has meant for its judiciary. They show that in recent years the Chinese legal system has undergone important transformations in the costs and means of disseminating information—the consequence both of new technologies and of the commercialization of the Chinese media during the same period.

They find that the cheapening of communications in China has led in two directions. First, judges are networking with each other as never before and in ways that are influencing how cases are decided. Judges report the rise of informal systems of precedent based primarily on internet communications. Additionally, some judges use chat rooms, overseas research, and even judicial blogs to learn about the law and to help decide cases. At the same time, professors Liebman and Wu argue, judges have become victim to a new phenomenon: The “internet manhunt.” Unpopular decisions have become the subject of mass, online criticism, often leading to new forms of political intervention, and diminishing judicial authority.

In their talk, they argued that China's recent experiences may yield important and broader insight into the relationship between judicial power and judicial communications. They suggested that horizontal networking made possible by cheap speech may be a crucial means of building judicial power. Conversely, cheap criticism may threaten the legitimacy and authority of the judiciary, particularly given that criticism of other government actors is more controlled.

Their article, *China's Network Justice*, will be published in the Summer 2007 issue of the *Chicago Journal of International Law*.



Benjamin Liebman

Curtis Milhaupt Teaches in Beijing

The number of Columbia Law School faculty engaged with China continues to rise. This past fall, Prof. Curtis Milhaupt, Fuyo Professor of Law and the director of the Center for Japanese Legal Studies, spent two months of his sabbatical in Beijing. There he conducted research, studied Mandarin, and taught a course on U.S. mergers and acquisitions law at Tsinghua University under the auspices of the Temple Rule of Law Program. While in Beijing, Prof. Milhaupt delivered a number of lectures on topics related to comparative corporate law and governance, including a large public lecture at Renmin University of China, a panel presentation at a conference on Chinese company law, a workshop for the Economics Department at Tsinghua University, and a presentation to the Chinese Securities

Regulatory Commission. In October, Prof. Milhaupt organized an authors' workshop in Tokyo for twenty scholars from East Asia and the United States. Papers presented at the workshop will be published in 2007 as a book, tentatively titled, *Transforming East Asian Corporate Governance*.

This spring, Prof. Milhaupt will be the Paul Hastings Visiting Distinguished Professor in Corporate and Financial Law at Hong Kong University, where he will deliver a public lecture and guest teach several courses on aspects of U.S. corporate law that may be of relevance to corporate governance reforms in China and Hong Kong.



R. Randle Edwards Fellowships for Visiting Chinese Legal Scholars 2006-2007

This year the Center for Chinese Legal Studies named five Edwards Fellows. The Edwards Fellowship was established to honor Professor Emeritus R. Randle Edwards, who was the founder and director of the Center for Chinese Legal Studies until his retirement in 2002. The Edwards Fellowship supports outstanding young Chinese legal scholars and educators during a period in residence at Columbia Law School where they conduct research under the direction of the Center for Chinese Legal Studies.

Liu Chengwei

*Assistant Professor, School of American and Comparative Law,
China University of Political Science and Law (CUPSL)*

Prof. Liu received his B.A. in law from Hunan University, his M.A. from Northwestern University of Politics and Law, and his Ph.D. from the Institute of Law, the Chinese Academy of Social Sciences. At Columbia Law School, Prof. Liu is conducting research on the interaction between the codification of law and social change. Through his research he aims to make theoretical and practical preparations for the codification of civil law in China so as to promote China's law reform movement.

Yang Chunfu

Professor of Law, Vice Dean, Nanjing University School of Law

Prof. Yang has served as an adjunct professor at Jiangsu Judges College; the director of the Nanjing University Asian and Pacific Law Institute; the president of Jiangsu Jurisprudence and Constitutional Law Institute; and is a standing council member and board member of the Academic Committee for the Jiangsu Law Society. At Columbia Law School, Prof. Yang is conducting a comparative study on judicial protection of human rights in China and the U.S.

