

Speech regulation

From the humble origins of governing theatres and billiard saloons, the ambit of Singapore's Public Entertainments Act has widened to include public speeches, forums and meetings. LAUREL TEO analyses whether amendments enacted into law recently will redraw the political boundaries

THE occasion: A constituency dinner and auction, held as part of the Lunar Seventh Month celebrations. An Opposition MP makes a speech unrelated to the Hungry Ghosts festivities. The consequence: A \$-800 fine lands on the dinner's organiser. The reason? Not getting a permit for his MP's speech — considered a separate entertainment item.

This is no fictional scenario, but a real-life incident that happened in 1986. The errant MP was Workers' Party chief Joshua Benjamin Jeyaretnam, who had spoken in his own Anson ward. The Public Entertainment Licensing Unit (Pelu) decreed that because his speech had nothing to do with the festivities, and was delivered in public, it needed a separate licence from the dinner.

Pelu, a sub-unit of the Singapore Police Force, is the cause of much grief for political and civil-society groups which say it often foils, inexplicably, their bids at public expression. Not only is the unit as transparent as the Sphinx, the Act itself and the way Pelu enforces it, violate the right to freedom of speech, assembly and association guaranteed by the Constitution, these Pelu casualties claim.

The unit's snail-paced operation is another mystery, they add, noting that it can take up to three or four weeks to get a licence, and many more for an appeal against a rejection. Unwieldy, bureaucratic, and a throwback to the Jurassic era? To address these accusations, and to keep up with the times, the ministry of home affairs amended the Act earlier this week — for the first time since 1979.

Its minister of state, Ho Peng Kee, told Parliament on Monday: "Pelu does not stand still, the Public Entertainments Bill does not stand still...the time is right to look at how the Act can be further amended to make regulation even lighter."

Commercial entertainment establishments like discotheques and karaoke outlets will now find it easier to renew their licences, as long as they behave. A demerit-point system will be introduced to get these joints to exercise self-discipline.

Auctions, charity sales, garden parties, trade fairs and anything else that "no longer pose a threat to public order" will no longer require public-entertainment licences. Even the arts groups have been promised a review of present regulations.

On the political front, as

observers say, not an inch of ground has been ceded. "The trade fairs have always got their licences. So what's the big deal," asks Dr Kevin Tan, who heads the roundtable discussion group. Not only have Pelu and the ministry not budged on their political stance, they have dug in their heels, he says.

By turning the Public Entertainments Act into the Public Entertainment and Meetings Act, the government has sent a clear signal that the tight fist on public gatherings, especially political ones, is not about to unfurl.

The same day that Parliament debated the "lighter touch" to public-entertainment licensing, Pelu sent a rejection to the Think Centre. This political-discussion group had sought a permit to hold a speakers' corner in a Housing Board estate. The political unhappiness that public-entertainment licensing sparks these days is a far cry from its early days, when the Theatres Ordinance and the Billiards Ordinance were merged to form the Public Entertainments Act.

At its inception in 1958, the bulk of public attention centred on if, how and when under-aged children should be kept from theatres and amusement centres. In the 42 years since, critics of the Act are no longer theatre and amusement-centre owners, but political figures. One prime example is Mr Jeyaretnam, who denounces the Act for robbing Singaporeans of the right to freedom of speech guaranteed under Article 14 of the Constitution.

The government counters by citing a subsequent clause in the Constitution which allows for that right to be curbed in the interest of public order and morality. Dr Tan, who is a constitutional law expert, argues



Singapore Prime Minister Goh Chok Tong: Strictness variable.

that the onus is on the state to prove its grounds for curbing that right and, in this, it often fails miserably.

He explained: "If I apply for a licence, you should, as a matter of course, give it to me. That is my constitutional right, unless you can, show me why it would be dangerous, against public safety, or national security, or whatever." Freedom to speak is not a privilege, it is not a state grant, it is a right. "The state must show why, when it takes it away. Otherwise, it is making a mockery of Article 14," he said.

Pelu has never given reasons when it rejects applications. Applicants must request for them. Explanations are couched in general terms, such as the event posing "a potential threat to law and order". Applicants fare no better in Parliament. In a 1993 parliamentary exchange between Hougang MP Low Thia Khiang, and Prof S Jayakumar, who was then home affairs minister, the latter told Mr Low that law-and-order consi-

derations had led the police to deny a licence to the Workers' Party to hold its Democracy Day dinner in an open space.

Mr Low challenged the minister to prove that these dinners, organised by the party every November, had created problems in the past. Prof. Jayakumar's reply was that holding the dinner outdoors spelt "potential for trouble". The WP could still hold it indoors, and it did so, he said. Housed in an office about the size of two three-room HDB flats, which is shared with five other sections, Pelu's seven "licensing officers" process about 6,000 applications each year. Applicants are baffled by the application process.

