



Emergency committee for human rights
in Singapore

UPDATE 24
SINGAPORE HUMAN RIGHTS ALERT

16 NOVEMBER 1988

The Trilateral Commission, a consultative body of the most prominent political, business, and academic leaders of the West & Japan, reject Singapore:

FAILING THE TEST

In a soon-to-be published report, the influential Trilateral Commission — a private group of US, European and Japanese opinion-leaders — says that Singapore would have been a candidate for membership of the developed nations' club, the Organisation for Economic Cooperation and Development (OECD), but for the republic's "current political climate." The report says it has now become firmly established that democracy is one of the tests for the suitability of a country for admission to the OECD.

[Far Eastern Economic
Review 29 Sept 1988]

[US President-elect George Bush has been a Trilateral Commission member]

THE DETAINEES: SOLITARY CONFINEMENT CONTINUES. GOVT FAILS TO CRUSH COMMUNITY SUPPORT. MORE LEGAL APPEALS.

SINGAPORE NEWS: GOVT ON A TIGHTROPE - SEEKS POST-ELECTION SCAPEGOATS. VOTING WITH THEIR FEET. UNIONISTS PURGED. BOYCOTT LAUNCHED. ASEAN GOVTS TARGET THE CHURCH.

INTERNATIONAL: STRONG INITIATIVES FROM WORLD COUNCIL OF CHURCHES, CAMBRIDGE UNIVERSITY, AMNESTY INTERNATIONAL & HUMAN RIGHTS WATCH. PRIME MINISTER LEE'S EMBARRASSING VISIT TO NZ.

THE DETAINEES

SOLITARY PUNISHMENT

As continuing punishment for their claims of innocence and wrongful arrest, Ms TEO Soh Lung, Mr Vincent CHENG & Mr Kevin DE SOUZA remain in solitary confinement. They have been in solitary since April 19 this year, seven months to date.

Sponsors: • Jim Anderton M.P. • Jocelyn Armstrong • Katie Boanas • Prof J Burrows • Very Rev Dr Alan Brash • Jan Cormack • Fr John Curnow • Sonja Davies M.P. • Manuka Henare • Canon Hone Kaa • Michael Knowles • Margaret Lovell-Smith • Archdeacon Alan McKenzie • Sir Guy Powles • Rev Barbara Stephens • Rev David M Taylor • Bishop Whakahuihui Vercoe •

Despite this Ms TEO is reported to be in strong spirits. She reads the few books she is permitted, she is learning meditation, listens to the birds she can hear singing outside her cell and observes the lizards and insects which share her cell. She now has a slightly bigger cell where she can see a small patch of sky. Her letters, though usually cheerful and full of concern for her friends, also reveal the stifling effect of censorship. She was very disappointed that she was not permitted to attend her own Court of Appeal case Sept 26-29. (See Legal Proceedings appendix.)

Mr Kenneth TSANG & Mr CHEW Kheng Chuan, after six months solitary confinement, were put in the same cell on October 6. Ms CHNG Suan Tze & Ms WONG Souk Yee have also been put in the same cell.

LEGAL PROCEEDINGS KEEP ISSUES IN PUBLIC

The legal appeals by the detainees have kept the issue of their wrongful arrest in the public eye and also given an opportunity for their eminent legal counsel (2 leading Queen's Counsels from the UK) to make sharp legal arguments in their defence. The inability of the courts to rule against the govt is being decisively exposed in this process. A summary of the current legal proceedings is attached as the Legal Proceedings Appendix.

FALSE HOPE RUMOURS

There is speculation that some of the detainees may be released soon on the basis of the slight relaxation of some prohibitions: a few more articles are permitted to some of them and the sharing of cells. While the govt's successful gerrymander of the elections may indeed allow the political space for some releases, it is also possible that the rumours may be further manipulation of the detainees and their families by the Internal Security Department. It is also probable that the determined attitude of some of the detainees has reinforced the govt's vindictiveness so that they will not be released even if it costs the govt nothing politically.

MOTHER PREVENTED FROM GIVING MEDICINE

Harrassment of detainees' families continues. The mother of Ms CHNG brought medicine for Ms CHNG's ailment during a regular visit but the security police prevented her from giving it to her daughter. When Ms CHNG's brother objected, he was held in police custody for 10 hours.

