

Christmas Rose: Hong Kong Movie in a Chinese Time?

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I. INTRODUCTION

In mid-1980s Hong Kong, I saw a movie in one of the territory’s older theaters, long since gone, with a very appreciative local crowd. That movie, *The Unwritten Law*,¹ was the first modern Hong Kong—or Chinese—courtroom drama I had ever seen, and it left a deep impression on me then. Set in the 1960s, the film depicted an earlier but recognizable Hong Kong, and it reflected a vision of justice, both legal and personal, that strongly resonated with its Hong Kong audience. So when in 2014 I found *Christmas Rose*² in a Shanghai DVD store, it triggered a memory of *The Unwritten Law*, which I had liked so much all those years ago. Although I had seen other Hong Kong legal dramas over the years, both on television and in theaters, *Christmas Rose* promised an intriguing story as well as higher production values than earlier movies, and I looked forward to watching the latest example of Hong Kong courtroom drama.

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¹ FA WAI QING (法外情) [THE UNWRITTEN LAW] (Seasonal Film Corporation 1985).

² SHENGDAN MEIGUI (聖誕玫瑰) [CHRISTMAS ROSE] (Bone International Film Group 2013).

Like *The Unwritten Law*, *Christmas Rose* was filmed and produced in Hong Kong (Tsui Hark was one of the producers) and it is ostensibly set in the city. The movie was directed by the Hong Kong-based Taiwanese actor Charlie Yeung in her directorial debut, with a story she reportedly began writing in 2008 and which apparently underwent many changes.³ Like many other contemporary movies made in Hong Kong, *Christmas Rose* features actors from Taiwan and China as well as Hong Kong, most of them well-known to viewers in the wider Chinese world. Although *Christmas Rose* was not made in mainland China, it was filmed with a China release in mind, and the movie opened there in May 2013, on the same day as in Hong Kong, Taiwan and Singapore. At least in Hong Kong, *Christmas Rose* was reasonably well received on its release, perhaps owing to its well-connected players, and it earned a few relatively favorable (as well as some highly critical) reviews.⁴ This essay will analyze the movie's portrayal of trials and more broadly of justice: how does it depict the lawyers and the courtroom that serves as their stage? How far removed is *Christmas Rose* from *The Unwritten Law*—and is it really Hong Kong justice that we see in the film?

³ See Addy, *Charlie Yeung's Directorial Debut, "Christmas Rose" Explores Sexual Harassment*, JAYNESTARS (Feb. 28, 2013), <http://www.jaynestars.com/movies/charlie-yeungs-directorial-debut-christmas-rose-explores-sexual-harassment/>. The director, Yang Caini, is also known as Charlie Young. Credit for the screenplay is given to Philip Lui Koon-Nam, Yiu Tin-Long, and Leung Wai-On. For full cast and credits as well as a good analysis of the film, see also Derek Elley, *Review: Christmas Rose (2013)*, SINO-CINEMA (Dec. 14, 2016), <http://sino-cinema.com/2016/12/14/review-christmas-rose/>. Other critics have given the movie a reasonably good review. See James Mudge, *Christmas Rose (2013) Movie Review*, BEYOND HOLLYWOOD.COM (Aug. 9, 2013), <http://www.beyonddollywood.com/christmas-rose-2013-movie-review/>. The best analysis in a review may be found in Kozo, *Christmas Rose*, LOVEHKFILM.COM (May, 2013), http://www.lovehkfilm.com/reviews_2/christmas_rose.html.

⁴ Its Douban.com score was only 6.1/10, based on more than 25,800 users. See Shengdan Meigui (聖誕玫瑰), DOUBAN.COM, <https://movie.douban.com/subject/10600271/> (last visited Jan. 27, 2018). Douban.com is a popular Chinese social network website devoted to reviews and discussion of film, books and music. The box office for *Christmas Rose* was far behind *Silent Witness* (discussed *infra*) and the film ranked #103 out of 164 in box office returns for 2013 movies shown in China. *China Yearly Box Office: 2013*, BOX OFFICE MOJO, <http://www.boxofficemojo.com/intl/china/yearly/?yr=2013&sort=gross&order=DESC&pagenum=2&p=.htm> (last visited Jan. 27, 2018). Of course, many people in China watch movies online rather than in the theater.

II. CHRISTMAS ROSE OR POISONOUS WEED?

A. *What Happened in Court*

In *Christmas Rose*, a former Hong Kong defense lawyer turned prosecutor handles his first case for the Justice Department and takes it to trial. Hong Kong megastar Aaron Kwok plays the prosecutor, Tim, in a rather low-key, anxious style, very different from his performances in popular action movies such as *Cold War*.⁵ Early in *Christmas Rose*, we learn that Tim's seriously ill father had also served as a prosecutor, and in a flashback to his childhood, Tim recalls how his father's handling of a serious sexual assault case led to the suicide of the complainant when the defendant went free. ("Isn't it your responsibility to protect me?" the distraught victim had cried.) Haunted by the tragic consequences of his father's actions, Tim has resolved never to make such a mistake in his own career. Then, in Tim's first case as a prosecutor, Jing (Taiwanese actor Gwei Lun-mei), an attractive young woman confined to a wheelchair, accuses prominent Dr. Zhou of committing indecent assault during a medical examination.⁶ Moved by her story, Tim is determined to succeed in his prosecution of the doctor, who is played by Chang Chen, a charismatic Taiwanese actor usually noted for his heroic roles,⁷ although for most of this movie, he looks sinister and guilty. Dr. Zhou is represented by Freddy (Chinese actor Xia Yu), a defense lawyer who has taken Tim's place at his old law firm, one of the best in the city, and who has never lost a case.

Tim is drawn to Jing, ignoring signs that the complainant might not be all that she seems, as well as a warning from his own investigator to consider the case more carefully and not believe everything he hears. When the defendant doctor takes the stand, he denies the accusation, but the victim is sympathetic, and Dr. Zhou is convicted of the charges. After Tim's cross-examination of the defendant, the investigator asks Tim if he

⁵ A 2012 movie directed by Sunny Luk and Longman Leung, also starring Tony Leung Ka-fai and Andy Lau. HAN ZHAN (寒戰) [COLD WAR] (Edko Films et al. 2012).

