

Internationalizing Chinese Legal Education in the Early Twenty-First Century

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Introduction

At the turn of the twenty-first century, legal education in China exploded. Driven by the state-led expansion of higher education, the number of law schools rapidly increased from less than 200 in the 1990s to over 600 in 2006. The total number of law graduates also surged, from 31,500 in 1999 to 208,000 in 2008.¹ In the meantime, Chinese law schools, especially the elite ones, became increasingly interested in sending students to study abroad, recruiting new faculty members with foreign law degrees, launching new journals in English, and developing student and scholar exchange programs with foreign institutional partners. While the domestic consequences of China's legal education expansion have been well-documented,² these efforts

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1. Carl Minzner, *The Rise and Fall of Chinese Legal Education*, 36 *FORDHAM INTL. L.J.* 334, 349 (2013).
2. See, e.g., Sarah Biddulph, *Legal Education in the People's Republic of China*, in *LEGAL EDUCATION IN ASIA: GLOBALIZATION, CHANGE AND CONTEXTS* 260 (Stacey Steele & Kathryn Taylor eds., 2008); Matthew S. Erie, *Legal Education Reform in China through U.S.-Inspired Transplants*, 59 *J. LEGAL EDUC.* 60 (2009); Minzner, *supra* note 1. See also Roderick O'Brien, *Legal Education in China: English Language Materials*, 38 *INT'L J. LEGAL INFO.* 93 (2010) (for a good summary of English language works on the topic).

on internationalization have largely been overlooked in the existing literature on Chinese legal education.

This article seeks to fill in this gap by providing an overview of the causes, strategies, and implications of elite Chinese law schools' internationalization in the early twenty-first century. We argue that their efforts towards global convergence should be understood primarily as responses to domestic challenges and peer pressures faced by many law schools in China. It was these challenges and pressures that led elite Chinese law schools to recruit more faculty members with international backgrounds and produce more law graduates with global orientations. Internationalization helps elite law schools remain competitive and dominant in the rapidly changing ecology of Chinese legal education. Meanwhile, it also presents opportunities for international law schools to further explore the potential of the legal education market in China.

The article is divided into four major parts. Part I briefly traces the history of Chinese legal education in the twentieth century and the enduring foreign influence on legal research and teaching in China. Part II discusses the major domestic challenges confronting Chinese law schools in the early twenty-first century, including the difficulty of placing graduates and interschool competition for higher ranking and more government support. It also explains why internationalization may help elite Chinese law schools respond to those challenges. Part III examines the main strategies of elite Chinese law schools' internationalization, including faculty recruitment, student study abroad programs, and institutional reforms of academic assessments. Part IV explores the implications of the internationalization of Chinese legal education for international law schools, which is followed by the conclusion.

I. Chinese Legal Education in the Twentieth Century

Modern legal education was first introduced in China as a part of the political reform in the late Qing Dynasty.³ Due to the lack of modern legal educators, the Qing reformers invited foreign legal experts to teach law in China and sent students overseas for legal studies. The first decade of the twentieth century witnessed a notable tide of inviting Japanese legal experts to China for law teaching and legal counseling. In the 1920s to 1930s, the influence of both Continental and Anglo-American legal traditions grew in China through formal legal education institutions.⁴ The first three decades

3. See Hou Qiang, *Jindai Zhongguo Guanban Falü Jiaoyu yu Fazhi Xiandaihua* (近代中国官办法律教育与法治现代化) [*State-Led Legal Education and Modernization of Legal System in Modern China*], 2008(1) CHONGQING SHEHUI KEXUE (重庆社会科学) [Chongqing Soc. Sci.] 48 (2008).

4. Often considered the twin-star law schools of this era, the Comparative Law School at Soochow specialized in Anglo-American legal studies and gained a national reputation for its common law approach, while Chaoyang College inherited the civil law tradition and was highly regarded for its publications of textbooks and teaching materials and for placing its graduates in judicial and administrative positions of the Republic of China government. See Alison Conner, *The Comparative Law School of China*, in UNDERSTANDING CHINA'S LEGAL SYSTEM 210 (Stephen C. Hsu ed., 2003); Zhang Jun & Dong Fang, *Chaoyang Daxue yu Zhongguo*

of the twentieth century witnessed the diffusion and application of plural Western legal theories and doctrines in both public and private law schools across China. This hybrid mode of legal transplant remained in place until the Chinese Communist Party took power in 1949.

Legal education was restructured in fundamental ways in the early years of the People's Republic of China. Since 1952, the scale of legal education was significantly compressed and consolidated with old law school curriculum abolished and legal educators in the Republican era purged.⁵ During this period, theories about law and the state taught in Chinese law classes came solely from the Soviet Union, and the influence was profound in the 1950s and the early 1960s as Soviet legal theories, curricula, textbooks, and teaching style dominated in Chinese legal education.⁶ But the Sovietization ended in the late 1960s, as mounting political divergence between the Soviet Union and China escalated into an all-sided confrontation. During the decade long Culture Revolution (1966-1976), legal education in China was paralyzed and became a trivial supplement to the ideology-centered political studies.⁷

The recovery of Chinese legal education in the reform era started with the increasing number of law schools and their rising capability in offering high-quality legal education. On the one hand, the numbers of law departments/schools and enrolled law students grew steadily in the 1980s-1990s.⁸ On the other hand, indigenous textbooks of law were published in large numbers, and many new areas of legal studies, such as international law, economic law, environmental law, and intellectual property law, emerged in law school classrooms in this period. Chinese law departments and schools were also able to offer higher-level and more academic-oriented legal education to their students than in the 1950s.⁹ Beginning in the mid-1990s, Chinese legal

Jinxiandai Faxue Jiaoyu (朝阳大学与中国近现代法学教育) [*Chaoyang University and Modern Legal Education in China*], 2004(6) FAXUE ZAZHI (法学杂志) [L. SCI. MAGAZINE] 84, 84-85 (2004).

5. Depei Han & Stephen Kanter, *Legal Education in China*, 32 AM. J. COMP. LAW 543, 546 (1984).
6. See Yang Xinyu & Li Kai, *Lüelun Sùliánfǎ duì Woguo Faxue de Yǐngxiǎng* (略论苏联法对我国法学的影响) [*The Influence of Soviet Law on Chinese Legal Scholarship*], 2002(4) FUDAN XUEBAO (SHEHUI KEXUE BAN) (复旦学报 (社会科学版)) [FUDAN UNIVERSITY J. (SOC. SCI.)] 112 (2002). Even the basic methods of law teaching and legal examinations were modeled after the Soviet Union. See also Glenn D. Tiffert, *The Pilgrim's Progress: Legal Education in the PRC (1949-58)* (unpublished paper presented at the Law & Society Association's 2015 Annual Meeting, May 28-31, 2015, Seattle, Washington) (on file with the authors).
7. Luke T. Lee, *Chinese Communist Law: Its Background and Development*, 60 MICH. L. REV. 439, 466 (1962).
8. By 1996, it was estimated that undergraduate law programs were offered in over 300 universities and other types of higher education entities with approximately 60,000 students enrolled. See Xianyi Zeng, *Legal Education in China*, 43 SOUTH TEX. L. REV. 707, 709-10 (2002). For discussion of the fast recovery of Chinese legal education in the 1990s, see also John Mo & Weidong Li, *Legal Education in the PRC*, 4 J. HIST. INT. L. 176, 190 (2002).
9. In the early 1990s, twenty-six universities were allowed to convey master's degrees in law, and about ten elite schools among them were able to convey Ph.D. in Law (or LL.D.). Moreover, by 1992 sixteen postdoctoral research centers had been founded in the country.

education became more standardized and started to turn toward a professional orientation. The year of 1995 witnessed the creation of law programs conferring a new professional degree, Juris Master (J.M.). The Guidance Committee for Legal Education in Higher Education Institutions (高等学校法学学科教学指导委员会 *Gaodeng Xuexiao Faxue Xueke Jiaoxue Zhidao Weiyuanhui*) was founded in 1997 under the Ministry of Education, aiming to standardize undergraduate law programs by establishing a general law major with fourteen uniform “core courses” to be taught in all Chinese law schools, along with a number of elective courses over which law schools had discretion.

At the turn of the twenty-first century, the number of law schools and law students in China soared. Law became an increasingly popular major in universities and the legal profession a promising career option for college graduates. As civil disputes multiplied and economic activities flourished during China’s market reform, law graduates were warmly welcomed by both government agencies and private firms. Legal education in China witnessed its best days when the twentieth century concluded.

II. Domestic Challenges in the Early Twenty-First Century

The golden age for Chinese legal education did not last long. While both traditional and new law schools were thriving in the last several years of the twentieth century, they were soon caught by increasing interschool competition on school ranking, graduate placement, and resources allocation in the early 2000s. A crisis loomed over many law schools due to low placement rate, inability to attract good students, and/or shortage of funding and institutional supports.

While lower-tier law schools suffered more severely from this nationwide crisis, the elite members of Chinese legal education were not immune to the problems that it generated. Nevertheless, their prestigious status in the legal academy and their superior capability of resource mobilization enabled these elite law schools to take distinctive and often innovative reform measures to survive and get ahead in the increasingly fierce interschool competition. Our central argument is that internationalization was adopted by elite Chinese law schools primarily as a response to their domestic challenges. In this section, we examine the challenges and pressures confronting these elite law schools that originate from both the job market and the state, and explain how internationalization helps these law schools effectively cope with these challenges and pressures.

A. Difficulty in Law Graduate Job Placement

In the last two decades of the twentieth century a significant gap existed between the limited capacity of university-level legal education and the urgent need to rebuild China’s formal legal system. In order to fill this gap, many judicial and law enforcement agencies established their own training programs,

Zeng, *supra* note 8, at 713.

but the scarcity of highly qualified legal professionals persisted. Accordingly, demand was strong for university graduates with formal law degrees in the job market at the time, enabling many young legal talents, particularly those graduating from elite law departments/schools, to smoothly secure desirable jobs.

