

## THIRTY YEARS OF LEGAL EXCHANGE WITH CHINA: THE COLUMBIA LAW SCHOOL ROLE

R. RANDLE EDWARDS\*

The successive deans and faculty members of Columbia Law School have been consistently supportive of the idea that study of Chinese law and exchanges with Chinese law schools warranted a special commitment of faculty time and Law School funds. I first became aware of the Columbia Law Faculty's strong interest in Chinese law when in the spring of 1973 I was invited to meet every member of the faculty as part of the process of interviewing me for a faculty appointment. The meetings began at nine in the morning and lasted until five in the afternoon, with a new shift of four or five professors every half hour. I soon realized that each group was likely to ask me what plans I had for Chinese law at Columbia in the event I received a job offer. What could I do?

In desperation, I decided to tell each group the unlikely truth—ever since I began the study of the Chinese language in the spring of 1958, I had dreamed of having a law teaching job where I could initiate a broad range of legal education exchanges with China. At that time, doing such a thing seemed not only virtually impossible but also almost treasonous. After all, Chinese troops had fought against American troops in the Korean War, and the U.S. 7th Fleet was patrolling the Taiwan Strait to protect the Nationalist regime in Taiwan from invasion by the Communist troops on the mainland. Moreover, the U.S. was the leader of an Allied embargo on trade with China that had imposed great hardship on the Chinese people. This official economic embargo had also led inexorably to a de facto cultural embargo. Only two or three U.S. law schools had even a single survey course on Chinese law in 1973. As for Chinese law faculties, they were all closed during the Cultural Revolution, from 1966 to the late 1970s.

To my surprise, the Columbia law faculty seemed very receptive to

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\* R. Randle Edwards is the Walter Gellhorn Professor Emeritus of Law at Columbia Law School. He was a faculty member of Columbia's East Asian Institute and former director of the Center for Chinese Legal Studies at Columbia. Edwards served as Chairman of the Committee on Legal Education Exchange with China from 1983 to 1991. He has published extensively on China's criminal law, its practice of international law, and Chinese legal history. Edwards is a graduate of Harvard University, where he earned his A.B. in 1956, J.D. and A.M. in 1964, and M.Phil in 1967.

the idea of establishing a wide range of exchanges with Chinese law faculties at the earliest possible opportunity. The practical demonstration of the faculty's commitment to the teaching of Chinese law at Columbia, and to exchanges with Chinese law schools, was their decision to offer me an appointment as associate professor of law, beginning in September, 1973. From the beginning, I believed that the best way to teach foreign and comparative law was to provide to the student an opportunity to study law in practice on its home turf. Hence, I sought to foster formal and informal exchange relationships with law faculties in Taiwan and the People's Republic of China. Until the late 1970s and early 1980s, however, it was virtually impossible to establish academic exchanges with law faculties on the mainland, because the Cultural Revolution had shut down most universities and because Chinese visas were very hard to obtain. While I learned on my early visits to the mainland in 1978 and 1979 that individual law professors were eager for exchange with American law schools, educational policy was tightly controlled by government ministries, which inevitably insisted on certain limits to content and procedures.

Meaningful legal education exchange with China was not possible until after formal diplomatic relations between the U.S. and China were restored in January 1979. Before China opened up for legal education exchange, Columbia Law School began in the mid-1970s to send law students with Chinese language ability to Taiwan to visit law schools, courts, prisons, and mediation committees. Professor Jerome Cohen of Harvard Law School, the pioneer of Chinese legal studies in the United States, had recommended me to Columbia in 1973. Later, he advised a few Harvard Law students to join our Taiwan summer program. These included William Alford, professor of Chinese law at Harvard Law School, and Natalie Lichtenstein, deputy general counsel of the World Bank. Columbia Law School has enjoyed a close relationship with the law faculties of Taiwan University and Cheng-chi University since the 1970s and counts among its alumni several prominent law professors, lawyers, prosecutors and judges in Taiwan.