Pelu seeks views from "expert" agencies, where necessary, police said, adding that the waiting time would be reduced from the customary three weeks to about 10 working days.

But areas of uncertainty remain, and one of these is the exemption for "community" events held by or on behalf of an elected MP in his constituency. In Parliament on Monday, Prof. Ho cited dance performances, karaoke singing and magic shows as examples of events for which exemption orders would be given. The police were drawing up guidelines for these, he said.

Until that happens, Opposition MPs will continue to lament that they need to apply for licences every time they speak, when ruling party MPs do not have to.

The latter's community events are categorised under the People's Association, which is exempt from licensing requirements. Chiam See Tong, who heads the Singapore People's Party, posed the question twice in Parliament over the past year, after Pelu's refusal to grant him permits to

speak at SPP-held dinners in his Potong Pasir ward.

The home affairs ministry's reply: "Political meetings, with political speeches, are never permitted outdoors, because the speeches could turn inflammatory and lead to law-and-order problems." Mr Chiam argued: "All this is nonsense. Why is it that any Tom, Dick and Harry can speak at the Speakers' Corner in Hong Lim Park, and there are no security concerns there?"

He claims that rejections have been inconsistent. In the past, Mr Chiam had no problems getting permits to speak in public, whether at events run by his town council or his former party, Singapore Democratic Party. He said: "Many people say Mr Goh Chok Tong is less strict than Mr Lee Kuan Yew, but I was never refused a permit to speak when Lee Kuan Yew was Prime Minister."

Police replied on Thursday: "All speeches require a public-entertainment licence, even when given by an MP in a community event. However, the Act exempts public entertainment provided by or under the auspices of the government." So an exception is when the MP is speaking in his capacity as adviser to the People's Association grassroots organisation that has organised the event. If the application is for an elected MP to make a speech in his own constituency as part of a community event, Pelu will approve the application. "Are things clearer? Far from it. Judging from the police reply, potential PAP candidates in Opposition-held wards, such as Andy Gan in Potong Pasir, are exempted from having to apply for speaking licences when they organise community events in Potong Pasir under the PA grassroots label. The elected MP, Mr Chiam, still needs to seek exemption from Pelu.

Whatever other liberalisations are in the Public Entertainment and Meetings Act, one thing is evident: Opposition MPs still need a licence to speak. Fourteen years after Mr Jeyaretnam's Hungry Ghosts fiasco, things have not moved from square one. Mr Chiam is unequivocal in his appraisal: "If you say that the final permission will still be given by police, then that's no policy change."

Food for thought: If Mr Chiam, or Low Thia Khiang of Hougang, turn their speeches into songs, will they still need permits?

— The Straits Times/Asia News Network.

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A corner for freedom

AS A city-state with an international profile surpassing its small size, Singapore is beginning to reinvent itself, of course with its characteristic zeal for social stability and economic dynamism as also political circumspection.

Until a few months ago, the defining political ethos in the city-state remained rooted in the saga of the "The Singapore Story" as narrated by the country's living legend, Mr. Lee Kuan Yew, and the deeds of "Lee's lieutenants". While this political orientation seemed to have served Singapore well at the macro-level, Mr. Lee's unique contribution to its evolution as a strong State with a mind of its own has given it an immense confidence to explore fresh avenues of self-expression at this dawn of a new century.

The present Prime Minister, Mr. Goh Chok Tong, has played a major role in consolidating the gains of an economically-successful state by leading it out of a recent downturn that was traced to the regional financial crisis.

Not surprisingly in these circumstances and armed with the lessons in social order learnt under Mr. Lee's leadership and continuing guidance, the Singapore Government, known for its eternal vigil, has now proposed the creation of political space for its ordinary citizens. A "Speakers' Corner" will be carved out at Hong Lim Park in August this year on the line of the celebrated one in London's Hyde Park. The obvious differences between the British model and the Singaporean "Speakers' Corner" are, of course, not lost on either the Government or the people.

Mr. Goh's move has created a groundswell of interest among Singaporeans. The prime ground rule is that the intending speakers should first produce their identity cards or passports at a nearby police station to prove their citizenship before proceeding to express themselves on any subject in any of the official languages — English, Chinese, Malay and Tamil. The police, it is said, need not be informed of the theme of any speech. No speaker will be exempted from the laws of the land insofar as speech content and personal conduct are concerned. The most important restriction is that no one will be allowed to spark racial or religious hatred in the name of free speech.

