

# When activists cross a line

Andrea Ong and Elgin Toh explore some of the rocky terrain that civil society groups navigate in terms of crossing the border into partisan politics

WHEN does social activism become political or partisan? The question, often a tricky one to answer in the Singapore context, has come into sharp focus again recently.

Last week, lawyer and activist Nizam Ismail resigned from his leadership positions with the Association of Muslim Professionals (AMP) after he said he was told the Government had taken issue with his online comments and his participation in two political events in his "personal capacity".

The message conveyed to him, he said, was that he should "tone down" his activities or the Government would cut AMP's funding. Otherwise, he should disassociate himself from the self-help group.

AMP and Minister-in-charge of Muslim Affairs Yaacob Ibrahim have denied government interference in the group's management. The Government then said Mr Nizam was using AMP as a platform for pursuing partisan and racial politics, a charge he has denied in his blog.

The episode created a stir, coming in the same week that the Home Affairs and Manpower ministries issued a strongly worded statement responding to some NGOs and individuals backing two ex-SMRT bus drivers alleging police abuse while in custody for instigating an illegal strike.

Noting that the Government had already refuted the drivers' allegations, the joint statement said: "In the guise of protecting vulnerable foreign workers, the NGOs and individuals have in fact exploited them for their own political ends."

The two incidents have raised questions about the state's relationship with civil society and the space within which these groups can operate. While civil society typically pursues goals and interests that the state alone may not be able to fulfil, history has shown that there are no-go zones that the Government is acutely sensitive to. These OB markers bear the labels of "politics" and "race", which are perennially contentious in Singapore society, though civil society activists point to the shifting sand definitions of these terms that have been problematic for them.

## State-society relations

THE latest incident is not the first time the Government has used the label of being partisan or political to expel the groups. In the past, leaders who have strayed out of bounds. In 1994, writer Catherine Lim was censured by then-Prime Minister Goh Chok Tong after she wrote an article on an "affective divide" between the state and NGOs and Singaporeans due to its top-down approach to governing.

Mr Goh said Dr Lim had gone "beyond the pale", adding that those who wished to comment regularly on politics should enter the political arena.

Observers interviewed said the Government's stance that politics and political comment belong purely to the realm of party politics does not seem to have changed since this 1994 episode.

The Government's underlying concern, articulated by former Information and the Arts Minister George Yeo in a 1999 interview with the media, is that NGOs or individuals could be fronts or "puppets" for others to achieve their political aims. This stems from the People's Action Party's (PAP's) political battles in the 1980s and 1990s with activists who used organisations like trade unions and cultural associations to mobilise people.

Later on in the 1980s, a few Catholic priests who published booklets criticising the Trade Unions and Labour Laws and spoke up against the 1987 Operation Spectrum were labelled a "political pressure group". The same term was used in 2008 by the Government to turn down a suggestion by the Law Society to allow it to comment on issues not submitted to it.

Said Mr Yeo in 1999: "Invisible dangals pull strings and make things happen on the wayward stage. If this is the way politics is conducted in Singapore, we will never achieve democracy because the real protagonists do not show their hands or identify themselves. So, over a period of time, we have taken the view that if you are a civic organisation, whether you are an organisation like AMP or whatever, if you want to get yourself involved politically, please get into the political arena and not hide behind a religious group, a tuition class, or a theatre troupe."



The Government's reaction to Mr Nizam's case can be traced to the times that AMP's aims have diverged from the PAP government's. ST PHOTO: EDWARD TEO

Law Minister K. Shanmugam shed some light on how people can navigate the different spheres. As for NGOs and other associations, they are registered with the Registrar of Societies (ROS) and are bound to keep within the ambit of their Constitutions. The Societies Act was amended in 2004 to allow groups whose activities do not touch on race or religion, or civil and political rights, or the governance of Singapore, to be automatically registered. The ROS has the discretion to refuse registration to groups outside this category though some groups have called for more transparency in this respect.

On what registered groups can do, Mr Shanmugam says: "The issue is whether their Constitution allows it or does not allow it, and also whether they misuse the funds that are given to them. If they are funded for a specific purpose, they go and take the money and do something else, that obviously will be frowned upon." While the law might be clear, civil society groups say they also have to read the signals sent by government leaders.

