



Emergency committee for human rights
in Singapore

UPDATE 26
SINGAPORE HUMAN RIGHTS ALERT

For Private Circulation Only
20 FEBRUARY 1989

Reminder

The following arrested under Operation Spectrum in 1987 are still held in prison without trial:

Mr Vincent CHENG*
Mr CHEW Kheng Chuan ∅
Ms CHNG Suan Tze
Mr Kevin DE SOUZA

Ms TEO Soh Lung*
Mr Kenneth TSANG Chi Seng ∅
Ms WONG Souk Yee
* in solitary confinement
∅ see STOP PRESS p.9

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DETAINEES

DETAINEES' RESOLVE STRENGTHENED

The 8 December "release" and immediate re-arrest of the 4 detainees whose writs for habeas corpus were granted was a devastating psychological blow initially. However, the detainees have quickly adjusted and are now more resolved than ever to take all legal steps available to them to obtain their release. They are also aware that legal avenues may soon be exhausted and that some of them may be held for a long time. This prospect, too, they are facing with resolve.

ACHIEVEMENT

The unexpected persistence of the detainees in pursuing the few legal remedies open to them has forced the govt to change the law and to reveal even more the lack of justice in Singapore. [See

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"Parliament Changes The Rules"] While this achievement must be of dubious comfort to them, it does show, that, even in prison, they have provided a moral and legal challenge to the ruling party.

LEGAL MOVES

Those rearrested immediately put in new habeas corpus applications. They will be heard as follows: Ms TEO Soh Lung on 6,7,8 March; Ms CHNG Suan Tze, Mr Kevin DE SOUZA, Ms WONG Souk Yee on 20, 25 March. (These remain scheduled even though legislation has been passed which does not permit such applications for ISA detainees except on procedural grounds.)

The above four detainees have also made representations to the Govt-controlled ISA Advisory Board as they are entitled to do within 3 months of their detention. Representations were made on 27 January.

VINCENT CHENG REPRESENTED

Mr Vincent CHENG has lately become more active in seeking legal representation and has taken on Mr Patrick SEONG as his lawyer. Mr SEONG was himself detained without trial and harshly interrogated last year when he was acting as lawyer for some of the other detainees.

HARRASSMENT OF DETAINEES

The petty rules of the prison are routinely used to upset the detainees. Their mail is severely censored with even Christmas cards sent by detainees being impounded. Family visits are suspended whenever a detainee objects.

LOCAL SUPPORT CONTINUES

Local friends and family have continued to show support for their loved ones. During Christmas they held carolling sessions outside the prison walls, returning if they were chased away. During Chinese New Year they sang songs outside also. The detainees sang back "We Shall Overcome". They were later punished for this.

Another issue of the newsletter put out by Concerned Friends of the Detainees has recently been circulated locally. It looks at the detainees individually and asks "What did they do?" The conclusion analyses the political climate in which the govt felt it necessary to arrest them. "What the authorities did was to project their own fears and insecurity into the next 10 to 15 years. They saw an emerging threat to their continued control and supremacy and they decided to crush it mercilessly," says the newsletter.

Church services of supporters continue. Greeting cards with sketches and poems by the detainees are now available from
UPDATE.

RELEASE OF ALL UNLIKELY

The rearrested detainees were served with new detention orders covering the remaining period of their previous orders. Thus all detainees' orders expire mid-1989.

Some may be released with severe restrictions on their personal freedom but there is little chance that all will be released. The Govt's reason for detaining some of the detainees may be limited to punishing them for impugning its integrity by claiming to be innocent. The rigorous conditions of imprisonment and the psychological deceptions being played on the detainees are aimed at destroying personality and spirit so that, even if released, they will be scarred for life.

ECUMENICAL HOSTAGE

However, it is likely that the Govt has additional reasons for continuing to detain Mr Vincent CHENG since it has made him the key local person in the "conspiracy". Holding him keeps the story going and gives the Govt the cover to detain or re-detain others. If he is released then a new story would need to be concocted in order to clamp down again. He is also a hostage of the official ecumenical movement. If the international church bureaucracies ever manage to mobilise against the detentions, Mr Cheng can be forced to denounce them and to incriminate himself again.

In a similar way, Ms TEO Soh Lung is a Legal Hostage, a poignant warning to Singapore lawyers and the Law Society not to object to the steady dismantling of the Rule of Law.

POLITICAL**PARLIAMENT CHANGES THE RULES: NO APPEAL TO PRIVY COUNCIL**

The Govt has passed legislation to amend the Internal Security Act to prevent appeals to the Privy Council under the ISA. Backdated to 13 July 1971, those detained under the ISA have lost all rights to judicial review except on procedural grounds. Applications for writs of habeas corpus are also ruled out by this amendment except on narrow procedural grounds. (Amendments tabled 16 January 1989 and gazetted 30 January.)

The 8 December habeas corpus judgement of the Court of Appeal (which released the detainees briefly) was a political judgement in the sense that it set up the principles of judicial review explicitly in order to give the Govt the chance to knock them down.

