6 Personal Backgrounds

This chapter describes where lawyers come from, focusing on their career and educational backgrounds. For some, lawyering represents a reemployment strategy after a layoff or difficulty finding state-sector employment. For many, it represents the pursuit of upwards mobility. For most, it represents tremendous individual freedom and independence on the job, a major departure from the socialist employment system. Chinese lawyers are highly entrepreneurial, bearing significant financial (and political) risk.

It is precisely this freedom and entrepreneurial imperative that attracts many individuals to the profession. Many find the new freedom exhausting, yet exhilarating. As one lawyer put it, "The main thing about being a lawyer is being devoted to your work (shiyexin). And it's also really interesting. I can go without sleep for five nights" (lfi39). According to a 2002 survey of lawyers in Beijing, 79 percent of lawyers average more than 8 hours of work per workday, and 14 percent work at least 12 hours. Not surprisingly, 45 percent reported being frequently exhausted and 63 percent reported frequently feeling pressure of crisis proportions (ACLA 2002e). According to my survey data, the work pressure appears less extreme. In Beijing only 16 percent of respondents reported working at least 50 hours per week; in the multi-city sample 21 percent of respondents reported working at least 50 hours per week. An interview informant suggested to me that lawyers are less busy than they should be precisely because of intense competition; many lawyers have no cases and sit idle (em22), an issue to which I will return in Chapter 11.
The main point of this chapter is that the socialist employment system is a central reference point with respect to the motivation and means to enter the bar. Those barred from access to state-sector jobs are both pushed by economic necessity into lawyering and pulled by the money-making possibilities of lawyering. And for those who already enjoy privileged positions in the state sector, the bar represents an opportunity to cash in political and social capital for private financial gain.

**Native Place**

The birthplace of lawyers—rural versus urban, local versus outsider—can be an important basis of division and a determinant of practice areas and client types, as was the case in the Republican-era bar (Conner 1994: 231) and as remains the case in India (Gandhi 1982: 67–8). In my samples, almost half of the respondents hail from localities outside the city in which they were surveyed. In the Beijing sample, only 42 percent of the respondents were born in Beijing, while in the multi-city sample 52 percent of the respondents were born in the cities in which they were practicing law at the time of the survey (Pearson $\chi^2=8.2$, p<.01). In poor cities (those with tertiary sectors that account for less than 40 percent of local GDP), 62 percent were born in their current cities. In terms of moving between provinces, in poor cities, 89 percent were born in their current provinces, while in the wealthy southern cities of Haikou and Nanhai, only 48 percent were born in their current provinces.\(^1\)

Unfortunately, I did not ask the year or circumstances under which the respondents moved to their current cities. However, it appears a significant proportion of lawyers left their hometowns to attend university. Respondents who attended "high-status

\(^1\) Haikou currently belongs to Hainan Province, which was established only in 1988. Before 1988 Haikou belonged to Guangdong Province. However, of the 26 Haikou lawyers reporting province of birth, only 1 reported Guangdong and 9 reported Hainan.
universities" are 18 percentage points less likely than respondents who attended "low-status universities" to have been born in their current cities (55 percent and 37 percent respectively, Pearson $\chi^2=21.6$, p<.01) (the definitions of high-status and low-status schools/degrees are detailed later in this chapter). This helps explain why so few lawyers in Beijing are originally from Beijing—the city with the greatest number of universities in China. As we would expect with more highly educated lawyers, those practicing in cities other than their hometowns have significantly higher concentrations of corporate clients and significantly lower concentrations of individual clients, and correspondingly report significantly higher incomes. Native place is not significantly associated with age or prior career (i.e., older lawyers and former government officials are not significantly more likely to have moved to their current cities from elsewhere).

It is also regrettable that I do not have information on the geographical location of clients. It would seem reasonable to expect that many lawyers draw clients from their hometowns, as is common practice in India (Ghandi 1982: 67). In a personal interview, this practice was described by a lawyer in Beijing as the key to his success: the bulk of his practice consists of representing small-scale private business owners based in Beijing but hailing from his hometown of Chaozhou, Guangdong Province (em12). The prevalence of such practice is even more plausible given the large number of aggrieved individuals who bring their disputes from the provinces to Beijing after failing to achieve satisfactory resolution locally (see Chapter 10). Native place in China serves as a sufficient basis of trust between individuals who may otherwise have no common connection (Gold, Guthrie, and Wank 2002: 6), and should therefore serve as an important lawyer-client matching mechanism.  

2 One reason why we received such a high degree of cooperation from our law firm field site is because one of the lawyers (Lawyer Zhong, Table A.1) and one of the research assistants who conducted interviews and observed consultation sessions share the same hometown. This is the reason for this assistant's
hypothesis, information on appearances in out-of-town courts is highly suggestive: Lawyers born outside their current cities are 16 percentage points more likely than lawyers born in their current cities to report court appearances in other cities (56 percent versus 40 percent, Pearson $\chi^2=21.3, p<.01$). Further, lawyers born outside their current cities on average report 4 days more time annually in out-of-town court appearances than do lawyers born in their current cities (12.5 days versus 8.7 days, difference of means t-test, p<.05).

**Prior Jobs: Lawyering as a Reemployment Channel**

Most lawyers have prior careers. Only for a relatively small minority of lawyers is this their first and only career. Why did lawyers choose this job? What are the motivations to entry? There is little evidence that lawyers are motivated by the desire to help people, promote social justice and human rights, or advance political change. Nor do lawyers in the United States cite these reasons as the basis for their decision to go to law school (Maru 1986: 34). As elsewhere, in the Chinese case most evidence points towards social mobility and status attainment. As organizations are heeding the official call to "reduce people and increase efficiency," an increasing number of unemployed and laid-off personnel are taking the lawyers examination (Sun 1999; Lü 1998). The importance of social mobility parallels a pattern found among American solo lawyers, who often take many years to finish law school due to the financial necessity of working (Seron 1996: 4–6).

Of the six people a journalist asked on their way in to take the lawyers examination, four cited "high income" as the most important reason for wanting to become a lawyer (Ma 2001). At a conference on lawyers one participant stated, "The
legal profession is very attractive mainly because it offers the chance to earn huge amounts of money." Later another lawyer mentioned that "perhaps some people have the impression that lawyers drive fancy cars and frequent high-class restaurants" (September 1, 2001, conference notes). Many lawyers entered the field accidentally, having been assigned this major in university when their first choice was denied, for example. In the words of a lawyer we interviewed, "Anyone who says he wanted to be a lawyer since childhood is lying. But this is still what many lawyers will say. When they were kids, there was no such thing as lawyers. In my case, I stumbled into this field accidentally. In middle school and high school I had no conception of what a lawyer is" (lfi06). Another lawyer said his first exposure to lawyers was through Hong Kong movies (lfi10).

