

The Hon Wong Yan-lung GBM, SC

DOCTOR OF LAWS *honoris causa*

Address

Chancellor, Chairman, President, Council members, distinguished guests, faculty members and students:

On behalf of all the honorary graduates, may I express our most sincere gratitude to the University for conferring upon us this exceptional honour and for your very kind words of citations.

I hope you would not find it amiss for me to begin with a children's story. To me, it contains gems of wisdom relevant to my previous experience in the administration of justice.

"Seven blind mice set out to investigate a creature. The first six each inspected only the part he first encountered. They saw respectively a pillar, a snake, a spear, a cliff, a fan and a rope. They disagreed among themselves and a big quarrel ensued. Having had the benefit of the others' findings, the last mouse examined the creature thoroughly, from one side to the other, and from top to bottom. At the end, he announced the creature had all the features described by the other six, but in sum it was an elephant."

The unprecedented and successful "One Country Two Systems" principle has opened up uncharted territories in the law, with common law applied under Chinese sovereignty, international human rights covenants implemented through the Basic Law, and multiple lines of authorities from different common law jurisdictions converging in our courts.

Intricate and controversial issues abound during my tenure as Secretary for Justice. Many touched on the proper interpretation of the Basic Law, appertaining to constitutional development, relationship between the Executive and the Legislature, ordinary residence in the HKSAR, state immunity and foreign affairs, public order and fundamental freedoms, privacy and school drug test, and many more. Most are intertwined with significant public interests and some inevitably politicised.

On my visit to the House of Lords, Lord Geoffrey Howe gave me a word of advice: "Do not take opposing views negatively. You cannot always be right." Indeed we are prone to put our ego ahead of the pursuit of truth. Hence the need to approach our tasks with a sense of meekness, which is a balanced attitude based upon a true estimate of what you know and what you don't know.

When you don't or cannot take anything for granted, you work hard to get it right. You embark on in-depth research and analysis, delve into comparative jurisprudence, and leave no stone unturned. But where, notwithstanding the due diligence, the area remains grey, you will have to grope as the blind mice did. Some basic tools will come in handy, including an honesty to call a spade a spade, a sharp common sense, some innate principles of fairness, and an open mind ready for something new and unknown. They will operate like the paws of the mice, gaining dexterity with time and practice.

Never dread and downplay the different and opposing views expressed. For what have been advocated, though unpleasant or incomplete, may well be an integral feature of the entire truth.

Communication is key but must be genuine and with respect. In some variations of our blind mice story, the mice had the good sense to stop arguing and start listening to one another, so that the existence of the elephant was revealed through collaboration.

One should develop a resistance against any vain desire to win the case, against any actual or perceived pressure from any authority or the crowd, and against any temptation to take the easy or convenient way out. And more subtly, one needs to make conscious efforts to lay aside one's own preconceived views and prejudices. That's integrity, where applicable to judges is the well-known doctrine of judicial independence, which is of cardinal importance to the rule of law.

At the end of the day, it is substance plus sincerity that will prevail. How the last mouse won his brothers over is illuminating. He was not deterred by the other six holding wholly different views. After completing his own due diligence, though firmly believing he is right, he chose not to argue, but engaged his brothers by taking them on a guided tour of the entire body of the elephant, presenting them with hard evidence along the way.

For all the graduating students today, I hope the blind mice story can also offer some food for thought. Do not be satisfied with the first impression, the superficial or the hearsay. Discover the truth by doing your own search; test the propositions; go out and see the world for yourself, walk the thousand miles.

Your examination, however, should not be merely horizontal. It should also be from top to bottom. Set out to understand the community of which you form part, high and low. My involvement with the homeless and socially displaced in Hong Kong in the early 1990's helped prepare me to take up the challenge to serve as the law minister. The single most powerful motivation to "do something" is the exposure to others' needs. It pulls at your heart's string and compels you to move out of your own comfort zone.

Pope Paul VI said this, "Somebody should tell us, right at the start of our lives, that we are dying. Then we might live life to the limit, every minute of every day. Do it! I say. Whatever we want to do, do it now! There are only so many tomorrows."

This is of course not a call to indulge, to eat, drink and be merry for tomorrow you die. This is an exhortation that we live every minute of our life to the full, enthusiastically and with a sense of purpose. Any wastage is criminal.

Thank you and we wish you all the best in your future pursuits.