The judgement said that "the scope for review ... is limited to the normal judicial review principles of 'illegality, irrationality or procedural impropriety'." The Court then released the detainees on the basis of the weakest of these, the procedural grounds, thus giving the detainees no basis for appeal

on substantive matters since their application had been granted. The judgement thus gave the Govt the chance (a) to rearrest the detainees according to the correct procedure, and (b) to plug the legal gap before new applications for writs of habeas corpus on substantive grounds which were immediately entered by the re-arrested detainees could once again go through the court system and be appealed to the Privy Council.

NEW MP OBJECTS

Dr LEE Siew Choh (Workers' Party) is now the second opposition MP in Parliament. He strongly objected in the House to the passage of the ISA amendment saying it would be remembered as the blackest day in Singapore's history since the fall of Singapore to the Japanese in 1942. Dr Lee said the Bill was the "clearest admission" the Govt had no evidence against those detained. It was introducing the Bill "to shut the door on what it has done, and putting up a notice: 'You may not enquire into anything we have done or may do'," he said. 71-year-old Dr Lee was a member of the Legislative Assembly in 1959 when Singapore gained internal self-rule. He left parliament in 1963 when his Barisan Sosialis (Socialist Front) was crushed by mass arrests of its leaders by PM Lee under the ISA and he failed to win re-election in the subsequent polls. He was consistently outmanoeuvred by the PAP then and is not seen as a significant threat by them now.

GOVT EXEMPTS ITS ACTIONS FROM CONSTITUTION

The result of the new legislation mentioned above and following is that legislation against subversion is exempted from the constitutional guarantees of personal liberty, freedom of movement and of speech, assembly and association, equality before the law, protection against repeated trials and retrospective criminal laws.

CHIEF JUSTICE UNCONSTITUTIONAL SINCE 1982

The independence of the Singapore judiciary has long been in question especially since a 1972 constitutional amendment which allowed the Prime Minister to appoint High Court judges for periods of time at his pleasure. However, the Constitution required that the Chief Justice retire at the age of 65 which, in the case of Chief Justice WEE Chong Jin, was 1982. The PM kept him on since then on short-term contracts presumably for reasons relating to political pliability. Opposition leader J.B. Jeyaretnam's recent successful appeal to the Privy Council raised the issue of the Chief Justice's status. The Govt has just passed on 25 January a constitutional amendment to regularise his position. The amendment is retrospective to 19 Nov 1971.

ANOTHER APPEAL BLOCKED

In its rush to plug all the legal avenues by which Singaporeans might obtain justice, the Govt has introduced The Legal Profession (Amendment) Bill which denies the right of appeal to the Privy Council of lawyers struck off as a result of disciplinary proceedings by the Singapore Law Society. It was through such an appeal to the Privy Council that opposition

leader J B Jeyaretnam won such a ringing vindication and re-instatement last year. The Govt does not want opposition lawyer Mr Francis SEOW to have any such chance of appeal once it has completed its present campaign of victimisation against him.

LAW SOCIETY OBJECTS STRONGLY

The Law Society called an Extraordinary General Meeting on 21 January to consider The Legal Profession (Amendment) Bill. 325 lawyers attended and passed two resolutions opposing constraints on judicial review and the deprivation of the right of appeal to the Privy Council. The Society published the resolutions without comment as advertisements in newspapers the following week.

SEOW EXCLUDED FROM PARLIAMENT

Because of his skill as an orator, the Govt could not let Mr Francis SEOW take up his parliamentary seat for even 5 minutes. Parliament's opening was therefore delayed until after hurried court hearings on 5 tax evasion charges in December brought against Mr Seow. Despite his absence in New York for heart treatment, he was tried in absentia and without defence counsel and convicted on various charges on Dec 17 and Dec 20. His fines totalled S\$19,000. Under a constitutional amendment passed recently to exclude Mr Jeyaretnam from Parliament, anyone fined over S\$2,000 is disqualified from being an MP. A 6th charge was heard January 25 and a further 60 charges came up for mention on January 31.

At the opening of the parliamentary session on Jan 9, the Speaker announced Mr Seow automatically lost his seat on Dec 17. On Jan 16 the new opposition member, Dr Lee Siew Choh, attempted to question this disqualification since the convictions are still under appeal. He was ruled out of order.

Mr Seow remains in the US for treatment where he is being shadowed and harrassed by private investigators who are probably in the employ of the Govt of Singapore. A photograph of him shopping "in Seattle" was prominently displayed in The Straits Times a few days ago as proof that he was fit enough to fly home for his trial if he was fit enough to fly from New York to Seattle. The following day a small rear page correction appeared stating the picture was actually taken in New York.

GOVT READY TO QUASH LAW SOCIETY

The Govt has moved fast to quash the Singapore Law Society by setting up a parallel body. The Singapore Academy of Law was established under legislation passed in August last year. The Chief Justice is the Academy's president and head of its ruling body, the senate. All judges are members. Ex-presidents of the Law Society (eg Mr Francis SEOW) are specifically excluded from being members of the senate.

The political purpose of the Academy is to take over the functions of the Law Society in regulating the profession. No longer will lawyers be able to regulate their own profession but

they will be controlled by the judiciary itself (and thus the Govt) through the Academy.

