

No. 35

CHANGE AND CONTINUITY IN SINGAPORE'S  
INDUSTRIAL RELATIONS SYSTEM

by

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NTUC tends to be the decision-maker for basic policies; authority flows downward from the NTUC to the union headquarters, the branch and membership. Specific collective bargaining issues and negotiation strategies are, however, formulated at the local branch or union headquarters levels. Some of NTUC's influence fans out from the partially government-financed Labour Research Unit which second staff to assist unions in collective negotiations and the preparation of cases before the Industrial Arbitration Court.

Employers in Singapore form a continuum ranging from the modern multi-nationals to traditional, often paternalistic small firms. Management styles, therefore, vary considerably. However, because all industrial relations are subject to the same labour legislation Singapore can be said to have a highly unitary system; all industries and parties are subject to and participate in the same collective bargaining, conciliation, arbitration and administrative procedures.<sup>3</sup>

Organized management is represented largely by two employers' federations: the Singapore Employers' Federation (SEF) and the National Employers' Council (NEC). Both organizations advise and help their members in collective negotiations and other

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<sup>3</sup>See Tan Pheng Theng, The Industrial Relations Machinery in Singapore, University of Singapore: Faculty of Law, unpublished Ph.D. thesis, 1970.

matters. The SEF is the older organization with members drawn mostly from the larger, foreign-based firms. In contrast, the NEC represents a greater number of local, smaller and joint-venture enterprises. A third organization of employers is the Singapore Manufacturer's Association whose primary concern is with product promotion and trade matters. In addition, there are also a number of management consultant firms which assist small concerns in their dealings with unions and government agencies.

The third actor in the system is the government-party (People's Action Party). The special features of this actor give to the industrial relations system of Singapore its unique character. The "third actor" is essentially a small élite within the ruling party, and within this élite, the Prime Minister, Mr Lee Kuan Yew, is clearly the dominant figure. This élite developed policies and programmes which have made the Republic into a highly successful, one-party-dominant state.

The third actor's present dominance over the union movement stems in part from the fact that it created the present unions. In an earlier period, unions were developed and led by left-wing, Chinese-educated leaders. When the split within the party occurred, the PAP started to organize its unions which became successful partly because of rules and decrees used by the government to frustrate the organizing efforts of rivals unions.

The bond between government and unions is exemplified in overlapping membership in the political and union élites; seven of the sixty-five Members of Parliament are top union leaders, while a few others have in the past been directly involved in union affairs.

The party is dependent to a degree on the unions. The government is committed to a programme of rapid industrialization, a programme which would be endangered if there is substantial conflict between unions and employers. The party also needs the unions to ensure continuing worker support.

On the other hand, the union needs the party more than the party needs the unions. The party identifies the national problems and develops the programmes which give unions a supportive role. Secondly, the union movement needs the government to prevent the development of a rival union group, and to pressure recalcitrant employers. Thirdly, union finances are still significantly dependent upon the generosity of the government.

Government agencies are very much involved with the industrial relations system. These agencies -- the Industrial Arbitration Court (IAC), the referees, the Ministry of Labour and the law courts -- provide the machinery for the peaceful settlement of disputes through collective bargaining, conciliation and arbitration, certification of collective agreements and the administration of specific agreements and awards.

### III. The New Labour Laws and Their Impact

The economic environment of Singapore has seen vast changes since 1965. Historically, Singapore has developed as a raw material processing and distribution centre for the region. By 1959, it was clear that entrepôt trade would not generate sufficient employment to absorb a rapidly expanding labour force. Industrialization was the proposed answer. The 1961-1964 Development Plan spelt out the idea but its implementation was hindered by the Indonesian confrontation and the Republic's separation from Malaysia. To add further gloom to the dark economic climate, the British decided to withdraw its garrison from Singapore by 1971.

After separation from Malaysia in 1965, Singapore began to orient its industrialization policy towards export promotion, the domestic market being too small to sustain a viable manufacturing sector. For industrialization to succeed, it was felt that two factors were essential, namely, low wages and a disciplined labour force. To this end 1968 saw the introduction of new labour laws to reduce labour costs and the possibility of labour unrest.