COMMUNITY SUPPORT REMAINS FIRM

Masses for the detainees continue to be held once a month. More than a hundred attended a recent mass. A pamphlet of prayers for the detainees has been circulated. An extract follows:

"We ask you to give your children under detention, the strength to continue suffering for the sake of the Kingdom. Be with them Lord, as they spend long, lonely months alone in their cells with no one to talk to and no one to touch. Send down your Holy Spirit into their hearts to assuage their loneliness. Heal the

wounds of their souls caused by violence against their human dignity, And strengthen their courage and faith to face any adversity. ...Lord, come to the rescue of your servants and release them from the chains of imprisonment."

BALLOONS ON FRIDAY

During visiting hours every Friday, a group of supporters gathers outside the Whitley Road Detention Centre and wave balloons and pom-poms above the fence so that the detainees can see them when they are led to the visiting rooms. The replacement of the wire fence with solid material necessitated this change from the more direct shouts and waves of support which were possible when the detainees could be seen.

NEWSLETTER NOW PUBLISHED IN SINGAPORE

A newsletter signed by "Concerned Friends of the Detainees" has been circulated in Singapore revealing a groundswell of sympathy. The letter states that there are now signs of hope as a result of the detainees' April 18 Joint Statement proclaiming their innocence. It was the first time in Singapore's history that detainees have spoken out in public to refute govt charges and to reveal how they were treated in detention. The govt's harsh response of re-imprisoning them has disappointed and angered many people who can no longer have an unquestioning trust in the govt, say the Friends.

The second sign of hope are the legal appeals initiated by the detainees despite active discouragement from the internal, security police, threats of prolonged detention and prohibitive legal costs.

The third sign of hope is that many Singaporeans have now realised that the Internal Security Act is being abused, there is a questioning of the need for it and some calls for its partial or total repeal.

PSYCHOLOGICAL MANIPULATION

The newsletter also notes the punishment of the detainees involves disorientation by isolation. They so miss human contact that they begin to "look forward" to the visits of their case officers who are also their interrogators and jailers. The detainees ignorance of what is happening outside means they cannot be sure of their own judgement. The newsletter also notes the harsh methods of interrogation and the severe curtailment of civil liberties even upon release which means ex-detainees are often left feeling cut off from all their normal activities and find their lives lack any meaningful sense of direction or purpose.

SINGAPORE

GOVT STILL ON A TIGHTROPE

In its 10 Sept analysis of the Singapore election results, THE ECONOMIST (UK) says that, on the surface, it appears that the governing People's Action Party's (PAP) position has been strengthened. However, it states, a closer look reveals an opposition which requires only another 5% of the overall vote for PAP seats to "fall like dominoes".

For this reason, according to its own logic, the govt still has no margin for magnanimity. It has to keep the lid on opposition even after an apparent landslide success. Within the next 4 years the govt will have to complete the cosmetic transition of power, maintain economic growth and suppress a 38% opposition vote which could easily grow by far more than 5% if repression was eased.

GOVT'S POST-ELECTION BLUES: THE SEARCH FOR SCAPEGOATS

On Sept 10, Deputy PM GOH Chok Tong accused Singapore's Malay community of failing to back the PAP and he threatened to abandon a govt-sponsored project to assist Malay education, social welfare and business. This reflects the govt view (Straits Times Oct 1) that more Malays voted against the PAP than for it. This is despite the much touted govt claim that the creation of Group Representation Constituencies (GRCs) before the election was to assist minority representation in parliament. The claim never impressed the Malay community who saw it for what it was: using their ethnic marginality as a ruse to suppress the opposition vote. No more minority representatives were elected in this election than in the last.

MALAYS TALK BACK

The Singapore Malay National Organisation (PKMS) noted "with deepest regret and concern" Goh's statement that the govt should reassess whether to go ahead with the project. The govt-controlled Malay newspaper BERITA MINGGU [Weekly News] challenged Goh to study the reasons for the Malay swing against the govt instead of "blaming" them.

CHOOSE YE THIS DAY WHOM YOU WILL SERVE

The Straits Times of Oct 1 reports the PAP wants "to introduce a new phase of development, in which all Singaporeans of all races will step up and show 'open and unambiguous support' for the PAP govt." The PAP will decide "whether to change its electoral policy of helping everyone 'regardless of whether they openly support us, are neutral or against us'", reports the paper. Goh was quoted as encouraging PAP supporters to identify themselves: "Should we not encourage open identification and commitment to the PAP, and extend more help to those who help and support us? Otherwise why should anyone help us? There is no prize for those who stand up for us and no price for those who want to down and destroy us." The Straits Times continues that Goh says the "help everyone" policy needs review "because it did not work in 1984

when the PAP suffered a 12.9% swing against it. It did not seem to work well this year either, even though the economy was doing well and there were no thorny issues to cause unhappiness among the voters." In the Singapore context this is a threat to isolate and discriminate against opposition voters through the civil service and statutory boards. Since there is no practical difference between the PAP and the govt, Goh is saying that opposition voters will not receive equal treatment from the govt.