During the 1970s, it was very difficult for American scholars of China to get a visa to visit the PRC. By 1978, after being an "expert" on Chinese law at Columbia Law School for almost five years, it had become more and more embarrassing to be asked to talk about my last trip to China, where I had never been. So, in the spring of 1978, I applied for a slot on a delegation from the U.S.-China People's Friendship Association, a pro-China group that endorsed every official policy announced by the Chinese government. In order to get selected for the visit, I had to participate in a "self-criticism" session before members of the Association. I don't re-

member the questions or my answers but they apparently were satisfactory, for, in May, 1978, I was on my way to China for the first time.

The Friendship Association booked my group on Air China, which flew to Beijing via Zurich, Bucharest, Tehran, and Urumchi. I remember vividly our landing at the Bucharest airport, which was entirely surrounded by soldiers with fixed bayonets. I remember thinking "if Romania is such a forbidding place, Maoist China must be even worse—maybe they will hold me at the airport and not even allow me into the country." The fueling stopover in Urumchi was interesting—I remember being surprised at seeing red-headed Chinese working in the terminal (Uighurs)—but we were not allowed to go into the city, as it was not yet open to foreigners.

On arrival at the Beijing Airport, I was totally taken aback by how relaxed the customs officials were. I don't think they opened any of the bags I and my fellow passengers brought into the country. Nor was there any visible military presence, like we had seen in Romania. Another memorable first impression was an exchange I had with an older Chinese gentleman, dressed in a "Mao suit," as were all men and women at that time. The man asked me "What is your profession?" When I told him that I was a professor of Chinese law, he laughed loudly and said "But we don't have any law in China."

Over the coming years, I heard many variations on the same theme. Perhaps a year or so after my first visit, I was in a taxi in central Beijing. When I mentioned to the driver that I was a professor of Chinese law in New York City, he proclaimed the old refrain that "we have no law in China." I showed him that morning's *People's Daily*, with the headline that the National People's Congress had just passed major legislation. The driver's comment was "those are laws. That is not law. You see that dog over there—that is Chinese law." I looked where he was pointing and saw, not a dog, but a policeman. Puzzled, I said "But, that's a cop." The taxi driver replied "believe me, he is a dog and he is the law of China. If he stops me and mistakenly says I was speeding or running a light, the fine will be five dollars. If I protest, the fine goes immediately to twenty-five dollars, and if I continue to argue, he takes me to jail." That taxi ride, and many others like it, reinforced two perceptions I had formed over time. One is the similarity between New York and Beijing taxi drivers—they have minds of their own and are given to pithy pronouncements on the shortcomings of government officials. The other perception is that Chinese citizens are no more accepting and forgiving of incompetence and corruption on the part of government officials than their American counterparts are. They just face greater risk of retaliation than do Americans when they criticize police and other officials.

After my encounter at the airport with the gentleman who questioned the validity of my credentials as an expert on Chinese law, I was surprised to discover the next morning that our Friendship group's first scheduled meeting was with senior professors at the Peking University Faculty of Law—Wang Tieya, Rui Mu, and Guo Shoukang. It turned out that the leader of our group, a domestic from Baltimore, had a positive view of law and law professors and that she had requested the meeting because of me. I was both honored and surprised. The professors told us that the law faculty had just been reopened, after being closed for twelve years during the Cultural Revolution. They expressed keen interest in establishing exchanges with Columbia Law School and other American law faculties, when I broached the subject. On my return to Columbia, I followed up with invitations to all three of the Peking University law professors I had met on my first full day in China, and all of them visited the Law School more than once in the coming years. I discovered that one of them, Professor Rui Mu, was an "old friend" of Columbia, having held the status of Visiting Scholar at Columbia Law School from 1946 to 1948.

On returning from my first China trip, word got out that I had become a genuine Chinese law expert during my two-week long first trip to China, so the American Bar Association appointed me as deputy head of its second official delegation to China in November, 1978. The first official delegation of the ABA had gone to China earlier in the year, guided by Stanley Lubman, a lawyer and scholar of Chinese law, who holds three degrees from Columbia Law School. The welcome extended to these two delegations of American lawyers reflected the strong interest of the Chinese government in fostering increased trade and investment by American companies, and its recognition that in the United States lawyers played an instrumental role in the development of business.

