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Autochthonous constitutional design in post-colonial Singapore: Intimations of Confucianism and the Leviathan in entrenching dominant government

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AUTOCHTHONOUS CONSTITUTIONAL DESIGN IN POST-COLONIAL SINGAPORE: INTIMATIONS OF CONFUCIANISM AND THE LEVIATHAN IN ENTRENCHING DOMINANT GOVERNMENT

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ABSTRACT

Does Singapore's approach to institutional design vis-à-vis political representation prioritize strong and effective government, or is the goal one that is geared towards a representative government as a means of enhancing political governance? This paper examines the series of amendments to Singapore's Constitution and related legislation, between 1984 and 1990, and in 2010, which relate to political representation in Singapore's electoral system and unicameral legislature. At one level, the changes are part of the endeavor to retain Parliament's standing as the focal point of Singapore's Westminster-modeled system of government. The constitutional changes reflect the political elites' abiding belief that institutional design must produce a government with a clear mandate, demonstrated through a strong parliamentary majority, for it to govern resolutely and decisively in the long-term interests of Singapore. However, even as the changes are presented as a public interest endeavor to enhance Parliament's representativeness, the legislative changes marginalize the importance of representation in Singapore's parliamentary democracy.

I. INTRODUCTION

With the spread of democratization globally, there is a clarion call for more representative government in many emerging democracies. The growing consensus argues that the institutional design of political and economic institutions is critical to a country's economic success and failure. For example, Daron Acemoglu and James A. Robinson argue that politics and political institutions determine a country's economic institutions (e.g. inclusive or extractive).[1] In this regard, electoral system reforms and innovation have played, and continue to play, a critical role in responding to popular democratic aspirations, in establishing and entrenching good governance, and in developing institutions, processes and norms of government that cater to a country's specific needs and conditions. Much faith has been placed in electoral reforms to tackle the concerns of the democratic deficit.[2] For instance, Pippa Norris observes that electoral systems "represent, perhaps, the most powerful instrument available for institutional engineering, with far reaching consequences for party systems, the composition of legislatures, and the durability of democratic arrangements."[3]

For multi-racial societies, in particular, several similar strands of thought have gained ascendency. These include Arend Lijphart's seminal theory of consociation or power-sharing,[4] the suitability of majoritarian vis-à-vis proportional representation

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[1] Acemoglu and Robinson's take-away, bluntly put, is that to get a country's economics right, get the politics right first. DARON ACEMOGLU & JAMES A. ROBINSON, WHY NATIONS FAIL: THE ORIGINS OF POWER, PROSPERITY, AND POVERTY (2012).

[2] The concept of democratic deficit refers to a situation in which governmental or public bodies/institutions of a country or an organization (e.g., the European Union) are perceived to suffer from a lack of democracy and are regarded as being inaccessible to the ordinary citizen. It reflects the gap between the perceived democratic performance of the entity and public expectations. Various reasons have been offered for a democratic deficit such as poor institutional design or inadequacy of processes, inability to meet the demand (in which there is popular expectation of more), availability of information beyond official sources (negative news about government and access to alternative sources of news and information), and supply side issues (e.g., the performance and structure of democratic regimes). Democratic deficits often reflect the dynamics of the democratization process.

[3] PIPPA NORRIS, ELECTORAL ENGINEERING: VOTING RULES AND POLITICAL BEHAVIOR 209 (2004).

[4] Arend Lijphart, *Constitutional Design for Divided Societies,* 15 J. DEMOCRACY, no. 2, at 96 (2004); AREND LIJPHART, DEMOCRACY IN PLURAL SOCIETIES: A COMPARATIVE EXPLORATION (1977).

systems, and electoral systems' ability to generate mass support for the political system, especially from minorities. [5] Not surprisingly, greater weight is now placed on the pivotal role of elections and political institutions in divided societies as a necessary way station in the development of a stable and inclusive political process of representation. [6]

This article seeks to examine Singapore's approach to institutional design of its electoral and political system. [7] It also examines whether political representation ultimately prioritizes a strong and effective government over a representative one. It examines the various changes to the Singapore Constitution that relate to institutional design since 1984, including the latest set of amendments in 2010. At one level, the constitutional and legislative changes are part of the larger endeavor to retain Parliament's standing as the focal point of Singapore's Westminster-modeled system of government. The key challenge revolves around keeping parliamentary democracy relevant in a one-party dominant political system. Intimately connected to this is the ruling People's Action Party's (PAP) steadfast belief that political contestation must be 'constructive' and that this must take place in the political arena primarily through the electoral process.

The 2010 constitutional changes reflect and reinforce the political elites' abiding belief since the 1980s that institutional design must produce a government with a clear mandate, demonstrated through a strong parliamentary majority, for it to govern resolutely and decisively in the long-term interests of Singapore. Through the years, the government's overarching narrative on institutional design and change has presented the constitutional changes and innovations as a public interest endeavor to enhance Parliament's representativeness and to

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[5] Norris, *supra* note 3, at 209-229.

