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An Analysis of NGOs in Southeast Asian Tiger States (Developmental States)

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ABSTRACT

This paper analyzes Singapore's developmental state/ Asian Tigers ideology impact on NGOs across the ASEAN region. The paper starts by introducing non-governmental organizations (NGOs) and the basis for why Singapore represses NGOs. It then analyzes Singapore's continued growth from a historical, post-colonial and geopolitical perspective. Part of the country's growth has been attributed to its primary focus on economic growth and strict regulation of various aspects of the country's governance, especially of civil societies or NGOs. This paper then explores paper analyzes the impact of Singapore's action and influence in the ASEAN (Association of Southeast Asian Nations) region by comparing Thailand, Malaysia, and Vietnam to Singapore and examining how Singapore's developmental ideology is encouraging Myanmar to silence NGOs as well. With this analysis, the paper argues how Singapore's future developmental ideology has influenced the ASEAN region, especially Myanmar and Vietnam, to emulate its strategy and take guidance from the successful developmental state and subsequently analyzes the impact of this agenda.

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Singapore, Taiwan, Japan and South Korea were known as the ‘Asian tigers’ from the past. Where Taiwan, South Korea and Japan have risen and fallen from the developmental state regime, Singapore has steadily continued growing in its developmental state form (Gainsborough, 2009, p. 1317). The concept of developmental state, where the government dominantly coordinates and administrates all aspects of economic and social activities of the state to develop, was created to explain the exponential growth of these economies (Ginsburg & Chen, 2009, p. 287). Singapore resembles an administrative state: by using statutory boards and government ministries, it regulates healthcare, public housing, environmental planning and conservation, financial markets, public housing and every other aspect of its country’s governance, including civil society (NGOs and other similar organizations) (Gainsborough, 2009, pp. 1320–1325). Throughout the years, Singapore has executed a series of different mechanisms in order to suppress NGOs and prevent foreign interference in their affairs. In order to understand why Singapore has developed such mechanisms, this paper defines what NGOs are and why they are integral to a country (or state).

NGOs have been by combining legal, functional, social and economic characteristics. Generally, NGOs are understood to be a formally structured, independent (from government), non-profit distributing, organization that works in areas of public provision such as health, education, culture, environment, arts and democracy (Francesch, 2005, pp. 2–10). They are considered a subset of civil society organizations (CSOs), which are voluntary groups that exist in the world between the family and the state (Weller, 2004, pp. 172–189). Due to the wide general definition of NGOs, different states set out different criteria for what a state understands to be a civil society, and by extension, an NGO. This applies to the ASEAN region as well. As such, this paper takes advice from Lee Hock Guan, “the civil society concept has analytical potential in helping to illuminate the social and political relations and configurations in the non-Western world. To do this it is, perhaps, more useful to subscribe to its broad sociological definition” (Lee, 2004, p. 4). As such, this paper adopts a simple broad and inclusive definition of NGOs as the “subset of social organizations created by the relevant laws of a particular state” (Weller, 2004). Western liberal democratic states will commonly argue that NGOs are directly linked with democracy, essentially, helping build social trust and

communities. NGOs can also help reduce the social divide between community and public institutions (Francesch, 2005, p. 22). Furthermore, NGOs can assist governments by assisting with rescue efforts after natural disasters. Sometimes, international NGOs step in to help states in these emergencies, interfering with local governments but making an international impact. This impact can extend to other areas, such as democratic values instead of emergency situations (McGregor-Lowndes, 2018, p. 131). In fact, common law countries show a legal relationship between NGOs and the law by incorporating strong freedom of association laws in the country. Asian countries do not always offer that same democratic freedom. For example, Singapore has extremely limited laws on freedom of association, a sentiment that is representative of the ASEAN region.

