



Emergency committee for human rights
in Singapore

UPDATE 27
SINGAPORE HUMAN RIGHTS ALERT

9 JULY 1989

DETAINED WITHOUT TRIAL (IN SOLITARY CONFINEMENT):

Mr Vincent CHENG Kim Chuan, ex-Secretary, Catholic Justice & Peace Commission

Ms TEO Soh Lung, civil rights lawyer, ex-Council member of Law Society of Singapore.

INTERNAL EXILE:

Mr CHIA Thye Poh, former Member of Parliament, in his 23rd year of detention.

CIVIL LIBERTIES WITHDRAWN:

Mr CHEW Kheng Chuan (released 21.2.89)

Ms CHNG Suan Tze (released 11.3.89 after dropping legal action)

Mr Kevin DE SOUZA (released 11.3.89 after dropping legal action)

Mr Kenneth TSANG Chi Seng (released 21.2.89)

Ms WONG Souk Yee (released 11.3.89 after dropping legal action)

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MEDIA

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DETAINEES

DETENTION EXTENDED

New one-year detention orders were served on Vincent Cheng and Teo Soh Lung on 17 June with effect from 19 June, 1989.

Mr Cheng has been held in solitary confinement since his arrest on 21 May 1987. Ms Teo was detained from 21 May 1987 to 26 Sept 1987, re-arrested on 19 April 1988 for joining in a press statement proclaiming her innocence, and has been in solitary confinement ever since.

EXILED TO OFFSHORE ISLAND

Mr CHIA Thye Poh, an ex-MP arrested on 29 October 1966, was transferred from the security police prison to internal exile on 17 May 1989 during his 23rd year of detention. He is now restricted to Sentosa Island and is forbidden to associate with any other ex-detainee, to address public meetings, hold office, take part or assist in activities of or act as advisor to any organisation or association, or take part in any political activity. Infringement of any of these conditions will result in a fine of up to \$1,000 or a year's jail or both.

Mr Chia's address is: Block 11, Fort Siloso Sentosa, 1 Garden Avenue #03-00, Sentosa, Singapore 0409. For public relations purposes the govt has given him a job at the war museum on Sentosa.

MORAL VICTORY

His release from prison into internal exile is a major moral victory for Chia who has refused to confess to being either a communist or an advocate of violence, a confession the govt has spent nearly 23 years demanding from him as a condition of his release. Mr Chia has always maintained (and still does) that he is neither and therefore has nothing to confess.

DIPLOMATIC TIMING

Renewed international pressure to release this Amnesty International prisoner of conscience has embarrassed the government for some time. The chance to extract political capital from "releasing" Chia came during the Prime Minister's son's recent visit to Washington. It was aimed at muting congressional criticism of Singapore's human rights record.

CIVIL LIBERTIES FURTHER RESTRICTED

Mr Kevin De Souza and Ms WONG Souk Yee recently had their restriction orders renewed for a further two years with an added restrictive clause. Other ex-detainees are having their restriction orders come up for expiry or renewal at this time and Update will endeavour to give a complete list with details of restrictions and dates of expiry in its next edition.

COURT HEARINGS PAST AND FUTURE

Last December, an Appeal Court judgement stated that ISA detentions could be reviewed by the courts on substantive grounds. However, the Court allowed the appeal on merely technical grounds. The detainees were then released and immediately re-arrested on technically correct detention orders.

The detainees then had to start the process of filing applications for writs of habeas corpus all over again. This gave the govt the chance to block all the exits; that is, to amend the law retrospectively to disallow judicial review on all but technical grounds and to disallow appeals under the ISA to the Privy Council.

Under govt pressure, all the detainees dropped their legal proceedings (as a condition of "early release") except Ms Teo. Her case was heard in the High Court on March 6-8, 1989 and she was represented again by eminent QC Mr Anthony Lester.

Mr Lester argued first on the basis that the constitutional amendments were invalid; secondly, even if the constitutional amendments were valid, the ISA amendments were not; thirdly, even if both sets of amendments were valid, they could not prevent Ms Teo from seeking judicial review of the grounds for her detention.

QUEEN'S COUNSEL GIVEN THE PUSH

Owing to his success in arguing Ms Teo's case (forcing the govt to change the constitution - and the ISA - in order to head off his appeal to the Privy Council), the govt banned Mr Lester from practising in Singapore again. He was informed of this on February 20 but was permitted to argue Ms Teo's case March 6-8.

By quiet diplomacy through the UK's foreign office, Mr Lester attempted to have the ban lifted but was met with contemptuous rebuff. Immediately upon his departure from Singapore in March the govt announced his banning and devoted pages of The Straits Times to impugning his professional integrity, stating that he interfered in Singapore's domestic politics and that he had become personally involved in the case. (The Straits Times 11.3.89)

The banning brought a storm of protest from the English legal profession and a formal protest from the British Foreign Office which stated: "We regret this action. Mr Lester enjoys the highest professional and public standing in courts throughout the Commonwealth, the European Community and elsewhere. Mr Lester's exclusion from the courts in Singapore is bound to cause widespread dismay going beyond the United Kingdom." The statement called the Singapore govt's version of events "misleading".

The matter was extensively covered in the British and international media. Mr Lester's subsequent article, "A Mockery

of a Constitution" published in The Independent 24.3.89, is appended.

JUDGEMENT: BUSINESS AS USUAL

On 25 April, Mr Justice F A Chua dismissed Mr Lester's arguments and Ms Teo's application for a writ of habeas corpus in his judgement. A prominent lawyer in England noted that the judgement "reads like a Berlin court in 1942". The matter now goes to appeal in the Court of Appeal. This is now the final authority because appeal to the Privy Council has been abolished.

The appeal date has been set for November. This follows the pattern of extraordinary delays in hearing habeas corpus cases in Singapore suggesting collusion between the court authorities and the govt. In other countries, habeas corpus matters must be heard immediately.

NEW Q.C. FOR LAST TRY

The govt's banning of Mr Lester may have backfired. An equally eminent QC, Lord Robert Alexander of Weedon, has accepted to act for Ms Teo in her appeal to be heard on 13 November, 1989. At 52, he is described as "courteous, approachable and brilliant". "A giant among men (at 6ft 6in) and among lawyers, he is regarded as Britain's top civil QC." [The Observer, 22.5.88] He has acted for the GLC, for the UK Govt in the GCHQ and Spycatcher cases, for Kerry Packer, Cecil Parkinson, Ian Botham and Jeffrey Archer - and for Lee Kuan Yew and Goh Chok Tong. He was chair of the English Bar in 1986.

ISA ADVISORY BOARD

Representations for Mr Cheng were made to the ISA Advisory Board on 22 April. Mr Justice S T Sinnathuray presided. He has an unenviable record for bringing down decisions favourable to the govt. The Board has advisory powers only in any case. Mr Cheng's term was subsequently extended (above).

HOSTAGES BECOME SIGNS OF HOPE

It is very unlikely that the govt will release Ms Teo until after her final appeal. Even then, it is likely that a period of straight out punishment will follow for her "stubbornness" in standing up for her rights. She has also refused to give the secret police any assurance of her silence after release and has said she will refuse to accept any restrictions on her civil rights. As the price of her release, the govt will probably insist that she admit explicitly and publicly to assisting Mr Cheng set up an underground communist network. This will be tantamount to a life sentence as she will never do this. However, the govt may play on her selflessness and say they will not release Mr Cheng until she confesses.

It is also possible that the detainees will be held hostage until the next elections. However, the govt is also known to be extremely annoyed at the high level of international support for Ms Teo and Mr Cheng.

The determination of Ms Teo to use the legal system to obtain justice has won the hearts of many Singaporeans. Many in the legal profession are now sympathetic to her cause. Mr Cheng's detention remains a moral thorn in the flesh of a compromised church hierarchy. The new generation of youth and students are also far more critical and questioning of govt policy in general.

