

FOCUS:
Social concern of Law Students



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*Law Association
University of Hong Kong*

Focus: Social Concern Among Law Students

It has been frequently said (and perhaps it is superfluous to repeat) that as university students, we should not allow ourselves to deteriorate into mere bookworms but should foster an interest in the outside world. In particular, we should be more concerned with society, of which we are a part and in which we may, in the near future, have a vital role to play.

Social concern is, therefore, as important to us as our academic studies; a fact which will become more evident when the time comes for us to leave the confines of our lecture rooms and join the ranks of a profession intimately connected with social problems.

What then is this so-called "social concern"? what is its precise nature? Does social concern mean an awareness of social problems or does its scope extend far beyond this and if so to what extent? Moreover, in our capacity as law students, should we concentrate on the legal aspects of social concern rather than devote equal attention to other fields? Undoubtedly, the answers to these and many other questions will be of immense interest to all students of the Law Department.

This article has been written with the aim of stimulating discussion and obtaining the opinions of our students themselves; at the end of which we may, hopefully, arrive at an appropriate conclusion and provide answers to the above-mentioned questions. In addition, we also hope to find out in what ways the Law Department or the Law Association can promote social concern among Law students and at the same time to draw attention to a sub-committee of the Law Association, the Legal Education Project Committee (Lepco), which to a certain extent is connected with some aspects of social concern.

The Nature and Scope of Social Concern:

In an attempt to obtain the views of our students on the topic of this issue's Focus, questionnaires were distributed to every student in the Law Department. One of the questions asked was "what is social concern?" The majority, (as much as 84%), was of the opinion that social concern means a combination of awareness of current affairs and participation in social activities. Others suggested that social concern should include awareness of social problems (e.g. housing, crime etc.) and of one's duty to society. One interviewee thought that it should also include matters which one's life style or livelihood, as for example the phenomenon of inflation having an effect upon the way in which one spends money.

As to the question of whether it is desirable to limit, or at least to emphasize, our social concern to aspects in the legal field, 79% of our students answered in the negative; a clear indication that majority opinion is that the fact of being law students does not prevent us from being concerned with matters which do not contain a "legal element". In fact most of our students went as far as to say that social concern should cover all possible fields. Others were more specific in saying that it should include concern over political and international affairs (especially the position of Hong Kong in relation to China) and also concern over government policies and social problems in general covering a wide variety of fields like education, commerce, finance, social welfare and religion. One second year student stressed the possession of professional ethics and social consciousness as important features of social concern. He or she also indicated that a knowledge of the legal system of China was also desirable and ended up by suggesting a reduction of academic pressure in the Law Department so that students can have more time to participate in social activities.

On the whole, the logical conclusion to be drawn is that the nature of social concern involves a combination of awareness and participation and that its scope should extend beyond the confines of the legal field.

The Role of Mass Media

As far as awareness of social problems is concerned it is obvious that in this modern age, the mass media undoubtedly plays a dominant role. The results of our survey revealed that a vast majority of our students usually get to know about social problems from newspapers, radio and television. Other sources of information include posters in the university campus and discussions with friends. It is also interesting to note that students of our department spend an average of half an hour to one hour listening to the radio and reading newspapers.

Nevertheless, it is common knowledge that the contents of the mass media do not consist exclusively of social problems. The newspaper, for example, also devotes extensive coverage to current affairs both local & international, entertainment, sport and even discussions on academic topics. How, then, does our interest in social problems compare with these various other features of the mass media? Well, our findings show that social problems, political affairs (both local & international) and local law command dominant interest amongst our students. Only a small portion indicated interest in sports and entertainment. When enquired about the most recent piece of news (our survey was conducted on 20th Feb. 1978) they have read or heard of, most students cited the alleged kidnapping case of the famous Korean actress Cho Eun-hee; showing perhaps an overall preference for "sensational" news. Evidently, the mysterious disappearance, with all the ingredients of a potential "spy-thriller" did much to arouse our interest. Next in precedence comes the holding of the National People's Congress in China, followed by local news such as the government's Green Paper proposals, the ICAC "amnesty" and the subsequent amendment of the ICAC Ordinance, the government's House-owning Scheme (居者有其屋) and the salary increase for civil servants. Next comes international news like the hijack and Egyptian commando raid in Cyprus, the Egyptian-Israeli peace talks, the African peace talks, the poisoning of Israeli oranges and President Carter's proposal for arms supply to Egypt. As far as popularity is concerned, sports news received very poor ratings though one or two of our students did mention the death of a local footballer Chan yuk-ki and Muhammad Ali's unsuccessful defence of his heavy-weight championship title.