Lawyers are an interesting case in China because most people already in the labor force were raised with the expectation of lifelong employment in a single work unit. Under the rigid recruitment and promotion structure of the state sector, there was very limited scope for choosing positions and very limited opportunities for movement, either laterally or vertically. As a result, many lawyers were initially attracted to the legal profession because of the relative independence and autonomy it offers. Some lawyers left their state-sector jobs because they were sick of the rigid seniority system (e.g., lfi12). Professionals, managers, and skilled technical workers in socialist China have traditionally been recruited from universities under the unified job allocation system. Traditional means of mobility were limited to the state sector, where opportunities for advancement were extremely limited and subject to the prerogatives of and a display of loyalty to the CCP, and where resignation was almost impossible (Davis 2000; Walder 1986). Lawyering, however, represents a new channel for mobility to those without university education, without personal connections to influential people, and without CCP membership.
For many, lawyering represents an opportunity to improve one’s lot, a chance for upwards mobility. Since entry requirements are quite low and anyone can become a lawyer by passing the lawyers examination, this is a chance for people from disadvantaged backgrounds to achieve extraordinary incomes relative to their alternative options. According to the *Lawyers Law*, anyone with a junior college degree in law through a "self-study" distance learning program (*zixue*) is eligible to sit for the national lawyers examination. Therefore, in sharp contrast to the rigidity of the state-sector mobility system, virtually any reasonably intelligent, highly motivated individual can become a lawyer. Examples abound of peasants and *nongmingong* (peasants working as manual laborers in cities) becoming lawyers by studying at every spare moment and taking the lawyers examination many times before finally passing.

Thus there are many "rags-to-riches" stories in the Chinese bar. Among the lawyers we interviewed, two such stories stand out. One lawyer we interviewed migrated to Beijing from the countryside at the age of fifteen. He worked as a cook in a university canteen when he decided to study to become a lawyer. He studied at night on his own and earned a law degree at the junior college level by passing the national "self-study" distance learning examination, after which he passed the national lawyers examination (Lfi31).

The second example is of a lawyer from a peasant family who served in the military for three years. Upon discharge he stayed in the provincial capital rather than return to his village. In the city he pushed a cart through residential neighborhoods selling vegetables. One day in the mid-1980s he happened to pick up a discarded copy of a *Legal Daily* newspaper containing an advertisement repeating a statement made by Deng Xiaoping that by the end of the century China would need 150,000 lawyers. The advertisement stated that in order to meet this goal, a junior college distance learning program consisting of fifteen law courses was being launched nationally. There were
absolutely no limits with respect to age, gender, occupation, and so on. A diploma would be issued to anyone who passed the national examination. "At the time I had no concept of what a lawyer is. The advertisement simply stated that lawyers promote justice and that their prospects were fantastic. I ended up building my life on the foundation of a confused understanding. More importantly, I wanted to improve my circumstances." He spent years studying his law books while pushing his vegetable cart. Only in 1995 did he finally pass the lawyers examination (em11).

Finally, a newspaper story tells of three sisters from a village in Jiangsu Province who were sent to work in the city by their parents in order to support the family. Although none of the sisters had more than a middle school education, they studied in their spare time and not only passed the national distance learning examination in law, earning B.A. degrees simultaneously, but also passed the national lawyers examination simultaneously, thereby setting two firsts in China. A third first was set by the youngest sister who, at the age of 18, was the youngest person ever to pass the national lawyers examination (HNTQFZB 2002). This status attainment phenomenon is also reflected in my lawyer survey data. In the Beijing and multi-city samples respectively, 6 and 16 percent reported emerging from factories, farming, or military service. Limiting factory work to manual labor, 4 and 8 percent respectively reported these occupational backgrounds. For reasons described later in this chapter, the survey data surely underestimate the prevalence of such backgrounds.

To be sure, there are rags-to-riches stories wherever there are lawyers. What is unique about the Chinese case, however, is the context of privatization and the retrenchment of the state sector. As a part of the private sector, the lure of the bar is salient for relatively disadvantaged individuals, many with rural backgrounds, getting by on grit and determination, as well as for individuals well positioned to capitalize on social capital accumulated as government employees, a phenomenon to which I will now turn.
Prior Jobs: Former Government Employees

Additional clues to lawyers’ motivations to entry can be seen in their chosen fields of practice. Of far greater prevalence than manual workers, peasants, and military personnel making the transition to lawyering is former government employees entering the bar. According to a lawyer we interviewed, many lawyers are converting the social capital they accumulated during their prior government careers into economic capital in their current legal practice (lfi21). The transition from the paternalistic state sector to the shark-infested waters of the private sector is known generally as "jumping into the sea" (xiahai).

An extreme but illustrative example appears in the official pamphlet printed by Beijing's Haotian Law Firm. In the lawyer profile section, the blurb about one of the partners states that he was a sent-down youth during the Cultural Revolution and subsequently worked as a construction worker before entering the procuracy. He eventually ended up at the State Copyright Bureau, a fact mentioned immediately before stating that his current specialty is intellectual property rights. The firm itself is an example of the conversion of political and social capital: as this firm as a whole specializes in commercial real estate matters, it certainly helps that one of the founding partners used to work in the municipal government's urban planning and development division. A lawyer I interviewed who specializes in tax work emerged from the Ministry of Taxation, where he worked for the sole purpose of accumulating the social capital necessary for his subsequent legal practice. He explained that many lawyers first pay their dues for a few years to a government bureau for precisely this reason (em24). These

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3 The term "social capital" has a colloquial analogue in Chinese: "social resources" (shehui ziyuan).

4 Most, but not all of this information, is also posted on his web blurb: http://www.haotian.lawyers.com.cn/lslb/maxiaogang.html, accessed June 21, 2003; pamphlet on file with author.
are known as lawyers who "become monks in mid-life" (*banlu chujia*) (lf121). Similar patterns appear in the survey data. In both samples, lawyers who formerly worked in banks derive a dramatically greater percentage of billings from "finance and banking" than lawyers without this background. In the multi-city sample, former government officials are dramatically more likely than lawyers without this background to cite "administrative law" or "government counsel" as their specialization. (There are too few cases in the Beijing sample to evaluate this relationship.) In both samples, almost half of lawyers who report real estate as their primary specialty also report emerging from government bureaus including the State Land Management Bureau, the Construction Commission, and the Environmental Resources Bureau.