The Employment Act (1968) streamlined three previous pieces of legislation -- the Labour Ordinance (1955), the Clerks' Employment Ordinance (1957) and the Shop Assistants' Employment Ordinance (1957). Although most of the clauses in the Employment

Act merely re-enacted existing legislation, new provisions were introduced to reduce the general level of fringe benefits; among other things, overtime was restricted to a maximum of 48 hours per month; employees are only entitled to retrenchment benefits after three years of service, holiday pay is limited to double, not triple pay and bonus payment may not exceed one month's wages. The Act also standardized working conditions by limiting working hours to 44 hours per week, and specifying the period of annual leave.

In 1972, the restrictions on overtime and bonus payments were relaxed in response to a tightening job market. Overtime was extended to 72 hours a month, and bonus payments of up to 6 months became permissible.

The second piece of legislation, the Industrial Relations (Amendment) Act sought to reinforce management prerogative by curtailing the bargaining power of the unions and restricting the jurisdiction of the Industrial Arbitration Court. It stipulates that such issues as promotion, transfer, recruitment, retrenchment, dismissal, reinstatement and allocation of duties were no longer negotiable. The Industrial Arbitration Court may not decide on these issues. Another important provision is that collective agreements negotiated in pioneer industrial undertakings cannot contain terms more favourable than those specified in the Employment Act without special ministerial approval.

In short, the Employment Act (1968) and the Industrial Relations (Amendment) Act together

- (a) standardize conditions of employment
- (b) set the upper limits of fringe benefits and
- (c) restrict the orbit of collective bargaining.

In effect, the labour laws restored management prerogatives and eroded considerably the functions of unions.

The government rather than the union movement became the protector of workers' job security. For the first time in the history of Singapore, management rights were enshrined in law.

The enactment of the 1968 labour laws thus dramatically altered the power relationships among the actors in the industrial relations system. The traditional functions of the labour movement were eroded and with its role reduced its influence virtually evaporated. In a democratic socialist state the unions and not the government were in danger of withering away!

Management, on the other hand, emboldened by the pro-employer legislation, gained ascendancy. Unions charged that in many instances employers were retrenching serving employees for reasons of redundancy while recruiting new workers at almost the same time.<sup>4</sup>

<sup>4</sup>See cases reported in Straits Times, April 27 and July 28, 1973.

Their actions were aimed at cutting labour costs and discouraging workers from participating actively in union work. The effects are far reaching.

"The magnitude of such flagrant abuse of the spirit of the employment legislation may be insignificant in relation to the total number of employers, or the total number of workers in the Republic, but the damage caused to the trade union movement by giving rise to the impression that it can be ignored by any employer with impunity is traumatic and irreparable."<sup>5</sup>

Government dominance over the industrial relations scene increased. More than in the past it was setting the tone of industrial relations through its control over labour legislation. It modified the rules for interaction between unions and employers, limited the forms and powers of worker organizations and defined more tightly the negotiable issues in collective bargaining.

The revised industrial relations system played a significant role in promoting a better investment climate. Management authority was restored, and industrial peace secured. At the same time, a social infrastructure network, tax benefits for pioneer firms, export incentives and tariff protection were made available to foreign investors. As a result, the manufacturing sector, the centre piece of the government's development strategy, expanded rapidly.

<sup>5</sup>Chue-Shui Hoong, Secretary for Industrial Disputes of the NTUC in report to NTUC Delegates Conference, March 1972.

Since 1969, the annual GDP growth rate has averaged over 14 per cent. To sustain the accelerating pace of growth in the manufacturing and construction sectors, immigration laws were relaxed and a large number of immigrant workers, mostly from Malaysia, were recruited. By 1973, over 100,000 workers in a workforce of over 800,000 were reported to be work-permit holders. Their growing presence poses a new and important challenge to the industrial relations system, which we will discuss later.