All in all, our students showed great interest in affairs with a political or social element, with general preference for local happenings. Knowledge in news about sports and entertainment almost approached nil.

Our General Attitude

What is our general attitude towards social concern? Is our reaction enthusiastic, lukewarm or do we think that social concern is nothing but a waste of time and that all that matters is our academic results? In reply to a question on whether a law student should have social concern, our students were almost unanimous in saying yes; but when enquired as to whether in fact there was adequate social concern amongst law students in general, they were equally unanimous in answering no! Nevertheless, we do find that a considerable number of law students show a general willingness to discuss and give opinions about social problems, though very few (only about 20%) engage in any positive participation of social activities.

What then are law students most interested in apart from academic studies? Many students said they were interested in sports, entertainment and relaxation. Quite a number, on the other hand, preferred to devote attention to religious activities (e.g. going to church) and social service. On the whole, the majority usually spend their leisure time on their hobbies, which include novels, listening to records, sports, movies etc. A few of our interviewees displayed a pragmatic attitude by saying that apart from academic studies, they were most interested in money. One of our students even mentioned alcohol as his or her predominant interest besides academic studies. One hopes, of course, that he or she will not over-indulge in liquor.

It would seem that law students generally recognise a need for social concern and do in fact possess a

fair degree of social awareness. However, for some reason, participation in social activities is far from enthusiastic. Why this is so, is anybody's guess. It may be that due to a heavy workload, law students will usually try to make full use of their limited available leisure time to pursue their own interests and hobbies. Thus the question which confronts us now is how social concern can be encouraged in the Law Department.

The Role of the Law Department & Law Association

We have already seen that the majority of our students do not think that social concern should be encouraged in our department. That being so, is the Law Department or Law Association doing anything to promote social concern? Our results show that about 73% of our students do not think so. When asked how much they knew about Lepco, 9.8% of our students admitted that they were completely ignorant of Lepco, 33% said they knew very little, 19.6% claimed they knew Lepco quite well and 37.6% said that they are very well-acquainted with Lepco.

We then invited suggestions from our interviewees as to what steps should be taken to promote social concern. To our delight, we received a wide variety of valuable opinions, many of which should be worthy of consideration. By far the two most popular suggestions were that Lepco ought to be expanded and that the Law Media should, in future, include a short account of current news. One interviewee expressed the hope that a selected version of the recent T.V. programme produced by RTHK on legal consultation by members of the public *This Is The Law* could be reproduced in the Law Media. This will be of benefit to law students in general. He or she also suggested a discussion, in the Law Media, of topics on current affairs which may directly or indirectly affect students in their legal studies, e.g. the Governor's recent policy announcement (the so-called ICAC "amnesty"). Possibly it may also be a good idea to invite comments upon such topics from our lecturers.

Another popular opinion was that we should arrange visits and interviews with members of the public; for example, as one of our students suggested, we could organize a special team to help those people who may be in need of legal advice, e.g. people who are threatened with eviction by government authorities. In addition, visits to the various government departments, the judiciary and law firms could also be arranged at convenient times so as to arouse general interest in the study of law.

Some other students also suggested that the Law Department should reduce their workload, in order that they may have more time to participate in social activities.

An Interview with the Chairman of Lepco

In view of the fact that there are still quite a number of students who are not too familiar with Lepco, it is perhaps appropriate to conclude this article with an interview with the Chairman of Lepco, Mr. Daniel Lai and obtain his views with regard to social concern among law students.

Lepco had its origin in 1976 when Mr. Justice Yang while acting as patron at the Annual Ball of the Law Association, suggested that law students shouldn't concentrate merely on studies but should also be socially concerned. In particular, we can for example, make our contributions to society by helping to import legal knowledge & interest to people in all walks of life. Mr. Lai added, however, that the primary aim is not so much aimed at people who are interested in studying law or people intending to pursue a legal career but it is generally desired that people would be at least reasonably aware of their legal rights and liabilities in matters that affect them most, e.g. Landlord & Tenant laws, laws relating to consumer etc. He also noted that in an increasingly complex society, it is a common phenomenon that many intricate legal points affect laymen who are usually unaware of such rules. The aim of Lepco, therefore, is to remedy as far as possible such a situation.