The conversion of political and social capital into economic capital is perhaps most prevalent among lawyers' counterparts in the judiciary—employees of the public security, procuracy, and court systems, the *gongjianfa*. As one lawyer puts it: "Lawyers who used to work in the *gongjianfa* have an absolute advantage. There's no comparison. That they use their prior *guanxi* in their current practice is a hundred-percent certainty" (lf113). In Beijing and multi-city samples respectively, 21 and 14 percent of lawyers with prior careers reported prior work in either the public security, procuracy, or courts. In both samples, compared to other lawyers without these backgrounds, these lawyers derive a far greater percentage of billings from criminal defense work, are far more likely to resolve their cases in court, and are far more likely to report a specialization in criminal defense work. This path of mobility replicates the Republican-era patterns: "Not a few lawyers left judgeships or other official positions to enter practice, citing their past experience as a valuable qualification" (Conner 1994: 234).

The relative weight of the *gongjianfa* is also reflected in official data from the national lawyers examination. According to official national figures, 13 percent of examinees in 1998 were from the *gongjianfa*, 26 percent were cadres in government and
Party units, and 17 percent were from companies and enterprises (Sun 1999; Lü 1998). The official numbers from Beijing seem more plausible: in the mid-1990s, about 10 percent of examinees were from the gongjianfa and other government judicial offices, about 4 percent were from other government organs, about 9 percent were from public (shiye) organizations, and about 18 percent were from companies and enterprises. Between 1988 and 1997, the proportion of examinees from public organizations and examinees from companies and enterprises both declined about 8 percentage points while other groups remained relatively stable (Zhao 1999: 176–7), suggesting that the proportion of students, recent university graduates, and unemployed and laid-off workers taking the examination increased. Nationally, in 1998 over 70 percent of examinees were 30 years of age or younger, while 6 percent were over 40 (Lü 1998). In Beijing, examinees 25 years of age or younger accounted for between 50 and 56 percent of all examinees in the mid-1990s, while those between 35 and 60 accounted for between 4 and 9 percent (Zhao 1999: 175).

**Survey Findings on Prior Career Backgrounds**

Lawyers in a single entry cohort (entering in the same year) are of highly variable ages and social backgrounds; lawyers of a single age cohort are also of highly variable educational backgrounds. Only for 11 and 16 percent of lawyers in the Beijing and multi-city samples respectively is lawyering their first and only job. The remainder come from a vast array of prior careers. Moreover, the proportion of lawyers for whom this is their first and only job has not increased over time. Entry cohorts in 2000 remain as motley as they were ten years earlier.

In both samples, 21–22 percent did not report any prior job information (98/462 in the Beijing sample and 114/518 in the multi-city sample). As displayed in Figure 6.1,
36–39 percent report only one prior job, 20–24 percent report two prior jobs, and 19 percent report three or more prior jobs.

**Figure 6.1. Distribution of Number of Prior Jobs Reported by Sample**

![Bar chart showing the distribution of number of prior jobs reported by sample.]

NOTE: Full sample, n=980. Bar labels denote the number of sample observations.

Of the 212 lawyers who fail to report prior job information, some truly have no prior jobs. I estimate that for 33 percent (71/212) of the lawyers who report no career information, lawyering is their first and only job.\(^5\) I assume that for the remaining 141 lawyers failing to report any prior job information, the data are truly missing as opposed to being merely not relevant. An additional problem is truncation. Among the 768 lawyers who report some career information, a significant portion report incomplete career information: 74 lawyers report law firms as their only prior jobs, yet entered the

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\(^5\) This estimate is based on the following assumptions: lawyering is the respondent's first and only job if (1) all career history data are missing and (2) graduation year of last degree obtained before starting work as a lawyer is within two years of starting work as a lawyer and (3) the respondent was under 24 when he or she obtained her last degree before starting work as a lawyer; or (1) all reported jobs are in law firms and (2) the respondent was under 24 when he or she started working as a lawyer (n=128; Beijing n=48; multi-city n=80).
practice of law at the age of 24 or older, suggesting an omission of prior job information. An additional 173 lawyers report entering their first job at the age of 24 or older. Not all of these cases are implausible; some of these lawyers may have been in school or have had another reason not to be working (which we cannot establish with certainty given the possibility of missing or incomplete educational information). So the worst-case scenario is that 32 percent (247/768) of the lawyers reporting prior job information reported incomplete careers.

I strongly suspect that military backgrounds and spells as sent-down youth are disproportionately likely to be omitted. Virtually everyone aged 40 and 50 in 2000 from urban backgrounds was at risk of being sent to live and work in the countryside during the 1966–76 Cultural Revolution (Tsui 2002: 520). Although 15 percent of the lawyers I surveyed belong to this cohort, only four reported spells as sent-down youth: in the Beijing sample, one 48 year-old male lawyer originally from Sichuan Province reported being a sent-down youth in Yunnan Province between 1969 and 1971; in the multi-city sample, one 48 year-old female lawyer working in and originally from Dandong reported being sent down in the same province, Liaoning, between 1968 and 1973, and two 46 year-old male lawyers (one working in Hohhot and originally from Shanxi Province, the other working in Liuzhou and failing to specify his birthplace) reported being sent down to unspecified locations between 1970 and 1974 and between 1971 and 1973 respectively. Two of these sent-down youth subsequently served in the military, while the other two became factory workers upon returning to their cities. One lawyer I interviewed in Beijing, who was born and raised in Beijing, was sent down to Heilongjiang Province (em25). With respect to military backgrounds, a lawyer in the multi-city sample working in Xinxiang climbed from the ranks of a peasant in a village on the outskirts of Xinxiang, working as a farmer from the age of 18 to 20 before joining the military where he served for three years before doing heavy lifting work in a department store until 1984. In 1984
he started taking "television college" (dian da) classes in law, and ultimately passed the national lawyers examination in 1988. These examples are not atypical.

Methodologically, the problem is that there are surely many lawyers who omitted such information in an attempt to hide backgrounds that may be perceived as shameful or antithetical to the image of an urbane, cosmopolitan lawyer. At least two lawyers at our law firm field site have military backgrounds. One lawyer of them initially told us he worked in a company before becoming a lawyer. In a subsequent interview, however, after gaining his trust, he admitted having lied, and confessed that he had actually served in the military (lfi21). Given that the military represents the major channel of recruitment into the court system, and given the frequency of bench-to-bar transitions, military backgrounds are surely underreported.