The Academy's Rules, signed by the Chief Justice on January 19 and since gazetted, set up a Law Revision Committee to review legislation before Parliament. The chair of the Committee is the Chief Justice.

The Membership and Rules Committee takes the disciplinary functions of the Law Society's equivalent committee.

The Legal Profession (Amendment) Bill, besides preventing lawyers from appealing to the Privy Council, also establishes a hierarchy among lawyers. Senior counsel will be appointed by the Academy. The two top Govt lawyers (Attorney-General and Solicitor-General) will be the most senior of the Senior Counsel.

It can therefore be confidently predicted that the Govt will move more formally to strip the Law Society of its powers now that the Academy is established.

Internationally, it is important that the Academy not be recognised by law societies and bar councils elsewhere.

ISA WATCHDOG BODY CANVASSED

Apparently without any sense of irony, Deputy PM GOH Chok Tong announced in Parliament in the last week of January that the Govt is considering setting up a political body to guard against any abuse of the Internal Security Act. According to The Straits Times, "As he saw it, until such a body came into existence, the real safeguard for Singaporeans lay in their voting into power men of absolute integrity." Mr Goh's statement was made during the passing of legislation to deny appeals to the Privy Council for those detained under the ISA.

OVERSTAYERS TO BE CANED

Singapore has long used corporal punishment on its offenders. Strapped naked to a wooden horse, after one or two strokes of the cane most people are either hysterical with pain or unconscious. Once a person becomes unconscious, caning is stopped. They are brought back for more once they are awake and can feel it again. Their buttocks are scarred for life.

Under an immigration bill passed on Jan 26, any foreigner who overstays in Singapore by more than 90 days will now have a minimum mandatory prison term of 3 months plus 3 strokes of the cane. This is a cost cutting exercise. The previous mandatory minimum term of 6 months plus a fine of up to \$6,000 meant the jails were too full with overstayers. Caning them and kicking them out after three months is cheaper.

RELIGION AND IDEOLOGY

Prime Minister Lee said in December at the opening of a Buddhist school, "Religious organisations should leave the economic-

political needs of people to non-religious groups, like political parties. This is because if any religious group tries to define the socio-economic agenda of Singapore and mobilise the grassroots by 'social action programmes', other religious groups will do likewise." The Straits Times reported, "And he again warned of the danger of mixing religion with politics, a point he underlined vigorously in the aftermath of the recent Marxist conspiracy".

Clearly the govt is worried that it cannot completely control religious organisations. Part of its response to this problem is the present campaign to form a National Ideology. In charge of this task is the PM's son, Brig-Gen LEE Hsien Loong. There is constant newspaper coverage of the quest for a National Ideology and B-G Lee's thoughts on it. Undoubtedly, it is intended as another mechanism of control.

RIVALRY MAY PRESAGE SPLIT

The competition for national attention between the Deputy PM GOH Chok Tong and B-G Lee is becoming more evident. On Jan 13 Mr GOH wrote a letter to the Speaker of Parliament saying that all MPs should address questions intended for the PM to himself since he was now effectively in charge of the Govt not the PM.

B-G Lee seems to be making the play for national popularity through his National Ideology pronouncements. New opposition member Dr LEE Siew Choh stated in his maiden speech that the purpose of the National Ideology was to recover mass support lost in the 1984 and 1988 elections. "What better idea than to link Eastern values to a national ideology, get the whole population to support it and gradually shift support for the national ideology into a support for the Government and the PAP," he said. "This is ... a sleight of hand, to achieve the goal of the PAP of becoming a national movement."

Singaporeans are wondering just how this apparent rivalry between the Deputy PM and the PM's son will play itself out as PM Lee moves to take the presidency or some other role within the next 18 months. B-G Lee is much better placed to take power but will no doubt do it according to his own timing. Mr GOH may be given the floor for a while. It is unlikely that all the detainees will be released until after this transitional period.

GOVT HYPES RACE DEBATE

On January 6 the Minister of National Development, Mr S Dhanabalan, said there is a dangerous trend towards racial enclaves in housing estates which must be "nipped in the bud" to prevent the creation of a divided society. 85% of Singaporeans live in govt housing estates. 76% of the population are Chinese and the debate is aimed at the 15.1% who are Malay. A sociology lecturer has subsequently stated that estates which show a racial "imbalance" are "exceptions and not the dominant or the general trend". Why then has the Govt raised the issue? The possibilities are:

- to create a sense of future threat while ISA amendments were being passed;
- to prepare the ground demographically for the imposition of a Confucian Chinese-based National Ideology on non-Chinese;
- to break any emerging political solidarity or organisation among minority ethnic groups.

JOURNALIST REFUSED ENTRY

Mr N Balakrishnan, correspondent for the Far Eastern Economic Review, was refused entry to Singapore on arrival at the airport from Hongkong during Chinese New Year. He had been issued a visa by the Singapore High Commission in Hongkong but this was not honoured. Mr Balakrishnan formerly wrote for The Straits Times while living in Singapore. He is the brother-in-law of detainee Mr CHEW Kheng Chuan.