In response to a question of whether there exists a general tendency among law students to place emphasis upon the legal aspects of social concern, he answered in the affirmative. He stressed that it is only natural that our social concern is to be mainly in the legal field, while not suggesting of course that we are completely apathetic about social problems in other spheres. Besides, there is really no strict dividing line among the various aspects of social concern. We cannot, for example, say that a certain social problem is strictly legal or that it is strictly economical, for any serious social problem will probably have its origin in a great variety of sources.

Mr. Lai also agreed with the majority of our students in saying that social concern does not merely mean an awareness of social problems; it is the positive action after such awareness that is of paramount importance. Awareness is, therefore, a pre-requisite of social concern.

As regards the activities and aspirations of Lepco, Mr. Lai said that the "major operations" usually take place in June & July when Lepco members will visit secondary schools and welfare groups (e.g. youth organizations), giving lectures on general legal knowledge which will be followed by group discussions. Visits to the various law courts will also be arranged and there may also be conversations with judges. This year there will also be the production & publication of pamphlets on specific topics of law, e.g. on Master/Servant relationship, consumer laws etc. Mr. Lai also indicated that the ultimate aim of Lepco is not to confine itself to secondary schools & welfare groups but to extend its focus of attention to the whole general public. This development, he stressed, will depend on the co-operation and enthusiasm of our fellow students.

We then asked Mr. Lai whether he saw any need for a subsidiary committee similar to Lepco. He replied that this would depend on the aim of such a committee. If the aim coincides with that of Lepco, then there is no such need. Lepco already being a sub-committee of the Law Association, it is not within the interests of coherence and convenience to have a sort of "sub-committee within a sub-committee". He indicated that he would much rather favour an expansion of Lepco or an extension of its structure. This, he said, will be of great help in hastening the desired development of Lepco.

Conclusion

It is hoped that by now, we will have at least some idea of the nature of social concern and will have recognized our limitations as regards acquiring social concern. It seems that our main short coming is not lack of social awareness but a general reluctance to participate in social activities. The main complaint of most of our students is that they simply do not have the time because of demanding academic commitments. In this respect, the Law Department is faced with a sort of dilemma. On the one hand, a reduction of workload would probably enhance social concern among law students; on the other hand, the department is faced with the formidable task of transforming laymen into full-fledged professional lawyers within a short span of three to four years and consequently a heavy workload is an inevitable accompaniment of a demanding law course. One can only hope that our students can strike an appropriate compromise between academic studies and social concern.

AWARD '78

To highlight the academic year, the Executive Committee decided to give awards for those who have actively participated in the activities of the Dept., to mark the devotion and contribution of some of our fellow students.

On 28th March, 1978 the Executive Committee resolved that the following sports awards would be given out. The candidates were nominated by our sports captain Mr. Stephen Lau, upon prior consultations with the various team captains.

Sportsman of the year: Mr. Kenneth Yeung

Sportswoman of the year: Miss Barbara Hung

Players of the year : Mr. Kenneth Yeung

Mr. Billy Kong

Miss Barbara Hung

Mr. Anthony Chiang

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The most promising players: Miss – Barbara Mok

Mr. – Leo Yeung

Mr. – Roger Wong

Mr. – Matthew Ho

Mr. – Cheung Yuk Tong

Mr. – Robert Chung

Miss – Agnes Chung

Apart from sports awards, Service Awards would also be given. The candidates for this award are as follows:

Mr. Winston Leung

Mr. Benjamin Yu

Mr. Daniel Lai

Miss Tammy Goh

Mr. Sit Hoi Wah

No longer a Law Department, but a School of Law

□ On July 1st, 1978, the Law Department will be changed into a school of Law (the Department of Architecture will also be changed into a School of Architecture). In order to find out what are the implications for the department, the editors have held a short discussion with Professor Evans.

Professor Evans said that the most significant thing was that the Law Department was formerly only a department in the Faculty of Social Sciences and Law and after the change, the School of Law will be fully independent of the Faculty of Social Sciences and Law. The name 'School' denotes independence. (The name 'Law School' is used in American universities)

He said that the original purpose in combining the Law Department and other departments in the Faculty of Social Sciences was to enable better interplay between the two. It is often said that law should be studied in the social context. But the combination does not always achieve the desired result.