Altogether there are 768 lawyers (980–212=768) in the samples who report prior jobs (as we saw in Figure 6.1). Of these, 614 lawyers report the year they started at least one of their prior jobs, permitting an analysis of the timing of transitions between jobs. Of the remaining 154 lawyers who did not provide timing information, the order of the reported job events was imputed on the basis of a combination of the order in which the jobs were reported and the nature of the job.

Information on non-law jobs was provided in an open-ended manner. Rather than impose a limited number of closed categories, as is usually done in survey research in China, I decided to let the survey respondents describe their prior jobs according to their own understandings and definitions. Altogether 479 unique job descriptions were provided, with varying degrees of detail and completeness. Prior law jobs, on the other hand, were reported using six predefined categories (law firm, house counsel, rice-roots law office, court, procuracy, and police). In order to discern patterns, I reduced the raw data to 17 job categories: (1) former law firm, (2) house counsel, (3) rice-roots law office, (4) gongjianfa, (5) unspecified law job, (6) government bureau, (7) CCP office, (8)
military, (9) financial organization, (10) commercial organization, (11) industrial organization, (12) getihu, (13) education/culture, (14) medical organization, (15) farmer, (16) sent-down youth, and (17) unspecified non-law job. In some analyses, I further divide lawyers reporting former law firms into two groups: those for whom lawyering is their first and only career and those with careers prior to entering the bar. The method of reducing the raw job data into 17 or 18 categories is one of many alternative classification methods. In Appendix J I present some of the difficult coding decisions and the original open-ended responses that make up the four largest job categories. Using the 17 job categories I created, there are 217 unique job sequences among the 768 lawyers who report prior jobs.

It is extremely common for lawyers to have worked in multiple law firms. As we can see in Figure 6.2, in the Beijing and multi-city samples, 50 and 44 percent respectively reported prior law firms (the sum of "prior law firm, prior career" and "first job, prior law firms reported"). The second most common prior job type, and the most common job type prior to entering the bar, is a position in the gongjianfa: 17 percent of lawyers (21 and 14 percent in the Beijing and multi-city samples respectively) report at least one previous job in the gongjianfa. Sixteen lawyers (6 in the Beijing sample and 10 in the multi-city sample) report transitions within the gongjianfa, including three lawyers who reported transitions from the police to the courts, two lawyers who reported transitions from the procuracy to the courts, and two lawyers who reported transitions from the courts to the procuracy. Of the twenty lawyers reporting military backgrounds, 6 also reported transitions to the gongjianfa: 1 reported a transition first to the procuracy and then to the courts, 2 reported transitions to the police, 2 reported transitions to the courts only, and 1 reported a transition to the procuracy only. Corporate in-house legal counsel, education/research/culture (which consists primarily of teachers), and commercial organizations (companies and firms engaged in commercial as opposed to
industrial activities), and government bureau are also common prior job types (Figure 6.2).

**Figure 6.2. Distribution of Prior Job Types by Sample**

<table>
<thead>
<tr>
<th>Prior Job Type</th>
<th>Percentage of Lawyers</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCP office</td>
<td>0.3%</td>
</tr>
<tr>
<td>farmer</td>
<td>0.3%</td>
</tr>
<tr>
<td>unspecified non-law job</td>
<td>0.3%</td>
</tr>
<tr>
<td>commercial org.</td>
<td>9.0%</td>
</tr>
<tr>
<td>rice-roots law office</td>
<td>2.3%</td>
</tr>
<tr>
<td>first job; no prior firms reported</td>
<td>3.4%</td>
</tr>
<tr>
<td>unspecified law job</td>
<td>1.0%</td>
</tr>
<tr>
<td>financial org.</td>
<td>1.0%</td>
</tr>
<tr>
<td>medical</td>
<td>0.5%</td>
</tr>
<tr>
<td>sent-down youth</td>
<td>0.3%</td>
</tr>
<tr>
<td>house counsel</td>
<td>18.6%</td>
</tr>
<tr>
<td>education/research/culture</td>
<td>17.5%</td>
</tr>
<tr>
<td>unspecified non-law job</td>
<td>13.4%</td>
</tr>
<tr>
<td>commercial org.</td>
<td>9.0%</td>
</tr>
<tr>
<td>govt bureau</td>
<td>8.2%</td>
</tr>
<tr>
<td>rice-roots law office</td>
<td>6.4%</td>
</tr>
<tr>
<td>first job; prior law firms reported</td>
<td>6.2%</td>
</tr>
<tr>
<td>first job; no prior firms reported</td>
<td>5.2%</td>
</tr>
<tr>
<td>unspecified non-law job</td>
<td>5.2%</td>
</tr>
<tr>
<td>commercial org.</td>
<td>5.2%</td>
</tr>
<tr>
<td>rice-roots law office</td>
<td>5.8%</td>
</tr>
<tr>
<td>unspecified law job</td>
<td>4.3%</td>
</tr>
<tr>
<td>CCP office</td>
<td>2.4%</td>
</tr>
<tr>
<td>military</td>
<td>1.8%</td>
</tr>
<tr>
<td>unspecified law job</td>
<td>1.1%</td>
</tr>
<tr>
<td>sent-down youth</td>
<td>0.7%</td>
</tr>
<tr>
<td>house counsel</td>
<td>0.7%</td>
</tr>
<tr>
<td>education/research/culture</td>
<td>0.4%</td>
</tr>
<tr>
<td>unspecified non-law job</td>
<td>0.2%</td>
</tr>
<tr>
<td>unspecified law job</td>
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<tr>
<td>unspecified law job</td>
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<tr>
<td>unspecified non-law job</td>
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<td>unspecified law job</td>
<td>0.2%</td>
</tr>
<tr>
<td>unspecified non-law job</td>
<td>0.2%</td>
</tr>
</tbody>
</table>

NOTE: n=1,322 lawyer-jobs (i.e., duplicate jobs within individual lawyer careers are not double counted); Beijing n=617; multi-city sample n=705 (n=839 lawyers without missing data; Beijing n=388; multi-city sample n=451). That is, for all bars representing prior jobs, the denominator is lawyers who reported prior jobs. For the “first job; no prior firms reported” bar, the denominator is all lawyers (Beijing n=462; multi-city sample n=518). With the exception of the “first job” categories, the bars are not mutually exclusive. For example, some respondents included in the “gongjianfa” bar are also included in the “gov’t bureau” bar.

