

SMOKESCREENS & MIRRORS

Tracing the 'Marxist Conspiracy'

TAN WAH PIOW

FOREWORD by
Dr G RAMAN



Restart • Rejuvenate • Reclaim

Smokescreens & Mirrors: Tracing the 'Marxist Conspiracy'
Copyright © Function 8 Limited, 2012
ISBN: 978-981-07-2104-6

Published by Function 8 Limited
22 Marshall Road, Singapore 424858
Website: www.function8.org

Printed by Targa Lithographers, Singapore

All rights reserved. No part of this publication may be reproduced in any form without the prior written permission of the publisher.

National Library Board, Singapore Cataloguing-in-Publication Data

Tan, Wah Piow

Smokescreens Et mirrors : tracing the "Marxist Conspiracy" / Tan Wah Piow. –
Singapore : Function 8 Limited, 2012.

p. cm.

ISBN : 978-981-07-2104-6 (pbk.)

1. Subversive activities--Singapore. 2. Students--Political activity--Singapore.
3. Singapore--Politics and government--1965-1990. I. Title.

JQ1063

322.42095957 -- dc23

OCN789638881

Function 8 Limited is a social enterprise initiative by a group of individuals who believe that there is a need to facilitate the sharing of social, political and economic experiences of those who had, or are eager to contribute to society through reflection and civic discussion.

The name "Function 8" represents our hope that, just like the F8 key in computers resets a computer to "safe" and basic mode for troubleshooting, we can also reflect over the basics of what makes societies strong, just and meaningful and the role of democratic processes in achieving those goals.

With seminars, talks, workshops, discussions and reflections, the company hopes to restart the process of critical thinking, rejuvenate the staleness of a society based on economic expediency and reclaim the human dignity and freedom which is the basis of our humanity.

CONTENTS

FOREWORD, 4

INTRODUCTION, 15

SMOKESCREENS & MIRRORS, 19

LET THE PEOPLE JUDGE, 73

FOREWORD

We recall history, sometimes with joy, sometimes with pain. The emancipation of slaves in the USA, Mahatma Gandhi's fight for Indian independence and Mao Tse Tung's speech from Tiananmen Square after overthrowing Chiang Kai Shek stir our emotions.

Singapore's "independence" on 9 August 1965 was received with tears. Lee Kuan Yew's remark when he was campaigning for merger with Malaya that "An island nation is a joke," has not been forgotten. That joke is a painful one looking at the congestion in the streets of Singapore and the steep rise in the cost of living. What would Singapore have been if we had remained in Malaysia, becoming its New York which Malaysia's first Prime Minister Tengku Abdul Rahman wanted it to be?

What would Singapore's political destiny have been if operation Cold Store in February 1963 had not taken place? More than 100 heroic men and women were detained – the cream of the left-wing. They would have been the answer to political succession in Singapore.

Casting our minds back to such events makes us despondent. The 1987 detention of 16 social activists who had no political affiliation or involvement is such an event. Our collective conscience had revolted against this dastardly act by the PAP government and its irrational and farcical justification of the detentions. They were accused of being members of a Marxist conspiracy!

Who was the mastermind of the conspiracy? Tan Wah Piow who was 8000 miles away in England studying at Oxford University! What was the background of the conspirators? They were lawyers, playwrights, engineers and counsellors, including a man named Vincent Cheng, who had spent 9 years at a seminary to be ordained as a priest!

This book is Tan Wah Piow's answer to the PAP government's spurious charges against him. It also discusses his own views on politics and changes he would want to see in Singapore. One section is devoted to the charge against him and 2 others of rioting at the Pioneer Industries Employees' Union (PIEU) in Jurong in 1974.

The trial resulted in a distortion of justice. I will explain why. I represented Wah Piow initially together with the late Francis Khoo. I was also the legal advisor to the University of Singapore Students' Union (USSU) at that time.

In 1974 the Subordinate Courts were not called the Subordinate Courts but the Criminal District and Magistrates' Courts. They were situated along South Bridge Road, opposite the Central Police Station where One George Street now stands. The Courts were housed in a 2-storey building.

All new arrest cases were mentioned in Court No. 9 which was on the ground floor. If cases were within Magistrates' Courts' jurisdiction and if parties were ready, a date for hearing would be given. The accused in Magistrates' Courts were allowed bail pending the hearing. Rioting was within the jurisdiction of the Magistrate's Court.

Cases which fell within the District Courts' jurisdiction which could mete out more severe punishment would be transferred to the 1st District Court (Court No. 1) on the Saturday following for allocation of dates for hearing. Court No. 9 never gave dates in District Court cases. It also never transferred Magistrates' Court cases to Court No. 1.