While everyone we saw on the street or met with in November 1978 were still wearing the blue or olive Mao suits, the interest in expanding economic relations with the U.S. was obvious. We were readily granted meetings with law faculties in Beijing, Changchun, and Wuhan, and with Ren Jianxin, head of the legal department of the Chinese Council for the Promotion of International Trade. Ren, who later became chief justice of China's supreme court, expressed strong interest in sending CCPIT legal staff to Columbia for training in American and international business law. The law faculty deans with whom we met also indicated keen interest in sending both senior faculty and junior teachers to Columbia and to other American law schools. A few days after our group returned to the United States, Deng Xiaoping returned to political power, and promised to expand China's foreign trade and promote domestic economic growth. Some members of our ABA group, with tongues planted firmly in their

cheeks, claimed that Deng's political return and the dramatic new orientation toward trade and expanded economic relations with the West was a direct result of our visit.

On returning to Columbia Law School, I reported on my visit to the dean and the faculty. I was strongly encouraged to take immediate steps to invite Chinese law professors to come to the Law School as visiting scholars. Professors Rui Mu and Wang Tieya of Beida were among the first to accept our invitation to visit Columbia. Dean Rosenthal also encouraged me to organize a faculty visit to China in June 1979. Nine other faculty members and their spouses joined me and Dean Rosenthal in a two-week trip to Beijing, Jilin, Shanghai, Xian, Wuhan, and Guilin. We had productive visits with law faculties along the way.

My first three visits to China enabled me to meet the key government and university figures who would lead China's effort to strengthen legal education and legal administration as vital components in Deng Xiaoping's plan to build a vibrant domestic economy linked closely to international trade and investment. Also at this time I was asked by a large New York corporate law firm to advise them in an effort to persuade the Bank of China, China National Offshore Oil Corporation, and the Ministry of Coal to retain the firm to assist them in developing effective international contracts in these three important areas. To my surprise, the effort was successful, and I was asked to accompany them on numerous visits in 1979 and the early 1980s. These visits revealed that the Chinese ministries charged with the task of dramatically increasing China's foreign trade and with the responsibility of designing and operating a foreign investment system had virtually no staff trained in international business law.

In early 1979, I realized that Columbia Law School had a unique opportunity to help Chinese law faculties and government agencies train scholars, lawyers, and government officials in American law and international business law to enable them to design and administer laws and policies to promote foreign trade and investment in China. It seemed to me wise for the Law School to build on its strength in public and private international law and on New York City's role as a world financial and trade center to create an American law program that would bring from China scholars, government officials, and private individuals to pursue specially designed programs to meet their career needs. So, the dean and other colleagues helped me to shape four somewhat distinct programs for Chinese visitors to the Law School, as well as programs intended to provide American students at Columbia an opportunity to visit China for legal study.

## FINANCIAL AID FOR CHINESE DEGREE CANDIDATES

On my early visits to China, a number of young men and women told me how much they would like to enroll in the Columbia LL.M. or J.D. programs. Many of them were fluent in English, intelligent, and ambitious. But, none had sufficient funds to study in the U.S. I felt that Columbia could attract future leaders of the Chinese bar if we were able to show some flexibility in the admissions process and provide generous financial aid. Again, the dean and faculty stepped up with the necessary support, so that Columbia began to enroll several Chinese LL.M.'s each year, starting in the mid-1980s. About the same time, we also admitted five or six Chinese J.D.'s each year. Soon after, we began to accept as J.D. transfer students Chinese enrolled in the LL.M. program who were earning good grades in demanding courses. The LSAT was waived for such students. One of our J.D. graduates, Yee Sienho, taught at the University of Colorado School of Law for a number of years and is now a professor at Wuhan University School of Law. Many of the Chinese J.D. and LL.M. graduates from the 1980s and 90s now occupy leadership positions in American investment banks and in private Chinese and American law firms. Among them, notable graduates include Wei Christianson (J.D.), currently the managing director and CEO of Morgan Stanley in China; Charles Li (J.D.), CEO of Hong Kong Exchanges and Clearing, and formerly the chairman and CEO of JP Morgan China, and Wei Chun (LL.M.), who is now a partner in the Beijing office of Sullivan & Cromwell. Many notable graduates have made substantial grants to Columbia Law School, to help fund exchanges with China.