To place NGOs within the Asia, this paper explore the geopolitical context of Asia. Many Asian states have suffered from a terrible colonial past, and are presently being influenced from stronger markets and globalization. As a result, civil societies (including NGOs) are not always authorized to fight for social development, instead, developmental Asian states like Singapore, prefer governments to inherit such responsibility. This strategy, which directly clashes with the neoliberal strong- market focus, is strongly adopted by upcoming Southeast Asian governments as a reaction to their past as they recover from being colonization or from being bound by paternalistic autocratic powers (Morris, 1996, p. 95).

Interestingly, civil society existed in pre-colonial Southeast Asia, but the face of NGOs and civil society dramatically changed after European colonizers radicalized the social, cultural, economic and political institutions from indigenous societies (Lee, 2004, p. 4). Eventually, western governments adopted the human rights approach, universalizing Western ideals on Asian societies. In opposition to this approach, the 'Asian Values' approach was developed, entailing communitarianism as a core mechanism for development. Although, it lost its Asian backing in 1997, it became a tool for hegemony for developmental states such as Singapore. The Asian Values approach opposes NGOs that push for human rights, due its Western origin. (Pereira, 2008, p. 1193).

NGOs are still a prominent force in many developing countries, providing substantial career opportunities and influencing policy where possible, but to truly understand their

specific influence, this paper examines each country's ideals. Singapore, primarily focuses on developmental state theory, creating an over-dependence on the state, better known as statism (Gainsborough, 2008, p. 1320). As such, Singapore – the fully-grown developmental state – has successfully suppressed NGOs and their positive impacts on the society.

A Brief History of Singapore and Singaporean Ideals

Singapore is the ideal developmental state – it has progressed economically over time and kept a stable political system, unlike many of its neighbors. It is the smallest country in Southeast Asia, with a population of over 5 million people. Formerly a British Colony, it became self-governing in 1959, merged with Malaysia in 1963 that ended two years later. In 1965, Singapore obtained independence from Malaysia (Chevalier-Watts, 2018)

The country's stable economic system is the result of a single – party dominant government, People's Action Party (PAP) that has not been seriously challenged since 1968. With the significant efforts of its founding Prime Minister, Singapore has created a national ideology as a form of survival for its small nation. This explicit national ideology has become the conceptual foundation for the actions of private entities, voluntary organizations and most importantly, the state itself. Singapore's political history helps show us how Prime Minister Lee Kuan Yew achieved this (Weller, 2004, pp. 172–189).

Singapore's journey towards a core ideological concept of survival began when it gained independence from Malaysia in 1965. A small island nation lacking any natural resources that to aid survival. The anxiety for survival was used to fuel a nation, Singapore's leadership etched survival as its main concern, marking the beginning of a hegemonic ideology of survival leadership (Weller, 2004, pp. 172–189). At this point, it is already evident that the responsibility of survival has been shifted to the state, who pushed it forward to aid the nation but also take advantage of it.

Singapore's decolonization started with an alliance between communist activists and the PAP. The two parties intended to acquire grassroots connections to influence the nation and to form the majority government in 1959. Four years later, the PAP split with its original

leftist party and leftist stance; it redesigned itself as a 'moderate, pragmatic government' that promotes economic development as the key to building the nation, rather than ideological clashes (between cultures and nations). Eventually, the PAP's conflict with the left cause political trouble, with the leftist party boycotting general elections, allowing the PAP to gain complete parliamentary control by 1968 (Weller, 2004, pp. 172–189).

The PAP embraced its multiracial population as an opportunity to stamp its authority. As race violence emerged between the Chinese and Malays, the nation's anxiety increased. The constant potential for racial violence was a way for the government to impose social and political control via political interventions (Weller, 2004, pp. 172–189). This can be seen as the beginning of the restriction of freedom of associations, to ensure survival, but also as a direction towards creating a statist Singapore. Similar complex economical and societal issues consistently caused the government to return to its national survival identity, economic prosperity, racial harmony and then later on, the need for "social order". Another notable incident marked the excessively reduced freedom of speech in the country, as young social workers attempting to gain rights were detained without due process for trying to overthrow the state in a "Marxist conspiracy" (Weller, 2004, pp. 172–189). This was a clear example of a fight for rights, from a civil society (workers belong in the civil space between the family and the state), legally shut out under the veil of the nation's survival.

