women at the top

Indranee Rajah ’86 and Halimah Yacob ’78 - our alumnae in parliament

also in this issue:
Law Society President
Arfat Selvam ’68
Workers’ Party Chairman
Sylvia Lim ’88
From the Editor
Welcome to the fourth issue of LawLink!
This issue we feature our Women At The Top – Law School alumnae (that’s “female graduates” to those of us whose Latin is a bit rusty) who have reached the pinnacle of their professions and/or vocations.

Halimah Yacob ’78 LLM ’01 and Indranee Rajah SC ’86 are familiar faces in the news. Find out about their experiences in Parliament so far, and what their plans are for the future.

Arfat Selvam ’68, the second woman to be elected President of the Law Society, shares with us her views on the challenges facing the legal profession in Singapore.

Sylvia Lim ’88, newly-elected Chairman of the Workers’ Party, tells us how her Law School experiences sparked her interest in politics.

This issue, we also introduce our Vox section. Alumni who are now in varied disciplines voice their opinions on contemporary issues. We’re proud to have Kelvin Tong ’97, acclaimed filmmaker and journalist, as our inaugural contributor.

Meanwhile, the Class of 1993 celebrated the 10th anniversary of their graduation with a visit to campus to see what’s changed; and the Class of 2002 celebrated their Call To The Bar with a barbecue at Guild House. More class reunions are being planned for this year – keep a lookout for announcements!

As always, we welcome your comments on LawLink. This is your magazine, and we want to hear what’s on your minds. And remember to send us your updates for ClassAction – we can’t print it if you don’t tell us first!

Adeline Ang ’96
Editor
Assoc Director, Alumni Relations
Dean’s Message

Much has happened over the last 6 months since my previous message and I wish to highlight 3 items here. First, I am pleased to say that our existing graduate programmes are growing from strength to strength. We have taken steps to market our programmes more aggressively, particularly in Asia with trips to China, Malaysia and Vietnam. Other trips to Brunei, India, Indonesia and the Philippines are also being planned. Our efforts are bearing fruit; for the academic year that begins in August 2003, we expect to have an intake of 54 students, which is significantly higher than the 21 students admitted in the previous academic year. These 54 students come from China, Germany, India, Indonesia, Israel, Malaysia, Maldives, Philippines, South Africa, Switzerland, United Kingdom, United States, Vietnam, and Zimbabwe. They are all very strong students and I am absolutely delighted that the Faculty has managed to attract them to Singapore for graduate studies.

Second, and still on the topic of graduate studies, NUS President Shih Choon Fong and President He Qinhua of the East China University of Politics and Law (ECUPL) have signed an agreement under which the NUS Faculty of Law will teach a Masters programme on International Business Law in Shanghai using the facilities and resources of ECUPL. The programme will be taught in English and will require a few NUS law academics to spend periods of 2 – 3 weeks in Shanghai each year. A large part of the programme will be taught during the NUS vacation periods to ensure minimal disruption to teaching in Singapore. It is the hope of both institutions that the programme can be launched in August 2004 but this is subject to regulatory approval in China. We expect that the application for regulatory approval will be submitted in September this year. ECUPL traces its roots back to the famous St John’s College and is widely regarded as having one of the best law programmes in China. ECUPL and NUS already have exchange agreements for law students and academics and I look forward to deepening our relationship with President He and his colleagues.

Third, fundraising continues to be a priority for the law school, particularly for scholarships for deserving students from the region. I am grateful to our alumni and friends for continuing to support us through their donations. I am pleased to say that thanks to their support, the Lee Sheridan Legal Education Fund now stands at $361,772.40. With the government matching every dollar donated, the total amount raised at this point is $723,544.80. I am also very grateful to the Maritime and Port Authority of Singapore for their very generous donation of $4 million to the Faculty, the single largest donation we have received. The donation will be used to establish an MPA Chair in Maritime Law as well as fund shorter visits by MPA Distinguished Visitors. Of the donations received from individuals, I would like in particular to thank Mrs. Gladys Mirandah ’76 for her generous donation of $20,000 to establish 3 partial scholarships for students applying to read the LLM (Intellectual Property and Technology Law) programme. Each scholarship will cover the course and tuition fees of the recipient. It is my hope that more of our alumni will continue to support us through monetary donations and other gifts.

I shall also like to take this opportunity to thank my colleague and friend, Associate Professor Dora Neo, for all the assistance she has given me over the past 2 years in her capacity as Vice-Dean (Research & Graduate Studies). Dora stepped down as Vice-Dean after completing her term of 2 years at the end of May. She will be taking a well-earned sabbatical and will be spending a year at Harvard as a Visiting Scholar. She had delayed her sabbatical by a year to enable her to serve a 2-year term as Vice-Dean. During her tenure, she has done a marvellous job and much of the credit for the success of the Graduate Division goes to her. In her place, I am pleased to say that I have appointed Associate Professor Teo Keang Sood. Keang Sood was Deputy-Director of the Graduate Division and is well placed to continue the good work of the Division. Assist Prof Victor Ramraj takes over from Keang Sood as Deputy-Director.

On a more sombre note, the Faculty was saddened to hear of the sudden demise of a distinguished and honourable alumnus, Senior Counsel R Palakrishnan ’72, who was a former President of the Law Society. Over the last few years I came to know Pala well. We served on many committees together and I shall always remember him for his passion and dedication to the legal profession. He was also very encouraging to me personally, especially when I was appointed Dean, and never hesitated to offer me his advice which was always welcomed. I am deeply saddened that our friendship has come to a premature end but draw some consolation from the conviction that a good man like Pala can only be in a better place. On behalf of my colleagues at the Faculty, I extend my deepest condolences to his wife and family.

I wish all our alumni and friends the very best in the next 6 months. The first half of this year has been difficult for most and I hope that all of you will find the second half of the year a much better one.

Dean Tan Cheng Han ’87
The burdens of the home still largely rest on women and if they do not have support, they have to make a choice. Thus, the Law Society’s initiatives to allow lawyers to work on a part-time basis.
Congratulations on your appointment as President of the Law Society. What do you personally hope to achieve during the term of your presidency?

My term as President is a challenging one as both the nation and the legal profession grapple with the current economic downturn. In the February issue of the Singapore Law Gazette (the Law Society's monthly magazine), I touched on meeting the challenge of change, of the need for continuing legal education both in substantive law and in the techniques for management of law practices and enhancing our support services. These are the immediate issues that I hope to overcome.

In the longer term, I hope to put in place better corporate governance structures, to promote greater transparency and accountability in the way the Law Society services its members and the public.

How has the role of the Law Society evolved over the years?

The Law Society's role has evolved from its early days as a regulator of the profession to an innovator and communicator on behalf of the profession.

The Society takes the lead to impart to the profession new changes not only to the law but also in the related fields of IT, practice management, client care and general practice. It played an important role, for instance in assisting members to accept and use the Electronic Filing System introduced by the courts. It also acts as a focal point for members to channel their concerns to the authorities.

With the public, we have in the last 10 years established a role as educator; we assist the public to be aware of issues relating to the law.

What is the level of pro-bono work among Singapore lawyers?

The level of commitment from the profession to doing pro-bono work is high.

The Legal Census results showed Singapore lawyers indeed want to do more pro-bono work. The Society’s own experience with its law awareness initiatives is that there is always a ready pool of lawyers willing to give of their time. Similarly with our initiative under our Criminal Legal Aid Scheme, there is a large pool of criminal lawyers giving of their time to defend an impecunious accused person charged with a crime.

What are the most pertinent challenges which the Law Society has identified as facing Singapore lawyers, and how can these challenges be met?

The Society sees the following 3 challenges:

1. The profession having to adapt to changes of a structural nature – the globalisation of legal services and the demands by clients to deliver legal services in an efficient and cost effective manner.

2. The profession having to adapt to a new market place – more competition, a new type of consumer who demands quick and quality legal service, higher costs of running a practice that requires a lawyer to be a good business professional as well as a lawyer, and changes in areas of demand of legal services that now requires lawyers to be able to multi-task various areas of practice and be prepared to learn new areas of practice and skills.

3. The information technology age and its deep impact on the mode and manner in which law practices deliver their legal services.
What are the specific issues facing women in legal practice?

Slightly more women than men within the age groups of 26 to 40 leave practice. It could be the heavy demands of a career at law that leaves them little time for family and work. The burdens of the home still largely rest on women and if they do not have support, they have to make a choice. Thus, the Law Society’s initiatives to allow lawyers to work on a part-time basis. My Opening of Legal Year 2003 speech on the de-linked PC has been reproduced in the January issue of the Singapore Law Gazette:

“Many good lawyers have left the profession. Some have found well-paying jobs as in-house counsel. Others have moved into completely different businesses altogether. But there are quite a number who have ceased practice because of family or other obligations, but who would happily lend their expertise to firms for particular transactions or for short periods of time if they are allowed to do so. It is a waste of legal skills for them to go unused, and lack of use leads to atrophy. After a few years it becomes impossible to re-enter the profession — and this is a loss to our nation.