With the rapid development of the Chinese economy in the past twenty-five years, a growing number of applicants to Columbia Law School have been able to fund their own tuition and living costs for the J.D. and LL.M. programs. As a result, under the able leadership of Professor Ben Liebman, the Center for Chinese Legal Studies at Columbia is now more active than ever, with more than thirty Chinese J.D.'s and LL.M.'s in residence each year.

## CHINESE FOREIGN MINISTRY PROGRAM

Columbia Law School has for decades been a leader in scholarship and training in the field of public international law. Moreover, it is located in New York City, a world financial center and the site of the United Nations, a body in which the PRC was becoming increasingly active. Given the thirty years of conflict, competition and tension between the U.S. and

the PRC after its establishment in 1949, it seemed obvious to me, the dean, and the public international law specialists on our faculty that the Law School had an opportunity to facilitate peaceful resolution of China-U.S. conflicts by training Chinese experts in international law. Hence, a few weeks after formal diplomatic relations between the U.S. and China were resumed in January, 1979, Dean Albert Rosenthal, Professor Walter Gellhorn, Oscar Schachter, Louis Henkin, and I paid a visit to the Chinese ambassador to the United Nations to propose a special program. Columbia Law School offered to provide full tuition waivers to qualified and experienced lawyers from the legal department of the Chinese Foreign Ministry, and the Ford Foundation would defray living expenses, for one year of study at Columbia, leading to the award of the LL.M. degree.

The Chinese Foreign Ministry took the selection process very seriously and did not nominate anyone until it felt it had identified a winner—Ms. Xue Hanqin began the LL.M. program in 1983 and graduated in 1984. She did very well academically and impressed Professors Schachter and Damrosch so favorably that they accepted her to be the first Chinese J.S.D. candidate. While working on her doctoral dissertation, she continued to work in the Legal Department of the Foreign Ministry, rising to become its director in the mid-1990s. Throughout this period, Mme Xue was also adjunct professor of international law at Beida. Not long after receiving the Columbia J.S.D. degree in 1995, Xue Hanqin was named Chinese ambassador to the Hague, where she served until being designated China's ambassador to the Association of Southeast Asian Nations (ASEAN) in 2008. Several other foreign ministry legal officers have received the Columbia LL.M. degree through this special channel over the years. While two of them left the Foreign Ministry and went into private practice as partners with American law firms, both have been generous contributors to Columbia's Chinese law program.

#### PROGRAM IN AMERICAN LAW SCHOLARS (PALS)

In 1979, Deng Xiaoping decreed that China should open up to foreign trade and investment and engage in substantial reform of domestic economic policy and institutions. In effect, limited capitalist enterprise was reintroduced to China. Deng realized that China could not develop rapidly without the help of foreign capital and technology. He also understood that new legislation and legal procedures would be necessary to provide the protections foreign companies would require before committing substantial sums to unprecedented ventures in "Communist China." In my early trips to China in 1978 and 1979, I also realized that China, too,

faced a serious risk in concluding long-term investment deals with foreign companies, for China had virtually no lawyers capable of negotiating contracts that would protect China's interests. In my work as a consultant to an American law firm advising the Bank of China, CNOOC, the coal ministry and other government financial and trade entities, I discovered that huge multi-million dollar contracts were being negotiated for China not by lawyers but by engineers.

I realized that ultimately the thousands of first-rate Chinese lawyers needed to service a burgeoning international trade and investment demand would require years of formal academic training in China and abroad, as well as practical experience in foreign and domestic law firms. At the same time, the Chinese government and its key trading and investment agencies and companies urgently needed legal advice. To help meet this immediate need, I created the PALS program at Columbia, with the help of more than a dozen New York law firms and senior members of the Columbia Law School faculty. The law firms paid for the Chinese participants' travel cost to New York, their living expenses, and an honorarium to the Columbia faculty who taught the PALS courses in contracts, international business transactions, corporations, and civil procedure. The PALS participants spent the fall semester at Columbia, followed by a six-month internship at the sponsoring American law firm.