But this privilege from scarcity evaporated gradually in the late 1990s as the focus of legal education shifted from vocational training to formal university-level education.¹⁰ Furthermore, the national policymakers' decision to significantly increase the enrollment size of higher education institutions¹¹ led to a "great leap forward" in both the enrollment of law students and the number of new law schools. During the state-led expansion of the higher-education sector, law became one of the most popular majors because of the prosperity of the legal job market in the 1980s-1990s as well as the perceived easiness of building up law schools (in comparison with launching natural science or engineering departments) from the perspective of university administrators. In less than two decades, the number of universities that offer at least undergraduate law programs increased from fifty-four in 1989 to 559 in 2005,¹² and in 2012 the number climbed to 624.¹³ The total number of enrolled law students in China also jumped from 25,075 in 1991 to 449,295 in 2005. And by 2012 this number had further increased to 613,752.¹⁴

Law graduates crowded the job market in the first decade of the twenty-first century. Since 2006, the annual number of graduates with at least one law degree has been over 120,000, and in 2012 it exceeded 180,000.¹⁵ In the meantime, the total size of the three major legal professions (i.e., judges, procurators, and lawyers) in China remained between 700,000 and 800,000.¹⁶ Although

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10. RENMIN DAXUE, ZHONGGUO FALÜ FAZHAN BAOGAO: 2013 (中国法律发展报告) [RENMIN UNIVERSITY OF CHINA REPORT ON CHINA LAW DEVELOPMENT: 2013] 71-74 (Zhu Jingwen ed., 2014).
 11. Limin Bai, *Graduate Unemployment: Dilemmas and Challenges in China's Move to Mass Higher Education*, 185 CHINA Q. 128, 132 (2006).
 12. RENMIN DAXUE, ZHONGGUO FALÜ FAZHAN BAOGAO: SHUJUKU HE ZHIBIAO TIXI (中国法律发展报告: 数据库和指标体系) [RENMIN UNIVERSITY OF CHINA REPORT ON CHINA LAW DEVELOPMENT: DATABASE AND INDICATOR SYSTEM] 40 (Zhu Jingwen ed., 2007).
 13. Zhu, *supra* note 10, at 3.
 14. Zhu, *supra* note 12, at 41; Zhu, *supra* note 10, at 5.
 15. Zhu, *supra* note 10, at 102-03, 107; 165-66.
 16. At the beginning of 2008, the then-Chief Justice of the Supreme People's Court, Xiao Yang, estimated the number of judges and court personnel to be about 300,000. See Xiao Yang, *Xinnian Xianci* (新年献词) [*New Year Greetings*] (Jan. 1, 2008, 2:26 PM), <http://old.chinacourt.org/public/detail.php?id=280822> (last visited Sep. 28, 2016). According to the statistics of the Law Yearbook of China, the size of the procuratorate in China, including prosecutors, assistant prosecutors, clerks, judicial police officers and other cadres, had never exceeded 220,000 before 2010. ZHONGGUO FALV NIANJIAN (中国法律年鉴) [LAW YEARBOOK OF CHINA] 1054 (2011); ZHONGGUO FALV NIANJIAN (中国法律年鉴) [LAW YEARBOOK OF CHINA], 922 (2010); ZHONGGUO FALV NIANJIAN (中国法律年鉴) [LAW YEARBOOK OF CHINA],

the government's civil service system absorbed a proportion of the growing number of law graduates, the legal job market soon became overcrowded and increasingly difficult for law graduates.¹⁷ The dismal prospects for law graduates' job placement were captured by survey agencies and reflected in their employment prospect rankings. For example, a private survey and data service company, MyCOS, ranking Chinese college students' employment rate (within six months after graduation) by major, found that college graduates majoring in law have been suffering one of the lowest employment rates since 2006.¹⁸ The nationally circulated *Guangming Daily* newspaper also cited the 2015 MyCOS report and reported that the law major had long been ranked low among undergraduate majors in college graduates' job placements.¹⁹

As this placement crisis further deteriorated in the early 2010s, the rosy prospects of legal education collapsed. The second decade of the twenty-first century witnessed the law major degenerating into a much less appealing major. A high school student whom we interviewed at a college recruiting event in Zhejiang Province said, "Our teacher told us that the law major would only attract those who have background or connection in the government, and poor kids would be miserable."²⁰ A law professor in Zhejiang also told us that "few graduates with LL.B. degrees could find a legal job . . . the majority of the graduates have to look to the non-legal job market for placement."²¹ Similar comments were also heard in our conversations with law professors and law school administrators in other provinces.

Although elite Chinese law schools remained confident that their graduates were more competitive than their counterparts from lower-tier law schools, they were not insulated from the placement crisis and the general depreciation in the value of law degrees. First, the overall expansion of Chinese legal

1003 (2009); ZHONGGUO FALV NIANJIAN (中国法律年鉴) [LAW YEARBOOK OF CHINA], 1069 (2005); ZHONGGUO FALV NIANJIAN (中国法律年鉴) [LAW YEARBOOK OF CHINA], 1057 (2004); ZHONGGUO FALV NIANJIAN (中国法律年鉴) [LAW YEARBOOK OF CHINA] 1323 (2003); ZHONGGUO FALV NIANJIAN (中国法律年鉴) [LAW YEARBOOK OF CHINA] 1241 (2002). The private bar, in addition, managed to increase its membership to approximately 200,000 by 2010. See Cheng Jinhua & Li Xueyao, *Falü Bianqian de Jiegouxing Zhiyue: Guojia, Shichang, yu Shehui Hudongzhong de Zhongguo Lǚshi Zhiye* (法律变迁的结构性制约: 国家, 市场, 与社会互动中的中国律师职业) [*Structural Constraints on Legal Change: Chinese Lawyers in the Interaction between the State, the Market and Society*], 2012(7) ZHONGGUO SHEHUI KEXUE (中国社会科学) [SOC. SCI. IN CHINA] 114 (2012).

17. Qingyu Xu, *Disequilibrium in the Supply of Legal Scholars and the Demand by the Judicial Profession and the Correction of This Unbalance through Reforms in the Legal Education System in China*, 5 FRONT. L. CHINA 143 (2010).
18. Liang Bin & Xia Yufen, *Dui Faxue Zhuanye Daxuesheng Jiuye Wenti de Sikao* (对法学专业大学生就业问题的思考) [*Reflection on Law Graduates' Unemployment Crisis*], 2013(2) JIAOYU YU ZHIYE (教育与职业) [EDUC. & PROF.] 88, 88 (2013).
19. See MYCOS INSTITUTE, GUANGMING RIBAO (光明日报) [GUANGMING DAILY], July 17, 2015, at 5.
20. Anonymous interviewee, high school student in Zhejiang Province, Jul. 10, 2012.
21. Anonymous interviewee, law professor in Zhejiang Province, Apr. 20, 2012.

education has undermined the bargaining power of all law graduates in the job market and intensified the competition among elite law schools themselves. Second, elite law schools could not afford the risk of letting the law major lose its charm in public eyes: Once college applicants turned their eyes away from law because of the perceived bleak prospects of future employment, legal education would lose at the starting line to other popular majors such as finance or economics. As a result, maintaining their competitiveness in both college admissions and job markets rose to the top of the agendas of elite law school deans and administrators.²²

How can internationalization help elite Chinese law schools effectively respond to the job market challenges? The answer lies in the globalization of the Chinese legal services market after China's WTO accession in 2001. In the past decade, China has witnessed rapidly rising demands for legal services related to foreign investments and cross-border transactions. Consequently, law graduates with foreign language abilities and global orientations have become highly desirable in the legal job market. In business centers such as Beijing and Shanghai, the fast growth of Chinese and foreign law firms has generated ample opportunities for young lawyers aspiring to careers in corporate law.²³ The prestige and wealth of corporate law, in turn, prompt law schools to develop courses, curricula, and internship opportunities tailored to the careers of international business lawyers. Accordingly, the ability to place graduates in prestigious law firms is becoming a new symbol for the success of law schools and a key attraction in law schools' recruitment of college applicants. It is not surprising, therefore, that elite Chinese law schools become dedicated to internationalization so that they may train and brand their students as global-oriented legal professionals and themselves as incubators for future talents in the global market for legal services.²⁴

B. Interschool Stratification and Ranking Competition

The rapid expansion of Chinese legal education significantly increased the internal stratification in the Chinese law school community and intensified the interschool competition for government support and recognition. As all major universities in China are public schools, the Ministry of Education and local educational administrators played a significant role in this process.

First of all, the Chinese government's agenda to build "world-class universities" initiated a number of state-funded programs such as "Project

22. Minzner, *supra* note 1.

23. See Sida Liu, *Globalization as Boundary-Blurring: International and Local Law Firms in China's Corporate Law Market*, 42 LAW SOC. REV. 771 (2008). See also Rachel E. Stern & Su Li, *The Outpost Office: How International Law Firms Approach the China Market*, 41(1) LAW & SOC. INQUIRY 184 (2016); Sida Liu & Hongqi Wu, *The Ecology of Organizational Growth: Chinese Law Firms in the Age of Globalization*, 122 AM. J. SOC. 798 (2016).

24. Liu Hui, *Tsinghua Daxue Faxueyuan Kaishe Benke "Faxue Guoji Ban"* (清华大学法学院开设本科“法学国际班”) [*Special Class of International Law Founded in Undergraduate Law Program of Tsinghua University*], JIANCHA RIBAO (检察日报) [PROSECUTORS DAILY], May 30, 2013, at 3.

211”²⁵ and “Project 985,”²⁶ which have invested large amounts of funding and other resources to “comprehensive research universities” (综合性研究性大学 *zonghexing yanjiuxing daxue*) and those under direct supervision of the central government authorities (直属高校 *zhishu gaoxiao*) on an annual basis since the late 1990s.²⁷ The state-driven preference for “comprehensiveness” in higher education put the five universities of political science and law (政法大学 *zhengfa daxue*), which specialize in legal education and are the largest law schools in China, in disadvantageous positions in the competition for government funding, and marginalized them in the stratification of the legal education sector. For instance, none of the five universities was included in Project 985, and so far only two have been admitted in Project 211.²⁸ Some of these traditionally strong centers of legal education were even downgraded to the municipal level²⁹ or lost their bid for the qualification of conferring advanced law degrees.³⁰ In 2010, the threat of marginalization compelled