The Law Society is proposing the introduction of a scheme that would allow lawyers to hold practising certificates without the need to be attached to any particular law practice. Lawyers holding such practising certificates will not be able to directly offer their services to clients, but they can be engaged by law firms or law corporations to do so. During such time they will act as members of their employer firm. We believe that this scheme has many benefits … There is a large pool of qualified lawyers who do not practise because they cannot go into full-time work (such as mothers with young children) or because they wish to have a less stressful lifestyle (such as senior experienced practitioners). These two groups of lawyers are among the many who may be encouraged to return to practice because the scheme would allow them flexibility to adjust their time according to their needs.”
The Law Faculty’s expanding Maritime Law programme received a boost from the Maritime and Port Authority of Singapore (MPA), when on 5 June 2003 its Director-General Chen Tze Penn presented NUS President Prof Shih Choon Fong with a cheque for $8m, of which $4m was earmarked for the Faculty of Law to establish an MPA Professorship in Maritime Law.

Dean Tan Cheng Han ’87 says, “The Faculty of Law is extremely grateful to MPA for its strong and generous support. We plan to use the funds to bring MPA Visiting Professors and Distinguished Visitors to NUS to conduct courses in maritime law for the undergraduate and postgraduate law programmes of the Faculty, as well as seminars and intensive courses in maritime law for the maritime community and practising lawyers in Singapore.”

At present, the Faculty offers five subjects in the maritime field: Carriage of Goods by Sea, Admiralty Law & Practice, International Maritime Law, The Law of Marine Insurance, and Ocean Law & Policy. In addition, the Faculty offers a course in International Commercial Arbitration, which is crucial to Singapore’s goal of becoming a leading maritime arbitration centre. The programmes are currently taught by 3 full-time lecturers: Professors Robert Beckman, Stephen Girvin and Alan Tan ’93, as well as 3 adjunct lecturers: Lee Kiat Seng ’89 of M/s Wee Swee Teow & Co., Winston Kwek ’90 of M/s Rajah & Tann and Neale Gregson of M/s Watson, Farley & Williams.

The MPA Professorship will enable the Faculty to offer additional advanced subjects as well as an intensive two-to three-week course in Maritime Law during the University holidays for members of the maritime legal community in Singapore. Vice-Dean Robert Beckman elaborates: “Funds from the MPA grant will enable the Faculty to bring out several MPA Distinguished Visitors in Maritime Law to teach in the first Intensive Course in Maritime Law, which the Faculty plans to offer in June/July 2004.”

Our first MPA Distinguished Visiting Professor will be Prof Robert Force, Director of the Maritime Law Center at Tulane Law School, the leading maritime law center in the United States. Prof Force arrives in December 2003, and will be advising the Faculty on the feasibility of offering a specialised LL.M. degree in Maritime Law. He will also be assisting the Faculty in planning the Intensive Course in Maritime Law.
women at the top
It's been two years since the 2001 General Election. What have your experiences been like as Members of Parliament?

IR: It's been a whole new experience for me, and yes, I am enjoying it. Prior to becoming an MP, my focus was on legal work. Becoming an MP opened up new vistas for me: grassroots work, parliamentary work, community work etc. It has allowed me to meet many new people from so many different walks of life. This has been an education in itself.

More importantly, though, as an MP, I am given the opportunity to help residents through the Meet-the-People sessions. This is when residents come to see me with their problems or difficulties, and I make appeals or representations to the appropriate persons on their behalf. Obviously not every appeal will succeed, but as and when they do, it is a wonderful feeling to know that I have been able to make a difference in a positive way.

HY: The experience has been very enriching and at times, humbling. I came across a broad spectrum of situations, which requires knowledge, different sets of skills and a lot of persuasion. Work down the ground is not just intellectual stuff, or organising and planning. It requires a lot of face time and leg work. It is not possible to please everyone but so long as you are honest and sincere, people generally understand even if you have to turn down their requests or if their appeals are unsuccessful.

IR: There have also been lighter moments. I was at the market near my home one Sunday, doing the weekly marketing with my mum when this guy (whom I had never met before) came up to me and said that I looked very familiar. He spent some moments pondering where he had seen me before and then exclaimed: "I know! You were on the TV show: How To Become A Millionaire!" My mum was vastly amused.

Halimah, during the last General Election, you said that there was a need for better recognition of women's contributions as homemakers, and that their contribution to the economy was completely ignored as work at home was not recognised as productive economic work. Do you see any changes in attitude in this respect?

HY: I don’t think that there has been much progress in terms of how society perceives the contributions of homemakers. The problem lies with the way we define work and contributions to the economy. Domestic work is not considered as adding value to the economy and therefore not captured in the economic data. Automatically, women who are homemakers are not recognised and they are relegated to a lower position. This is unfortunate, because if every woman works outside the home, we have to consider: what is the cost of engaging someone else to perform all the domestic chores? If we do this, then the amount that we have to pay for others to do the domestic chores will be considered as a value add to the economy. If you look at it from this perspective, then you will realise that it is not fair to the women not to accord any value to their work.

Actually for many years, before the onset of industrialisation, both men and women worked at home, whether on the farms or in the home workshops producing things. The segregation and compartmentalisation of men’s and women’s work only took place with the establishment of factories and with the onset of manufacturing.
Indranee, how far do you think Singapore has come in addressing the challenges facing women in our society?

IR: Education and financial independence for women are issues close to my heart. In the course of my Meet-The-People sessions I have occasion to meet women who don’t speak English and have not progressed beyond primary school education. They are, or were, dependent on their spouses or someone else to provide for them but for one reason or another that support has been removed either because the spouse has died, or is in jail, or left them and they don’t know how to cope, especially when they have young children. They are a very vulnerable group. Their vulnerability arises from lack of education which in turn affects their ability to earn and provide for themselves. It’s nice if someone else can provide for you, but a woman should always be in a position to fend for herself when necessary. Education is the key.

Singapore has come a long way in addressing the challenges faced by women in our society. To see this you have to look back 40-50 years. We’ve done away with polygamy, introduced the Women’s Charter, have a meritocratic policy. More women work today than 40-50 years ago and the wage gap is closing. Women are increasingly holding higher positions in both the civil service and the private sector. Recently the quota on women medical students was abolished. We still have challenges, though. One of these is the perception that it is the woman who is primarily responsible for looking after home and family. Working women face a lot of challenges. It’s tough to be able to hold down a job and at the same time have a family. Sometimes a woman is forced to choose between her career and family. Ideally she shouldn’t have to choose. Like a man, she ought to be able to have both. To achieve that, however, there must be shared responsibility.

Both of you come from modest backgrounds. If adversity builds character, how do you think the younger generation will fare given Singapore’s current level of affluence?

IR: Affluence doesn’t mean absence of adversity. For example, you could come from a well-so-do family but suffer adversity if someone in the immediate family dies. The younger generation will fare according to the challenges that they encounter and the challenges they are encountering plenty. Our young people are going to have to figure out how to compete in an increasingly globalised world; how to find jobs in the current economic climate; how to cope with the stresses and strains of a society that is getting faster and faster in pace. I have faith in our young Singaporeans though. I think that when the time of testing comes, they will pass the test.

HY: I don’t think that we should underestimate the capacity of our young to face the challenges. We have read about graduates who have taken up jobs as waiters whilst waiting for better things to come along and they are not ashamed of it. I am proud of them for their sense of realism and independence. It’s better than having to depend on their parents. We hear horror stories about how some NS boys don’t even know how to make their own drinks or how to sweep the floor. But after two and half years, they have adapted and changed. Likewise, many of our young study overseas and although they may have maids to do everything for them here, once they are there they learn very quickly to do everything for themselves. I believe that each generation of Singaporeans has the capacity to define their own path and find their own bearings. The real challenge for Singapore in dealing with the young is how to make them feel that they have a stake here, ensure them that their voice matters and that they can contribute meaningfully in shaping Singapore’s future. Whilst we continue to attract foreign talent, we must not overlook our own homegrown talent among the young.
Halimah, you have spent almost your entire working life in the labour movement. With the current downturn in the economy, what do you think are the most important challenges facing the workforce?

HY: The most important challenges facing the labour movement today are firstly, how to ensure that enough jobs are created and secondly, how to help those who are unemployed to secure jobs. We have seen wage cuts and a spate of retrenchments. These have created great anxieties and insecurity in the workforce. People live with the constant fear that they will be next on the list. When retrenchments occur, the work of those retrenched are redistributed to the remaining staff and this causes the workload and work stress to increase. We have to ensure that people do not lose hope. We have to give them the confidence that at the end of the day, if they are prepared to accept tough measures and tighten their belts, there will still be jobs, future wage growth and good prospects for them and their families. It is particularly hard for women. The workplace has become tougher for them but they continue to shoulder the same load at home.

