

Courtroom Knuckledusters

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Chris Lydgate

LEE'S LAW: HOW SINGAPORE CRUSHES DISSENT
Scribe, \$33pb, 333pp, 0 908011 89 X

Ian Stewart

THE MAHATHIR LEGACY:
A NATION DIVIDED, A REGION AT RISK
Allen & Unwin, \$35pb, 255pp, 1 86508 977 X

SINGAPORE AND MALAYSIA have a lot in common beyond a shared border and a shared colonial heritage. Both countries have been dominated for decades by one strong leader — Lee Kuan Yew in Singapore, Dr Mahathir Mohamad in Malaysia. Both have a weak Opposition and a muzzled media. Both have an internal security act inherited from the British, and which is used to detain people without trial. In both countries, the common law system has been bent into ugly new shapes to silence dissent. Each of these books traces the fate of a man who dared to challenge the leader but failed, crushed by an adversary with superior tactics, greater political strength and, above all, more sway in the courts.

In the case of Singapore, we have indefatigable opposition campaigner J.B. Jeyaretnam, with his trademark mutton-chop whiskers and sonorous voice, which, once heard, can never be forgotten. Chris Lydgate describes it, almost lovingly, as 'a stately Victorian bass, with a crusty accent almost extinct in modern Singapore; dry, forceful, eloquent, creaky like an old cabinet, polished by the echoes of a thousand dusty courtrooms, laden with the cadences of an advocate, a campaigner, even a preacher'. When Jeyaretnam won the seat of Anson for the Workers' Party at a by-election in 1981, he became the first opposition MP elected in Singapore in eighteen years. He had already fought and lost against Lee Kuan Yew's ruling People's Action Party (PAP) in four previous elections. More ominously, he had also fought and lost against the PAP in two libel suits, and been forced to sell his house to pay the costs and damages awarded against him. Worse was to come. Lee Kuan Yew described Jeyaretnam as 'a thoroughly destructive force' and Lee saw it as his job to destroy him politically. Lydgate illustrates Lee's take-no-prisoners approach with a revealing quote from a series of interviews conducted with Singapore's 'senior minister' in 1997:

Nobody doubts that if you take me on, I will put on knuckledusters and catch you in a cul-de-sac ... Anybody who decides to take me on needs to put on knuckle-dusters. If you think you can hurt me more than I can hurt you, try. There is no other way you can govern a Chinese society.

Jeyaretnam was far too much of a gentleman ever to get the better of the street-fighter Harry Lee. In any case, it was never going to be a fair contest. Jeyaretnam struggled gamely to be heard in parliament, and even managed to win Anson for a second time with an increased majority. But the lawsuits kept coming, and eventually Lee's legal knuckledusters delivered a knockout punch. In 1986 Jeyaretnam was found guilty of fraud in relation to minor irregularities in the handling of three cheques given as donations to the Workers' Party. There was never any suggestion of corruption or that the money had been used for personal gain. At worst, Jeyaretnam was guilty of sloppy bookkeeping. He was jailed for one month and fined S\$5000, an amount that disqualified him from parliament for five years.

Jeyaretnam, though heart-broken, refused to give up. He threw himself into campaigns in support of other Workers' Party candidates until he was once again eligible to run for public office. In 1997 he was elected as a non-constituency MP (a kind of second-rate seat in parliament awarded to the highest placed loser in the polls, and designed by Lee to counter perceptions of Singapore as a one-party state). But the adverse judgments and resultant debts continued to pile up. In one case — perhaps the most extraordinary of all — Prime Minister Goh Chok Tong, Senior Minister Lee and nine other PAP members sued Jeyaretnam for defamation after he told an election rally that a fellow Workers' Party candidate 'has just placed before me two reports he has made to the police against Mr Goh Chok Tong and his people'. This was an undeniable statement of fact. Jeyaretnam did not read out the text of the police reports or even refer to their content, but Goh nonetheless likened his announcement to a 'Molotov cocktail'. The courts found in favour of the government MPs on the basis that an ordinary Singaporean would have 'the impression that [Mr Goh] may have conducted himself in such a way that it is possible he will be investigated for some offence or other'. Jeyaretnam was ordered to pay Goh Chok Tong S\$20,000 in damages, but the prime minister thought this too meagre a sum for such a serious slight on his character. Goh appealed to a higher court, which duly hiked his award to S\$100,000 (and opened the way for similar sums to be paid to the other eight plaintiffs). By 2001 Jeyaretnam could no longer avoid bankruptcy and was stripped of his seat in parliament for a second time. As *The Economist* editorialised: 'would not the People's Action Party be better named the Libel Action Party?'