NEW VOICES

New voices are coming to the surface in Singapore. An occasional newsletter written by "Friends of the Detainees" continues to be published. The March edition offers an analysis of the current situation and points to encouraging signs. (Reproduced as an appendix.)

ANNIVERSARY MASS

On 21 May, the second anniversary of the start of the detentions in 1987, a commemorative act was held with a powerful keynote address by Jenny Chia. (See appendix.) Many solidarity messages were received from around the world. Australian greetings, for example, were well represented: the Law Faculty of Melbourne University, Senator Jo Vallentine (Australian Parliament), Australian Council for Overseas Aid, Singapore Detainees Vigil Committee in Adelaide and Edgar D'Souza (Melbourne).

REGULAR WORSHIP CONTINUES

Services attended by detainees' families, ex-detainees, church people and supporters continue to be held regularly. An Easter service was held at St Francis Xavier Minor Seminary on 25.3.89 with the theme "Dispelling the Darkness" and another mass on 22 April with the theme "A Community for Peace".

HUMAN RIGHTS ADDRESS

Update has received a strong statement entitled "Human Rights in Singapore" delivered as a keynote address by George Khng at a meeting in Singapore last December. The occasion was the 40th anniversary of the Universal Declaration of Human Rights. Copies are available on request.

CHINA: SINGAPOREANS SEE THE PARALLELS

Singaporeans have noted that the Prime Minister's only regret about events in China was that excessive force was used against the students. The parallels with China that have been drawn in the community include: a leadership holding on and holding on at any cost, extensive surveillance of the population electronically and by secret police and a contemptuous disregard of world opinion.

POLITICAL

PARDON? THE PRESIDENT IS HARD OF HEARING

On 5 May, the president of Singapore rejected opposition lawyer Mr J B Jeyaretnam's petition for a pardon for convictions which the Privy Council stated were "misjudgements". Despite this ringing rebuke of the Singapore judiciary by the law lords, the govt has decided to tough it out. The granting of a pardon by the govt would be an admission that the charges were politically motivated in the first place and would formally recognise the moral victory handed to Mr Jeyaretnam by the Privy Council. As much was said by Home Affairs Minister Jayakumar in parliament on 19 January when one of the two opposition members raised the matter.

FINALLY THE GOVT WANTS FRANCIS SEOW BUT HE'S BUSY

On 22 May, a warrant for the arrest of senior lawyer Mr Francis SEOW was issued. Because the approximately 60 charges of tax avoidance are not extraditable offences, the govt is fishing about for new offences (staying away from court, providing false information and fabricating false evidence are beginners). However, Mr Seow is otherwise engaged: he has taken up a research fellowship at Yale University for a year or more. (Mr Seow was president of the Law Society, a former solicitor-general, was detained under the ISA for 72 days last year when defending ISA detainees and became a non-constituency MP after the last elections. Actions against him have prevented him from taking up the seat from which he has now been expelled.)

MPs WITHOUT EVERYTHING: INTRODUCING THE "MP KOSONG"

Even a parliamentary opposition of 2 MPs without the power to oppose anything is too much for the govt. It has come up with a new proposal with the minor side-effect of dispensing with representative democracy all together: "non-elected MPs" who cannot vote but only speak who will represent sectors of society and will be chosen by the govt. The Straits Times (20 May) stated "the intention behind the proposal [is] to allow able and qualified people who are reluctant to take part in elections to contribute in Parliament without having to go through the electoral process... MPs have been discussing details of the scheme behind closed doors and views from the public will be sought at a later stage" i.e. after everything has been decided.

This suggestion comes after the implementation of the non-constituency MP scheme which gives a seat (but no vote) to the two highest polling losers in a general election. However, this still leaves a token opposition presence. (Only one NC MP remains, Dr Lee Siew Choh, after Mr Seow was speedily removed.) There is now only one duly elected voting opposition member in parliament plus Dr Lee. There are 80 govt MPs.

In Singapore, if one asks for tea without sugar and milk, one asks for "tea kosong" [meaning empty tea]. By introducing the non-elected MP, the govt is now introducing the "MP kosong".

ENOUGH IS ENOUGH

Under the pretence of attracting more "talent" to parliament, the govt is also floating the idea of a restricted term for MPs so that they do not feel they have to stay there all their lives (announced by Deputy PM Goh on 14 May). This is only a problem for PAP MPs because the PAP refuses to be voted out and sets up electoral gerrymanders. With 38% of the total vote, only one opposition member got a seat last year. No doubt any such provision for restricted terms will be used primarily against the opposition.

WHOOOPS! NOT QUITE

As part of the govt campaign to "humanise" the Prime Minister and to establish the basis for dynastic succession to his son, the govt media have been playing up human interest stories. Unprecedented family photos have appeared: Brig Gen Lee Hsien Loong with his wife, children and new-born baby for example.

However, during Chinese New Year, a large photo of the Lee clan (with numbered references) appeared in The Straits Times. Many people were quick to note that, even if the PM wants them to practise Confucianism, he was not practising it himself. The PM's father was not at the centre of the family but shunted off to one side.

THE NEW, IMPROVED LEE KUAN YEW IN 60 MINUTES

The CBS programme (USA) "60 Minutes" has interviewed PM Lee and will show the programme in September. Viewers will see the PM at work, in a subway station, jogging in the grounds of the presidential palace and relaxing with his family.

THE BBC TOO

The BBC World Service's Omnibus programme on 7 June carried an interview with PM Lee which received full page coverage in The Straits Times that week. It would appear that Mr Lee did not fare as well as the govt-controlled newspaper implies. The interviewer asked such questions as whether others in the Cabinet were afraid of him "because a lot of people in the country are", whether the young generation would accept being told what to do all the time, how many opposition newspapers there were, whether he was a "collaborator or quisling" since he worked for the Japanese during the war and whether he really wanted to make Malaysia work back in 1963. His answers were, of necessity, rather evasive. The interviewer also implied that elections were not a real mandate when fear was so prevalent and the opposition had difficulty being heard.

"THE HAMMER" COVERS CONFERENCES

The opposition Workers' Party newspaper, The Hammer, (no.2 1989), recently carried Party leader Mr Jeyaretnam's report on his

attendance at the Regional Council for Human Rights in Asia conference in Baguio (Philippines) 3-4 March and the human rights conference in Brussels organised by the Rainbow Group of the European Parliament and the European Committee for Human Rights in Malaysia and Singapore (KEHMA-S) 9-10 March. The Hammer (14 pages in Chinese, Malay, Tamil and English) now claims a circulation of about 200,000.

JEYARETNAM ON RADIO AUSTRALIA

On February 21, Mr Jeyaretnam was interviewed on Australia's Radio National "Indian Pacific" programme concerning the govt's actions against him and the ever more restrictive legislation being passed in Singapore.

CHURCHES RUN FOR COVER

On 23 Feb the Singapore Council of Churches decided to withdraw from the Asian regional ecumenical body, the Christian Conference of Asia. During its history the Singapore Council of Churches (formerly the Singapore Regional Council of Churches of Malaysia and Singapore) had an active role in commenting on local political issues e.g it submitted a written representation to parliament opposing the abolition of the jury system in 1969 when the Prime Minister was strongly in favour of it. However, the Anglican and Methodist churches in Singapore and now the Council itself have decided to distance themselves from the CCA because they regard it as too political.

INTERNATIONAL

TELEGRAM FROM PARLIAMENTARIANS IN 7 COUNTRIES

On April 28, 150 legislators from the parliaments of Malaysia, Canada, Australia, Japan, New Zealand, the Netherlands and the US sent a cable to the Singapore Govt calling on it to release or grant fair trials to Mr Cheng and Ms Teo and to lift restrictions on ex-detainees. The cable was coordinated by the Human Rights Caucus of the US Congress.