25. “Project 211” was launched in 1995 as the Chinese central government vowed to fund a hundred top universities and facilitate the growth of these leading higher education institutions into world-class universities. See “211 Gongcheng” Jianjie (“211工程”简介) [*An Brief Introduction to Project 211*], MINISTRY OF EDUCATION OF THE PEOPLE’S REPUBLIC OF CHINA, http://www.moe.gov.cn/s78/A22/xwb_left/moe_843/tnull_33122.html (Last visited Nov. 8, 2016).
26. “Project 985” was launched after May 1998, when top Chinese political leaders convened in Beijing University and celebrated the 100th anniversary of this prime institution. This project furthered the work of Project 211 and concentrated even more financial resources on a smaller number of elite Chinese universities. Project 985, in fact, gave birth to a league consisting of thirty-nine top Chinese universities. See “985 Gongcheng” Jianjie (“985工程”简介) [*An Brief Introduction to Project 985*], MINISTRY OF EDUCATION OF THE PEOPLE’S REPUBLIC OF CHINA, <http://www.moe.gov.cn/publicfiles/business/htmlfiles/moe/s6183/201112/128828.html> (Last visited Nov. 8, 2016).
27. In 2013, only about a hundred out of more than two thousand Chinese universities were directly supervised by the Ministry of Education and other central government ministries. See *Jiaoyubu Zhishu Gaoxiao Mingdan* (教育部直属高校名单) [*List of Universities Supervised by Ministry of Education and Other Central Authorities*], CHINA ACADEMIC DEGREES & GRADUATE EDUCATION INFORMATION (China), <http://www.cdgd.edu.cn/xwyyjsjyxx/xwstyjxx/274346.shtml> (last visited May 11, 2015).
28. See *Xuxiao Jianjie* (学校简介) [*About the University*], ZHONGNAN UNIVERSITY OF ECONOMICS AND LAW, <http://www.zuel.edu.cn/about/> (last visited Nov. 8, 2016); *Xuxiao Jianjie* (学校简介) [*About the University*], CHINA UNIVERSITY OF POLITICAL SCIENCE AND LAW, <http://www.cupl.edu.cn/xxgk/xxjj.htm> (last visited Nov. 8, 2016).
29. Southwest University of Political Science and Law, the alma mater of many national judicial officials and distinguished legal scholars, was one of the victims, as it was degraded to a municipal-level university under the supervision of the Chongqing municipal government. See Zhao Ling, *Xinan Zhengfa: Fengyu Wushinian* (西南政法：风雨五十年) [*Southwest University of Political Science and Law: Fifty-Year History*], NANFANG ZHOU MO (南方周末 [SOUTHERN WEEKLY]), Nov. 27, 2003, at 5.
30. Northwest University of Political Science and Law (NWUPL) is still fighting for the qualification to award doctoral degrees in law, and its failed bid in 2009 made national news. See Song Feihong & Tai Jianlin, *Shenqing Boshidian Luoxuan Xibei Zhengfa Daxue Fa Zhiyi* (申请博士点落选：西北政法大学发质疑) [*NWUPL Questioned Its Failed Bid for Qualification of Conferring Doctoral Degree*], FAZHI RIBAO (法制日报) [LEGAL DAILY], Apr. 7, 2009, at 7.

the five universities of political science and law to form an interuniversity “legal alliance”³¹ so they might better lobby the Ministry of Education for more support and reclaim their prominence in the landscape of Chinese legal education.

The decline of the former giants of Chinese legal education contrasts with the rise of law schools affiliated with elite universities that used to specialize in natural sciences and engineering. The law schools of Tsinghua University (“Tsinghua”), Zhejiang University (“Zhejiang”), and Shanghai Jiao Tong University (“SJTU”) clearly benefited from their universities’ administrative ties with the Ministry of Education, rich alumni resources, and dedication to strengthening humanities and social studies in the state-led effort to build “comprehensive research universities.” Founded in the late 1990s or early 2000s, these *nouveau riche* law schools received hundreds of millions of yuan in government funding and private donations, enabling them to quickly catch up with their traditional elite counterparts such as the law schools of Peking University (“Peking”) and Renmin University of China (“Renmin”).

Another force strengthening interschool stratification and competition came from the quantitative indicator-based evaluation and ranking system. Largely based on quantifiable data on academic publications and other achievements (e.g., acquiring state-recognized grants, qualifications, and honors), the performance of Chinese law schools has been evaluated and ranked by both the state and private institutions. Private ranking institutions first brought law school rankings to the Chinese public’s attention.³² Since 2002, China Academic Degrees & Graduate Education Development Center (CDGDC) under the Ministry of Education has evaluated Chinese universities by disciplines and publicized three rounds of results (by ranking).³³ Believed

31. Huang Jin et al., *Zhongguo Faxue Jiaoyu Xiang Hechu Qu* (中国法学教育向何处去) [*To Where the Chinese Legal Education Should Head*], 2014(3) ZHONGGUO FALU PINGLUN (中国法律评论) [CHINA L. REV.] 2, 2 (2014).

32. In 1993, Wu Shulian and his team published allegedly the earliest ranking on Chinese universities and university majors. Endorsed by no governmental authorities and triggering great controversies, Wu’s ranking has nevertheless attracted enormous public attention and become one of the most famous university ranking systems in China. For a brief introduction of Wu’s ranking, see Hong Guangming et al., *Zhongguo Yanjiuxing Daxue—Lilun Tansuo yu Chuangxin Fazhan* (中国研究型大学——理论创新与研究发展) [*Research Universities in China: Theoretical Exploration, Development, and Innovation*], 220 (2005). Another private institution that has been dedicated to university and university-major ranking is China University Alumni Association (CUAA). On its official website, CUAA claims that its CUAA-Team of China University Evaluation has been publishing Chinese university ranking since 2003. See *Guanyu Women* (关于我们) [*About Us*], CUAA, <http://www.cuaa.net/service/about/> (last visited Nov. 8, 2016). This ranking system is well-known in China today. See, e.g., Zhang Bingqing, *Geshi Geyang de Daxue Paihangbang Doushi Zenn Laide* (各式各样的大学排行榜都是怎么来的) [*A Look at The University Rankings*], QIANGJIANG WANBAO (钱江晚报) [QIANGJIANG EVENING NEWS], Nov. 2, 2016, at A0020.

33. CDGDC’s evaluation is based on voluntary participation and it evaluates only the strength and performance of a university’s disciplines under which advanced (graduate) degrees can be conferred. See 2012 *China Discipline Ranking*, CHINA ACAD. DEGREES AND GRADUATE EDUC.

to be more neutral and authoritative than private institutions' ranking results, the CDGDC disciplinary ranking becomes increasingly influential in China. Furthermore, recent years have witnessed increasing popularization of global law school rankings in China, and elite Chinese law schools have started to cite their rankings on Quacquarelli Symonds' World University Rankings by Subject (Law) ("QS Law School Ranking") as a new sign for their prestige and success.³⁴

The proliferating rankings of law schools and law programs exposed the internal stratification of Chinese legal education to the public, pressing elite law schools to focus on maintaining and boosting their rankings. An interesting phenomenon in the elite club of Chinese law schools is that a few newly built law schools affiliated with elite universities specializing in natural sciences and engineering have been doing generally better in rankings than some traditional elite law schools. For instance, the law school of Fudan University ("Fudan") had long been viewed as the best law school in Shanghai, but in recent years it has lost its ranking advantage over its much younger competitor, SJTU's KoGuan Law School.³⁵ Peking and Renmin, long perceived as the two most prestigious law schools in China, have also been increasingly challenged by Tsinghua in rankings.³⁶ One important reason for this phenomenon is that

DEV. CTR, <http://www.cdgdc.edu.cn/xwyyjsjyxx/xsbdxz/2012en/index.shtml> (last visited Nov. 2, 2016).

34. Ran Jin et al., *Tsinghua Faxueyuan Jijin Shijie 50 Qiang, Xinxin Faxueyuan Danqi Gaige Zhongren* (清华法学院挤进世界50强 新型法学院担起改革重任) [*Law School of Tsinghua University Ranked in Global Top 50: New Law Schools Rising as Leaders of Reform*], NANFANG ZHOUMO (南方周末) [SOUTHERN WEEKLY], Nov. 5, 2011, at A06.
35. Only five years after its establishment in 2002, SJTU's KoGuan Law School was ranked as one of the top ten law schools in the country in the 2007-2009 evaluation. In the 2012-2014 round of evaluation, the KoGuan Law School was ranked even higher than Fudan University School of Law by the CDGDC. See 2012 *China Discipline Ranking*, CHINA ACAD. DEGREES AND GRADUATE EDUC. DEV. CTR, <http://www.cdgdc.edu.cn/xwyyjsjyxx/xsbdxz/2012en/index.shtml> (last visited Nov. 2, 2016). From 2012 to 2014, KoGuan Law School made it all three years onto the top 100 list of the QS Law Schools. In 2014 only three law schools from mainland China were ranked in the world top 100. See *Shanghai Jiaoda Kaiyuan Faxueyuan Lianxu Sannian Jishen QS Quanqiu Faxueyuan Baiqiang* (上海交大凯原法学院连续三年跻身QS全球法学院百强) [*SJTU's KoGuan Law School Ranked by QS among Global Top 100 for Three Consecutive Years*] (Mar. 11, 2014), <http://news.sjtu.edu.cn/info/1002/210828.htm> (last visited Nov. 2, 2016).
36. With Tsinghua University widely regarded as a top university in mainland China, its law school advanced quickly since it was rebuilt in 1996 and has already been deemed, both domestically and globally, as one of the best law schools in China. Since 2010, Tsinghua has been ranked among global top fifty law schools for at least four years on the QS Law School Ranking, an achievement no other law schools from mainland China—including Peking and Renmin—had made until recently. See *Tsinghua Daxue Faxueyuan Lianxu Simian Huoping QS Quanqiu Faxueyuan 50 Qiang* (清华大学法学连续四年获评QS全球法学院50强) [*Tsinghua University School of Law Ranked among Global Top 50 for Four Consecutive Years*], TSINGHUA UNIVERSITY SCHOOL OF LAW, [HTTP://WWW.TSINGHUA.EDU.CN/PUBLISH/LAW/8484/2014/20140227170944014646335/20140227170944014646335_.HTML](http://www.tsinghua.edu.cn/publish/law/8484/2014/20140227170944014646335/20140227170944014646335_.html) (last visited Nov. 2, 2015). However, Peking University Law School defended its honor in 2015 by announcing that it was ranked by the same institution among the global top twenty, the first among law schools in mainland China. See

universities with strong natural sciences and engineering programs (e.g., Tsinghua, Zhejiang, and SJTU) tend to put more emphasis on quantitative indicators, which directly affect rankings, in their evaluation systems than universities with strong humanities and social sciences programs (e.g., Peking, Fudan, and Renmin).

While the job market put every member of the Chinese legal education sector at risk, the state-led stratification and ranking competition intensified the threat to even the best law schools. Chinese legal education is entering a new era when no school can merely rest on its prestige and recognition. The five universities of political science and law have felt the threat of marginalization; the traditional elite schools have faced the ranking competition from the newcomers; and even those newcomers founded with privilege have experienced the difficulty in rising to the top.

