Course Title	:	PMS 3004 Government, Law and Society
Recommended Study Year	:	1
No. of Credits/Term		3
Mode of Tuition	:	Lectures and Tutorial
Class Contact Hours	:	3 hours per week
Category in Major Prog.	:	Required
Discipline	:	Political Science
Prerequisite(s)	:	N/A
Co-requisite(s)	:	N/A
Exclusion(s)	:	N/A
Exemption Requirement(s)	:	N/A

Brief Course Description

This course aims to help students understand the basic concepts and theories in comparative politics and socio-legal studies. The course starts with an introduction of some major concepts and theories about government and society, including state and state-building, regime politics, state-society relations and civil society. The course will then discuss the intersection between law and politics/ law and society. We are going to discuss topics such as the functions of law in society, judicial review, legal consciousness and legal mobilizations. We are going to address some pressing questions such as (1) How is law mobilized and deployed by different agents and actors (judges, legislators, activists, etc.)? (2) Is the legal system a feasible vehicle to resolve conflicts? and (3) Under what conditions is it possible to use law to change society?

Aims

This course aims to:
1. Introduce students to the major theories and concepts in comparative politics and socio-legal studies
2. Equip students with the skills and concepts to compare socio-legal issues across different countries
3. Help students to apply theories of comparative politics and socio-legal studies to analyze social-political issues they are interested in

Learning Outcomes (LOs)

Upon successful completion of this course, students will be able to:
1. Recognise key concepts, theories, principles about comparative politics and socio-legal studies
2. Identify and critically analyze issues and debates in comparative politics and socio-legal studies
3. Apply key concepts and theories in socio-legal studies in local issues and also issues across the world
4. Compare socio-legal issues across different countries

Indicative Content
1. States, regime, government
2. Democracy and democratization
3. Non-democratic political system
4. Civil society & political culture
5. State-society relations
6. The functions of law in society
7. Constitutionalism vs. democracy: the counter-majoritarian dilemma
8. Judicial review
9. Legal consciousness
10. Legal mobilization
11. The function of law in deeply divided society

Teaching Methods

The course will consist of weekly lectures (2 hours), tutorials (1 hour). In tutorials, students will discuss the assigned readings and take turns to make presentations.

Assessment

1. 15% Mid-term exam: A one-hour mid-term exam will take place in week 7.
2. 30% Final examination: A two-hour final examination will take place at the end of the course.
3. 25% group presentation: students will select topics that are relevant to socio-legal issues and take turns to make presentations.
4. 30% individual paper: students will write a term paper about a selected topic in comparative politics and socio-legal studies.

Measurement of Learning Outcomes

Learning Outcome	Mid term exam and Final exam	Group presentation	Individual paper
1. Recognise key concepts, theories, principles about comparative politics and socio-legal studies	✓	✓	✓
2. Identify and critically analyze issues and debates in comparative politics and socio-legal studies	✓	✓	✓
3. Apply key concepts and theories in socio-legal studies in local issues and also issues across the world	✓	✓	✓
4. Compare socio-legal issues across different countries	✓	✓	✓

Required/Essential Readings

Tamanaha, Brian. 2001. *A General Jurisprudence of Law and Society*. Oxford and New York: Oxford University Press. (Chapters 1-5)

Kopstein, J., Lichbach, M., & Hanson, S. E. (Eds.). (2014). *Comparative politics: interests, identities, and institutions in a changing global order*. Cambridge University Press.

Recommended/Supplementary Readings

1. Tilly, Charles, "War Making and State Making as Organized Crime" in Peter Evans, Dietrich Rueschemeyer, and Theda Skocpol, *Bringing the State Back In* (Cambridge University Press, 1985), pp. 169-191.
2. Michael Mann, "The Autonomous Power of the State: Its Origins, Mechanisms, and Results" in *States in History*, pp.109-36.
3. Juan Linz & Alfred Stepan, *Problems of Democratic Transition and Consolidation* (Johns Hopkins UP, 1996), pp. 38-54
4. Francis Fukuyama, "The Imperative of State-Building," *Journal of Democracy* 15.2 (April 2004): 17-34
5. Robert Dahl, *Polyarchy* (Yale UP, 1971), pp. 1-16, 33-47
6. Samuel Huntington, "Democracy's Third Wave," *Journal of Democracy* 2.2 (Spr. 1991): 12-34
7. Carles Boix and Susan C. Stokes, "Endogenous Democratization." *World Politics* 55 No. 4 (2003): 517–549. (You may skip pp. 545-549.)
8. Nancy Bermeo and Deborah Yashar, "Parties, Movements, and the Making of Democracy." In Nancy Bermeo and Deborah J. Yashar, eds., *Parties, Movements, and*

Democracy in the Developing World, pp. 1-27. New York: Cambridge University Press, 2016.

9. Milan W. Svolic, *The Politics of Authoritarian Rule*. New York: Cambridge University Press, 2008, Chapters 1-2

10. Steven Levitksy & Lucan Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War* (Cambridge UP, 2010), pp. 3-24

11. Ekiert, Grzegorz. (2018). "Civil Society Approach". *Handbook on Political, Social and Economic Transformations*, Oxford University Press, pp 1-9

12. Putnam, Robert D., Robert Leonardi and Raffaella Y. Nanetti. (1993). *Making Democracy Work*. Princeton University Press, pp. 87-91; 99-109.

13. Plato, *Crito* (360 B.C.) Translated by Benjamin Jowett, pp. 1-9.

14. Karl L. Llewellyn, *The Bramble Bush: Some Lectures on the Law and Its Study* (New York, 1930), 1-15 (Ch. 1), 109-21 (Ch. 7).

15. Robert C. Ellickson, *Order Without Law: How Neighbors Settle Disputes* (Cambridge: Harvard University Press, 1994), 15-28, 40-64.

16. Gordon Silverstein, *Law's Allure* (Cambridge, MA: Cambridge University Press, 2009), 15-41.

17. Paul Gewirtz**,** *On "I Know It When I See It,"* 105 *Yale Law Journal* (1996): 1023-47

18. Gerald N. Rosenberg, *The Hollow Hope* 2nd Edition (Chicago: the University of Chicago Press, 2008), 1-169.

19. Michael McCann, "How the Supreme Court Matters in American Politics: New Institutionalist Perspectives," in Howard Gillman and Cornell Clayton, eds., *The Supreme Court in American Politics* (Lawrence: University Press of Kansas, 1999), 63-97.

20. Zemans, Frances Kahn. 1983. "Legal Mobilization: The Neglected Role of the Law in the Political System." *American Political Science Review* 77: 690-703.

21. Burstein, Paul. 1991. "Legal Mobilization as a Social Movement Tactic: The Struggle for Equal Employment Opportunity." *American Journal of Sociology* 96: 1201-1225.

22. Edelman, Lauren B., Howard Erlanger, and John Lande. 1993. "Internal Dispute Resolution: The Transformation of Civil Rights in the Workplace." *Law & Society Review* 27: 497-534.

23. Silbey, Susan, and Patricia Ewick. 2003. "Narrating Social Structures: Stories of Resistance to Legal Authority." *American Journal of Sociology* 108: 1328-1372.

24. Albiston, Catherine. 2005. "Bargaining in the Shadow of Social Institutions: Competing Discourses and Social Change in Workplace Mobilization of Civil Rights." *Law & Society Review* 39: 11-50.

25. McCann, Michael. 2006. "Law and Social Movements: Contemporary Perspectives." *Annual Review of Law and Social Science* 2: 17-38.

Additional readings will also be given weekly on a topic by topic basis.

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 coursework, 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/.