US LAWYERS TAKE UP THE CASE

In March, the New York-based LAWYERS COMMITTEE FOR HUMAN RIGHTS (LCHR) took up the banning of Anthony Lester QC from Singapore in its "Lawyer to Lawyer Network" newsletter. It asked lawyers to write to the Singapore govt requesting that Mr Lester be permitted to continue representing Ms Teo and "expressing concern that the banning may infringe upon the independence of the judiciary in Singapore".

On 28 April, the LCHR sent a fax to Vice President Quayle during his visit to Singapore requesting him "to raise as violations of the Universal Declarations of Human Rights the continued detention of Ms Teo and Mr Cheng and the restrictions imposed on those released."

On May 9, in preparation for the visit of Singapore Trade and Industry minister, Brig Gen Lee Hsien Loeng to Washington, the LCHR sent a briefing memo to congress members of the Foreign Affairs Committee outlining the detentions, restrictions and the ban on Mr Lester, calling for an end to all these actions.

The General's visit was part of Singapore's concerted campaign to fix the damage to its international image caused by such an intensive and successful human rights campaign over the last 2 years. He gave speeches (eg to the Asia Society) which attempted to justify the continued use of the Internal Security Act.

SEOW ADDRESSES LAWYERS

On 31 March, Mr Francis Seow delivered an address to the LCHR at the United Nations Building during which he narrated the events in Singapore since 1987. Of Ms Teo, he said, "Much wrong has been done to her, much grievous wrong is being done to her by the government's continued detention of her. The PM knows full well, as I do, that she is no more a Marxist than he is or I am."

ASIA WATCH

The US-based human rights organisation ASIA WATCH has published a book The Persecution of Human Rights Monitors Dec 87-Dec 88 which chronicles the detention of 15 of the recent detainees in Singapore plus opposition leader, J B Jeyaretnam. Asia Watch continues to be active in lobbying US political leaders on the detentions.

THE IRELAND-SINGAPORE ALLIANCE

The IRELAND-SINGAPORE ALLIANCE has been waging a strong campaign since May last year against the use of the Internal Security Act in Singapore and for the release of Mr Chia Thye Poh. Mr Tim O'Brien, Chairperson of the Swords Labour Party and leader of the Alliance, (64 Cherry Ave, River Valley, Swords, Dublin, Tel: 01-404 551) has engaged in a spirited exchange of correspondence in The Irish Times with Singapore's Ambassador Abdul Aziz Mahmood this year. Ms Margaret John, Coordinator for Singapore and Malaysia, Canadian Amnesty International, joined in the correspondence (letters appeared: 27.1/24.2/17.3/9.5.89).

The 1989 Irish Labour Party Conference adopted a resolution expressing concern on human rights in Singapore.

Irish human rights groups have also held public meetings to highlight the detention of all ISA detainees. Ms TANG Fong Har, lawyer and the detainee who signed the April 18, 1988 statement but escaped re-arrest, has addressed them.

EX-DETAINEE ISSUES CHALLENGE

In a letter to The Independent newspaper (London) on 14.4.89, Ms TANG challenged the Singapore High Commission "to produce concrete evidence of any kind that I was involved in a subversive Marxist plot which evidence both they and I know does not exist".

She was responding to letters from the High Commission (3 & 10 April) in which "libellous and false" allegations were made.

500 LETTERS

The St Charles' Justice and Peace Group and the Royal Grammar School Amnesty International Group (Newcastle upon Tyne, UK) have been encouraging local people to write to the Singapore govt expressing concern at the continuing detention of Ms Teo and Mr Cheng. About 500 letters were sent in April/May.

CARDIFF TOO

Another group in the UK, the Cardiff Justice and Peace Group, sent at least 15 Easter cards to Ms Teo and Mr Cheng "to let them know they are not forgotten". In April, the group used the national conference of Justice and Peace groups (held in Leeds) to publicise the Singapore situation. The group was also sending postcards to the govt. They made a Novena of prayer for the feast of Pentecost, praying for comfort and strength for the prisoners and their families and "a change of heart for the Prime Minister".

JAPANESE COMMEMORATION OF 21 MAY

On May 21, in Osaka, the Kansai Emergency Committee for Human Rights in Singapore (KECHRIS) held a meeting on the anniversary of the initial detentions 2 years ago. The meeting sent a letter to the Singapore govt. stating that "all those arrested were simply working to help the weak in poor social conditions which is no more than the duty of every citizen". The letter demanded release of the detainees and lifting of restrictions on ex-detainees.

Every day since February 1988 KECHRIS have sent a card to the Singapore Ministry of Home Affairs demanding the release of the detainees. KECHRIS is also publishing a booklet on the detentions.

MAJOR AUSTRALIAN CHURCH CONFRONTS SINGAPORE DIPLOMAT

Remarkable admissions were made by Singapore's High Commissioner to Australia on 27 April. He admitted:

- that detainees held under the Internal Security Act are harshly treated in their first weeks of detention;
- that the Singapore govt could "perhaps have acted with more restraint" when it occupied the Christian Conference of Asia's international headquarters on Dec 30, 1987 and then expelled the organisation.
- that the Catholic hierarchy in Australia does not agree with his govt's actions against church workers.
- that, given the govt pressure on the churches [in Singapore], their action of withdrawing from the CCA was understandable.

These admissions came during an hour-long meeting in Canberra between High Commissioner John Conceicao and the General Secretary and other senior staff of the Uniting Church of Australia. The Church is a member of the expelled ecumenical body, the CCA, and was making clear its objections to this expulsion as well as more generally to the use of the Internal Security Act.

Further, the church leaders stated that the govt had failed to substantiate its allegations against the CCA and should respond to the CCA's refutation of them. Mr Conceicao said his govt had no intention of responding further. He disagreed that no govt had the right to define what is legitimate religious action.

Mr Conceicao is known to have links with the extremist anti-communist religious Right in Australia (notably Mr Santamaria in Melbourne) and with similar leadership in the Indonesian churches.

The Uniting Church intends to take these matters further.

VIGILS AND SERVICES

The Adelaide SINGAPORE DETAINEES VIGIL COMMITTEE continues its vigil outside the Singapore Airlines office in that city every Saturday. In Melbourne, a service is planned for Singapore's national day on August 9.

JOURNAL COVERS SINGAPORE DETENTIONS

The Australian-based journal Hak-Hak Manusia [Human Rights] covered Singapore human rights concerns in its April issue.

AMNESTY INTERNATIONAL APPEALS

On 19 June, Amnesty International's London HQ sent out an "Urgent Action" worldwide asking members to write to Singapore officials to express concern about the new detention orders served on Vincent Cheng and Teo Soh Lung, to urge immediate and unconditional release and to request the lifting of restrictions on ex-detainees.

On March 8, AI highlighted Ms Teo's case in its Women's Day appeals.

CANADA TOO

The Canadian Section of Amnesty International on 17 May sent out a similar appeal after the release into exile of Mr Chia Thye Poh, welcoming his partial release and raising the cases of the two remaining detainees. Group 121 (Estevan, Canada) continues to work on Mr Cheng's case. Its coordinator, Mary Slotsve, has been writing to local media (Southsak This Week, 2.1.89; The Carlyle Observer, 13.1.89).

FILIPINO LAWYERS

The Protestant Lawyers League of the Philippines continues to monitor the Singapore detentions and to remain in touch.

MEDIA

The court case brought by the Singapore govt against The Far Eastern Economic Review (Hongkong) is set for 25 September and will last 2 to 3 weeks. Mr Geoffrey Robertson QC (from Sydney) will represent the Review.

