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Teaching Foreign and International Legal Research at Wuhan University (*Wuda*) Law School*

* © Roy L. Sturgeon, 2010. Prof. Sturgeon, an American academic law librarian and Chinese law specialist, reports on his May 2009 experience as a visiting professor of legal research at a prestigious mainland Chinese university. Earlier versions of this report were published on the Law Librarian Blog (March 8, May 18, and July 8, 2009), http://lawprofessors.typepad.com/law_librarian_blog/.

ROY L. STURGEON 罗义**

Background

Since 2000, the Overseas Young Chinese Forum (OYCF) has awarded fellowships to American scholars, professionals, and doctoral students to teach short courses (three to eight weeks) in various fields, including law, at mainland Chinese universities.¹ The award amounts range from \$2,000 to \$2,250 each and are meant to help pay travel, housing, and food costs. Fourteen awards were announced in mid-September 2008 for the 2008-09 academic year. I was lucky enough to win one: specifically, an OYCF-Gregory C. and Paula K. Chow Fellowship.² I was to teach a seven-week, one-credit, upper-level elective course I proposed at Touro in spring 2007 and taught there in spring 2008 and 2009. From mid-May to early June 2009 I would be teaching foreign and international legal research at Wuhan University³ (*Wuda*) in central China.

** Foreign and International Law Librarian, Library Liaison to the Clinic and Public Advocacy Center, and Library Faculty; Touro College Jacob D. Fuchsberg Law Center; Long Island, New York, USA. 2008-09 Overseas Young Chinese Forum (OYCF)-Gregory C. and Paula K. Chow Teaching Fellow. I thank Touro, OYCF, and the Chows for their generous support, without which I would not have been able to teach at *Wuda*. Also, I thank everyone at *Wuda* for being gracious hosts.

¹ A person need not be of Chinese ancestry nor fluent in Chinese to apply. I am neither. I first learned about OYCF and its fellowships in 2007. After consulting the *Europa World of Learning* (56th ed., 2006) to get school contact information, I mailed a dozen prospective host schools across China in early January 2008 to introduce myself, explain what I wanted to do, and ask for an invitation letter that I needed before I could apply for a Fellowship. One of the schools emailed me a few weeks later with contact information for the new dean. I wrote to him, but never heard back. Another school, *Wuda*, mailed an invitation letter to me in late February. I never heard back from the other 10 schools.

² Almost all Fellows have been full-time professors or advanced doctoral students seeking to become full-time professors. As far as I can tell, I am the first librarian to win a Fellowship.

³ *Homepage* [English-language version], Wuhan University, <http://w3.whu.edu.cn/en/> (last visited Jan. 9, 2010). For two articles by American legal scholars who taught at *Wuda* earlier in the double aughts, see Pamela N. Phan, *Clinical Legal Education in China: In Pursuit of a Culture of Law and a Mission of Social Justice*, 8 *YALE HUM. RTS. & DEV. L.J.* 117 (2005), <http://islandia.law.yale.edu/yhrdlj/PDF/Vol%208/phan.pdf> (last visited Jan. 9, 2010)

Wuda is one of China's oldest and best schools. Its library school's history goes back to 1920, near the start of modern Chinese librarianship.⁴ Its law school, which just moved into a new state-of-the-art building with a three-floor library⁵ and notable English-language print collection,⁶ is nationally renowned for international law.⁷ I visited there December 9-11, 2008, on my way via train from southern China to Beijing, meeting with several professors and the law librarian⁸ and giving a talk to around 45 students.⁹ I also scouted

and Stephen Alton, *The Email Diary of a Fulbrighter*, 2 WESLEYAN LAW. 4 (Spring 2002), <http://law.txwes.edu/portals/0/uploads/Summer%202002%20Lawyer.pdf> (last visited Jan. 9, 2010).

⁴ Roy L. Sturgeon, *Preserving the Past, Preparing for the Future: Modern Chinese Libraries and Librarianship, 1898-2000s*, 14 WORLD LIBR. no page (Spring 2004), http://www.worlib.org/vol14no1/sturg_v14n1.shtml (last visited Jan. 9, 2010).

