

NOTES & COMMENTS

Research and Teaching of International Law in Contemporary China: A Landscape Sketch

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The rapid developments of research and teaching of international law in China have attracted the attention of international law academics of the world, who have looked over the landscape of international law in China with great interest. Unfortunately, existing literature has yet to completely satisfy their interests in this aspect. This article is intended to compensate for this gap by introducing representative international lawyers, publications, academic associations and research funding schemes on international law in China. More concretely, this paper will show the mainstream research sources of their Chinese counterparts as well as embrace teaching as part of the research system of international law in China. It is expected that, with their more attention into the holistic research methodology and the “One Belt, One Road” strategy, the Chinese academia of international law will contribute more to the international rule of law.

Keywords

International Lawyers, Research, Teaching, Contemporary China, Law Schools, Academic Societies

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1. Introduction

In December 1978, the national policy of reform and opening-up was passed by the historic Third Plenary Session of the Eleventh Central Committee of the Communist Party of China (“CPC”).¹ The implementation of the reform and opening-up policy symbolizes that China would have abandoned the diplomatic strategy of “Leaning on One Side” left over from the reign of Chairman Mao Zedong and embarked on full-spectrum integration into the international community.² This strategic change in China for developing international relations swiftly restored the research and teaching on international law that were completely suspended during the chaotic years of the Cultural Revolution. Its purpose was to legally prop up China’s widened interactions with other sovereign States and international organizations.

Similar to its economic transition, China’s restoration of research and teaching on international law also adopted a gradual approach. Initially, several of the most prestigious law schools in China took the lead to develop and open international law courses as well as began to carry out theoretic research on international law in 1979.³ Next, in the wake of the great efforts made by the above pioneer law schools, several other law schools in China followed the same steps to create or rebuild their own research and teaching on international law. Over the past 40 years, international law has been remarkably established and developed in China. The rapid developments of research and teaching of international law in China have attracted the great attention from the global academics, who have looked over the landscape of international law in China. Unfortunately, existing literature has yet to completely satisfy their interests in this aspect, a lack for which this article is intended to compensate.⁴

Along with its economic rise, China has nowadays become a very influential force in pushing the evolution of international law. The creation and application of international law by Chinese authorities are based on the theories and ideologies

¹ Gazette of the Third Plenary Session of the Eleventh Central Committee of the Communist Party of China, available at <http://cpc.people.com.cn/GB/64162/64168/64563/65371/4441902.html> (last visited on Oct. 8, 2017).

² Yongqi Yan, *Examining the Diplomatic Strategy of Leaning on One Side of the PRC* [新中国“一边倒”外交战略评析], 4 PARTY HIST. RES. & TEACHING [党史研究与教学] 71 (2005).

³ Tieya Wang, *Teaching and Research of International Law in Present Day China*, 22 COLUM. J. TRANSNAT’L L. 77 (1983).

⁴ Zhipeng He, *Research of International Law in China over the Past 30 Years: Achievements and Lessons* [中国国际法学30年:成就与经验], 23 CONTEMP. L. REV. [当代法学] 49 (2009); Minyou Yu, *International Law in the People’s Republic of China: Development and Prospect* [论国际法在中国的发展走向], 63 WUHAN U. J. (Philosophy & Social Science) [武汉大学学报 (哲学社会科学版)] 705 (2010).

of Chinese international lawyers.⁵ Thus, a thorough collection and review of the research output of Chinese international lawyers are essential for the global community to understand China's official stance on any topic of international law. Additionally, it is undeniable that the research achievements of Chinese international law academia over the past 40 years could not have been made without the teaching of international law that has continuously trained and cultivated competent international lawyers for China.

Therefore, there are two primary goals of this research. First, by describing the current research system of international law in China, this article will show foreign international lawyers the mainstream research sources of their Chinese counterparts. Second, this article will embrace teaching as part of the research system of international law in China, as well.

This article consists of seven parts including Introduction and Conclusion. Part two will sketch out the profiles of the current law schools and leading international lawyers in China with their original theories and ideas. Part three will display representative monographs, textbooks, and journals in the field of international law in China. Part four will examine the activities of academic societies in public international law including the Chinese Society of International Law and the Chinese Society for the Law of the Sea. Part five will discuss the degree programs of international law and their respective curricula offered by Chinese tertiary education institutions. Part six will discuss funding schemes available to the research on international law in China, with a special reference to the National Social Science Funds.

2. Law Schools and International Lawyers in China

A China's Law Schools

According to the statistics from the China Legal Innovation website, there have been 449 law schools or departments in mainland China as of September 17, 2017.⁶ Most of these law schools or departments are made up of multiple divisions that, as a whole, cover all the segments of the current Chinese law system including international

⁵ See Introduction of the Chinese Society of International Law, available at <http://www.csil.cn/News/Detail.aspx?AId=16> (last visited on Oct. 8, 2017).