⁶ Chapter 200, Section 122, of the Crimes Ordinance, governing "indecent assault (*weixie qinfan* 威脅侵犯)," is correctly cited in *Christmas Rose*. See Crimes Ordinance, (1971) Cap. 200, § 122 (H.K.). The crime is sometimes referred to as "sexual harassment" in the English subtitles as well as in reviews of the movie, even though the statutory title is clear. Less serious Hong Kong indecent assault cases are heard in the magistrate's court, and result in sentences of weeks, not years, of imprisonment. But "indecent assault" in this case would be called "sexual assault" in many other jurisdictions and it is a very serious charge; the maximum sentence for this crime is ten years. *Id.*

⁷ See, e.g., CROUCHING TIGER, HIDDEN DRAGON (Asia Union Film & Entertainment Ltd. et al. 2000); THE GRANDMASTER (Block 2 Pictures et al. 2013); THE ASSASSIN (Central Motion Pictures et al. 2015).

isn't biased towards the complainant. "Don't you want to find out who is guilty?" he asks. In a later conversation with the investigator, Tim says that "the goal of the law is to protect people, right?" But the investigator is not satisfied with Tim's response. "You mean Jing might have been seriously hurt if she lost. Dr. Zhou might also be seriously hurt. Have you thought about that?" Unfortunately for everyone, it appears that Tim hasn't.

Indeed, in a post-trial meeting with his lawyer, Dr. Zhou insists to Freddy that he is truly innocent and wants to appeal the verdict; suddenly the doctor begins to look a lot less shifty and much more attractive. At the appeal, which is by way of a rehearing, new and important evidence is introduced, including testimony from Jing's mother, and we learn about the accident that injured Jing, along with plenty of other information one might have expected to hear at the trial. At this point, the plot, which despite various inconsistencies began reasonably well, veers deep into sexist territory and then goes completely off the rails.⁸ In dramatic statements on the witness stand, Jing testifies that she was sexually assaulted by her mother's boyfriend, and finally, under questioning by Freddy—spoiler alert—she admits that she has fabricated her accusation against the doctor, who had rejected her advances. "Why can't I find love?" she wails. Everyone in the courtroom now begins to look very uncomfortable; the film's viewers certainly must be. But Tim's failure in handling this case has also been dramatically revealed, so we may just be embarrassed on his behalf.

With her lies as well as her sad life exposed, Jing breaks down and weeps uncontrollably on the stand. Denied the possibility of love and attention, she has turned on a man who tried to help her but failed to return her affections. Freddy introduces a psychiatric report concluding that intimate contact could trigger feelings of assault, which would make Jing less responsible for her behavior but does not restore Dr. Zhou's reputation.⁹ Although Jing has been wronged and deserves justice, she won't find it in this court, much less through making a false accusation. In any event, this cannot be a positive or politically correct ending: a woman

⁸ As recognized by at least one reviewer. See Kozo, *supra* note 3.

⁹ The movie shows Dr. Zhou being pursued by reporters, implying that accounts of this sensational trial will appear in the newspapers, though in fact, printing news about an ongoing case could lead to a contempt of court charge in Hong Kong. See Robert Clark, *Contempt of Court in an Internet Age*, HONG KONG LAWYER (Mar. 2015), <http://www.hk-lawyer.org/content/contempt-court-internet-age>; Julie Chu, *Two Hong Kong Newspapers Fined HK\$550,000 Over 'Foolish' and 'Reprehensible' Decision to Publish Murder Defendant Interview*, SOUTH CHINA MORNING POST (Sept. 16, 2015, 2:58 PM), <http://www.scmp.com/news/hong-kong/law-crime/article/1858725/two-hong-kong-newspapers-fined-hk550000-over-foolish-and>. But the charges and the details of the trial could not be kept secret and would still be known to many people.

brings a charge of sexual assault and is subsequently revealed to be a pathetic liar. The film's heavy symbolism, including the Christmas rose of the title,¹⁰ suggests that an important message must be present, but what message can we take from this, except the same old sexist story?

B. *Where is this Courtroom? and What is that Painting?*

Christmas Rose is a courtroom drama and its trial scenes are central to the story. But one mystery is never resolved, at least not for me: where is the courtroom in which Dr. Zhou's trial takes place? Several brief shots of Hong Kong's old Supreme Court, now the home of the Court of Final Appeal, not only locate the action in Hong Kong but also suggest that this iconic building is where the trial will be held.¹¹ In reality, Hong Kong courtrooms are mostly rather spare, in a style easily recognized from local television shows, even if you have never been in one; they reflect the era in which they were built as well as local trial procedure. The lower courts are usually compact and plain, utilitarian in design, with very light paneled wood on the walls. Behind the raised judges' platform is the red Special Administrative Region ("SAR") seal, replacing the old colonial shield. To the judge's right is the jury box and the public gallery is to the left, with the dock for the defendant ordinarily at the back of the room. Barristers, if they appear at trial, sit at the first table in front of the judge (the bar table), the solicitors sit directly behind them, and all of the lawyers remain at their places throughout the proceedings. But perhaps such a courtroom would have looked too specific to Hong Kong, in a film in which Hong Kong scenes and symbols are for the most part absent? Or possibly the actual courtrooms failed to look grand enough for the story the filmmakers wanted to tell or the audience they wished to attract.

Of course *Christmas Rose* is not a documentary and filmmakers are free to create any kind of court they wish; they need not, and in fact rarely do, depict real courtrooms or actual trial procedure. But one can certainly ask why they have created their particular courtroom world and what it says about their ideas of justice. The court in *Christmas Rose* is

¹⁰ Some species of the flower hellebores are poisonous, as noted in one unfavorable Taiwan review. Wen Shih Guo, "*Christmas Rose*" *Case Closed*, CHINA POST, May 24, 2013. The title might also refer to a piano piece that Jing is teaching Zhou's daughter, or to the origami roses containing secret messages that Jing is seen making in the film.

¹¹ The old Supreme Court is one of Hong Kong's few declared monuments, and since both movies and television shows often use it (along with its statue of blind justice) as a symbol of the courts, Hong Kong audiences would recognize it immediately. See Julie Chu, *Hong Kong's Supreme Court Moves Back Into Its Original Home*, SOUTH CHINA MORNING POST (Sept. 8, 2015, 12:02 AM), <http://www.scmp.com/news/hong-kong/law-crime/article/1856153/hong-kongs-supreme-court-moves-back-its-original-home>.

very large and high-ceilinged, with what looks like stadium seating (is it a lecture room, a theater?) and heavy wood paneling on the walls. The lawyers have green-shaded desk lamps that cast pools of light around them, but this feels like a closed world and most of the windowless room is dark as a cave.¹² The prosecution and defense lawyers sit together in the first row, which apparently functions as the bar table in this court, although the lawyers approach the bench to question the witnesses and the defendant, an American practice that would never be followed in Hong Kong any more than in England.¹³ The single trial judge sits high above the courtroom, with the defendant in the dock to his right and the witness box on his left. No jury box is visible, although it's true that in Hong Kong most crimes are tried by a magistrate or in the District Court, and juries only sit in the most serious cases. But the courtroom in *Christmas Rose* is so vast, so dark and so gloomy—how could any truth be discovered here?