Compulsory licenses for public entertainment condemned free speech in Singapore. The ruling government enforced this requirement for public speeches as well. These civil sacrifices were acceptable to the people, given its economic success (Weller, 2004, pp. 172–189). The "good life" for Singaporeans now stems from government policies and thus, a majority of the public has accepted the repressive measures set out by this government. The sentiment among Singaporeans has become, "anything not explicitly permitted, is proscribed" (Weller, 2004, p. 175). The strong support and acceptance of the current regime made it easy for the government to repress NGOs, and without the political freedom to act as a check and balance against a developmental state, NGOs that did exist, became impotent.

NGOs in Singapore

The idea of a common ideology among the people pervaded its way into civil society and ordinary life in general. Social activity, the way to gain social capital and trust, was severely limited by PAP policy. For instance, Catholic activists were detained for fighting against social issues. With this reactionary power, civil society was encouraged and constructed upon measures such as cooptation and mediating structures. Mediating structures refer to the relationship between the state and individual, state and individual- society and conceptualization of such a relationship: family, local community, individual, and state. Singapore as a state, over time, introduced measures to govern society on all these levels to some extent, especially on the local community level – including NGOs (Francesch, 2005, pp. 2–26).

Sometimes, successful NGOs in Singapore are groups of people who have the same objectives, instead of contesting the government's authority, they are formed to influence public opinion. These groups too, face several constraints (Chong, 2005, p. 275) . This authoritarian control of NGOs has a historical past that shapes how they are governed.

Chinese community self-help groups, the first signs to civil society during the colonial period up until independence, helped their own communities with matters ignored by Imperial Britain. As the 'survival or national building' ideology was implemented in the form of comprehensive social welfare services, the Chinese groups were forced to dismantle. This coincided with the threat of communism from the Cold War (1965 - 1990), the PAP took this as an opportunity to stamp out any potential political agendas these groups may have had by restricting freedom of association and expression. After the threat of communism dissolved, the PAP continued to impose authority over community efforts, by assigning neighborhood groups as watchdogs (Francesch, 2005, pp. 2–26). This is a notable point in the history of NGOs in Singapore as it shows how when groups were organized, they needed acceptance from the PAP.

The need for groups to acquire acceptance eventually turned into a licensing requirement. NGOs must be registered with either the Societies Act or the Companies Act

(as a company). In addition, the only way an NGO can be exempt from tax is that they seek permission and recognition from the Charities Act that requires associations to file under one of the four available categories, namely, poverty, religion, education or community. These will deal with many local issues that NGOs usually get involved in including education, human rights and the environment. This extensive discretionary power over NGOs is still existent today and regularly used. For example, Amnesty International did not receive a license to base its Asian headquarters in Singapore (Tan, 2011, pp. 58–61). This is an indication of how Singapore has primarily focused on survival in the economic sense.

After Lee Kuan Yew was no longer Prime Minister, the PAP realized that youth citizen engagement was essential, and public affairs became a large concern. George Yeo, then a new young cabinet appointment, called for more “civic society” (Weller, 2004, pp. 172–189) *not* ‘civil society’. This was a significant difference, the word ‘civil’ symbolizes a freedom from the state, whereas ‘civic’ indicates a duty to the state, for instance, civic duty. This idea led to a new initiative known as Singapore 21 promoting “active citizenry”. Later in 2002, the government created a “Remaking Singapore” committee to help collect public opinion from all Singaporeans. Although these new measures were introduced, freedom was still severely limited, both in the political sphere and the public sphere. Recently, some limitations, such as on gender and sexuality, have even intensified. Around the same time, legislation was passed to organize CSOs and NGOs as either political or non-political. This indirectly helped governments control political funding through legal actions (Weller, 2004, pp. 172–189).