#### IV. Labour's Response

Its traditional roles decisively diminished by the new labour laws, the union movement realised the urgent need for new goals and programmes. A seminar on the modernization of the labour movement was organized by the NTUC in 1969 to plot a new course of action for unions. A modernization programme, founded on the assumption that "the labour movement will cease to be a narrow sectional pressure group whose interests and advancement are to be promoted at the expense of others"<sup>6</sup>, was developed. It recommended that the labour movement be involved in cooperative ventures, workers' education and training and increase its welfare services for members. The objectives of the programme

<sup>6</sup> Dr Goh Keng Swee, in a speech given at the NTUC seminar on Modernization and the Labour Movement, November 1969.

were generally well-received and accepted by NTUC-affiliated union leaders and even non-affiliates.<sup>7</sup>

Judged by its avowed goals, there is little doubt about the success of NTUC's modernization strategy. Union membership has risen significantly. The growth of the NTUC-financed insurance (INCOME), transport (COMFORT), dental (DENTICARE) and consumer (WELCOME) cooperatives has been equally impressive. These enterprises, however, are not managed by the Central Executive Committee of the NTUC. Their day-to-day affairs are run by hired managers. Policies are determined by a Board of Trustees, some of whom are not directly involved in the labour movement.

In 1973, a second symposium billed as "labour's role in a technological society" was organized by the NTUC. The meeting affirmed the success of the modernization programme and defined a more activist role for unions. Henceforth, unions were to seek to be "partners in production within an integral society." But the concept has yet to be fully spelt out. As unions are effectively excluded by law from most areas of managerial decisions, the concept appears to have only limited application.

At the plant level, works councils are clearly one

<sup>7</sup> N. Heyzer and Wee Gek Sim, Trade Union Leaders in Singapore, Department of Sociology, University of Singapore; Working Paper No. 4, 1973.

mechanism for advancing the concept. But thus far their penetration has been light. Where they do thrive, their focus has been on such issues as health and safety, productivity drive, working conditions, recreation for workers, etc. A fundamental revision of the 1968 labour laws is needed if unions are to participate in plant decision-making to the extent implied by the term, "co-partners in production."

#### V. Emerging Problems

The new labour laws accomplished their aims admirably. Confidence was generated among oversea investors. Locally, industrial peace was induced at the same time that labour costs were held down. But a number of problems still confront the actors and the system, some of the problems the result of the economic success that the system has helped to bring about.

The labour movement continues to face the problems of membership satisfaction and participation, and the persistent issue of leadership succession. In its bid to revitalize itself, the union movement has concentrated its energy on developing social services and co-operatives. These efforts, although useful, have not been accompanied by an equally forceful drive for worker benefits. Union members, it has been shown, require that unions also serve an instrumental function of seeking more

pay and better working conditions.<sup>8</sup>

Leadership succession is a perennial problem faced by the union movement. Most of the top union leaders are now in their 40s and in a decade or so they must pass the mantle of leadership to the next generation. The current leadership is therefore very concerned with the nature and quality of potential leaders within the trade union movement.

Past programmes to cultivate union leaders have not been very successful. In part, this has been due to the lack of opportunity for young leaders to gain experience in the administration of union affairs. A programme to nurture new leaders has been proposed.<sup>9</sup> But these new leaders attracted by better pay and working conditions may not have the requisite commitment to the labour movement or rapport with the rank and file.

A related problem concerns the extent of youth and female participation in the labour movement. A sizeable proportion of the industrial workforce is young and female who have little in common with the top union leaders. The present

<sup>8</sup>Lim Ien Neo, The Role of Trade Union Officials in a New Industrial Labour Force, University of Singapore, Department of Sociology, unpublished M.Soc.Sc. thesis, 1973, pp.71.

<sup>9</sup>C.V. Devan Nair, in a speech reported in the Straits Times, February 28, 1974.

union leadership has undergone the fires of anti-colonialism whereas the new industrial workers have not. Thus the issues which have motivated and committed the current leaders to the labour movement do not hold the same appeal for young and female workers. The low level of youth and female participation accentuates the problem of ensuring a peaceful transition in union leadership. It is an issue which also interests the party government. A change in leadership could undermine its close relationship with the union movement.