I was in Court No. 9 on that day on another matter when I saw Wah Piow in the dock. Accused persons who are not on

bail are made to remain in the dock awaiting the granting of bail. I was shocked to see him in the dock and asked him what had happened. He explained how he was arrested in the early hours of the morning and taken to Central Police Station. He was interrogated and brought to Court.

Francis Khoo had arrived by then as he came to know of Wah Piow's arrest. The Court then went into session. The presiding magistrate was Ibrahim bin Burhan, a good Muslim and conscious of an accused person's right to bail. The prosecution applied for remand for a week. I opposed this and applied for bail offering myself as bailor. The prosecution opposed bail. Though the magistrate could reject the prosecution's objection to bail he gave in to the objection. The prosecution applied for the case to be transferred to Court No. 1, presided by T S Sinnathuray. This was unprecedented but the magistrate obliged despite my remark on the unusual haste at which this was done! There was not a murmur from him.

In Court No. 1, I applied for bail again. This was turned down and Sinnathuray proceeded to fix dates for hearing. The dates for hearing were only a month away when normally, a date for hearing would not be available until at least 8 months away. I asked Sinnathuray why there was such hurry. His answer was the most senseless and inane response I had heard from a judge, "You know, memories of witnesses in rioting cases can be hazy and that is why I am fixing early dates!" Murder cases at that time took 3 years to come up for hearing! Isn't memory of witnesses more critical in murder cases? Yet the Courts could wait for 3 years before conducting a murder trial!

I knew something was wrong. Wah Piow then instructed me to ask for an adjournment as he wanted to engage senior counsel, if necessary, a QC from England. I told Sinnathuray that and he asked me to get back to him after I got the QC admitted to the Singapore Bar and that he would then consider an application for adjournment to suit the QC's diary.

Would not this mean that he would indeed CONSIDER an application for an adjournment in the interests of justice? The

Oxford Dictionary defines "consider" as "contemplate mentally; weigh the merits of, reflect, reckon with, make allowance for" etc. Was he not mindful of the adage that "justice must not only be done but manifestly seen to be done"?

With that expectation we rushed through an application for the admission of John Platts-Mills QC who was a member of the same chambers as DN Pritt QC, the defence counsel for the Fajar accused, the courageous 8 from the University of Malaya (as University of Singapore was then known) charged with sedition. We served the court papers on the Attorney-General and the Law Society, neither of whom objected to the admission of the QC.

We went back to Sinnathuray and informed him of our successful application and asked for an adjournment to a date in September or October when the QC would be able to take on the brief. If Sinnathuray had followed the normal routine and roster on fixing of dates for hearing, the hearing would have only come up in February or March 1975. As he said he would "consider" our application, we were hopeful that he would grant us the adjournment. But "NO". Our application was rejected summarily! Sinnathuray did not even "consider" our application as the term is understood.

We knew something was amiss. Wah Piow had to be neutralised. He was too much of a threat to the trade union mafia headed by don Phey Yew Kok. He was endangering the government's policy of maintaining industrial peace at all costs. Even if workers were retrenched without retrenchment benefits or not paid at all. In some cases, wages were paid by vouchers issued by NTUC's Fairprice Supermarket although the Employment Act prohibits such mode of payment. There was collusion between employers and the NTUC on this totally unlawful conduct.

And so the trial began. Wah Piow had decided to act in person. I represented the 2nd accused Ng Wah Leng, a worker, and Francis the third accused, Ms Yap Kim Hong, a worker from American Marine. There was intense media coverage of the case both locally and internationally. A QC from Australia, Frank Galbally, was sent by the Australian Students' Union to attend the trial as an observer.

PIEU and the NTUC were represented by the late Ramanujan who was holding a watching brief. Tan Teow Yeow, a senior DPP, was the prosecutor. But he was there only on the first day of the trial. The next day Wahab Ghows, the Solicitor-General himself, led the prosecution. That showed the importance, or was it the nervousness, that the government had displayed at the trial.

The Court was packed every day of the trial which stretched over 2½ months with 47 full days of hearing. The audience comprised lawyers, students and workers. The workers were dragooned into attending the trial. They were each given free lunch, free transport to and from the Court and \$5 each as allowance. One of the workers who attended the trial told me this himself. He was ashamed that he did this.

The workers were there as a show of strength against the students. But the students were not intimidated. They were united in championing the cause that their union had undertaken, i.e., the workers be paid their due wages and those that were retrenched got their benefits. The consciousness of the students was so intense that even the Solicitor-General's daughter asked him why he was prosecuting Wah Piow because she knew he was innocent.

