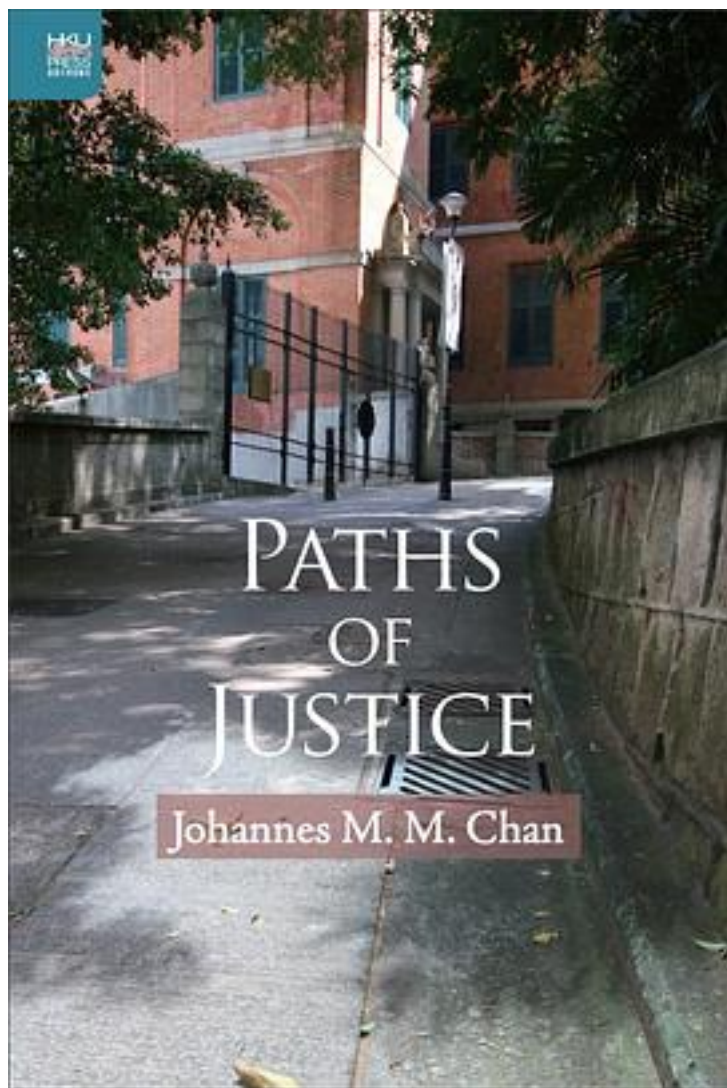


Paths of Justice



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著者:Johannes.M.M.Chan

出版者:Hong Kong University Press

出版时间:2018-6

装帧:Paperback

isbn:97898888455942

In *Paths of Justice*, Johannes Chan illuminates fundamental themes and basic values in Hong Kong's legal system by using his own experience and drawing on interesting and important cases. The book explains and demystifies some of the most frequently asked questions about the law: How does a lawyer defend someone who is guilty? Does the law favour the rich and the resourceful? Is there a duty to obey the law in all circumstances? How can human rights and national security coexist in balance if their goals conflict in certain situations? How can fairness be reconciled with administrative efficacy? Is an abuse of freedom a justification for denying it? He also casts light on legal profession and professionalism, arguing that the legal profession is honourable only because lawyers, by and large, do live up to a high ethical standard and are committed to the values of justice and fairness.

These cases cover a wide range of legal discussion and span several decades of Chan's professional practice, from when he was a young barrister to his years as Honorary Senior Counsel. Through the description of these real-life court cases, he gives readers not only a better understanding of how Hong Kong's legal system works in practice, but also the essential tools to think deeply about legal institutions, the legal profession, the role of justice in a modern society, and the importance of the rule of law.

作者介绍:

Johannes M. M. Chan SC (Hon) is a professor of law and former dean (2002–2014) of the Faculty of Law at the University of Hong Kong. He specializes in the areas of constitutional law, administrative law, and human rights, and has published widely in these fields. In 2003, he was appointed Honorary Senior Counsel in Hong Kong.

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评论

陈文敏教授很会讲故事，这本书关于他个人成长和经历的事情，读起来很有意思。对于复杂案件的重述，也是条理分明。但上到了说理层面，似乎就差了一截。首先是很多时候只是提出问题但没有回答，当然比较委婉地带出了他个人的政治立场。其次有些时候对错了焦点，比如港珠澳大桥环评司法复核案是否有政治考虑，解释了一通落脚点却在

不能因为参与案件的大律师是公民党员就说案件有政治考虑，又说如果有政治考虑一审怎么会判胜诉，实在有些不着边际。再次就是有时就法律说法律，当然也有表达出他的困惑，比如是否可以让警察在内部聆讯时自由选择代表律师一案，看起来法院最后允许了，但其实就这个案本身并没有实质帮助。停留在纸面逻辑上的程序恐怕没有太大意义，放开说，本书标题或许可以这样理解，通往正义的道路其实有很多条，法律或者诉讼只是其中一条。

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书评

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