Can these crude job type categories be further reduced on the basis of patterns of co-occurrences? To answer this question I performed a hierarchical cluster analysis of the joint reporting of prior job types. The resultant dendrogram is presented as Figure 6.3. (Methodological details are contained in Appendix I.) The results show a moderate clustering of high-status government jobs (gongjianfa and government bureau jobs)
together with teaching and research jobs and prior law firms. A second moderately
distinct cluster is of lower status law-related jobs (house counsel and rice-roots law
offices) together with manufacturing and commercial organizations. This cluster strongly
suggests that in-house legal advisors are recruited internally, from existing employees of
industrial and commercial enterprises and firms, and that in-house legal work is often a
stepping stone to rice-roots law office work.

Confirmation of these job transition patterns can only come from an analysis that
includes the timing of transitions between job events. Figure 6.4 contains the results of a
multidimensional scalogram analysis (metric MDS) of job transitions that incorporates
information on the timing of transitions. The distance between two job events is a
function of (1) whether or not there is any co-occurrence, (2) the average number of years
separating the events (relative distance between jobs), and (3) the average number of
years separating each event from the time of entry into the respondents' current law firms
(relative distance to starting current job). Given these constraints, the optimal
configuration produces a map of job events lined up in temporal order on one axis
(Dimension 3) and lined up according to time between transitions on the other axes
(Dimensions 1 and 2).

The arrows between job types in Figure 6.4 show "typical" job transitions. The
first thing to note is that transitions between clusters are at least as common as transitions
within clusters, which simply reflects the weak to moderate clustering we observed in
Figure 6.2. That is, the job clusters identified in Figure 6.3 are quite porous. The next
significant observation is the very close proximity between positions in the gongjianfa
and prior law firms. This is one of the most typical job transitions (n=47). The transition
both from teaching and research or culture into prior law firms (n=62) and from
government bureau jobs into prior law firms are also quite typical (n=45), more typical
than transitions into prior law firms from house counsel positions (n=37), rice-roots law offices (n=20), commercial organizations (n=29), or industrial organizations (n=33).

The multidimensional scalograms also support my interpretation of the dendrogram in Figure 6.3. In-house legal advisors in both industrial and commercial organizations seem to be recruited internally, and in-house legal departments seem to represent typical springboards to rice-roots law offices, which, in turn, feed into law firms.6

To sum up thus far, high-status government jobs are more typical and proximate channels of entry into lawyering than the lower status law-related jobs in industry and commerce or the rice-roots law offices. But again reflecting the porous nature of the job clusters, 112 lawyers report transitions from the low-status law cluster to the high-status law cluster. The "high-status law" cluster can also be thought of as "government and law" while the "low-status law" cluster can also be thought of as "industry and commerce and law; or economics and trade and law." It should not be surprising that military service belongs to the "rural" cluster given that this is a common channel of mobility out of the countryside.

Channels of entry from prior jobs vary considerably by level of development and by gender. High-status law jobs are more common channels of entry into the bar in Beijing than outside Beijing. Low-status law jobs are correspondingly more common entry channels outside Beijing than in Beijing (Figure 6.5).

6 n=20 lawyers reported transitions from rice-roots law offices to prior law firms, and n=63 lawyers reported transitions from rice-roots law offices to current position.
Figure 6.3. Cluster Analysis of Prior Job Types

NOTE: n=768 lawyers who report prior jobs. See Appendices H and I for methodological details. The "non-legal work" cluster is given this label for its general character despite the fact that it includes the "other law job" category.
Notes for Figure 6.4, Multidimensional Scalogram Analysis of Prior Job Transitions

NOTE: Configuration obtained by applying multidimensional scaling to number of years between prior jobs reported by lawyers, combined sample. Three-dimensional solution offered the best fit: stress=.095; R^2=.957. Metric analysis (interval level) of distances presented in Table J.1 using asymmetric Euclidean distance model (ASCAL) for asymmetric square matrices. Dotted borders represent isolates, and solid borders represent job clusters according to dendrogram presented in Figure 6.3. The gray line running through the scalogram represents the multiple correlation between Dimension 3 and mean years between a given prior job and current job. All prior jobs lead to "current position." Numbers refer not to the number of transitions, but to the number of lawyers reporting at least one prior job transition indicated by the arrow (see Table J.2). A solid arrow indicates job transitions within clusters in Figure 6.3, while a dotted arrow indicates job transitions between clusters in the same figure. The denominator is the n=217 lawyers reporting more than one prior job. The transitions presented with arrows are not exhaustive, but represent the most common transitions. For example, a transition from "gov't bureau" to any of the jobs in the "high-status law" cluster (n=45 lawyers) is more typical than vice versa (n=17 lawyers, not reported in the figure). Similarly, a transition from a "commercial org." to "house counsel" (n=13 lawyers) is more common than vice versa (n=4 lawyers, not reported in the figure; also see Table J.2). A transition from any job in the "low status law" cluster to any job in the "high-status law" cluster (n=112 lawyers) is more typical than vice versa (n=72, not reported in the figure). Finally, a transition from "gov't bureau" to any of the jobs in the "low status law" cluster (n=19) is more typical than vice versa (n=4, not reported in the figure).
Figure 6.4. Multidimensional Scalogram Analysis of Prior Job Transitions

A. Dimension 1

- Farmer
- Sent-down youth
- Military
- Medical
- Government bureau
- Commercial organization
- Education/culture
- Former law firm
- CCP office
- Industrial organization
- Unspecified non-law job
- Unspecified law job
- House counsel
- Rice-roots law office
- Getihu
- Gongjianfa

B. Dimension 2

- Farmer
- Sent-down youth
- Military
- Medical
- Government bureau
- Commercial organization
- Education/culture
- Former law firm
- CCP office
- Industrial organization
- Unspecified non-law job

Mean year of birth 1950-1960
Mean year of birth 1960-1965

TIME BEFORE CURRENT POSITION

r = 0.925
r = 0.543
Figure 6.5. Distribution of Job Clusters by Sample

NOTE: Pearson $\chi^2=15.9$, p<.01. n=980 lawyers; Beijing n=462; multi-city sample n=518

Figure 6.6. Distribution of Job Clusters by Gender

NOTE: Pearson $\chi^2=52.4$, p<.001. n=961. Weighted with sample weights for survey data calculated according to methods described in Appendix C. Population size 112,534; 313 firms in 25 cities.
Survey Findings on Educational Events