⁵ Law school libraries are a rarity in China. Most law school print collections are housed in main university libraries. But as China grows more affluent and the rule of law gets stronger, separate law school libraries may become commonplace. For a short piece about an unusual academic law library in pre-1949 China, see Charles Y.S. Yu, *China's Law Library—Soochow University Law School Library*, 34 LAW LIBR. J. 65 (Mar. 1941). See also Alison W. Conner, *The Comparative Law School of China*, in UNDERSTANDING CHINA'S LEGAL SYSTEM: ESSAYS IN HONOR OF JEROME A. COHEN 210 (C. Stephen Hsu ed., 2003) and CHINA LAW REVIEW (1975) (10-volume hardcover reprint of an English-language periodical published from 1922 to 1940 by Soochow University's defunct Comparative Law School of China in Shanghai). For an article about efforts to help build a new Chinese academic law library's English-language print collection, see Kara Phillips, *Shanghai Express: Donating and Shipping Law Books Overseas*, LLRX.com, June 25, 2007, <http://www.llrx.com/features/shanghaiexpress.htm> (last visited Jan. 9, 2010).

⁶ I do not know exactly how many volumes or titles comprise the collection. I saw it during a brief building tour on December 10, 2008. It occupied the better part of one floor and had treaty compilations, casebooks, treatises, monographs, and periodicals. Also, the library is a United Nations Depository Library and subscribes to HeinOnline, LexisNexis, and Westlaw.

⁷ *National Key Disciplines* [English-language version], Wuhan University, <http://w3.whu.edu.cn/en/research/lab.htm> (last visited Jan. 9, 2010). In this respect, *Wuda* is like Columbia Law School. *Best Law Schools Specialty Rankings: International Law*, U.S. NEWS & WORLD REPORT 2009, <http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools/top-law-schools/international-law> (last visited Jan. 9, 2010).

⁸ They told me, among other things, that legal research had never been taught formally at *Wuda*. They thought it should be, especially foreign and international legal research, given that many if not most of *Wuda's* 3,000 law students (undergraduate and graduate) specialize in international law. And they hoped my

the building and campus. I was impressed and looked forward to returning in May 2009.

Week One: May 10-16, 2009

I arrived in Wuhan Sunday afternoon, May 10. To my surprise and dismay, I learned the next day that the law library was reclassifying and reshifting its English-language print collection. No one seemed to know when the task would be completed. All I knew was that the collection was closed to me and my students. I had planned to inspect it on Monday, May 11 and craft exercises using some of the materials there; but I could not. So I ended up spending most of the week revising my syllabus, PowerPoints, and research exercises to include only online resources I knew students could access: HeinOnline, LexisNexis, Westlaw, and free websites available in China.¹⁰ This turn of events was not expected, but in China you often have to deal with the unexpected.

My two classes this week went mostly well. A little more than 100 students attended my first class Tuesday from 7:00pm to 9:25pm. That is

course would help persuade administrators to offer such a course in the future, preferably taught by the law librarian.

⁹ My talk was titled “Why Legal Research is the Most Important Skill You Can Learn in Law School (and How It Will Make You Sexier!).”

¹⁰ The only free website I could not access in Wuhan that I had planned to assign to students was that of the United States Courts (<http://www.uscourts.gov/>). I tried to access it multiple times, but it was always blocked. Why? I am unsure. It does not appear to have content criticizing the Chinese Communist Party (CCP) or government, which is why some foreign websites are blocked in China by the “Great Firewall” (as it is known outside China) or “Golden Shield” (as it is known inside China). Unsurprisingly, I had to discard a research exercise question I use at Touro involving international human rights—a sensitive but not taboo subject in China. Many websites of leading organizations, such as Amnesty International (<http://www.amnesty.org/>) and Human Rights Watch (<http://www.hrw.org/>), are blocked in China because they have content criticizing the CCP. Surprisingly, however, I could not access OYCF’s website (<http://www.oycf.org/oycfold/httpdocs/-index.html>) when I was in Wuhan. Why? Again, I am unsure. It does not appear to be critical of the CCP. [An OYCF contact later told me that its website had been blocked in China for two years: testament to the Great Firewall or Golden Shield’s failure to distinguish “good” from “bad” websites.] In my first two classes at *Wuda* I passed around to students a sign-up list for OYCF’s free online bilingual journal *Perspectives*. Sixty-five students signed up. I told them they might have difficulty accessing it there because I could not access it. No mention was made by me or them of proxy servers or other means to circumvent Internet restrictions in China.

