

City University of Hong Kong

**Information on a Course
offered by Department of Linguistics and Translation
with effect from Semester A in 2014 / 2015**

Part I

Course Title: Language in Legal Settings

Course Code: LT5513

Course Duration: 1 Semester

Credit Units: 3

Level: P5

Medium of Instruction: English

Prerequisites: Nil

Precursors: Nil

Equivalent Courses: CTL5513 Language in Legal Settings

Exclusive Courses: Nil

Part II

Course Aims

This course aims to help students explore (1) the inter-relationship between language, society, and law; (2) the workings of language in legal settings; and (3) the sociolinguistic issues of language and law with special reference to the issues relating to Hong Kong in its transformation from a unilingual to a bilingual legal system.

Course Intended Learning Outcomes (CILOs)

Upon successful completion of this course, students should be able to:

No.	CILOs	Weighting (if applicable)
1.	Explain the basic features and functions of language and how law functions through language	
2.	Describe and explain some of the major sociolinguistic issues relating to language and law	
3.	Describe and explain the current sociolinguistic issues relating to legal bilingualism in Hong Kong	

Teaching and Learning Activities (TLAs)

(Indicative of likely activities and tasks designed to facilitate students' achievement of the CILOs. Final details will be provided to students in their first week of attendance in this course)

CILO No.	TLAs	Hours/week (if applicable)
CILO 1-3	Lecture; open class discussion	2 hours lecture; 1 hour tutorial

Assessment Tasks/Activities

(Indicative of likely activities and tasks designed to assess how well the students achieve the CILOs. Final details will be provided to students in their first week of attendance in this course)

CILO No.	Type of Assessment Tasks/Activities	Weighting (if applicable)	Remarks
CILO 1-3	1 research paper (10 pages) on a current issue relating to language and law in the context of Hong Kong.	50%	
CILO 1-3	Open book formal examination (2 hours): Students are required to give an analytical account of the questions.	50%	

Grading of Student Achievement:

Refer to Grading of Courses in the Academic Regulations for Taught Postgraduate Degrees.

Grading pattern: Standard (A+, A, A-...F). Grading is based on student performance in assessment tasks/activities.

Excellent (A-, A, A+)	Good (B-, B, B+)	Adequate (C-, C, C+)	Marginal (D)
Superior grasp of subject matter; strong evidence of original thinking; excellent organization; strong evidence of extensive knowledge base; excellent analytical ability and critical capacity	Good grasp of subject matter; some evidence of original thinking; good organization; some evidence of extensive knowledge base; good analytical ability and critical capacity	Reasonable understanding of the subject matter; some attempts at original thinking; adequate organization; some familiarity with literature; some evidence of analytical ability and critical capacity	Little understanding of the subject matter; little evidence of original thinking; little familiarity with literature; weakness in analytical and critical skills

Part III

Keyword Syllabus

Language, law, and society; the nature of legal language; sociolinguistic issues in language and law

Recommended Reading

Text(s)

- Allott, A. N. 1965. "Law and Language." Inaugural Lecture. London: Luzac & Co. Ltd.
- Endicott, Timothy A. O. 1996. "Linguistic Indeterminacy." *Oxford Journal of Legal Studies*, Vol.16, 667-697.
- Grossfeld, Bernhard. 1985. "Language and the Law." *Journal of Air Law and Commerce*, Vol.50: 3 & 4: 793-803.
- Hasnas, John. 1995. "Back To The Future: From Critical Legal Studies Forward To Legal Realism, Or How Not To Miss The Point Of The Indeterminacy Argument." *Duke Law Journal*, Vol.45:84, 84-132.
- Hiller, Jack A. 1978. "Language, Law, Sports and Culture: The transferability of words, life styles and attitudes through law." 12 *Valporaraiso U. L. Rew* 433, 150-190.
- Holmes, Janet. 1992. *An Introduction to Sociolinguistics*. London: Longman.
- Hsu, Raymond S.W. 1979. "What Is Standard Chinese?" In Robert Lord (Ed.), *Hong Kong Language Papers*. Hong Kong: HKU Press, 115-141.
- 黃長著. 1994. "從某些外語專名的漢譯看海峽兩岸語言使用的差異與統一." 兩岸漢語語彙文字學術研討會論文. 台北.
- Hudson, R.A. 1980. *Sociolinguistics*. Cambridge: CUP.

- Klinck, Dennis R. 1992. *The Word of the Law*. Ottawa: Carleton University Press.
- Lakoff, Robin Tolmach. 1990. *Talking Power: The Politics of Language in Our Lives*. n.p.: Basic Books. Chap.7.
- Lord Macmillan. 1931. "Law and Language." Presidential Address to the Holdsworth Club of Students of the Faculty of Law, the University of Birmingham. Birmingham: The Birmingham Printers Ltd.
- Meyer, Linda Ross. 1996. "When Reasonable Minds Differ." *New York University Law Review*, Vol.71:1411, 1467-1528.
- Morrison, Mary Jane. 1993. "Excursions Into The Nature of Legal Language." In Fredrick Schauer (Ed.), *Law and Language*. Aldershot: Dartmouth, 271-336.
- O'Barr, William M. 1982. *Linguistic Evidence: Language, Power, and Strategy in the Courtroom*. New York: Academic Press. Chap. 5.
- 李殿魁. 1994. "兩岸外語專有名詞中譯通用性之探討." 兩岸漢語語彙文字學術研討會論文. 台北.
- Pasierbsky, Fritz. 1989. "Adaptation processes in Chinese: word formation." In Florian Coulmas (Ed.), *Language Adaptation*. Cambridge: Cambridge University Press. 90-103.
- Romaine, Suzanne. 1994. *Language in Society*. Oxford: OUP. Chap.4.
- Sin, King-kui. 1992. "Courtroom Language in Hong Kong." A research report (Project 700286). City University of Hong Kong.
- Solan, Lawrence M. 1993. *The Language of Judges*. Chicago: The University of Chicago Press.
- 余光中. "怎樣改進英式中文? -- 論中文的常態與變態." *明報月刊* 10 月號.
- Thomas, George. 1991. *Linguistic Purism*. London: Longman. Chap.3.
- Wardhaugh, Ronald. 1992. *An Introduction to Sociolinguistics*. 2nd ed. Oxford, Blackwell.
- Williams, Glanville L. 1945-46. "Language and the Law." *The Law Quarterly Review*, Vol. 61-62.
- 徐大明、陶紅印、謝天蔚. 1997. 當代社會語言學. 北京: 中國社會科學出版社.
- 許嘉璐. 1996. "中國語言文字的現狀和對策 -- 兼論 1997 後的香港語文." 一九九七與香港中國語文研討會論文集. 香港: 香港中國語文學會, 8-14.