As usual there has been extensive media coverage internationally especially of the treatment of Francis Seow and Anthony Lester and the renewal of the detention orders last month. There has also been very wide coverage of Singapore's increased fines for not flushing public toilets!

Update reprints some of the main editorial comment and feature articles we have received. Bernard Levin's second article on Ms Teo's detention ("An All-consuming Spite", The Times, 10.4.89) was reprinted in a number of places including The Australian 24.4.89 which also reprinted his first article back in January. We reprint it as an appendix along with other items.

A brief selection of other comment received includes: The Financial Times (London) carried a harsh comment on Singapore's banning of Mr Lester (Justinian, 20.3.89). The Christchurch Star (NZ) reprinted a feature by Mark Baker from the Melbourne Herald on Francis Seow entitled "A bitter clash of Singapore Lions - All-powerful Lee Kuan Yew appears to have stilled another dissident voice." The Hot Press (Ireland) carried an article on human rights in Singapore and the detentions on 4 May. The Report on Business Magazine (Canada) carried a highly critical 6 page illustrated feature article by Thomas Walkom entitled "In His Own Image", subtitled "Singapore's leader, Lee Kuan Yew, believes in cleanliness, industry and eugenics. The city-state he rules is a remarkable capitalist success story - and a place where some of the brightest people want out."

EMERGENCY COMMITTEE FOR HUMAN RIGHTS IN SINGAPORE
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A mockery of a constitution

Now forbidden to practise in Singapore, Anthony Lester, QC, explains how the government has destroyed the rights of his client

TOM PILSTON



AFTER a quarter of a century of enjoyable and apparently satisfactory law practice in England and overseas, I have been permanently banned by the Singapore government from practising in its courts in any type of case.

I am sad to have been prevented from representing my client and from working with my admirable colleagues from the Singapore legal profession. My personal position is not, however, of real importance. To be deemed unworthy to practise law in current circumstances in Singapore is not insulting. The explanation for the decision described me as "combative and truculent", a phrase emblematic of the independence of the legal profession.

Aside from my personal position, however, what has happened raises issues of general importance about what remains of the Rule of Law in Singapore.

My client is Teo Soh Lung, a lawyer aged 40, who provided legal services for the underprivileged. She also worked for the opposition party, which is neither Marxist nor proscribed. She chaired a committee of the Singapore Law Society, which was critical of several government measures, on the grounds that they threatened freedom of the press, the independence of the legal profession and judicial independence.

For these activities, she incurred the wrath of the prime minister, Lee Kuan Yew. He and the minister of home affairs interrogated her before a televised hearing of a Select Committee. She defended herself with moderation and courage.

The prime minister asked her to choose between working for the opposition and working for the Law Society. She replied that if she were forced to make the choice, she would sever her links with the opposition. She duly did so.

Six months later, she and a score of others were arrested and detained without trial under the Internal Security Act (ISA). It was alleged that she had facilitated a Marxist conspiracy to infiltrate the opposition party and the Law Society.

During her lengthy interrogation by the Internal Security Department (ISD), she consistently denied the allegation and protested her innocence. She also later alleged that she had been seriously ill-treated at the hands of the ISD.

Five months later, she and some other detainees were repeatedly attacked by the government in the media. In April 1988, they issued a joint press statement, in which they denied being Marxists and repeated their allegations of ill-treatment, sometimes amounting to torture, by the ISD. Society because of the press statement, they were promptly re-arrested, detained without trial, interrogated for days, and kept in harsh conditions.

and indefinable concept" as it was about its own Court of Appeal and the "foreign" judges of the Privy Council. The High Court has reserved judgement.

When I was on my way home to London, the Singapore government published a lengthy press statement seeking to justify my ban. It was based on multiple untruth — a combination of half truth, breach of confidence and pure fiction. It was now claimed that I had "threatened and intimidated" the government and had campaigned for my client beyond the confines of the court.

This absurd new charge was based mainly on the fact that Sir Geoffrey Howe (for whose strong and unwavering support I am very grateful) had given instructions for diplomatic representations to be made on my behalf. It also took colour from distortions of private conversations with Singapore's ambassador to France and with a senior Singapore government lawyer, seeking to resolve the problem by quiet diplomacy. Even the fact that I am a governor of the British Institute of Human Rights was brought out to show that I had used my efforts to intervene in the internal affairs of Singapore, with Foreign Office backing.

When I was banned, the Foreign Office promptly expressed regret at the Singapore government's action, stated that my exclusion from the courts in Singapore would cause widespread dismay beyond Britain and described the Singapore government's statement as misleading.

There is no doubt about the real reasons for the government's actions. It has banned me in order to sap my client's will and induce her to drop her legal proceedings against the government and, if possible, make a false confession. (At the time of my ban, three other detainees were released after they had abandoned their legal proceedings.)

It was for the Law Society and the Chief Justice of Singapore to decide who is to be admitted to practise in the Singapore courts, and they decided that I should have that privilege. Now the government has misused its immigration powers to prevent me from representing Teo Soh Lung in the proceedings to which the government is party. It is self-interested in its obstruction of justice.

First, it circumvented the Court of Appeal's judgement. Then, retrospectively, it destroyed constitutional guarantees of the Rule of Law, ousted judicial review and nullified my client's existing rights and remedies. Then it banned and vilified me. Now it indicates that it will abolish the Privy Council and may ban British QCs from Singapore unless the Foreign Office withdraws its protest.

Meanwhile, Teo Soh Lung remains in definite solitary confinement, a true deprivation of conscience, brutal and

Anthony Lester: To be deemed unworthy to practise law in current circumstances in Singapore is not insulting

right to appeal to the Privy Council in London in such a case; deprived Teo Soh Lung of her constitutional right to the equal protection of the law and to separation of powers (including independent judicial safeguards); and confined judicial review merely to bare compliance with ISA procedures.

If those amendments are valid, the government can detain people indefinitely and without trial because the minister dislikes their views, religious or professional activities (or the colour of their eyes) and the courts are powerless to intervene. If so, justice is obstructed, and the written constitution with its entrenched fundamental rights is a mockery.

Ten days before my departure for Singapore, to argue that these amendments are void and my client should at last be set free. I received a letter informing me that I was to be banned from practising in Singapore, except for this one last occasion. The letter alleged that I had criticised the Singapore courts, denigrated the Singapore judges and undermined the Singapore government. This was supposed to have happened at a seminar in London, in December 1988, at the School of Oriental and African Studies (SOAS).

The allegations were false. The seminar was held in private a week after the

I was then instructed to apply for *habeas corpus* on Teo Soh Lung's behalf. Inhering the case from a senior local lawyer who had himself been detained under the ISA. We lost in the High Court, but the Court of Appeal courageously overturned two decades of illiberal and restrictive case law, and declared that people held under the ISA were entitled to judicial review of the constitutionality, legality and rationality of their detention. It was a landmark victory for the Rule of Law in Singapore.

The Court of Appeal did not apply these important principles to Teo Soh Lung's case, but found a technical flaw in her detention order compelling her release. Predictably, she was immediately served with a fresh detention order. Altogether she has spent almost 18 months in solitary confinement, suffering greatly for her principles and her conscience.

After her re-detention in December 1988, the government used its overwhelming parliamentary majority retrospectively to amend the constitution and the ISA. The amendments nullified the Court of Appeal's decision; abolished the

The government has banned me in order to sap my client's will

Court of Appeal's decision; abolished the

Right to appeal to the Privy Council in London in such a case; deprived Teo Soh Lung of her constitutional right to the equal protection of the law and to separation of powers (including independent judicial safeguards); and confined judicial review merely to bare compliance with ISA procedures.

If those amendments are valid, the government can detain people indefinitely and without trial because the minister dislikes their views, religious or professional activities (or the colour of their eyes) and the courts are powerless to intervene. If so, justice is obstructed, and the written constitution with its entrenched fundamental rights is a mockery.