Established NGOs such as the Nature Society or the Association of Women for Action and Research (AWARE) have carefully avoided foreign funding because of the risks of being labeled as “stooges of foreign interests”, and more fortunately, they have not been reclassified with the new legislation of 2001 (Weller, 2004, p. 180). This is crucial for two reasons: firstly, the general cloud of fear of foreign control as it may impede Singapore’s “survival”, and secondly, it shows how the historical development of NGO control has risen to some extent.

NGOs and charity law in Singapore

Charity law in Singapore is derived from English Law but also has its own unique body of law. Charities do not always have donations with tax-deductibility characteristics in Singapore, instead charities that are able to receive tax-deductible donations are classified as Institutions of Public Character (IPCs). All charities must be registered as legal entities, whether it be as an IPC or a company (O'Halloran et al., 2010, p. 340).

Typically, the Societies Act is the foundation with which all IPCs must be registered. The Societies Act gives authority to the Registrar of Societies, the organization where charities are required to register. Upon registration the Registrar will require various details such as annual returns, audited account statements and notices. The Societies Act has the power to hand out criminal sanctions for “nonregistration, presumptions of proof against unregistered societies, lack of transparency, and lack of recourse to the courts, does not give rise to a conducive climate for the growth of NGOs” (O'Halloran et al., 2010, p. 340).

Charities are sometimes also registered as companies by way of the Companies Act. Registration here is also an extremely lengthy process that must abide by the criteria set out by the Companies Act. More importantly, there are additional grounds for the refusal of registration such as when a company may be used for an unlawful purpose or such registration is contrary to national security or interest. With this fairly broad rejection profile, it is difficult to achieve registration status whenever the state does not want to (O'Halloran et al., 2010, p. 342).

The Commissioner of Charities (Commissioner) is responsible for reviewing applications for IPCs or charities. The Commissioner requires an extremely detailed background of the applicants for charitable status, monitors newly registered charities via semi-annual reports for a charity's first operating year, specifying the conditions for why charities cannot be registered or charities are de-registered and finally, auditing and investigating charities and IPCs on a random basis or when necessary. After registration, the Commissioner continuously supervises Charities and enforces reporting requirements. Furthermore, the government increased accounting and fundraising regulations, separate to general accounting standards regularly

applied to non-charitable entities. Clearly, the atmosphere for charities (or NGOs and CSOs) have been suffocated by legal requirements (O'Halloran et al., 2010, p. 345).

Unlike other jurisdictions, Singapore does not challenge the definitional views of what a charity is but stifles NGOs by requiring an excessive number of documents for registration and regular scrutiny on compliance standards. While the restrictions can be justified on the grounds of transparency, there is too much room for refusal of registration, allowing for states to select which NGOs can grow. Further, states can then groom how 'civic society' (civil society in other countries) looks in Singapore (O'Halloran et al., 2010, p. 347). Notably, there are several other methods with which NGOs are suppressed in Singapore, but this paper intends to portray examples of Singapore's suppression and how ASEAN countries are subsequently impacted by this.

Connecting ASEAN

This paper has separated its discussion of Singapore's law and development efforts in the ASEAN intentionally to show how connections and influences existed from Singapore to other parts of the region prior to its developmental efforts. Thailand and Malaysia are key indicators of Singapore's influence with their geographical proximity, but Vietnam is also included to ensure that different government structures were involved in this comparative examination of NGO repression in each of these countries with Singapore.