Lydgate paints a fond portrait of Jeyaretnam while not glossing over his faults. He is at times verbose, careless, vain and pig-headed. Yet he is also an honourable, brave and compassionate man who refused to give up even when it was clear that he could never win.

THE PICTURE THAT Ian Stewart paints of Malaysia's Anwar Ibrahim is far less flattering. After being sacked from his twin posts as finance minister and deputy prime minister in 1998, Anwar was arrested and charged with sodomy and corruption. The resulting court cases were more

like circuses than fair trials. At one point, the prosecution produced a king-sized mattress, which it claimed was stained with the defendant's semen and the bodily fluids of another man and three other women, even though this 'evidence' had very little bearing on the case in question. The mattress was eventually ruled inadmissible, but not before the normally coy Malaysian media had been filled with headline stories of Anwar's alleged sexual exploits. At another point, the defence showed that the scene of the crime (a luxury apartment) had not even been completed at the time of the alleged offence. The judge then allowed the prosecution to alter the charge sheet at the last minute, bringing forward the date on which the act of sodomy supposedly occurred.

Anwar's one-sided trials, his bashing in custody by Malaysia's police chief, and the loyalty and demure eloquence of his wife Wan Azizah have all served to give him the status of martyr. Even before his sacking, Anwar was the darling of international financial institutions and Western investors, partly because he preferred the IMF's bitter medicine for Asia's financial crisis to the remedy prescribed by his own prime minister, Dr Mahathir Mohamad (though history shows Mahathir was the superior clinician). After his arrest, Anwar was hailed as Malaysia's champion of freedom and democracy; the foil to Mahathir's authoritarian villain. Yet, as Stewart shows, this image of Anwar is dangerously wrong. He made his start in politics as a Muslim radical and remains much closer to the Islamists than Mahathir ever was. Stewart describes Anwar as an ambitious politician 'prepared to deceive both associates and enemies ... and to walk over anyone in his way to achieve power'. He was adroit at money politics, a game that must be mastered to advance in the corrupt world of Malaysia's dominant party UMNO, and his relatives and friends benefited as much as any other senior politician from the parcelling out of shares and

government contracts.

Stewart uses the Anwar trial to illuminate the dilemmas facing Malaysia as Mahathir prepares to step down in October this year. He argues that Mahathir's heavy-handed treatment of Anwar has bolstered the fortunes of the Islamist Parti Islam se-Malaysia (PAS). While the UMNO-dominated National Front government maintains a two-thirds majority in parliament, PAS has made huge inroads into UMNO's core vote amongst ethnic Malays. With Malaysia's ethnic Chinese and ethnic Indian communities in relative demographic decline, Stewart argues that if 'PAS maintains its growth ... it will eventually have enough support to overthrow UMNO and turn Malaysia into an Islamic state'. Stewart's predictions verge on the alarmist. Certainly, UMNO will struggle to win back the Malay vote without resorting to the same Islamist message as PAS, which helps to explain why Mahathir has taken a much stronger line against the war in Iraq than any other political leader in South-East Asia. Yet Stewart makes little attempt to distinguish between fundamentalist Islamic views (such as those legitimately put forward as part of the political process by PAS) and the violent extremism of groups such as Jemaah Islamiah. In Indonesia, the Bali bombing has served to discredit militant groups in the eyes of most Muslims; we get no sense of whether there has been a similar effect in Malaysia. Stewart also places too much emphasis on the political actions of one individual — Mahathir — in generating an Islamic resurgence, rather than seeing the return to the mosque as an expression of the social and political forces unleashed by rapid economic change (and duplicated in other countries and amongst other religions). Nevertheless, Stewart does a fine job of documenting the sordid Anwar tale, and uses it to shed light on the complexities of contemporary Malaysian politics.