Ten days before my departure for Singapore, to argue that these amendments are void and my client should at last be set free. I received a letter informing me that I was to be banned from practising in Singapore, except for this one last occasion. The letter alleged that I had criticised the Singapore courts, denigrated the Singapore judges and undermined the Singapore government. This was supposed to have happened at a seminar in London, in December 1988, at the School of Oriental and African Studies (SOAS).

The allegations were false. The seminar was held in private a week after the

Diminishing democracy

THE decision by the Singapore Government to end appeals to the Privy Council in London for those detained under the Internal Security Act (ISA) is as unnecessary as it is reactionary. Singapore has never been more politically stable and prosperous, with no real threat, either internally or externally.

The new legislation means that Singapore will revert to the draconian ISA of 17 years ago, when the judiciary was prevented from questioning Government tactics against what it called subversion, and what the West regarded as dissent.

This latest step, which further displays the Government's domination of the judicial process,

was taken following a December court order releasing four ISA detainees; the four were re-arrested minutes after an order freed them from Internal Security Department custody. The new rule will further distance the Singapore justice system from the English Common Law upheld by the British Privy Council, and which is still the basis of most Singapore legislation.

Those in Hongkong who continue to express gloom about the territory may reflect that the independent judiciary we now enjoy, and will continue to do so in the future, enshrines more rights and freedoms than could be found today in the democracy of Singapore.

ASIAN WALL STREET JOURNAL (HONGKONG)
15 February 1989

Medieval Singapore

For anyone who still doubts that Singapore's Lee Kuan Yew is down on democratic freedoms, illuminating times lie ahead. Not content with jailing the opposition's two most prominent figures and kicking them out of parliament, Prime Minister Lee and his ruling People's Action Party have pretty much repealed the Magna Carta.

On January 30, the 80 to 1 PAP majority in Singapore's parliament took the visionary step of abolishing the right of habeas corpus. At least, anyone arrested under Singapore's Internal Security Act may no longer challenge in court the grounds for detention. Such cases may no longer be appealed to the British Privy Council in London. The whole package is retroactive to 1971. In effect, though, it harks back to sometime before King John issued the Magna Carta in the year 1215, which is to say, the Middle Ages.

Singapore's authorities explain that the aim is simply to protect their island-state's security. Even before the new law against judicial review, the Internal Security Act allowed the Executive to exercise "preventive detention"; people could be locked up indefinitely without charges or trial if the authorities suspected they might eventually endanger the state. Last summer the authorities took an expansive view of internal security when the Republic's leading opposition figure, Francis Seow, behaved in ways that led the government to suspect he was planning to run for a seat in parliament. Mr. Seow was detained and interrogated for 72 days, and released in time to run in the September election but too late to organize a serious challenge to Mr. Lee's ruling People's Action Party. So the PAP won 80 seats. The opposition

carried one, plus a consolation prize of two token seats with limited privileges. One went to Mr. Seow, but was snatched back almost immediately when the government after combing through his law office records snagged him for what it says was tax evasion.

Presumably all this helped save Singapore from the ruin Mr. Lee fears. But new threats arose. In November, the British Privy Council reprimanded the Singapore courts by way of a ruling on an appeal by another opposition politician and lawyer, Joshua Benjamin Jeyaretnam. Mr. Jeyaretnam got himself twice elected to parliament—only to end up jailed, unseated, and disbarred. He appealed the disbarment to the Privy Council in London, which reviewed his tangles with the Singapore courts and concluded that through a series of Singapore judicial "misjudgments," Mr. Jeyaretnam had on all counts suffered "grievous injustice."

In December came another assault on Mr. Lee's political castle. A Singapore appeals court got brave enough to order the release on technical grounds—in line with rulings by London's Privy Council—of four people detained under the ISA. They were re-arrested as they left the prison gates. The power of the Privy Council to review ISA cases has now been abolished.

It's a sad move for any nation when the law of the land devolves into a political tool for the ruling party. It's an especially disappointing turn in Singapore, where once Mr. Lee's vision helped develop a tiny, impoverished island into a world-class port known for its free commerce and fast development. These days Mr. Lee's leadership lends itself more readily to the development of a small, medieval fortress.

COMMENTARY

by Nicholas Ashford

Freedom follows prosperity — but not in Singapore

EDWARD HEATH'S famous reproach, "the unacceptable face of capitalism", could well be applied to Singapore these days. The behaviour of Lee Kuan Yew, the prosperous city-state's overlong-serving leader, and members of his sycophantic administration is becoming increasingly intolerant. Consider the latest example of Singaporean callousness. The government recently approved a law ordering tens of thousands of illegal immigrants, most of them Thais, to leave the island by today. Those who fail to do so face three months imprisonment and at least three strokes of the cane (a rattan stick which, I am told, is a lot more painful than the bamboo cane of my schooldays).

It can be argued, of course, that any country has the right to rid itself of illegal immigrants. However, in Singapore's case the foreign labourers were brought in, with a wink and a nod from the government, to service the country's booming economy and to perform tasks which more prosperous Singaporeans were no longer prepared to do. But now that the economy is beginning to slow (a growth rate of only 6 per cent is forecast for the present year compared with 11 per cent for 1988) the government wants to send them packing.

Singapore used to be the shining jewel of South-East Asia. Under "Harry" Lee's forceful and enlightened leadership during the 1960s and 1970s, the country became a symbol of prosperity, stability and democracy in a region which was short on all three commodities. But in recent years Singapore's success has begun to turn sour.

Opponents of Mr Lee's increasingly authoritarian style of leadership have been rounded up, held in detention for longish periods and, in some cases, tortured. Foreign publications, among them *Time* magazine, *The Wall Street Journal* and the *Far Eastern Economic Review* have been restricted. Foreign journalists have been banned or expelled.

Last month a prominent British barrister, Anthony Lester, QC, who has frequently appeared in Singapore courts, was permanently banned from practising in any type of case there. His alleged "crime" was "threatening and intimidating" the Singapore government and campaigning for his client, Teo Soh Lung, a political detainee, beyond the confines of the court. And this week a bill was introduced in the Singapore parliament which would further reduce the nation's links with the Privy Council in London, the republic's highest appeal court.

Normally, one expects tolerance and freedom to accompany stability and prosperity. But the opposite seems to have been the case in Singapore. A decade and a half ago, when the Americans were losing the Vietnam war, the Singaporeans had reason to fear the spread of communism through South-East Asia. Nowadays, however, it seems to be in retreat almost everywhere, yet the spectre of Marxist conspiracies has been used to justify crack-downs on political dissidents, whose primary aim has been to establish an alternative political movement in the country, not to overthrow the government.

Nor can the threat of racial conflict be used to justify Mr Lee's heavy-handed approach to governance. Although there are Malay and Indian minorities in Singapore, they are relatively well-integrated and pose no threat to the island's over-

whelming Chinese majority. In fact, Singapore is one of those rare places where the government would appear to have almost no causes for serious concern — standards of living are high; the people appear passively content; the economy, although slowing, is performing better than in most other countries; the ruling People's Action Party (PAP) controls all but one seat in parliament (even though it won only just over 60 per cent of the vote in the 1988 elections); the country is at peace; the crime rate is low and the streets are squeaky clean.

So why does Mr Lee seem determined to rule his tiny nation like an old-style eastern potentate, who is not only intolerant of opposition but who also takes any criticism of the way Singapore is governed as a personal affront? One theory is that Mr Lee has always been an interventionist at heart. Having perfected a system of corporate capitalism, he has had attention to spare in the past few years for a comparable assault on the island's political and social structures. However, as he has grown old in power he has lost respect for his opponents and for the possibility of contradiction.

