Course Outline

Part I

Programme Title : Undergraduate Programmes
Programme QF Level : 5
Course Title : Law and Society in the Hong Kong Context
Course Code : SSC2246
Department : Social Sciences
Credit Points : 3
Contact Hours : 39
Pre-requisite(s) : Nil
Medium of Instruction : English
Level : 2

Part II

The University’s Graduate Attributes and seven Generic Intended Learning Outcomes (GILOs) represent the attributes of ideal EdUHK graduates and their expected qualities respectively. Learning outcomes work coherently at the University (GILOs), programme (Programme Intended Learning Outcomes) and course (Course Intended Learning Outcomes) levels to achieve the goal of nurturing students with important graduate attributes.

In gist, the Graduate Attributes for Undergraduate, Taught Postgraduate and Research Postgraduate students consist of the following three domains (i.e. in short “PEER & I”):

- Professional Excellence;
- Ethical Responsibility; &
- Innovation.

The descriptors under these three domains are different for the three groups of students in order to reflect the respective level of Graduate Attributes.

The seven GILOs are:

1. Problem Solving Skills
2. Critical Thinking Skills
3. Creative Thinking Skills
4a. Oral Communication Skills
1. **Course Synopsis**
   As a field of study, “law and society” maintains that law is not an autonomous system standing outside the social world. Instead, law is socially and historically constructed, both reflecting as well as impacting the culture and values of a society. In this course, students will develop an understanding of the salient features of the discipline of “law and society”, and be acquainted with some of its major theoretical perspectives. Moreover, they will study the complex interactions between law and society through a number of topics with a particular Hong Kong focus. While the specific topics chosen may vary from year to year in light of the latest scholarship in the field and the instructors’ expertise, preference will be given to those that fall within four key areas, namely, legal history, law and social control, law and social change, and legal process and players.

2. **Course Intended Learning Outcomes (CILOs)**
   *Upon completion of this course, students will be able to:*

   - **CILO₁** identify the rationale and theoretical assumptions of the study of law and society;
   - **CILO₂** describe prominent themes and arguments discussed in major socio-legal works;
   - **CILO₃** identify and recognize the interrelationship between law and different facets of the Hong Kong society;
   - **CILO₄** critically analyze the social, historical, economic and political aspects of the operation of law in Hong Kong;

3. **Content, CILOs and Teaching & Learning Activities**

<table>
<thead>
<tr>
<th>Course Content</th>
<th>CILOs</th>
<th>Suggested Teaching &amp; Learning Activities</th>
</tr>
</thead>
</table>
| *Law and Society: Definitional and Theoretical Issues* | **CILO₁, ₂** | • Lectures / guest lectures  
<pre><code>                                                    |          | • Class discussion                                           |
</code></pre>
<p>| <em>Law and society, or the sociology of</em>              |          | • Literature review                                         |</p>
<table>
<thead>
<tr>
<th>Law? – the founding and evolution of the discipline</th>
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<tbody>
<tr>
<td>• Theories of law and society</td>
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<tr>
<td>• Legal traditions in the world – a brief comparison of the differences between common law and civil law.</td>
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<tr>
<td>• “Law on the books” vs. “law in action”</td>
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**Legal History of Hong Kong – examples of topics to be included:**

- Colonization and the transplant of the common law system;
- The development of the criminal justice system in the 19th century;
- The practice of the rule of law in colonial Hong Kong: myth or reality?
- Chinese customary law in Hong Kong.

**Law and Social Control – examples of topics to be included:**

- The evolution of Hong Kong’s penal policy and programmes;
- ICAC and Hong Kong’s anti-corruption experience;
- Financial regulation and compliance strategies;
- The civil disobedience movement in Hong Kong.

**Law and Social Change – examples of topics to be included:**

- The debate of same-sex marriage in Hong Kong;
- Equality and anti-discriminations: progress and limitations;
- Public interest litigation in Hong Kong.

**Legal Process and Players – examples of topics to be included:**

- Sentencing and plea bargaining;
4. Assessment

<table>
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<tr>
<th>Assessment Tasks</th>
<th>Weighting (%)</th>
<th>CILO</th>
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<tbody>
<tr>
<td>An Individual essay of 2,000 words.</td>
<td>60%</td>
<td>CILO1,2,3,4</td>
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<tr>
<td>Group Presentation on a specific issue about law and society.</td>
<td>20%</td>
<td>CILO1,2,3,4</td>
</tr>
<tr>
<td>Online learning tasks (which may take different forms such as online lesson, online discussion, or online quiz).</td>
<td>20%</td>
<td>CILO1,2,3,4</td>
</tr>
</tbody>
</table>

5. Required Text(s)

Nil

6. Recommended Readings

Law and Society: Definitional and Theoretical Issues


Legal History of Hong Kong


• 陳弘毅 文基賢 吳海傑 (2016). “殖民地時代香港的法制與司法”，載於王賡武 編《香港史新編 (增訂版) (全二冊)》，第 10 章，445–482 頁, 三聯書店。

Law and Social Control


Law and Social Change


**Legal Process and Players**


• 戴耀廷（2010）《法治心:超越法律條文與制度的價值》香港：香港教育圖書公司

7. **Related Web Resources**

Centre for Socio-Legal Studies, Oxford University
https://www.law.ox.ac.uk/centres-institutes/centre-socio-legal-studies

Law and Society Association
http://www.lawandsociety.org/

Law and Society Center, KoGuan Law School of Shanghai Jiao Tong University
http://www.socio-legal.sjtu.edu.cn/En/

Socio-Legal Studies - The British Library
https://www.bl.uk/collection-guides/socio-legal-studies

Socio-Legal Studies Association
https://www.slsa.ac.uk/

Law and Society Association of Australia and New Zealand (LSAANZ)
http://www.lsaanz.org/

8. Related Journals
   Asian Journal of Law and Society
   International Journal of Law in Context
   Journal of Empirical Legal Studies
   Journal of Law and Society
   Law, Culture and the Humanities
   Law & Social Inquiry
   Law & Society Review

9. Academic Honesty
   The University adopts a zero tolerance policy to plagiarism. For the University’s policy on plagiarism, please refer to the Policy on Academic Honesty, Responsibility and Integrity with Specific Reference to the Avoidance of Plagiarism by Students (https://www.eduhk.hk/re/modules/content/item.php?categoryid=9&itemid=116). Students should familiarize themselves with the Policy.

10. Others
   Newspaper articles, policy papers and documentary-clips on relevant issues.

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