I am also concerned about the older workers. They are the ones who are most affected by the current economic downturn and company restructurings. The problem is not caused just by the seniority-based wage system but also because of the mismatch of skills and the perceived lack of adaptability on the part of older workers. However, workers are not wholly to be blamed. Poor planning on the part of some employers have also left workers ill-prepared for change. Also, with new technology such as Information and Communication Technologies, workers are expected to work faster and faster. Older workers obviously find it much harder to run as fast as the younger ones. Our challenge is how to ensure that all workers, and in particular the older ones, remain employable and can continue to secure meaningful and productive work.

Do you see yourselves as role models for young Indian and Malay/Muslim women?

IR: I think "role model" would be putting it rather too high. It is probably fair to say that the fact that I am an MP who happens to be female, relatively young (emphasis on "relatively"!), an Indian and a lawyer is a source of encouragement to many young women, whatever their race. For Indian women there is a special bond, but I think other young women also identify with some of the things I say and do. If I am a positive influence in any way, then I am glad.

HY: The Malay/Muslim community really needs role models in all the fields and vocations, and particularly for women and the young. Role models can help to project a powerful message - that everyone can reach the same level if they have the knowledge, skills and determination to do so. It has an important multiplier effect. In other words, it is not just a question of hopes, aspirations and wishes but goals set are achievable. This helps to develop self-esteem, confidence and will enhance the well-being of our community. If, by being the second Malay/Muslim woman to have entered Parliament, I have contributed to this process, I am indeed grateful for the opportunity.

Tell us about your recreational pursuits.

HY: Most of my time is spent reading. I regularly buy books but never get a chance to read them!

IR: I do salsa and merengue, which is great fun. Good way to burn up the calories too. I jog at the beach fairly regularly. I read whenever I have the time. Crime novels are a favourite. I cook when I get a chance. Pounding spices is very therapeutic! At a recent talk with young lawyers they took a straw poll on which new activity I should take up next. The choice was between pilates and kickboxing. They voted for kickboxing. I’m still mulling this over...

There are no less than 10 Members of Parliament who are alumni of our law school. Sylvia Lim '88, Chairman of the Workers Party, is also our alumna. Do you think there is something about lawyers which make good politicians?

IR: Well, there are plenty of lawyers who aren’t politicians so one can’t really generalise. However, it would be fair to say that legal training is helpful for those intending to go into politics; it helps in analysing issues and in developing arguments for or against something. Advocacy is about persuasion. So, in many cases, is politics. Same art. Different audience. We shouldn’t think we have a monopoly on politics though. The other professions also do very well. We have plenty of doctors, economists, lecturers and business people in Parliament too.

Halimah, you have not one, but two degrees from our Law School. What prompted you to return for a Masters degree in 1999?

HY: Getting a Masters degree was a personal challenge for me. I am constantly telling workers to upgrade their skills, so I must at least set a good example myself. So now if a worker tells me that he/she has no time to go for upgrading courses because he/she is a mature worker and has work and family commitments to fulfill, I would cite my own example to spur him or her on. Most of the time they would say, "Ya lah, true. If you can do it, so can we. No more excuses to give lah!"

What are your fondest memories of Law School?

HY: I really liked the Bukit Timah campus. Some of the guys who hung out (and even slept) in the students’ lounge actually added to the flavour of the place. I remember this guy who was doing Law and who never changed his T-shirt for days! Of course the ghost stories also added to the character of the place. There was something rustic about the place and there was a certain familiarity and cosiness about it which you don’t find in Kent Ridge.
Sylvia Lim ’88 has been in the limelight lately, having been elected Chairman of the Workers’ Party in June 2003 – the first woman to hold the position in the Party’s history. She speaks to LawLink about her journey along the road less taken.

Do you think lawyers make good politicians? Why do so many of us seem to go into politics?

It’s quite natural for lawyers to have an interest in politics. In Law School, the topics that we come into contact with, like Constitutional Law, generate interest in issues like the role of Government, checks and balances, the separation of powers. That will naturally make you very interested in what the Government does, how state organs function – whether the Legislature performs its role, to ask the Executive for scrutiny; what is the Judiciary doing, do they strike down Government decisions when it is ultra vires, that sort of thing.

When it comes to being MPs, lawyers have a natural advantage in scrutinizing legislation because you know statutory interpretation, the effect of amendments – it’s within our area of expertise. And of course, one thing lawyers can do quite naturally is argue – using evidence, logic and persuasion, which I think is a good way for a politician to go. If you look at the history of the Workers’ Party, David Marshall started the party in 1957 and then was elected Chief Minister of Singapore. And then of course we had JB Jeyaretnam, also a lawyer.

But having said that, you know that legal knowledge alone is not enough. For myself, right now I am taking classes in economics. That is something that no politician can run away from – how you run your country, use your resources, economics affects everything.
What are the issues which are close to your heart? With you as Chairman, what will the focus of the Workers’ Party be?

We want to move even more towards team leadership. You can’t have a one-man show. With the new team in place, they are good people, we can move towards a collective leadership.

In the face of the current economic downturn, we will continue to focus on issues like the cost of living, health care, public services. The Workers’ Party’s focus has always been on the concerns of the working class and that of course is something I’m interested in as well. That will continue. But now, because of Singapore’s economic evolution, we have the ‘new poor’. Traditionally you don’t associate these people with being poor. But you see jobless graduates; people who are paying back loans on assets which have depreciated ... These people are also within our umbrella now.

Based on my own experience, personally I will be concentrating on issues concerning the legal system, criminal justice and education, areas where I have some knowledge. As far as legal issues are concerned, I want to deal with things like the way the Court deals with cases – their priorities. There is a very high premium placed on being efficient, but is there a tradeoff when you are too efficient? I am also concerned with Criminal Law – things like the way we pass deterrent sentences, the basis for doing so; and in terms of criminal procedure, how far the accused is protected. The Legal Aid Bureau provides legal aid for civil cases, subject to a Means Test – which is logical. But for criminal cases, legal aid is provided only for capital cases.

Right now, what impoverished accused persons are surviving on is the Law Society’s Criminal Legal Aid Scheme, which is run on a voluntary basis by lawyers who donate their time and resources to do the cases pro-bono. You have to ask: is that correct? What if the volunteer lawyers one day decide they don’t have any more resources and nobody comes forward?

Why did you go into Law?

By default! I applied for Medical School first, but they rejected me. Law was my second choice. I was interviewed by Professors Tan Sook Yee and Andrew Hicks – when I went in for the interview, Professor Tan looked at my form and said “So, you’re another failed doctor.”!

So you wanted to be a doctor?

For me, it was a matter of wanting to do something which is a public service. That fit in quite nicely. At that point I didn’t really have a very clear idea of what I wanted to do for the rest of my life. I spent a lot of time in Law School trying to figure out: how does Law benefit society? People around me were talking about making money, doing corporate law; I was not interested in that.

Why do you think so many people go into Law and then leave?

I practised for about 4 years; I did litigation work from 1994-98. The practice of law is quite different from the knowledge of law and the study of law. I would recommend law studies to people because in anything that you do in life, it’s important to know your rights, what it means when you sign agreements, to know your remedies. It’s something that every citizen should know. Now it may not be so easy to practice Law. There is less litigation work now, since there are alternative dispute resolution mechanisms. Even with those cases that go to court, there is pressure to settle. The pie is getting smaller. Conveyancing is down – there is less volume, transactions are of lower value, and now you don’t have scale fees anymore. Solicitors’ work depends on how buoyant the economy is. It’s quite difficult.

Apart from that, legal practice is always glamourised in shows. But we know that the reality is that it’s pretty mundane and the liabilities can be very high. Some people feel that it’s detrimental to the quality of their lives. You find people prepared to give up the money to go into other things, or go in-house where the liability is not so high.

What are some of your memories of Law School?

My best memory would be this: Around 1986-87, when I was in Year 3, the Law Society was commenting a lot on legislation, like the Newspaper and Printing Presses amendments. The government felt that much more stringent criteria should be placed on who should be elected to the Council of the Law Society. Many members of Council were grilled before the Select Committee, and the hearings were shown on TV. The government was mooting amendments to the Legal Profession Act, to change the procedure and criteria for election to Council, things like that.

We in Law School felt that, as future lawyers, we should say something about these amendments. We formed a working committee to prepare a report for submission to Parliament, and we did that. It was a chance for us to use our legal training to contribute to society. I found that very exciting. We called a Law Club Extraordinary General Meeting, all the Law students were there, and we explained what we were going to put in our report. I felt it was extremely meaningful.

On a lighter note, we had a lecturer named Michael Rutter, who was always experimenting with these methods to make us learn better. He would do very unconventional things like getting somebody to play ping pong with him in the front of the Lecture Hall, to show the shifting of the burden of proof. One day he used yellow lighting and played baroque music, because he had heard that students are able to retain things better if they learn in that environment. So the lights were all low and there was baroque music in the background, and he started to lecture. After a while I looked around and saw that some people were sleeping! But it’s good that lecturers are interested to improve methods of learning. Although I must admit that now I can’t remember what that lecture was about!