Strangest of all is the huge and oddly familiar painting that hangs above the judge's bench instead of the Hong Kong SAR seal. Despite the film's ostensible setting and likely audience, this painting is remarkably un-Chinese in topic and execution: it's full of Europeans, including angels and cherubs, and among its masses of subjects there is not a single Chinese face. The camera lingers over it in many courtroom scenes as well as in the film's opening shots: the painting is obviously significant, but what is it and what does it mean? It actually proves to be a composite of Baroque and Renaissance paintings, including a rendition of Rubens' Rape of the Sabine Women, done in reverse.¹⁴ (Does Michelangelo's Last Judgment also appear?) Perhaps the painting suggests that some classical justice applies here too, though if the director wanted European symbols in contemporary Hong Kong, why not the barrister's wig and robe? More likely, this painting, like the size of the courtroom, is meant to inspire respect and awe for the justice administered there; it's certainly large and

¹² Although the main courtroom in the newly restored Court of Final Appeal in Hong Kong has some dark paneling, it is light and open with a high-domed ceiling and high windows, nothing like the *Christmas Rose* court. See Joyce Ng, *Hidden Secrets at Hong Kong's Highest Court: Builders Discover 'Bridge of Sighs' Behind False Ceiling During Restoration*, SOUTH CHINA MORNING POST (Sept. 19, 2015, 3:39 AM), <http://www.scmp.com/news/hong-kong/article/1859623/hidden-secrets-discovered-under-hong-kongs-highest-court-during>.

¹³ But lawyers in courtroom dramas made outside the U.S. often behave this way, and the reason is obvious: it just seems more dramatic. The lawyers in the other Hong Kong movies discussed in this essay also behave like American lawyers; it's so common in Hong Kong film that I was surprised to see that lawyers there could not move around in court as they wished, even though I knew better.

¹⁴ Many thanks to my colleague Kate Lingley for identifying components of this painting, in which segments of different paintings are reversed or collaged onto each other. The *Christmas Rose* art director presumably created this dramatic painting at the request of the film's director.

it dominates the whole court. Whatever its intended meaning, the painting is a distracting pastiche, and its images, whether of justice or possibly the movie's events, can only mislead.

Overall, the filmmakers' vision of a courtroom in *Christmas Rose* is very different not only from actual Hong Kong courtrooms but also from other movie versions of those courts. Courtrooms in earlier Hong Kong movies, including those discussed below, are often larger than real courts now used for trials; that not only opens up the action but also suggests to the audience that they are viewing important proceedings. But the courtroom in *Christmas Rose* seems larger and grander still, and the judge's bench seems unusually high; when the lawyers (unrealistically) rise and approach it, the distance they traverse heightens the feeling of space. The darkness and the hushed quiet in this courtroom also contribute to the message that this is a solemn event at which a serious decision will be made. And for audiences outside Hong Kong, particularly in China, the size of the courtroom would be more impressive, because in China authority and power are generally associated with vast spaces and buildings, and many new courtrooms there are grand and imposing, even if they look nothing like this one. In the same way, the decision of judges, even a single judge, might seem more authoritative than a jury verdict, at least to viewers in China.¹⁵

Nevertheless, a smaller, more intimate setting would have allowed the trial's participants to interact more closely than they do in *Christmas Rose* and could have heightened the drama: large, life-or-death issues can be played out to great effect in such a court (or on the theater stage), as the American film *To Kill a Mockingbird*¹⁶ showed us decades ago. Perhaps counterintuitively, such a courtroom, like many real Hong Kong courtrooms, can also suggest greater confidence in the law: justice can be done openly and without all that show. But that may be because the law and its judges are still respected in Hong Kong and do not require more dramatic settings to emphasize their authority, even if judges and barristers wear wigs and robes reflecting their status and role.

¹⁵ More sophisticated Chinese viewers are familiar with juries from both Hollywood and Hong Kong dramas, and the 1957 American film *12 Angry Men* is something of a cult classic in China. See *Shi'er Nu Han* (十二怒漢), DOUBAN.COM, <https://movie.douban.com/subject/1293182/> (last visited Jan. 27, 2018). But when a jury is used, the locus of the decision shifts from the state to individuals who are not officials, which may feel less authoritative. Thus, in *12 Citizens* (Shi'er Gongmin 十二公民), the 2014 Chinese remake of *12 Angry Men*, the dissenting, key juror proves to be not an ordinary citizen, as in the original film, but a state prosecutor, which completely changes the message of the movie. SHI'ER GONGMIN (十二公民) [12 CITIZENS] (Beijing Jubent Production Company et al. 2015).

¹⁶ TO KILL A MOCKINGBIRD (Universal International Pictures et al., 1962).

C. *Lawyers for the Prosecution and the Defense*

Christmas Rose features dramatic courtroom scenes, though what kind of lawyers, whether solicitors or barristers, do battle in that grand space is not entirely clear. Nowadays solicitors can handle the most serious cases in Hong Kong, and in any event they could have appeared in District Court even before recent reforms; solicitors may also serve as prosecutors in the Justice Department, as Tim does in this movie.¹⁷ Both Freddy and Tim wear dark suits to court rather than barristers' attire, and we know that no barrister would appear in court without his wig and his robe. But just as we conclude that Tim and Freddy are definitely solicitors, *Christmas Rose* provides contradictory clues. The movie uses the traditional Chinese names for barrister and solicitor, but not consistently, and it also mixes references to chambers, which are only for barristers, and law firms, in which solicitors practice. All these distinctions would be highly significant to lawyers in Hong Kong even if to non-lawyers they might seem very small. Perhaps most confusing, one character refers to Freddy's "rapid rise to barrister." But, in fact, Hong Kong lawyers do not get promoted from solicitor (*lüshi* 律師, "lawyer") to barrister (*da lüshi* 大律師, lit., "important lawyer"), despite the outsider's occasional impression that they do.¹⁸

What about the ethics of these lawyers, and how do they see their roles? Tim is from Hong Kong and he almost certainly studied law in the city. *Christmas Rose* depicts him as highly principled as well as idealistic, someone who left private practice because he refused to be a hired gun for his clients: Tim does not wish to represent people who may be guilty. By contrast, Freddy is the son of a mainland entrepreneur, making him a member of the *fu'er dai* 富二代 (children of wealthy Chinese businessmen), but he is an attractive character, not an unpleasant example of that much-maligned group. It's now not such an unusual background for a Hong Kong lawyer, even if Freddy could not qualify to practice in Hong

¹⁷ In the past, only barristers could appear in the higher courts in Hong Kong, and they guarded that privilege. Since 2013, however (the year *Christmas Rose* was released), solicitor-advocates who are qualified have the right of audience in those courts, although, as of 2014, only a few were qualified for the criminal courts (as opposed to the civil courts). See Patsy Moy, *First Lawyers To Go Head To Head With Barristers*, SOUTH CHINA MORNING POST (Feb. 23, 2013, 12:00 AM), <http://www.scmp.com/news/hong-kong/article/1156510/first-lawyers-go-head-head-barristers>.