correct: 100 students! Most were upper-level Chinese students (master's and doctoral),¹¹ but there were a few from Africa enrolled in a new international law master's program. It was a bit overwhelming at first. Most of them looked attentive. Unlike my experiences in US law schools, I did not see anyone using a laptop or BlackBerry. One student, however, got a call on his cellphone, ran out of the room, and apologized to me after class. Next door to my classroom, some other students had choir practice. They sang for the duration of my class. We heard them because they sang loudly and the walls lacked soundproofing. My students thought it was funny. So did I.

My second class on Thursday night only had around 60 students. And there was no choir practice next door. When I told the students that my course at Touro usually has around 15 students, and never more than 20, they looked at me in disbelief. It does not seem that formal enrollment caps exist at *Wuda*. The "cap" appears to be set at the number of students who want to attend and can squeeze into a room. I gave out my first research exercise. It dealt with American legal research, which I rarely teach at Touro. But in China, American legal research *is* foreign legal research. The exercise was due the following week. I was curious to see how the students would do. I asked for 20 in-class oral presentation volunteers for May 25 and 26. Two

¹¹ Law is an undergraduate as well as a graduate field of study in China. *Wuda* has around 2,000 undergraduate and 1,000 graduate law students. For recent articles on mainland China's fast evolving legal education system, see Zhao Haifeng & Wu Xiaodan, *Exploration of New Legal Education Methods in China*, IN THE RECEPTION AND TRANSMISSION OF CIVIL PROCEDURAL LAW IN THE GLOBAL SOCIETY 49 (Masahisa Deguchi & Marcel Storme eds., 2008); Zou Keyuan, *Professionalising Legal Education*, in CHINA'S LEGAL REFORM: TOWARDS THE RULE OF LAW 203 (2006); Liu Li, *Should Law Educational System Change?*, CHINA DAILY, Oct. 10, 2006, http://www.chinadaily.com.cn/cndy/2006-10/10/content_704340.htm (last visited Jan. 9, 2010); Kara Abramson, *Paradigms in the Cultivation of China's Future Legal Elite: A Case Study of Legal Education in Western China*, 7 ASIAN-PAC. L. & POL'Y J. 302 (2006), http://www.hawaii.edu/aplpj/articles/APLPJ_07.2_abramson.pdf (last visited Jan. 9, 2010); and Roderick O'Brien, *Changes in Legal Education in China*, MRI FORUM 16, July 20, 2005, <http://www.riccimac.org/-eng/mriforum/16.htm> (last visited Jan. 9, 2010).

Interestingly, two foreign-inspired law schools opened in opposite parts of China in late 2008: the China-European Union School of Law (north, Beijing) and the Peking University School of Transnational Law (south, Shenzhen). The former focuses on comparative and international law while the latter focuses on American common law. See generally *Homepage* [English-language version], China-EU School of Law, <http://www.cesl.edu.cn/eng/index.asp> (last visited Jan. 9, 2010) and *Homepage* [English-language version], Peking University School of Transnational Law, <http://www.stl.szpk.edu.cn/en/> (last visited Jan. 9, 2010).

students raised their hands.¹² Eighteen more spots remained open. I was unsure how to fill them. I considered drawing names out of a hat or giving them the chance to do group presentations. The latter would get more students involved and help alleviate some of the individual shyness. Again, I was dealing with the unexpected. I did not like it, but had no choice.

I met with two students for three hours on Friday afternoon in my office. I was only supposed to have two hours of office time, but stayed an extra hour to show a student how to search on GPO Access¹³ and Westlaw. He said *Wuda's* Westlaw representative only showed them how to do basic stuff. I showed him how to add tabs, do Boolean searching, find by citation, KeyCite, and use limiters. This is basic to me, but apparently not to students here. He was very appreciative and said I should show the whole class these things. I told him I would try to if time and Internet connections permitted.