Chang Jiwen

Professor, Institute of Law, Chinese Academy of Social Sciences

Prof. Chang's research interests surround environmental law at the national and international levels. He has held an appointment at the Chinese University of Geoscience; has served as the associate secretary general of the Chinese Research Association on Environmental and Natural Resources Law; and was a P.R.C. commissioner specially assigned by the central government to supervise land and resources. At Columbia he is conducting research on environmental law.

Deng Jianpeng

Professor, School of Law,

Chinese Central University of Nationalities

Prof. Deng, a legal historian, studied at Nanchang University and then earned his M.A. from Wuhan University in history. He was awarded his Ph.D. from Peking University Law School, focusing on Qing legal history. He holds a special interest in Qing civil litigation and regulations. At Columbia Law School he will research regional differences in litigation regulations in late imperial China; litigiousness and its participants; Qing appeals procedures; and corruption and other problems in the civil justice system. He will be working in collaboration with Madeleine H. Zelin, Dean Lung Professor of Chinese Studies, Columbia University Department of East Asian Languages and Cultures.

Zhang Shoudong

*Associate Professor of Law, China University of Political Science
and Law (CUPSL)*

Prof. Zhang completed his undergraduate and graduate legal studies at China University of Political Science and Law. He also studied at Peking University's training program for research on religion. At CUPSL he teaches Chinese legal history and comparative constitutional law. At Columbia Law School, Prof. Zhang is conducting a comparative study of church and state in the U.S. and China.

PILI Fellows

This year two Public Interest Law Institute (PILI) fellows from China are based at Columbia Law School, as part of the ongoing collaboration between PILI and the Center for Chinese Legal Studies.

Li Gang

Mr. Li, of the Beijing Impact Law Firm and Beijing ZhongWen Law Firm, founded the "China Public Interest Litigation" website. He studied at China's Northwestern University of Political Science and Law, CUPSL, and holds a Ph.D. from the Tsinghua University School of Law. At Columbia, his research focuses on the management of public interest law organizations.

Zhang Wenjuan

Ms. Zhang directs the Office for Public Interest Law Research and Program Management, which supports the Beijing Children's Legal Aid and Research Center and the Beijing Legal Office for Rural Migrants. Ms. Zhang obtained her law degree from Peking University Law School. While at Columbia, Ms. Zhang is conducting research on the promotion of children's rights.



Visiting Scholars 2006-2007

In addition to the Edwards and PILI fellows, the Center for Chinese Legal Studies is hosting six visiting researchers and scholars during the 2006-2007 academic year.

Wang Jinyuan

Associate Professor of Law, Wuhan Law School

Prof. Wang, a Fulbright Scholar, is an expert on Chinese constitutional law. He is the director of the Constitutional Law Branch of the Chinese Law Association, an arbitrator on the Wuhan Arbitration Commission, and a lawyer at Hubei LuoJia Law Firm. At Columbia Law School he is conducting research on due process in American constitutional law and the potential application of due process principles in China.

Shieh Ming-Yan

Professor, College of Law, National Taiwan University

Prof. Shieh is a distinguished scholar whose current interests center on intellectual property rights law, especially P2P file transfer technology. He has been a member of the faculty at National Taiwan University for sixteen years and he is the director and/or advisor for many governmental and quasi-governmental organizations. He is also a scholar of fair trade law, internet law and civil law.

Huang Wenyi

Professor and Vice Dean, Jilin University School of Law

Prof. Huang is an expert in philosophy of law and comparative law in China. At Columbia, Prof. Huang is researching the development of “new liberalism” in the United States following World War II.

Liao Fan

Assistant Professor, Center for International Law Studies, Chinese Academy of Social Sciences

Prof. Liao is an expert in financial law, international finance, and corporate law. While at Columbia Law School he is studying regulation of financial conglomerates. He has worked with the People's Bank of China, the China Securities Regulatory Commission, and the Shanghai and Shenzhen stock exchanges.

Rachel Stern

Doctoral Student, Political Science Department, University of California at Berkeley

At Columbia Law School, Ms. Stern is conducting research for her doctoral dissertation focusing on environmental litigation and “cause lawyers” in China.