⁶ See China Legal Innovation Website [中国法学创新网], available at <http://www.fxwxw.org> (last visited on Oct. 8, 2017).

law. Some others are created as special legal research and education units, such as the School of International Law at China University of Political Science and Law or the WTO Research and Education School at the Shanghai University of International Business and Economics. There are no statistics available thus far about the total number of international lawyers in the above law schools or departments. Given that each of them has on average five faculty members who specialize in international law, however, there are approximately 2300 international lawyers who have been working at the above legal research and education units. Table 1 summarizes the top ten law schools in mainland China in accordance with the 2017 ranking list released by the China University Alumni Association.⁷ In research and teaching on international law, these top ten law schools have played leading roles and established their own reputations.

Table 1: Top Ten Law Schools in Mainland China in 2017⁸

Ranking	Name	Location	Current Representative International Law Figure
1	Renmin University School of Law	Beijing	Zhu Wenqi
1	Peking University School of Law	Beijing	Li Ming / Bai Guimei
3	Wuhan University School of Law	Wuhan	Yu Minyou
3	China University of Political Science and Law School of International Law	Beijing	Guo Hongyan
5	Tsinghua University School of Law	Beijing	Jia Bingbing
5	Fudan University School of Law	Shanghai	Ma Zhongfa
5	Southwest University of Political Science and Law School of International Law	Chongqing	Zhou Jiang
5	Jilin University School of Law	Changchun	He Zhipeng
9	Zhongnan University of Economics and Law School of Law	Wuhan	Deng Lie
9	Xiamen University School of Law	Xiamen	Cai Congyan

⁷ 2017 Chinese Law Schools' Ranking, available at http://www.cuaa.net/paihang/news/news.jsp?information_id=132905 (last visited on Oct. 8, 2017).

⁸ Compiled by the author.

B. Leading International Lawyers

Among all the international lawyers who are currently working at the top ten law schools as shown in Table 1, seven of them, including Zhu Wenqi, Yu Mino, Li Ming, Bai Guimei, Jia Bingbing, He Zhipeng and Cai Congyan, will be specially introduced in this section. In addition, Zhao Yun in the Faculty of Law at the University of Hong Kong will also be introduced as representing the HKSAR.

1. Professor Zhu Wenqi

Professor Zhu Wenqi is a full professor in the School of Law at Renmin University. He also acts as Director of both the Research Institute of International Criminal Law and the Research Institute of International Humanitarian Law of Renmin University.⁹ He was awarded Ph.D. in international law by the University of Paris in 1987.¹⁰ Then, he returned back to China and worked as a diplomat in the PRC Ministry of Foreign Affairs from 1988 to 1993.¹¹ In 1994, he was appointed as a prosecutor to the International Criminal Tribunal for the former Yugoslavia.¹² Later, he was also appointed as a prosecutor to the International Criminal Tribunal for Rwanda.¹³ In 2002, Dr. Zhu joined the School of Law at Renmin University as a Full Professor of International Law.¹⁴

The most significant academic contributions of Professor Zhu focus on international criminal law and international humanitarian law. *E.g.*, he holds that the jurisdiction of the International Criminal Court (“ICC”) over the cases implicating Chinese citizens can be excluded pursuant to the complementary jurisdictional rule of the Rome Statute of the International Criminal Court.¹⁵ He proposes that the status of mercenary armies in international humanitarian law should be clarified and elaborated on to ensure that the 1949 Geneva Conventions are strictly enforced in any event.¹⁶

⁹ Profile of Professor Zhu Wenqi Displayed by Renmin University, available at <http://www.ruc.edu.cn/archives/18742> (last visited on Oct. 8, 2017).

¹⁰ Jun Ye & Yang Zou, “An International Lawyer” in the Law School [法学院里的“国际法人”], 53 DEMOCRACY & L. NEWSPAPER [民主与法制时报] (2014).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Wenqi Zhu, *Whether China Should Join the International Criminal Court?* [中国是否应加入国际刑事法院(上)], 10 HUBEI SOCIAL SCI. [湖北社会科学] 143 (2007).

¹⁶ Wenqi Zhu, *Challenges to the International Humanitarian Law Caused by Mercenary* [雇佣军问题对国际人道法的冲击与影响], 21 J. XI’AN POLITICS INSTITUTE [西安政治学院学报] 93 (2008).

2. Professor Yu Minyou

Professor Yu Minyou is Dean of the WTO School at Wuhan University.¹⁷ Concurrently, he is also a full professor in the Research Institute of International Law at Wuhan University.¹⁸ After receiving the Bachelor of Liberal Arts from Wuhan University,¹⁹ Professor Yu started his legal studies and acquired two Master of Law degrees, from Wuhan University, and the University of Melbourne.²⁰ He was awarded Ph.D. in Law by Wuhan University, as well.²¹

Professor Yu's most significant academic contributions are anti-terrorism and territorial dispute settlements. Regarding anti-terrorism, *e.g.*, he argues that the legitimacy of using force to fight international terrorism influences the stability of the international order and the collective security of the United Nations.²² Therefore, the current regime of international law, as well as the UN system, needs to be reformed in order to construct a more efficient anti-terrorism framework that embraces both peaceful and martial measures.²³ On the South China Sea Arbitration, Professor Yu holds that the arbitral tribunal cut off the links between the obligation to exchange views and the one to negotiate, which deviates from the purpose of the United Nations Convention on the Law of the Sea ("UNCLOS"). Accordingly, he maintains, the tribunal failed to establish its jurisdiction over the dispute of marine territories between China and the Philippines.²⁴

3. Professor Li Ming

Professor Li Ming is a full professor in the School of Law at Peking University. He also acts as Director of both the Institute of Ocean Research and the Research Institute of International Law at Peking University.²⁵ He also serves as the Vice President of the

¹⁷ Profile of Professor Yu Minyou Displayed by the School of Law at Wuhan University, available at <http://fxy.whu.edu.cn/archive/detail/100034> (last visited on Oct. 8, 2017).

