

The Hon Elsie LEUNG Oi Sie

Citation

There is something magical about the Hon Elsie Leung Oi Sie. For a leader who worries chronically about the city and the country she loves, her face is remarkably free of worry lines. Beneath her intensity of purpose there is an uncommon calmness. Long ago, she decided that the law is her life. When asked why she chose law as a career, her once-youthful idealism still rings true in her simple reply: law is the oldest form of social service and her instrument for seeking justice and redress for the common people.

And yet, as a lawyer, she is atypically non-adversarial. She believes that a lawyer should aim at solving a client's problem rather than winning the case, and has faith in alternative dispute resolution, which energizes her life-long interest in mediation, previously seldom heard of but now gaining popularity in Hong Kong legal circles.

As the Hong Kong SAR Government's first Secretary for Justice, Dr Leung's place in history is secure. As its former top law officer, she is a perceptive interpreter of the 'One Country, Two Systems' concept. With the Basic Law as the constitutional instrument forming the foundation of our legal system, the common law provides versatility for our legal system to continue its development since it is a living law that evolves with the changes in our society. There needs to be harmonization of the Basic Law and the common law.

Subsequent developments have vindicated her views, as the Hong Kong SAR adapts itself nimbly to its new status as a special administrative region of the People's Republic of China. To ossify our legal system as at 30 June, 1997 is to defy the necessity of evolution and Hong Kong's larger, long-term interest.

Away from the public eye, she has done things quietly for her community. Her official post might be over, but not her passion for public service.

Years in the rough and tumble of politics have left Dr Leung's social idealism singularly intact. She holds true to the belief that 'Truth will triumph'. For this, she was under the sway of relatives of three generations: her maternal grandfather, a known sympathizer of Dr Sun Yat-sen, was the founder of a newspaper and a patriotic school in Hong Kong. Her maternal uncle, no less a patriot, suffered many indignities during bitter political campaigns but remains bitter-free to the ripe age of 98 years, and her brother, who returned to China to study with the youthful zeal to serve the country, was degraded during the Cultural Revolution, but was later honored as a distinguished pioneer in the exploration of Tarim Petroleum Oilfield. Dr Elsie Leung, not exactly the flag-waving type, did much good in stealth. She is a champion of women's and children's causes. Dr Leung participated in all activities of the 1st and 4th World Conference on Women, International Year of the Child and their aftermath in advocating more rights for women

and protection of children from abuse. As a lawyer, she witnessed the transition of Hong Kong from a semi-feudalistic society where Tsing Law was part of our law, even though the Tsing Dynasty was by then defunct, into the modern society where same-sex relationship and transsexual issues are openly debated. She became involved with female inheritance issue in the New Territories, and the extension of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to Hong Kong and anti-discrimination legislation. She also rendered services to NGOs, including an organization which helps the disabled to help themselves.

Within her legal profession, she always looks for opportunities for the development of the profession as a whole. During her term of office as a Council Member of the Association of China-Appointed Attesting Officers, she helped set up practices and precedents, and an appointment system built on merits and examination. Whilst as Secretary for Justice, she pushed for closer co-operation between Hong Kong law firms and Mainland law firms, and for Hong Kong citizens to obtain qualification to conduct non-litigious practice on the Mainland.

For her professional probity we don't have to look far. Upon leaving the government she returned to her law practice. But to steer clear of possible public perception that she enjoys an unfair advantage in court as a former top law officer, she has voluntarily given up her divorce practice. Instead, she devotes a big chunk of her life to pro-bono work, giving some 20 to 30 lectures a year to schools, organizations and the like. Recently, she went to the United States to take part in a Rule of Law Dialogue between American and Chinese scholars.

In matters of public policy, once she has thought things through, she is ready to face the public, be it friendly or otherwise. With a cast-iron belief in the rule of law, she is Hong Kong's own conviction political leader who is unbothered by personal concerns of fame or blame. That explains her outward calmness in the midst of swirling controversies. She will settle for history simply recording that she is "an ordinary person who encounters extraordinary things unsought". But of course we know that she is more, much more.

Mr Chancellor, on behalf of the Council of the Hong Kong University of Science and Technology, I have the high honor of presenting to you the Hon Elsie Leung Oi Sie, GBM, JP, solicitor, for the award of Doctor of Laws *honoris causa*.