The ASEAN region, based in Southeast Asia, which began only as a small group of developing states has now grown into a geopolitical force. It consists of over 540 million people with a non-homogenous group of ideologies, political and economically, varying cultures, religions and ethnicities. With each different country within the region comes varying degrees of reticence with regards to human rights mechanisms, however, development has been key to the ASEAN region. These states have different histories ranging from Philippine's western liberal democratic stance, Vietnam and Laos' convergence of Confucian and socialist ideals, Thailand and Malaysia's constitutional monarchies connecting religion with the state, and Singapore and Myanmar with authoritarian governments (Kumar & Srivastava, 2006, pp.

46-50). The ASEAN states have continuously advocated for less imperialistic stance following the horrors of colonialism by the West. Thus the ASEAN paradigm, stemming from the “Asian Values” approach that went quiet in the 1990s, is shrouded in the idea of a communitarian Asian democracy or states that embrace Confucian paternalism, an idea that enforces consensus and conformity in states (Schak & Hudson, 2003, pp. 48–50).

Singapore, the prime developmental state, imbued with Confucian values has fathered this idea. Given that many ASEAN states are riddled with debt and fiscal issues with the exception of Singapore, it is likely that Singapore’s influence on the region has grown and will continue to grow (Tan, 2011, pp. 59–63). Similar Confucian values have risen in the context of NGOs in Vietnam, Malaysia and Thailand as well. Malaysia represents a geographically connected region and an extremely similar history to Singapore; Vietnam a country which is coming out of its communist shell to embrace Confucian values and while Thailand has a more accepting stance on NGOs, it could potentially change. This paper also recognizes that international NGOs may have unconsciously made many ASEAN nations believe that the developmental and socioeconomic rights they valued were not as important as the tradition sociopolitical rights Western developed countries have purported for consistently (Tan, 2011, p. 68).

The association itself grew from an attempt to ease intra-regional tensions that was successful due to multilateral cooperation on socio-economic and cultural community development. As the countries focused on their regional principle of building the nation, an ‘ASEAN Way’ developed – where the sovereignty and values of each state was respected (Tan, 2011, p. 148). Here it seems that the ASEAN Way causes conflicts and these concerns are not historically unwarranted. Although, recently there have been calls for more flexible engagement in an already interconnected region for better engagement for better facilitation of security and welfare of the people. The region grows more connected, whilst the ideology of working towards the welfare of the people by trusting it states seems to have encroached on an ASEAN level as well. ASEAN governments have been successful in working together in working towards sustainable macro-economic policies and fiscal policies that help move the region forward (Yuen et al., 1996, pp. 120–155).

On the other hand, civil society has been considered as an appropriate way to further human right mechanisms in the region, like Singapore, the approach to NGOs in each of these countries (Tan, 2011, p. 156). Yet this paper notes that most ASEAN states share the common belief that the state should play a strong, pivotal role in development.

It should also that Singapore, as a part of its development scheme has been working on researching legal issues with a view to integrating laws in the ASEAN. The project was a large one run by NUS with over 70 researchers involved from around the world. Notably, the institution that is dedicated to such research, focuses on Malaysia, Thailand, Vietnam, Indonesia and Vietnam as its main research focus and that it conducts various workshops, conferences and publications to connect these countries with Singapore (Harding, 2018, p. 261). With this in mind, it is possible to imagine that the similarities between Singapore and these other countries, regarding NGOS, are more connected or relevant than initially thought.

Malaysia

Malaysia and Singapore share a highly interconnected past. They share colonial and political history, with Singapore's involvement in Malaysian politics beginning when it was still a part of the Federation of Malaysia. As a country that inherited its administrative system from its colonial days with a significant population of over 22 million people and a wealth of natural resources, it has an extremely limited space for NGOs, not unlike its neighbor, Singapore. This could be because Malaysia too has had an authoritarian government in place for several years. Until very recently, it was also similar to Singapore in that the same parties were set in the government since independence. It also has a multiracial society with a large Malay and Chinese population, such conflict has further led to restrictive laws (Shigetomi, 2002, pp. 1-3).