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² Minyou Yu et al., *Legitimacy of Using Force to Fight Terrorism* [武力打击国际恐怖主义的合法性问题], 6 CASS J. L. [法学研究] 129 (2003).

²³ *Id.*

²⁴ Minyou Yu & Qiong Xie, *Why the Award on Jurisdiction of the South China Sea Arbitration is Null and Void-Take the Article 283 of UNCLOS as an Example* [关于南海仲裁案管辖权裁决的违法性研究-基于《联合国海洋法公约》第283条“交换意见的义务”], 1 J. BOUNDARY & OCEAN STUD. [边界与海洋研究] 108 (2016).

²⁵ Profile of Professor Li Ming Displayed by the School of Law at Peking University, available at <http://www.law.pku.edu.cn/sz/zjs/hl/1915.htm> (last visited on Oct. 8, 2017).

Chinese Society of International Law.²⁶ Professor Li once worked as Vice President at Shihezi University, located in the Xinjiang Uyghur Autonomous Region of China.²⁷ Professor Li received Bachelor of Laws from Peking University in 1983.²⁸ Then, he was awarded Master of Laws by Yale University²⁹ and Ph.D. in International Law from Peking University in 1987 and 1998, respectively.³⁰

His most significant academic contributions are international human rights law and peaceful settlements of international disputes. Professor Li discusses the relationship between respect for human rights and the non-intervention rule under the UN Charter.³¹ He points out that the non-intervention rule theoretically applies for the protection of human rights in the realm of international law, but is very difficult to fulfill in practice.³² As regards the peaceful settlements of international disputes, he insists that democracy not be taken as an excuse to launch wars, in accordance with the UN Charter. Thus, wars for democracy ought not to be recognized by international law.³³

4. Professor Bai Guimei

Professor Bai Guimei is a full professor in the School of Law at Peking University.³⁴ She also acts as Executive Director of the Research Center for Human Rights and Humanitarian Law at Peking University.³⁵ Professor Bai received the Bachelor of Liberal Arts from Peking University in 1978.³⁶ Then, she was awarded Master of Laws by Peking University and Dalhousie University in 1982.³⁷ In 1997, she earned her Ph.D. in law from Peking University.³⁸

Her most significant academic contribution is international human rights law.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ Ming Li, *Human Rights and the Non-Intervention Rule under the Charter of the UN* [《联合国宪章》中的人权与不干涉内政问题], 7 CHINESE LEGAL SCI. [中国法学] 34 (1993).

³² *Id.*

³³ Ming Li, *Democracy Cannot Be Legal Reason of the War* [民主不能作为战争的合法理由], 21 TRIBUNE OF POLITICAL SCI. & L. [政法论坛] 26 (2003).

³⁴ Profile of Professor Bai Guimei Displayed by the School of Law at Peking University, available at <http://www.law.pku.edu.cn/sz/zjs/ab/10132.htm> (last visited on Oct. 8, 2017).

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

E.g., she holds that when carrying out research on international human rights law, we should be cautious of politicalizing human rights and making it conflict with state sovereignty.³⁹

5. Professor Jia Bingbing

Professor Jia Bingbing is a full professor in the School of Law at Tsinghua University.⁴⁰ He also assumes duties in several prominent associations of international lawyers, such as the Chinese Society of International Law, the International Law Association, the Chinese People's Institute of Foreign Affairs, and The Hague Academy of International Law.⁴¹ He received Bachelor of Laws from Peking University in 1989 and Ph.D. in International Law from Oxford University in 1995.⁴²

His most significant academic contributions are the law of the sea and international criminal law. In the law of the sea, Professor Jia argues that the standoff over Huangyan Island between China and the Philippines concerns the sovereignty over the island. He argued: "Even in terms of the doctrine of effective occupation, China has a superior claim to the title to the island."⁴³ On international criminal law, Professor Jia holds:

The current practice still places state immunity higher than other rules of international law that found national jurisdiction, as opposed to international jurisdiction, perhaps because of the unchanged foundation of the international order based on the UN Charter. Any denials of state immunity of foreign officials by national courts, without a basis in international law, will challenge the fundamental principles of that order.⁴⁴

6. Professor He Zhipeng

Professor He Zhipeng is a full professor in the School of Law at Jilin University,⁴⁵ where he also acts as Director of the Research Institute of International Law and

³⁹ Guimei Bai, *Enhancing the Research of International Human Rights Law* [加强国际人权法的研究], 2 CASS J. L. [法学研究] 134 (2004).

⁴⁰ Profile of Professor Jia Bingbing Displayed by the School of Law at Tsinghua University, available at http://www.tsinghua.edu.cn/publish/lawen/3562/2010/20101217234604707802540/20101217234604707802540_.html (last visited on Oct. 8, 2017).