FEEDBACK

After the unpredicted strong swing against it in 1984, the govt established a Feedback Unit to monitor public opinion. After this year's election, the Unit sponsored a "dialogue session" on Sept 20 where 150 professionals and grassroots leaders criticised Goh's comments on the lack of Malay support. They said it raised questions about the secrecy of the ballot. They also noted that the PAP won 80 out of 81 seats "because electoral boundaries were redrawn, Group Representation Constituencies were introduced and the town council issue was raised". (ST, 24 Sept) A woman participant criticised the govt character assassination campaign against Francis SEOW saying, "I think we should set aside these childish tactics and have a little finesse in our approach". A young first-time voter said young Singaporeans would not vote for the PAP if they believed the party was threatening them to get their votes. "If you threaten me, I will vote against you," he said.

The govt uses its feedback process to map out public opinion in order to manipulate it and identify possible centres of disaffection.

VOTING WITH THEIR FEET

One group of Singaporeans are giving very clear feedback. The Economist (UK), Sept 10, notes that "Well-educated Singaporeans who feel stifled do not demonstrate: they emigrate." The article notes the increasing number of students studying overseas who do not return and the rising number of emigrants, a 50% increase last year in those going to Australia alone. "It may not sound a lot. It is already too much for a country of just 2.6m whose future economic growth depends on its people's skills," says The Economist.

UNION EMPLOYEES PURGED

Under an Oct 15 headline "No place in NTUC unions for officials who back opposition", The Straits Times announced the policy of the PAP-controlled National Trades Union Congress (NTUC) to fire any union employees who are activists in opposition parties. The Straits Times editorial attempted to justify the purge by referring to the strong Labour Party links of the unions in the UK and NZ.

The real reason for the purge is that opposition parties were able to portray the PAP as elitist during the election campaign. The PAP is now moving to reassert its dominance over the labour

force and prevent the opposition from strengthening links with the unions.

Among the first to lose their jobs was George Sita (Singapore Democratic Party candidate and adult education teacher with the NTUC). Under pressure to resign was Mohamed Shariff Yahya, also an SDP candidate who was asked to resign as First Vice-Chairman of the Bank Employees' Union. Mr Ramasamy, Justice Party candidate and a branch chairman of the Metal Industries Workers' Union has been fired. Two taxi operators working for the NTUC taxi company and who stood for the opposition have quit voluntarily.

OPPOSITION LAUNCHES BOYCOTT

In response to the purge, SDP leader & MP, Mr CHIAM See Tong, has launched a boycott of the NTUC Fairprice supermarket chain which is the largest chain in Singapore. "Nearly 40% of Singaporeans voted for the opposition in the last general election. We have strength. We are not talking as a body without backing," said Mr Chiam.

ON THE DEFENSIVE

The govt has revealed itself to be still on the defensive after the elections through the kind of propoganda appearing in the media. The Straits Times has carried extensive analysis of the media comment on the elections in the US, Europe and Asia. Rather than trying to account for the overwhelmingly negative comments about the PAP's anti-democratic practices, it simply ridicules or misrepresents them.

The now well-known Bruce Loudon article "At Home with PM Lee" (reprinted in The Straits Times, Sept 17) has now been published in papers throughout the region in a govt-orchestrated attempt to humanise Mr Lee's image and overcome the extensive damage done to his international reputation by the detentions.

WESTERN "MISUNDERSTANDING" OF DETENTION WITHOUT TRIAL

Further, The Straits Times has run a series of three major articles (ST, Sept 24, Oct 8 & 15) by Mr Owen Harries, formerly an Australian diplomat and now a right-wing writer for The National Interest in Washington DC, headed "Exporting Democracy and Getting it Wrong" with such sub-titles as "Singapore is still vulnerable - its leaders know best" and "World's best government in last 20 years".

The aim of the probably govt-commissioned series is to rebut the sustained US media criticism of Singapore's secret police repression by finding the fault lies with the inability or unwillingness of the US media to "understand" Singapore. It is a detailed apologetic for the Singapore Govt and is written in an analytical tone that may appear plausible to some. However, it is a dishonest and vicious misrepresentation.

WCC IS "INSTRUMENT" FOR "THIRD WORLD RADICAL CAUSES"

"Attempting to appropriate the human rights issue and using it to undermine the authority of governments is a common and often effective tactic of the extreme left, both in the Third World and the West. And since the advent of 'liberation theology' and the conversion of the World Council of Churches into an instrument for furthering Third World radical causes, religious affiliation - particularly of an activist kind - no longer justifies a presumption of innocence," says Mr Harries.