An analogy between Singapore and Malaysia can be drawn, as both countries faced similar racial conflicts and reacted by enforcing stricter laws. towards when Singapore faced a similar racial conflict and enforced stricter laws too. This similarity can be traced back to the 1960s, where the Constitutions of both Singapore and Malaysia both focused on a "limited range of first-generation civil political rights, rejecting proposals to constitutionalize welfare

right on the basis that these were not justiciable” (Haley & Takenaka, 2014, pp. 120–161). These states also used additional legal and coercive instruments to exert its power and strangle NGOs (Lee, 2004, pp. 4-6).

Dr. Mahathir Mohamed had continued to use this background context to extend the Malaysian government’s hegemonic control on its people, intentionally obstructing civil society by using ethnic differences (Schak & Hudson, 2003, pp. 48–50). Freedom of speech is strictly limited in the country, Dr. Mohammed also used such restrictions as a way to justify moving away from the West (Haley & Takenaka, 2014, pp. 120–161). This was reiterated throughout the ‘Asian Values’ approach, interestingly also known as the ‘Singapore school’ (Chia, 2015, p. 20) followed by Malaysia. This stalled the Western democratic model that was believed to be unsuitable for both Singaporean and Malaysian societies (Lee, 2004, p. 16). This idea has led Singapore, Malaysia and Vietnam (discussed below) to continue to retain legitimacy in the state – a form of statism – through ‘output effects’ such as stable government, sustained economic progress and as addressed here, containing ethnic tensions like racial conflict.

Thailand

Unlike Singapore and Malaysia, Thailand has not experienced literal decolonization. However, it has suffered from unstable governments and has to enact multiple constitutions. It is also dissimilar to Singapore in that it has not had a stable government throughout, instead it has had multiple coups and as a result, several newly drafted constitutions, as well as long periods of military government. Also unlike Singapore, Thailand’s multiple coups have been sparked by a tumultuous experience of public demonstrations and civil disobedience from its people for their civil and political rights and right to free choice. For example, media freedom was demanded constantly in Thailand when the Thaksin administration was ousted by a military coup headed by General Sonthi Boonyaratglin (Tan, 2011, pp. 43–56). This indicates that civil society has played a role in ensuring that the country does not become entirely statist. Notably though, the constant fight for political freedom also indicates that certain

socio-political rights have constantly been disregarded by the government, despite the peoples' demand for such rights.

Thailand has an extremely diverse landscape for civil society, and by extension NGOs. They continue to grow to some extent, for personal and governmental gain. We should also note that the consistent override of democracy has left the idea of democracy in its infancy ever since its first coup to overthrow absolute monarchy in 1932. Civil society has been free throughout this period, even in 1997, when the Asian values approach had begun to lose its power, civil society leaders were the largest influencers in the new constitution at that time (Lee, 2011, p. 111). Registration is not required for NGOs to practice in the country, which is extremely different to Singapore, however, similar funding issues arise, which will be addressed below (Prateapusanond, 2017, p. 6). This has presented a front that Thailand is seemingly open to NGO support in various ways and from foreign sources, similar to that of Indonesia and the Philippines, but this is not entirely accurate (Douglass, 2005, p. 543).

In the 1960s and 1970s, civil society was suppressed by military rule such as stamping out student movements at that time (Lee, 2004, p. 200–220). Furthermore, Thailand also does not easily accept foreign NGO influence, in fact, it is the opposite. Like Singapore, it is wary of foreign NGO influence in many forms. This is proven by the United Nations Country Team in Thailand that stated that every meeting during the 2011 flood crisis gave off a “sense that their hands were tied and that they could only do so much” (Daly & Feener, 2016, p. 325 – 328). This wariness of foreign NGO stems from the ASEAN way of respecting sovereignty, of which Singapore is a popular advocate. Lee Kuan Yew consistently feared “deculturalization” and advocated for a preservation of each other’s “respective cultural values” (Schak & Hudson, 2003, pp. 87–89).