⁴¹ *Id.*

⁴² *Id.*

⁴³ Bingbing Jia, *A Preliminary Study of the Title to Huangyan Island (Scarborough Reef)*, 45 OCEAN DEV. & INT'L L. 360 (2014).

⁴⁴ Bingbing Jia, *The Immunity of State Officials for International Crimes Revisited*, 10 J. INT'L CRIM. JUST. 1302 (2012).

⁴⁵ Profile of Professor He Zhipeng Displayed by the School of Law at Jilin University, available at <http://law.jlu.edu.cn/?mod=info&act=view&id=1180> (last visited on Oct. 8, 2017).

Comparative Law.⁴⁶ Professor He also serves as Standing Director of the Chinese Society of International Law.⁴⁷ After receiving Bachelor of Laws from Jilin University in 1996,⁴⁸ he pursued legal studies and earned the Master of Laws (International Economic Law)⁴⁹ and Ph.D. (Jurisprudence) from the same institution in 1998 and 2004, respectively.⁵⁰

His most significant academic contributions focus on general theories of international law and international human rights law. He advocates the interdisciplinary study of philosophy and international law, arguing that such convergence may help to upgrade the general theories of international law.⁵¹ Regarding international human rights law, Professor He holds that the Convention on the Rights of Persons with Disabilities neither helps to establish the international rule of law, nor reduces the costs of protecting the fundamental human rights of the disabled. Instead, he said, it is the product of the unsystematic approach to international law.⁵²

7. Professor Cai Congyan

Professor Cai Congyan is a full professor in the School of Law at Xiamen University.⁵³ He obtained Bachelor of History, Master of Laws and Ph.D. in International Law from Xiamen University.⁵⁴ He was nominated as the Fulbright Scholar and Global Research Fellow at New York University School of Law in 2011-12.⁵⁵ In addition, he was awarded “Changjiang Young Scholar” by the PRC Ministry of Education in 2016.⁵⁶

Professor Cai’s most significant academic contributions are in the field of international economic law and general theories of public international law. He holds that the holistic approach of combing public and private international laws should be paid attention nowadays in order to facilitate the application of international law in

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ Zhipeng He, *Philosophy of International Law: Meaning, Function and Approaches* [国际法的哲学之维: 内涵、功能与路径], 6 JURIST [法学家] 128 (2010).

⁵² Zhipeng He, *On Convention on the Rights of Persons with Disabilities and Reflection on the Mechanism of International Human Rights* [从《残疾人权利公约》反思国际人权机制], 5 N. LEGAL SCI. [北方法学] 34 (2008).

⁵³ Profile of Professor Cai Congyan Displayed by the School of Law at Xiamen University, available at <http://law.xmu.edu.cn> (last visited on Oct. 8, 2017).

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ *Id.*

practice.⁵⁷

8. Professor Zhao Yun

Professor Zhao Yun is a full professor and Head of the Department of Law at the University of Hong Kong.⁵⁸ He was also appointed as Chen An Chair Professor in International Law at Xiamen University for the year 2015 and Siyuan Scholar Chair Professor at Shanghai University of Foreign Trade during the period from 2012 to 2014.⁵⁹ Professor Zhao obtained Bachelor of Laws and Master of Laws (Private International Law) from China University of Political Science and Law in 1995 and 1998, respectively.⁶⁰ Then, he continued to study in The Netherlands and was awarded another Master of Laws from Leiden University in 1999.⁶¹ In 2003, Professor Zhao earned his Ph.D. in International Law under the supervision of Professor Peter Malanczuk at Erasmus University Rotterdam, The Netherlands.⁶²

His most significant academic contributions focus on space law. He argues that “national space legislation should be a priority for not only Asian states but also, at the same time, space law an area of priority for regional cooperation. A sustainable framework for space law cooperation is what shall contribute to the realization of true Asian leadership in the 21st century in the space field.”⁶³

3. Major Publications in International Law of China

Together with leading Chinese international lawyers, publications are another important indicator to showcase the great development of research on international law in China. According to rough statistics by Professor He Zhipeng, during the period from 1978 to 2008, more than 3000 monographs and textbooks on international law came out, and around 25,000 articles concerning international law were

⁵⁷ Congyan Cai, *Re-building the Epistemology of Public-Private Relationship and Development of International Law* [公私关系的认识论重建与国际法发展], 1 CHINA LEGAL SCI. [中国法学] 187 (2015).

⁵⁸ Profile of Professor Zhao Yun Displayed by the Faculty of Law at the University of Hong Kong, available at http://www.law.hku.hk/faculty/staff/zhao_yun.php (last visited on Oct. 8, 2017).

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ Yun Zhao, *Asian Leadership in Outer Space in the 21st Century: From Science and Technology to Space Law*, 15 HARV. ASIA Q. 43 (2013).

published in China.⁶⁴ These filled the research vacuum on international law caused by the Cultural Revolution. They would symbolize that research on international law in China has entered into a ‘Golden Era’ thus far. This part of the article will summarize the major titles that were contributed by Chinese international lawyers over the past 40 years in four categories: monographs, translations, textbooks, and journals.