National University of Singapore sociologist Chua Beng Huat has argued, for instance, that the Government prefers the term "civic society" over "civil society" as the former emphasises the civic responsibilities of citizens rather than their civil rights.

This has led to the growth of organisations that are viewed as "junior partners" to the state rather than innovating or complementing the state in their own right. In a 2011 article for the Civil Service College journal Ethos, current Nominated MP Laurence Lien called for a more mature civil society but argued that many non-profit organisations are more like "subcontractors" delivering

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so it could only "assist the Government in all matters affecting legislation submitted to it" - effectively preventing it from commenting on matters not submitted to it. In 2008, the Law Society hinted it would prefer to have this law changed. The suggestion was quickly shot down by the Law Ministry, which said: "We had gone political". The Government then moved to tighten the Legal Profession Act, restricting the society's role

social services on behalf of the Government. Over the years, however, there have been signs of a gradual loosening of the reins. In 1991, Mr Yeo made a seminal speech in which he compared the state to a banyan tree that needs to be carefully pruned so civic institutions can thrive. And in 2004, just before he took over from Mr Goh as Prime Minister, Mr Lee Hsien Loong called for greater civic participation in a Harvard Club address.

He also signalled a change from the past in the rules of engagement. "The Government will not view all critics as adversaries. If it is a sincere contribution to improve government policies, but one which we do not agree with, then our response will be dispassionate and factual, pointing out where we think the criticism is mistaken but encouraging the critic to continue to stay engaged or, even counter-argue."

"But a criticism that scores political points and undermines the Government's standing, whether or not this is intended, is another matter altogether," said PM Lee. Speaking to Insight this week, Acting Minister for Culture, Com-

munity and Youth (MCCY) Laurence Wong reiterated that criticism from NGOs was not automatically unacceptable to the Government.

"We welcome feedback from all NGOs on government policies even if they may be critical, as this helps us to improve public policy for the benefit of all Singaporeans," he said, but added: "NGOs should not be used as a cloak for partisan political objectives."

The Government suggested the groups - including Maruah and Think Centre - did not truly care for the workers' rights, but wanted to score political points. When one worker alleged police abuse, the groups hindered investigations "while continuing to cast aspersions on the integrity of the police", the Government said. The groups have denied the charges.



The Government took to task advocacy groups that took up the cause of the SMRT bus drivers jailed for instigating strikes, saying the groups did not really care about the workers' rights but wanted to score political points. ST PHOTO: MARK CHEONG

should the recent altercations with Mr Nizam and the NGOs involved in the SMRT bus drivers' case be viewed? Mr Nizam's case is arguably more complex, as the Government's reaction can be traced to the history of AMP and the times its aims have somewhat diverged from the PAP government's. Responding to Mr Nizam's resignation, Dr Yaacob said public money should not be used to build "a platform for people to be involved in partisan politics".

Indeed, AMP's website says it is a charitable organisation. It runs community services such as bursaries and micro-business programmes. AMP leaders have also stressed in the past week its aim of being a non-partisan platform. But what might make the PAP government uneasy is any hint of AMP forming an alternative leadership for the Malay community.

At its founding in 1991, AMP suggested this was possible, and in 2000 it called for a non-partisan "collective leadership" picked by the community. The proposal was flagged by the Government for entering the

arena of racial politics. Mr Goh said it was "clearly a political challenge to the Malay MPs" and would lead to other communities pressing for their own interests. AMP dropped the idea. Last year, AMP proposed a Community Forum (ComFor) to re-position Malay-Muslim organisations to "engage a national, inter-ethnic, issue-oriented agenda".

PM Lee urged it to "have a care if you are venturing into civil society issues which are not primarily to do with the Malay-Muslim community" - and its primary task of tackling social and economic issues. AMP later dropped the idea.