While the stated taboos are unexceptionable in any multi-racial



The long-time opposition politician, Mr. Joshua Jeyaretnam, hawks his book in a downtown business district in Singapore... will dissent find an outlet?

The question is whether Singapore's proposed "Speakers' Corner" will be a forum for political dissent in a country where the People's Action Party has not only held power for long but also missed no opportunity to make itself as inclusive as possible.

P. S. SURYANARAYANA reports.

society, such rules tend to have an exceptional resonance in a place that evolved from a straits settlement to a plenipotentiary state in a regional melting pot. Foreign observers have often wondered why Singapore, known for its commitment to a free and competitive marketplace, should be so much more circumspect about liberalised or free-for-all politics.

Arguments about the broad-spectrum Asian "values" and their perceived differentiation from Western political mores, besides the focus on maintaining social order, have sometimes been heard in defence of the Singapore model as it has evolved so far. But the question now is whether the prospective "Speakers' Corner" will be a forum for political dissent in a country where the People's Action Party

(PAP) has not only held power for long but also missed no opportunity to make itself as inclusive of all social groups as deemed possible.

While there has been, as a result, no potentially divisive politics sustained by race or religion as the bedrock of one or other party, the PAP's style and reach are also seen to have limited the space available for the emergence and growth of viable alternative. The challenge before political dissenters, whose number in the public domain is conspicuously minuscule, is to measure up to the agenda already set by the PAP.

For the PAP, of course, a valid dictum of political commonsense is that it need not strain itself to create an opposition for it. The question of leadership succession within the party — the possible

passing of reins by Mr. Goh to Mr. Lee's son sometime in the future — is being addressed in a professional manner in line with Singapore's penchant for "managing political change" — a term used by academics to describe the emergence of an elected presidency with defined powers.

It is in this milieu that three suggestions made by ordinary Singaporeans themselves may determine the future course of politics. The "Speakers' Corner" can become a playground of ideas that might make political dissent credible. Linked to this "marketplace of ideas" is the possibility of extending the "Corner" to the internet. The third but not the least idea — indicated to foreign correspondents by Mr. James Gomez, a Singaporean author on "self-censorship" in his country — is the possibility of a dotcom party.

Internationally, Mr. Richard Rosecrance, a proponent of the rise of the "virtual state", and several others think Singapore, given its capacity to make its presence felt in the emerging knowledge-based global economy, can become a major player in this century. The idea of "managing political change" at home can be attractive to Singapore in this context.

We can play catalyst to reforms: Goh

By P. S. Suryanarayana

SINGAPORE, JULY 10. Singapore, India and China could explore ways of fostering and retaining their talent within Asia so as to face the challenges being posed by the emergence of the New Economy. Proposing this, the Singapore Prime Minister, Mr. Goh Chok Tong, said, in an exclusive interview to *The Hindu* last week, that if both India and China "see the value of South East Asia," they could "cooperate" and play a role in this region.

However, Mr. Goh firmly said that Singapore was seeking no role at all in bringing India and China together on the political and strategic planes. Pressed on Singapore's unique position of



being able to grasp the mindset of China as also India. Mr. Goh conceded that the city-state could, if both New Delhi and Beijing so desired, act as an informal "interpreter" of events in the two big countries. He made it abundantly clear, at the same time, that Singapore had no intention of becoming a direct "interlocutor".

These countries, in his view, were best suited to deal with each other.

Given that Singapore's ties with India were not clouded over its nuclear tests in 1998, Mr. Goh spoke with a great deal of candour and earnestness about New Delhi's challenges and opportunities in its relations on regional fora.

He did not foresee, at this stage, the emergence of a new security architecture in East Asia.

On the bilateral front, Mr. Goh envisioned the possibility of Singapore playing a catalyst in the process of India's economic reforms.

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We have taken race, religion out of politics: Goh

By P. S. Suryanarayana

SINGAPORE, JULY 11. *The move for a new liberalisation in Singapore's internal politics is a sequel to the impact of globalisation and the recognition that political "stagnation" is incompatible with "creative destruction" in economics. Tracing the signs of this development in other words, the Singapore Prime Minister, Mr. Goh Chok Tong, in an interview to The Hindu last week, said the guiding philosophy was to "trust" the people.*

Here are excerpts from his views on the affairs of the city-state with an international presence far surpassing its size:

P. S. Suryanarayana: Ever since you have taken over as Prime Minister, especially in the last couple of years, one gets the sense that you're now having a vision of a brave new Singapore in politics as well — not just in economics which has been the strength of Singapore. You have already decided to have a Speakers' Corner. Also, one gets an impression, especially from outside Singapore, (and) the criticism that Singapore probably believes in a measured dosage of democracy. Would you like to say something on this?