Thai culture and their general adherence to rules and regulations may also be a contributing factor. Management of such rules seem to be extremely important to the government, especially since there has been an authoritarian presence throughout the trampoline of democracy in the country. NGOs are seen as disrespecting of authority and unnecessarily noisy to those who are in authority, resulting in the view that these NGOs are threatening to authoritarian rule (Schak & Hudson, 2003, pp. 87–89). This sentiment is extremely similar to that of Singapore’s authoritarian democracy, whilst under a military regime, Thailand

resorts to extremely limited freedom of media and freedom of association (Shigetomi, 2002, p. 26).

In fact, the 1997 constitution that was known for more political freedom quickly disappeared with new constitutions with much more limited freedom coming in recently (Lee, 2004, p. 113). NGO sponsored projects then failed to receive support financially or from the government, instead successful NGOs were one that were connected to the government (Shigetomi, 2002, p. 23). Thus, there has been limited involvement in decision making. Funding has become a challenge as tax privileges have become limited to those who can register and registration requires a significant cash contribution that reduces the number of NGOs that can attract tax deductible funding. Overall, this is similar to Singapore and more in line with the Asian values approach than initially considered, since the approach is viewed as a cultural “respect for authority”, again an invocation created and qualified by Singapore’s legal framework as a developmental state (Li-ann, 2017, p. 74).

Vietnam

Vietnam and Singapore have disparate institutional histories. Although both stem from colonial rule, Singapore follows the common law approach whilst Vietnam has a Civil Code and a communist background (Simon, 2013, pp. 342–345). Yet, Vietnam has been recognized to be within the ‘Confucian cultural sphere’, it has also begun further economic reform and begun to develop quickly in the developmental sense (Ginsburg & Chen, 2009, p. 372). Vietnam and China have currently both been recognized as developmental states, drawing lots of attention to comparing Singapore as a statist developmental state and Vietnam as the same. For example, the Vietnamese government’s role has been similarly collusive in getting involved in State-owned enterprises, which was also rooted in Singapore’s success in its rail transport implementation (Yuen et al., 1996, pp. 120–155).

Constitutionally, Vietnam already makes it the state’s obligation to provide education and healthcare systems, leaving little room for NGOs to play a part in that area. This connects to the earlier point of Singapore and Malaysia focusing less on sociopolitical rights, here the

rights are obligated as the government's duty to some extent. Similarly, civil Society groups were also suppressed when they posed a threat to the state in any form during the 1960s and 1970s (Lee, 2004, pp. 16–21).

The media is also highly regulated by the government in the Vietnamese context. The policies towards media have created the conditions for a paradigm of “struggle” to be created in the country. This same belief was cultivated when Singapore first gained independence as a way to allow the government to focus on socioeconomic policies and ensure that the culture kept complete faith in the state (Gainsborough, 2009, pp. 1317–1328). Even though, the media is attempting to act as a counter-state authority in a creative manner to push for civil society in Vietnam, it may end up doing the opposite due to the restrictive regulations imposed by the state (Lee, 2004, pp. 16–21).

Conclusion: Singapore and the future

While half of the ASEAN nations, Indonesia, Malaysia, the Philippines, Singapore and Thailand have governments that are relatively stable and are reasonably ‘developed’, the other countries, Laos, Cambodia, Vietnam, Brunei and Myanmar are still moving along as developmental states with room for uncertainty still available (Tan, 2011, p. 253). Here, the paper threads Singapore's future law and development efforts with NGOs and the ASEAN region.

