

City University of Hong Kong

Course Syllabus

offered by School of Law  
with effect from Semester B 2015/16

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**Part I Course Overview**

Intensive Seminar

(LW650E is an umbrella course. The course codes of seminars offered under this course will be labeled as LW650AE, LW650BE and so on. The code numbers and the exact title of each seminar will be recorded in Appendix A to this Form.)

**Course Title:**

LW650E

**Course Code:**

From one week to the full duration of a given semester

**Course Duration:**

1 credit (total contact hours: 13) or 2 credits (total contact hours: 26)

**Credit Units:**

P6

**Level:**

English

**Medium of Instruction:**

English

**Medium of Assessment:**

Nil

**Prerequisites:**

*(Course Code and Title)*

Nil

**Precursors:**

*(Course Code and Title)*

LW5662\* Intensive Seminar

**Equivalent Courses:**

*(Course Code and Title)*

(\* This being an umbrella course, the course codes of seminars offered under this course will be labeled as LW5662A, LW5662B and so on.)

Nil

**Exclusive Courses:**

*(Course Code and Title)*

## Part II Course Details

### 1. Abstract

*This course aims to:*

- a) provide students opportunities to study, on an intensive basis, an existing or emerging area of law so as to meet the challenges of working in a global environment;
- b) allow students to get exposed to leading foreign legal scholars who might be willing to spend few weeks at our Law School to offer a course;
- c) offer more flexibility to students to plan and complete their studies; and
- d) develop further the research and analytical abilities of students.

### 2. Course Intended Learning Outcomes (CILOs)

*(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)*

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	<b>Describe and explain</b> the basic concepts and principles related to the given seminar			√	
2.	<b>Apply</b> the concepts and principles to solve hypothetical or real situations			√	√
3.	<b>Communicate</b> ideas, arguments or advice clearly and coherently both orally and in writing		√	√	√
4.	<b>Critically analyse and evaluate</b> concepts, principles and policy underpinning the area of law covered by the seminar		√	√	√
		100%			

A1: *Attitude*

*Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.*

A2: *Ability*

*Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.*

A3: *Accomplishments*

*Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.*

### 3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.						Hours/week (if applicable)
		1	2	3	4			
<b>Lectures or interactive seminars</b>	students will acquire basic knowledge of the relevant concept and principles, including by asking or responding to questions	√						
<b>Group discussions/exercises</b>	students will get an opportunity to apply law or legal principles to practical situations; <b>Tutorials</b> – students will apply their understanding of legal concepts and principles to solve hypothetical situations		√					
<b>Tutorials</b>	oral presentations and written submissions			√				
<b>Lectures or interactive seminars</b>	students will develop critical analytical abilities by observing and participating in discussions; <b>Guided reflective pre/post-class reading</b>				√			

### 4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Again, although precise assessment tasks will be determined by the visiting faculty and/or the course leader so as to ensure a proper alignment with CILOs and TLAs, few potential assessment tasks are specified below. Taking into account the nature of the subject and the duration of the seminar, the visiting faculty and/or the course leader will decide if the assessment will be wholly by coursework or by a combination of coursework and examination. The nature of examination (whether closed book or open book) will also be determined by the visiting faculty and/or the course leader. The exact assessment tasks will be notified to students at the beginning of the seminar.

Assessment Tasks/Activities	CILO No.						Weighting	Remarks
	1	2	3	4	5	6		
Continuous Assessment: to be decided by the individual course leader								
<b>Attendance and participation in tutorials</b> and other exercises	√	√	√	√	√	√		
<b>End-of-course examination:</b> to be decided by the individual course leader (duration: 3 hours , if applicable)								
							100%	

Students are required to attend at least 70% of the classes. If a student does not meet this requirement, he/she may be disqualified for assessment.

Students' achievements will be graded on the basis of their performance in assessment tasks/activities. To pass this course, students must obtain an aggregate mark of 40% and a minimum of 30% in each of the specified assessment tasks/activities.

## 5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Adequate (C+, C, C-)	Marginal (D)	Failure (F)
1. <b>Attendance and participation in tutorials and other exercises presentation)</b>	Demonstration of concentration on tutorials and other exercises. Demonstration of ability and willingness to answer questions in tutorials and to participate in group discussion. Demonstration of oral presentation skills and willingness.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.
2. <b>End-of-course examination</b>	Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

**Part III Other Information** (more details can be provided separately in the teaching plan)

**1. Syllabus**

**1.1 Keyword Syllabus**

*(An indication of the key topics of the course.)*

This being merely an umbrella course, it has no syllabus of its own. The syllabus of each intensive seminar offered under this course will be decided by the visiting staff and/or the course leader and outlined in the course manual. For record purposes, the keyword syllabus of every intensive seminar will be included in Appendix B to this Form.