How could internationalization help elite Chinese law schools prevail in the ranking competition? Note that the Chinese government's agenda of building world-class comprehensive research universities has always had an international orientation: Top Chinese universities are expected to obtain international recognition and eventually become prominent members of the global community of higher education. Consequently, the ability to produce internationally recognized research and recruit top legal talents who can participate in global legal discourses becomes a key indicator in the evaluation of elite law schools. The successfully internationalized law schools are more likely to gain advantages in the competition for government funding and other institutional supports.³⁷

Beida Faxueyuan Weilie 2015 nian QS Shijie Daxue Zhuanye Paiming Di 18 Wei ji Woguo Diyiming (北大法学院位列2015年QS世界大学专业排名第18位及我国第一名) [*Peking University Law School Ranked by QS Among Global Top 20 and as Top 1 Among Mainland China Law Schools*], <http://www.law.pku.edu.cn/xwzx/skxw/16003.htm> (last visited Nov. 2, 2016).

37. This trend may be strengthened by the new Outstanding Legal Talents Education Project launched by the state in 2011. See *Jiaoyubu Zhongyang Zhengfa Weiyuanhui Guanyu Shishi Zhuoyue Falü Rencai Jiaoyu Peiyang Jihua de Ruogan Yijian* (教育部中央政法委员会关于实施卓越法律人才培养计划的若干意见) [*Several Opinions regarding Outstanding Legal Talents Education Project by Ministry of Education and Central Political and Legal Affairs Committee*] (教高[2011]10号). According to the Opinions, approximately twenty educational centers shall be established in the country for training “foreign-related legal talents”. In December 2012, the Ministry of Education designated twenty-two universities and their affiliated law schools for the cause. Several universities specializing in foreign trade and international businesses, though not considered as top-tier law schools in China, were also included. For the full list of the designated schools, see *Jiaoyubu Bangongting Zhongyang Zhengfa Weiyuanhui Bangongshi Guanyu Gongbu Shoupi Zhuoyue Falü Rencai Jiaoyu Peiyang Jidi Mingdan de Tongzhi* (教育部办公厅中央政法委员会办公室关于公布首批卓越法律人才培养基地名单的通知) [*Notice on Designating the First Group of Educational and Training Bases for Foreign-related Legal Talents by General Office of Ministry of Education and General Office of Central Political and Legal Affairs Committee*] (教高厅函[2012]47号), MINISTRY OF EDUCATION, http://www.gov.cn/zwggk/2012-12/19/content_2293555.htm (last visited Nov. 8, 2016). For a detailed introduction to this project, see Wenhua Shan, *Legal Education in China: The New “Outstanding Legal Personnel Education Scheme” and Its Implications*, 2013(13) LEGAL INFORMATION MANAGEMENT 10 (2013).

It is also important to note that the newly established elite law schools (e.g., Tsinghua, Zhejiang, and SJTU) may take advantage of this international orientation and strategically elevate their rankings and prestige in the stratification system of Chinese law schools. Compared with the traditional elite law schools, these new schools, despite their affiliation with elite universities, were originally considered to be in the second tier of the legal education sector owing to their “liability of newness.”³⁸ As traditional elite law schools often have monopoly over domestic academic resources and government rewards, the newcomers find themselves disadvantaged under all traditional ranking indicators and their performances are subject to evaluation by experts from those established schools. SJTU’s KoGuan Law School, for example, struggled for almost a decade to get its doctoral degree-granting qualification and it has not managed to match its own ranking with the university’s general ranking in the Chinese academia. Jumping out of the traditional evaluation system and developing a new evaluation approach, therefore, become a strategy for these new law schools to break the monopoly of the establishment. This explains why, as the analysis in the next section demonstrates, Tsinghua, Zhejiang, and SJTU have been more active in internationalization than the traditional elite law schools.

III. Strategies of Internationalization

A. Faculty Recruitment

Elite Chinese law schools’ first strategy of internationalization is to recruit faculty members with advanced foreign law degrees. To fully understand this strategy, we collected biographical data of faculty members from nine elite law schools in March 2015. Because we relied mainly on data from the nine schools’ official websites, underreporting is possible, as the information displayed on some school websites was entered by individual faculty members on a voluntary basis. Nevertheless, by supplementing some missing data through online search (e.g., the year of degree or the year of employment), we were able to collect relatively comprehensive biographical data for more than ninety percent of the 775 faculty members listed on the nine law school websites.

Our nine sample schools are Fudan University Law School, Jilin University Law School (“Jilin”), Peking University Law School, Renmin University of China School of Law, SJTU KoGuan Law School, Tsinghua University School of Law, Wuhan University School of Law (“Wuhan”), Xiamen University School of Law (“Xiamen”), and Zhejiang University Guanghua Law School. The five universities of political science and law are excluded from our sample because the massive size of their law faculty is beyond our capacity of data collection and analysis. Except Jilin (ranked as the thirteenth) and Renmin (ranked as the nineteenth), both long recognized for their

38. John Freeman, Glenn R. Carroll & Michael T. Hannan, *The Liability of Newness: Age of Dependence in Organizational Death Rates*, 48 AM. SOC. REV. 692 (1983).

strength in social science research, all of our sample universities are ranked among national top ten in Wu Shulian's influential ranking indexes for Chinese universities in 2015.³⁹ More important, eight of the nine law schools were ranked among national top ten in CDGDC's 2012 discipline ranking in law. Zhejiang University's Guanghua Law School was absent from CDGDC's third-round evaluation (2009-2012), but it is widely recognized as a prestigious law school in China.

Considering their history and development trajectories, the nine law schools can be classified along two dimensions: (1) location: Beijing/Shanghai, coastal areas, or inland areas; and (2) history: traditional or newly established. Table 1 presents the distribution of the nine schools along these two dimensions. The law schools of Tsinghua, Zhejiang, and SJTU were founded in the late 1990s (though all trace their history back to the late Qing or the Republican era), while all the other six law schools were among the first generation of law departments rebuilt after the Cultural Revolution. Five of the nine schools are located in Beijing or Shanghai.

| | Beijing/Shanghai | Coastal areas | Inland areas |
|-------------|-----------------------|---------------|--------------|
| Traditional | Peking, Fudan, Renmin | Xiamen | Jilin, Wuhan |
| New | Tsinghua, SJTU | Zhejiang | |

Table 1: Classification of sample law schools

For each school we collected three sets of data to examine the internationalization of its faculty recruitment. The first set of data reports the percentage of "homegrown" faculty members, i.e., faculty members whose highest degrees (e.g., J.S.D./S.J.D. or Ph.D. in law, or Ph.D. in other disciplines) were awarded by the same universities at which they are teaching. The second set of data reports the percentage of faculty members who have obtained at least one foreign law degree. The third set of data reports the percentage of faculty members who have at least one publication in a foreign-language academic journal.

39. See Wu Shulian 2015 *Zhongguo Daxue Paihangbang Gongbu* (中国大学排行榜公布) [*Wu's 2015 Chinese Universities Ranking Released*], XINLANG JIAOYU (新浪教育) [SINA EDUCATION], <http://edu.qq.com/a/20150127/067183.htm> (last visited Nov. 2, 2016).

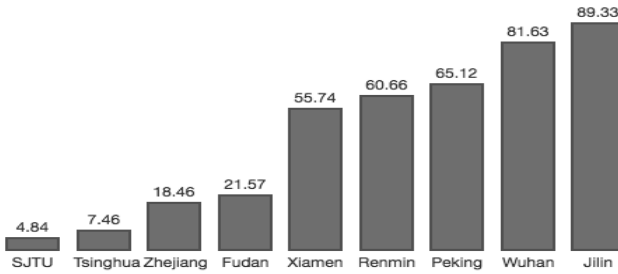


Figure 1: Percentage (%) of “homegrown faculty” (as of March 2015)

Figure 1 presents the percentage of homegrown faculty members in the nine law schools, which reflects how heavily the schools rely on their own graduates in faculty recruitment (i.e., “the homegrown faculty”). Because of the shortage of legal educators in the 1980s, the first generation of law schools after the Cultural Revolution had to produce a multitude of law graduates to fill in their own faculty. This is why the traditional law schools with longer history have the highest percentages of homegrown faculty: Five traditional law schools (Jilin, Wuhan, Peking, Renmin, and Xiamen) have more than half of their faculty members with doctoral degrees from the same institution. Fudan has only 21.57% of its faculty homegrown because its doctoral programs were not as strong as the doctoral programs of the other five traditional elite schools, though it has trained a large number of corporate lawyers in Shanghai since the 1980s. In contrast, the two newly established schools with the lowest percentages of homegrown faculty, Tsinghua and SJTU, both lower than ten percent, have a short history of legal education and the lightest historical burden as they internationalize their law faculties. Zhejiang has a higher percentage than Tsinghua and SJTU because some of its law faculty members came from the former Hangzhou University, which merged into Zhejiang University in the late 1990s.⁴⁰

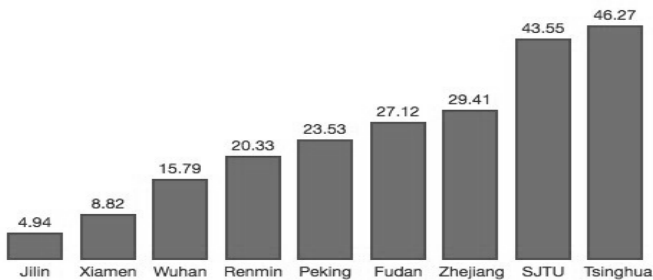


Figure 2: Percentage (%) of faculty members who have at least one foreign law degree (as of March 2015)

40. The dean’s welcome on the law school’s web page indicates that when Hangzhou University merged into Zhejiang University in 1998, the new law school of Zhejiang University was founded mainly based on the law faculty of Hangzhou University. See *Yuanzhang Zhici (Dean’s Welcome)*, ZHEJIANG UNI. GUANGHUA LAW SCH. http://www.ghls.zju.edu.cn/chinese/redir.php?catalog_id=186 (last visited Nov. 2, 2015).

Figure 2 presents the percentage of faculty members who have obtained at least one advanced foreign law degree (including LL.M. degree) in the nine law schools. Note that the ranking order reverses the order in Figure 1. The two newest and rising law schools (Tsinghua and SJTU) have the highest percentages of faculty members holding foreign law degrees, almost reaching fifty percent. The four law schools in the middle have percentages ranging from twenty to thirty. Three of them (Peking, Fudan, and Renmin) are located in Beijing and Shanghai, and the other one is in Zhejiang, an affluent coastal province near Shanghai. In contrast, the two traditional law schools located in the inland areas (Jilin and Wuhan) have lower percentages of faculty members holding foreign law degrees. Xiamen is a law school traditionally famous for its international law programs, but its rather isolated location in southeast China is a major constraint for the internationalization of its faculty.