How would you define success? What would it take for you to say, “I am satisfied, my job is done.”?

I have to live with a clear conscience. And to have done my best in the things that I have chosen to do. I need not be rich or known as the best in my field. For example, with my choice to join the Workers’ Party, I would be satisfied if as Chairman I had managed to work with the Party to bring it to a greater level of public acceptance and legitimacy; and to have advanced further in protecting the peoples’ interest. It is not that easy to do in our current climate, especially since we have limited resources; but if we are able to make some improvements in that area I think I will be very satisfied.
asli
creating an indigenous asian law institute
The NUS Faculty of Law, together with a group of leading Asian law schools, established the Asian Law Institute (ASLI) in March 2003. ASLI’s Director and Deputy Director, Associate Professors Gary F. Bell and Alan Tan ’93, discuss ASLI’s objectives and its upcoming programmes:

The Asian Law Institute’s goal is to facilitate academic exchanges as well as research and teaching collaboration among academics from the Asian region. The establishment of ASLI stems from the recognition that the diversity of legal traditions in Asia creates an imperative for Asian legal scholars to foster greater engagement with one another through collaborative research and teaching. The acronym “ASLI”, which means “indigenous” in the Malay and Indonesian languages, is all the more appropriate as it represents the commitment of the founding institutions to establish a truly home-grown law institute in Asia.

ASLI groups together the following nine institutions from across the Asian region:

• Faculty of Law, Chulalongkorn University, Bangkok, Thailand
• East China University of Politics and Law, Shanghai, People’s Republic of China
• Faculty of Law, University of Indonesia, Jakarta, Indonesia
• Ahmad Ibrahim Kulliyyah of Laws (AIKOL), International Islamic University of Malaysia, Kuala Lumpur, Malaysia
• Faculty of Law, Kyushu University, Fukuoka, Japan
• Faculty of Law, National University of Singapore, Singapore
• College of Law, National Taiwan University, Taipei, Taiwan
• Peking University Law School, Beijing, People’s Republic of China
• College of Law, University of the Philippines, Manila, The Philippines

As envisaged by its founding institutions, ASLI will become a meeting place in Asia not only for the legal scholars of Asia, but anyone in the world with an interest in Asia. The goal of ASLI is to facilitate collaboration in teaching and research among the law professors of the founding universities. It is envisaged that every year, between late August and early November, each member institution will send one faculty member to ASLI as a Visiting Fellow for two to three months. The first group of ASLI Fellows will meet in Singapore in August 2003. While at NUS, the ASLI Fellows will conduct collaborative research on legal issues of interest to their respective countries and to Asia in general. In addition, they will also help with the teaching of some comparative law aspects of courses offered at the NUS Faculty of Law. The NUS will provide a stipend for the Visiting Fellows to defray the cost of living in Singapore.

Together, the ASLI Fellows will prepare papers for presentation at the annual ASLI conference to be hosted by member institutions on a rotating basis in April or May the following calendar year.

A suitable theme of relevance to Asia will be decided for each annual conference by ASLI’s Board of Governors. For the inaugural conference in Singapore in mid-2004, the Board has agreed on the theme “The Role of Law in a Developing Asia”. Members of ASLI will also do their best to facilitate student as well as faculty exchanges among themselves.

ASLI is physically situated at the NUS Faculty of Law, which provides administrative and financial support for its activities. The Board of Governors which maps out ASLI’s goals and activities is chaired by Prof Tithiphan Chuerboonchai, Dean of the Faculty of Law, Chulalongkorn University, with Prof He Qinhua, President of the East China University of Politics and Law and Assoc Prof Tan Cheng Han ’87 of the National University of Singapore serving as Deputy Chairpersons.

In his inaugural address at the launch of ASLI on 21st March 2003, Dean Tan Cheng Han ’87 emphasised that law schools around the world now face two major challenges – the first being that with increased globalization, law schools can no longer afford to take a narrow jurisdictional approach to research and teaching. Secondly, increasing demands are being placed on law schools as a result of rapid changes taking place around the world, without an increase in the resources available to such law schools. The establishment of ASLI thus represented a bold vision by its founder members to meet these twin challenges. By drawing together some of the leading law schools in Asia to facilitate research and teaching that transcend single jurisdictions, ASLI will provide a framework within which there can be pooling of resources to the mutual benefit of all the law schools involved. ASLI’s establishment is also consistent with the recommendations of the Working Group on the Legal Services Sector of the Economic Review Committee.

The launch of ASLI was attended by representatives from seven of the nine founding institutions. Guests at the launch included The Honourable the Chief Justice Yong Pung How LL.D ’01, The Honourable Attorney-General Chan Sek Keong ’61, 1st Solicitor-General Chan Seng Onn ’86, Ambassador-at-Large and Chairman of the NUS Law Faculty’s Steering Committee Professor Tommy Koh ’61, NUS President Shih Choon Fong, NUS Provost Chong Chi Tat and representatives from the Embassies and High Commissions of the countries represented in ASLI as well as members of Singapore’s legal fraternity.

Justice Tan Lee Meng ’72, Justice M F H Rubin ’66, Justice Lai Kow Chai ’66, Ambassador Tommy Koh ’81, Justice Kan Ting Chiu ’70 and 1st Solicitor-General Chan Seng Onn ’86 at the launch
Appointments and Movements

In June 2003, Assoc Prof Dora Neo relinquished her duties as Vice-Dean, Graduate Division. The Faculty records its appreciation to Dora, who is succeeded by Assoc Prof Teo Keang Sood, formerly Deputy-Director of the Graduate Division, while Asst Prof Victor Ramraj assumes Keang Sood’s role as Deputy-Director. Meanwhile, Asst Prof A. Kumaralingam, back from his stint at the Asia Research Institute, has been appointed Director of International Programmes. Kumar takes over from Assoc Prof Joel Lee, who is on overseas leave. As for new appointments, the Faculty welcomes Maisie Ooi and Wang Jiangyu. Maisie is a graduate of the Universities of Malaya and Oxford, and specialises in corporate law. Jiangyu is a graduate of Peking University and the University of Pennsylvania, and joins us as a Chinese and world trade law specialist.

The Faculty bids farewell to Marcia Glickman, Deputy Director of the Legal Writing Programme. Marsha has returned to the U.S. with her family, and taking over her role are Helena Whalen-Bridge LLM ’01 and Lim Lei Theng ’92. The Faculty also welcomes back Visiting Professors Adrian Briggs and Geoffrey Morse from St Edmund Hall, Oxford and Nottingham respectively. Adrian will teach International Commercial Litigation and Principles of Conflict of Laws while Geoffrey will teach Company Law and an intensive course in Comparative Takeover Regulation. Also joining us for the semester is Visiting Assoc Prof Richard Nolan from St John’s College, Cambridge. Richard will teach Company Law and an intensive course in Comparative Corporate Governance.

We also welcome the following adjunct colleagues (with their course specialities in brackets): Lawrence Boo ’80, Chartered Arbitrator (International Commercial Arbitration); Neale Gregson, Partner, Watson, Farley & Williams (Carriage of Goods by Sea and Admiralty Law & Practice), Lee Kiat Seng ’89, Partner, Wee Swee Teow & Co (Law of Marine Insurance); Mohan R Pillay ’85, Partner, Wong Partnership (Construction Law); WJM Ricquier, Partner, Tan, Rajah & Cheah (Law of Property I); Kevin Tan ’86, Director, Equilibrium Consulting (Singapore Legal History); Stanley Lai, Partner, Allen & Gledhill (Principles of IP Law), Shamini Mahadevan Flint (Company Law); Tey Tsun Hang, State Counsel, Attorney-General’s Chambers (Evidence & Procedure); and part-timers Jason Chan ’02 (International Legal Process); Davinia Filza Abdul Aziz ’02 (Public Law), Christopher De Souza (Evidence & Procedure) and David Lee ’02 (Evidence & Procedure).
External Appointments, Fellowships and Prizes

Dean Tan Cheng Han ’87 has been appointed to the following positions: Governor, Singapore Intellectual Property Academy (January 2003); Member, Legal Services Inter-Agency Committee established by the Minister for Law (April 2003); Member, Appeal Advisory Panel to the Minister for Finance constituted under the Securities and Futures Act, the Financial Advisers Act, and the Insurance Act (June 2003). Congratulations to Assoc Prof Simon Tay ’86, who has been appointed Visiting Associate Professor at Harvard Law School - the first Singaporean to achieve this honour. He will be teaching International Environmental Law. Simon has also been appointed to the International Advisory Board of the New York University Centre for International Cooperation. On 1 February 2003, Vice-Dean Robert Beckman was appointed to a 2-year term as Advisor to the Maritime and Port Authority of Singapore (MPA) on Maritime Law. Arising out of his fellowship with the Association of Pacific Rim Universities (APRU) in 2002, Assoc Prof Alan Tan ’93 is involved in a major collaboration with 5 other APRU Fellows to study the problem of air pollution in Pacific Rim megacities. Alan’s doctoral thesis on the regulation of shipping has also been awarded the Yale Law School Ambrose Gherini prize for best paper in International Law.