**Appendix A: Course Codes and Titles of  
Intensive Seminars Offered under LW650E**

<i>Course Code</i>	<i>Course Title</i>	<i>Credit Units</i>
LW650AE	Capital Punishment in International Perspective	2
LW650BE	Terrorism, Human Rights and International Law	1
LW650CE	International Commercial Arbitration	1
LW650DE	Labour Law and Post-Industrial Work Relations in Hong Kong, the United Kingdom, and the United States	1

## **Appendix B: Syllabus of Intensive Seminars Offered under LW650E**

### LW650AE: Capital Punishment in International Perspective

This course will discuss the issue of capital punishment from an international perspective. The following aspects will be discussed:

1. The history of capital punishment and the movement to restrict its use and then to abolish it.
2. The politics of the abolitionist movement, including the arguments and forces that have been at work to achieve successful abolition and those that have been used to resist it. The influence of international law and the human rights movement on the question of capital punishment.
3. The current scope and use of the death penalty around the world, especially in Asia and the USA
4. The modes of enforcing capital punishment and the legal and moral issues involved in its application, including the problem of avoiding error.
5. The problem of arbitrariness and discrimination. Is it possible to eliminate it?
6. Is the death penalty essential as a general deterrent to murder?
7. How can abolition be achieved in those countries that still retain? The role of public opinion.
8. Alternatives to the death penalty: Is life imprisonment without parole the solution?

LW650BE: Terrorism, Human Rights and International Law

1. Overview of Terrorism and the Law
2. Understanding the Different Periods of Counter – Terrorism Activity
3. United Nations and Security Council Measures
4. Terrorism and the Criminal Law (Vertical and Horizontal Initiatives)
5. Public Emergencies and Human Rights
6. Defining Terrorism
  - a. Motive Elements: Political, Religious, Ideological Purposes?
  - b. Causal definitions vs. Pragmatic Definitions
7. Exceptions to Terrorism Definitions?
8. Terrorism and the Law of War
  - a. Prohibitions on Terrorism in Armed Conflict
  - b. Status and Treatment of ‘Terrorists’ under Humanitarian Law
  - c. Targeted Killing – or Extrajudicial Assassination?
  - d. Israel’s Security Barrier in the Occupied Territories
9. Terrorism and the Use of Force
10. Torture and Irregular Renditions
11. Human Rights Consequences of Terrorism and Counter-Terrorism
12. The War on Terrorism
13. Discussing Models of Counter-Terrorism



## LW650CE: International Commercial Arbitration

This course offers an introduction into International Commercial Arbitration (ICA) and highlights different aspects of ICA, such as:

Characteristics of ICA in Practice

The Arbitration Agreement and the applicable Law

Arbitrators and Arbitration Proceedings

The Arbitral Award – Effects and Limits

The students will be accustomed i.a. with the Brussels I Regulation, the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards (1958), the European Convention on Commercial Arbitration (1961) and other sources. Basic knowledge of Private International Law (including International Civil Procedure) is desirable.

## Intensive Seminar

### LW650DE Labour Law and Post-Industrial Work Relations in Hong Kong, the United Kingdom, and the United States

This is a course in comparative labour law. We will examine several policy challenges posed by the growth of “post-industrial” work relations in three advanced economies and common law jurisdictions: the United Kingdom, Hong Kong, and the United States. Over the past several decades, all three places have experienced a relative decline in what scholars and practitioners have referred to as “industrial,” or “standard,” employment: a full-time, long-term or secure, and direct relationship between a worker and large firm, where the worker carried out routinized tasks under a clear managerial hierarchy and often received benefits and sustainable pay. A mix of law, collective bargaining, and custom was responsible for institutionalizing and maintaining this relationship. Now, global competition, the growth of the service sector, the re-orientation of economic activity towards financial markets, new strategies of profit-making, and state policy have eroded the institutional footing of industrial employment. In its stead, irregular, low-wage, indirect, and insecure employment has burgeoned. Using case studies, the course will explore two principal questions: (1) How does post-industrial work challenge assumptions embedded within current labour law regimes? (2) How might we transform labour law in order to meet the challenges of governing post-industrial work and managing its social and economic consequences? Topics we will address in interrogating these questions include the following:

- Identifying who has rights or obligations under labour law, particularly in indirect employment involving subcontracting, labour intermediaries, and buyer-driven supply chains
- Job security and labor market security
- Working hours
- Benefits
- Health and safety
- Unionization and other modes of worker organization
- Implementing and enforcing labour law
- The benefits and limits of a comparative approach to labour law

#### Assessment:

There will be 20% for class participation and 80% for the essay questions.

Apart from the essay assignment, the grade will be based on their preparation for and participation in class. They will be required to do the assigned reading for each class. The course leader will give them discussion questions to consider as they do the reading.

Students will submit the final essays by Friday, April 1 2016.