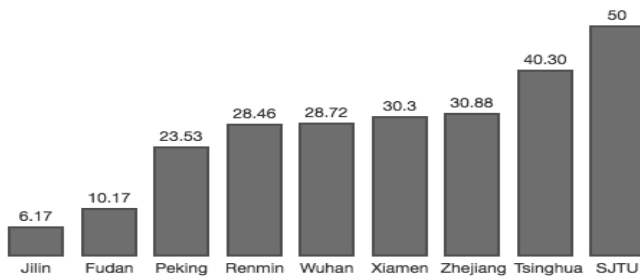


Figure 3: Percentage (%) of faculty members who have at least one foreign-language publication (as of March 2015)

Using faculty publication data, Figure 3 also indicates the different degrees of internationalization among the nine law schools. Its general pattern is similar to Figure 2 but opposite to Figure 1. The three relatively new law schools (SJTU, Tsinghua, and Zhejiang) lead the ranking order. Half of SJTU's law faculty members have published at least one journal article in a foreign language. The schools in the middle include Xiamen and Wuhan, both traditionally famous for their international law programs. Peking and Renmin, both with stellar records of faculty publications in Chinese academic journals, are also located in the middle. Jilin, constrained by its disadvantageous location in northeast China and the extremely high percentage of homegrown faculty, has the lowest percentage of faculty members publishing in foreign languages. An outlier in this figure is Fudan. Despite its location in Shanghai, China's most globalized city, only about ten percent of its law faculty members have published in foreign-language journals.

We also analyzed the historical changes in the internationalization of law faculty in our sample schools. As Figure 4 presents, the percentage of foreign law-degree holders in newly recruited faculty increases over four consecutive periods, suggesting a general trend that increasing efforts have been made to recruit foreign law-degree holders. Among the faculty members who were recruited between 1980 and 1989, in none of the six existing schools did

the percentage of foreign law-degree holders reach twenty percent (the law schools of Zhejiang, SJTU and Tsinghua had not been founded yet). In the next decade, every school except Wuhan increased the percentage, and four schools, all located in Shanghai or Beijing, managed to break the twenty percent limit. Fudan even managed to raise the percentage to more than thirty percent. This trend became ambiguous, however, in the period of 2000-2009. This was possibly because the prosperity of legal education in China had produced large numbers of qualified graduates for law teaching and thus boosted the placement of students with domestic law degrees. However, in this period, Peking, Tsinghua, and Zhejiang still managed to increase the percentage of foreign law-degree holders in their newly recruited faculty to forty percent or above. The period from 2010 to 2015 witnessed a return to the earlier trend: Almost every school has hired more foreign law-degree holders, and the law schools located in Beijing and Shanghai still lead the trend. Among the faculty members recruited by the two newest law schools (SJTU and Tsinghua) in this period, more than seventy percent hold foreign law degrees. By contrast, Jilin, Wuhan, and Xiamen, though all have taken more efforts in recruiting foreign law-degree holders in the same period, stayed near the bottom as in previous periods. Peking is the only and prominent outlier: Though it is a longtime leader of recruiting faculty members from abroad, only ten percent of its faculty members recruited in this recent period hold foreign law degrees.

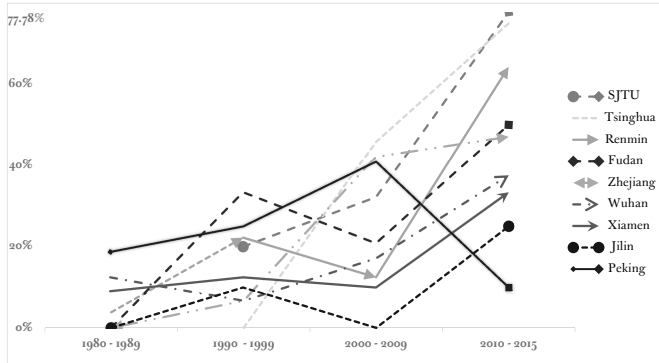


Figure 4: Percentage (%) of foreign law-degree holders among new faculty members (as of March 2015)

Figure 5 presents the number of foreign law-degree holders recruited by each school in the same four consecutive periods. It suggests that, as a general pattern, the effort of internationalizing law faculty became popular in the first decade of the twenty-first century, but its climax varies among different schools. For the newly established law schools (SJTU, Zhejiang, and Tsinghua), as well as Renmin, such effort has been particularly salient after 2010. By contrast, for more traditional law schools, Peking, Fudan, Wuhan, and Jilin in particular,

foreign law-degree holders recruited before 2010 constitute the main body of their internationalized faculty.

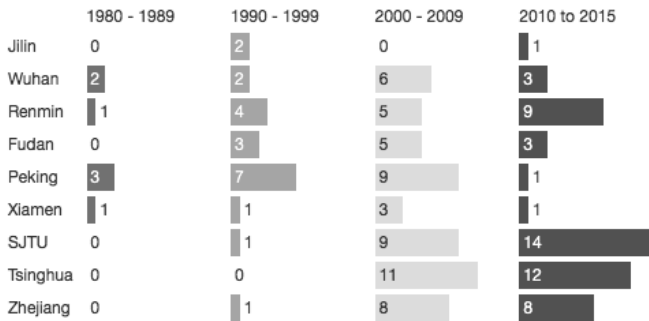


Figure 5: Number of foreign law degree holders recruited (as of March 2015)

The next step of our analysis is to compare the sources of the foreign law degrees that faculty members of our nine sample schools have obtained. As Figure 6 shows, among all faculty members whose degree information is available, 163 have obtained at least one foreign law degree, accounting for about twenty-three percent of the total. Among them, eighty-two obtained their law degrees from common law jurisdictions and the other eighty-one received their law degrees from civil law jurisdictions. The numbers suggest that the influences of the two legal traditions on law faculties in China are quite even. Among the common law degree holders, sixty-two percent obtained their law degrees from the United States, outnumbering the total of all other common law degree holders (mainly from Britain, Australia, Canada, and Hong Kong). Among civil law countries, the number of faculty members who received law degrees from Germany or Japan account for almost two-thirds of the total. The remaining one-third of the civil law degree holders received their degrees from a rather diverse pool of jurisdictions, including Italy, the Netherlands, France, Belgium, Switzerland, Taiwan, and Macao.

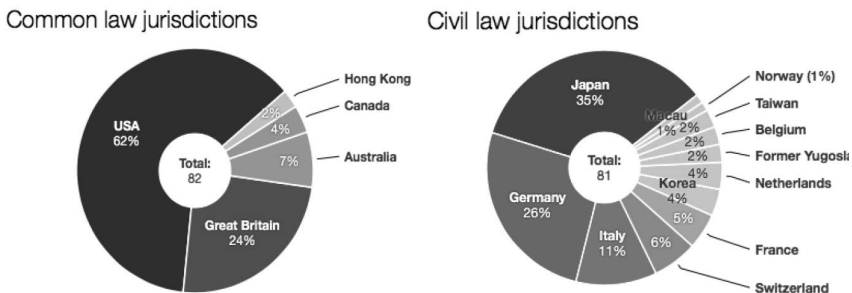


Figure 6: Jurisdictions from which law faculty members obtained foreign degrees (as of March 2015)

Most of our sample schools have a relatively even distribution of common law degree holders and civil law degree holders. SJTU, Fudan, and Renmin have roughly the same numbers of faculty members receiving law degrees from civil law and common law jurisdictions. Common law degree holders at Tsinghua enjoy only a minor advantage in size as compared with its civil law degree holders. Xiamen and Wuhan have slightly more faculty members receiving law degrees from civil law jurisdictions. Only two law schools present some distinctive characteristics: Peking has recruited an extraordinarily large number of common law degree holders, whereas Zhejiang has almost twice the number of civil law degree holders as common law degree holders. Thanks to Peking University's historical connections with American law schools, more than seventy percent of its common law degree holders received their degrees from the United States. Furthermore, both Zhejiang and Tsinghua display a clear preference for those who receive their law degrees from the United States or Japan.

B. Internationalizing Student Bodies

In addition to recruiting new faculty members with advanced foreign law degrees, elite Chinese law schools have also developed a variety of internationally oriented educational programs and curricula for their students. In general, two types of programs are designed to internationalize their student bodies. The first type aims to expose Chinese law students to foreign legal studies by offering opportunities for them to study abroad, either pursuing advanced foreign law degrees or participating in exchange programs. The second type aims to bring foreign law students into Chinese law schools to pursue Chinese law degrees (e.g., LL.M.s and S.J.D.s) by taking courses and writing theses in English.

Tsinghua was a pioneer in developing the first type of program. Starting in 1999, it developed a joint program with Temple University School of Law that allowed Chinese students to obtain an American LL.M. degree with only a two-month stay in the United States.⁴¹ Although the Tsinghua-Temple LL.M. program primarily was targeting law practitioners rather than college students, it opened up a new possibility for receiving foreign legal education in China. This strategy of importing foreign law degrees was appropriated by China University of Political Science and Law (CUPL), which allied with Tsinghua and the National Procurators College to collaborate with a number of European law schools and established the China-EU School of Law (CESL) in 2008. CESL invests most of its resources in a three-year graduate law program, which concurrently awards an LL.M. or J.M. degree in Chinese law and an LL.M. degree in EU-international law. In addition, CESL also offers a one-year LL.M. program in European business law and a three-year doctoral

41. The two-month stay in the United States is primarily for visiting local courts, law firms, and government agencies. See *Application Notice for Tsinghua-Temple LL.M. Program*, TSINGHUA UNIV. SCH. OF LAW, [HTTP://WWW.TSINGHUA.EDU.CN/PUBLISH/LAW/3568/2014/20141212143823038183951/20141212143823038183951_.HTML](http://www.tsinghua.edu.cn/publish/law/3568/2014/20141212143823038183951/20141212143823038183951_.html) (last visited Nov 2, 2015).

program in Chinese law.⁴² Unlike the Tsinghua-Temple program, CESL admits full-time students with bachelor's degrees of law and, by preserving Chinese legal courses in its curriculum and awarding traditional master's and doctoral degrees in Chinese law,⁴³ is still committed to educate and train future Chinese lawyers in a fashion shared by most other Chinese law schools.