黃仁龍先生

榮譽法學博士

謝辭

校監、主席、校長、校董會成員、各位嘉賓、老師和同學：

本人謹代表所有榮譽博士學位領受人，向嶺南大學表達衷心謝意，感謝大學授予我們的非凡榮耀以及溢美之辭。

希望大家不要見怪我以一個童話開啟我的謝辭。對我來說，這個童話蘊藏著涉及我過往律政工作的智慧瑰寶。

「七隻瞎老鼠著手研究一種生物。開首的六隻各自都只審視了他們首先碰到的部分。他們分別看見柱子、蛇、矛、懸崖、扇子和繩子。由於意見相左，他們吵得面紅耳熱。然而，最後一隻老鼠綜合大家所見，從左至右、由上而下地徹底研究那生物。最後，他宣佈那生物擁有其餘六鼠描述的所有特徵，總括來說，那是隻大象。」

史無前例的「一國兩制」原則既成功實踐也同時為法律開闢了未知的領域。它讓普通法得以在中國主權下採用，同時透過基本法落實國際人權公約，更有來自不同普通法司法管轄區的多個法則和案例在我們的法庭中匯聚。

在我擔任律政司司長期間，複雜而富爭議性的議題不勝枚舉。當中不少涉及基本法的恰當詮釋，而且議題涉及的範疇廣泛：政制發展、行政機關與立法機關之間的關係、香港特區的通常居留權、國家豁免權與外交事務、社會治安與基本自由、隱私與校園毒品測試等多不勝數。大部分議題均與重大公眾利益有著千絲萬縷的關係，某些議題亦無可避免地政治化了。

我到訪英國上議院時，賀維爵士給我一個忠告：「不要負面地看待反對的意見。你不可能永遠是對的。」的確，我們很容易讓自我凌駕於對真理的追求，因此，處理工作時需要秉持謙和的態度，即對自己所知及所不知作出真實估計從而產生的一種持平態度。

當你拒絕或不能把任何事當成理所當然的時候，便會付出最大努力把事情做對。你會展開深入的研究和分析，鑽研比較法學，並且為此不遺餘力。然而，即使進行了盡職審查，灰色地帶卻依然存在時，便要像瞎老鼠般摸索。實話實說的誠實態度、敏銳的常識、某些固有的公正原則，以及能夠接納嶄新未知事物的開放心態等基本工夫會大派用場，如同老鼠的爪子一樣運作，並隨著時間推移，在實踐中逐漸變得靈巧。

不要懼怕和淡化別人所表達的不同和反對意見。儘管他們提出的意見令人不快或有所缺漏，這些意見亦很可能是整個真相不可分割的一部分。

溝通是至關重要的，但必須真誠和彼此尊重。在瞎老鼠故事的某些版本中，老鼠們能意識到要停止爭論，並開始聆聽大家的意見，最後通力合作，揭開了大象的身分。

我們應學懂持守，抵抗任何想贏得官司的虛榮慾望、來自任何政府機構或群眾的任何實際或感知的壓力，以及任何選取不用費力方法或走捷徑的誘惑。更微妙的是，我們要有意識地嘗試放下自己的成見和偏見。這就是誠信，放諸法官就是眾所周知的司法獨立原則，對法治而言極為重要。

內涵加上真誠，最終勝於一切。最後一隻老鼠如何說服他的兄弟甚有啟發性。雖然其餘六隻老鼠各自抱持全然不同的看法，但他並未因此放棄。反之，雖然他在完成自己的仔細查核後，確信自己是對的，但他選擇了不去爭論，而是帶領兄弟們走遍大象身體的每一處，沿途向他們展示確鑿證據，從而讓他們明白真象。

對所有今天畢業的同學來說，我希望這個瞎老鼠的故事亦有參考價值。不要滿足於第一個印象，或者表面或傳聞。反之，我們應該透過自己探索去發現真理；對論點進行試驗；更要行萬里路，走出去用自己的眼睛觀看世界。

然而，你亦不應僅僅橫向地探討，亦要由上而下的去探索。嘗試了解你身為一員的社會，不論高低貴賤。我在 1990 年代初開始接觸香港的無家可歸者和社會上流離失所的人，這份參與有助我準備後來接受擔任律政司司長的挑戰。「要做點事」背後最大的動力，源自對他人的需要有所接觸和體會。這種體會拉動心弦，迫使我們走出自己的安逸領域。

教宗保祿六世說過：「應該有人告訴我們，生命伊始之時就逐漸步向死亡。這樣我們每一天、每分鐘，也許會將生命活至極限。我說，做吧！無論想做些甚麼，現在就做吧！明天的數目是有限的。」

這當然不是說因為你明天要死，就應該在當下放縱，吃喝玩樂。這是告誡我們，要熱情而有目的地活出生命的每一分鐘。任何浪費都是罪行。

謝謝各位，並祝各位在未來的事業上一切順利。