A. Monographs

Table 2 enumerates five monographs on international law contributed by Chinese international lawyers during the past 40 years. Among them, INTRODUCTION TO TREATY LAW, authored by Professor Li Haopei, was the first Chinese monograph to systematically and thoroughly examine treaty law since the establishment of the PRC in 1949.⁶⁵ In addition, MODERN INTERNATIONAL ORGANIZATIONS, authored by Professor Xi Liang, contributed in-depth discussions on the fundamental legal issues of international organizations.⁶⁶ Thus far, all five titles have been regarded as classic monographs by Chinese international lawyers.

Table 2: Five Representative Monographs on International Law in China (1978-2017)⁶⁷

Title	Author	Affiliation	Publication Year
Introduction to Treaty Law 《条约法概论》	Li Haopei (1906-1997)	Ministry of Foreign Affairs of the PRC	1987
Introduction to International Law 《国际法引论》	Wang Tiewa (1913-2003)	Peking University	1998
Modern International Organizations 《现代国际组织》	Xi Liang	Wuhan University	1984
Modern International Criminal Law 《现代国际刑法》	Zhu Wenqi	Renmin University	2015
Public International Law: Its Interpretation and Application in Time of Peace 《国际公法: 和平时期的解释与适用》	Jia Bingbing	Tsinghua University	2015

⁶⁴ *Supra* note 4, at 53.

⁶⁵ *Id.* at 54.

⁶⁶ *Id.*

⁶⁷ Compiled by the author.

B. Translations

Apart from conducting their academic research on international law, Chinese international lawyers-particularly, the first generation of them-made great efforts to translate prominent western international law books into Chinese. Table 3 summarizes the five most influential translations that were offered by Chinese international lawyers during the past 40 years. Among them, OPPENHEIM'S INTERNATIONAL LAW has been viewed as the 'Bible' by Chinese international law scholars nowadays.⁶⁸ It is fair to say that all these translations have widened the horizons of Chinese international lawyers to a large degree.

Table 3: Five Representative Translations of International Law in China (1978-2017)⁶⁹

Title	Principal Translator	Affiliation	Publication Year
Oppenheim's International Law (9th Edition)	Wang Tieya (1913-2003)	Peking University	1995
International Law (Authored by Phaedrus)	Li Haopei (1906-1997)	Ministry of Foreign Affairs of the PRC	1981
Akehurst's Modern Introduction to International Law	Wang Xuan (1914-1993)	China University of Political Science and Law	1981
An Introduction to International Law (Authored by J.G. Starke)	Zhao Weitian (1926-2005)	Chinese Academy of Social Sciences	1984
Bronwlie's Principles of Public International Law	Zeng Lingliang (1956-2016)	Wuhan University	2007

C. Textbooks

Chinese international lawyers have also contributed high-quality textbooks for training domestic law students with fundamental theories and rules of international law over the past 40 years. Table 4 lists the five most popular international law textbooks that have been so far recognized as the mainstream references for their teaching of international law in Chinese law schools or departments. Among them, INTERNATIONAL LAW, authored by Professor Wang Tieya, is the most influential one

⁶⁸ *Id.*

⁶⁹ Compiled by the author.

for Chinese domestic law students enrolled since 1981.⁷⁰ These popular international law textbooks ensure that cultivation of international lawyers can be sustainable generation by generation in China.

Table 4: Five Representative International Law Textbooks in China (1978-2017)⁷¹

Title	Author	Affiliation	Publication Year
International Law 《国际法》	Wang Tieya (1913-2003)	Peking University	1981
General Theories of International Law 《国际法基本理论》	Zhao Lihai (1916-2000)	Peking University	1990
Concepts and Sources of International Law 《国际法的概念与渊源》	Li Haopei (1906-1997)	Ministry of Foreign Affairs of the PRC	1994
International Law 《国际法》	Bai Guimei	Peking University	2006
Public International Law 《国际公法学》	Zeng Lingliang (1956-2016)	Wuhan University	2016

D. Law Journals

Table 5 showcases all the journals with the scope of international law that were released in China during the past 40 years. This list makes it clear that the overwhelming majority of these journals came out in the new millennium as a result of government efforts to better subsidize Chinese publicly-funded universities after the year 2000. So far, these journals have become very important forums for Chinese international lawyers to publish and share their original ideas and debate with each other.

⁷⁰ *Supra* note 4, at 53.

⁷¹ Compiled by the author.

Table 5: International Law Journals in China (1978-2017)⁷²

No.	Title	Publisher	Year of Release
1	China Yearbook of International Law 《中国国际法年刊》	China Society of International Law	1982
2	International Law Review 《国际法学论丛》	International Law Section of Beijing Law Society	1989
3	Contemporary International Law Review 《当代国际法论丛》	School of International Law at East China University of Political Science and Law	2001
4	Peking University International and Comparative Law Review 《北大国际法与比较法评论》	Research Institute of International Law of School of Law at Peking University	2002
5	International and Comparative Law Review 《国际法与比较法论丛》	Hunan Normal University	2002
6	International Law Review of Wuhan University 《武大国际法评论》	Research Institute of International Law at Wuhan University	2003
7	SJTU Journal of Transnational Law 《跨国法评论》	Research Institute of International Law at Shanghai Jiao Tong University	2004
8	Chinese Review of International Law 《国际法研究》	Research Institute of International Law at Chinese Academy of Social Sciences	2006
9	Wuhan University Lectures on International Law 《武大国际法讲演集》	Research Institute of International Law at Wuhan University	2006
10	Review of International and Comparative Law 《国际法与比较法论坛》	School of Law at Harbin Institute of Technology	2006
11	International Law Review 《国际法评论》	School of International Law at China University of Political Science and Law	2007
12	Chinese Journal of International Law	Oxford University Press	2002

⁷² Compiled by the author.