OVERSEAS ACTIONS

AUSTRALIAN PARLIAMENT DEBATES

On Dec 1 in the Australian Senate, the report on the parliamentary delegation to Singapore, Malaysia and Papua New Guinea was tabled and discussed with concern being expressed by senators on the human rights situation in Singapore and Malaysia.

CHILE AND SINGAPORE

The New York-based Chilean Freedom Newsletter recently highlighted the Singapore detentions.

EUROPEAN PARLIAMENTARIAN WRITES

Mr Wilfred Telkamper, member of the European Parliament and President of the Rainbow Group, wrote to PM Lee on 9 Dec objecting to the rearrests the previous day saying, "This is no different from South Africa where this also happens. The Court's decision to release them proves that they were wrongly detained and their rearrest casts further doubts about democracy and the rule of law in Singapore."

ACTION IN THAILAND

On 9 Dec 1988, the Regional Council on Human Rights in Asia, holding its 6th general assembly in Bangkok, delivered a letter to the Singapore Embassy deploring the rearrest of the detainees the previous day and the continuing detention of others including Mr CHIA Thye Poh who has been detained for 23 years. The protest outside the embassy was featured in the Bangkok Post and The Nation on Dec 10. Mr J B Jeyaretnam is Vice-chairperson of the Council and attended the protest.

US CONGRESSIONAL CABLE

On Dec 20, 7 members of Congress and a senator-elect sent a cable to the Singapore ambassador in Washington expressing their concern about the rearrests and stating that the detainees are held without trial "for the peaceful expression of their views". They requested "that the Government of Singapore release these and other prisoners of conscience detained under the Internal Security Act and permit them to resume their peaceful activities without interference."

WCC CLARIFIES RELATIONSHIP

World Council of Churches staff, Ms Jean Skuse, has stated that the WCC has never negotiated with Singapore Airlines to be the official carrier for its assembly in Canberra in 1991. This was alleged to be so during WCC's Central Committee meeting in Hanover last year when members were casting about for reasons to explain the WCC administration's apparent reluctance to act on the Singapore detentions.

Reportedly, WCC recently sent a junior staff from its faith and order section to visit the Singapore churches. Church representatives gave the govt line to the staff member and asked that their "difficult" position be "understood". It is hard to see how such a limited and one-sided contact will lead to any action by the WCC. Singapore church leaders will have reported the detail of their discussions to the government.

CONFERENCE IN EUROPE

A 2-day conference organised by the European Committee on Human Rights in Malaysia & Singapore with the Rainbow Group of the European Parliament will be held in Brussels on March 9-10. The conference will hear prominent speakers on the rule of law and human rights. The aim is to bring together all groups in Europe which are concerned about these issues.

MEDIA COVERAGE

There has been extensive international media coverage of the rearrest of the detainees (including the very strong objections of Amnesty International and the Malaysian Bar Council), the victimisation of Mr Seow and the legislative amendments. To assist the reader, we reprint a selection of them as a media appendix.

STOP PRESS

STOP PRESS

STOP PRESS

TWO RELEASED BUT BLEAK OUTLOOK FOR OTHERS

On the afternoon of Monday 20 February, Mr CHEW Kheng Chuan and Mr Kenneth TSANG Chi Seng were released under severe restrictions on their civil liberties. These two detainees did not seek legal redress for their detention without trial and have been duly rewarded.

Indications are that the Govt is putting great pressure to end all court cases by the other detainees and is preparing to keep some of them for an extended period.

THE AUSTRALIAN

TUESDAY JANUARY 3 1989

Lee Kuan Yew off-key as a one-man band

THE signals emerging from Singapore are more and more disturbing, and as the city-State's Prime Minister, Mr Lee Kuan Yew, contemplates the new year, he would do well to recall the fate, in recent times, of other autocratic rulers in the region who thought they could ride roughshod over the yearning for democracy and freedom of their increasingly affluent people.

Indeed, Mr Lee looks somewhat isolated in his autocratic attitudes: the Marcos kleptocracy in the Philippines has gone, democracy has been restored to South Korea and has made giant strides in Taiwan, and after 11 years of military dictatorship, Pakistan, too, has seen a free election.

It would be nice if Mr Lee were to show signs of having learnt something from these events. Unfortunately the contrary appears true and several recent events have highlighted the way in which, as he approaches what he says will soon be his retirement, he is seeking to stifle freedom in his fiefdom.

Perhaps the most outrageous example of this was the mock freeing, on the basis of a writ of habeas corpus granted by a local court, of four detainees held without trial under Singapore's draconian Internal Security Act. Minutes after they were released, they were rearrested and returned to their cells. Subsequently there have been broad hints that the Government may introduce a new system whereby the courts would be deprived of any right to rule on matters affecting political detainees.

No less disturbing is the fate of the leading lawyer and former solicitor-general and president of the Law Society, Mr Francis Seow, who was one of the successful opposition candidates in the recent general election. Mr Seow has a long-standing heart problem and

had been undergoing treatment in the United States. Because of this, he says, he was unable to return to Singapore. In his absence, however, he was convicted on charges relating to his income tax, and a fine imposed that will have the effect of disqualifying him from his parliamentary seat. Mr Seow's departure from Parliament will diminish opposition numbers by a third.