¹⁸ Some early *Christmas Rose* press photos show Tim in barrister's attire, which suggests that his status was changed for the final version of the movie; poor editing of these references, along with some indecision, probably explains the confusion. Barristers would also be more likely to use English given names, as both Tim and Freddy do. As if to emphasize the point, both are referred to by their English names in the film.

Kong based solely on a Chinese degree, and it's also more likely he would be practicing commercial law.

Although Freddy is not from Hong Kong and his manner is a little brash, he is a top lawyer who does his best to represent his client, whether or not he believes the doctor is innocent, and in this he shows a far better grasp of the defense lawyer's role than does Tim. As happens in so many legal dramas, what *Christmas Rose* presents as ethical behavior for lawyers is far removed from professional standards: Freddy is a defense lawyer, not a judge who must decide guilt or sentence the accused, and everyone deserves legal representation. In one telling scene, Tim confronts Freddy in the parking lot outside the court and asks him, essentially, "are your clients in fact all innocent?" An exasperated Freddy replies, "What is the matter with you? Do you really not know the rules of the game?" It's obvious that Tim belongs on the prosecution team, or perhaps not in court at all, if he can ask questions like this so late in his career.

While Tim and Freddy pursue the case in court, we learn about Tim's personal life as well as his professional goals, but not those of Freddy; at some point we realize this is Tim's story at least as much as Jing's. The prosecutor is arguably the movie's central character, and many events appear to be told from his point of view, although the director's use of flashbacks may leave viewers uncertain as to what actually happened in the story.¹⁹ Tim apparently wants to be Judge Bao²⁰ and, like that legendary official, to learn the truth and mete out punishment to wrongdoers brought to justice. But in his first case he has failed to fully investigate the complaint, and as a result he has brought charges against an innocent man. Fortunately, the verdict is overturned on appeal and Dr. Zhou is not sent to prison, though it's not for lack of trying on Tim's part. By the end of the film, Tim seems to realize that he hasn't done a better job than his father but has simply failed in a different (the opposite?) way.

III. IS THIS REALLY A HONG KONG MOVIE?

Hong Kong, which remains one of the most photogenic cities in the world, is hardly recognizable in *Christmas Rose*, with only a few scenes unmistakably shot on location. So far as I know, no such dramatic courtroom, much less that bizarre painting, exists anywhere in Hong Kong,

¹⁹ Do they show actual or only imagined events, as they will be presented in court? If these are alternate versions of reality that aren't indicated in the movie, by the end we realize that only some of them could be true. See Wen Shin Kuo, 'Christmas Rose' Case Closed, CHINA POST (May 24, 2013, 4:07 PM).

²⁰ Judge Bao (Bao Zheng) was an eleventh-century upright official who often appears in popular drama as a symbol of justice. See, for example, CHUNG-WEN SHIH, THE GOLDEN AGE OF CHINESE DRAMA: YÜAN TSA-CHÜ 100-12 (1976). GEORGE A. HAYDEN, CRIME AND PUNISHMENT IN MEDIEVAL CHINESE DRAMA: THREE JUDGE PAO PLAYS (1978).

and the roles of barristers and solicitors are completely confused. That might only mean that these details were not significant to the filmmakers, and it certainly wouldn't be the first time a director took that view. The *Christmas Rose* story was written by a Taiwanese actor with no real knowledge of Hong Kong law,²¹ but even Hong Kong (and American) legal dramas frequently get the basics wrong or simply ignore them. For those outside the legal world, these may be meaningless details, and so long as the story appeals to viewers, then no one cares very much.

But this version of Hong Kong justice might simply be recast for its intended audiences; one can't view *Christmas Rose* as just a Hong Kong movie, however it's described,²² at least compared to earlier films made in the city, especially during the 1980s and 1990s. *Christmas Rose* was reportedly financed with mainland Chinese money,²³ and Chinese censorship affects any movie released as well as made on the Chinese mainland.²⁴ In the case of *Christmas Rose*, however, commercial considerations were more likely the critical factor. Nowadays few movies made in Hong Kong could be aimed solely at a local crowd, and filmmakers must deal with ticket buyers as well as bureaucrats across the border if they want their movies to make money or reach an audience of any size.²⁵ For that reason, the movie's director and stars made well-

²¹ Or any strong interest in it, though she apparently was advised on the Hong Kong legal system. Jan Lee, *Never Too Young to Direct*, STRAITS TIMES (May 24, 2013), <http://www.asiaone.com/print/News/Latest/%2BNews/Showbiz/Story/A1Story20130522-424466.html> (Describing Yeung, "[S]he did not appear to be obsessed about getting the technical aspects of the legal realm to be as authentic as possible. 'I mostly discussed the emotional side of the drama with my friends. Ultimately, that's what the movie is about - human nature.'").

²² For example, Wikipedia lists *Christmas Rose* as a Hong Kong film. *See List of Hong Kong Films of 2013*, WIKIPEDIA, https://en.wikipedia.org/wiki/List_of_Hong_Kong_films_of_2013 (last updated Dec. 25, 2017).

²³ *See* Elley, *supra* note 3.

²⁴ Frank Langfitt, *How China's Censors Influence Hollywood*, NPR (May 18, 2015, 4:58 AM), <http://www.npr.org/sections/parallels/2015/05/18/407619652/how-chinas-censors-influence-hollywood>. This is increasingly the case even if the movies aren't filmed in China but a release in China is planned, and it affects Hollywood and Hong Kong movies alike. Michael Cieply & Brooks Barnes, *To Get Movies Into China, Hollywood Gives Censors a Preview*, N.Y. TIMES (Jan. 14, 2013), <http://www.nytimes.com/2013/01/15/business/media/in-hollywood-movies-for-china-bureaucrats-want-a-say.html?hp>.