4. Academic Societies

A. *The Chinese Society of International Law*

The Chinese Society of International Law is the nationwide association of Chinese international lawyers. It was established in 1980 and registered with the PRC Ministry of Foreign Affairs.⁷³ Its primary objective is to convene all international lawyers in the country for the further study of international law.⁷⁴ Thus far, its membership has already exceeded 800 and includes professors, researchers in international law, and government officials and practitioners concerned with international law.⁷⁵ As Table 6 shows, its governance consists of Honorary Chairman, Chairman, Vice Chairman, Consultant, and General Secretary.⁷⁶ Among them, the Chairman is the legal representative of the organization.⁷⁷ Since its establishment in 1980, the Chinese Society of International Law has been steered by five successive chairpersons, as displayed in Table 7.⁷⁸ Its current Chairman is Mr. Li Shishi, who was once Director of the Law Committee of the National People's Congress of the PRC.⁷⁹

The general practice for the association of legal scholars in China is that the China Law Society, which is affiliated with the Central Political and Legal Affairs Commission of the Central People's Congress, is the parent organization to set up sub-organizations oriented to specific legal sectors such as the China Civil Law Society.⁸⁰ However, the status of the Chinese Society of International Law is unique in terms of its relationship with the Ministry of Foreign Affairs. To put it succinctly, the Society is directly subordinated to and administered by the Ministry of Foreign Affairs instead of the China Law Society.⁸¹ The Department of Treaty and Law of the Ministry of Foreign Affairs is in charge of all the activities of the Chinese Society of International Law.⁸² The Director of the Department of Treaty and Law of the

⁷³ *Supra* note 5.

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ Administrative Structure of the Chinese Society of International Law, available at <http://www.csil.cn/News/Detail.aspx?AId=18> (last visited on Oct. 8, 2017).

⁷⁷ *Supra* note 5.

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ Introduction of the China Law Society, available at https://www.chinalaw.org.cn/Column/Column_Template4.aspx?ColumnID=106 (last visited on Oct. 8, 2017).

⁸¹ *Supra* note 5.

⁸² *Id.*

Ministry of Foreign Affairs always acts as Vice Chairman of the Society.⁸³ Because of their close link, both the Department of Treaty and Law of the Ministry of Foreign Affairs and the Chinese Society of International Law would jointly organize academic activities including conferences and workshops.⁸⁴

Figure 1: Governance of the Chinese Society of International Law⁸⁵

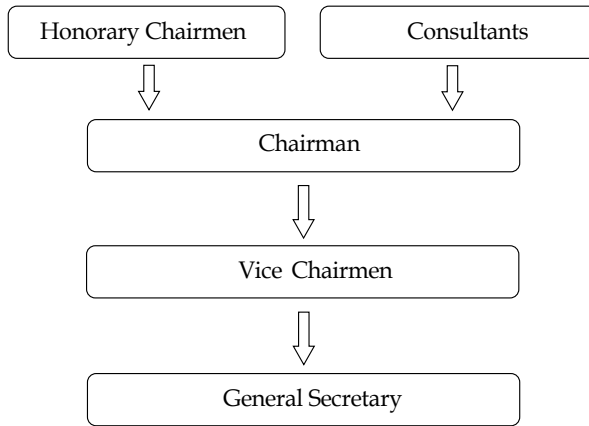


Table 6: The Incumbent Governors of the Chinese Society of International Law (as of October 2017)

Position	Current Holders
Honorary Chairmen	Cao Jianming, Ren Jianxin, Wang Houli, Shi Jiuyong
Chairman	Li Shishi
Vice Chairmen	Xu Hong, Yuan Nansheng, Li Ming, Li Chenggang, Huangjin, Yujinsong, Li Zhaojie, Zhang Haiwen
Consultants	Wan Exiang, Rao Geping, Zhou Zhonghai, Liu Zhenmin, Xue Hanqin, Liu Daqun, Gao Zhiguo
General Secretary	Zhang Aining

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ Compiled by the author.

Table 7: Successive Chairmen of the Chinese Society of International Law⁸⁶

Name	Term
Huan Xiang (1910-1989)	1980-1990
Wang Tieya (1913-2003)	1990-2000
Wang Houli	2001-2005
Cao Jianming	2005-2008
Li Shishi	2008-present

The most important academic activity organized by the Chinese Society of International Law is its annual plenary conference. Table 8 summarizes the basic information on that conference from 2001 to 2017. The theme of each of these conferences is proposed by the Chinese Society of International Law and then chosen by the Ministry of Foreign Affairs.⁸⁷ Inevitably, each theme has reflected the diplomatic concerns of China in a given year. In this sense, it is fair to say that the Chinese Society of International Law acts as a think tank of the Ministry of Foreign Affairs.