It is this kind of rhetoric which gives licence to right-wing death squads in the Philippines to use priests for target practice.

THE REAL MASTERMINDS

In what has become a clearly coordinated policy by ASEAN governments, the Singapore govt has started to use its fabricated "Marxist conspiracy" plot as a way to attack Christian institutions and to split the church.

In addition to the kind of propaganda written by Mr Harries, this strategy is reflected in the Oct 15 Straits Times which carried an interview with PAP "old guard" Mr S Rajaratnam. The article states:

"He believes that so-called liberation theologians, supported by certain sectors in the US mass media, were behind the [Marxist] plot. The threat has only subsided and still lingers, he maintains. "It's not over. They don't know what to do now. For the time being, they close shop, recover their breath, recover their balance." The former minister predicts that these elements will renew their anti-Singapore campaign and put pressure on the government once Francis Seow makes his appearance in Parliament as a Non-Constituency MP."

Mr S Rajaratnam, PAP founding member, former foreign minister and senior minister, retired at the recent election and is now frequently interviewed as the wise elder statesman. He has always played the role of putting the govt viewpoint in a bombastic journalistic manner.

STATE IDEOLOGY FOR CONTROL

On October 28, Deputy PM GOH Chok Tong proposed the development of a national ideology (that is, a state ideology) similar to that of Indonesia and Malaysia which will be taught in schools, workplaces and homes as the Singaporean way of life. The elements he appeared to emphasise were an allegedly Confucian collective work ethic and reverence for parents (or, more plainly, productivity and obedience to authority). These were identified as Asian and he cautioned his audience against "assimilating alien values and becoming a pseudo-Western society". It appears that a kind of xenophobic anti-Western racism will be used to justify the rejection of the norms of democracy and justice.

As in Indonesia and Malaysia, a state ideology can be used to pull organised religion into line, especially the highly organised Christian churches which increasingly worry the ASEAN govts because of their effective bureaucracies and international connections.

CHURCHES FOLLOW GOVT LINE

Singapore's two member churches of the Christian Conference of Asia (CCA), the Anglican and Methodist churches, have now respectively cancelled and suspended their membership of CCA under govt pressure. The withdrawal of the Anglican Church was expected on theological grounds alone considering its maverick image as a fundamentalist sect even within the worldwide Anglican church. However, the Methodist suspension is more political. Being theologically sympathetic to CCA, they have probably taken this step in consultation with the govt.

The National Council of Churches of Singapore (NCCS) is a member council of CCA. At a recent NCCS meeting the Anglicans put a motion for NCCS also to withdraw from CCA. The Methodists opposed it. They have thereby preserved their (& thus the govt's) channel of information into CCA while removing their own denomination from direct involvement.

The CCA headquarters, which had been in Singapore since 1974, was expelled by the govt on December 30 last year on the basis of govt allegations that it was involved in supporting the "Marxist conspirators". It is also probable that this was done after "unofficial" govt consultation with CCA's member bodies in Singapore.

FURTHER HARRASSMENT OF FOREIGN MEDIA & CLERGY

The High Court has refused to admit an affidavit sworn by Fr Edgar D'Souza regarding the intimidation and manipulation of the Archbishop of Singapore by PM Lee a few days after the May 21, 1987 detentions. Mr Lee is suing the Far Eastern Economic Review for defamation because it published Fr D'Souza's report of the meeting (FEER, Dec 17, 1987 "New Light on Detentions"). This is the second time the affidavit has been refused. The first time was because it did not carry the full street address of Fr D'Souza who is now residing in Melbourne.

The refusal of course removes the main piece of evidence required for the Review's defence. The govt has ensured nobody in Singapore will dare to testify. It is now possible that the govt will challenge Fr D'Souza to return to Singapore in person to testify. Even with the protection of Australian citizenship by that time, Fr D'Souza will face a barrage of personal villification in the govt-controlled media on his return designed to discredit him as a reliable witness.

MORE SLURS AGAINST SEOW

In yet another post-election Straits Times interview with Mr Rajaratnam (ST, 17 Sept), the opportunity is taken to malign Mr Francis SEOW. Mr Rajaratnam deplores the "moral blind eye syndrome" of voters who voted for Mr SEOW and "had turned a blind eye to Mr Seow's \$1.3 million debts - some of it to fugitives of the law - and his responsibilities over three families. They failed to see Mr Seow as he really was - financially untrustworthy."