Similar tactics were used previously to get Mr Lee's most prominent opponent, Mr Joshua Jeyaretnam, out of Parliament, but on this the Government has since suffered a stinging rebuke from no less a body than the Privy Council in London, which still sits as a court of appeal over some of what happens in Singapore. Together with a colleague in the Worker's Party, Mr Jeyaretnam was convicted of misappropriating party funds. He was sentenced to a month in prison, subjected to a fine, removed from Parliament and disbarred from practising as a lawyer.

Mr Jeyaretnam's attempts to appeal to the Privy Council on the criminal charges against him were blocked by the Singapore courts, but on the disbarment issue the Law Lords found in his favour. Indeed, they indicated that they were dismayed by his treatment, and concluded that although it was an issue on which they had no need to pronounce themselves, the opposition leader was innocent of all the charges brought against him.

Such judgments amount to a ringing condemnation of Mr Lee's administration of Singapore. The Prime Minister has said he will retire within the next two years, and for those both within and without the city-State who support its now-stifled democratic traditions that cannot come soon enough.

EDITORIAL

Their Lordships on Singapore

Singapore managed to drum Francis Seow out of his parliamentary seat the other day after conviction on something or other, just as it expelled Joshua Benjamin Jeyaretnam in 1986. But by now the wider world is watching. Last month, the Privy Council, the normally restrained highest court of the Commonwealth, issued a stunning rebuke of the courts of the city state in the Jeyaretnam case, declaring that a series of "misjudgements" had done the former parliamentarian "grievous injustice."

Mr. Seow's career speaks tellingly of recent politics in Singapore. Once he was the model of respectability, the solicitor general of the republic and later president of the law society. He lost the latter position after opposing the prime minister's plans to restrict the foreign press. He came to the defense of eight young alleged "Marxist" dissidents rearrested after recanting their public confessions; their previous lawyer had been arrested. Hours after his court appearance on their behalf, he himself was arrested under the internal security act, charged with the heinous offense of talking politics with a U.S. diplomat, who was expelled.

Detained for 72 days, Mr. Seow was not released in time to assemble a slate in the September elections, but attracted enthusiastic crowds while running for an individual seat. He qualified for one of two "non-constituent" seats reserved for the opposition under the new jury-rigged electoral law that allowed the ruling People's Action Party to win all but one of the other 81 seats with 61.8% of the vote, a record low. But on the basis of records seized while he was in detention, he has now been charged and convicted of tax evasion, and fined more than the requisite amount to exclude him from Parliament.

This same provision was used to expel Mr. Jeyaretnam in 1986. He and a Worker's Party colleague, Wong Hong Toy, were convicted of mishandling party funds; after some to-and-fro in the courts, Mr. Jeyaretnam was jailed for a month, fined and unseated. Singapore allows appeal to the Privy Council in London under certain circumstances, but Mr. Jeyaretnam's efforts to appeal the criminal case were blocked in the Singapore Court of Appeal, which claimed among other things that the case was of no public interest.

In 1987, however, Mr. Jeyaretnam was disbarred because of his criminal record, and this allows direct appeal. In deciding whether disbarment was justified, the Privy Council obviously had to review the entire record. The Law Lords were appalled by what they found. They concluded Mr. Jeyaretnam and Mr. Wong were innocent on all

counts. "They have been fined, imprisoned and publicly disgraced for offences of which they were not guilty."

And their Lordships left little doubt as to where responsibility lies for failure to clean up this miscarriage of justice. They could reinstate Mr. Jeyaretnam to the bar, they noted, but had no jurisdiction to right the other wrongs he and Mr. Wong had suffered. The opinion concludes, "Their only prospect of redress, their Lordships understand, will be by way of petition for pardon to the President of the Republic of Singapore."

The Privy Council ruling, by the way, is a vindication not only of Mr. Jeyaretnam, but of The Asian Wall Street Journal's 1985 editorial "Jeyaretnam's Challenge," the first big episode in Prime Minister Lee's ongoing battle with the foreign press. When Singapore brought contempt of court charges against the Asian Journal and some of its editors and writers, we were fined for saying essentially what the Privy Council has just affirmed.

By now, of course, The Asian Journal is restricted to a minuscule circulation in Singapore, and the Far Eastern Economic Review is pirated under license from the Singapore government. It's become clear that Singapore's press problems are but a minor front in the larger effort to stifle political opposition. It does not matter whether you apologize to the courts, it does not matter how many official letters to the editor you publish. What gets the outside press in trouble with Singapore authorities is telling the truth about their treatment of political opponents.

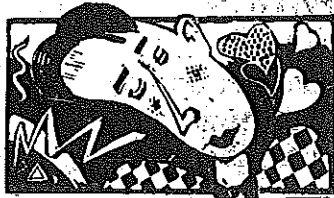
We would hope that our own legal challenge to the Singapore press law will reach the Privy Council, but the right of appeal is now in jeopardy. The Law Lords are obviously quite willing to take the risk that Singapore will abolish their appellate function, de facto or de jure. This would not help Mr. Jeyaretnam or Mr. Seow, but at least Singapore could no longer brag that it has the same law and same freedoms as the United Kingdom.