In two letters to The Straits Times Forum Page last week, MCCY charged Mr Nizam with pushing for racial politics by trying to revive and repackage the "collective leadership" idea of ComFor. One of the letters also took issue with the "strident postings" on his blog and a Facebook group. The waters were muddied further when stories appeared, first in Malay community newspaper Berita Harian and then online, raising questions about Mr Nizam's private life and financial situation. This provoked a reaction within the community, prompting Mr Nizam to lament that he had been the subject of "hatredness".

Mr Nizam has also rejected the charge of racial politics, while he and AMP chairman Azmoon Ahmad have clarified that AMP shared the ComFor idea openly with the Government before its formal proposal. MCCY, however, noted that "Mr Nizam played a leading role at the convention and championed this idea".

Others have defended him from the charge of racial politics. Former AMP chairman and NMP Imran Mohamed notes that AMP was founded as a race-based group. He, Mr Azmoon and other Malay leaders have signalled their desire to close the matter and heal the rift. But observers say AMP's historical instincts of wanting to be an alternative leadership may surface some time to time.

Another set of advocacy groups taken to task by the Government were those who took up the cause of the SMRT bus drivers jailed for instigating strikes. The Government suggested the groups - including Maruah and Think Centre - did not truly care for the workers' rights, but wanted to score political points. When one worker alleged police abuse, the groups hindered investigations "while continuing to cast aspersions on the integrity of the police", the Government said. The groups have denied the charges.

For now at least, it does not appear the Government will pursue the case of the groups of violating their own Constitutions. The groups also do not receive public money.

More dialogue needed

THE last two weeks have thrown up specific questions on Government-civil society engagement. (See sidebars). What is clear though is the greater need to dialogue. Associate Professor Reuben Wong from the National University of Singapore sees two consequences arising from Mr Nizam's case and the SMRT strike case. One is that questions may now be raised about AMP's autonomy, which is a lose-lose situation for both AMP and the Government as "civil society is most effective when it is seen as autonomous".

But Mr Nizam Ismail resigned from AMP last week, Minister-in-charge of Muslim Affairs Yaacob Ibrahim reiterated that oversight was necessary whenever money was handed out. He said: "Our concerns are about how government funds are being used. Money which is given by the Government to Malay-Muslim organisations must be used for the good of the community work that will help the community move forward. It is not for the purpose of creating

freely or, at times, to speak purely for themselves. Associate Professor Reuben Wong from the National University of Singapore notes how establishment figures like Ambassadors-at-large Tommy Koh and Chan Heng Chee, who wear many hats, are able to speak in their "personal capacity".

Veteran civil society activist Kevin Tan agrees. He says that to disallow the disclaimer is to impose an unacceptable restriction on individual autonomy. Dr Tan, who is associated with many groups, adds that he often explains to his audience which capacity he is speaking in - personal or otherwise.

But it is a grey area and if there is a risk of misunderstanding, it is far better to err on the side of caution, say others. This was why former Nominated MP Imram Mohamed stepped down as AMP director when he entered Parliament in 1994. "I would be expressing my own views in Parliament and I didn't want people to think I was speaking on behalf of AMP," he says.

He referred to AMP after his NMP term ended. ELGIN TOH, ANDREA ONG

Tan Er Sen: "The expectation is for the organisation to use the funds to help uplift the community through welfare and educational programmes." Most observers interviewed do not dispute this. An elected government has the power to set the ground rules on the use of public funds and exercise discretion over disbursement, they contend.

Former Nominated MP Zulkifli Baharudin argues that every group is, after all, accountable to any provider of its funds, even if this is not the Government. "Just like a church - you take money from your congregation, you're answerable to the congregation. So you have to steer towards what the congregation want, because that's what they give you money for," he says.

An NGO that takes public money is automatically transformed, in some sense, into "an extended arm of the Government", in that it is performing a role the Government wants it to. "It comes with a price - let's face it. Otherwise, don't take money. Then you have complete independence." Taman Baccan president Abdul Halim Kader agrees, and likens the funder-fundee relationship to that of father and son: "Your father gives you money to go to school. If you go the wrong way, will you let your father continue to support you? No. He will correct you, scold you and caution you." Adds Associate Professor

Can one speak in one's personal capacity

What of groups that get govt funding

What counts as dabbling in politics

The three questions the recent episodes have thrown up:

What counts as dabbling in politics