The low degree of youth and female involvement in the labour movement has been attributed to the following factors: the cynicism youth have of the labour movement; the unstable work patterns of young and female workers; the lack of monetary incentives in trade union work and the fact that work is not the central life interest of most young workers.<sup>10</sup>

The age gap between the union leadership and industrial workforce has resulted in a communication gap between the NTUC and the affiliated union headquarters and branch officials. One study of branch officials of the Pioneer Industries Employees Union (PIEU) indicates that officials are not satisfied with the

<sup>10</sup> Pang Eng Fong, "Youth, Females and the Singapore Labour Movement," USASU Newsletter, October/November 1973, pp. 9-12.

extent of communication between themselves and union headquarters.<sup>11</sup> These problems of the labour movement are further exacerbated by the large influx of immigrant workers into the expanding industrial sector in the last few years. The attitudes of this immigrant workforce are not necessarily congruent with those of citizen workers or union leadership. Furthermore, a number of discriminatory measures taken against them in respect of housing, marriage, job changes and union participation may generate grievances which if unresolved may sow the seeds of industrial conflict. Non-nationals, for instance, may not own housing or marry Singaporeans or change jobs or participate in union activities without the consent of the appropriate authorities. Approval for union participation is generally given but it can be withdrawn easily. The restriction on job changing among non-nationals was a step taken to reduce industrial worker mobility which many employers felt was excessive.

Some of the branches of unions are now dominated by immigrant workers who are probably more concerned with the short-term aspects of their employment conditions. They are, therefore, more likely to be instrumentally oriented, an orientation which could conflict with the perspective of the top leadership which tends to emphasize the longer term.

<sup>11</sup> Lim Ien Neo, op. cit. pp.111-119.



There are, however, a number of factors which are favourable to long-term union growth. Firstly, with the increasing emphasis on large-scale manufacturing, organizations will become bigger and more bureaucratized, a development which will generate a need for organized representation among workers. Secondly, the increased provision of union courses "to acquaint branch level officials and members with the movement's new guiding philosophy and plans for the future"<sup>12</sup> may over time reorientate younger members to the new tasks adopted by the labour movement. Thirdly, the increasingly centralized nature of wage decisions in the economy through the mechanism of the National Wages Council (NWC) may lead to larger union membership. Workers are beginning to feel that they need to be union members if they wish to benefit from the guidelines laid down by National Wages Council. (The formation, structure and impact of the NWC will be discussed later).

#### VI. Management Problems

Management too faces a number of problems. Of these, the need to restrain production cost increases is probably the most important. Both material and labour costs have risen sharply

<sup>12</sup> N. Govindasamy, "Trade Union Education in the 70's," paper presented at NTUC Symposium on Labour in a Technological Society, March 1973.

in the last two years and if the employers' complaints are to be believed, profit margins have been reduced substantially. In addition, management has to fend off union attempts to share managerial authority. But so long as the labour laws remain unchanged it is not likely that unions will be able to erode management prerogatives to any significant degree. Further, management, particularly foreign management, must ensure that affirmative action is taken to satisfy the demands of locals for upward mobility within the management structure. Many locals feel that the ascent into the upper levels of management has been relatively slow.

#### VII. Party-Government Problems

Two features in the economy are likely to pose problems for the party-government. One is the rapidly rising rate of inflation since 1972, which has led to an acknowledged decline in real incomes. The second and related problem is the perceived widening of income disparities. In 1973 alone, the consumer price index increased by over 35 per cent while wages rose at most 20 per cent for workers. One national sample survey indicates that perhaps as much as one-quarter of the working population earns less than \$150 a month whilst over a one-third of all

households has an income of less than \$300 a month.<sup>13</sup>

Many quarters have felt that the tremendous economic expansion in Singapore since 1969 has benefitted the property-owning and professional classes more than the working classes which have borne the brunt of a wage restraint policy. Up till recently the government has argued that the economic pie must be enlarged before the issue of equitable income distribution can be given priority. It has also argued that rapid increases in wages would threaten Singapore's competitive position in the international economy. But this has become increasingly difficult to justify to the majority of working Singaporeans who do not share the privileges on the professional and bureaucratic élites. The perceived growing inequality in the income distribution could very well lead to a polarization of classes.