Student Exchange Agreement with Fudan University Law School, Shanghai

On 27 February 2003, the NUS Faculty of Law and Fudan University Law School entered into a student exchange agreement. Under its terms, each law school may send one student on exchange for a year, or two students for a semester each. The agreement was signed in Shanghai by Dean Tan Cheng Han ’87 and Professor Li Chang Diao, Dean of the Fudan University Law School. Also present at the signing ceremony were Assoc Prof Li Mei Qin from the NUS Faculty of Law, Assoc Prof Lu Zhi-an, Deputy Director of the Foreign Affairs Office of Fudan University, Associate Research Fellow Sun Rui, the Party Secretary General and Vice-Dean Professor Dong Mao Yun. This is the third student exchange agreement entered into by the Faculty with a top Chinese university. The previous two agreements were entered into in 2002 with the East China University of Politics and Law in Shanghai and Peking University in Beijing. During their visit to Shanghai, Cheng Han and Mei Qin also visited the East China University of Politics and Law and the Shanghai Institute of Foreign Trade to discuss future collaboration. Interviews were also conducted for Chinese nationals from Shanghai and its surrounding areas who have applied for admission to the NUS Faculty of Law’s graduate programmes.

Collaboration with Columbia and Stanford in Vietnam Fulbright Legal Education Programme

In January 2003, Dean Tan Cheng Han ’87 and Assoc Prof Gary Bell joined Professors Lance Liebman from Columbia Law School and Thomas Heller from Stanford Law School in presenting seminars on Legal Institutions for Economic Development in Vietnam. The delegation’s visits to Hanoi and Ho Chi Minh City were hosted by the Vietnamese Ministry and Justice and organised by the Fulbright School. It represented a landmark collaboration among NUS, Columbia and Stanford, with Dean Tan Cheng Han presenting seminars on “Corporate Governance after Enron” and Gary Bell presenting on “The Law of Contracts in the Common Law and the Civil Law System”. Among the institutions which the delegation visited were the Hanoi Law University, the Institute of State and Law, the Central Institute for Economic Management, the Ministry of Justice and the Ho Chi Minh City College of Law.

Student Exchange Agreement

The French leg of the trip was done as part of a team organized by the NUS International Relations Office, and five law schools were on the itinerary: Université Paris 2 – Panthéon Assas; Université Jean-Moulin, Lyon 3; Université de Poitiers; Université Pierre Mendès France – Grenoble 2; and Université Paris 1 – Panthéon Sorbonne. A student exchange agreement is currently being negotiated with Université de Poitiers, whose Professor Françoise Thibaut visited the NUS Law Faculty both before and after Dora’s visit to France.

Journals, Publications and Citations


The Alumni Seminar Series

The Alumni Seminar Series continued its objective of bringing illustrious alumni back to campus to speak to students on their work and interests. In January 2003, Alexander Ee ’93, who is with the Boston Consulting Group, spoke on “The Competitive Advantage of Cities” and drew comparisons between Singapore and other leading cities of the world. In February, International Partner at Baker & McKenzie Hong Kong & China, Tan Loke Khoon ’87, spoke on “Intellectual Property Law and Practice in China” and detailed the challenges of IPR enforcement in the Middle Kingdom.

Closer Links with Law Schools in France and Belgium

In December 2002, Vice-Dean Dora Neo visited several law schools in Belgium and France to promote the Faculty’s graduate programmes as well as to explore possibilities for student exchange and other collaborations. In Belgium, she visited the Katholieke Universiteit Leuven in the city of Leuven, with which the Faculty is negotiating a student exchange agreement, and also the Université Catholique de Louvain in Louvain-la-Neuve.
benjamin ang ’93 shares
10 suggestions to make
your class reunion a success,
from the experiences of the
class of 1993

10. Get the Dean to sponsor dinner. Free food, who can say no?

09. Start a mailing list - like Yahoo Groups (http://groups.yahoo.com) - so you can get in touch with everyone. Unless you were planning to call them.

08. Allow your classmates to bring their kids along - it can be fascinating how totally helpless they are (your classmates, I mean). Face the facts, if they have kids, they *will* be talking about them, so you might as well *see* the kids.

07. Appoint an Arbitrator if the class can’t agree on number 8.

06. Prepare to take a tour of the museums and the new C J Koh Law Library, even though you can’t imagine spending any more time in a Law Library. Unless you’re one of the few surviving Litigators. Because there is a purpose behind taking alumni (that’s you and me) on tours like this.

05. Bring your cheque book, in case you’re inspired, after your tour of the C J Koh Law Library, to donate a few million and get a building or room named after you. Maybe the Faculty should have a special rate for sponsoring benches (at the Law foyer, not the judiciary).

04. Bring along photos (in PowerPoint form) or better still, video (I recommend Muvee (http://www.muvee.com) to quickly and painlessly compile cool-looking montages) so that everyone can cringe at what they used to look like. Law IV concert is a good source of horrifying memories. The clothes. The slim physiques. The hair - both in terms of style and quantity. If your class graduated before Law IV concerts became a tradition, or maybe even before video was invented, then bring slides. Or hand drawings on papyrus.

03. Practice meeting old classmates whose name you can’t remember, and how to get around that embarrassing fact while fishing for the crucial bit of information.

02. Stuff your face silly and catch up with as much gossip as possible.

01. And not forgetting, the best way to ensure attendance, let’s say it again: Get the Dean to sponsor dinner
class of 1993

10th year reunion
8 February 2003
the faculty hosted a “call to the bar” party on 7 June 2003, for the newly-called lawyers from the class of 2002. If you weren’t there, you missed out on a great time...
Indian LLM alumnus Siddharth Shinde ’03 recounts his memories of his year spent at NUS

My romance with Singapore started when I was a fifth year law school undergrad finding myself flipping through “The Singapore Story (Memoirs of Lee Kuan Yew)”. The lasting impression the book made me want to learn more about the island country. What better way to understand a place than to live there as a student? I got that chance when I joined the LLM course at the Faculty of Law.

The LLM course can well be described as my window to the world! My time at NUS has been one of the most memorable of my life. The world class facilities available at NUS further allow for the overall development of its students. I was exposed to new ideas and had thought-provoking discussions with my teachers and peers. I interacted with people from parts of the world that I had previously known nothing about; and cemented some long-lasting relationships.

I arrived in Singapore in July 2002, and in September 2002 I was elected President of the Graduate Students’ Society (GSS) of NUS. The GSS represents the postgraduate community of the University, and gave me the opportunity to interact with fellow students from other faculties. I also had the honour of being part of the “Remaking NUS” task force, which was set up to gauge the views of the stakeholders of the University, on to how to forge a new organizational culture in NUS – advancing knowledge and fostering innovation. I represented the student community along with Goh Seng Wee; President of the NUS Students’ Union (NUSSU).

Singapore is the ideal place to see how diverse cultures can coexist in harmony. I was surprised to see the large number of Singaporeans of Indian origin! Another aspect that never fails to amaze me about Singapore is the sheer efficiency of the country; coming from a country that celebrates its ability to work in chaos, it is a most pleasurable experience to not have to think of a second or third way of going about things!

I belong to a politically-oriented family in India. My grandfather, the late Mr. A. P. Shinde, was the Agricultural Minister of India for fifteen years, during which India finally achieved self sufficiency in food grain production through the Green Revolution. I aspire to be a future policy-maker and leader of India, following in the footsteps of my distinguished grandfather. The LLM degree I have received from the Faculty of Law has empowered me to serve my country in my chosen endeavour, in an even greater capacity.

My year at NUS has not just left me with loads of fond memories but has made Singapore a second home to me. It has also taught me a lot about the novel ways in which this country works. If my dream comes true and I find myself a policy maker for my country, I hope to implement in India some of what I have learnt here. Here’s to dreams and many more experiences...
Twenty-five years ago, I spoke at the wedding of my buddy Pala, as his best man, when he tied the knot with Saro. It was then a joyous occasion.

Today, I stand before all of you to speak about my buddy who gave us a shock in the early hours of 24th June 2003 by leaving us so suddenly.

To spell out his achievements would take a whole day but I wish to highlight some of his achievements.

In the legal profession, he achieved the greatest height when he was appointed Senior Counsel in 2000. He was the only specialised criminal lawyer who was appointed Senior Counsel. All of us here who knew Pala, know of his passion for the law. He fought for the underdog and put his heart and soul into every case he handled, whether it was for fees or ex-gratis.

For the Law Society of Singapore, Pala championed the cause of the purchase of the Society’s premises. He then led the Law Society as its President for 3 years and, with his passion for anything he undertook, he led it to greater heights. He was a workaholic who worked every night and every weekend and according to Saro, he only came back early when there was a Man-U soccer game on TV. It was common for him to see clients and clients getting calls from him at 10 or 11pm at night. That was his love and passion for the Law.