The Solicitor-General told me this himself. I had to enlighten the Solicitor-General. "Of course your daughter knows that Wah Piow is innocent. He should not be prosecuted at all." When torn between performing his duty and appeasing his conscience he chose the earlier. He did not have to stress himself very much because the judge himself took on part of the prosecution's job.

I will give one instance of this. I was cross-examining Inspector Cross, the Investigating Officer of the case. He went to the scene after receiving information about the "rioting". I asked him whether the information disclosed that Wah Piow was involved in the rioting. He answered "Yes". I then questioned him whether he was at the scene outside the PIEU premises. He answered in the positive. My next question was why he did not arrest him on the spot. He was lost for an answer and there was a long pause.

Sinnathuray came to his aid. He asked Cross whether he thought Wah Piow was somebody important and he needed time to reflect on before effecting arrest. Cross, very sheepishly, echoed what Sinnathuray said.

There was a man called Netto who was an Industrial Relations Officer with NTUC and who said he was present at the premises when the rioting took place. He said he saw some people within the premises running and breaking furniture and glass panels. When asked what he did to stop them from doing so, he said he did not do anything. Asked, "Why not?" he went into a long pause without answering the point. Sinnathuray once again came to his aid and told him was it because he was rather confused and could not take any steps. Of course Netto straightaway bought the suggestion and answered likewise.

What was the most damning development during the trial, and this will remain a telling indictment against Sinnathuray, was the fact that he entered the arena. Almost every time Wah Piow wanted to ask a question in cross-examination he would intervene and ask what the relevance was, and often overruling him that it was not relevant. He then went to the extent of telling Wah Piow that he should stop asking any more questions. There was then an exchange between him and Sinnathuray and when Wah Piow asked him "Aren't you interested in justice?" Sinnathuray burst out, "I am not interested in justice as far as you are concerned!"

Having uttered that kind of remark any judge would have withdrawn from proceeding to hear the case and recused himself. He did not do it. This of course alarmed everybody but then everybody was also reconciled to the fact that the trial had gone off the rails.

As Defence Counsel though not for Wah Piow during the trial proper, I suffered extreme discomfort, if not misery, to see the manner in which the trial was conducted. Wah Piow conducted himself well because at no time was he rude or insolent to the Bench. A well known English QC, Michael Sherrard, sat in on one or two occasions at the trial. He asked me how I was able to retain my cool in the light of what was unfolding in the name of

administration of justice. My reply to him was that we have to respect the institution which the judge represented and not the man occupying the office.

As expected, Wah Piow was convicted. So were the other two, as the net which covered the three accused persons would mean if one is found guilty, the other two would be equally culpable. Wah Piow was sentenced to one year imprisonment while the other two received 4 months each.

This was an excellent case for appeal. All three decided not to. Wah Piow's remark that he was not going to go round Singapore shopping for justice was a slap in the face for everyone concerned with the administration of justice in Singapore.

I have mentioned this case in detail because it is not only a landmark in Wah Piow's life; it is a major landmark in Singapore's legal history. It is a blot that cannot be erased.

Wah Piow's book deals mainly with the allegation against him of being the mastermind behind the 1987 Marxist conspiracy. He has given his response in very lucid language. One cannot operate 8000 miles away conducting a scenario in Singapore especially when in 1987 there were no Facebook, internet or video conferencing via satellite communication.

The persons who were detained and their own individual character would refute any allegation of conspiracy. They were not just any pushovers or dross of society. They were practising lawyers, community workers, teachers and playwrights.

The periodic resurrection of the communist bogey has died down after 1987. This was raised in the previous detentions in the 1960s and 1970s, all by the PAP regime, a professedly democratic, socialist party!

Post-1987 the PAP leadership had resorted to another weapon to suppress persons with dissenting views. The PAP leaders now sue anyone who dares to criticise them for defamation. In the rough and tumble of political campaigning and in pamphleteering, remarks can be made which would be in robust language. Even

where no remarks had been made, the fact that someone may have made a police report will be construed as being defamatory of the person against whom the report had been made. Such was the case when J B Jeyaretnam waved an envelope at a political rally saying that Tang Liang Hong had made a report at a police station. What was contained in the police report was not mentioned by Jeyaretnam.

But both Lee Kuan Yew and Goh Chok Tong had the contents of that report made public which contained allegations by Liang Hong that he was being followed by secret agents and being intimidated. Publication is a vital ingredient in defamation. Liang Hong did not publish. Both Lee and Goh did. Yet Liang Hong and Jeyaretnam were sued.