#### VIII. National Wages Council: Structure and Impact

In the past the control of wages in the unionized sector has been accomplished with the instrument of the Industrial Arbitration Court which serves the dual function of certifying collective agreements and of conciliation and arbitration. One of its guiding principles in setting awards

<sup>13</sup> Economic Research Centre, Labour Force Participation Survey, 1973, unpublished tabulations.

is the state of the economy. It thus acts as a stabilizing influence on wage levels and serves as a "blunt but effective instrument to promote governmental policy."<sup>14</sup>

In the light of the changed economic environment since 1968 the Industrial Arbitration Court was not an appropriate instrument for controlling wage levels and for promoting social and economic development. A new mechanism comprising all three actors in the industrial relations system was needed to ensure orderly wage developments. The National Wages Council was set up in 1972 to pursue, among other things, this goal. It was assigned three major tasks:

- (a) to formulate general guidelines on wages;
- (b) to ensure orderly wage developments to promote economic and social development;
- (c) to help devise incentive schemes to improve international productivity.

It will be noted that the goal of a more equitable income distribution is not explicitly stated in the three objectives. It is presumably implied by the phrase "social and economic development."

<sup>14</sup> D.B. Johnson and Robert Quek, "The Role of the Industrial Arbitration Court in Singapore's Economic Development," The Law of Industrial Relations in Singapore, University of Singapore Law Society, 1970, pp. 111-131.

The NWC is made up of 10 members -- a Chairman (currently an academic) and three representatives each from government departments, NTUC and Employers Association. Non-affiliates of the NTUC and non-unionized workers are not represented. Neither are small employers who are not members of the Singapore Employers' Federation, National Employers' Council and the Singapore Manufacturers' Association.

The formation of NWC underscores the centralized guidance that the party government gives to the industrial relations system. The Council's recommendations thus far have not been noted for their attention to equity. In 1972 it recommended a 8 per cent flat wage increase for the private sector. This was followed in 1973 with a 9 per cent wage increase (with variable off-settings for workers on incremental scales). The 1973 guidelines were adopted by the public sector. Both the 1972 and 1973 guidelines imply an absolute widening of income differentials. In February 1974, a flat \$25 pay rise was recommended for workers earning less than \$1,000. It signals an attempt to adjust for the loss in real incomes arising from the galloping inflation in 1973. Thus, the 1974 recommendations represent a clear effort to redress what appears to most people to be a deteriorating income distribution.

The NWC recommendations are strictly guidelines. They

are not mandatory. But most large firms follow the guidelines, some even exceeding them. As much as half the national workforce of 800,000 has benefitted in 1973 and 1974.

As the guidelines do not apply to all workers and as wage increases tend to be related to labour market pressures, it is quite possible that the distribution of incomes has not deteriorated to an extent implied by the wage guidelines. Indeed, one recent paper suggested that there may have been a slight narrowing of income inequality in Singapore between 1966 and 1973.<sup>15</sup>

There is, however, the question of the impact of the wage guidelines on small firms. Small firms are generally less profitable, and less able to absorb wage increases through higher productivity. The NWC recommendations which institutionalize wage changes may, therefore, drive some small firms out of business. This will naturally cause hardship and create problems of adjustment for sole proprietors and partnerships. While it is difficult to justify the existence of small firms which employ mostly semi-skilled labour and are not export-oriented, their demise may create some unemployment. It may also destroy some firms which serve as training grounds for skilled industrial

<sup>15</sup> See Pang Eng Fong, "Growth, Equity and Race in Singapore," Economic Research Centre, unpublished paper, March 1974.

labour.

What then are the solutions to the problems of income inequality and inflation? What role can the industrial relations system play? It can help indirectly by ensuring industrial peace and a full-employment situation. While it is true that growth creates social tensions, it also provides a basis for attacking the problems of poverty and price increases.

The Government is currently focussing its attention on the development of high technology skill-intensive industries. The 1974 Budget Speech reports that capital investment per worker of new industries has more than doubled in 1973, which augurs well for the future growth of the manufacturing sector. But for the present, most of the industrial workers are engaged in unskilled, dull and repetitive tasks. It will be quite a while before retraining programmes can be extended to such workers.

In its quest to generate industrial skills the Government has also extended its pre-employment formal training programmes. Technical, vocational and tertiary institutions and joint training schemes have been promoted vigorously.

There is nonetheless some concern over the continued entry of nationals into the manufacturing sector. Many Singaporeans are not particularly attracted to work in the manufacturing sector. A preference for white-collar jobs still lingers. This preference is not so much the result of a white-

collar mentality as the consequence of a wage structure which has been and is still tilted towards white-collar jobs.

