



## CIEE Shanghai, China

<b>Course name:</b>	International Business Law: Policy, Decision Making and Law
<b>Course number:</b>	BUSI 3004 SBLC
<b>Programs offering course:</b>	Shanghai Accelerated Chinese Language, Shanghai Business, Language and Culture, Shanghai China in a Global Context
<b>Language of instruction:</b>	English
<b>U.S. Semester Credits:</b>	3 semester/4.5 quarter hours
<b>Contact Hours:</b>	45
<b>Term:</b>	Fall 2019

### Course Description

Policy, Decision Making and Law – Review and Comparative Analysis of Decision Making and Policy Processes in China and the United States, with a focus on Chinese perspectives; as well as U.S. perspectives.

We will examine the policy-making institutions in both China and the United States that draft, debate, and make international business law and trade policy. We will analyze the US Congress and the National People’s Congress and the people and committees that make international trade policy and law.

We will discuss current issues in policy and international business law as they are promulgated from China and the US; the rule of law in China and its application; and the customs and etiquette of common business practices that permeate aspects of doing business in China.

We will have discussions with legal professionals, business owners and executives who are living and working in China. We will discuss the international business environment in China. **This is not a class on, “How to start or register a business in China.”**

### Learning Objectives

Students will understand the process, procedures and players of making international policy and law. Students will have a working knowledge of the institutions and issues that shape international policy and law. Students will be able to skilfully articulate, discuss and debate current China – US issues, from both a Chinese and U.S. perspective.

### Course Prerequisites

There are no course prerequisites for this course. This is an introductory course. Students must be interested in U.S. – China policy and current events.

### Methods of Instruction

The Socratic Method will be used to facilitate class discussions. Materials will be provided by the professor. Classes will be discussion based and will include the use of PowerPoint, video, guest lecturers, fieldtrips, class debates, and lectures.



### **Assessment and Final Grade**

Components of final grade:

1.	Class Participation	20%
2.	Pop Quizzes	20%
3.	Midterm exam	20%
4.	Interview of Foreign Business Owner	20%
5.	Final Debate Exam	20%

All of these equally weighted components will be fulfilled in class. Attendance for each field trip will be taken in class at the beginning of each field trip.

If you withdraw from this class, it must be done officially with the CIEE administration. All grades are final and not subject to discussion.

### **Course Requirements**

#### **1. Class Participation (20% of final grade)**

Students must:

- Participate and contribute actively to class discussions;
- Read assigned materials in advance of each class to facilitate class discussions; and
- Ask and answer questions when called upon by the professor or classmates

Active class participation means coming to class prepared to discuss the assigned topic and then participating in classroom discussions as prompted by the professor and your classmates. Repeated failures to prepare for or participate in class will affect this grading component.

#### **2. Two Pop Quizzes (20% of final grade; each 10%)**

Expect two (2) unannounced (pop) quizzes related to assigned readings. Each quiz will consist of ten (10) simple questions (multiple-choice and/or fill-in-the-blank).

- Each quiz will be given at the beginning of a class, without prior notice.
- No more than 30 minutes will be allowed for completion.
- The aim of these quizzes is to encourage you to keep up with assigned readings and to provide you with additional objective grading components for your final grade.
- Together, these two pop quizzes will constitute 20% of your final grade.

#### **3. Midterm exam (20% of final grade)**

There will be an in-class midterm exam. The exam will be mainly short answer essay questions and will take place in Class Seven. Specific instructions about the exam will be announced before Class Five.

#### **4. Interview (Survey) of Foreign Business Owner or Expat (20% of final grade)**

Students must find a foreign business owner or expat living in China. Students will prepare a 15 question survey and interview by which to interview the foreign business owner or expat.

- The survey must cover the challenges and opportunities that the business owner or expat has encountered while in China. (Examples may include government regulations;



employee hiring; employee benefits; management challenges; migrant workers; social work benefits; landlord and office space leases; and cultural issues; etc.).