Week Two: May 17-23, 2009

My third class on Tuesday, May 19 had around 30 students: about one-half as many as the second class and one-third as many as the first. The dwindling number of students neither surprised nor alarmed me. Some students had asked me the previous week if they would be graded and receive credit. I told them I was unsure, but that I would try to find out. I still had not received word from Wuda's law school administration on whether my course would be for credit or not. I am sure many students reasonably questioned why they should make the effort if that effort would not be graded and credited.¹⁴

As flattering as it was to have 100-plus students attend my first class and give me an ovation at the end,¹⁵ the course works better with no more

¹² Chinese university students, particularly undergraduates, are extremely shy when it comes to speaking in class. They are usually not encouraged to do so because it could be viewed as challenging authority. It is a cultural thing. See Alton, *supra* note 3, at 8 and Howard W. French, *China Luring Foreign Scholars to Make Its Universities Great*, N.Y. TIMES, Oct. 28, 2005, <http://query.nytimes.com/gst/fullpage.html?res=9C03E1DB1E3FF93BA15753C1A9639C8B63> (last visited Jan. 9, 2010).

¹³ *Homepage*, GPO Access, <http://www.gpoaccess.gov/> (last visited Jan. 9, 2010).

¹⁴ And I am sure this is why only three students submitted research exercise 1 to me, which was due today. I read them. They were good, but I ended up not grading them.

¹⁵ I hope they were clapping for me and not the law school choir practicing next door, although it was good.

than 20 students because it is primarily a skills course. I can do more with such a group and it can do more than just listen to me lecture about legal research to a larger group. I explained this to the librarian and several professors when I dropped by *Wuda* the previous December. They mentioned that perhaps 20 students would be able to take my course for a grade and credit. Additional students would only be able to audit. But I heard nothing more of this before I returned to teach (or during the rest of my time there teaching). I asked my student assistant, a doctoral student who had spent time in Europe, about this. He was unable to tell me anything certain.

Whatever the case, the third class covered researching non-American foreign law. This is my favorite topic because I specialize in Chinese law. Class participation improved a little bit, probably because of the smaller class size and increased student familiarity with me. I asked questions periodically. One was how many constitutions the People's Republic of China (PRC) had adopted since its founding in 1949 and the years of adoption. I thought this would be easy because most of the students were Chinese. But no one answered it fully and correctly.¹⁶ A couple of students came close, including one from Africa. I applauded everyone's efforts and encouraged them to keep participating in their learning.

Another thing we discussed and resolved during this class was my change of plans. I needed to finish teaching on May 26 instead of June 2 as stated in the syllabus. I apologized to the students and explained that I was going to attend the China-United States Conference on Legal Information and Law Libraries in Beijing, May 28-30.¹⁷ It would not be practical for me in terms of time and expense to return to Wuhan afterward for one last class on June 2 and then return to Beijing again where I was departing to New York on June 6. As a result, we needed to add a class on Wednesday night, May 20 or Friday night, May 22. I had no preference and thought it would be best if the students voted on it. They did and were evenly split. So I suggested tossing a coin to settle the matter and they agreed. Friday won! And one last thing: I told the students about a Gmail account I created for the course a few days before. At Touro I use Westlaw's TWEN¹⁸ to post readings, PowerPoints and

¹⁶ The PRC has had four constitutions: 1954, 1975, 1978, and 1982. DANIEL C.K. CHOW, *THE LEGAL SYSTEM OF THE PEOPLE'S REPUBLIC OF CHINA IN A NUTSHELL* 71-75 (2d ed. 2009).

¹⁷ The Conference had been planned for several years. I was appointed to the Translation and Publication Committee in 2008.

¹⁸ Short for "The West Education Network," an online course management tool widely used by American law professors.

assignments, and to email students. *Wuda's* Westlaw subscription, however, does not include TWEN, so I had to think of another tool. My student assistant suggested Gmail. I agreed. It is not as robust as TWEN, but it allowed me to email attachments that students could download by signing in to the account.¹⁹