²⁵ A point made by Hong Kong film critic, Paul Fonoroff, in discussing a 1990 Hong Kong movie, which was made when it was possible to address the "home crowd" only. *See* Paul Fonoroff, *Film Appreciation: Alfred Cheung's Her Fatal Ways*, SOUTH CHINA MORNING POST (June 3, 2015, 11:37 PM), <http://www.scmp.com/magazines/48-hours/article/1814788/film-appreciation-alfred-cheungs-her-fatal-ways>. *See also* Celine Ge, *It's Fade Out For Hong Kong's Film Industry As China Moves Into the Spotlight*,

publicized appearances in Beijing to promote the film, and they all attended the movie's Beijing premiere.²⁶ Perhaps that is why the *Christmas Rose* story has no particular relationship to its setting, and the features that make Hong Kong special, including its language, have mostly been erased from the film.²⁷ Of course earlier Hong Kong movies were distributed to Southeast Asia or Taiwan and were often made to appeal to that broader Chinese market beyond Hong Kong.²⁸ But China now dominates the market for Chinese-language films to such a great extent that it can exercise censorship beyond its borders, or simply redirect commercial energies to appeal to its viewers.

Such considerations would help account for the failure to use anything like a real Hong Kong courtroom, and in particular for making Tim and Freddy solicitors rather than barristers, even though in Hong Kong legal dramas that is what they usually are. For Hong Kong people, the wigs and robes of barristers and judges might, once again, be viewed as symbols of judicial independence and the common law, especially in a time of increasing political differences with China.²⁹ That is one reason

SOUTH CHINA MORNING POST (July 28, 2017), <http://www.scmp.com/business/article/2104540/its-fade-out-hong-kongs-film-industry-china-moves-spotlight>. Karen Chu & Patrick Brzeski, *Why Hong Kong's Top Filmmakers are Making China Propaganda Films*, HOLLYWOOD REPORTER (May 17, 2017, 11:30 PM), <https://www.hollywoodreporter.com/news/why-hong-kongs-top-filmmakers-are-making-china-propaganda-films-1004572>. The box office figures support this: *Christmas Rose* grossed \$3,380,000 in China and only \$256,845 in Hong Kong, its second highest market. *Christmas Rose*, BOX OFFICE MOJO, http://www.boxofficemojo.com/movies/intl/?page=&country=HK&id=_fCHRISTMASROSE01 (last visited Jan. 27, 2018).

²⁶ See Zhang Linruo, "Christmas Rose" Movie Holds Press Conference in Beijing, CRIENGLISH.COM (May 22, 2013, 11:28 AM), <http://english.cri.cn/6666/2013/05/22/3161s766258.htm>.

²⁷ As in some other films with an international Chinese cast, the actors spoke their own language for the filming, which for the actors from Taiwan and China meant Mandarin, while Aaron Kwok and the other Hong Kong actors did their lines in Cantonese. Nowadays (as in the past) the actors can be dubbed in Cantonese or Mandarin depending on the particular market where the movie will be shown. Reaching a wider audience has long been an issue in Hong Kong or Chinese movies, and even early silent films included both English and Chinese intertitles to reach the broader Chinese market. In *Christmas Rose*, unfortunately, the dubbing into Cantonese is obvious and distracting, especially in Jing's key scenes on the witness stand. No matter which version you listen to, it's obvious that the characters aren't all speaking the same language.

²⁸ See Robert Chi, *Hong Kong Cinema Before 1980*, in A COMPANION TO CHINESE CINEMA 75-94 (Yingjin Zhang, ed., 2012).

²⁹ See Joe Gordon, *FYI: Why Do Hong Kong's Judges Still Wear Those Funny Wigs?*, SOUTH CHINA MORNING POST (June 8, 2008, 12:00 AM), <http://www.scmp.com/article/640723/fyi-why-do-hong-kongs-judges-still-wear-those-funny-wigs>; *Hong Kong Wig Row for Lawyers*, TELEGRAPH (Jan. 15, 2013, 9:49 AM),

movie and television lawyers are still usually barristers,³⁰ even if the writers and directors get the details wrong—and of course barristers' attire is picturesque and looks good on film.

In China, however, those wigs could be viewed solely as colonial symbols that, sadly, survived the 1997 handover from Great Britain, but whose time has long since passed. In Taiwan, lawyers do wear robes in court, but barristers would have no special appeal, and in Singapore they might be seen as remnants of colonial customs that the legal profession abandoned decades ago.³¹ In addition, trying the case without a jury makes it more like procedure in the other systems where the film was intended to be shown: there is no jury in general use in China or (yet) in Taiwan, and in Singapore the jury is no longer used.³² So the Hong Kong location for *Christmas Rose* may not be significant, and perhaps the setting is simply another city in "Greater China," if such a place in fact exists. In the end, *Christmas Rose* viewers are given generic Chinese lawyers in a generic Chinese legal system—though surely there are no generic Chinese trials, much less lawyers, only different legal jurisdictions with different histories and rules, along with their own possibilities for drama.

IV. REVISITING THE UNWRITTEN LAW: JUSTICE AND A PARENT'S LOVE³³

A. *Law or Justice? Or What Kind of Justice Is This?*

Christmas Rose called to mind not *The Unwritten Law*, which I had found so appealing, but another "he said, she said" courtroom drama, which I also saw in the territory on its theater release. *Law or Justice?*

<http://www.telegraph.co.uk/news/worldnews/asia/hongkong/9802083/Hong-Kong-wig-row-for-lawyers.html>; Michael Skapinker, *Hong Kong Law: A Trial For Wig And Gown*, FINANCIAL TIMES (July 22, 2015), <https://www.ft.com/content/df201112-23c3-11e5-9c4e-a775d2b173ca> (discussing the significance of traditional attire in a time of increasing uncertainty and conflict with China, particularly over the introduction of democracy). A barrister's attire also reflects status and prestige, of course.

³⁰ If advertisements for television dramas are anything to go by, this is still the case.

³¹ Singapore has a fused legal profession, so qualified lawyers are both advocates and solicitors; they do not wear wigs to court. In China lawyers have robes, but they don't necessarily wear them, especially in less serious cases, or when the case has had no publicity. See MIKE MCCONVILLE, CRIMINAL JUSTICE IN CHINA: AN EMPIRICAL INQUIRY 213 (2011).

³² Singapore abolished the jury in 1970, and even before that, the jury was not often used. See *Ch.01 The Singapore Legal System*, SINGAPORE ACADEMY OF LAW ¶ 1.7.2, <http://www.singaporelaw.sg/sglaw/laws-of-singapore/overview/chapter-1> (last updated Sept. 20, 2015).