Singapore has a leading role in the law and development for ASEAN's future, as it is the most successful country but also an influential non-threatening resource within the region (Harding, 2018, pp. 252–267). Countries generally endeavor to have other nations replicate their legal models so that legal transactions and diplomacy becomes easier, however, Singapore is different in that its development has been entirely driven by its own internal stance. It is no longer a developmental state, but a developed state, in the position now to become a “donor” instead of a “done” state, with its Confucian or Asian values as well as its focus on governance and administration being part of the reason why (Harding, 2018, pp. 252–267). As such, building the ASEAN region has become one of Singapore's areas of influence,

at the regional level but more so bilaterally. It is, unsurprisingly, directed at Cambodia, Laos, Vietnam and Myanmar, the countries that are still completely in a state of development. A good example of Singapore's involvement in Myanmar can be that National University of Singapore scholars have authored many books on Myanmar law, which has indirectly influenced Myanmar's common law heritage due to its lack of English language literature (Harding, 2018, pp. 252–267).

Direct forms of bilateral development have also occurred, with two official Memorandum of Understanding(s) signed between the Myanmar Ministry and the Singaporean Ministry. The Memorandums have detailed opportunities to enhance the understanding of laws, legal and judicial institutions, and legal systems of Myanmar and Singapore, including the development of collaborative opportunities for education, training and knowledge transfers (Harding, 2018, pp. 252–267). Myanmar, like Singapore, has had an authoritative government in control for numerous years, although, unlike Singapore, this was in the form of military rule. Singapore perpetuates that reality, and an example where NGO suppression in Singapore impacted how the Myanmar government ruled can be seen when public display licenses were not authorized for the Open Think Centre in Singapore, when they applied to hold a forum called “Free Myanmar- How can Asians help” (Li-ann, 2017, p. 76).

Vietnam also has a similar relationship with Singapore. It requested assistance from Singapore in “legal capacity-building on anti-corruption measures, which is delivered by training course, seminars, and high-level exchanges. This can be taken as a clear example of where Singapore has influenced how Vietnam has approached NGOs and other forms of civil engagement. For instance, in Singapore, newspapers and journalists have their freedom of speech limited when criticizing the government. This is carried out in a practical manner as the Singaporean government prosecutes anyone who accuses Lee Kuan Yew's family of being corrupt, i.e. nepotism (Gainsborough, 2009, pp. 1317 – 1328). In Vietnam, the government does the same thing when it prosecutes individuals for corruption. This perpetuates a boundary between the public and private world that seems to be inviolable, both in Singapore and in Vietnam (Harding, 2018, pp. 252–267). The relationship between Singapore and Vietnam seems to be more closely linked when put under pressure.

The International Bridges to Justice, developed the Singapore Justice Training Centre to be the regional hub of ASEAN. It began work on a new development scheme in 2010 where it conducted training programs that involved the Ministry of Foreign Affairs, academic institution and law firms. This initiative began with participants all over the ASEAN region where a workshop was conducted. This is ironic in that the International Bridges to Justice was allowed to run such developmental schemes under Singaporean authority, predictably because it was helping Singapore's efforts in influencing the ASEAN region (Harding, 2018, pp. 252–267).

Upon becoming a developed state, Singapore has keenly looked onto the developmental states in the region to influence and ensure that growth has been done in a manner that is reflective of Singapore's development. This has been established throughout this paper as a potential method with which NGOs might be repressed in the ASEAN region, and examples of Thailand, Malaysia and Vietnam have shown how possible influence may already have occurred. Moreover, Vietnam and Myanmar were used as indicators to show how Singapore's influence might increase in the future.

In addition to Vietnam and Myanmar, Singapore has also focused its efforts on Cambodia and Laos, which signals Singapore's intent ensure that law and development in those countries occur in a manner that matches Singapore's needs (Harding, 2018, pp. 252–267). With Singapore's success as a developmental state and its growing influence on the region, it is likely that the state would want to exert such influence to bring legal uniformity for its convenience. Such legal uniformity includes the repression of NGOs, and with its law and development efforts, it is extremely likely that the ASEAN region will continue to be influenced, especially with regards to NGOs since Singapore understands the role NGOs play in ensuring that democracy is achieved in those areas in the region.

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