

Soon after I arrived in Hong Kong as a doctoral student in 1970 the first issue of the Journal was published. I confess to looking at it rather quizzically and wondering whether such a brave and foolish venture could possibly survive for long. Two years later, after having written a piece for it, I was applying to take over the editorship. Oh the follies of youth! It seems almost inconceivable now just what was required to bring forth three parts (one volume) per year - yet we managed it, and now to find the Journal celebrating its fortieth anniversary is not only astonishing but a matter of some satisfaction.

The world of typewriters and hot-metal linotype machines is fast slipping from the collective memory. In the early 1970s we didn't have desk-top computers, let alone fax or email: all copy had to be typed, and retyped, and probably retyped again, marked up, set by the printers in hot metal, returned to be proof-read by writers and editors, sent back for corrections (requiring the whole line to be remade each time and inserted, sometimes producing new mistakes) by compositors who, knowing no English, set precisely what they saw, then further proof-reading, more corrections, and so on. Other tasks have not become redundant, though probably performed by the publishing team rather than editors at the Faculty: inserting headers and "prelims" and indexes (more proofs etc), and ensuring there were the right number of pages for each issue. This last required attempting to have a multiple of sixteen pages (a target of perhaps 144 pages or nine signatures) and if that were not possible then a multiple of eight (all designed in order to prevent blank pages or paper wastage). This usually involved leaving a book review or a case note over for the next issue, or rewriting a contribution to save a page (surprisingly easy to do! (so long as the contributor didn't notice (he or she rarely did))), or hurriedly commissioning a short piece to fill a gap - though sometimes magic intervened to give us exactly the right number of pages. At the end of the publishing year the prelims ("index of contents" and tables of legislation and cases cited) and index for the bound volume had to be prepared, set, proof-read, and incorporated into the last signature of Part 3.

All this was subsequent to the gathering of copy and the process of editing and subediting. The legal profession wasn't given to writing much - although more then than now - and the then Department of Law was tiny and busy both establishing itself and developing knowledge about the local legal system. So getting copy was always a difficulty. Favours were called in, arms were twisted, and enough publishable material, some of it in fact really good, appeared in time, to be hacked around if necessary by the editors (with the eventual approval of the author) and then "subbed", which meant checking citations, ensuring that the headings were in the approved form, punctuation was

in the right place, numbers were correctly presented, and so on. John Rear had prepared a document called the “house style” and this was the sub-editorial bible; it told us when to use italics, whether full stops went inside or outside quotation marks, how to cite authorities, and many other matters. I think I’d thitherto assumed that these things sorted themselves out automatically and was appalled to discover that a decision had to be made on each one. Although we sent copies of the house style to potential authors, virtually none of them took the slightest notice of it. It was too long and detailed for mere authors. I therefore revised it and shortened it, but that was wasted effort as well for anyone but the sub-editor. The current guide on the HKLJ website looks suspiciously like the document I prepared from Rear’s original. I doubt it’s ever been consulted by contributors.

In the 1970s other publishing duties were undertaken by the editors of the Journal. Dafydd Evans produced three annotated ordinances in 1974, Ray Faulkner and Richard Field’s *Vanquishing the Dragon: The Law of Drugs in Hong Kong*, which had been published first in the Journal, was republished as a monograph in 1975, and Roderick O’Brien’s *Landlord and Tenant Law in Hong Kong* appeared in 1977. In addition there was a small essay by Frank Addison. All these added greatly to the workload. Then the organisers of the *Law Lectures for Practitioners* series, begun in 1974, wanted their transcripts to be appear in print. Unlike today, there were no independent publishers of legal materials: the market was too small. And the Department of Law had no resources to set up a publishing section internally. So that left, well, just me.

My first stint as Co-Editor began in 1973, which was when I first began teaching. I didn’t have much of a social life: the desperate effort to learn what I was about to teach, discover how to produce an issue of the Journal, then actually produce three parts per year took up more time than I could spare, or so it seemed. After four years and four volumes I “retired”, having persuaded Bob Allcock to take my place. For reasons now unknown to me (though regular and congenial lunches with the Editor-in-Chief, Henry Litton, may have had something to do with it) I returned in 1981, sharing duties initially with Allcock, and stayed for another four years. That should’ve been enough, but I became Editor-in-Chief in 1994; Henry Litton had left the position two years before, on being appointed to the judiciary, and his successor Denis Chang became chairman of the editorial board (as he still is). I admit to being responsible for the redesign we implemented in 1994; it was hated by some, though its more modern style has presumably been approved of by others. It at least allowed us to modernise the production process. Until then we were the only publisher still using linotype and our printers had preserved the

machines exclusively for our use. My occupation of the editorial chair lasted until 1999, when I departed Hong Kong for the elysian fields of Kangaroo Valley, New South Wales.

Some general comments: (1) the finances of the Journal have often been precarious, and it seemed to me a duty on the profession to support it through subscriptions. When I suggested that the fees paid for the annual practising certificate might include a subscription to HKLJ I was assured that any such thing would be regarded as a monstrous imposition on lawyers. The points scheme for barristers and solicitors which was subsequently established is perilously close to what I proposed and it presumably keeps commercial presenters of lectures and seminars in business. (2) I suspect one reason why the Journal has survived so long is that it has generally kept to a tight publishing schedule. Other academic journals which fail to appear on a regular basis can quickly lose reputation and customers. (3) My own formula for a part was to seek one hard-core legal article, one dealing with law in context, and one from another discipline but of interest to a legal readership. The notes of cases which were part of the original design and other short pieces (comments, analysis etc) provided plenty of scope for black-letter law. There now seems to be an overwhelming preponderance of lawyers' law, no doubt at least partly because of the much greater catchment area in the sense of teachers in the Faculty willing to write. The stricter insistence by the university on publication by academics no doubt helps. But I miss the broader, law-in-context contributions we so valued in the old days. (4) A mixed bag of contents designed to appeal to a wide range of readers is no bad thing. I've always disliked the Personal Injuries section but it was apparently long regarded as useful by the profession. Editorials are not usual in an academic publication, but they have provided the opportunity to comment on affairs in Hong Kong from a reformist perspective as well as to garner publicity for the Journal, especially in the early years. (5) Judges seem always to have been reluctant to acknowledge analysis published in the Journal - and this is a great pity: all elements of the legal profession (practitioners, teachers, students, members of the judiciary, government lawyers) benefit from the disciplined discussion of local law and judges ought to remind us all regularly of the fact.

It is impossible to imagine the Faculty of Law at HKU without the Hong Kong Law Journal. Forty years of publication have confirmed the seriousness of the academic enterprise, secured its reputation with the government and profession, and provided teaching materials for students, among many other benefits. I regard it as an honour to remain associated with it, even if my duties are confined to an occasional review of a

submission, a rare comment on something or other, and writing a memoir for the 40th anniversary.

-- *Peter Wesley-Smith*