³³ Some of my discussion of *The Unwritten Law* is based on an earlier article. See Alison W. Conner, *Chinese Lawyers on the Silver Screen*, in CINEMA, LAW, AND THE STATE IN ASIA 195-211 (Corey K. Creekmur & Mark Side eds., 2007).

(*Fazhong Qing?*)³⁴ is a 1988 Shaw Brothers production, directed by Taylor Wong and starring popular Hong Kong actors, although the movie's plot is actually a rip-off of *Lipstick*,³⁵ a 1976 American movie uniformly panned by the critics. In the Hong Kong version, a fashion photographer is twice prosecuted for rape, and (although guilty in both cases) he is twice acquitted. When after the second acquittal the photographer's own lawyer tricks him into acknowledging his guilt in court, he violently attacks her and is shot by the police. Despite a few changes to the story, *Law or Justice?* is as exploitative as the original, and the movie deservedly received bad reviews, at least in Hong Kong's English-language press.³⁶

Presumably the film's message, reflected in its English title, is that law and the courts have utterly failed to deliver justice to the complainants, who (unlike Jing) were telling the truth, and in such circumstances only vigilante justice can succeed. That message was taken directly from the original Hollywood version, but in Hong Kong it could have been read even more strongly: a fine courtroom and all those wigs and robes make no difference to the result. In any event, considering *Law or Justice?* helped me think better of *Christmas Rose*, which, despite its manipulative treatment of sensitive issues, was certainly better intentioned.

And yet, however phony the plot of *Law or Justice?* might be, the movie offers its viewers a recognizable Hong Kong, featuring well-known landmarks, buildings, and even restaurants. The movie's attractive courtroom looks familiar (possibly from other Hong Kong movies), it's large and light, with windows as well as bookshelves on the walls, and the judge's bench is raised just enough to reflect his role in the proceedings. The lawyers inspire less confidence, however; they behave in shockingly casual fashion in this court, walking around freely or lounging against the jury box as they speak. Nevertheless, both the prosecutor and the defense

³⁴ FAZHONG QING? (法中情) [LAW OR JUSTICE?] (Shaw Brothers 1988).

³⁵ LIPSTICK (Dino De Laurentiis Company & Paramount Pictures 1976).

³⁶ See, for example, the scathing review by Paul Fonoroff. Paul Fonoroff, *At the Hong Kong Movies: 600 Reviews from 1988 till the Handover*, FILM BIWEEKLY PUBLISHING HOUSE HONG KONG, 1998, at 5. The movie did well enough at the box office, according to Hong Kong Movie DataBase (HKMDB)—HK\$7, 835, 344 (over U.S.\$1 million) in a one-month run, so not everyone shared my view of the film. *Fa Zhong Qing* (法中情) [Law or Justice?], HKMDB, http://www.hkmdb.com/db/movies/view.mhtml?id=7105&display_set=eng (last visited March 12, 2018). But *The Unwritten Law*, with a more positive message, did quite a bit better, grossing HK\$11, 618,066 (nearly U.S.\$1,500,000) in Hong Kong. *Fazhong Qing*, the Chinese title for *Law and Justice?*, was no doubt intended to remind viewers of *The Unwritten Law* (*Fawai Qing*) and its sequels (*Fanei Qing*). The films were unrelated, but Taylor Wong directed both the first sequel, *The Truth*, and *Law or Justice?* in 1988.

lawyer are, without a doubt, Hong Kong barristers, even if in this film they are wearing rather cheap wigs and flimsy robes.

B. *The Unwritten Law and Its Images of Justice*

Law or Justice? was really a Hollywood movie dressed up in Hong Kong disguise, in that respect very different from *The Unwritten Law* which remains a far better movie. *The Unwritten Law* was a genuinely Hong Kong production, with local filmmakers and stars all speaking Cantonese, in a setting that is unmistakably Hong Kong. More important, the film's story, although set in the 1960s, was also addressed to the concerns of the territory's residents when it was made, and its uplifting message struck a chord with local viewers. For many reasons, the movie was enormously popular in the territory, and consequently it was followed by two sequels involving the same characters, *The Truth* (1988) and *The Truth: Final Episode* (1989).³⁷

The Unwritten Law was written, produced, and directed by Ng See-yuen, and the cast featured Deanie Ip, already a big Hong Kong star, and a young Andy Lau in his breakout role.³⁸ Lau plays Raymond, an idealistic newly qualified barrister who believes in justice and the right of everyone to a fair trial, which must necessarily include legal representation. Against all advice and without thought for his future, Raymond takes as his first case the hopeless defense of Wai Lan (Deanie Ip), a prostitute accused of killing the son of an important businessman, and then he energetically represents her in court. In fact, Wai Lan has not committed murder (she acted in self-defense), and through Raymond's efforts she is acquitted and released, so legal justice and what it requires is a major theme of the film. *The Unwritten Law* was filmed well before the 1997 handover to China but after the signing of the Joint Declaration, just as the Basic Law Committee began its drafting work.³⁹ In those days, the

³⁷ FANEI QING (法内情) [THE TRUTH] (Movie Impact & Johnny Mak Production 1988); FANEI QING DA JIEJU (法内情大结局) [THE TRUTH: FINAL EPISODE] (Movie Impact & Johnny Mak Production 1989). See *The Truth* (1988), IMDB, <http://www.imdb.com/title/tt0095124/> (last visited Jan. 27, 2018); *The Truth: Final Episode* (1989), IMDB, <http://www.imdb.com/title/tt0097320/> (last visited Jan. 27, 2018).

³⁸ See *Fa Wai Qing* (法外情) [*The Unwritten Law*], HKMDB, http://hkmdb.com/db/movies/view.mhtml?id=6728&display_set=eng (last visited Jan. 27, 2018).

³⁹ The Sino-British *Joint Declaration*, formally known as the *Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong*, was signed at the end of 1984. *Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong*, China-U.K., Dec. 19, 1984, 1399 U.N.T.S. 33 [hereinafter *Joint Declaration*]. Drafting of the Basic Law of the Hong Kong Special

continuation of Hong Kong's legal system, and the stark contrast with China's, particularly in the administration of criminal justice, were very much on people's minds, and the film highlights the protections of Hong Kong's colonial system.