- Students will have no more than 15 minutes to present the findings of their survey to the class. Please keep in mind while preparing your survey that some culturally sensitive topics, such as Tibet, may be off limit.
- Students must email their 15 question survey to the professor by the end of class on Class 7.
- Presentation will be given during Class 9 in class.

### **5. Final Debate Examination (20% of final grade)**

On the final day of class, each student will participate in a formal debate. The class will be divided in half. Students must prepare arguments for both sides and will not know the side they argue until the actual debate. The topic (resolved) will be selected from class discussions and topics.

**Final Debate** – students are judged on:

- the quality of their arguments in supporting their position
- evidence used to support statements
- depth of research in using supporting documents, articles and papers to support position
- ability to rebut opponent's position
- questions asked and answered
- exhibit knowledge of material discussed in class

The students must show their use of terms and material learned in class. Students must provide persuasive reasons for their arguments with supporting evidence. Students may use notes, material from class, and researched material during the debate.

### **Class attendance and Field Trip:**

Students are to:

- Arrive on time and attend all class sessions; and
- Attend all guest lectures and field trips associated with the course.

Up to three absences may be excused by the professor for good cause. Any absences beyond three will result in failure of this grading component unless excused by the professor for very good cause. For further information on attendance, refer to the Section on Academic Standard & Disciplinary Procedure in the BLC Academic Handbook.

Students must attend each field trip and discuss what they learned during review in the next class.

- Students must arrive on time and leave together for the field trip.
- Students must stay together during the field trip.
- Students must leave together to go back to the university after the field trip. The ride back to the university is part of the field trip.
- Students cannot leave the site of the field trip on their own, without permission from the professor.



## Weekly Schedule

### **Week 1**

#### **Introduction and Overview: US-China Current Issues**

Syllabus review – Understanding the Class, the Content and Structure

Students will understand what this class is and is not. Students will introduce themselves and get to know their classmates. This will facilitate the method and manner in which the students engage each other and course material throughout the semester. Students will be introduced to the Socratic method and will learn how to engage their classmates in a discussion based class.

#### **Readings (for next class):**

The White House 2011

The Information Office of the State Council of China 2011

### **Week 2**

#### **Business Etiquette in China and China's Peaceful Development**

Students will be introduced to common cultural issues, terms and practices that significantly impact the business environment in China. Students will learn to look at issues from a Chinese perspective, while examining their own views on the Chinese business environment. Students will be introduced to the foreign policy of China and the U.S. Students will be introduced to the Chinese perspective on China's peaceful development.

#### **Readings:**

Seligman 1999

### **Week 3**

#### **Class and Field Trip**

Students will visit the location of the first national Congress of the Communist Party of China. Students will examine the creation of the Communist Party in China and understand the development of the Party's perspective on the "opening up" of China in the 1800's.

Students will the founding of the Communist Party in China and the people who established early Party principles.

Museum of the First National Congress of the Communist Party of China

### **Week 4**

#### **The U.S. Constitution - Authority**



Students will review the U.S. Constitution as the basis for the creation and establishment of the U.S. government structure. Students will review the Articles and Sections of the U.S. Constitution and Amendments. Students will develop a basic working knowledge of the U.S. Constitution so that they when we examine the Constitution of the People’s Republic of China, they will be able to make substantive comparisons.

**Readings:**

Constitution of the United States

The Declaration of Independence (US 1776)

**Week 5**

**Policy Making Institutions in the US – the ABC’s of Policy  
The United States Congress; Judiciary and Executive Branch**

Students will examine the structure of the U.S. Federal government. Students will develop a working knowledge of the three branches of the U.S. government; our system of checks and balances. Students will discuss current issues in U.S. policy and politics, as they relate to doing business globally.

**Week 6**

**Jurisdiction in the Pacific Ocean  
The Four Commons and the Nature of Sovereignty**

Students will identify the land and territory of the U.S. in the Pacific Ocean. Students will understand the criteria for the making of a territory of the U.S. Students will be introduced to the “Four Global Commons” and examine their issues associated with China - U.S. relations.