In fact, Singapore is marching away from democracy, political freedom and the rule of law, just as South Korea, Taiwan and others are embracing them. What to do about this is indeed a perplexing question, but their Lordships have pointed the way. Other freedom-loving institutions, for example the International Monetary Fund and World Bank in deciding whether to grace Singapore with an annual meeting, should listen to the Privy Council. What their Lordships are saying is this: Conduct your politics as you see fit, but do not expect us to lend your repressions our legitimacy.

Editorial
ASIAN WALL ST
JOURNAL
(HONGKONG)
27 DEC 88

Dirty tricks behind their clean facade

Writer KATHY LETTE vents her anger against Singapore's detention of two playwrights.



RELATIONS

HERE are only two good things about Singapore. Both of them are at the Raffles Hotel. For those of you who don't know this pub, it's sort of the Asian version of the Algonquin. If you write a book, while in residence, they name a suite after you. Prominent, on the first floor, in close proximity to rooms named after Somerset Maugham and Noel Coward, is the Geoffrey Blainey Suite!

Journos get a look-in too. In the Raffles foyer, is a list of fabulously famous journalists who have dropped by for a cucumber sandwich or two. The list is a relatively Australian-free-zone, except for the inclusion of David Marr, and, further down, the Human Headline himself, Derryn Hinch (sic).

Step outside Raffles, and everything else about Singapore is deeply depressing. Billed as the success story of Asia, it's nothing more than a confidence trick; a Clayton's Asia, full of Pizza Huts and McDonald's and lots of inane pussies walking around saying: "Oh, isn't it clean?"

But after about a day, severe graffiti-withdrawal symptoms set in. You start to crave a few meat pie wrappers and a bit of dog poop. Sanitised, deodorised, depersonalised, bland, brain-numbing; Singapore is nothing more than visual Muzak.

What's worse, the politics are even more oppressive than the weather. Everything is against the law. Jaywalking will incur a fine, as will not flushing the public loo. Smoking, littering, spitting or making love in public will also ensure your arrest.

But an even more serious offence than sexual petting is the practice of *punnilingus*. Two women satirical playwrights are currently languishing in jail. Their crime? "The writing of plays which exaggerate the problems of the poor and involve the singing of progressive songs." Under Singapore's Internal Security Act, if the Government so chooses, they can be incarcerated without trial for life.

The playwrights, Chng Suan Tze and Wong Souk Yee both produced work for a drama company called the Third Stage. Their satirical scripts were vetted,

approved and then awarded "certificates of appreciation" by the Ministry of Community Development. Their more serious plays, dealing with the problems of working women, also received good reviews. In fact, one prominent critic suggested that Suan Tze's work was not doing enough as a "critical mirror of society". And then suddenly, in 1987, these same plays were denounced as "tools to arouse disaffection among the people towards the existing socio-political system".

Both playwrights were arrested, together with Catholic Church workers and community lawyers.

They were then tortured. Like Singapore itself, the torture method in Singaporean jails leaves no impression. Dissidents are put into thin pyjamas, blasted with freezing air-conditioning and doused regularly with icy water. After 50 hours of such interrogation, anyone would sign anything. And they did. They signed statements admitting to having associated with known Marxists.

After some months in prison without trial, they were released. Then on April 18, 1988, at great personal risk, they issued press statements, maintaining their innocence and revealing that they had been tortured.

They were promptly re-arrested and imprisoned under the Internal Security Act. Chng Suan Tze and Wong Souk Yee have been kept in solitary confinement for the past nine months. It is doubtful any hotel suites will be dedicated to their names. In fact, things look very bleak for these writers. One "dissident" has been languishing in a Singaporean jail without trial for 22 years.

Australians who enjoy their liberty, in a country which has very close commercial and tourists links with Singapore, have a duty to help secure their release. If you value freedom of speech and freedom of artistic expression, if you're allergic to Governments which have a penchant for interfering with personal liberties, you will write a letter to both Gareth Evans, the Minister for Foreign Affairs, and Lee Kuan Yew, the Singaporean President, about this gross abuse of human rights.

Francis SEDW in New York. FEER 26 JAN 89



FEER 15 DEC 88



SINGAPORE

A Few Moments of Freedom

Excited relatives and friends rushed to Singapore's Whitley Road Detention Centre on Dec. 8 on hearing the shock news that four political detainees would be freed. Laughing and clutching flowers, they peered through the mesh fence into the compound to catch a glimpse of their loved ones. Earlier that day, the Court of Appeal had ordered the Internal Security Department (ISD) to release lawyer Teo Soh Lung, 39, social worker Kevin De Souza, 27, dramatist Wong Souk Yee, 29, and lecturer Chng Suan Tze, 39, because of a technical fault in their detention orders. Belongings in hand, the smiling detainees approached the gate and greeted their joyful reception committee. Hands were clasped and flowers passed through the mesh.