Legal education is an important source of expert knowledge and ideological cohesion, and sometimes helps produce a unified set of professional ideals. In China, Marx’s theory of law as an instrument of class domination remains a core part of the law school experience (em01), while legal ethics and public interest law, for example, are not in the standard legal curriculum. To some extent, however, the issue of law school curriculum is moot insofar as Article 6 of the Lawyers Law qualifies individuals without any legal education for admission to the bar (also see Guo 2000). In the Beijing and multi-city samples respectively, 20 and 29 percent of lawyers never studied law in a formal capacity before starting work as a lawyer (meaning that 80 and 71 percent respectively did receive a law degree of some kind before entering legal practice as a lawyer). As we will see, many lawyers return to school to study law after entry into the bar. But many do not: In the Beijing and multi-city samples respectively, 10 and 18 percent of lawyers never studied law in a formal capacity at any time, either before or after entry. Of those who did study law, a significant proportion did so at the so-called "five black types" of schools (hei wu lei)—i.e., university classes by television (dian da), correspondence classes (han da), employed workers university (zhi da), part-time university (ye da), and night school (ye da). According the survey data, 8 and 15 percent of lawyers in the Beijing and multi-level samples respectively received their degrees from one of these types of universities before starting work as a lawyer. It is not only school-type requirements for admission to the bar that are extremely lax; degree-type requirements are also low. A junior college degree (dazhuan, a two-year junior college degree following high school) is sufficient to qualify for to sit for the bar examination. In the Beijing and multi-city samples
respectively, 16 and 48 percent of lawyers reported junior college as their highest degree before entry.\textsuperscript{7}

As with the career data, a significant number of survey respondents failed to report educational information: 14 percent (134/980) are missing educational information. Interestingly, this is exactly the same proportion missing all career data. However, in the case of education we can be sure that they are truly missing (as opposed to being inapplicable) because every lawyer is required by the relevant laws and regulations to have a minimum amount of education. Most respondents (65–73 percent) reported only one educational event, while 12–22 percent reported two or more educational events (Figure 6.7).

\textsuperscript{7} All the foregoing estimates are calculated taking lawyers without missing educational data (and, where relevant, without missing time information) and as the denominator. All differences between the Beijing and multi-city samples are statistically significant.
Figure 6.7. Distribution of Number of Educational Events Reported by Sample

Even among the respondents who do provide information, there is the problem of truncated educational histories. There are altogether 59 lawyers whose only reported degrees were obtained after starting working as a lawyer. For an additional 246 lawyers, the first degree reported is obtained at age 24 or older. This is entirely plausible for those in the sent-down cohort whose educational opportunities were disrupted by the Cultural Revolution. However it is not plausible for lawyers born after 1964 who would have been 18 or younger in 1982 and therefore able to complete high school before taking the university entrance examination. According to this logic, an additional 125 respondents implausibly reported obtaining their first post-secondary degree at age 24 or older. For an additional 23 lawyers, the only degrees reported are graduate degrees. Summing all these implausible scenarios yields an estimated 21 percent (207/980) of respondents with only partial or incomplete histories in addition to the 14 percent who failed to report any educational information. The upshot is that any bias that exists is in favor of greater
education; my data probably overrepresent higher degrees. Therefore to the extent that the data show low levels of education, the situation is even worse than it appears.

Degrees (Ph.D., Master's, Bachelor's, junior college, or vocational high school) were reported through closed-ended categories on the questionnaire. Schools and majors, however, were reported in an open-ended manner. Altogether 96 departments and 251 school names were reported. I created a classification system for educational events that combines information on degree (3 categories), field of study (2 categories), and institution type (4 categories): $3 \times 2 \times 4 = 24$ event categories, one of which was inapplicable, meaning 23 event categories were actually analyzed. This classification system appears in Table 6.1. While degrees and fields of study are straightforward enough, the definition of institution type requires some explanation. "National key-point (zhongdian) universities" were defined as those under the direct jurisdiction of the Ministry of Education or a Ministry under the direct jurisdiction of the State Council (see Table K.5). Among these, "elite" universities were defined more loosely according to popular impressions and general "name brand" (mingpai) status. This list was established in consultation with students, academics, and numerous published rankings (see Table K.4).

It is also important to note that this classification system is based on the official status of universities before the year 2000. In recent years there has been a massive reshuffling of institutions of higher education, a national reorganization and consolidation effort. Between 1998—the year the Ministry of Education was established (formerly the State Education Commission) as part of the national administrative reforms—and 2000, 60 post-secondary institutions merged and were consolidated into 22 institutions, and were placed under the direct authority of the Ministry of Education (as opposed to provincial or municipal bureaus of education) (CERNET 2002).
Table 6.1. Educational Degree Classification System

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Degree</th>
<th>Field of study</th>
<th>Institution type</th>
</tr>
</thead>
<tbody>
<tr>
<td>GS/L/E</td>
<td>M.A. or Ph.D.</td>
<td>law</td>
<td>elite</td>
</tr>
<tr>
<td>GS/L/KP</td>
<td>M.A. or Ph.D.</td>
<td>law</td>
<td>national key-point</td>
</tr>
<tr>
<td>GS/L/L</td>
<td>M.A. or Ph.D.</td>
<td>law</td>
<td>local</td>
</tr>
<tr>
<td>GS/L/O</td>
<td>M.A. or Ph.D.</td>
<td>law</td>
<td>informal or unspecified</td>
</tr>
<tr>
<td>BA/L/E</td>
<td>B.A.</td>
<td>law</td>
<td>elite</td>
</tr>
<tr>
<td>BA/L/KP</td>
<td>B.A.</td>
<td>law</td>
<td>national key-point</td>
</tr>
<tr>
<td>BA/L/L</td>
<td>B.A.</td>
<td>law</td>
<td>local</td>
</tr>
<tr>
<td>BA/L/O</td>
<td>B.A.</td>
<td>law</td>
<td>informal or unspecified</td>
</tr>
<tr>
<td>O/L/E</td>
<td>junior college or unspecified</td>
<td>law</td>
<td>elite</td>
</tr>
<tr>
<td>O/L/KP</td>
<td>junior college or unspecified</td>
<td>law</td>
<td>national key-point</td>
</tr>
<tr>
<td>O/L/L</td>
<td>junior college or unspecified</td>
<td>law</td>
<td>local</td>
</tr>
<tr>
<td>O/L/O</td>
<td>junior college or unspecified</td>
<td>law</td>
<td>informal or unspecified</td>
</tr>
<tr>
<td>GS/NL/E</td>
<td>M.A. or Ph.D.</td>
<td>non-law</td>
<td>elite</td>
</tr>
<tr>
<td>GS/NL/KP</td>
<td>M.A. or Ph.D.</td>
<td>non-law</td>
<td>national key-point</td>
</tr>
<tr>
<td>GS/NL/L</td>
<td>M.A. or Ph.D.</td>
<td>non-law</td>
<td>local</td>
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<td>B.A.</td>
<td>non-law</td>
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<td>BA/NL/L</td>
<td>B.A.</td>
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<td>junior college or unspecified</td>
<td>non-law</td>
<td>informal or unspecified</td>
</tr>
</tbody>
</table>