Along this path, a bold move was taken by Peking University in 2008. It established a School of Transnational Law (STL) on its satellite campus in Shenzhen.⁴⁴ STL offers a U.S.-style J.D. degree (taught completely in English) and a Chinese J.M. degree to its graduates after they complete a four-year undergraduate program. Although STL has a limited number of resident faculty members and a relatively small student enrollment, it brings in a large number of visiting professors from major American law schools and corporate law firms and embraces the common law approach to teaching its J.D. students. Although STL failed to obtain the American Bar Association's accreditation as originally planned, its intensive training on English legal writing and U.S.-style adversarial skills has conferred on its students some advantages in China's legal job market, especially its international and corporate sectors. It is also worth noting that STL is one of the few Chinese law schools that report detailed job placement data publicly on their websites.⁴⁵

For elite Chinese law schools aiming to internationalize their student bodies, the Tsinghua-Temple model may have too limited exposure to foreign legal education,⁴⁶ whereas STL's dedication to U.S.-style J.D. training may seem too risky and controversial to follow.⁴⁷ CESL's dual-degree model is more balanced,

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42. For details on the program, see *Yanjiusheng Xiangmu* (研究生项目) [Graduate Studies Program], CHINA-EU SCH. OF LAW, <http://www.cesl.edu.cn/yjsxm.htm> (last visited Nov. 8, 2016).
43. For curriculums for the Masters of Law and Doctor of Law program at CESL, see *Shuang Shuoshi Xiangmu Kecheng Shezhi* (双硕士项目课程设置) [Curriculum for Double Degree Master Program], CHINA-EU SCH. OF LAW, <http://www.cesl.edu.cn/yjsxm/sssxm/kcsz.htm>; *Boshi Yanjiusheng Peiyang Fangan he Kecheng* (博士研究生培养方案和课程) [training plan and curriculum for Doctorate Student], CHINA-EU SCH. OF LAW, <http://www.cesl.edu.cn/yjsxm/bsxm/pyfahkc.htm> (last visited Nov. 8, 2016).
44. Anne M. Burr, *Law and Harmony: An In-Depth Look at China's First American-Style Law School*, 28 UCLA PAC. BASIN L. J. 25 (2010).
45. *Employment Placement*, PEKING UNI. SCH. OF TRANSNATIONAL LAW, <http://stl.pku.edu.cn/careers/employment-placement> (last visited Nov. 2, 2015).
46. As somewhat of an improvement, SJTU School of Law and Emory University School of Law co-launched a joint program in 2012 that allows student to study in Shanghai for the fall semester and then at Emory Law School for the remaining spring semester. Graduates of this program are conferred the degree of master's in comparative law by Emory Law School. See *Aimoli Shuoshi Xuewei Xiangmu* (埃默里硕士学位项目) [Degree Program at Emory Law School], SJTU KOGUAN LAW SCH., <http://law.sjtu.edu.cn/Article021610.aspx> (last visited Nov. 2, 2016).
47. But for schools that are ambitious enough, the "moving American legal education to China" approach may still be appealing. The most recent example should be the dual-degree law program collaborated by University of Arizona ("UA") and Ocean University of China ("OUC"), which was launched in fall 2015 and accredited in January 2016. Offering dual

but the legal education that CESL students receive is still conducted in China and does not come with the opportunity to access foreign legal job market or the international legal community. The collaborative program between East China University of Political Science and Law (ECUPL) and the University of Wisconsin Law School that confers an LL.M.-Legal Institution (LL.M.-LI) degree fills in this gap. The program was started in the early 2000s and every year it admits at least a dozen ECUPL students who study at Wisconsin for nine months to pursue a LL.M. degree. After finishing their LL.M. studies, they may return to ECUPL and obtain their master's degree in Chinese law in another year. Graduates of this program not only acquire an LL.M. degree from a major American law school, but may also be qualified for bar examinations in New York, California, and, more recently, Wisconsin. This collaborative program has proved so successful that in 2011 the two schools launched a new joint program offering an executive master's degree in law. Expanding its admissions to practicing lawyers in Shanghai in consideration of time efficiency, this new executive program resembles the Tsinghua-Temple LL.M. program in many ways, but it still requires admitted students to have physical presence in the United States for at least one semester.⁴⁸

Such a collaborative program is appealing to both Chinese law schools and their students. The collaborative relationship helps lower the admission threshold and expedite the admission process, and the American law school usually offers limited financial aid opportunities to the admitted students. Moreover, graduates with American LL.M. degrees can return to their Chinese law schools and constitute an "internationalized" portion of the student body. The success of the ECUPL-Wisconsin collaborative program has inspired other Chinese law schools to further develop this model. SJTU, for instance, has not only developed similar collaborative relationships with a number of foreign law schools but also created a "3+3" program that allows its junior undergraduate law students to enter the law school's master's program for another three years.⁴⁹ After these students have completed their first year of the master's program, the law school offers them an opportunity to study abroad for a year, usually in the United States, and earn an LL.M. degree before they return to China to finish their last year. In other words, the students can ideally earn a master's degree in Chinese law and an LL.M. degree in U.S. law within their three years of graduate study after three years of undergraduate study.

undergraduate law degrees (bachelor of law and bachelor of arts in law), this program aims to train Chinese undergraduates for four years at full residence in China. But these OUC students will take the same American law classes that UA bachelor's in law students take in America. *UA Launches First Dual Degree Law Program in China*, THE UNIV. OF ARIZ. JAMES E. ROGERS COLL. OF LAW, <https://law.arizona.edu/ua-launches-first-dual-degree-law-program-china> (last visited Nov. 20, 2016).

48. *See Law School Teams with Asian Universities to Award Executive Master's Degrees*, UNIV. OF WIS.-MADISON, <http://www.news.wisc.edu/18596> (last visited Nov. 2, 2016).

49. Ji Weidong, *Shanghai Jiaoda Faxue Jiaoyu Gaige de "Sansan Zhi" Jingpin Ban Shexiang* (上海交大法学教育改革的“三三制”精品班设想) [*Envisioning the "3+3" Pilot Program as a Reform Measure in Shanghai Jiao Tong University's Legal Education*], 2009 FAZHI ZIXUN (法制资讯) [LEGAL INFO.] 33 (2009).

Not surprisingly, these new models quickly expanded to other elite law schools. Fudan,⁵⁰ Renmin⁵¹ and Peking⁵² have all found global partners for similar programs. Tsinghua even launched a boutique program that combines undergraduate and graduate legal studies and aims to train bilingual lawyers for international law affairs, with the promise to offer rich opportunities of overseas study and exchange.⁵³ Now it has become common for students in the master's programs of elite Chinese law schools to spend one year of their graduate studies abroad for a foreign law degree.

The increasing popularity of international degree programs has not curbed the demand for student exchange programs and doctoral student visiting programs that involve no degree awarding. For instance, Peking lists sixty-five foreign law schools or departments on its website as collaborative partners for faculty visiting and student exchange.⁵⁴ Fudan has officially signed exchange or collaborative agreements with at least thirteen foreign law schools.⁵⁵ Renmin has also listed thirty-six similar student exchange partner schools.⁵⁶ The newly

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50. From a recent information seminar held at the Jiangwan Campus of Fudan University (where the law school is located), Fudan Law School is collaborating with at least five major American law schools to send its students abroad for American law degrees. These American law schools are Washington University at St. Louis School of Law, College of William & Mary School of Law, Fordham Law School, Arizona University School of Law, and Tulane Law School. See *Faxueyuan Fumei Xuewei Xiangmu Xuanjianghui* (法学院赴美学位项目宣讲会) [*Law School's Seminar on Degree Programs in America*], FUDAN UNIV. LAW SCH. (Dec. 25, 2015), <http://www.law.fudan.edu.cn/news/view/index.aspx?id=974> (last visited Nov. 3, 2016).
51. Renmin University School of Law is collaborating with Michigan Law School and Georgetown University Law Center in selecting Renmin law students to pursue LL.M. degrees at these two law schools. See *Zhongguo Renmin Daxue Faxueyuan—Meiguo Mixiegen Daxue LL.M. Xiangmu* (中国人民大学法学院—美国密歇根大学LL.M.项目) [Renmin University School of Law—LL.M. Program at University of Michigan Law School], RENMIN UNIV. LAW SCH., <http://www.law.ruc.edu.cn/article/?44448.html> (last visited Nov. 3, 2016); *Zhongguo Renmin Daxue Faxueyuan—Meiguo Qiaozhicheng Daxue LL.M. Xiangmu* (中国人民大学法学院—美国乔治城大学LL.M.项目) [Renmin University School of Law—LL.M. Program at Georgetown Law Center], RENMIN UNIV. LAW SCH., <http://www.law.ruc.edu.cn/article/?44449.html> (last visited Nov. 3, 2016).
52. The most recent collaborator to offer Peking law students the opportunity to pursue an LL.M. at an American law school is Southern Methodist University Dedman School of Law. See *Meiguo Nan Weili Gonghui Daxue Faxueyuan LL.M. Xiangmu de Shenqing Tongzhi* (美国南卫理公会大学法学院LL.M.项目的申请通知) [*Notice on Application for SMU's LL.M. program*], PEKING UNIV. LAW SCH., <http://www.law.pku.edu.cn/xwzx/ggztz/13989.htm> (last visited Nov. 3, 2016).
53. Liu, *supra* note 23.
54. See *Hezuo Jigou Gailan* (合作机构概览) [*Overview of Collaborating Schools*], PEKING UNIV. LAW SCH., <http://www.law.pku.edu.cn/hzjl/gjhz/hzjggl/index.htm> (last visited Nov. 3, 2015).
55. See *Hezuo Yuanxiao* (合作院校) [*Partner Schools for Student Exchange*], FUDAN UNIVERSITY LAW SCHOOL (Dec. 27, 2012) <http://www.law.fudan.edu.cn/cn/index/show/?m=118&d=48> (last visited Nov. 3, 2016).
56. See *Student Exchange* (学生交换) [*Student Exchange*], RENMIN UNIV. OF CHINA SCH. OF LAW, <http://www.law.ruc.edu.cn/dwjl/?unit=%D1%A7%C9%FA%BD%BB%BB> (last visited Nov. 3, 2016).

established law schools are not falling behind either. In addition to the eleven joint LL.M. programs it has developed with law schools in North America and Europe, by 2015 SJTU had founded doctoral student visiting programs with four law schools in England and the United States, as well as student exchange programs with more than twenty-five law schools across the world.⁵⁷ Tsinghua also lists almost forty collaborative partner schools on its website.⁵⁸ The large variety and ample availability of these programs have made these elite law schools attractive places for students who aspire to careers at global law firms and multinational corporations. They have also helped increase the law schools' reputations in China and globally.⁵⁹

Besides sending Chinese students to LL.M. programs in foreign countries, elite law schools in China have also started to develop LL.M. and S.J.D. programs in Chinese law that are taught in English. Again, Peking and Tsinghua are the pioneers in this area. Tsinghua offers two one-year LL.M. programs, one in Chinese law and the other in international arbitration and dispute resolution.⁶⁰ It also offers an S.J.D. program in Chinese law.⁶¹ Peking University offers a two-year Chinese law LL.M. program that requires a minimum of thirty-six credits (two years) and a thesis, though the second year is set aside for thesis writing and internship. In recent years, several other elite law schools have also established similar English programs. Fudan launched its LL.M. program in Chinese business law in 2010, requiring a two-semester course study and a thesis to receive the degree.⁶² SJTU also offers a general LL.M. program in Chinese law, with one year of course work and another year of independent research for the LL.M. thesis.⁶³ Renmin offers an LL.M. program in Chinese law with a similar structure and degree requirement.⁶⁴

57. See *Xuesheng Shiwu Jiben Gaikuang* (学生事务基本概况) [*Student Affairs*], SJTU KO GUAN LAW SCH., <http://law.sjtu.edu.cn/Article02.aspx> (last visited Nov. 3, 2016).