As in the other Hong Kong movies discussed in this essay, shots of the old Supreme Court building signal that we are about to view a trial. The courtroom in *The Unwritten Law* may be a movie set, but it feels genuine, perhaps because in layout and design it resembles courts in other Hong Kong movies of that era, including *Law or Justice?*. This courtroom is also light and attractive, and the judge's bench is raised, underscoring his authority, but it's not unusually high. The jury, which Hong Kong viewers would expect to see in a trial for murder, sits to the judge's right and the spectators sit at the back of the court. This courtroom seems a little smaller and it's certainly plainer than the one in *Law or Justice?*, except for the British symbols in that very colonial era; the bench has seats for three judges, even though at this trial only one (English) judge presides.⁴⁰ But the dock, which is situated in the center of the courtroom behind the lawyers, is no notional enclosure. It's large and barred like a prison, and the defendant must stand there, clinging to the bars and guarded by a policeman, for the entire trial. That may accurately represent Hong Kong courtrooms of the 1960s, or it may simply remind us how dire the defendant's situation is, how close she is to receiving a long prison sentence. Indeed, it seems that Wai Lan is already being punished, for her life and social status, if not yet for a crime.

Marco Wan has shown how important the symbols of English justice are in *The Unwritten Law*, including the barrister's robe and wig, and the way in which Raymond slowly dons them as he prepares for court and his role in the trial, which underscores their significance.⁴¹ In this film, in contrast to *Law or Justice?*, the robes and wigs look real, which greatly increases the authority of the defense counsel and prosecutor as well as the judge. Both Raymond and the prosecutor sit at the bar table at the front of the court, and despite the English-style courtroom they too behave like American lawyers as they freely approach the witness stand to question the witnesses and speak directly to the jury. This smaller space within the

Administrative Region of the People's Republic of China, Hong Kong's "mini-constitution," formally began in 1985 and continued until its formal promulgation in 1990. Xianggang Jiben Fa [Hong Kong Basic Law] (promulgated by Order No.26, Pres. of China, Apr. 4, 1990, effective July 1, 1997) (1997) (H.K.) [hereinafter Basic Law].

⁴⁰ The symbols of British justice were showcased in this film, not removed. That approach changed as events changed, in the run-up to the handover in 1997, which was also reflected in Hong Kong movies. See Marco Wan, *Consciousness and Hong Kong Cinema*, 10 LAW AND HUMANITIES 161 (2016) [hereinafter Wan, *Consciousness*]. See also Marco Wan, *The Unwritten Law of Files*, 22 LAW AND LITERATURE 199-211 (2010).

⁴¹ Wan, *Consciousness*, *supra* note 40, at 164-65.

larger courtroom serves as an ideal stage for the lawyers, and the director makes the most of it to dramatize their interactions with each other and with the trial's other players. Thus the members of the jury as well as the spectators at the trial become the audience for this play, and in *The Unwritten Law* they also behave like one: the defendant Wai Lan's friends react emotionally to the testimony presented in court, and the jury even applauds the young barrister after their verdict of not guilty is announced.

A major theme of *The Unwritten Law* is legal justice, so these courtroom scenes are central to the story. But the film is also about a parent's deep love for a child, and what the child owes that parent in return, a subject that can still resonate with Chinese viewers, in Hong Kong as well as in China. Raymond defends Wai Lan out of principle, without knowing that she is his mother (the audience, of course, knows this all along). Although Wai Lan gave Raymond up as a baby, she did it for his sake, and she has sacrificed for years in a profession that shames her in order to pay for his education, which includes a London law degree.⁴² But when she realizes who he is, Wai Lan remains silent about their relationship for fear of harming his prospects or damaging his reputation. In defending her, therefore, Raymond has not only met the highest professional standards, he has also, even if unknowingly, repaid a debt to his mother. The balance between these duties shifts in the film's two sequels, and ultimately the lawyer's filial duty trumps his professional obligations. Although the plots of the two sequels, which are full of emotional reunion scenes and strange twists in family relationships, became increasingly far-fetched, the parent-child bond remained an essential part of the story and it continued to resonate with Hong Kong viewers.

This aspect of the plot is strongly reminiscent of, and doubtless draws upon, similar popular themes linking justice and family relationships in earlier Hong Kong cinema, particularly during the 1930s and 1940s. In *Tears of the Reed Catkins* (1936),⁴³ for example, one brother becomes a lawyer and his half-brother becomes a gambler. When the gambler is killed and his stepmother is accused of the murder, the lawyer son defends her and saves her from execution. And in *Mother and Son* (1941),⁴⁴ which offers the closest parallel to *The Unwritten Law*, a woman

⁴² A London degree would be prestigious as well as expensive, and as Marco Wan shows, it also reflects the tie to English justice. But Raymond couldn't have studied law in Hong Kong at that time, as the University of Hong Kong Department of Law, which offered the earliest legal training in the territory, wasn't founded until 1969. See *About Us*, FACULTY OF LAW, UNIVERSITY OF HONG KONG, <http://www.law.hku.hk/faculty/index.php> (last visited Jan. 27, 2018).

⁴³ LUHUA LEI (蘆花淚) [TEARS OF THE REED CATKINS] (Grandview Film Company 1936).

⁴⁴ MUCI ZIXIAO (母慈子孝) [MOTHER AND SON] (Huawei Trading Company &

is abandoned by her husband and separated from her son. She becomes a prostitute and is later falsely accused of murder; the lawyer who defends her turns out to be her son. At first, mother and son are reluctant to acknowledge each other, but justice is done and they are reunited.⁴⁵ A similar melodramatic plot, along with the family relationships and the duties those relationships entail, is also dramatized in *The Unwritten Law* and must account, at least in part, for the film's deep appeal in Hong Kong.

Not surprisingly, *The Unwritten Law* now shows its age as well as some very low production values, and when I watched the movie along with its sequels many years later on DVD, I was surprised by how amateurish much of it seemed, so impressed had I been when I saw it in that 1980s theater. Nevertheless, despite some overacting and the low-budget sets and costumes, the film's ideas about justice, both personal and legal, are still compelling, however we view the colonial symbols more than thirty years on. Andy Lau's obvious star power, and his terrific screen chemistry with Deanie Yip, would stand out in any movie whatever its quality, and both actors make the ideas of justice depicted in the film compelling for the viewer. The setting is definitely Hong Kong, the story reflected genuine Hong Kong concerns, whether of the 1960s or the 1980s, and consequently *The Unwritten Law* retains its authentic feel as well as its emotional power even now. Indeed, the movie's ending remains deeply satisfying, even if we might wish that Raymond and Wai Lan could be reunited as mother and son (in the sequels they will be).

Of course Hong Kong's political situation, along with people's attitudes towards it, underwent changes even before 1997 and have evolved greatly since then. Nor can we now see the same film we watched such a long time ago or understand it in exactly the same way we did in the 1980s: too much has happened in Hong Kong (and China) in the last thirty years. *The Unwritten Law* was very much addressed to its era in Hong Kong, in a transitional but still hopeful period, and its filmmakers did not lack the courage of their convictions when they told Raymond's story. But Chinese ideas of personal justice, especially in family relations, have not changed dramatically—and ideas about legal justice, including

Jianhua Film Company 1941).