Xie Zengyi

Assistant Professor of Law, Institute of Law, Chinese Academy of Social Sciences

Prof. Xie's fields of expertise are labor law, company law, and securities law. His research focuses on the study of labor rights, especially international labor standards and labor protection in China. At Columbia he will be conducting a comparative study of labor law, with a view to improving the substance and enforcement of labor law in China.

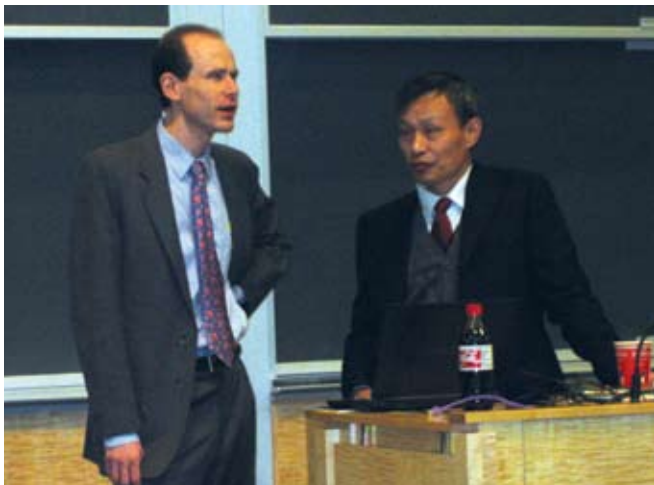
Human Rights Internship Program: Won Park ('08)



Won Park spent the summer of 2006 in Beijing interning with the Public Participation Project at the National Resources Defense Council. Her projects were law-related, with a public policy and NGO bent. She sat in on legislative drafting sessions on regulations for the State Environmental Protection Agency, and also researched international best practices regarding environmental regulation. She also traveled to assist the Rural Outreach Initiative, which involved going into communities to help the Center for Legal Assistance of Pollution Victims (CLAPV) distribute a citizen's guide on environmental rights.

“The work [at NDRC] was satisfying because it went towards causes in which I believe for a place that I care about,” Ms. Park said. “The people—the director, staff, and other interns—were enthusiastic, intense, fun, and unbelievably competent. The work was engaging but not overwhelming; and just the fact you are working in China is exciting.”

Won Park was funded through the Human Rights Internship Program. Columbia's HRIP, one of the foremost summer internship programs for U.S. law students, was founded in 1984. Its goals are three-fold: To train students in human rights and civil liberties law through hands-on assistance to organizations throughout the world; to develop relationships that will enable students to pursue careers in human rights law or provide ongoing pro bono support to human rights organizations; and, ultimately, to build an international network of lawyers devoted to human rights.



Benjamin Liebman and Zhu Suli



Gao Xiqing



Zhang Wenjuan

Events, Fall 2006

September 18

Legal History Series Lecture: Law During the Qing Dynasty

R. Randle Edwards, Walter Gellhorn Professor Emeritus of Law, Columbia Law School and Kentaro Matsubara, Associate Professor of Legal History, University of Tokyo

October 4

Mid-Autumn Festival

(sponsored by the Society for Chinese Law.)

October 9

Social Unrest and China's Coercive Use of Police Power

Pamela N. Phan ('00), Senior Counsel, Congressional-Executive Commission on China

October 16

Lawyering in China: Past, Present, and Future

Jerome A. Cohen, Professor, New York University Law School

October 25

Summer Internship Opportunities in China Workshop

October 30

Judicial Reform in China: Successes and Failures

Zhu Suli, Dean, Peking University Law School

November 3

Breakfast with Roger Peng, Hogan & Hartson LLP

November 6

Bullying Among Children in Chinese Schools

Zhang Wenjuan, Public Interest Lawyer, Beijing Children's Legal Aid and Research Center

November 13

Rule of Law or Rule by Law:

China's Drive Towards a "Fazhi (法治)" State

Gao Xiqing, Vice Chairman of the National Social Security Fund Administration (NSSF) of China

November 20

So Who Got Rich First? Property Law in China

Eva Pils, Visiting Assistant Professor of Law, Cornell University