58. See *Qinghuadaxue Faxuey Xuesheng Jiaoliu Xiangmu* (清华大学法学院学生交流项目) [*Tsinghua University Law Student Exchange Programs*], [TSINGHUA UNIV. SCH. OF LAW, [HTTP://WWW.LAW.TSINGHUA.EDU.CN/PUBLISH/LAW/7606/2013/20130905151617449153455/20130905151617449153455_.HTML](http://www.law.tsinghua.edu.cn/publish/law/7606/2013/20130905151617449153455/20130905151617449153455_.html) (last visited Nov. 3, 2016).

59. Ran et al., *super note* 34 March 12, 2013, at 10.

60. *LL.M. Program in Chinese Law: Program Overview*, TSINGHUA UNIV. SCH. OF LAW, [HTTP://WWW.LAW.TSINGHUA.EDU.CN/PUBLISH/LAWEN/7057/INDEX.HTML](http://www.law.tsinghua.edu.cn/publish/lawen/7057/index.html) (last visited Nov. 3, 2016); *LL.M. Program in International Arbitration & Dispute Resolution: Introduction*, TSINGHUA UNIV. SCH. OF LAW, [HTTP://WWW.TSINGHUA.EDU.CN/PUBLISH/LAWEN/8090/INDEX.HTML](http://www.tsinghua.edu.cn/publish/lawen/8090/index.html) (last visited Nov. 3, 2016).

61. *2014 Doctor of Juridical Sciences (S.J.D.)*, TSINGHUA UNIV. SCH. OF LAW, [HTTP://WWW.TSINGHUA.EDU.CN/PUBLISH/LAWEN/3480/2013/20131031160127008854435/20131031160127008854435_.HTML](http://www.tsinghua.edu.cn/publish/lawen/3480/2013/20131031160127008854435/20131031160127008854435_.html) (last visited Nov. 3, 2016).

62. *Zhongguo Shangfa Shuoshi* (中国商法硕士) [*LL.M. in Chinese Business Law*], FUDAN UNIV. LAW SCH., <http://www.law.fudan.edu.cn/cn/index/?id=1214> (last visited Nov. 3, 2016).

63. *LL.M. Program in Chinese Law*, SJTU KO GUAN LAW SCH., <http://law.sjtu.edu.cn/International/Article120102.aspx#> (last visited Nov. 3, 2016).

64. *LL.M.: Dean's Welcome*, RENMIN UNIV. OF CHINA SCH. OF LAW, <http://www.law.ruc.edu.cn/LLM> (last visited Nov. 3, 2016).

Some of these programs, such as CUPL's China-EU School of Law's Chinese Law Taught in English (CLTE) program, are as short as one semester.⁶⁵

Although some Chinese legal scholars have questioned the effectiveness of teaching Chinese law in a foreign language, such programs have increased the revenue and boosted the international reputation of the law schools that offer them. In one of the leading LL.M. programs in Chinese law, students originate from a large variety of countries ranging from China's Asia-Pacific neighbors (e.g., Korea, Japan, Kazakhstan, Nepal, Thailand, Indonesia, the Philippines, Singapore, Australia, etc.) to more than fifteen countries in Europe, the Middle East, and the Americas. However, because of the limit of language skills and the great difficulty in interpreting Chinese legal concepts and ideas in English, teaching in this type of program can be burdensome for many Chinese law professors, even those who have obtained their law degrees abroad.⁶⁶ The competition to develop the LL.M. program in Chinese law provides new incentives for elite law schools to recruit more graduates with advanced law degrees from English-speaking countries and even native English speakers into their faculty.

C. Other Institutional Reforms

In addition to the strategies of internationalizing faculty and student body, elite Chinese law schools have also made other institutional reforms aiming at developing themselves into global legal education institutions. These reform measures are driven by not only the schools' endogenous needs to enhance reputation and secure jobs for their graduates, but also national educational policies and university-level developmental strategies.

Under the national policy of developing world-class universities, the degree of internationalization has increasingly become an important parameter for the competitive ranking and assessment of universities in China. Law schools make no exception, and institutional reforms are taken to increase their international exposure and reputation. The first reform links international exposure to faculty recruitment and promotion opportunities. Many elite Chinese law schools have adopted the hiring policy that, except for exceptional applicants, graduates with only domestic law degrees are not considered in faculty recruitment.⁶⁷ For the existing faculty members, many law schools

65. *Yingwen Jiaoshou de Zhongguofa Xiangmu* (英文教授的中国法项目) [*Chinese Law Taught in English*], CHINA-EU SCH. OF LAW, <http://www.cesl.edu.cn/yjsxm/ywjsdzgfxm.htm> (last visited May 5, 2015).

66. Fang Liufang, *Faxue Jiaoyu Guojihua de Zhongguo Jingyan he Bijiao Guancha* (法学教育国际化的中国经验和比较观察) [*The Chinese Experiences and Comparative Observation for Internationalization of Legal Education*], SCH. NEWS, CHINA-EU SCHOOL OF LAW (Oct. 10, 2011, 4:49 PM), <http://cesl.cupl.edu.cn/info/1416/6635.htm>.

67. Although few schools would publicly admit the policy, it has been found that domestic doctoral graduates have confronted increasing difficulty in securing faculty jobs in elite Chinese universities. See e.g., Zhang Hang, *Wu Haiwai Jingli "Tu Boshi" Nanshang Jiangtai* (无海外经历“土博士”难上讲台) [*Domestic Ph.D.s without Foreign Education Background Can Hardly Teach in*

require their assistant professors to have at least six months of overseas visiting experience before they may be promoted to associate professors. In some schools, promotion from associate professor to full professorship also presupposes a one-year overseas visiting experience.⁶⁸

The second institutional reform targets the research capacity of law faculty members. Publications in English journals included in the Social Sciences Citation Index (SSCI) are actively pursued and highly rewarded. This top-down demand for publishing in English is mostly modeled after the research and publication standards in the natural sciences, but it poses two problems for law schools. First, many journals focusing on comparative law or international legal issues, in which it is more likely for Chinese legal academics to publish their work, are not included in the SSCI. Second, the SSCI publications are often given a higher value than major domestic law journals in the law schools' internal assessment of faculty research productivity. For example, the publication assessment standard of an elite law school in Shanghai gives any SSCI publication 240 points, but only 135 points for most top-tier domestic law journals. The only exceptions are *Social Sciences in China* (中国社会科学 *zhongguo shehui kexue*), *Chinese Journal of Law* (法学研究 *faxue yanjiu*), and *China Legal Science* (中国法学 *zhongguo faxue*). Publication in these three most prestigious law and social science journals in China may receive similar or even higher points than those in SSCI journals. Because the results of the annual research assessment are closely linked to faculty members' annual bonuses and promotion, law faculty members in China now have strong incentives to publish in SSCI journals in English.

This strong international orientation in research assessment leads to serious inequality among law schools and among faculty members in the same law school. Those faculty members who are capable of writing and publishing in English have gained notable advantages in their income and status. This is precisely why most elite Chinese law schools have been actively recruiting new faculty members with such skills in recent years. Not surprisingly, many Chinese law professors (especially the domestically trained ones) remain skeptical of such assessment standards because legal research requires more substantial local knowledge and expertise than natural sciences or engineering. Furthermore, very few Chinese legal scholars have been able to place their work in major English law reviews until today. Most SSCI articles that they have published are in journals with relatively low rankings and impact factors, yet they are valued more than many highly regarded Chinese law journals. Nevertheless, the highly quantitative and internationally oriented assessment standards have spread from the top tier of Chinese legal education to even some lower-tier law schools in recent years.

Chinese Universities], BEIJING WANBAO (北京晚报) [BEIJING EVENING NEWS], Jan. 2, 2014, at 7.

68. For the promotion requirement, see Lei Yu et al, *Qingnian Jiangshi Zhicheng Jinsheng zhi Tong* (青年讲师职称晋升之痛) [*The Pain in Promotion: Young Faculty Members in Chinese Universities*], ZHONGGUO QINGNIAN BAO (中国青年报) [CHINA YOUTH DAILY], Aug. 14, 2014, at 3.

| Host Institution in China | Journal Title | Publisher | Inauguration Year |
|-------------------------------------|---|--|-------------------|
| Wuhan University Law School | <i>Chinese Journal of International Law</i> | Oxford University Press | 2002 |
| Xiamen University School of Law | <i>China Oceans Law Review</i> | (Hong Kong) China Review Culture Limited | 2005 |
| Renmin University Law School | <i>Frontiers of Law in China</i> | Springer International Publishing | 2006 |
| Tsinghua University Law School | <i>Tsinghua China Law Review</i> | Tsinghua University Law School | 2009 |
| People's Public Security University | <i>China Review of International Criminal Law</i> | People's Public Security University of China Press | 2009 |
| Xi'an Jiaotong University | <i>Chinese Journal of Comparative Law</i> | Oxford University Press | 2010 |
| CUPL | <i>Beijing Law Review</i> | Scientific Research Publishing | 2010 |
| Peking University Law School | <i>Peking University Law Journal</i> | Hart Publishing | 2013 |
| China Law Society | <i>China Legal Science</i> | China Legal Science Magazine Press | 2013 |
| SJTU KoGuan Law School | <i>Asian Journal of Law and Society</i> | Cambridge University Press | 2014 |

Table 2: Law journals in foreign languages hosted by Chinese legal education institutions

Caught between the rising demand of English publications and the persistent difficulty in publishing in foreign journals, several elite law schools decided to make their own journals in English. These journals are usually published by major Western presses such as Cambridge, Oxford, Springer or Hart, but their editorial offices are hosted by Chinese law schools and the editors include many faculty members in those schools. Table 2 presents a list of these English journals published by Chinese legal education and research institutions—arguably an incomplete list, as new journals are launched every year. Some of them (e.g., *Chinese Journal of International Law* and *Chinese Journal of Comparative Law*) have a specific focus on certain areas of legal studies and are led by globally renowned Chinese scholars in the field and a more international editorial board. Others, such as *Frontiers of Law in China* and *Beijing*

Law Review, have a clear preference for submissions discussing legal problems in Chinese context and primarily are edited by Chinese legal scholars and researchers. Some recently established journals, such as the English editions of *Peking University Law Journal* and *China Legal Science*, publish a large number of translated articles from the law schools' Chinese publications. A notable exception is *Asian Journal of Law and Society*, published by SJTU's KoGuan Law School and Cambridge University Press, which is a peer-reviewed journal with all original articles in English. This journal also goes beyond Chinese law and covers a wide range of law and society issues in Asia, with five editors-in-chief from different countries. *Tsinghua China Law Review* is also worth noting, as it is the first law student-run English periodical published by a Chinese law school.