**Readings:**

Arndt 2013

Peng 2014

Smith 2014

**Week 7**

**Class and Field Trip – Who is in Power?**

Students will visit the Museum of the Second National Congress of the Communist Party of China. Students will be introduced to the Constitution of the Communist Party of China and its structure. Students will engage in a discussion of power in China.

Museum of the Second National Congress of the Communist Party of China



❖ **Email question for Interview (Survey) of Foreign Business Owner or Expat in China**

**Week 8**

**The PRC Constitution and the Structure of the Chinese Political System, NPC and Judiciary**

Students will be introduced to the structure of the Communist Party of China; the structure of the National People's Congress (NPC); and the policy making institutions in China. Students will also be introduced to the basic structure of the Chinese judicial system.

**Readings:**

Martin 2013

Constitution of the People's Republic of China (as Amended 2018)

**Week 9**

**The Rule of Law in China and the US**

Students will engage in a discussion of the rule of law in the U.S. and in China. We will assess the rule of law as it relates to other countries and political systems. Students will examine the World Justice Project's Rule of Law Index to determine the rankings of the rule of law in countries around the world.

❖ **Class Presentations - Interview (Survey) of Foreign Business Owner or Expat**

**Week 10**

**Class and Field Trip - International Law Firm**

We will visit an international law firm and discuss issues related to doing business in China. We will hear from international lawyers and staff on their experience working and living in China.

**Week 11**

**Key Current International Policy and Business Law Issues**

**The Establishment of US–China Relations and the Three Joint Communiques**

We will examine the founding principles of the establishment of U.S. – China relations. We will engage in a thorough discussion of China – U.S. current events using the tools, vocabulary and materials discussed throughout the semester. Students will exhibit a keen understanding of key China – U.S. issues and be able to discuss possible solutions.

Discussion of Final Class Debate: Students will be given the criteria and Resolve (topic) for the Final Class Debate.



**Readings:**

Shanghai Communique 1972

Joint Communique on the Establishment of Diplomatic Relations 1979

US-PRC Joint Communique 1982

**Week 12**

**Final - Class Debate**

**\*Please note that we will also take an additional 3 field trips for three hours. For 3 of the 12 weeks above, the class will meet twice during the week to attend additional field trips to talk to professionals in Shanghai.**

**\*The above schedule is subject to change, with adequate notice to students, based on holidays, field trips and guest speakers.**

**Course Materials**

***Readings***

All reading assignments and class material will be provided by the professor in advance of each class. Students are expected to have read the material before class for discussion in class.

Arndt, Gary. "Everything You Need to Know About the Territories of the US." June 27, 2013.

Everything Everywhere.

*Constitution of the United States of America*

*Constitution of the People's Republic of China (as Amended 2018)*

Joint Communique on the Establishment of Diplomatic Relations, Jan. 1, 1979

Martin, Michael, and Lawrence, Susan V. "Understanding China's Political System" U.S.

Congressional Research Service." CRS Report Number R41007, 2013. Print.

Peng, Yuan, and Tyrer, Robert. "The New Model of Major Power Relations." Center for American Progress and the China United States Exchange Foundation. Feb. 20, 2014. Print

Seligman, Scott D. *Chinese Business Etiquette: A Guide to Protocol, Manners, and Culture in the People's Republic of China*. Warner Books, 1999

Shanghai Communique, February 28, 1972

Smith, Julianne, and Wu, Chunsi. "The United States, China and the Global Commons." Center for American Progress and the China United States Exchange Foundation, Feb. 20, 2014. Print

*The White House*. "U.S. China Joint Statement," Washington, D.C.: 18 Jan. 2011.

*The Declaration of Independence (US 1776)*

*The Information Office of the State Council of China*. "China's Peaceful Development." Beijing, Sep. 2011 .

*US-PRC Joint Communique*, Aug. 17, 1982