Asked about the Singapore Democratic Party, he replied, "I think they are honest though not very bright, apart from Chew. We want that kind of opposition MPs to come in."

HARRASSING THE FAMILY

As part of its harrassment of Francis Seow, the govt expelled his fiancee, Ms SIAH Mooi Guat, in September 1986. She is a prominent Malaysian business woman who has lived in Singapore since 1973 and gained permanent residence status in 1980. On 12 Sept this year, High Court Judge T S Sinnathuray dismissed a challenge against the cancellation of her re-entry permit and employment pass. He said the rules of natural justice did not apply to foreigners under the country's immigration laws and that the home affairs minister was not required to provide reasons for his decision. Ms Siah will appeal. Mr Sinnathuray is the same judge who has presided at numerous political cases since he first sentenced Singapore University student president Mr Tan Wah Piow to imprisonment on political charges in 1974.

SEOW TAKES ON LEE

Lawyer and opposition MP Francis SEOW has filed a suit for defamation on 6 October against the prime minister's son, Brig-General LEE Hsien Loong. Seow is accusing Lee of defaming him in a press conference last April 29 when Lee implied that Seow believed the country's high court judges were "not good enough" to lead an independent commission of inquiry into the detention of the alleged "Marxist conspirators". Seow is also suing The Straits Times for publishing Lee's comments.

JEYARETNAM VINDICATED

On 25 October, the British Privy Council granted the appeal of Workers' Party leader and former MP, Mr J B Jeyaretnam, against the decision of a Singapore court to disbar him from the legal profession. Immediately after the Privy Council decision he was able to return to his practice. The Law Society of Singapore, which asked the court to strike him off the rolls, was ordered to pay all costs relating to the appeal and matters leading up to it.

As the Privy Council has not yet delivered its full written judgement, there is some difficulty in seeing the full implications of their decision yet. However, the decision that Mr Jeyaretnam was wrongly disbarred may call into question his expulsion from the Singapore Parliament in Nov 1986.

The decision is a setback for the govt's, sustained campaign of political victimisation of Mr Jeyaretnam. He was removed from parliament, imprisoned, fined and disbarred as the result of technical charges brought against him soon after his re-election to parliament in 1984. Although acquitted of 3 out of 4 of these charges initially, the govt transferred the judge involved and re-tried the case resulting in conviction on all charges.

INTERNATIONAL

WORLD CHURCH BODY VOTES TO BOYCOTT SINGAPORE AIRLINES

The Central Committee of the World Council of Churches has expressed its solidarity with the Christian Conference of Asia whose headquarters were expelled from Singapore last Dec 30. At its meeting in Hanover, West Germany, August 1988, the WCC decided to recommend to all its member churches around the world not to use Singapore Airlines and to refrain from holding meetings in Singapore as a protest against the actions of the Singapore govt.

The resolution is all the more commendable because the WCC had been negotiating with Singapore Airlines to be its official carrier to the next WCC Assembly to be held in Canberra, Australia in 1991.

PERSISTENCE WINS AT CAMBRIDGE

Three student bodies at Cambridge University (UK) are now involved in the attempt to raise a campaign for the release of former MP Mr CHIA Thye Poh who is now entering his 23rd year in detention in Singapore.

On 7 June 1988 the Cambridge Students' Union voted to adopt Mr CHIA as their prisoner of conscience. At Fitzwilliam College (PM Lee Kuan Yew's alma mater) the Fitzwilliam Human Rights Society was established in May to campaign for Mr Chia and other Singapore detainees. However, the restrictive constitution of the Fitzwilliam student body itself has led to votes for Mr Chia's adoption being overturned as "unconstitutional". A committee is now examining the constitution with a view to revising it.

AMNESTY MARKS ANNIVERSARY OF INJUSTICE

Amnesty International (London) released a statement to coincide with the Oct 29, 1988 anniversary of Mr CHIA's arrest on Oct 29, 1966. He is one of the longest serving political prisoners in the world. Amnesty "believes he has been detained for peacefully exercising his rights to freedom of expression and association". The statement relates his career as a university lecturer, newspaper editor and MP both in Malaysia and in Singapore. Amnesty's concerns about his prolonged detention include the very broadly defined grounds of national security under which he is

held, the fact that the govt has never brought any formal charges against him nor allowed him to answer accusations in open court and the govt tactic of making his release conditional upon a full admission of guilt to the allegations made against him. Amnesty criticised the indiscriminate use of the Internal Security Act and said that Chia was in the same category as those detained during 1987-88.