Many years ago, as a young politician fresh from Cambridge, he used to say: "You have to win every argument every time." Nowadays, he rarely bothers to argue and instead refines the power of the state to pre-empt dissent in any form. But unlike other authoritarian leaders, he never acts arbitrarily. Everything is kept within the rule of law. He has used the law to impose his will on the nation, stifle freedom of speech and crush the opposition. It is indicative of Mr Lee's legalistic approach to politics that his government is now trying to silence one of his main critics, Francis Seow, not only by disqualifying him from taking up a non-voting seat in Parliament but also through the courts, where he has been convicted *in absentia* of tax evasion.

Another explanation for Mr Lee's increasing high-handedness is that he and his party are nervous about Singapore's political and economic stability after Mr Lee, who is now aged 65, stands down. Mr Lee has dominated Singapore since he first became Prime Minister in 1959 and there is no one with his charisma and strength of personality to succeed him. He has said he will hand over the premiership to Goh Chok Tong, his deputy, in two years' time. But Mr Goh inspires little confidence, even in Mr Lee, who has publicly rebuked him for being insufficiently forceful. Although it is expected that Mr Lee will continue to exercise immense political influence af-

ter Mr Goh takes over — as executive president or party leader or through his son, Brigadier Lee Hsien Loong (another prime ministerial contender) — there are fears that the 40 per cent of the population who did not vote for the PAP last year could quickly throw their weight behind an effective opposition. If this were to happen PAP's dominance over parliament and the island's political life could be eroded. It is the plausibility as much as the size of any opposition which concerns the government.

With or without Mr Lee at the helm, however, Singapore is going to have to face the fact that in the long run a successful, open economy can only thrive in an open and free society. Institutionalised one-party, one-man rule of the "nanny knows best" variety cannot survive for ever in the modern world.

Dear Friends

For those of us who have been closely following the ISA detentions issue and the trends in Singapore, it has been a year of mixed feelings - of hopes and disappointments. We need to take stock of the events of the preceding year. We also need to rekindle our hopes.

Hope of freedom was raised by an unprecedented decision by the courts to allow the appeal of 4 of the detainees in their habeas corpus actions challenging the validity of their detentions. This was dashed by their swift re-detention even before they could leave the vicinity of the Whitley Holding Centre.

Again, hope was prematurely placed on the basis of the decision by the Court of Appeal: allowing the limited scrutiny of executive discretion in coming to the decision to arrest and detain. But this flame of hope was quickly snuffed out. This judicial scrutiny was recently made practically redundant. The further amendments to the ISA have effectively eliminated and cut off the Privy Council as the final Court of Appeal.

However, "freedom" came in the form of conditional release for Kenneth Tsang and Chew Kheng Chuan in February and for Kevin de Souza, Wong Souk Yee and Chang Suan Tze in March.

A BROADER PERSPECTIVE

To look at developments in Singapore merely within the framework of the ISA detentions issue is to lose sight of the broader perspective and the changes which have made a significant impact in other spheres of Singaporean life.

One positive trend is the growing support for the opposition. This was clearly shown by the election results of 1988. Although there were not many contentious issues to debate upon, the opposition still managed to garner massive support and improve on their performance.

Many people are encouraged by the emergence of potential opposition leaders especially amongst the younger professionals. These people are looking beyond the safe and comfortable life. They are looking beyond the government for solutions and some have joined the opposition in the hope of shaping a different future.

We do not view the scene as the powers-that-be would have us see it: one opposition seat in a 81-seat Parliament. The overall support for the opposition improved to nearly 38 % and more opposition candidates have emerged, undaunted by the sheer all-embracing dominance of the PAP. This augurs well for Singaporeans who have used their votes to register their basic unhappiness and dissatisfaction with the style of government.

ALTERNATIVE STYLE

Of late, the style of government has been under constant pressure. It has been called high-handed, aloof, arrogant and lacking in consultation. Dissatisfaction is being expressed through formal and informal channels of feedback.

Although the climate of fear still exists, more people are standing up and making their opinions known. This is seen clearly in public forums, letters to the newspapers and representations to the Select Committee Hearings.

The response of some younger leaders is a more accommodating and consensus approach. The success of this new style of leadership and Government will depend on the overall sincerity of the leaders.

The youth who in the past were highly depoliticised have adopted a questioning attitude which is especially evident in the forums organised at our Institutes of Higher Learning. This has prompted the government to concentrate its efforts on the youth, hoping to mould, cultivate and steer them onto what it thinks is the right path. The youth however are growing restless and will not be easily satisfied with mere slogans and visions of a better tomorrow.

The volatile nature and adaptability of our youth will not render them eternally thankful that they could dance all night in the middle of Orchard Road. No, they are searching for alternatives that will thrive and satisfy.

There is a greater alertness to exercise legal rights. This is evident in recent cases where the courts provided an avenue to challenge and scrutinise government fiat. The appeals of the ISA detainees and the successful appeal by J B Jeyaretnam are the most prominent.

These two actions show that to challenge government fiat is not always futile. And even if the "success" of such challenges has been diminished by further legislation and government statements, the court rulings and their implications have left their impact on many Singaporeans. These achievements speak volumes for the courage and commitment of some lawyers who have risked their personal freedom to defend the Rule of Law.



The various trends reveal more than an aspiration for change. They point to a growing awareness of and demand for democracy.

Democracy includes the freedom to participate in nation building freely and without fear of reprisal. Democracy is also a process of learning to accept and respect various contributions - from groups and individuals - for the common good. Democracy needs people with faith and trust in people.

LET US DRAW
COURAGE



Teo Soh Lung is an example. Outside the legal circle, she was practically unknown to the rest of Singapore until she was arrested and detained.

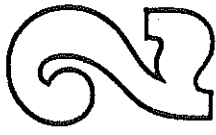
Very little publicity has been accorded to her actual achievements which include the setting-up of the Criminal Legal Aid Scheme providing legal representation to those who cannot afford it in their defence against criminal charges. She unselfishly offered her professional services to help foreign workers recover unpaid wages and obtain other redress against their employers.

Her work in the Law Society and the help she rendered the Workers Party have been used against her as evidence of subversive intent.

Despite the harassment, character assassination and prolonged detention, she maintains her faith. Her courage is shown in her willingness to proceed with legal recourse despite the amendments to the ISA. Hers is an indomitable belief that the truth will prevail and set us free from the shackles of fear and ignorance as well as from the yoke of injustice.

She is convinced of the need to prove her innocence even if it means a prolonged detention. Given her difficult situation, her hope and courage is a major source of inspiration to others.

The courage and faith of JB Jeyaretnam strengthens our hope. He has been active in politics for the past 17 years. He has gone through much to win and then lose his seat in Parliament. He has been ridiculed in and out of the House, called a "mangy dog", victimised and deprived of his right to practise law in Singapore. He has served a prison sentence, upon which severe judicial doubt has been cast. The fine imposed for the same



offence disqualified him from contesting in the 1988 General Elections. Through what has been referred to as "a series of misjudgements" by none other than the Privy Council, this man lost what he had worked for 17 years to achieve.

Even his most ardent supporters began to lose hope and desert him. He persevered through thick and thin. At great personal cost he pursued his case up to the Privy Council. But even the Justice dispensed by the highest of judicial authorities was deprived of its sweetness.

But the point once made cannot be erased from history. Today, he is a symbol of hope and encouragement in Singapore and beyond its shores - for those who believe in democracy and the Rule of Law.

CONCLUSION: FAITH & HOPE

Our faith and hope rest not only on some positive trends but also on the persons and people we know and respect for their commitment to freedom and democracy. We salute the courage and commitment of Soh Lung, JB Jeyaretnam, the detainees and their lawyers. We draw courage from their struggles.