Table 8: Annual Plenary Conferences of the Chinese Society of International Law (2001-17)⁸⁸

Year	Theme	Venue
2001	Predicting the Developments of International Law in the 21st Century 展望21世纪国际法发展	Wuhan
2002	China and International Law at the Beginning of the 21st Century 21世纪初的中国与国际法	Shanghai
2003	N/A	N/A
2004	Peaceful Developments of China and International Law 中国的和平发展道路与国际法	Beijing
2005	International Law and International Order 国际法与国际秩序	Beijing
2006	International Law and Establishment of a Harmonious World 国际法与构建和谐世界	Xiamen
2007	Multipolarization, Globalization and International Law 世界多极化、经济全球化与中国国际法学	Beijing

⁸⁶ Compiled by the author.⁸⁷ *Id.*⁸⁸ Compiled by the author.

2008	Opportunities and Challenges: Peaceful Developments of China and International Law 机遇与挑战: 中国和平发展面临的国际法问题	Beijing
2009	International Law and the National Policy of Reform and Opening-up 改革开放中的中国国际法学	Shanghai
2010	China and the Changing International Legal Order 中国在变动的国际法律秩序中的角色	Beijing
2011	Asia and International Law: A New Era 亚洲与国际法: 一个新时代	Beijing
2012	Contemporary China and International Law: Practice and Theories 当代中国与国际法 - 国家实践及理论思考	X'ian
2013	Contemporary International Law- Peace, Development, Collaboration and Win-Win 当代国际法-和平、发展、合作、共赢	Changsha
2014	Reforming International Law: Mechanisms, Rules, Ideas and Practice 变革中的国际法: 机制、规则、主张和实践	Chongqing
2015	International Order and International Rule of Law-Commemorating the Establishment of the United Nations and the 70th Anniversary of Victory of the Global Anti-Fascism War 国际秩序与国际法治-纪念联合国成立暨世界反法西斯战争胜利70周年	Guangzhou
2016	Application and Development of International Law: Opportunities and Challenges for China 国际法的运用与发展: 中国的机遇与挑战	Changchun
2017	The Changing Era and Development of International Law: Contributions of China 变革时代与国际法发展: 中国的贡献	Wuhan

B. The China Society for the Law of the Sea

The China Society for the Law of the Sea is the nationwide association of Chinese international lawyers who specialize in and practice the law of the sea.⁸⁹ It was established in 1993 and its secretariat is based in the Research Institute of the Ocean Development Strategies of the PRC State Oceanic Administration. Initially, it was affiliated to the PRC Ministry of Justice.⁹⁰ However, due to the reform of administration of academic associations in China, it has been nowadays subordinated to the China Law Society.⁹¹

Different from the Chinese Society of International Law, which is an association

⁸⁹ Introduction of the China Society for the Law of the Sea, available at http://www.cima.gov.cn/_d270535977.htm (last visited on Oct. 8, 2017).

⁹⁰ *Id.*

⁹¹ *Id.*

of international lawyers mainly from universities, the majority of the members of the China Society for the Law of the Sea are practitioners in internal research institutes of relevant governmental bureaus.⁹² In particular, its chairman must be concurrently Director of the Research Institute of the Ocean Development Strategies of the PRC State Oceanic Administration.⁹³

Similar to the Chinese Society of International Law, the most important academic activity organized by the China Society for the Law of the Sea is its annual plenary conferences, despite their scale and influence are relatively limited in comparison with those of the Chinese Society of International Law. Table 9 summarizes the basic information on these conferences from 2013 to 2017. The themes of these conferences clarify that they have focused on safeguarding the oceanic interests of China given the continuous maritime disputes between China and its neighbor countries.

Table 9: Annual Plenary Conferences of the China Society for the Law of the Sea (2013-17)⁹⁴

Year	Theme	Venue
2013	The Law of the Sea and Safeguarding the Oceanic Interests of Sovereign States 海洋法与维护国家海洋权益	Tengchong
2014	Safeguarding the Oceanic Interests of China and Constructing an Oceanic Strong Country 维护海洋权益, 建设海洋强国	Boao
2015	The Law of the Sea and the Oceanic Interests of China 海洋法与中国的海洋权益	Yinchuan
2016	Safeguarding the Oceanic Interests of China and Opposing the South China Sea Arbitration Award 维护海洋权益, 反对南海仲裁	Zhoushan
2017	The Maritime Silk Road and the Law of the Sea 海上丝绸之路与海洋法	Xian

⁹² Administrative Personnels of the China Society for the Law of the Sea, *available at* http://www.cima.gov.cn/_d270535983.htm (last visited on Oct. 8, 2017).

⁹³ *Id.*

⁹⁴ Compiled by the author.