For my fourth class, Thursday, May 21, the downward attendance trend continued. Twelve students showed up. I was not upset, though. Twelve is a cross-culturally significant number: 12 tribes of Israel, 12 apostles of Jesus, 12 days of Christmas, 12 animals of the Chinese zodiac,²⁰ and 12 Girls Band [of Shanghai].²¹ Seriously though, the class had been moved from room 217 to room 209. My students and I were only told about this change by a security guard who escorted us to and unlocked the new room a few minutes before class started. Whatever the case, room 209 was better than room 217. It is smaller, more intimate and personal. Plus, it has a “smart podium” with a live Internet connection. I had asked before for a live Internet connection in room 217 and was told that it might be possible. I guess it was not, which is why we were moved to room 209. The live Internet connection is great for showing students websites and doing sample database searches in class. We covered international law research, including public, private, nongovernmental and intergovernmental organizations, and courts and tribunals. This was a lot of material for one class (145 minutes). I typically spend two class periods (200 minutes) covering this at Touro. Also, five students and one group of two students informed me about their in-class oral presentation intentions. Two chose Monday, May 25 and four chose Tuesday, May 26. The remaining students in attendance were too shy to do it. I was hoping more students would volunteer, but was happy with those that did and looked forward to their presentations. Near the end of class I did a sample presentation on researching North Korean law to give students a better idea of what I expected from them.

¹⁹ If you are curious to see what is there, then go to Gmail (<http://gmail.google.com/>) and sign in with username “wuda.seminar” and password “empower2009.”

²⁰ I was born in 1970: year of the dog. “People born in the Year of the Dog possess the best traits of human nature. They have a deep sense of loyalty, are honest, and inspire other people’s confidence because they know how to keep secrets . . . Dog people make good leaders.” *Year of the Dog*, Chinese Culture Center of San Francisco, <http://www.c-c-c.org/chineseculture/zodiac/dog.html> (last visited Jan. 9, 2010).

²¹ *Homepage* (English-language version), 12 Girls Band, <http://www.12-girls.org/english/index.asp> (last visited Jan. 9, 2010).

I had office hours and class on Friday, May 22. Unlike the previous Friday, no one visited or called my office. A few hours later, class met. I had never held class on Friday night before and was unsure if anyone would come. Only four students showed up. I went over research exercise 2 with them in class. I had originally planned to assign it outside of class and for a grade, but now assumed the course was not being graded and thought students would benefit more by doing it in class with my guidance. We went over the first two questions.²² I asked for their suggestions on how to go about answering them. They participated. We talked things out and tried multiple approaches. Some worked and some did not. I told them that this is the way legal research often goes, even for me, a legal research geek. It can be more art than science. Each research question requires intellectual curiosity, critical thinking, common sense, and patience. I think by the end of the class they realized these things. And I hope they remember and practice them in the future. This was undoubtedly my most satisfying class at *Wuda*. I felt like I engaged all four students. I think they felt engaged. I know I did. Whether in China or America, teaching legal research simply works better with a low student-to-teacher ratio.

Week Three: May 24-30, 2009

As I do when I teach my course at Touro, I dedicated the last two classes for oral presentations by students. Two were scheduled for Monday, May 25. One student hoping to study soon in the United Kingdom presented on researching UK law, and another (from Colombia) on researching Colombian law. Both were well done. The first lasted almost 30 minutes. I usually limit presentations to no more than 15 minutes, but I relaxed this limit. We had the time because only two presenters were scheduled and the student had prepared a thorough PowerPoint and seemed determined to finish. The second presentation lasted around 20 minutes. I learned a lot about UK and Colombian legal research. I think the others did, too.

Three students and one group of two students presented on Tuesday, May 26. They covered Zimbabwe (by a native student), Canada (by a student getting ready to study there), the European Union (EU), and Holland (by a student getting ready to study there). Again, all were well done. Their preparation was evident. Two students collaborated on the EU presentation. The student who presented on Holland had a technological glitch. She created her PowerPoint using Office 2007, but the smart podium had an earlier version of PowerPoint and could not convert it for her. We tried to fix it, but

²² Time expired before we could get to the third and final question.

ultimately failed. She was able to view it from a classmate's laptop and read it to us. Afterward, I quickly went over research exercise 1 with the class and showed students proper citation formats using online guides from the Legal Information Institute and New York University.²³ Earlier in the day, I met with a student in my office for 2.5 hours. She needed legal research help and advice on studying and researching in America. She had applied to several schools and was waiting to hear back.