The people of South Korea, Philippines and Burma, who struggled against formidable odds to regain part of their human freedom and dignity, deserve our respect and support. They remind us that values like human dignity, freedom and democracy are universal. Only when we acknowledge our brother/sisterhood and work together in solidarity, can we hope to promote authentic development for ourselves and for our countries.

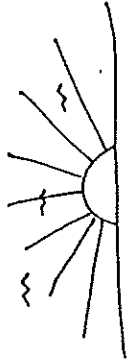
At home, the detainees Vincent Cheng and Teo Soh Lung deserve our continued support. Their values and hopes continually challenge us to broaden our perspective, to take hope in the positive trends before us and to participate consciously and effectively in the areas of our interest and competence.

The surest way to maintain and share our hopes is to act on them and to support the actions and struggles of others. Recent trends indicate that changes must take place. We must ensure that the changes strengthen our democratic rights and freedom.

The hope for a free Singapore with dignified life for all must take root in our hearts before it blossoms in everyday life. This is the hope we share today.

With this letter, we share also with you, the thoughts of Hopeful, a family member of one of the detainees. We hope all of you are in good health.

Warmly wishing you peace and joy,
Friends of the Detainees
March 1989.



MAY 21, 1989 — KEYNOTE ADDRESS

Jenny Chia

This evening we are all gathered here to remind ourselves of that fateful day May 21, 1987 and to express our solidarity with the 22 men and women arrested under the ISA. It is also a time for self-reflection on rights in Singapore. Preparing for this evening has enabled me to make some reflections. Without hesitation we all know why they were arrested-

1. For their involvement, dedication and deep concern for people especially those exploited in society and those who "have" no rights.
2. They were among the opposition which was surfacing and which had to be crushed before the general elections.
3. And for trying to bring about truth, justice and freedom in order that we may have continued freedom.

Our Freedoms

- a) To have free expression of our views on policies affecting our lives e.g. the kidney donors option plan, the reduction of 3rd or 'C' class hospital wards - where will the poor go?
Then in the education policy - we have SAP schools, the gifted child programme, the monolingual, express and normal streams - so much segregation for our young people at such a tender age. This segregation is unhealthy. It divides people into classes. This segregation carries on right up to adulthood at SDU functions - graduates to meet graduates, 'A' level to meet 'A' level and 'O' level to meet 'O' level.
- b) To determine the size and type of family we want without having to pay a fine for the 3rd child or having the father or mother sterilised. This was the policy years back before the current policy of having more children.
Or for that matter who can have more children be they Chinese, Malay, Indian, or other races; whether graduate or not we are here to multiply and fill the earth and we are responsible. As the saying goes "More or less, nevertheless God will bless."
- c) To vote for any party according to our conscience. A vote for any opposition party should not be construed to mean we are not sensible or matured enough to vote wisely and therefore the one man one vote system should be abolished. It was a desperate attempt to save the political power that is slipping away.

- d) To profess and practise one's religion in accordance with the teachings of one's faith. All along we have the freedom to profess and practise our religion but lately there is this move to implement a law to curb religious freedom. We want freedom of religion but they want freedom from religion in order to control religion and prevent it from "interfering" with their policies.
The Catholic faith requires us to express our opinion and commit ourselves to social issues affecting the people. Politics is not a compartment cut off from the faith. It is part and parcel of the Christian life laid down by the social teachings of the Church.
- e) To be free from the ISA, to have access to legal aid, a fair trial, the right to be heard and the right to choice of counsel.
- f) To have freedom to information through world news and publications besides local news. The restriction on the inflow of information is a clear indication that they want to control the type of information for the general public. But this restriction has not discouraged the people from turning to BBC or other sources for information.

Violations of Freedom

The 16 and later 22 detainees who have exercised the above rights and beliefs were detained without trial under the ISA. They were subjected to:-

- mental and physical abuse
- held in solitary confinement
- made to confess on nation-wide television and sign prepared confessions
- branded as Marxists/communists.
- subject to long separation from their loved ones, families and friends
- denied access to defence counsel during the crucial days before their T.V. confessions'.

To date all but 2 have been released with restrictions which limit their rights to freedom of expression, movement and association. They are not permitted to leave Singapore, to join or help in any society without official authorisation and they may not associate with "any organisation that propagates Marxism and communism".

Own Experience

I myself do not know any of the detainees except Lay Lee whom I have met at YCW functions. But I believe very strongly that they are men and women who share the same aspirations, hope and visions of a just and free society which I also share years back, when I decided to give 3 years of full-time service in the YCW movement, to be at the service of people especially the young workers. There are many more full-timers after me who have also dedicated their services full-time. Some have even gone to the factory to work. At that time we were fortunate not to be branded as communists or marxists.

We were all involved in projects and campaigns to make people aware of the exploitation of workers in the newly industrialised areas of Jurong, the maids' problem of long working hours, the lack of free time for young workers. How we organise the unions to bargain for better wages. All these would have made us "full-fledged communists". If there was a need to make use of us for their purpose they would have done so.

Changes Needed

But why were we left alone? At that time, I believe, they were

- 1) not so worried because none of us were graduates
- 2) they were at the peak of their popularity and they were enjoying it.
- 3) they were returned for 3 to 4 terms with a good majority of votes. There were no strong opposition parties. But the mood of the population has changed. People want a real change, not just for change's sake as the government claims. But a change where one can have a say in the way Singapore is being governed because too many policies are being implemented without consultation and feedback; the judiciary is being made to look like they are on the side of the government; opposition parties are made bankrupt, slandered and their dirty linens washed in public. Even Devan Nair was not spared.

Finally we come to the important question for each one of us — how can we keep alive our beliefs and freedom to continue our work?

How do we firmly believe that all people are created equal and for us Christians, in the image and likeness of God? That we are created to be free to live our lives according to God's plan, with dignity and respect as God's children.

How can we create awareness that we are responsible in our actions and work and have no intention to disrupt the stability of the country? We are a peace-loving and non-violent group of people.

For Christians, we believe that Jesus Christ was crucified and died but his resurrection gives us hope. And the truth will set us free! They can detain 22 or more and they can keep nipping the bud but they cannot crush the spirit that is free in every person.

Continuation

Concretely what shall we do to continue pressing for the release of Vincent and Soh Lung and the abolition of the ISA?

- 1) We continue to pray for Soh Lung and Vincent and also the authorities that they will release them soon.
- 2) The monthly meetings have shown our continued support for the families who are weighed down with anguish and sorrow. This we must continue.
- 3) We continue to work through our various organisations or in our neighbourhood and work places to educate the general public to be more aware of the situation around us.

The arrests have shown how little the Church in Singapore and the general public know about the 3rd Stage, the Justice and Peace Commission, the YCW Movement. Since the arrests we would have realised the reactions from the people regarding the detainees. This feedback will help us to see what are the actions needed to help people understand better.

To end this reflection, let us continue to work with all people of goodwill and I pray that the Lord will continue to guide us in our mission.

Bernard Levin

An all-consuming spite

Lee Kuan Yew, the Prime Minister of Singapore since 1959, is by any standards one of the most impressive figures of the post-war world; indeed, it has become a truism that if he had been born in a bigger and more significant state he would long ago have become one of the world's most powerful and respected leaders. Moreover, though he has consistently put every possible obstacle in the way of opposition parties, and in addition has the most servile press outside Romania, his elections are genuine and more or less free. And he and his party have been returned again and again, not by tenuous majorities but overwhelming ones; there have never been more than two opposition MPs.

With this hegemonic achievement, he has made Singapore, in many respects, a model state. (In many, I said; not all.) Its economy is sound, its educational achievements high, its living standards among the best in Asia or anywhere else in the Second World, let alone the Third, its streets spotless (and its very road bridges softened by the most splendid and beautiful anywhere. I once spent two hours with him and concluded that he is one of the most formidable men I have ever met in my life.)