US CONGRESS & STATE DEPT CONDEMN ISA

On Sept 22, the House Subcommittee on Human Rights & International Organisations held its second round of hearings on recent developments in Singapore and Malaysia. The State Dept has endorsed a resolution which is under discussion in both houses of Congress calling upon the Singapore govt to release all persons detained without trial. Robert Farrand (State Dept) said in his presentation that the US did not accept the use of the Internal Security Act as an "answer to their internal security problems" and that he was "disappointed" that Singapore & Malaysia had sought to restrict freedom of the press through legislation.

Despite this criticism, "Washington's most important concern is trying to soft-pedal its criticism because of the economic and security value of both countries". (FEER, 6 Oct 1988)

US HUMAN RIGHTS ORGANISATION SLAMS STATE DEPT REPORT

The 1987 US State Dept's Country Reports on Human Rights have come under strong criticism in a book published in June this year by Human Rights Watch (Asia Watch/Americas Watch/Helsinki Watch) & the US Lawyers' Committee for Human Rights. Entitled "Critique of 1987 DOS Country Reports", the book, by detailed analysis, shows how US policy considerations intrude into the State Dept's assessment of human rights in foreign countries: softening the abuses of allies and friends while darkening the violations of perceived adversaries.

The Critique's section on Singapore notes the State Dept's failure "to draw its own conclusions about obvious violations" (e.g. disqualification from parliament of an outspoken opposition MP, tightening of controls on the Law Society, curbs on the foreign press, arrests of grassroots activists under the ISA). The State Dept report omits to mention the fact that ISA detainees last year were held incommunicado, denied access to lawyers and families for a considerable length of time "during which their most severe mistreatment occurred", says the Critique. Also, "in light of the implausibility of the accusations [against the detainees], it is remarkable that the report never comments critically on the government's position."

The Critique notes similar omissions and slants in relation to the Report's comments on the detention of Mr CHIA Thye Poh, on torture, on freedom of association (the Societies Act), on arbitrary interference with privacy, on denial of a fair public trial and judicial independence, on freedom of movement, on

conditions of labour and on the govt's attitude to independent human rights monitoring.

The Critique states of these omissions and the refusal to draw obvious conclusions that "the effect is to blunt the significance of the violations and the degree to which they reflect efforts by the governing People's Action Party (PAP) to maintain its near-complete dominance of the political life of the country".

LEE'S EMBARRASSING VISIT TO NEW ZEALAND

On Wednesday 2 November, PM Lee arrived in Christchurch ostensibly for a week-long holiday/unofficial visit to NZ. After several days at an alpine resort, PM Lee flew to Wellington on Nov 7 to spend a day meeting with Prime Minister Lange and other ministers. He also gave a press conference at parliament. (The majority of those present were journalists from Singapore who were members of his entourage.)

NZ LAW SOCIETY PRESSURES NZ MINISTERS

Until Nov 6, Mr Lee's presence was largely ignored by the media. However, just before and during his visit to the capital, strident criticism of his human rights abuses were aired on radio, television and in the newspapers. The President of the NZ Law Society reminded NZ Govt ministers not to forget "the human rights abuses being perpetrated by Singapore authorities" and he told Foreign Minister Russell Marshall "that Ministers meeting Prime Minister Lee Kuan Yew should not miss the opportunity of conveying to him the concerns that New Zealanders have for the well-being of the Singapore people in the light of those abuses". He spoke of the denial of fundamental freedoms in Singapore (to dissent, to due process of law and to protection from psychological & physical torture while in detention).

SENIOR PARLIAMENTARIAN EXPOSES LEE

Just before Mr Lee's arrival for a state luncheon, NZ Govt MP Mr Jim Anderton, in a widely reported statement, attacked Singapore's "draconian & repressive" political laws. He said Mr Lee should be left in no doubt as to the abhorrence that many New Zealanders felt towards the totalitarian actions of his govt. He noted that 38% of the vote obtained only 1 seat for the opposition because of electoral manipulation. "It was also helpful that Mr Lee's government's main political rival, the prominent Singaporean lawyer, Francis Seow, was detained in prison by the internal security police for 72 days during the lead-up to the election," he said. In a later television interview, Mr Anderton compared Singapore's Internal Security Act to repressive laws in South Africa.

Among other statements against Mr Lee's visit to receive publicity were those by the Catholic Commission for Justice, Peace & Development, the Conference of Churches in Aotearoa-NZ, Amnesty International (NZ) & Ms Jane Kelsey, coordinator of the International Mission of Jurists which visited Singapore last year and presented a strongly condemnatory report.