A few outstanding PALS students were placed in LL.M. programs in other good law schools. At least one PALS applicant impressed me so favorably during the interview that I admitted him to the Columbia LL.M. program instead of PALS. He went on to receive the Columbia J.D. and is now China chairman for a major U.S. corporation. As for the other hundred or so PALS students over a ten-year period, virtually all went back to legal careers in their original organization, which included the Bank of China, the People's Bank of China, the Ministry of Foreign Trade and Economic Relations, CNOOC, the Ministry of Coal, CCPIT, CITIC, SITCO, and the Ministry of Machinery. One, Gao Zongze, became president of the All-China Lawyer's Association and is now president of the Inter-Pacific Bar Association.

#### TRAINING THE TRAINERS

The Columbia law faculty realized as early as 1979 that, in establishing programs to promote U.S.-China legal exchange and China's legal development, the most effective use of its available financial resources was to "train the trainers," by providing opportunity for research and study at Columbia Law School for as many as possible of China's law



professors and legal research scholars. Two Columbia J.D. graduates and one LL.M. graduate became law professors in Taiwan in the 1980s. And, beginning in 1979, the Law School each year invited several law professors from China to come to Columbia for short periods of study and research. As our existing funds were insufficient to invite Chinese law professors to come for longer periods of study, I approached the Ford Foundation in 1980 and requested a multi-year grant to help me expand opportunities at Columbia for Chinese legal scholars and law students. Stanley Lubman of Berkeley and Victor Li of the East-West Center approached the Ford Foundation with similar requests at about the same time. Peter Geithner, director of Asia and Pacific programs at the Ford Foundation, responded to all of us that the Foundation did not intend to make any more general grants to American law schools to fund China-related programs. Instead, the foundation would like to help China's law schools to strengthen their capability in foreign, comparative, and international law. He invited us to meet with him to discuss how that goal might be achieved. The result of these discussions was the establishment of the Committee on Legal Education Exchange with China.

I was designated first chairman of CLEEC and served in that capacity for eight years (1983–1991). It soon became clear that the legal education authorities in the Ministry of Justice and the State Educational Commission had the final say in the discussions between CLEEC and the Chinese side to determine which Chinese schools would participate. We learned that legal education in China took place primarily in two distinct types of schools—independent institutes of law and politics and law faculties of comprehensive universities. The former reported directly to the Ministry of Justice, while the latter were supervised by the State Educational Commission. By early 1982, largely as a result of internal discussions in China to which CLEEC was not privy, it had been determined that five law faculties (Beida, Renda, Jilin, Wuhan, and Fudan) and three institutes of law and politics (Beijing, East China, and Southwest) would participate in the CLEEC program. CLEEC and Ford understood that the Institute of Law of the Chinese Academy of Social Sciences, China's central legal research body (which directly advised party leaders on legal policy), would also participate in the program. We were surprised, however, when we arrived at the three-day kickoff conference for the CLEEC exchange, held in Beijing in May, 1983 to discover the Institute was not represented.

The CLEEC inaugural conference concluded with the understanding that CLEEC would attempt to place in appropriate U.S. law schools qualified young "law teachers" (we later learned that many of them had not yet received teaching appointments; some of them hoped the U.S. training would prepare them for private legal careers) and established law profes-

sors from the eight designated schools. Each participating Chinese school drafted a wish list of candidates which was forwarded to CLEEC via the Ministry of Justice or the State Educational Commission. Each year CLEEC sent to China a group of three or four committee members to conduct interviews with each nominee. This was usually done in panels of two. The panels submitted reports and recommendations to the full CLEEC committee, which met at least twice a year to select candidates and to conduct optimum placement for each approved candidate. The selection process was not a "rubber stamp." CLEEC rejected many candidates who were considered unqualified for lack of sufficient English ability or for other reasons.