He said that the change would not lead to drastic changes in the Department itself. When asked whether the change would lead to an increase in the intake of first year students, Professor Evans replied that admissions and the change into a school of law were quite independent issues. The number of admissions will remain at 55 unless special circumstances require an increase.

New courses may be introduced but it depends on the resources available to the new School of Law and the needs of the students. A number of new courses have been introduced into the third year curriculum, but the majority of students still favour a few particular courses.

The establishment of the School of Law has further significance – student representation in the Senate and the Faculty Board. We shall have one student Senator and one Student School Board member for the School of Law instead of formerly one Senator and four student Faculty Board members for the Faculty of Social Sciences and Law.

The editor then asked whether the workload in the Department is heavy compared with the workload in law schools in other parts of the world. Professor Evans said that the workload in the Law Department is quite heavy as compared with those in England, (Professor Evans has taught in the London School of Economics).

For the study of law, he said, a habit of routine study is necessary. He said that in his student days in Oxford, he usually worked the whole morning, went training every afternoon at the University running track and then worked for a few hours more. But he warned that we should not overwork ourselves, particularly when the examination is near. Exams are deliberately employed as stress situations but it refers to stress in the Exam room only. Working late up in the night is counterproductive. Students should learn to cope with their physical needs, for example, to relax when tired. He knew that some students are so immersed themselves in studies that they do not even have the time to read a newspaper.

(OK, fellows let us relax!)

The Editors

LAW TALK

On 18th February, 1978, a law talk was organized by our external secretary Mr. Denis Lau. It was a successful one and about 100 people attended, most of them being first and second year students. Four people gave their talks: they were Mr. Rick Pang, Mr. Brian Van Burren, Mr. Augustus Norderts Roza and Miss Maria Yip. All of them were graduates of the Law Department.

Mr. Brian Van Burren started the talk. He was a Barrister, being called to the Bar in 1975. He was a very humorous. He said that most lawyers entered the legal profession because they wanted to get rich. He said there was nothing contradictory between a good lawyer and a rich lawyer and profit did not conflict with justice.

He said the work of Barrister was very interesting. (He thought that the work of a solicitor, like conveyance, was most boring). He said at present the Bar offered very good prospect. But as Hong Kong was an ever-changing society, he could hardly 'predict' the position say, in the next few years.

There were 2 main difficulties, according to Mr. Brian Van Burren facing as Barrister. First, there was the danger of falling into a routine with respect to one's work; and to keep up the spirit, one had to try to get an interest out of the law. The second problem was getting along with fellow Barristers. There were sometimes conflicts between friendship, co-operation and your own clients' interests

Next, Mr. Rick Pang gave his talk. He was working as a legal adviser with a big American firm – The Dow Chemical Ltd. Mr. Pang had studied International Law at the Columbia University Law School after getting his L.L.B. and D.C.L.L.

He said being a legal adviser at such a big international company was a very very interesting job. Most of his work was concerned with 'preventive law' i.e. trying to prevent the company from involving into expensive lawsuits. As the company was international, Mr. Pang had to travel frequently from Hong Kong to other countries and regions and he had to know the laws of many different countries, especially countries in the Far East like Malaysia, and Philippines.

He said the job was very interesting for he had the opportunity to go to different places and meet different peoples.

He said that the course offered by the Law Department was an excellent one. There were 3 persons working with him, one from Harvard Law School, one from UCLA Law School and one from Tokyo University Law School of Japan. And Mr. Pang found that he was as 'well-equipped' as they were.

Mr. Augustus Norderts Roza was a Solicitor with the JS & M Solicitors' firm. He said that the work of a solicitor was not necessarily boring. One could do some paperwork and some litigation.

He said the work of a solicitor was very heavy, because meeting clients was a part of the work and you might spend a whole afternoon on that every day.

One advantage of being a solicitor over a barrister was security at the very start and you could working our way up steadily whereas further barrister, from the very beginning, you were on your own, it was a kind of 'swim' or 'sink' situation.

Miss Maria Yip was an Assistant Crown Counsel working with the Legal Department. She said from the remuneration point of view, working in the Government was not so good as in private practice. However, the scope of work in the government could be very wide, you could do both paperwork and litigation.

Finally, the writer would like to conclude with a joke told by Mr. Brian Van Burren. There was a Barrister who was always badly prepared in litigation. In one case, he referred to his client as "on my poor poor client," and said he didn't commit the crime & so on. And his case was conducted so badly for his client that the Judge finally interrupted him and said "I agree with you"

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