He had a magnetic personality, which made him attract people from all sectors of society and of all ages towards him. He undertook a great deal of charitable work and never said “no” to anyone who approached him to be involved in any fund raising project. The latest of this was the Class of ’72 graduates from the University of Singapore who held a gala dinner to raise funds for a professorship in the University. He was chairman of the organising committee. And he led the committee very ably and worked tirelessly for nine months.

Those of us who worked with him in the committee could not believe his passion and enthusiasm in getting this project going. Without his leadership, we all agreed, this function would not have taken off the ground.

That is one memory of Pala that all of us will not forget – that is his passion and enthusiasm for any undertaking that he undertook and his work to its successful culmination.

All of us who knew him have lost a friend and a good human being. He has left you with a great deal of memories – live with it as a gift from Pala to all of you.

There is one memory that will remain in my mind: Saro had organised a surprise birthday party dinner for Pala. She had called three couples to the said dinner – my wife and I, John Lee and his wife, and Kunalan and his wife. Pala was totally unaware of this. Saro had also organised the kids to fly down. She had told Pala that she wanted to have dinner with him at Shangri-La Hotel. So all of us were there, waiting for him to turn up.

But as usual, Pala was late. He called Saro on her handphone telling her to forget the dinner and to go home and rustle up some food which he could have. Saro insisted that she was already at Shangri-La and asked him to come down. We asked the children to stay away from view from where we were all seated. When Pala arrived, he saw Saro, myself and the gang and was surprised. But three minutes later, when his children walked in with the birthday cake, he was overwhelmed and could not believe that they had all come down for his 60th birthday. Tears of joy rolled from his eyes and he hugged them. And for the thirty five years that I have known Pala, I have never seen him so emotional and joyous.

The first time I met Pala was in University of Singapore on the first day of orientation in 1968 and we developed a friendship that lasted 35 years. Even though I have known Pala for thirty five years, it seems such a short time and we all needed you around for a longer period.

With that, my friend, we bid you farewell.
In Memoriam
FOR THE longest time, I was plagued by questions so mammoth I was paralysed from the brain down.

Did the lady plaintiff in Carlill v Carbolic Smoke Ball Company – yes, that mother of all contract cases – ever recover from influenza? If she did, what cure did the job, given that flu is still incurable? And just what on earth is a smoke ball? It sounds highly dubious, if not truly mysterious.

Plagued by such enigmas from as far back as 1893, my passage through law school circa the 1990s was a rocky one. By all accounts, I was a mediocre student, given to frequent bouts of indolence and stupidity. I sat in the back of tutorials. I spent lecture time scouring the campus for a parking lot. While my classmates were furiously contracting cancer from overusing the photocopier in the library in their bid to compile every Denning ruling, I was stuck at Carlill v Carbolic Smoke Ball Company.

In short, I was not destined to walk the great halls of law in the later part of my life. But that is another story.

READING cases is like participating in unsatisfactory sex. The story is never complete. Everything almost always ends prematurely. And inane mortals like me are left groping in the dark for some sort of vague conclusion.

Did the unfortunate plaintiffs in that Exchequer tort case Rylands v Fletcher ever get all that water out of their coal mine? I sure hope so. Back in 1865 – this must qualify as the Dark Ages – coal mines were the equivalent of today’s wafer factories. Imagine some inconsiderate neighbour unleashing a flood of ungodly water on to your high-tech, high-value property. While I can well imagine how a wafer plant can deal with unforeseen incidents like busted reservoirs, I cannot, for the life of me, figure out how the plaintiffs got their coal mine dry and working again. Did they use a hand pump? Or was there a chain-gang of sooty miners passing tin cup after tin cup of water all the way from the bottom of the shaft back to the defendants’ damn reservoir? Court reporters offer no clue. Till this day, I remain ill-informed as to the ends of the Smoke Ball and Rylands fiascos.

STORIES have always fascinated me. So do girls wearing tasteful perfume. But then again, that is another story.

The moment someone says: “Once upon a time” or its modern equivalent, I will drop whatever I am doing. I am always all ears for a good yarn. Package any rambling into a three-act structure and I will be thrilled to the marrow.

Act one – the beginning (I woke up and found a naked girl in bed with me). Act two – the plot thickens (her naked boyfriend was there too, hugging my bolster). Act three – the resolution (I woke them up, made them breakfast and sent them off before going back to bed and reclaiming my bolster once again).

Given my fascination with the Aristotelian concept of what makes for good story-telling, you can imagine my disenchantment with the likes of Carlill v Carbolic Smoke Ball Company and Rylands v Fletcher. Eventual court rulings aside, I was also genuinely interested in what happened to the parties after their lawyers were done screaming and billing.

No such luck. Before long, my sense of alienation in law school led me to seek solace in shady activities such as film-making and journalism. I had to have my fix of stories with third acts. Thus begins my long and slippery descent into social parasitism and moral depravity.

LOOKING back, I could have been a lawyer. Heck, I read loads of thick, dusty books and even survived an internship stint under the fabled and much-feared Steven Chong ’82. Fortunately for the legal fraternity in Singapore, I keeled over somewhere along the line and dropped out. The LawLine stopped arriving in my mail. My mother abandoned all hope of me ever earning a five-figure salary.

Many years after that embarrassing law faculty orientation camp, I am still hunting for a third act to this episode in my life. Act one – signed up unwittingly to read law at NUS. Act two – tutors thought I was a hazard to the profession. Act three – dropped out to tell stories on the big screen.

No, too flippant and self-congratulatory. Act three – dropped out and smeared dirt all over the family name.

No, too melodramatic. Act three – slowly and gracefully accepted my fate as a legal has-been.

No, too self-pitying. Act three – happily forgot all about those dodgy law-school days until LawLink demanded an article for its July issue.

Perhaps. At least that much is accurate.

I would love to go on about those girls and their tasteful perfumes, but, like I said, that is another story.
On 19th February 2003 the first-ever Inter-Disciplinary Student-Led Seminar was conducted. Students from the Faculties of Law and Medicine and the Department of Philosophy of the Faculty of Arts and Social Sciences spoke on the medical, philosophical and legal aspects of Human Embryonic Stem Cell Research and Cloning. Clarence Foo '03, Head of the Seminar Organising Committee, shares his views with LawLink.

If I had to pinpoint the moment when I became personally involved in the life sciences, it would be the morning of 16th August 2001. Splashed across the front page of the Straits Times was the news that Singapore was to be a major stem-cell supplier for the global market. ES Cell International, a Singaporean incorporated firm, possessed six out of the 64 cell lines produced from human embryos worldwide. (Only a week earlier, US President George W. Bush had backed down from an earlier stance by allowing limited federal funding for embryonic stem cell research, but only if they had been extracted prior to his decision.) Having believed thus far that the stem cell and cloning debate was solely a matter for the US public, the announcement came as a bit of a shock to me, to put it mildly.

In Singapore, on 8th November 2001, the Bioethics Advisory Committee (BAC) issued a discussion paper outlining its position on human stem cell research and cloning. That paper was circulated to 39 community and religious groups as part of the BAC’s promise to engage in vigorous consultation. On 21st June 2002, the consultation paper was published. Remarkably, most of the views espoused in the discussion paper remained intact. Essentially, the paper accepted the scientific merit of human embryonic stem cell research and approved the practice of therapeutic cloning, while denouncing reproductive cloning and promising the right of conscientious objection, and called for the establishment of institutional safeguards, in particular, a statutory board that would regulate the use of embryonic stem cells.

However, well over a year has passed and a regulatory agency has yet to take shape. But even the existence of a regulatory body or institutional safeguards are small comfort when one considers the stakes. Consider the cautionary tale of the former Director of the National Neuroscience Institute, world-class researcher Simon Shorvon. Dr. Shorvon was accused of changing patients’ drug dosages without their informed consent in order to further his research on epilepsy and Parkinson’s patients. Should a breach of this magnitude occur in the stem cell research context, the consequences would be unthinkable. If a researcher clones an embryo and keeps it beyond the 14-day period, he may be severely punished but what if he plants it in an unsuspecting woman? What if leftover embryos from IVF treatment are obtained for research without consent? What could the remedy possibly be for such breaches?

Quite apart from the problems above, the quest for building a statutory body faces more fundamental obstacles. The agency with the highest profile would have to be the UK’s Human Fertilisation Embryology Authority (HFEA). However, the UK position is not without controversy. First, the UK is one of the few countries in the world to have endorsed therapeutic cloning. Second, their legislative process has permitted the passage of extremely permissive regulations – the provision in the HFEA Act allowing for therapeutic cloning was introduced through the backdoor via regulations. Third, in the UK, over 300,000 to half a million embryos were used for research over a ten-year period, which gives us some idea as to the sheer numbers involved when we talk about ‘spare embryos’. All of which goes to show that developments in the bioethics field are never as smooth as they seem.