Mr. Goh Chok Tong: We are driven by changes in the world in the sense that the world has had a watershed with globalisation, IT (information technology), huge advances in (other) technology and life sciences. And, of course, if you look at the changed world, our first thought is how does Singapore fit in in the future. Can we sustain our prosperity? Which are the areas in which we can begin to specialise? When we analysed all this, we came to the conclusion that we must have a change of mindset in our people — from just getting the big jobs and depending on the government for almost everything, and (from the Government's standpoint) try and get our people to become more innovative, to take risks and to create value for themselves.

We know that where the people are better educated and if you want them to have this kind of inquiring mind, they are also going to begin to ask about politics. We have been controlling it in a rather disciplined manner, running a tight shift. So, we then have to balance the two: we can't have creative destruction in economics and then on the political side you remain stagnant. On that basis, we then have to find out what (and) how much can we do on the political side in order to achieve that objective.

So, my own philosophy has been: Let's trust our people who have been independent now

for 35 years. And you want them to participate in nation-building. Otherwise, if they are dissatisfied, they are going to drift away to other countries, looking for good-paying economic jobs anyway. So, on that basis of wanting more participation, we have been trying to consult them, involve them in discussion.

Parliament satisfies some people only, because not everybody can be in Parliament. So, for the press, I think, state your view, put your name to it. Then, you can have a debate in the *Straits Times*, letter-writing columns or features. Next, the Speakers' Corner came about so that anybody who has a view, so long as you don't incite the people over religion and race, I think, by all means, you can criticise us over ministerial salaries, over policies, no problem. So, where do we go? Which is a question.

On the political side, I would still want the system to be in force. I would not want to risk it over here through creative destruction. I am for changes but don't risk anything and the simple reason is we've got a good system. We

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have taken money politics out of our elections. There is a clear rule: you can't spend more than two dollars in Singapore per voter. We have taken race and religion out of our politics through our Group Representation Constituency and we have also, I believe, found a system to have our own model of democracy which will produce good government. By that I mean, after each election, we systematically go out to involve the best in Singapore in national politics, which at the moment is represented by the ruling (People's Action) Party. We target people who, we think, can serve (with) ability, character and all the other attributes of a good member of parliament and minister. So if the system is good over here, I don't think we need to change the whole system. We actually analysed it. I came to the conclusion (that) we don't need to (change it wholesale). But you need to give people a sense of participation that they can also challenge us if they think we're wrong, all in the interests of our country. So, if you are asking me, 'Is there a brave new world of politics for Singapore?' my answer is, 'No.'

That's being humble...

No, answer is 'no.' But just allow more space for them (in politics) unlike on the economic side, where you want to move into the next stage, the knowledge-economy, New Economy.

Mr. Ong Keng Yong (PM's aide): That's where the creative destruction really drives the transformation...

Mr. Goh: Correct. So, we have to see how we can facilitate this side. If the political side is a constraint on this side, then you have to loosen up over here. You don't have an answer to that. You have to observe empirically, work out your way forward.

On your own personal participation in politics, there has been much speculation about how long you will stay on as Prime Minister. Would you like to say somewhat categorically about your plans?

I would not know exactly how long I'll stay. But I am a firm believer in self-renewal that you have got to prepare the next team to take over. And I am very clear that I will stay on (for) some time after the next election which is due in 2002. That means I am going to lead my party into the next election and, depending on the results, depending on my assessment as to whether a team is ready to take over, I would then decide at that point of time when I should make way for the next team. Because I believe in having a combination of experience and vigour in the team. By 2002, I will be 61 (years old), young by political standards in many other countries but I would have been the Prime Minister for 12 years already. And if you have younger, more vigorous, more creative people who can take over, not just in my view but in the country's view, in the party's view, I should find a way for that team to take over, provided all of us agree that that team can take Singapore up one more step.

If you don't mind, when you happen to retire or hand over the reins of power to the next generation, will you be around on the scene, like the Senior Minister (Mr. Lee Kuan Yew) is around on the scene now, advising the next Prime Minister?

It depends on the next Prime Minister. The same arrangement which I had with the Senior Minister when he stepped down, the prerogative lies with me. But of course, in my case, it was very clear. I thought if he could help me in my job (and) he could contribute to Singapore, then, I thought having him in the Cabinet is where he can best contribute. So, the answer is: it depends on the next Prime Minister. There will be no bargain. If I step aside, I am quite clear, you see, that I can be anything. The point is how would I play a role in Singapore. I mean I still should play a role for Singapore. But I have not thought about that.

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