Overall, the strategies of internationalization adopted by elite law schools in China have had some positive effects. Taking advantage of the national educational policymakers' approval of globalization and their universities' traditionally superior positions in the higher education system, these elite law schools have become the leading forces and the primary beneficiaries of the internationalization of Chinese legal education. By enriching the international experiences of their law faculty and student body and promoting the schools' global reputation, elite Chinese law schools have found a new and effective means to distinguish themselves from their lower-ranked counterparts. In particular, the new law schools of elite universities, such as Tsinghua, Zhejiang, and SJTU, have used internationalization as a deliberate strategy to challenge the traditional approach of ranking and assessment in Chinese legal education in their favor.

For most elite Chinese law schools, a common feature that distinguishes them from their non-elite counterparts is a column on their official websites introducing and discussing the measures and achievements of internationalizing the law school. Student recruitment brochures often describe the attractive opportunities that admitted students enjoy, e.g., being taught by internationally renowned professors, studying in foreign law schools, and becoming prestigious international and corporate lawyers after graduation. The Ministry of Education's recently launched Outstanding Legal Talents Program also attests to the increasingly international character of Chinese legal education.⁶⁹ Twenty-four law schools have been chosen as "institutions for foreign-related legal talents," and more are encouraged to bid for that title. The degree of internationalization has arguably become an important indicator for the administrative evaluation of law schools in China.

IV. Implications for International Law Schools

Although elite Chinese law schools' internationalization strategies are driven primarily by domestic challenges and pressures, they have useful implications for law schools in the United States and other countries that are interested in exploring the Chinese legal education market and building

69. Wenhua Shan, *Legal Education in China: The New "Outstanding Legal Personnel Education Scheme" and Its Implications*, 13 *LEGAL INFO. MGMT.* 10 (2013).

transnational networks with their Chinese counterparts. In this section, we discuss three implications for international law schools corresponding to the three strategies outlined above, namely, faculty recruitment, student exchange programs, and other institutional aspects.

First, Chinese law schools' active recruitment of faculty members with foreign law degrees provides ample opportunities for other law schools around the world, especially those in East Asia, Europe, and North America, to place their doctoral students into academic positions in China. For the United States, given that J.S.D./S.J.D. programs at even top-tier American law schools are no longer aiming to train aspiring legal scholars of U.S. law,⁷⁰ and many schools currently have a large number of students from East Asia, American legal educators should seriously consider how these academic-oriented programs may tailor to Chinese law schools' rising demand for legal talents who hold advanced U.S. law degrees and can teach international or comparative law courses in China. If Chinese (and other foreign) law students studying in these programs are not only interested in becoming experts of American law but also attracted by the rich resources in comparative and international legal studies,⁷¹ law schools offering or planning to offer J.S.D./S.J.D. programs may consider incorporating more comparative legal scholarship into their programs in order to help place their doctoral law students in faculty positions at prestigious law schools as well as in government agencies and research institutions in China. This requires more attention to and investment in this often marginalized group of international students pursuing doctoral law degrees in American law schools. Meanwhile, given that half of the international faculty recruitment of elite Chinese law schools is from civil law jurisdictions (see Figure 6), law schools in Japan, Germany, and other European countries with strong research capacities are also in a great position to place their international doctoral students into Chinese law schools. Furthermore, doctoral programs in international law schools with expertise in Chinese law have the potential to train a new generation of international legal scholars who are capable of teaching law and doing legal research in China and other parts of East Asia.

Second, while many international law schools have already taken advantage of Chinese students' rising demand for LL.M. and other graduate law degrees,⁷² few have begun to work with Chinese law schools to send their own law students to pursue short-term study-abroad programs or degree programs in China. As the LL.M. degree programs in Chinese law offered by elite Chinese law schools are improved and China keeps rising as a global economic and political power, the demand for Chinese legal education taught

70. Gail J. Hupper, *Education Ambivalence: The Rise of a Foreign-Student Doctorate in Law*, 49 N. ENGL. L. REV. 319 (2015).

71. Carole Silver, *Perspectives on International Students' Interest in U.S. Legal Education: Shifting Incentives and Influence*, 59 N. ENGL. L. REV. 463 (2014).

72. See Carole Silver, *Getting Real about Globalization and Legal Education: Potential and Perspectives for the U.S.*, 24 STAN. LAW & POL. REV. 457 (2013); Carole Silver, *Perspectives on International Students' Interest in U.S. Legal Education: Shifting Incentives and Influence*, 59 N. ENGL. L. REV. 463 (2014).

in English is likely to increase globally. Yet the study-abroad programs and internship opportunities offered by most American law schools still focus on the U.K., Europe, and other parts of the developed world. Until today, most Chinese LL.M. programs have drawn more students from the Asia-Pacific region, Europe, and other developing countries than from Britain or the United States, though the faculty members who teach in these programs are mostly trained in English-speaking countries. Taking the internationalization of Chinese legal education seriously would not only benefit American and other international law students in the global market for legal services, but also develop more diversified patterns of educational exchange among Chinese and international law schools and a truly mutual learning process for training the next generations of international lawyers.

Third, as legal scholars in elite Chinese law schools face increasing pressure to publish English-language articles in international law journals, opportunities abound for foreign legal academics to collaborate with some of the best legal minds in China. Scholarly collaborations among international and Chinese legal scholars may bear valuable fruits, as outstanding comparative works on Chinese law and practice could attract international attention if presented in fluent English. Furthermore, law schools in English-speaking countries (Australia, Britain, Canada, the United States, etc.) could also consider working with Chinese law schools to offer training programs focusing on English legal writing. Such programs should be open not just to Chinese law students but to faculty members as well. It would make faculty exchanges and visiting scholar programs more appealing to both senior and junior law professors in China who lack the language ability to write and publish in English. International collaborations among law schools and legal scholars could also extend to editing English-language law journals hosted by Chinese law schools. As we demonstrated earlier in the article, several elite law schools are highly interested in developing English-language journals but often lack the expertise to do so.⁷³

In sum, as argued by Ji Weidong, a leading Chinese legal scholar and law school dean, the internationalization of elite Chinese law schools has so far followed only a one-way path that introduces knowledge, skills, and experiences in foreign law and legal practice to China.⁷⁴ The other way—presenting the reform efforts, accredited merits, and learned lessons of the Chinese legal education system and law practice to the world—points to an opportunity that international law schools may explore and possibly embrace.

73. For instance, *Tsinghua China Law Review*, established in 2009, is exemplary of law reviews of Chinese law schools that publish Chinese legal research in English. The editorial board of this law review includes Chinese and foreign law students at Tsinghua University School of Law. See *About the Tsinghua China Law Review*, *TSINGHUA CHINA LAW REVIEW*, <http://www.tsinghuachinalawreview.org/about/> (last visited Nov. 3, 2016).

74. Ji Weidong, *Faxue Jiaoyu Guojihua de Quanjihua Zhixiang* (法学教育国际化的全球化指向) [*The Global Trend of Internationalized Legal Education*], *FAZHI RIBAO* (法制日报) [*LEGAL DAILY*], June. 6, 2011, at 10.

At least, they could recognize and support the efforts of Chinese lawyers, judges, and legal scholars in pursuing high-quality legal education, equal justice, and good governance in China.

Conclusion

For Chinese legal education, the early twenty-first century is the best of times, but also the worst of times. It is the age of rapid globalization, but also the age of serious domestic challenges. Hope and despair persist simultaneously for law graduates on the job market, while their schools struggle to respond to increasing competitive pressures for better graduate placement, higher school ranking, and more government funding and institutional support.

In this article, we have traced the history and domestic challenges of Chinese legal education and closely examined the strategies of internationalization adopted by elite Chinese law schools since the turn of the twenty-first century. We argue that the internationalization of elite Chinese law schools in recent years is not primarily driven by global institutional diffusion, but a practical response for maintaining their status and legitimacy in the domestic higher education system. Although the mechanisms of institutional diffusion and isomorphism⁷⁵ are clearly observed among the elite law schools in our empirical analysis of faculty recruitment, study-abroad programs, and other institutional reforms, the main sources of legitimacy for internationalization originate from top-down educational policies of the Chinese state, as well as domestic pressures of interschool competition and stratification.

To fully understand the transformation of legal education and the corporate legal sector in China and other emerging economies, these domestic roots of globalization must be carefully examined and theorized. By classifying elite Chinese law schools according to their geographic locations and institutional histories, we have shown that newly established law schools in elite universities, such as Tsinghua and SJTU, often become forerunners of internationalization. In contrast, traditional elite law schools in cities outside Beijing or Shanghai, such as Jilin and Wuhan, tend to lag behind in the process of internationalization. Even the most prestigious Chinese law schools, such as Peking and Renmin, have to adapt themselves to the rapidly changing landscape of Chinese legal education in the context of globalization.

Internationalization has helped elite law schools effectively respond to the domestic challenges confronting Chinese legal education, and it has recently been adopted by many more Chinese law schools for similar reasons. To be sure, whether these efforts ultimately resolve the problems arising from the vast expansion of Chinese higher education and meet the government's goal of building world-class comprehensive research universities remains an open question. Nevertheless, it is important for law schools in the United States and around the world to fully understand and appreciate the key strategies of

75. Paul J. DiMaggio & Walter W. Powell, *The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields*, 48(2) AM. SOC. REV. 147 (1983).

their Chinese counterparts' internationalization so that they may also respond effectively to the growing and increasingly complex demands from the Chinese legal education sector. In this sense, the internationalization of elite Chinese law schools may indicate the beginning of a new chapter in the global history of legal education.