

**Lingnan University**  
**Department of Philosophy**

<b>Course Title</b>	: Law and Society
<b>Course Code</b>	: PHI3207
<b>Recommended Study Year</b>	: 1-4 Years
<b>No. of Credits/Term</b>	: 3
<b>Mode of Tuition</b>	: Sectional approach
<b>Class Contact Hours</b>	: 3 hours per week
<b>Category in Major Programme</b>	: Free Elective
<b>Prerequisite(s)</b>	: N/A
<b>Co-requisite(s)</b>	: N/A
<b>Exclusion(s)</b>	: N/A
<b>Exemption Requirement(s)</b>	: N/A

**Brief Course Description**

This course is designed to provide the student with an introduction to law as it relates to broader political and social structures. The course also considers questions involving the evaluation of laws in terms of their ability to do justice as well as the social and political factors that have influenced legal change.

**Aims**

This course attempts to offer to students an insight into issues such as the nature of law and its relation with the factors that influence it such as social and economic factors, as well as perceptions of morality and human rights. The course emphasizes active class discussion and intensive work on improving analytical writing about controversial issues.

**Learning Outcomes**

On completion of this course, students will be expected to:

1. demonstrate a basic understanding of a range of legal theories.
2. be able to evaluate laws and legal institutions, in terms of their relation to values such as equality, justice and fairness
3. demonstrate an ability to evaluate legal systems and other administrative institutions in terms of how they relate to the rule of law
4. be able to perceive law and its historic relation to other aspects within society, such as, ethnicity, and race, marriage and public order

**Indicative Content**

What is law?

Functions of law

Naturalist approaches

Positivist approaches

Social construction of law

Liberal society and the rule of law

The law and moral issues

**Teaching Method**

Teaching done through lectures (including discussion) is designed to set out the basic issues found in the course. Small group class discussions provides an opportunity for students to engage more directly with the material and to raise further questions regarding theories and issues.

## Measurement of Learning Outcomes

Students' progress toward the desired learning outcomes will be assessed as follows:

1. Students will be required to write and submit a term paper which will be on a selected topic which deals with a particular legal and social issue. Refers to Learning Outcomes 2-4.
2. Students will take a final examination where they will be required to identify specific problems and address them. Students will also be able argue a position on a selected question topic and then move from their premises to conclusion through reasoned arguments. Refers to Learning Outcomes 1-4.
3. Students will be expected to actively participate in classroom discussion and contribute in both lectures and/or small group discussions. Refers to Learning Outcomes 2-4.
4. As a voluntary optional activity, students may opt to volunteer for a service learning component. In the service learning component, students will spend a total of 30 contact hours during the academic semester at a pre-selected service learning agency within the community. They shall also keep regular entries in a journal and submit an essay at the end of the semester.

## Assessment

Class participation: 20%

Research Paper/Service Learning Option: 30%

Quizzes: 10%

Final Examination: 40%

## Required Readings

Turkel, *Gerald, Law and Society: Critical Approaches*, MA: Simon & Schuster, 1996

## Supplementary Readings

Bix, Brian, *Jurisprudence: Theory and Practice*, London: Sweet & Maxwell, 1999.

Dworkin, Ronald, *Taking Rights Seriously*. Cambridge, Mass.: Harvard University Press, 1977.

Jianfu Chen, *Chinese Law: Context and Transformation*, Leiden/Boston: Martinus Nijhoff, 2008

Murphy, J. and J. Coleman (ed.), *The Philosophy of Law*. London: Westview Press 1990.

Riddall, J. G., *Jurisprudence*. London: Butterworths, 1991.

Wacks, R., *Human Rights in Hong Kong*. Hong Kong: Oxford University Press, 1992.

Wellman, C., *Real Rights*. New York: Oxford University Press, 1995.

## Important Notes

- (1) Students are expected to spend a total of 9 hours (i.e. 3 hours of class contact and 6 hours of personal study) per week to achieve the course learning outcomes.
- (2) Students shall be aware of the University regulations about dishonest practice in course work, tests and examinations, and the possible consequences as stipulated in the Regulations Governing University Examinations. In particular, plagiarism, being a kind of dishonest practice, is “the presentation of another person’s work without proper acknowledgement of the source, including exact phrases, or summarised ideas, or even footnotes/citations, whether protected by copyright or not, as the student’s own work”. Students are required to strictly follow university regulations governing academic integrity and honesty.
- (3) Students are required to submit writing assignment(s) using Turnitin.
- (4) To enhance students’ understanding of plagiarism, a mini-course “Online Tutorial on Plagiarism Awareness” is available on <https://pla.ln.edu.hk/>