NOTE: "GS" is short for "graduate school" and "O" is short for "other." Not a single lawyer in either sample reported the combination of an M.A. or Ph.D. degree in a non-law field at an informal or unspecified institution.

Altogether 846 lawyers (Beijing n=403; multi-city n=443) report 1,028 educational events (Beijing n=575; multi-city n=587), the timing of which is known for 897 (or 87 percent of all reported events). Using the 23 event categories in my classification system, there are only 107 unique sequences among the 846 lawyers who report educational information.

Both the quality and quantity of education vary dramatically between lawyers in Beijing and lawyers outside Beijing. As we can see in Figure 6.8, lawyers in Beijing are 22 percentage points more likely than lawyers outside Beijing to report a B.A. in law from a national key-point university (32 percent versus 10 percent). Conversely, lawyers outside Beijing are 22 percentage points more likely than lawyers in Beijing to report a
junior college degree in law from a local university (25 percent versus 3 percent).\footnote{Of course a significant portion of this difference is due to the fact that universities in Beijing are more likely to be either national key-point or elite.} At the same time, lawyers outside Beijing are 11 percentage points more likely than lawyers in Beijing to report B.A. degrees in law from local universities (19 percent versus 8 percent), and 8 percentage points more likely to report junior college degrees in law from informal educational institutions (18 percent versus 10 percent). Similarly, lawyers in Beijing are 14 percentage points more likely than lawyers outside Beijing to report B.A. degrees in law from elite university (17 percent versus 3 percent), and 12 percentage points more likely to report graduate degrees in law from elite universities (12 percent versus 0.7 percent).
As I did with prior job types, I perform a cluster analysis in an attempt to further reduce the 23 educational event types on the basis of patterns of co-occurrence. The resultant dendrogram is presented in Figure 6.9. The results show a rather dramatic clustering of low-status events (junior college degrees and degrees from informal educational institutions) into a distinct cluster and of high-status events into two distinct clusters: B.A. and graduate degrees from national key-point universities and graduate degrees from local universities coalesce into a coherent cluster and the most common degrees from elite universities form a separate cluster. In contrast to the prior job type clusters, the boundaries of which are quite porous, the boundaries around educational event clusters are essentially impermeable. Starting off at an informal educational institution basically dooms all future degrees to this category. Accordingly, starting off at
a high-status university essentially secures future opportunities at universities of similar status.

Figure 6.9. Cluster Analysis of Educational Events

NOTE: n=846. See Appendices H and J for methodological details.
It is important to note that the clustering pattern that emerged is not merely an artifact of combining Beijing and multi-city samples. The same clusters emerged from separate analyses. This is to say, the "low status" cluster emerges as distinct from the "high status" cluster even in the Beijing sample alone (not presented). At the same time, however, the high status cluster is far larger in Beijing than outside Beijing. As we can see in Figure 6.10, lawyers in Beijing are 38 percentage points more likely than lawyers outside Beijing to report high-status events (58 percent versus 20 percent), while lawyers outside Beijing are 38 percentage points more likely than lawyers in Beijing to report low-status events (61 percent versus 23 percent). There is no significant variation by gender or by firm ownership.

![Figure 6.10. Distribution of Educational Clusters by Sample](image)

NOTE: Pearson $\chi^2=19.0$, p<.01. n=980 lawyers; Beijing n=462; multi-city sample n=518

What about the timing of educational events? How common is it for lawyers to return to school after starting legal practice? What kinds of degrees do they pursue after entry into the bar? Altogether, of the 730 lawyers reporting the timing of their
educational events, 625 only reported degrees earned before entry, 51 reported events experienced both before and after entry, and 59 only reported events after entry.

Figure 6.11 shows a similar pattern to that revealed in Figure 6.8: Lawyers in Beijing are 23 percentage points more likely than lawyers outside Beijing to report having earned a B.A. degree in law from a national key-point university before starting work as a lawyer (34 percent versus 11 percent). Correspondingly, lawyers outside Beijing are 24 percentage points more likely than lawyers in Beijing to report having earned a junior college degree in law from a local university before entry (27 percent versus 3 percent). The major difference between this pattern and the overall pattern of educational events is that lawyers in Beijing tend to pursue graduate degrees in law after entering the bar, while lawyers outside Beijing tend to pursue lower-level degrees in law after entering the bar. Figure 6.12 shows that lawyers in Beijing who pursue degrees after entering the bar are 33 percentage points more likely than lawyers outside Beijing who pursue post-entry degrees to earn a graduate degree in law from an elite university (35 percent versus 2 percent). Meanwhile, lawyers outside Beijing who pursue degrees after entering the bar are 19 percentage points more likely than lawyers in Beijing who upgrade their education to earn a junior college degree in law from an informal educational institution (21 percent versus 2 percent). Lawyers outside Beijing are similarly more likely than lawyers in Beijing to pursue junior college and B.A. degrees in law from a local university after entry, and lawyers in Beijing are more likely than lawyers outside Beijing to pursue graduate-level and B.A. degrees in law from national key-point universities after entry.
Figure 6.11. Distribution of Educational Events Experienced Before Entering the Bar by Sample

NOTE: n=776 educational events; Beijing n=391; multi-city sample n=385 (n=676 lawyers; Beijing n=323; multi-city sample n=353)
These patterns—with respect to both educational event type and the timing of the event—are revealed most clearly in Figure 6.13, which contains a set of common educational events and their timing. Figure 6.13 shows that lawyers in Beijing are 27 percentage points more likely than lawyers outside Beijing to earn a B.A. in law from any kind of institution before starting work as a lawyer (57 percent versus 30 percent). At the same time, lawyers outside Beijing are 34 percentage points more likely than lawyers in Beijing to report that junior college was the highest degree earned before entry (47 percent versus 13 percent).
I analyze patterns of movement between education events by performing a multidimensional scalogram analysis (metric MDS). The distances between events mapped in Figure 6.14 are the optimal, minimum distances calculated as a function of (1) whether or not there is any co-occurrence between two events, (2) the average number of years separating each pair of events (relative distance between events), (3) the average number of years separating each event from the time of entry into the legal practice as a lawyer (relative distance to starting work as a lawyer), and (4) the average number of years separating each event from the time of the survey, the year 2000 (absolute distance to the year of the survey). Given these constraints, the optimal configuration produces a map of educational events that, with few exceptions, are lined up in temporal order (Dimension 2) and arranged according to patterns of co-occurrence (Dimension 1). That
is, in a general way, educational transitions occur along Dimension 2, and Dimension 1 separates high-status events and low-status events.

