

## Singapore's Minister Mentor Slips Up Under Oath

Contributed by Our Correspondent  
Wednesday, 09 July 2008

Lee Kuan Yew testifies to a laudatory letter that was never sent by an international legal organization

It was the kind of error that would earn a Singapore opposition politician a trial for perjury, probably with a heavy fine and perhaps a jail term. But when Lee Kuan Yew testified in the recent trial of opposition leader Chee Soon Juan, he probably "misspoke" — told a crucial untruth, deliberate or not.

Lee, Singapore's octogenarian Minister Mentor and the country's first Prime Minister, volunteered under oath during cross-examination in the May trial of Chee that the International Bar Association, following its October 2007 convention in Singapore, wrote a letter to the organizers, the Law Society of Singapore, describing "how impressed they were by the standards they found to obtain in the judiciary...Standards of the rule of law and the judges, the meritocracy which is practiced throughout the judiciary."

In fact, says the International Bar Association, it did no such thing. On July 2 the association told the Singapore Democratic Party, according to the SDP website, that there was no such letter. The Law Society of Singapore also denied it had received a letter from the association, according to the website. Then, on July 8, the IBA issued a report expressing concerns about the "limitations on the freedoms of expression, assembly, and the press, and of the independence of the judiciary in Singapore."

In October, against protests by international human rights organizations because of the lack of independence of Singapore's judiciary, the International Bar Association, which claims some 30,000 individual lawyers and more than 195 Bar Associations across the globe, held its conference in Singapore. At the time, the IBA defended itself by saying that "It is not uncommon that countries selected to host IBA events are themselves challenged to adhere to international human rights norms and laws. The IBA has held, or supported, events in Nigeria, Mexico, Jordan, the UAE, Russia, Iraq, Peru, Malawi, Afghanistan, Mozambique, Swaziland, Colombia, the former Yugoslavia, Poland, the West Bank and Gaza, Cambodia, Venezuela, and China, all countries struggling to uphold the rule of law."

The conference was held against a backdrop of continuing controversy over Singapore's judiciary. Members of the Lee family have repeatedly bankrupted opposition political figures through libel suits and forced international news organizations to apologize and pay damages for libeling them. The Lees have never lost a libel suit in Singapore despite the fact that international law scholars often scoff at the charges as trumped up. Nor have they won one outside Singapore.

In May, Singapore Democratic Party leader Chee Soon Juan and his sister, Chee Siok Chin, were sentenced to jail after a contentious trial in which the two were judged to have "scandalized the court" and "obstructed the administration of justice." It was during that trial, in which the Chees were accused of yet again having libeled Minister Mentor Lee Kuan Yew and his son, Prime Minister Lee Hsien Loong, that this exchange took place between Lee Kuan Yew and Chee Soon Juan, who was conducting his own cross-examination:

Chee Soon Juan: The whole entire matter rests because you want to turn this fight into one of a personal duel. I'm not interested. What I'm interested in is justice, the rule of law, because ultimately it is not about you, Mr Lee. It is not about me. It's about the people of Singapore, it is about this country and everything we stand for. You and I will pass on but I can tell you, the practice of the rule of law, the entire concept of justice, democracy - that is going to last for all eternity.

Lee Kuan Yew: Your honor, the International Bar Association decided to honor Singapore and hold its annual conference in this city and you were given an opportunity to present your case, with your complaint that Singapore lack the rule of law. There were some 3,000 lawyers there. I think they left Singapore with a very different impression from what you

have projected because we have a letter from the President of the International Bar Association to the organizers, namely the Law Society of Singapore, how successful the meeting was and how impressed they were by the standards they found to obtain in the judiciary &ndash;

Chee Soon Juan: Standards of the MRT or standards of the rule of law?

Lee Kuan Yew: Standards of the rule of law and the judges, the meritocracy which is practiced throughout the judiciary.&rdquo;

Lee later described Chee as a &ldquo;near psychopath.&rdquo; Chee responded by calling Lee a &ldquo;pitiable figure.&rdquo; Both Chees were sentenced to 10 days in jail for the same offenses by Supreme Court Justice Belinda Ang, who also charged Chee Soon Juan with contempt for accusing the court of being biased and of having prejudged the hearing, as well as not obeying her orders to stop particular lines of questioning. It was the seventh time Chee had been sent to jail in Singapore, four for speaking in public without a permit, once for attempting to leave the country without a permit after being invited to a conference in Istanbul for the World Movement for Democracy's Fourth Assembly in April 2006, and once before for &ldquo;scandalizing the judiciary.&rdquo;

Singapore has been under widespread criticism by press groups and human rights organizations for decades for what they term political repression and restrictions against free speech.

The International Bar Association's report, titled &ldquo;Prosperity versus individual rights? Human rights, democracy and the rule of law in Singapore,&rdquo; makes 18 recommendations which the association urges the Singapore Government to implement as a matter of priority.

In its conclusion, the 72-page report states that &ldquo;Singapore cannot continue to claim that civil and political rights must take a back seat to economic rights, as its economic development is now of the highest order. In the modern era of globalisation, isolationist policies and attitudes are no longer tenable. The international community, through the mechanisms of the United Nations, regional forums and non-governmental human rights bodies, has a role to play in commenting on practices that it perceives to fall short of international standards.

&ldquo;The (association's human rights institution) strongly encourages Singapore to engage with the international community in a more constructive manner, and to take steps to implement international standards of human rights throughout Singapore. It is imperative that Singapore now takes its place as a leader in the region, not only in business and economic development, but in human rights, democracy and the rule of law.&rdquo;

Singapore's government, the report continues, &ldquo;is currently failing to meet established international standards in these areas.&rdquo; Reports of opposition candidates being targeted for criticizing the government, it says, &ldquo;are of significant concern and threaten democracy and the rule of law in Singapore.&rdquo; It describes an &ldquo;apparent climate of fear and self-censorship surrounding the press in Singapore,&rdquo; and that the &ldquo;increasing tendency for high profile and respected publications to pay large out-of-court settlements to avoid litigation with PAP officials and the continued run of success within in-court claims is worrying.