This silences everybody who does not have the spunk to defy such laws and actions. The media in Singapore, both the print media and the broadcast media, are controlled by the PAP government. However, their stranglehold on the minds of Singaporeans is loosening now, thanks to the internet and the social media. We have not heard of any defamation suits post the May 2011 General Election (GE). General elections in the past left a wake of libel actions. These elections have been a watershed in Singapore's history. It saw one of the largest number of votes cast against the PAP. The myth that a Group Representation Constituency (GRC) cannot be won over by an opposition party was broken by the success of the Workers' Party in Aljunied GRC. The GRC was created to keep away opposition. The last GE showed that a determined people can defy any odds against them.

Wah Piow wrote *Let The People Judge* one quarter century ago. The world has changed and so has Singapore despite the suffocating control of alternative views in Singapore. The control covered the entire gamut of political and social activity. Even plays were censored, journalists booted out or sued for libel, professors in universities sacked for having dissenting views. The traffic on the internet has very colourful and occasionally scandalous remarks made about the government. What with the breakdown of the MRT trains, the scaling of fences when graffiti

writers wrote some colourful symbols on MRT trains, and the escape of detainee from a high security prison have all dealt a heavy blow to the tough image of the Singapore government.

Twenty-five years later, Wah Piow's dreams may not have been realised. But the dreams are taking shape and it is a matter of time before the ideals that Wah Piow espoused become a reality.

The book contains Wah Piow's agenda for a true democratic society in Singapore. He refers to them as his "political alternatives for Singapore." They deal with the office of the Elected President, proportional representation, creation of the office of a Commissioner of Complaints, the revival of the jury, freeing of control over the media and the abolition of the Internal Security Act. The ISA has been a most repressive Act and freely invoked by the PAP government to destroy any form of dissent against it. A promise was once made by the Singapore government that if Malaysia abolishes the ISA, it too will follow suit. Malaysia had now abolished the Act but it still continues to remain in our statute books.

Wah Piow debunks the allegation that he is a communist. The book states in no uncertain terms that he is not a communist. But why is he described as such? He answers this point himself:

"Why does the government describe my advice to those who wanted to effect change as subversive and Marxist, when, even on the basis of the evidence produced by the government, all that I suggested was that they should participate in the political process through legal institutions such as political parties?"

There is only one plausible answer: the Singapore government needs to invent a communist threat to justify the crackdown on the opposition. And it needs to personify this threat; hence I become the convenient scapegoat."

It is rather strange, looking back at the help that Wah Piow received when he left Singapore that it was the World Council of

Churches and the British Council of Churches that helped him to establish himself in Britain. If Wah Piow was a communist, these bodies would not have helped him at all.

There is a systems failure in the Singapore government's apparatuses. I just cited the instances earlier with the MRT breakdowns etc. But what is more pernicious are the charges leveled against the Head of the Central Narcotics Bureau and the Head of the Civil Defence Force recently on receiving bribes from a woman with whom there are also allegations that they had illicit affairs.

The loss of billions of dollars in Temasek's investments during the 2008 financial meltdown, the flooding of the prime shopping stretch in Orchard Road, the number of suicides by school children are all symptoms of a disease that is crippling Singapore.

We also have the improbable scenario of a Minister of the PAP government, who is also the Secretary-General of the NTUC, criticising a Professor of Economics on his recommendations for a wage increase for the lower paid workers. Professor Lim Chong Yah, who had been a Professor of Economics at the National University of Singapore and had been the Head of the National Wages Council for a number of years, commented that Singapore workers are only paid about one third of the workers in Hongkong, Taiwan and Japan. If we are aspiring to be part of the first world, why should our workers not be paid a reasonable salary? The government has also resisted the suggestion that there be a minimum wage policy!

The Prime Minister, almost at the 11th hour during the May 2011 General Election, had apologised for the blunders that the government had committed and promised to have a more inclusive society and correct their errors. Doesn't this point to a government which has lost touch with its own people, and lost touch with reality?

Wah Piow sets out in his manifesto a platform which is quite similar to the platforms of the opposition parties in Singapore. Though *Let the People Judge* was written a quarter of a century

ago, the ideals he has put forth in his book are worthy of implementation by all concerned.

Wah Piow has done a marvellous job in expressing in very cogent and rational form the repressive and dictatorial policies of the PAP government. It will be an opportunity missed and a road to their downfall if the PAP does not take note of the winds of change that are blowing so strongly amongst Singaporeans, especially the young. This book is an eye opener for all of us and I have great faith in Singaporeans that they will stand by the ideals expressed in bringing about much needed change in our society.