The euphoria abruptly faded, however, when burly ISD officers bundled the four into two waiting cars. The detainees were driven to freedom — one metre outside the gate. Still inside the cars, they were served with fresh detention orders. The drivers then reversed them back into captivity. Outside the ISD compound, despondency settled in as lawyers for the prisoners were allowed inside. But the gloom turned into defiance when De Souza's family and friends glimpsed him being escorted between the cell blocks. "Don't give up Kevin, don't give up," they shouted in unison. "Bye-bye," came the faint reply.

So ended the few moments of freedom for the detainees, who are being held under the Internal Security Act.* In allowing their appeal, the court ruled that the government had not showed that Singapore's president had approved the detentions. The three appeal judges, who included Chief Justice Wee Chong Jin, said in their

*Under the ISA, the government can imprison for up to two years without trial any citizen who, in the judgement of the home affairs minister, poses a danger to national security or public order. The detention orders can be renewed indefinitely.

107-page judgement that the judiciary could now review the cases of detainees held under the ISA. Previously, Singapore courts had been guided by a 1969 precedent that said detention cases were outside their purview. While the courts could not question the requirements of national security, said the judges, they could examine whether the decision to arrest anyone was truly based on security considerations. "It is in our judgement clear," added the appeal judges, "that the scope

secretary and not by the permanent secretary. The decision of the Court of Appeal has not questioned the merits of the decision of the government to detain the four persons under the Internal Security Act."

Under the new orders, the detainees can be held for the balance of their defunct detention orders. Chng had seven months to serve and the others six months each. They rejoin Catholic church worker Vincent Cheng, advertising executive

Kenneth Tsang and businessman Chew Kheng Chuan in detention. These and fifteen others, most of whom were involved in social work through the Catholic Church, were first arrested in mid-1987 on charges of being part of a "clandestine communist network" plotting to overthrow the government.

The conspirators, according to the government, were using the church, an amateur theatre group, the opposition Workers' Party and the country's association of lawyers, the Law Society, in their efforts to build a "Marxist state." All save Cheng were released by the end of 1987. In April 1988, however, eight were rearrested after they issued a statement denying the government's charges and alleging that some of them had been mistreated while under detention. Three have since been set free.

Soon after their second arrest in April, Teo, De Souza, Wong and Chng petitioned the courts for their release. But Justice Lai Kew Chai dismissed their pleas, ruling that under the Constitution and the ISA, only the home affairs minister

could decide if a person was a threat to national security. The four then went to the Court of Appeal. Had this court upheld Lai's ruling, some lawyers say, the cases would likely have gone on to the Privy Council in London, Singapore's highest court of appeal. The Privy Council recently delivered a stinging rebuke to Singapore courts for convicting prominent opposition politician J.B. Jeyaretnam on criminal charges. For the four rearrested, however, possibly the only legal avenue is to re-petition the courts. ■

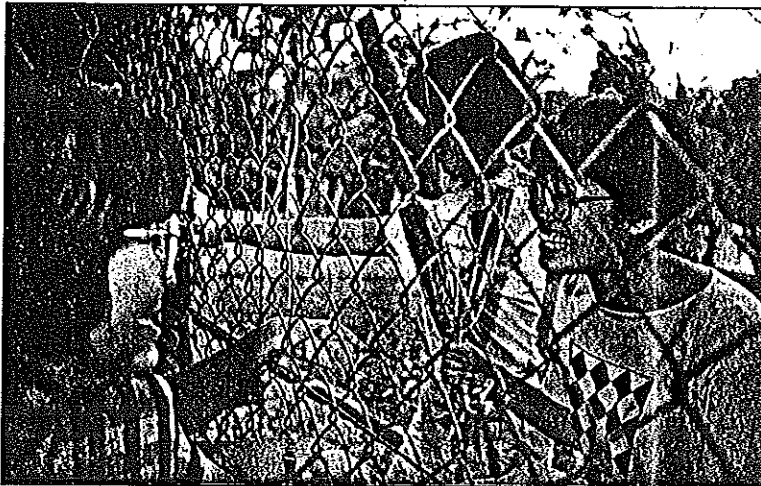


Photo: Goh Koon Peng

Through the fence, Chng (right) and Wong first join in the joy...



then Wong protests when told they will be rearrested: New orders

for review... is limited to the normal judicial review principles of 'illegality, irrationality or procedural impropriety'."

But in a joint statement from the ministries of home affairs and law, the government stood by its original decision to arrest the detainees. "The Court of Appeal," the statement noted, "has ordered the release of the four detainees on the technical ground that the affidavit (setting out the evidence that the president was satisfied of the need to detain them) should have been signed by the minister or the cabinet

This worldwide savage club

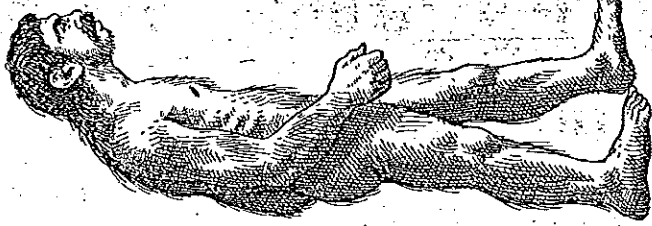
On Boxing Day, most unseasonably, I wrote about the arrogance of power. I confined myself to Britain but the terrible truth is that all effectively unopposed governments are infected with the arrogance of power, and they will abuse that power to any extent their society will tolerate without revolt.