5. Degree Programs in International Law in China

For legal education, China basically follows the model of continental Europe. To put it simply, as undergraduates, students receive the universal legal education that covers all the legal sectors including international law. They receive Bachelor of Laws without specifying any single legal sector. After graduation, if a student is willing to pursue legal studies in the master programs, s/he can choose her/his preferred legal sector such as international law, and can go on to earn the degree of Master of International Law. Statistics of the China University Alumni Association show that there were 199 law schools/departments that offered the master program of international law in China in 2014.⁹⁵

For doctoral programs in international law, the Academic Degrees Commission of the State Council of the PRC adopts a very stringent policy. According to this policy, a Chinese law school has to pass the harsh evaluation of the Academic Degrees Commission before it is accredited to offer doctoral programs in any legal sector. As Table 9 shows, only sixteen law schools in China so far have been accredited to offer doctoral programs in international law.⁹⁶

These sixteen law schools in China are demanded to meet similar academic requirements for the doctoral programs of international law. Taking Wuhan University School of Law as an example, candidates in its doctoral program of international law are required to complete 15 credits of coursework before they are qualified to prepare their dissertations.⁹⁷ In addition, it is compulsory for them to publish at least two articles in blindly refereed journals if they intend to apply for the final oral defense.⁹⁸ These requirements altogether aim to guarantee the high quality of training for doctoral candidates majoring in international law.

⁹⁵ See Ranking of Chinese Law Schools on the Level of Postgraduates in 2014, available at <http://edu.people.com.cn/n/2014/1030/c390292-25941024.html> (last visited on Oct. 8, 2017).

⁹⁶ Doctoral Programs of Law in China, available at <http://www.docin.com/p-1373083069.html> (last visited on Oct. 8, 2017).

⁹⁷ Plan to Train Ph.D. Candidates in International Law in the School of Law at Wuhan University, available at <http://kaobo.koolearn.com/20150819/802800.html> (last visited on Oct. 8, 2017).

⁹⁸ *Id.*

Table 10: Current Accredited Law Schools Offering Doctoral Programs in International Law in China⁹⁹

No.	Name	Location
1	Chinese Academy of Social Sciences Law Institute	Beijing
2	Peking University School of Law	Beijing
3	Renmin University School of Law	Beijing
4	China University of Political Science and Law School of International Law	Beijing
5	Southwest University of Political Science and Law School of International Law	Chongqing
6	Wuhan University School of Law	Wuhan
7	Jilin University School of Law	Changchun
8	East China University of Political Science and Law School of Law	Shanghai
9	Zhongnan University of Economics and Law School of Law	Wuhan
10	Tsinghua University School of Law	Beijing
11	Xiamen University School of Law	Xiamen
12	Nanjing Normal University School of Law	Nanjing
13	Fudan University School of Law	Shanghai
14	University of International Business and Economics School of Law	Beijing
15	Hunan Normal University School of Law	Changsha
16	Dalian Maritime University School of Law	Dalian

6. Funding for International Law Research in China

In China, funding for scientific research are generally divided into vertical and horizontal schemes by recipients and their units. For vertical funding schemes, they are launched by Chinese governments above municipal levels. Accordingly, funds of these schemes come from fiscal revenues of sponsor governments. By contrast, horizontal funding schemes are offered by non-profit entities or business enterprises. By granting selected scholars a certain amount of funds, the sponsors commission

⁹⁹ Compiled by the author.

them to carry out desired research projects.

For the research of international law in China, it is mainly funded by vertical schemes. Among all the available vertical funding schemes, the most prominent one is the National Social Science Funds that come from the fiscal revenues of the Central People's Government. These funds are controlled by the National Planning Office of Philosophy and Social Science of the Propaganda Department of the CPC Central Committee.¹⁰⁰ The National Social Science Funds consist of four regular programs on a yearly basis—major projects, key ones, general ones, and youth ones with the respective funds ranging from RMB 200,000 to 800,000.¹⁰¹ Currently, this scheme is only open to international lawyers with Chinese nationality.¹⁰² Eligible applicants are required to submit their applications via the units to which they are affiliated to the National Planning Office of Philosophy and Social Science. Individual applications are not accepted.¹⁰³

7. Conclusion

The past 40 years have witnessed the rapid development of research on international law in China. It is undeniable that the first generation of Chinese international lawyers made great efforts and paved the path for their successors. In particular, they have successfully established close collaborations between the Chinese Society of International Law and the Ministry of Foreign Affairs, which ensure that research on international law faithfully serves diplomatic practice in China. At the moment, Chinese international lawyers should pay more attention to the holistic methodology of combing public and private international laws in their research.¹⁰⁴ Moreover, they should get rid of the traditional struggling perspective when dealing with the relation between the North and the South and attempt to design operational mechanisms to harmonize them under the strategy of “One Belt, One Road.”¹⁰⁵ It is expected

¹⁰⁰ See Administrative Methods of the National Social Science Funds, available at <http://www.npopss-cn.gov.cn/n/2013/0520/c219644-21542088.html> (last visited on Oct. 8, 2017).

¹⁰¹ See Application Guidance for the National Social Science Funds, available at <http://www.npopss-cn.gov.cn/GB/219471/index.html> (last visited on Oct. 8, 2017).

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ Lin Zhang, *Engineering Compulsory Food Safety Liability Insurance in China: A Joint Perspective of Public and Private International Law*, 9 J. EAST ASIA & INT'L L. 360 (2016).

¹⁰⁵ See Specials on the Belt and Road, available at <https://www.yidaiyilu.gov.cn/ztindex.htm> (last visited on Oct. 8, 2017).

that, with the continuing ascension of China in the global community, the Chinese academia of international law will contribute more to the international rule of law.

