LINGNAN UNIVERSITY

LAW AND GOVERNANCE

CLC9006

1st Term 2018-2019
Instructor: Dr. Tam Wai-keung; Department of Political Science
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Office hours: Monday 12:30-1:30pm, 3:30-4:30pm; Tuesday 1:30-3:30pm, or by appointment

COURSE DESCRIPTION

This course attempts to cultivate students’ understanding of the core issues and debates about government, law, society, and their inter-relationship, particularly in the context of Hong Kong. At the same time, this course helps students to apply theories to analyze practical issues, think laterally, engage in community and public affairs, and present arguments intelligently and persuasively. These skills are essential to students in their future careers, particularly in the public sector.

AIMS

This course aims:
1. To foster students’ skills in analytical and abstract thinking and inquiry skills through investigating current social issues related to law and governance.
2. To train students’ capacity to communicate ideas and formulate arguments in both oral presentations and writings.
3. To instill in students a sense of civic responsibility and political and social consciousness, so that they can effectively contribute to ongoing debates on important social and political issues.

LEARNING OUTCOMES (LOs)

Upon completion of this course, successful students will be able to:
1. Understand the fundamental concepts and approaches to different constitutional
and criminal justice systems.

2. Acquire solid knowledge of the legal order, particularly regarding its historical evolution and contemporary practices in Hong Kong.

3. Critically assess the issues related to government, law and society; present and discuss their arguments effectively in intellectual debates both verbally and in report writing.

4. Form logical opinions and sound judgments on social-political issues.

5. Develop the skills to write an argumentative academic essay on a selected topic in this course.

TEACHING METHOD
Lectures are combined with tutorials involving video-watching, fieldwork, in-class discussion, presentation and project report. Students are encouraged during tutorials to lead discussions based on readings related to lecture topics. The course will emphasize students’ learning experience outside campus. During fieldwork, students will research their chosen topics and collect data from primary sources. Presentation and report writing allows students to demonstrate their ability to synthesize knowledge and reflect on their learning experience.

SERVICE LEARNING
This course adopts the service-learning approach. Under the guidance of the course instructor and Ms. Fanny Mak (project officer from the Office of Service-Learning), 8 students (working as two separate groups) will participate in the project “Law and Migrant Workers in Hong Kong”. The program is jointly organized by the Office of Service-Learning of Lingnan University, the Bethune House Migrant Women’s Refuge, and the PathFinders. 4 students will work with the Bethune House and the other 4 students with the PathFinders. The purpose of the program is to allow students to have first-hand experience in the issues of law and female migrant workers in Hong Kong.

ASSESSMENT AND MEASUREMENT OF LEARNING OUTCOMES
Assessment of students’ performance will be based on the following four criteria:
1. **Class participation (20%) (measures LOs 1-4)** *(for ALL students)*

Students will be graded according to their degree of class participation and other relevant contributions to the class discussion.

2. **Performance in the Service-Learning Project (20%) (measures LOs 1-4)** *(for students participating in service-learning project)*

Students will work as two separate groups and participate in the project “Law and Migrant Workers in Hong Kong”. Through fieldwork, students are required to conduct interviews and provide support for female migrant workers in Hong Kong. In the processes, students should collect information about the relationship between law and female migrant workers in Hong Kong. Students will present their findings in class. Skills in assembling the materials and presenting their findings will be assessed. Details will be announced in the first lecture of the course.

3. **A Project Report of Service-Learning (20%) (measures LOs 1-5)** *(for students participating in service-learning project)*

Each working group will write a project report based on the data they collected from their service-learning. The report should be logically-organized and persuasively-argued.

Due date of the project report is 3 December 2018.

4. **A Proposal of Research Project (40%) (measures LOs 1-5)** *(for students who have not participated in service-learning project)*

2-3 students will form a group and write a proposal for an empirical research project on law and governance. The proposal should include your research questions, synthesize the relevant literature, outline your hypotheses and arguments, and propose how you plan to answer the research questions. The proposal should be about 3,500 words. Due date of the proposal is 3 December 2018.

5. **Final Examination (40%) (measures LOs 1-4)** *(for ALL students)*

This will test the students’ understanding of the basic concepts, case studies, and
debates encountered in this course.

IMPORTANT NOTES

- 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.
- 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.
- Students are required to submit writing assignment(s) using Turnitin.
- To enhance students’ understanding of plagiarism, a mini-course “Online Tutorial on Plagiarism Awareness” is available on https://pla.ln.edu.hk/.
COURSE SCHEDULE

Week 1 (September 4, 2018)
Introduction and Housekeeping

Week 2 (September 11, 2018)
Repressive Law
Required readings:


Optional reading:

Week 3 (September 18, 2018)
The Dynamics of Resolving Disputes
Required reading:

Week 4 (September 25, 2018)
No Class. Public Holiday.

Week 5 (October 2, 2018)
Informal Mechanisms of Resolving Disputes
Required reading:
P.H. Gulliver, “Dispute Settlement Without Courts: The Ndendeuli of Southern Tanzania,” in Laura Nader (ed.), *Law in Culture and Society* (Berkeley: University of
Optional reading:

**Week 6 (October 9, 2018)**

**The Dynamics of Resolving Disputes in Real Life**

In-class video

**Week 7 (October 16, 2018)**

**Reflection of the Dynamics of Resolving Disputes in Real Life**

**Week 8 (October 23, 2018)**

**Why Do People Obey the Law? The Role of Sanctions**

Required reading:

Optional reading:

**Week 9 (October 30, 2018)**

**Why Do People Obey the Law? Peer Pressure, Moral Appeal, and Shame**

Required reading:
Optional reading:

**Week 10 (November 6, 2018)**

**Why Do People Obey the Law? The Political Perspective**

Required reading:

Optional reading:

**Week 11 (November 13, 2018)**

**Social Impact of Law**

Required reading:

Optional reading:

**Week 12 (November 20, 2018)**

**Hitting Boulders with Eggs? Lawyers, Justice, and Dictatorship**

Suggested readings:

Waikeung Tam, *Legal Mobilization under Authoritarianism: The Case of*

Week 13 (November 27, 2018)

Hitting Boulders with Eggs? Lawyers, Justice, and Dictatorship (Continue)