Assuming for argument’s sake that there is no clear answer as to when human life begins, it is not immediately clear as to why research must continue; one would have thought that in the absence of consensus, a cautionary approach should be adopted. A survey of the reports in the local press would suggest that the decision to go ahead had already crystallised as early as end-December 2001, long before the conclusion of the consultation process with religious and community groups in June 2002. In a Straits Times article dated 28th December 2001, Prof Lim Pin, the head of the BAC, was quoted as saying “We’ve got to be pragmatic at the end of the day as we’ve got to come to a position where we can move ahead. And move ahead we must, because Singapore is a small country.”

Before pragmatism wins out, and before legislation proposing the establishment of a statutory agency passes through Parliament, I feel that it is important for someone to stick out his head a little and say something different. There is an urgent need for a fuller debate on the subject. Whatever else may be said at other conferences or in Parliament in the months to come, the last word on this subject is far from having been said.
The 16th Singapore Law Review lecture was delivered in February 2003 by Ambassador Kishore Mahbubani, Singapore’s Permanent Representative to the United Nations and High Commissioner to Canada.

Ambassador Mahbubani’s lecture on the UN Security Council could not have been more timely, given the Security Council’s recent intense discussions on terrorism and Iraq. Ambassador Mahbubani spoke mostly off-the-cuff, providing personal observations and anecdotes from his experiences during Singapore’s term as a member of the Security Council. He touched on the need for the Council to reform its procedures and mindsets, emphasizing the great difficulty Singapore and other small countries face in seeking changes in the Council. He also reflected on the enormity of the tasks before the UN, especially with regard to the area of international peace and security. Nevertheless, Ambassador Mahbubani remained optimistic about the continued relevance and importance of the Council in addressing global security issues.

In his introduction of the speaker, Benedict Teo ’04, the Editor of the Singapore Law Review, questioned the value of international law if it were to be solely measured against the barometer of power, and stressed the importance of a principles-based international legal framework. In his address, Ambassador Mahbubani accepted the reality of power-politics in the machinations of the UN, but told the audience how he was comforted by the noble and honest aspirations of the individuals involved in the UN. Praising the work of Secretary-General Kofi Annan, Ambassador Mahbubani used him as an illustration of how the UN can only be effective if it tempered idealistic expectations with realistic political considerations. Ambassador Mahbubani reiterated his belief that only in remaining effective can the UN imbue its positive influence on global affairs.

At the end of his address, Ambassador Mahbubani entertained questions from the floor in a session chaired by Sivakant Tiwari ’68, Head of the International Affairs Department at the Attorney-General’s Chambers. This was a first for the SLR lecture series, and was initiated as a result of Ambassador Mahbubani’s desire to engage the students and his audience more directly. The proceedings culminated in a post-lecture reception where guests, students and members of the Faculty of Law continued discussions with our very engaging and obliging speaker.
A group of Law IV students recently took on the challenge of producing a radio series on law, the media and issues of privacy. Sonita Jeyapathy ’03 tells all.

It looked like just another email in our NUS law accounts…

“Applications are sought for up to 4 students interested in participating in directed research exploring issues relating to law, media and privacy… The project will be demanding and will require students to produce a radio programme, to participate in empirical research and to work as a team (in addition to the usual requirement of a written research paper per student).”

Inspiration for this project was sparked by Assoc Prof Eleanor Wong ’85, over conversation with Lynette Chua ’03 (a 3rd year AGP student of the class of 2003 and fellow team member), Shivani Retnam ’03, Amarjit Kaur ’03, Denise Khoo ’03 and myself hit the reply button to that email in June 2002. Brimming with energy, enthusiasm and little idea of the magnitude of what we were getting ourselves into, we set about charting the ground for an unbelievable year ahead.

The “Sex, Rights and Videotape” project involved the production from scratch of a 6 episode radio series on News Radio 93.8 revolving around the themes of law, media and privacy. The 6 topics we chose to explore were sex and privacy, marital rape & sexual harassment, freedom of information & freedom of the press, defamation, censorship, and privacy & surveillance over the internet. Our goal was to see whether the law on these issues struck an optimal balance between community needs and privacy for the individual.

The team created an online survey to collect statistics for the radio series. Our plan of attack to bring the informal poll to the masses saw us hitting the streets, competing with other flyer distributors along Orchard Road for the attention of the few benevolent Singaporeans who bothered to listen to our pitch. Equally important to the show’s success was incorporating the actual voices of the man on the street (“vox pop”). So we staked out anywhere from Clementi Central to Somerset MRT, posing provocative questions to people who passed us by. This was interesting because we got a chance to hear first hand what people really thought of the laws. Many who were willing to lend their voices to us were very forthcoming with their views, encouraged in part by the anonymity of radio.

With the statistics from our informal poll, the vox pop pieces from the man on the street, some good old fashioned library research and interviews from experts to the likes of MP Indranee Rajah SC ’85, NCMP Steve Chia, Philip Jeyaretnam SC, Theatreworks Director Ong Ken Seng ’88, NTU Prof Ang Peng Hwa ’82 and many other personalities, we sat down to craft each episode.

Finally it was show time on Sunday 9th March 2003 – the day of the airing of Episode 1 of Sex, Rights and Videotape. The reviews from friends, tutors and Newsradio confirmed the appeal of our pilot episode and the following episodes on subsequent Sundays.

Many more Sundays have since passed. We look back with fondness on this memorable learning experience, one that gave our team the sense of achievement and satisfaction of taking on a pioneer project, designing it and seeing it through from start to finish.

Our sincere thanks to everyone who made it possible, especially A/P Eleanor Wong ’85 for her passion and contagious enthusiasm. She challenged us to view the law from various perspectives. In the process we learnt to appreciate the Law not only as it is, but to discover its potential as a tool for the protection of the rights of the minority and society in general. We are truly grateful for this opportunity that has encouraged us to strive to make a difference, and opened our eyes to the reality of law in everyday life.
Students from our “Introduction to Indonesian Law” course went on a field trip to Jakarta from 23 to 26 February. Assoc Prof Gary F Bell of our Faculty and Prof Hikmahanto Juwana of the University of Indonesia organised the visit, which gave our students a unique opportunity to see first-hand the institutions involved in law and law reform in Indonesia, and to get a feel of the situation on the ground.

First stop was the Centre for Electoral Reform (CETRO), a non-governmental organisation, which headed a successful campaign to amend the Indonesian Constitution, so that the President of Indonesia would be elected directly by the people. We also visited the International Institute for Democracy and Electoral Assistance (IDEA), an international organisation which sustains and supports democratisation processes around the world.

We then paid a visit to Indonesian firm Hadiputranto, Hadinoto & Partners (HHP), the correspondent law firm of Baker & McKenzie in Indonesia. The meeting was hosted by Mr. Timothy A. Manring, whom some will remember from his teaching days at the Faculty (when we were at the Bukit Timah campus). Mr. Manring briefed the students, and led a discussion on the practice of law in Indonesia. The students also had the opportunity to mingle with the firm’s other lawyers at a tea kindly arranged by the firm.

Also on the itinerary was the District Court and Human Rights Court of Central Jakarta, where the students sat in on the human rights trial of a military commander who stood accused of human rights violations in East Timor. After observing the proceedings, Kelvin Ma ’03 remarked, “Although the entire session was in Bahasa Indonesia, it was interesting to observe that the judge, typical of a civil law system, played a rather involved role in the trial process. At certain points, the lawyer would simply sit at his desk while the judge addressed the witness and conducted his own line of questioning.”

Our hosts then took us to their school, the Fakultas Hukum, Universitas Indonesia (UI) where the NUS students shared a meal with UI students at the student canteen. We were then given a tour of the faculty and the library. The last official visit was to Hukumonline.com – a young and upcoming enterprise which provides legal documents and information online.

Our thanks go to Prof Hikmahanto and his students, who organised the programme. Our students had a great time with their Indonesian hosts and were extremely impressed with the enthusiasm of young lawyers and law students in Indonesia. All too often, what is commented upon from the outside are the perceived flaws of the Indonesian legal system, but it is from the inside that one can see the hopes and aspirations of a new generation of bright and enthusiastic young lawyers. Students have described their trip as “an eye-opener”, “full of surprise”. As one student put it, “Jakarta has contradicted all my preconceptions.”
Lim Lei Theng ’92 has returned from Minnesota in the US, where husband See Lim (Associate Consultant at the National Heart Centre) was doing a fellowship in cardiac surgery at the Mayo Clinic. Lei Theng is back with the Law Faculty as Deputy Director of the Legal Writing Programme. Their second boy is due in early July, much to the excitement of soon-to-be big brother Ethan. Lei Theng would like to set the record straight and state that: “Ethan was NOT named after an actor, a Mission Impossible movie, or a furniture store.” Hmm … a Coen brother? That soccer-playing winner of ‘Survivor: Africa’?

Ho Wei Sim ’92, now residing in Dublin, Ireland with husband Donal Blake, recently brought her daughters Liadh and Ciara out for a visit to Singapore and Malaysia.