⁴⁵ There are other variants on these themes, which must have been quite popular. In *Murder at the Wedding* (*Liutang Xiaojie*), for example, a rich young woman is framed by her husband and becomes a murder suspect on her wedding day. LIUTANG XIAOJIE (流氓小姐) [MURDER AT THE WEDDING] (Lianqiao Film Company 1938). She is saved by a lawyer who proves her innocence—and she (very wisely) marries him instead. Many of these early Hong Kong films have not survived, but information on them, including the plot synopses, is contained in the Hong Kong Film Archives. Information on these films may be found by searching the database. See *Hong Kong Film Search*, HONG KONG FILM ARCHIVE, http://www.lcsd.gov.hk/CE/CulturalService/HKFA/en_US/web/hkfa/hong-kong-film-search.html (last updated April 28, 2017).

procedural justice and its symbols, can also be reimagined or viewed in a different light.

V. CONCLUSION

In light of the comparisons with earlier Hong Kong dramas, what should we make of *Christmas Rose* and its images of trials and justice? Charlie Yeung reportedly wanted to raise serious subjects in her film, particularly disability, sexual assault and the effect on its victims, which some online commenters, at least in Taiwan and China, seemed to view as a worthy and reasonable effort.⁴⁶ The director's stated goal was to "examine human nature," and she declared that "the characters in a courtroom - the lawyers, the families of those prosecuted and so on - they all reflect different perspectives of society."⁴⁷ Of course not all legal issues in Hong Kong relate, or related, to its political situation, even if in the run-up to 1997 it often seemed that they did, and what in many places would be handled as political issues were in Hong Kong played out in the courts. But in choosing the courtroom as the most important and dramatic venue for her film, Yeung also made legal justice her subject, even if she was mainly concerned with social issues, primarily Jing's sad plight. That justice may be found in the trial procedure shown in *Christmas Rose*—and it is for the most part Hong Kong's, even though local symbols have been erased from the film.

And however inauthentic this Hong Kong might seem or how strange its courtroom, the *Christmas Rose* trial illustrates many attractive aspects of the legal system it depicts, even though the film doesn't highlight them for its viewers, in the way *The Unwritten Law* does. Thus, all the hearings are open, the judges are professional, and the prosecutor is honest and conscientious, even if he is inexperienced or, speaking frankly, a bit dim. Dr. Zhou is allowed to tell his story in court, witnesses must appear to testify in person, and the evidence against the defendant is openly presented and subject to challenge. Dr. Zhou also has a defense lawyer, who actively represents him and eventually secures his acquittal. It

⁴⁶ Not surprisingly, given the director's approach to her subject, they expressed sympathy for Jing, even if they may not have understood the legal issues involved. Some Taiwan comments do discuss procedure more knowledgeably, or at least the commenters have thought about it. See, e.g., Bo Ang Ci Ci (波昂刺刺), "Shengdan meigui" Zhangzhen Xing Qin Guilunmei!? Zhenxiang Weihe? (《聖誕玫瑰》張震性侵桂綸鎂! ?真相為何?), (May 24, 2013), <http://bernd97.pixnet.net/blog/post/148632482->; [Xin Yan Yingping] [Hao Lei] Shengdan Meigui (Christmas Rose)-- Ke Pimei Jingdian Fating Gongfang Dianying "Jingsong" (Primal Fear) De Jiazuo (心硯影評)[好雷] 聖誕玫瑰 (Christmas Rose)--可媲美經典法庭攻防電影"驚悚"(Primal Fear)的佳作), (June 9, 2013),

is clear that the appeal is not just a formality and a verdict at trial can be—in fact it is—overturned and the innocent defendant set free. If a trial with all these protections can be taken for granted in Hong Kong more than fifteen years after the handover to China and well into the twenty-first century, what more could one hope for? At least to this lawyer, it's a highly positive image of justice in court, and it's where one finds the truest representation in this movie of what legal justice might mean.

But the importance of a fair hearing and a legal defense isn't the main message of *Christmas Rose* or probably even the idea that most viewers would take away from the film. Nor is the admirable Freddy, who (like Raymond in *The Unwritten Law*) works hard for his client and believes in defending him even if Dr. Zhou looks guilty, made the hero of the movie. Although Xia Yu, who plays Freddy, is a good actor and far more convincing as a serious lawyer than Aaron Kwok as Tim, it's the troubled prosecutor who is given the larger, even central role. The movie does show us something of Tim's relationship with his dying father, but this subplot is undeveloped, and their relationship cannot provide a strong cultural anchor for the movie. As a result, *Christmas Rose* lacks the compelling themes of *The Unwritten Law* that so resonated with its 1980s Hong Kong viewers: a passionate belief in the right of everyone, regardless of status, to a defense in court, and the love and duty inherent in the parent-child bond, that most fundamental of all relationships in a Chinese society.⁴⁸

Perhaps one shouldn't be too hard on *Christmas Rose*, which is really just popular entertainment, whatever its director's hopes and goals. The movie is still of interest for its depiction of trials and justice at a particular time in Hong Kong, although the result is disappointing in some respects. But *Christmas Rose* also illustrates how difficult it is to get this kind of drama right, even if it's set in a place with an adversarial system and a tradition of courtroom drama in television and film, i.e., Hong Kong. In the end, despite a larger budget and much higher production values than the earlier movies, *Christmas Rose* seems to lack soul as well as a sense of place: it isn't the contemporary successor to *The Unwritten Law* I was seeking. And unfortunately, given the trend to internationalize (or homogenize) films made in the greater China region to make them widely marketable as well as avoid political issues, that successor may become much harder to find.⁴⁹

⁴⁸ If anything, Tim is a bad son, one who has judged his father too harshly and doesn't realize it until it's too late to make amends (his father has died).

⁴⁹ With some notable exceptions, including *Cold War*, *supra* note 5, an action-packed police thriller that also manages to speak to local concerns about law (as well as law and order), even if it lacks a courtroom and lawyers. Deborah Young, *Cold War: Busan Film Review*, HOLLYWOOD REPORTER (Oct. 4, 2012, 5:39 AM), <http://www.hollywoodreporter.com/review/cold-war-busan-film-review-376329>. See

also Yvonne The, *Film Review: "Cold War,"* SOUTH CHINA MORNING POST (Nov. 8, 2012, 12:00 AM), <http://www.scmp.com/lifestyle/arts-culture/article/1077176/film-review-cold-war>.