Not long ago there was a gathering in London called The European Conference on Traumatic Stress, organized by the British Psychological Society. Only for medical specialists, you might think, but you would be wrong, for part of the proceedings concerned torture: "Most of the people who are tortured," said one speaker, "do not survive. We see only the lucky ones." Another, a psychiatrist, said that about one in three governments systematically practise torture, ranging from "grotesque mutilations" to "the sophisticated use of electricity and pain-inducing drugs."

Am I wrong to be an optimist? Has my whole conscious life been based on a lie, the lie that the universe has a meaning, and that that meaning is what enables us, amid all the evil, to shout for joy rather than weep for despair? Let us have some more evidence. For the evidence is the evidence of what power can do.

You may have seen some of those television miniatures, five minutes at a time, which the BBC recently showed. There were ten, spread over a fortnight, and each of them concerned a Prisoner of Conscience, in the Amnesty International definition; each programme was narrated by a man or woman whose appearance on television, it was hoped, would command attention. Among these were Sir Yehudi Menuhin, Lord Callaghan, Dame Peggy Ashcroft, Sing and Tom Stoppard; I did one, too, and I shall come to its subject in a moment.

In the course of compiling the series, the scriptwriter, Caroline Moorehead, who knows more



I know what Solzhenitsyn would say, because he says it: "Man has forgotten God." Perhaps, anyway, man has certainly forgotten something, most notably the trick, needed to get Pandora's box shut again. In democratic societies, in totalitarian ones, in the halfway houses like Singapore, in the shoddy fiefdoms of black Africa and the racial madness of white, in the killing fields of Asia — all over the world, the rhythm has changed to "three steps forward, four steps back". Must I join the pessimists?

No; not yet, for two reasons. First, if Teo Soh Lung and her like reject despair, we have no right to embrace it. Second, we have on our side the great irresistible force of the universe: time. However long it takes, however many must yet suffer, whatever hopes are dashed, we know, as power does not, that in the end barbed wire will rust, stone walls will crumble, the tyrant's club will shatter in his fist. Let evil thrive, provided there is even one voice to challenge its rule, for while a single candle burns, darkness cannot claim victory.

Later: Lee's vindictiveness has just been strikingly demonstrated. In the judgment of the Singapore Appeals Court, the judges touched upon the question of judicial review of ministerial discretion. They went a little way towards the view that the courts had a right, and possibly a duty, to decide whether a ministerial decree might be so baseless or outrageous that it could be rejected by a court. Lee has now moved to block that path. Next month, the Internal Security Act will be amended to ensure that the courts have no discretion in security matters. The effect will be, and is plainly intended to be, that Lee can do anything at all to anyone in his power through the ISA, and there will be nobody anywhere in Singapore to check him. That candle flickers.

The Internal Security Act in Singapore gives Lee the power to intern anyone indefinitely, simply by renewing the detention order repeatedly.

Teo Soh Lung was held arbitrarily, with others; false confessions were got from them. When, eventually, they were released, they had the amazing temerity to issue a statement withdrawing the confessions as being partly forced from them and partly faked. Teo Soh Lung was re-arrested and imprisoned under the ISA.

(Lee Kuan Yew is certainly not the most brutal tyrant in the world, but he may be the most vindictive; throughout almost the whole of his reign he has never had more than two opposition MPs in his docile parliament, but he has pursued and persecuted them as though they were about to overthrow him at any minute.)

Teo appealed to the Singapore Appeals Court. Carefully avoid-

ing condemnation of the whole structure of her persecution, the judges found a tiny loophole, through which she was to get a wholly useless writ of habeas corpus. They said that the provision in the ISA which lays down that the president must be satisfied that the detained person is a danger to the state had not been properly fulfilled; the president was satisfied (well, naturally), but his satisfaction had not been correctly communicated to the court.

Teo had announced her intention of appealing to the Privy Council if the Singapore Appeals Court refused her plea. But since she had got her habeas corpus, and an order for her release, she had no complaints. At least, she had none for about ten minutes, after which she was rearrested under the ISA, this time with the authorities making certain that the president had registered his satisfaction, and she is now back indefinitely in jail. The only companion she has is a lizard with which she has made friends.

She sent Christmas cards she had made, with drawings of it, but they were confiscated; she was told that only "cheerful pictures" would be allowed.

Such a story shakes an optimist. I can tell you. Is there some kind of entropy in societies, so that the more they advance in technology, wealth, confidence, even civilities, the more rapidly the degeneration of humanity's essence goes on? Did we not believe, as our terrible century staggers towards its end, that our social, political, and moral relations were now climbing steadily upwards from higher plane to higher still, as evolution itself had dragged itself from the earth's origins? Do we still believe that? If we do, what have we to say about a world half of which imprisons its citizens for truth-telling, and one third tortures them when they are imprisoned? What has been buried in the earth that such emanations rise from it to poison the air and drive men mad? Why are we going backwards?