Again, as we saw in Figure 6.9, there is relatively little movement between high-status and low-status event clusters: among lawyers who continue their education after entry, those who started off earning low-status degrees typically end up upgrading to low-status degrees; lawyers who started off earning high-status degrees typically upgrade to high-status degrees. As we already saw in Figure 6.12, Figure 6.14 shows that the most common end-points are graduate degrees in law at elite universities, graduate degrees in law at national key-point universities, and junior college degrees in law from informal educational institutions. The results of the multidimensional scalogram analysis show that which one of these degrees is pursued is in large measure determined by one's prior degree. The results also show that the typical direction of transitions is from non-law degrees to law degrees.
NOTE: Configuration obtained by applying multidimensional scaling to number of years between educational events reported by lawyers, combined sample. Stress=.093, $R^2=.961$. Metric analysis (interval level) of distances presented in Table K.1 using asymmetric Euclidean distance model (ASCAL) for asymmetric square matrices. Dotted borders represent isolates, and solid borders represent job clusters according to dendrogram presented in Figure 6.9. A solid arrow indicates educational transitions within clusters in Figure 6.9, while a dotted arrow indicates educational transitions between clusters in the same figure. The gray line running through the scalogram represents the multiple correlation between Dimension 2 and the mean number of years before 2000 ($r=.899$). Stress of three dimensional solution is .072 (not presented).
There is a significant degree of educational concentration among a small number of universities, especially in Beijing. Overall, the 15 most commonly attended educational institutions account for 60 percent of all lawyers who report educational information. Beijing lawyers are even more concentrated: the 7 most commonly attended educational institutions account for 70 percent of all lawyers. The legacy of the institutes of political science and law (zhengfa xueyuan)—which are now bone fide universities (zhengfa daxue)—is particularly palpable. The five such political science and law universities—the China University of Political Science and Law (CUPL), the Southwest UPL, the South-Central UPL, the China East UPL, and the Northwest UPL, all of which were originally under the authority of the MOJ (cf. Lubman 1999: 151–2)—account for over one fourth of all lawyers reporting educational information (227/846=27 percent): 35 percent of lawyers in the Beijing sample and 19 percent in the multi-city sample. The CUPL in particular accounts for a huge proportion of Beijing lawyers. This massive school, boasting 21,325 students and over 342 professors and associate professors,9 trained 29 percent of the lawyers in the Beijing sample (Figure 6.15). In the Beijing sample, of the 122 degrees earned from the CUPL (n=115 lawyers), 68 percent are B.A. degrees and 21 percent are M.A. or Ph.D. degrees. This means that 21 percent of all educational degrees in the Beijing sample are B.A., M.A., or Ph.D. degrees from the CUPL (109/516=21.1 percent).

The grip wielded by the universities of political science and law on the law school market may be loosening as newer law schools gain a stronger foothold and as more law schools are established. The Peking University School of Law, for example, was established as a separate division of the university only in 1999 (having been revived as a

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department in 1977). Tsinghua University's law school was revived as a department only in 1995, and became a separate school in 1999. Renmin University of China's law school was revived as a research institute in 1986, but only became a full-fledged school in 1994. Figure 6.15 shows that these three law schools train a non-trivial proportion of Beijing lawyers. Meanwhile, under the ongoing educational reforms, the universities of political science and law have all left the administrative jurisdiction of the MOJ, eliminating their special status. In 2000, the CUPL and the South-Central University of Political Science and Law moved to the Ministry of Education. At the same time, the China East UPL, the Southwest UPL, and the Northwest UPL are now under the authority of local governments. These developments are undoubtedly harbingers of major changes to the content and delivery of legal education. Finally, the dramatic differences in the quantity and quality of education between Beijing and smaller cities outside Beijing shows the powerful effects of economic development, which will continue to increase educational standards in the Chinese bar.
Figure 6.15. Distribution of the 15 Most Commonly Attended Schools by Sample

Summary

The main goal of this chapter was to provide an empirical baseline of the social origins and backgrounds of Chinese lawyers. In doing so, this chapter has revealed the motley character of Chinese lawyers, which in turn helps explain lawyers' low social cohesion and the absence of collective action in the bar, an issue to which I will return in Chapter 12. As we saw, most lawyers have prior careers. In the broadest brushstrokes, lawyers' entry channels are divided into "bootstrap" and "silver spoon" channels. That is, there are disadvantaged individuals lacking education and social connections who raise themselves by their own bootstraps, and there are advantaged individuals with powerful backgrounds, from government positions who exploit the social and political capital they
accumulated in government service. Only for a relatively small minority of lawyers is this their first and only career.

With respect to educational backgrounds, the primary division is between lawyers who received formal degrees from formal universities and lawyers who received junior college degrees and/or attended informal educational institutions. A significant proportion of lawyers report multiple degrees, and many of these are cases of lawyers going back to school after entering the bar. The division between formal and informal educational institutions is almost total: it is exceedingly rare for those with degrees from formal universities to upgrade or refresh at an informal institution; likewise, it is almost impossible to receive a formal degree from a formal university after attending an informal institution.

The results also show that going back to school is not limited to the "sponsored mobility" process described by Li and Walder (2001). It is also common in the private sector to upgrade and refresh. This means Wu and Xie's (2002) finding that only late entrants into the private sector benefit from education may be an artifact of late education received after entering the private sector. It is critical to be sensitive to the timing of events. Why do they pursue refresher degrees? Although I lack solid evidence, I speculate that it has to do with reputation and credibility. These are important signals that facilitate the practice of law, as we will see in Chapter 10.