THE MESSAGE WAS CLEAR

On arrival at the NZ Parliament, Mr Lee came face to face with a group of demonstrators from trade unions and churches who carried banners and had black gags over their mouths to symbolise political repression in Singapore. As Mr Lee walked into the building several protestors shouted at him to release the detainees. A few minutes later, when he appeared on a balcony just above them with Prime Minister Lange, the group was again able to make clear statements of protest directly to Mr Lee. A photographer who was on the balcony with Mr Lee told the protesters later that everything they said was clearly audible.

From NZ, PM Lee flew on to Fiji whose military regime has adopted almost word-for-word Singapore's ISA as its Internal Security Decree. Fiji may also be looking towards Singapore as an arms supplier just as the Burmese regime has done now that the US & UK have suspended aid.

APOLOGY & CORRECTION

Update apologises for two errors in the previous Update 23:

- p.2, the date of detention of Mr Francis Seow should be 6.5.88 (6 May 88).
- p. 11, the resolution of the European Parliament on Mr CHIA Thye Poh, was a resolution of a single MP and has not yet come before the parliament. (See also Appendix 4.)

Note: all references to The Straits Times are to The Straits Times Weekly which is an edited summary of the daily editions.

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LEGAL PROCEEDINGS

The case of TEO Soh Lung versus the Minister of Home Affairs, the Attorney General of Singapore and the Commissioner of Police continued for four days from 26th September 1988 to 29th September 1988 before the Court of Appeal judges, the Chief Justice, Mr Justice L P Thean and Mr Justice Chan Sek Keong. Teo appealed against judgement of Mr Justice Lai Kew Chai, dated 2nd August 1988, dismissing her application for a writ of habeas corpus ordering her immediate release from detention, and ordering her to pay the costs of the application.

In his submission to the Court of Appeal Mr Anthony Lester QC, Counsel for Teo, stated: "... The great general importance of the appeal is obvious. It will decide whether there are effective judicial remedies for the misuse by public officers of the draconian powers conferred upon them by the Internal Security Act. It will also decide issues of general importance about the meaning and effect of provisions of the Constitution guaranteeing fundamental rights and freedoms."

"The central question raised by this appeal is whether the Courts of Singapore, whose constitution is based upon democratic government under the Rule of Law, are able and willing to decide in practice where State power ends and individual freedom begins, in the context of the Internal Security Act. Do the Courts, in the words of Lord Atkin, in his celebrated dissenting speech in Liversidge v Anderson (1942) AC 206 (HL) stand steadfast between the individual citizen and any attempted encroachments on his liberty by the executive, alert to see that any coercive action is justified in law?"

"... A careful reading of his judgment, together with all of the evidence before the Court, shows that, upon his approach, effective judicial review is an illusion for Teo Soh Lung, even in the face of a manifestly arbitrary and irrational exercise of State power."

"Teo Soh Lung recognises, realistically, that the existing Singaporean case law is unpromising, and that, unless this Court is willing to depart from this case law, or, even on the basis of that unpromising case law, to scrutinise the evidence in a way which was not done by the trial judge, she will have to have recourse to the Privy Council. She is ready and willing to do so,

not only to obtain her freedom from detention in solitary confinement by the Internal Security Department, and to live again in dignity with her family, and to work again in her chosen profession as a lawyer seeking to meet the needs of the community, but also to secure the fundamental rights and freedoms of her fellow citizens against the future misuse of State coercive power."

"There is clear, cogent and compelling evidence, in Teo Soh Lung's case, of a manifestly arbitrary and irrational exercise of State power, using the Internal Security Act as a colourable device to deprive her of her freedom, contrary to the paramount law of the Constitution and contrary to the Rule of Law. The judgment of the learned Judge is striking for the way in which it fails to refer to this evidence, still less to examine it and to weigh it against the evidence tendered on behalf of the Respondents."

The Court of Appeal reserved its judgment; and said it would deliver it as soon as possible. To date this has not happened.

On the 24th of October 1988 and the 25th of October 1988 the Appeals of CHNG Suan Tze, Kevin DE SOUZA and WONG Souk Yee from the judgment of Mr Justice Lai, who similarly in May dismissed with costs their applications to be free, was heard by the Court of Appeal, comprising the same judges as in Teo's case. Their Counsel, Mr Geoffrey Robertson QC, maintained that Mr Justice Lai was wrong in refusing to examine the Minister of Home Affairs' subjective assessment of the need to detain them, and that the detentions were ordered for an ulterior motive - for the purpose of "re-education", and as a punishment for having spoken up.

The Court of Appeal again reserved judgment, and the Chief Justice has said that judgment would probably be delivered together with the judgment in the case of Teo.