After 5 years in practice and 2 in-house, Serena Goh ’95 reports: “I started a floral business in June 2002 after daughter Ashley was born. Called ‘Hua Dian - The Flower Shop’, the business has a bit of east-west flavour to it. It seemed like a good time as any to leave practice as I wanted to be able to spend more time with my family and watch my daughter grow up. I know the market is very competitive, but my target customers are the more discerning buyers who look for quality. My designs and flower selection are also more modern in approach. I update my website www.hua-dian.com quite frequently so that return customers always have something new to look forward to. I will try to match the flower selection and style to the type of recipient and I do this by finding out more about the occasion and the tastes of the recipient. So far my portfolio of clients includes not just members of the public who want the occasional bouquet, but wedding planners, country clubs, restaurants and housing developers. I intend to be around for a long time and my wish is to have people see a bouquet and know instantly that it is from Hua Dian.”

Bernard Brown LLM ’63 writes from Auckland, New Zealand, where he now lives. Bernard has recently published a new book “Unspeakable Practices”, which was recently launched at Auckland’s Old Government House by the Rt. Hon. David Lange, former Prime Minister of New Zealand. David Lange was one of Bernard’s students at the law school of the University of Auckland when Bernard moved there in the early 1960s from Singapore. Bernard recalls fondly that he was among the first group of lecturers appointed by Founding Dean Lee Sheridan to the Law Faculty of the then-University of Singapore. As a part-time tutor, Bernard taught Malay Customary Law; and then as Assistant Lecturer from 1959 to 1962 he taught Criminal Law, Legal History and Administrative Law.

Congratulations to Ong Keng Sen ’88 on being awarded the 2003 International Society of Performing Arts (Ispa) Distinguished Artist Award. Ispa is a non-profit international network of over 400 impresarios and cultural workers. Previous recipients of the award include dance legends Martha Graham and Mikhail Baryshnikov. Since its inception in 1975, only 1 other Asian artiste has won the award. Ispa’s chairperson, Elizabeth Bradley, describes Keng Sen as “Asia’s cultural gem” – we couldn’t agree more! Keng Sen’s latest production, The Global Soul, inspired by the themes of travel and Buddhism, had its world premiere at this year’s Singapore Arts Festival in June 2003, and will move on to Zurich and Amsterdam later in the year.

Everything’s coming up roses for Serena Goh ’95
Jack Lee '95 writes from University College London, where he is currently working on his LLM. “It’s hard to believe it but I’ve already been in London for more than eight months. Right now it’s a busy period as I am working on a dissertation and two essays, all of which are due on 1st July! Summer is almost upon us, and the weather here has been warm and balmy. London is great; there are so many things to see and do. A friend and I managed to get tickets from my local MP to watch Prime Minister’s Question Time in the House of Commons, which that day turned out to be a lively debate between Tony Blair and Iain Duncan-Smith about weapons of mass destruction in Iraq. I’ve also been able to get away for short breaks, my most recent being a day trip to Salisbury and Stonehenge in February, and trips to Ireland and to Nottingham and Chester during the Easter vacation.”

Cheryl-Ann Yeo ‘95 and her husband Dominic Chang welcomed the arrival of their first child, a daughter, Chloe Frances, on 9th May 2003. Low Sze Wee ‘95, who is one of the assistant curators at the Singapore Art Museum, was in Italy in June 2003 with his colleagues managing the Singapore Pavilion at La Biennale di Venezia (the Venice Biennale – 50th International Art Exhibition) from 12th to 14th June 2003. The Singapore participation is jointly organised by the National Heritage Board and the National Arts Council of Singapore. According to SAM’s website: “‘Location’ and ‘space’ are broad themes that run through the works of artists presented at the 50th Biennale. The myriad forms of expression and variety of issues addressed by these works reflect the vibrancy and diversity of Singapore’s contemporary art scene.”

Karen Loh ‘95 married Tan Tieng Ping, a doctor in private practice in Hougang, in a beautiful church ceremony at the Holy Family Church in December 2002. The wedding was attended by many of Karen’s law school chums including classmates Marilyn Chia ’95, Lau Sok Hiang ’95, Leonard Loo ’95, Lee Lit Cheng ’95 and Janet Wang ’95. Karen, who is working at MinLaw’s Insolvency & Public Trustee’s Office, is reportedly enjoying married life.

Congratulations to Clement Lim ’96 and Elaine Tan ’96 on the birth of their son Travis on 13th May 2003. Those who visited them soon after the blessed event remarked that Travis was born with a lovely deep tan – but what do you expect with parents who seem to spend more time in the water than on dry land ... Congratulations also to Gerald Yee ’96 and Anna Quah ’97 on the birth of Emma on 27th May 2003. Gerald was recently spotted demonstrating his ‘one-hand-baby-carry’ skills, a technique somewhat reminiscent of how he used to handle the rugby ball at the inter-year rugby games in Law School. Our resident style guru, Suzanne Lim ’96, is now Senior Writer at Elle Magazine – still a firm believer that it is much more rewarding to draft lifestyle articles than life-sapping affidavits.

As usual, there is never a dull moment in the entrepreneurial Leong-Lim household. Our intrepid Danny Leong ’96 has sold off his share in a training business that he started in late 2001, and is starting on the Advanced Diploma in Film Production at Ngee Ann Polytechnic in July 2003. Meanwhile, wife Lim Bee Hong ’97 left her headhunting firm in June 2003, has just completed professional Feng Shui courses and is starting up her own Feng Shui business. Bee Hong says, “The courses I took were in traditional Feng Shui; which is very different from the modern styles of Feng Shui that are very popular in books these days, and that can sometimes sound very hocus-pocus.” For all of you out there who have just bought your matrimonial home or are thinking of redesigning your offices, to find out more about traditional Feng Shui, you can email Bee Hong at: theindigoroom@hotmail.com.

Tan Seow Hon ’97, is working on a theory of justice for her doctoral dissertation at Harvard, and has been appointed a Byse fellow at Harvard Law School for the academic year 2003-2004. She writes: “As a Byse fellow, I get to teach a workshop of my design. Mine will be on law and morality. It’s an old dream of mine to discuss conservative ideas within the classrooms of what some have termed a postmodernist ‘liberal orthodoxy’ at Harvard, hostile to any absolutist vision of law, morality or philosophy. These days, it seems that to align oneself with natural law theory in a postmodernist environment is to risk being seen either as an intolerant fanatic or some kind of a joke. I am thankful for the opportunity to engage participants in a dialogue on the relevance of the age-old but now much foreclosed natural law theory in a pluralist world.”
Christopher Ong ’97 tied the knot on May Day 2003. His wife, Nannette is an alumnus of Ateneo de Manila University, a university which Chris debated against many times as a varsity debater. Says Chris, “While I may have won many debates against her university, I seldom win my debates with her!” Attending the wedding were, inter alia: G Kannan ’94 and wife Chia Sue Ann ’95, Yeong Zee Kin ’97 and wife Audrey Chiang ’95, Clement Lim ’96 and wife Elaine Tan ’96, Jeanne Lee ’96, Lim Pek Bur ’95, Lee Lit Cheng ’95, Toh Yung Cheong ’95, Janet Wang ’95, Magdalene Koh ’01, Jason Chan ’02 and Deborah Tan ’02.

Meanwhile, our favourite national sailor Stanley Tan ’99 (see LawLink Jul-Dec 2002) reports: “After re-headnoting the Singapore Law Reports since last November (as I needed a break after the Asian Games), I’ve stopped that to resume full-time sailing, with the immediate aim of qualifying for the 2004 Athens Olympics. In this regard, I’ll be training and competing in Europe from June to October (and yes, back to Kiel again, but won’t be defending my title in the Laser Radial as I’ve switched back to the Olympic Laser event). I’ve also just returned from the Laser Asia Pacific Championships in Darwin, where I finished 4th overall. This time round, I’m looking at full-time sailing up to the 2008 Olympics. It’s a long haul, but I want to do it as I know I can achieve all my targets. While I sometimes think about all the exciting trials and tribulations my peers must be experiencing in the cut and thrust world of legal practice, I’m happy and fortunate to have the chance to sail full-time. Ultimately, you’re young only once, and you need to be young to sail well and win some serious medals! Sailing can get boring sometimes, but I think a lousy day at sea still beats a good day in the office!”

Cheah Wuiling ’03 and Adrian Chiew ’03 will be doing their Masters at NUS under the Research Fellowship Scheme. Wuiling’s thesis will be on East Timor’s Reconciliation and Reconstruction Process, and she is looking forward to doing an attachment in East Timor as part of her research. Adrian’s thesis will be on Trade and Competition Law. Watan Pak ’03 has just gotten engaged to Stanley Ong, an Army Regular – watch this space for updates on when the happy event will take place.

Jean Ho ’03 reports that she has recently discovered her ‘green’ side (inspired by Prof Lye Lin Heng ’73, and not through exposure to gamma radiation) and has registered as a member of the Nature Society.

Send us your updates and photos! You can reach us at email: lawlink@nus.edu.sg, phone: 6874 3683.