The eight members of CLEEC, including myself as chairman, were all law professors. Several of us were proficient in the Chinese language and specialized in Chinese law teaching and research. Others, including Columbia's Walter Gellhorn, Michigan's Eric Stein, and Duke's Paul Carrington, were widely recognized and respected legal scholars in other fields. They were dedicated to CLEEC's missions of training Chinese law professors, contributing to the rule of law in China, and fostering U.S.-China legal education cooperation. Their participation helped CLEEC to place more than two hundred Chinese law teachers in more than forty American law schools over a twelve year period. Columbia served as administrative headquarters for CLEEC during the eight years I was chairman. Neither the members of CLEEC nor their home law faculties requested compensation for their time or facilities. Grants from the Ford Foundation covered the living expenses of all CLEEC scholars, while the U.S. host law schools waived all tuition costs for the seventy-odd Chinese LL.M. degree candidates selected by the CLEEC committee. Among CLEEC LL.M.'s were Wan Exiang (Yale), who started the first public interest law program in China while he served as a professor on the Wuhan University law faculty. He later became vice-president of the Chinese Supreme People's Court, a position in which he still serves. Another past vice-president of China's supreme court and vice-chairman of the Chinese People's Political Consultative Conference was Professor Luo Hao-cai, who was a CLEEC visiting scholar at Columbia. Luo also later served as a principal drafter of China's administrative litigation law. His research at Columbia was conducted under the guidance of Professor Walter Gellhorn, a key drafter of the American Administrative Procedure Act. Several deans of leading Chinese law schools over the past twenty years were CLEEC alumni.

Immediately following the conclusion of the CLEEC inaugural conference in May, 1983, I met for lunch with the Vice-Director of the national Institute of Law, Professor Wu Jianfan. Over lunch, we drafted on a table

napkin the CLEEC-Institute of Law Agreement, which provided one to two year research grants to more than twenty-five senior Institute research scholars to enable them to pursue research in their specialty at an American law school known to be especially strong in that field. Several of these scholars subsequently served as Directors of the Institute of Law, including Xin Chunying, who is now a deputy director of the Legislative Affairs Commission of the Standing Committee of the National People's Congress. When I saw her in January 2008, she had just been charged with the task of drafting a social security law for China.

#### EDWARDS FELLOWS

When I retired from Columbia Law School in June 2002, Dean Leebron announced that the Ford Foundation had generously offered a \$500,000 matching grant to create an endowment, the interest on which would be employed to fund as Edwards Fellows Chinese visiting legal scholars, who would visit the Law School for one semester to conduct research and writing in their special field. Since the first Edwards Fellow in 2003, there have been thirty Edwards Fellows, representing seventeen Chinese law schools. Nothing could be more meaningful to me than the assurance that dedicated Chinese legal scholars will continue to visit Columbia Law School forever, contributing to China's legal development and to U.S.-China cooperation and mutual understanding. I was also deeply touched and pleased by the fact that a substantial part of the matching donations were quickly supplied by former Chinese and American students at Columbia Law School.

#### COLUMBIA PROGRAMS IN CHINA

I have always believed that the best place for Americans to learn Chinese law is in China. Hence, from the beginning of my time at Columbia Law School, I had thought of ways to get our American students to China to learn at the source the theory and practice of Chinese law. First, when the mainland was not open, we sent students to study courts and prisons in Taiwan. Then, soon after the resumption of U.S.-China diplomatic relations, I proposed a summer program in Chinese law for American law students. When the law faculties in Beijing told me in early 1980 that the conditions were not yet ripe to have American law students on their campuses, I approached the East China Institute of Law and Politics in Shanghai, which readily accepted the idea. As their campus had no dor-

mitories for foreign students, they sent their faculty to the East China Normal University nearby to teach basic courses on Chinese law to a dozen or so students from Columbia and other schools, who lived at the Normal University. The summer program continued for three or four years, until other American schools began to charge regular American tuition, which they shared with the host Chinese school; these programs also offered academic credit at the American law school for the courses taken in Shanghai.

CLEEC also for a number of years conducted a Summer Program on American Law in China. A number of Columbia law faculty taught in the summer program, including Walter Gellhorn, who was the first director. Nicholas Howson, a Columbia law student, served as an assistant to Gellhorn that first summer. Howson later became China partner of a major New York law firm, and is now a professor of Chinese law at Michigan Law School.

In the summer of 1985, Columbia Law School joined with the Shanghai Institute of Foreign Trade to conduct in Shanghai a two-week seminar on the legal framework for foreign trade and investment in China. Lawyers and businessmen from Europe and the United States attended the entire program. With contacts I had made in key government agencies for whom we were training staff in the PALS program at Columbia, we were able to arrange for candid questions and answers from Shanghai trade and investment officials who normally were inaccessible to foreigners.