#### IX. Environmental Changes

Environmental changes particularly in the field of education are likely to have an impact on the industrial relations system. Although the present educational objective is to develop bilingualism in the schools, enrolment in the English-medium schools has been increasing steadily. In the late fifties about half the school enrolments were in the Chinese-medium stream. By 1973 nearly two-thirds of the educational enrolment are to be found in the English-language stream. The continuing shift towards English language education has implications for the labour movement.

Traditionally, the Chinese-educated have played an important role in the development of trade unions. They were generally more militant and identified themselves more with the rank and file. They perceived their role as union leaders quite differently from the English-educated leaders. Many of the English-educated officials view union work as a way to improve their job prospects while the Chinese-educated participated in union activities to enhance their status among fellow workers.<sup>16</sup>

<sup>16</sup> Lim Ien Neo, op. cit. p. 55.

It is possible that the shift may result in less forcefully led unions and more tensions between union members and union leaders.

The second environmental change is the increasing youthfulness of the workforce. The life-styles of the young differ considerably from that of the older generation. The young, who entered employment in a bouyant economy are not likely to be moved by an issue such as economic survival. They are more likely to stress bread and butter issues and short-term gains.

The expansion of trade union commercial enterprises will require managerial abilities, not charismatic leadership. But rational selection of managerial leadership may be difficult to reconcile with the requirements of union democracy. The proposed development of an adequately compensated union leadership may produce technocrats who are highly skilled in managing people but not committed in any degree to the labour movement.

Rapid economic growth has also diluted concern over job security. In fact the problem now is to curb labour turnover and job mobility. The harsh provisions of the 1968 laws pertaining to job security have become less important. In the words of the NTUC Secretary-General: "The restrictions of the 1968 Employment Act which seem particularly onerous to trade unions in an unemployment situation appears today with some exceptions to be

irrelevant and otiose."<sup>17</sup> Moreover, job security provisions may be even less important in an economic environment in which employment is generated mostly by foreign investment and multi-national companies who have the capacity to relocate plants easily. This is specially true of labour-intensive but obviously less true for capital-intensive industries.

The long-term trend towards a more skilled workforce will strengthen the bargaining position of unions representing skilled workers who are much harder to replace. Further, as employers have invested in their skill development they will be loathe to lose them to other firms.

#### X. Prospects

We have seen that the 1968 labour laws shifted power away from the labour movement towards management. But the locus of power and the power of initiative still reside essentially with the government which has defined the national problems and proposed programmes to solve them. The success of the economic strategy has itself affected the industrial relations system; it had led to an increased concern with income distribution and productivity in contrast with 1968 when the focus was primarily

on employment creation. Another change has been the growing presence of foreign workers in the country which if allowed to increase further may have serious repercussions on the development of unions and their relationship with employers.

The immediate future may witness some relaxation of the labour laws in respect of substantive issues. The relaxation of overtime and bonus payment in 1972 is a case in point. However, procedural clauses, particularly those pertaining to managerial prerogatives, will remain. Continued abuse by employers of their rights to retrench and dismiss employees will be checked to some extent by government-initiated changes in labour legislation.

The 1968 amendment which allows dismissed non-unionised workers the right to appeal to the Labour Minister is a case in point.

Unions will attempt to share in decision-making at the work place but their penetration will be restricted to relatively minor issues. Major decisions on production, technology and the recruitment of key personnel will remain with the employers. Indeed, it is difficult to see to what extent unions can participate in the decision-making of foreign firms and multi-national companies whose management behave and plan in global rather than in parochial or in national terms.

Given the tight control the government has over the labour movement it is unlikely that an alternative labour movement will emerge. The various political and administrative

rules will be marshalled against such a possibility. The lack of an alternative movement, however, will not guarantee industrial peace. The currently tranquil industrial scene by no means reflects a complete absence of hostile attitudes. The large foreign work force and its discontents in respect of housing, marriage and job changes is one possible source of future industrial unrest. Industrial conflict may also occur if the virus of inflation is not expelled either by wage increases or by a moderation in price increases. But, by and large, future labour unrest will probably be of a wildcat nature. Strikes are likely to be small in scale, of limited duration and easily contained because of lack of organization. Industrial peace will not be threatened to any significant degree, and the appearance of tripartite harmony will be preserved.

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