

**City University of Hong Kong**

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

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**Part I**

**Course Title:** Special Topics in Language and Law

**Course Code:** LT6530

**Course Duration:** One semester

**Credit Units:** 3

**Level:** P6

**Medium of Instruction and Assessment:** English is the main medium of instruction and assessment, but Chinese is allowed in situations where English-Chinese translation and interpretation, or bilingual legal drafting, is involved.

**Prerequisites:** Nil

**Precursors:** Nil

**Equivalent Courses:** CTL6530 Special Topics in Language and Law

**Exclusive Courses:** Nil

**Part II**

**Course Aims**

This course aims to (i) explore some of the major issues relating to language and law in greater depth, (ii) provide students with an analytic account of research on those issues, and (iii) provide students with a forum for critical discussion of those issues.

### **Course Intended Learning Outcomes (CILOs)**

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

The choice of a special topic determines the course ILOs. The topics come from three major areas: (i) legal translation, (ii) bilingual legal drafting, (iii) law and language, in particular, the language of the law.

#### *For Area (i) legal translation*

<b>No.</b>	<b>CILOs</b>	<b>Weighting (if applicable)</b>
1.	Discover and reflect critically on the problems associated with the translation of legal texts	
2.	Apply legal translation theories and techniques to generate creative solutions to the translation of legal texts	
3.	Justify the appropriateness of their translation	

#### *For Area (ii) bilingual legal drafting*

<b>No.</b>	<b>CILOs</b>	<b>Weighting (if applicable)</b>
1.	Discover and reflect critically on the problems associated with bilingual legal drafting	
2.	Apply drafting theories and techniques to generate creative solutions to the drafting of bilingual legal texts	
3.	Justify the appropriateness of their drafting	

#### *For Area (iii) law and language, in particular, the language of the law*

<b>No.</b>	<b>CILOs</b>	<b>Weighting (if applicable)</b>
1.	Analyze legal texts, with particular reference to their use of language	
2.	Discuss on the one hand the impact of law on language, and on the other, the influence of language on law	
3.	Discover and reflect critically on the problematic issues relating to the interaction between the two different disciplines: language and law	

### 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	Reading – academic books and articles	
CILO 1-3	Lecture – basic concepts and theories, explanation and illustration, in-class problem solving activities	
CILO 1-3	Tutorial – group discussion, further elaboration of concepts and theories, problem solving activities, translation or drafting or linguistic analysis	
CILO 1-3	Written assignment – translation or bilingual legal drafting or linguistic analysis or research paper, depending on the nature of the topic chosen	

### 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	Written assignment - translation or bilingual legal drafting or linguistic analysis or research paper (minimum length for a research paper is 2000 words), depending on the nature of the topic chosen	50%	
CILO 1-3	In-class test (2 hours) - translation or bilingual legal drafting or linguistic analysis, OR written assignment (when the assignment is a research paper, the minimum length is 2000 words), depending on the nature of the topic chosen	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)
Strong evidence of original thinking; strong evidence of extensive knowledge base; superior grasp of subject matter; excellent ability in analysing and reflecting critically on one's own work	Some original thinking; good evidence of extensive knowledge base; good grasp of subject matter; good ability in analysing and reflecting critically on one's own work	Some attempts at original thinking; adequate evidence of extensive knowledge base; adequate grasp of subject matter; adequate ability in analysing and reflecting critically on one's own work	Little evidence of original thinking; little evidence of extensive knowledge base; sufficient familiarity with the subject matter to enable the student to progress without repeating the course

The criteria are of equal weighting, and are used to define the student's performance.

### Part III

#### Keyword Syllabus

The teacher(s) involved will announce before course registration the special topic(s) chosen for the course and a detailed syllabus, including CILOs, TLAs, Assessment tasks/activities, and recommended reading list will be provided at that stage for students.

#### Recommended Reading

##### Text(s)

Specific reading list will be developed, depending on the special topic chosen. Some general titles are provided in the following:

##### (A) Legal translation

Alcaraz Varo, E. & Hughes, B. 2002. *Legal translation explained*. Manchester: St. Jerome.

Cao, D. 2007. *Translating law*. Clevedon: Multilingual Matters.

Li, T-O. 1985. *Translating into a bilingual legal system*. Hong Kong: Gregarian Pub.

Sarcevic, S. 1997. *New approach to legal translation*. The Hague: Kluwer Law International.

##### (B) Bilingual legal drafting

Bennion, F.A.R. 2001. *Understanding common law legislation: Drafting and interpretation*. Oxford: Oxford University Press.

- Butt, P. & Castle, R. 2006. *Modern legal drafting: A guide to using clearer language*. (2<sup>nd</sup> ed.). Cambridge: Cambridge University Press.
- Daigneault, E.W. 2005. *Drafting international agreements in legal English*. Wien: Manz.
- Inns of Court School of Law. 2006. *Drafting*. Oxford: Oxford University Press.
- Law Drafting Division, Department of Justice. 2001. *Legislative drafting in Hong Kong: Crystallization in definitive form*. (2<sup>nd</sup> ed.). Hong Kong: Department of Justice.
- Ng, K.H. 2004. *The common law in two voices: Language and law in postcolonial Hong Kong*. Chicago: University of Chicago, Department of Sociology.
- Otto, J.M. et al. (eds.). 2000. *Law-making in the People's Republic of China*. The Hague: Kluwer Law International.

### (C) Law and language

- Bhatia, V., Candlin, C.N. & Engberg, J. (eds.). 2008. *Legal discourse across cultures and systems*. Hong Kong: Hong Kong University Press.
- Bouchoux, D.E. 2005. *The Aspen handbook for legal writers: A practical reference*. New York: Aspen.
- Conley, J.M. & O'Barr, W.M. 2005. *Just words: Law, language, and power*. (2<sup>nd</sup> ed.). Chicago: University of Chicago Press.
- Gibbons, J. 2003. *Forensic linguistics: An introduction to language in the justice system*. Oxford: Blackwell.
- Mattila, H.E.S. 2006. *Comparative legal linguistics*. Aldershot: Ashgate.
- Morawetz, T. (ed.). 2000. *Law and language*. Aldershot: Ashgate.
- Phillips, A. 2003. *Lawyers' language: how and why legal language is different*. London: Routledge.
- Schane, S. 2006. *Language and the law*. New York: Continnum.
- Shuy, R.W. 2008. *Fighting over words: Language and civil law cases*. Oxford: Oxford University Press.

### Online Resources

- <http://www.legislation.gov.hk/eng/glossary/homeglos.htm>
- <http://www.lexisnexis.com>
- <http://libweb.cityu.edu.hk/lbdinst/westlaw.htm>
- <http://www.cityu.edu.hk/lib/eres/database/info/chinalawinfo.htm>
- <http://law.moj.gov.tw/>