Reflections & Recommendations

Overall, I enjoyed my time at *Wuda* and am grateful for having been able to teach at one of China's great law schools. The people were friendly and helpful, especially Mr. Zhu Lei (my student assistant), Mrs. Wang Xiujia (administration), Mrs. Huang Yunqin (student), Ms. Wu Wei (student), and Mrs. Yu Liping (student). I also enjoyed my stay at the Foreign Guest Hotel on campus. I could walk to the law school in less than 10 minutes. My daily commute in New York takes around three hours and involves walking as well as riding a train, bus, and bicycle. *Wuda's* law school building is first rate and the rolling, wooded campus is picturesque with views of Luojia Hill and East Lake.

Near the end of my teaching stint I explored a little bit of the sprawling Yangzi River megalopolis that is Wuhan, which consists of three cities: Hankou, Hanyang, and Wuchang.²⁴ During a farewell lunch with the

²³ I wanted to show them *The Bluebook: A Uniform System of Citation* (18th ed., 2005) as well, but we lacked access to it in print and digitally.

²⁴ Beijing, Shanghai, and Guangzhou (formerly Canton) overshadow Wuhan. They are more populous, on or near the Pacific coast, and have been the backdrop for many important events in modern Chinese history. But Wuhan has also seen its share of important events. The 1911 uprising that toppled the last imperial dynasty started there. See generally EDWIN J. DINGLE, *CHINA'S REVOLUTION 1911-1912: A HISTORICAL AND POLITICAL RECORD OF THE CIVIL WAR* (1912). It served as China's capital for one year (1938) during World War II. See generally STEPHEN R. MACKINNON, *WUHAN, 1938: WAR, REFUGEES, AND THE MAKING OF MODERN CHINA* (2008). And a septuagenarian Mao Zedong reportedly swam nine miles in 65 minutes in the Yangzi River at Wuhan on July 16, 1966, to show that he was still physically fit and in control of China. See Richard H. Solomon, *The Chairman's Historic Swim*, TIME ASIA, Sep. 27, 1999, <http://www.time.com/time/asia/magazine-99/0927/wuhan.html> (last visited Jan. 9, 2010); *Chairman Mao Swims in the Yangtze*, PEKING REV., July 29, 1966, at 3, <http://massline.org/PekingReview/PR1966/PR-1966-31.pdf> (last visited Jan. 9, 2010); and *Mao Zedong's 1966 Swim of the Yangtze*, YouTube, <http://www.youtube.com/watch?v=xN1P2DHE26g> (last visited Jan. 9, 2010).

law school dean I was told that *Wuda* would like me to return at some unspecified date to teach for an entire semester. Perhaps I will in a few years. If I do, then there are some things I will do differently in advance. I would also recommend these things to anyone else wanting to teach legal research at *Wuda* (or any school, really).

1. Make sure the course is for a grade and credit. Otherwise, it will be difficult to compel students to participate in and take responsibility for their learning.
2. Require advance enrollment capped at 20 students and generally disallow auditors. This is a classic case of “less is more.” A lower student-to-teacher ratio increases the professor’s ability to teach effectively and give meaningful feedback. Auditors can be an unpredictable distraction and should rarely be allowed.
3. Make sure the course is taught from the start in a room with an Internet-enabled smart podium and that students can access the law library’s English-language print collection. Information literacy requires proficiency with digital *and* print formats because some items only exist in one and not the other. Proficiency with just one format can be a handicap. This will likely stay true for many more years, perhaps even decades (sorry, Google and Amazon).
4. Finally, make sure the course only meets once a week²⁵ and not in the evening. Students need time to digest, practice, and reflect on what they learn in class. One week between classes is good. Also, an earlier time slot can help students come to class fresher and more focused than at night.

I am unsure that *Wuda* would agree to these recommendations. Anything less, however, would make me question whether teaching the course again would be worth my time and effort and the time and effort of students. True, a handful of devoted students attended all or most of my classes and did the work. According to their written evaluations, they benefited from the course. But they would have benefited even more had *Wuda* done what I recommend above. These things are reasonable and standard when I teach the course at Touro. With ample notice *Wuda* ought to be able to do the same.

²⁵ To be fair, *Wuda* was operating under my time constraints. I could only stay three weeks, which is why I held multiple classes each week. If I return to *Wuda* and can stay for a full (or even half) semester, then it will be possible—at least on my part—to make sure the course only meets once a week.