Yet he can be charged with an astounding combination of pettiness and vindictiveness, in his behaviour to those who dissent from him politically; behaviour that can truly be called persecution. It is not enough for him, it seems, to have only one or two opponents in Parliament; he has to seek some way of putting them in prison, and his search is rarely unsuccessful. As for those who oppose him from outside Parliament, a special vengeance is reserved for them. Which brings me back to the case of Teo Soh Lung, about whom I wrote a few months ago.

Teo is a lawyer; she has never broken any law, nor been charged with doing so. Her only "offence" has been to work for a (perfectly legal) opposition party during an election. For that, she has become one of the many

victims of the cat-and-mouse game of Singapore, by the terms of which they can be detained without charge, trial or judicial redress, indefinitely. There was, until recently, one very slender check, through the combined terror and hatred of Singapore's judiciary are a cowed lot (I have seen them in action), and they would hardly dare to defy Lee's stated wishes, but they did, not long ago, make something of a landmark decision in asserting a right of judicial review of executive actions.

This was in the case of Teo, and it would have been of substantial help to her in her struggle against injustice. Whereupon Lee announced that he would be introducing legislation to stop even that theoretical crack in his marble edifice of absolute control. And he has now gone further; from now on, in civil cases, including pleas of habeas corpus and other actions against arbitrary or iniquitous government behaviour, the right to appeal to the Privy Council can be exercised only if both parties — i.e., Lee and his victim

like — agree. The right, therefore, will be abolished in any matter which concerns Lee and his rule.

Teo is now in prison, uncharged, and untried, indefinitely. The reason concerned a press statement put out by former detainees, repudiating Teo's crime was two-fold; not only had she signed the statement, she had not made any confession (others had), for the authorities had failed to break her in prison.

So far from denying that she further imprisonment was for insisting on her innocence (the other signatories to the statement were not re-arrested), the Singapore authorities brazenly affirmed that that was the reason, for by denying her non-existent guilt she had demonstrated that she had not learned the error of her ways. As for the ill-treatment, an official inquiry was promised, but *the investigators were to be those who had named it out.* (In any case, no such inquiry was ever held.) I am not so naive as to believe

High Commissioner himself). Mr Lester has suffered the fate of a determined advocate seeking to plead the case of a cruel government's victim. He can do without his Singapore practice; but Teo Soh Lung cannot do without hope, and it is hope that the Singapore authorities wish to break in her. The point is that the case Mr Lester was to put was for a writ of *habeas corpus*; three other detainees had applied for the same order, and they were released soon after they dropped their cases. Teo Soh Lung refuses to do the same; she has been unjustly, arbitrarily and improperly imprisoned, and she insists — *for legal, not moral, reasons* — that she wants her case to be heard. Naturally, the authorities would prefer it not to be, if only for the international opprobrium it would attract.

What in the name of justice can Lee Kuan Yew fear from this solitary woman, frail of body yet great of soul? Why does he wish — or seem to wish — to be condemned by so many of the people who admire him (as I do) for his huge positive achievements? If ever there were a case for clemency, it is surely this one; can he not, with all his unchallenged and unchallengeable power, see that her continued incarceration can do him no good, and that her release would do him much? Or does he want to make a martyr of her? If so, he may be near to his wish. She has written a song for her comfort, and grim comfort it must be. I wish I had the music, but the verse goes like this:

*Make me a martyr.
A name I did not ask for.
A name I did not want.
All the might you have
You can throw on me.
I will try my best to survive.
Once, my mind was clouded
Of losing my freedom and all
That I love.
But now my mind is devoid of
The long, long, long, of my
Make me a martyr.
Make me a martyr.*



Council made any statements that caused us to doubt her loyalty to Singapore, nor has she aired any political views.

Some of the lies were repeated in a letter from the Singapore High Commission published in the *Independent*. This letter was in response to an article by Mr Anthony Lester, QC, who was acting for Teo in the Singapore courts; his article revealed that he had been banned not only from continuing to represent her, but from ever again practising in Singapore. The reasons given were, in Mr Lester's words, "a combination of half-truth, breach of confidence and pure fiction" — I imagine not to Mr Lester's surprise — the smear campaign against him has been pursued in the shameful Singapore press and the docile Parliament.

(Of course, the letter defaming Mr Lester — and, far more gravely, Teo Soh Lung — was no more composed by its signatory, Mary Set-ohng, acting High Commissioner, than the one to *The Times* was originated by the

the statements of ambassadors represent their own words, let alone thoughts; the letter about Teo's case passed on to *The Times* (significantly, more than three weeks after my article appeared) by the High Commissioner of Singapore, obviously came from Lee's office. But it must claim some sort of prize for dishonesty and defamation. It said that Teo had not been arbitrarily arrested, which was a lie; that she had been involved in subversion, which was another lie; that her political activities had been undertaken not openly but surreptitiously (another) and that acting under instructions (another) she had "agitated" the Law Society to "get involved" in politics (another).

It is worth recording what the Council of the Law Society of Singapore said, unanimously, about her. It said that it had always found Miss Teo to be conscientious and extremely anxious in the discharge of her duties. She was learned and enjoyed the respect and goodwill of her fellow Council members. She has never in any proceedings of the

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Emergency committee for human rights in Singapore

UPDATE 27

SPECIAL REPORT

9 JULY 1989

VINCENT CHENG TAKES LEGAL ACTION

On 28 June Mr Vincent CHENG filed an application for a writ of habeas corpus. The case has to be heard in the High Court and then can be appealed to the Court of Appeal. This will be the first time that Vincent's case comes up in an official public forum in Singapore.

This is a chance for international organisations to show public support for Vincent. UPDATE will be suggesting some ways in which this might be done once the dates for his High Court hearing have been set.

Vincent is undertaking this course action knowing in advance that all the legal exits have been blocked and that the application will ultimately not succeed. However, he is bringing the injustice done to him into the public eye by this means. It is up to us to support him.

Vincent was Secretary for the Justice and Peace Commission of the Archdiocese and was related to the other churches through the ecumenical movement. He was part of the Urban Rural Mission network of the Christian Conference of Asia and the World Council of Churches.

Here is how the government-controlled Straits Times reported Vincent's legal step. Allegations are once again reported as fact and forced confession as evidence:

Detainee Vincent Cheng files writ of habeas corpus

DETAINEE Vincent Cheng, who played a key role in the Marxist conspiracy that saw the arrest of 22 people in 1987 under the Internal Security Act, has filed a writ of *habeas corpus* challenging his detention.

The writ was filed last Wednesday by his lawyer, Mr Patrick Seong, who was himself briefly detained under the ISA last May.

Cheng, a full-time Roman Catholic Church worker, has been in detention since his arrest in May 1987.



VINCENT CHENG

...has been in detention since his arrest in May, 1987.

He was originally detained for a two-year period. Last week, the Government extended his detention by another year.

Interviewed on television shortly after his arrest, Cheng admitted that he and fugitive Tan Wah Piew, named by the Government as the mastermind of the conspiracy, shared the goal of establishing a "classless society" in Singapore.

Only two still under detention

Their strategy, he said, was to establish a broad base of groups to oppose the Government, using violent means "if peaceful means don't work".

Cheng and lawyer Teo Soh Lung, whose detention was also extended for another year last week, are the only detainees still held in connection with the Marxist conspiracy.

Six of the 22 filed writs of *habeas corpus* before

Cheng but their applications were all dismissed by the High Court.

Teo's latest challenge before the Court of Appeal has been fixed for November this year and she will be represented by Lord Alexander, a renowned Queen's Counsel specialising in public law.

The Straits Times

(Weekly Overseas Edtn)
1 July 1989