Dr G Raman
April 2012

INTRODUCTION

A quarter of a century ago, the Singapore government alleged that I was the mastermind of a plot to turn Singapore into a Marxist state. So accustomed by then was I to disparaging remarks from the government that one more did not hurt. I would not have cared to respond were it not for the liberty of 16 young men and women accused as co-conspirators, arrested and imprisoned without trial in an operation code named 'Operation Spectrum'.

This secret police operation was launched on 21 May 1987. I was, at the time, in the midst of my law studies at Balliol College, Oxford University and could hardly afford the distraction. The government propaganda machinery ran full steam, with saturated news coverage for days and weeks, both in the print and audio visual media. My interview with Alan Hubbard of *The Straits Times* was so heavily censored by the time it was published in Singapore that it infuriated the journalist. Hubbard had invited me to his office at Temple Chambers where he made sure that I read the original version of his article before he deleted it from his computer, as was required of him by his superiors in Singapore.

In order to circumvent Singapore's news censorship, I rushed out a small book entitled *Let The People Judge*, within three weeks of the arrests of the first batch of 16 detainees. The book, to rebut the allegation that I was a planning the violent overthrow of the PAP government in order to establish a communist state in Singapore, was launched in Malaysia. With that rebuttal, I immediately returned to my studies as there was nothing more I could add. The events which unfolded subsequently: the further

arrests of others, the television confessions, the retraction of the confession by the detainees and the arrest of Francis Seow, were therefore not discussed in *Let The People Judge*.

Following their release, many of those arrested wrote accounts of their ordeal under detention and exposed the degrading and inhumane treatment they were subjected to. They denied the allegation that there was a 'Marxist conspiracy'. In the light of Francis Seow's *To Catch A Tartar* and Teo Soh Lung's *Beyond the Blue Gate*, *Let the People Judge* merely serves as a historical record of my immediate personal response to the government's allegations in Operation Spectrum.

I was asked to write an update of *Let The People Judge* to coincide with the 25th year after Operation Spectrum was mounted. I started the process by examining the allegations made against me. I had originally intended to rebut each and every allegation raised by the Ministry of Home Affairs in its 41-page justification of the arrests. But as I examined how Operation Spectrum was conducted, and studied what various ministers said during the period of the two years since the arrests, it dawned on me that the government had successfully employed an insidious propaganda format, playing on the general bias of the population, while exploiting their general goodwill in giving the benefit of the doubt to the authorities.

I was particularly troubled by how seemingly intelligent public figures uncritically accepted the "confessions" made by the detainees on television as vindication of the government's case against them. As recent as the 2011 Presidential Election, during an interview with a presidential candidate to determine what he thought about Operation Spectrum, the terms "guilt" and "innocence" were used in relation to the detainees, when in fact none of them had been charged with any criminal offence. I came to the realisation that with the lack of a democratic culture and transparency, the dominance of State-controlled media made it possible for political deceptions and lies to pass as facts in the public domain. An unsuspecting and non-critical public then internalises this propaganda as gospel truth.

In order to understand this phenomenon and to dissect the dark art of political sophistry applied during Operation Spectrum, I developed the essay *Smokescreens & Mirrors*. I find this to be a more fruitful exercise than the distraction of the many irrelevant accusations raised by the government.

The key justification for invoking powers of detention without trial was that those detained had direct or indirect contact with me, whom the Ministry of Home Affairs described as a known 'Marxist', with 'Marxist contacts' in and outside Singapore. While I do not deny some familiarity with Marxism, or being inspired by a Marxist analysis of society, I categorically deny harbouring any plan to turn Singapore into a classless society. My response to the government's allegations will be incomplete if I did not share my thoughts on Marxism to counter the negative treatment given to the ideology by the Singapore government. It is equally necessary for me to explain how being influenced by aspects of Marxist social and economic analysis does not necessarily lead to the abandonment of democratic principles. For this reason, I have devoted some pages to discussing the ideology. Having done so, it is imperative to stress at the outset that my views on Marxism and my ideological inclinations set out in this article are not necessarily shared by those who were detained.

The purpose of exploring issues arising from Operation Spectrum is not for reason of nostalgia, or to settle old political scores with the powers that be. Only if we are able to draw historical and political lessons from Operation Spectrum and apply this knowledge to address the politics of today, can we help chart the future of Singapore in a meaningful way.

Tan Wah Piow
April 2012