On 10th October 1988 Teo Soh Lung filed in the High Court of Singapore a writ seeking damages for "assault and battery, false imprisonment, breach of duty and/or negligence." Teo claimed her detention was unconstitutional, and named 5 Government officials as defendants.

Scared in the Straits



More political elbow-room would do nothing but good for Singapore and Malaysia—yet Mr Lee and Dr Mahathir seem bent on restricting it

FOR almost two months, huge crowds have been out on the streets of Burma's main cities trying to get their government overthrown. Their rallying-cry has not been "expropriate the expropriators" or "power to the people". It has been "multi-party democracy". This may seem a prim slogan for rioters to be chanting while they throw stones and burn things—especially in a country where three decades of isolationist socialism have taken the rice out of people's mouths and left them with only a hazy notion of what democracy must be about. Yet that is what moves them. The odd thing is that the leaders of two near-neighbours of Burma, Malaysia and Singapore, places that are far better suited for full democracy than poor Burma is, so mistrust their own people that they think this powerful idea of free choice and self-rule should be available only in carefully measured doses. Why?

Perhaps the question is unfair. Malaysia and Singapore both have governments which, unlike Burma's, have impressively delivered the goods over the years. In the two decades after 1965, Malaysia's real GDP grew by an average of 6% a year; Singapore's went up by 8% a year. Last year GDP for each of Malaysia's 16.5m people was an average of \$1,850, almost twice that for the average Turk; the figure for each of Singapore's 2.6m people was nearly \$7,300, which makes Singapore as rich as Spain.

Nor is either place without the essentials of democratic politics. Both have just held scrupulously clean elections. Malaysia's, a by-election for a parliamentary seat, came late last month and resulted in a humiliating defeat for the prime minister, Dr Mahathir Mohamad. A general election in Singapore last weekend delivered more than 60% of the vote and 80 out of 81 parliamentary seats to the party of Mr Lee Kuan Yew, the only prime minister the island-state has ever had.

The trouble with Dr Mahathir and Mr Lee is that both have shown themselves increasingly unwilling to put up with much dissent after the votes are counted. Since last year Dr Mahathir has jailed more than 100 people, many of them political opponents, because he said racial unrest threatened; closed several newspapers; and got into such a serious tangle

with Malaysia's judges that the government has dismissed or suspended six of the nine members of the Supreme Court. Mr Lee's government has restricted the circulation of four foreign publications, on the ground that they were "interfering in domestic affairs"; jailed two dozen people it alleged were Marxist conspirators, then rejailed some who later recanted their "confessions"; and expelled an American diplomat for having talked with an opposition figure (who himself was then jailed). What are Mr Lee and Dr Mahathir scared of?

The illusion of omniscience

One thing is racial hostility. Each country has a difficult ethnic mix: Malaysia is half Malay, a third Chinese and 10% Indian; Singapore three-quarters Chinese, the rest divided between Malays and Indians. The incompatibility of these two cocktails split the Federation of Malaysia and Singapore after only two years in the 1960s. And race riots in Malaysia in 1969 left more than 100 dead and bequeathed a policy of pro-Malay discrimination that endures till this day.

Yet Mr Lee has made a point of eliminating race-based politics in Singapore. The ruling People's Action party is deliberately multiracial, and there is little sign of ethnic tension. That is not true in Malaysia, where politics follows the country's deep racial divides. But even there a split in the ruling party has made it possible to imagine cross-race party alliances competing with each other.

The real reason Mr Lee is intolerant of opposition—and the same is true of Dr Mahathir—is that he thinks he knows so much better than his countrymen what is good for them that they should be glad to follow his orders. Back in 1962 Mr Lee avowed his impatience with elections and said that if Singaporeans gave him perpetual power "I have not the slightest doubt that I could govern much more effectively in their own interests." Mr Lee's many admirers will argue that this week's result vindicates the tough line the prime minister has been taking. But the issue is not who should have won the election: it should indeed have been Mr Lee, not the unimpressive opposition. The question is how much pluralism will

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be allowed between elections.

Both Mr Lee and Dr Mahathir might say that only nosy outsiders worry about such things. The movement of people is beginning to belie that view. With these countries' economic records, it is preposterous that capital and people should be leaving Malaysia, and people leaving Singapore (see page 30). Hongkong Chinese, who feel deserted by Britain

and menaced by China, are not looking to Singapore as a safe haven, but to Canada, Australia and America instead. Mr Lee talks about the virtues of Confucian authoritarianism, and Dr Mahathir about needed discipline for Malays. In fact, most people want the elbow-room to think and make their own decisions as well as to make money. It will be sad if Singapore and Malaysia have to learn this from dirt-poor Burma.