For more than twenty years, students at Columbia Law School have published journals, featuring articles on the law of China and other Asian countries. Eighteen issues of the *Journal of Chinese Law* were published at Columbia between 1987 and 1995. The JCL was succeeded in 1996 by the *Columbia Journal of Asian Law*. Worth noting is the special issue on the drafting of the Hong Kong Basic Law, published in the spring of 1988. On a visit to Beijing the previous autumn, I asked a number of my Chinese professor friends, whom I knew to be principal drafters of the Basic Law, if they would write several articles for us on the drafting process and the probable content of some of the major provisions. I told them that a number of the editors of the *Journal* were from families who had lived in Hong Kong for a long time, and that they would ensure that the articles received broad circulation in government, academic, and business circles there. The Chinese professors were all interested but, within a few days, all called me to say "it is too sensitive so we don't dare to do it." When I returned to the Law School, I told the student editors that our great idea was not going to fly. But, then I told a visiting scholar from Beijing, who told us not to give up. He offered to contact Beijing. Within days, he told us that the JCL special issue on Hong Kong had been ap-

proved by the Central Committee of the Chinese Communist Party. Not long after, we began to receive the draft articles from the Chinese professors on the Hong Kong Basic Law drafting committee. The journal staff worked around the clock to get the issue out in time for me to take a couple of hundred copies to Hong Kong for distribution before the Basic Law itself was released. The result was major coverage of the issue in the Hong Kong Press and a full page commentary on it in the Far Eastern Economic Review. Someone even said that the bluntness of some of the articles caused a downturn on the Hong Kong Stock Exchange. In any event, the Hong Basic Law special issue is one of many ways that Columbia Law students have facilitated mutual communication and understanding between American and Chinese lawyers and legal scholars.

Throughout the 1980s, Columbia Law School conducted informal exchanges with a number of Chinese law faculties, including the ones at Yunnan University and Sichuan University. In addition to hosting at Columbia faculty from those schools, we also sent to Kunming and Chengdu several Columbia Law students with facility in the Chinese language, and a keen interest in the actual legal process in those cities. The host Chinese law faculties generously opened doors for the students and enabled them to observe domestic and commercial mediation proceedings officially off-limits to foreigners.

Professor Ben Liebman has continued the practice of placing in China for research and study Columbia Law students with proficiency in Chinese. For example, in the summer of 2007, Wu Peng spent a summer in Qinghai and Guizhou, interviewing Chinese women lawyers. Her research was funded by a grant from the Oldham Fund. The Fund honors the memory of John Oldham, a 1983 J.D. graduate who was killed in September 1983—a few months after his graduation—when his Korean passenger plane was shot down near Sakhalin Island by a Soviet jet. John had been on his way to spend a year engaged in study and research at Beida law faculty.

Columbia Law School is also proud to claim as its graduate and good friend Phyllis Chang, who was a Jervy Fellow at Columbia and received the LL.M. degree in 1988. After practicing law relating to China for a number of years, Phyllis served as Ford Foundation resident representative for law, governance, and human rights in the late 1990s. The first incumbent in that position was Mark Sidel, now a professor of law at the University of Iowa. After her term at the Ford Foundation Beijing office expired, Phyllis decided to remain in China, where she established the not-for-profit company, China Law and Development, in 2000. In the ensuing years, CLD has helped to fund dozens of key projects aimed at fostering the protection of human rights and the development of the rule of

law in China.

Dozens of Chinese and American J.D. and LL.M. graduates of Columbia Law School are partners in major law firms, involved in many of the large corporate transactions that have tied the U.S. and Chinese ever more closely together over the past quarter of a century. They have acted as pioneers in the design of practical techniques and institutions to avoid conflict and promote productive economic cooperation between Chinese and American companies. Together with legal scholars and government officials of China and the U.S., they have constructed indispensable bridges between the different legal procedures and concepts of the two countries. The Law School is also proud of how its graduates, in both Chinese and American firms, have been very active in contributing to disaster relief and in providing assistance to migrant families in Chinese cities. The Law School faculty is, of course, especially grateful to our alumni for financial contributions that will ensure a great future for Columbia's Chinese law program.