[6] *E.g.* Allen Hicken & Yuko Kasuya, *A Guide to the Constitutional Structures and Electoral Systems of East, South, and Southeast Asia*, 22 ELECTORAL STUDIES, no. 1, at 121 (2003); Stefan Wolff, *The Electoral Dynamics of Elections* (European Center for Minority Issues (ECMI) Working Paper 17, 2003), *available at* http://www.ecmi.de/publications/detail/17-the-ethnopoli tical-dynamics-of-elections-179/; THE ARCHITECTURE OF DEMOCRACY: CONSTITUTIONAL DESIGN, CONFLICT MANAGEMENT, AND DEMOCRACY (Andrew Reynolds ed., 2002); BENJAMIN REILLY, DEMOCRACY IN DIVIDED SOCIETIES: ELECTORAL ENGINEERING FOR CONFLICT MANAGEMENT (2001).

[7] Due to space constraints, this article focuses on the changes to the electoral and legislative system. It does not examine the creation of the elected President office, which is probably the most significant change to the Singapore Constitution to date.

increase Singaporeans' civic participation and democratic ownership of governmental processes. However, the changes and innovations continue to marginalize representation and fairness in Singapore's parliamentary democracy. The election and appointment of Singapore's legislators to date suggest that representative democracy is not a prioritized outcome of the electoral system. The ruling People's Action Party's political dominance notwithstanding, the pressure is on the evolving institutional design to become more inclusive, representative, equitable and fair, in tandem with the growing democratic aspirations.

The article is organized as follows. Part II outlines the contextual setting of the People's Action Party's political dominance in Singapore. In Part III, the ideational impulses of preemptive constitutional design, the reliance on the *longue durée* for political legitimation, and the concern with harmony and stability are sketched as the backdrop to some of the driving forces of institutional design. Part IV examines the constitutional innovations to the electoral and legislative systems introduced in a heightened period of constitutional engineering between 1984 and 1991. The motivations for institutional design are examined in Part V. Part VI concludes the paper.

II. CONTEXT: LONGEVITY OF ONE-PARTY DOMINANCE

The constitutional changes to the electoral and political system since 1984 have to be contextualized against the backdrop of the post-independence evolution of Singapore's legislature in a one-party dominant state.[8] A dominant theme in Singapore's political evolution is the shift towards Parliament being reconceptualized and reaffirmed as the national platform for alternative and diverse voices, rather than just adversarial, partisan ones. Expressions of political disagreement and opposition should be constructive, and not strident. Harmony is preferred over discord and division. The ruling elites' deep reservations with disharmony, discord and dissent, particularly in civil society and

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[8] *See also* the discussion in Li-ann Thio, *The Post Colonial Evolution of the Singapore Legislature: A Case Study*, Sing. J. Legal Stud. 80 (1993).

in cyberspace, take place amid a growing desire among Singaporeans for a more open and vibrant political system.

Since 9 August 1965, Singapore has been a sovereign republic with a Westminster-modeled parliamentary system of government. The separation of powers among the executive, the legislature and the judiciary is provided in Singapore's Constitution. Singapore's parliamentary election system is modeled on the British electoral plurality system although there have been significant modifications.[9] With relatively handsome but declining victory margins, the PAP has won all eleven post-independence general elections. This has enabled the PAP government to implement constitutional and legal changes with relative swiftness and ease. Between 1968 and 1981, it was the only party in the unicameral Parliament. Since then, the PAP has consistently garnered at least 93 per cent of all elected parliamentary seats at every general election. Due to its enduring political dominance, the PAP government has been likened to a post-colonial Leviathan[10] or a civil oligarch.[11] As Table 1 shows, the PAP has a disproportionate share of parliamentary seats vis-à-vis its share of popular votes.

Despite a large middle-class, relative affluence, and growing but unbalanced electoral competition in Singapore, the PAP's political dominance is likely to persist into the foreseeable future.

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[9] Hans-Christoph Rieger, *Singapore, in* 2 ELECTIONS IN ASIA AND THE PACIFIC: A DATE HANDBOOK 239-61 (Dieter Nohlen et al. eds., 2001); Can Seng Ooi, *Singapore, in* 1 POLITICAL PARTY SYSTEMS AND DEMOCRATIC DEVELOPMENT IN EAST AND SOUTHEAST ASIA 343-402 (Wolfgang Sachsenröder & Ulrike Elisabeth Frings eds., 1998). For instance, Singapore's head of state is the President, elected by popular mandate since 1993, who exercises essentially reactionary custodial powers and ceremonial duties. The creation of the elected Presidency in 1990 was the culmination of constitutional engineering in the 1980s. For more on the elected Presidency, *see* collection of essays in MANAGING POLITICAL CHANGE IN SINGAPORE: THE ELECTED PRESIDENCY (Kevin Tan & Lam Peng Er eds., 1997).

[10] DAN SLATER, ORDERING POWER: CONTENTIOUS POLITICS AND AUTHORITARIAN LEVIATHANS IN SOUTHEAST ASIA (2010). Dan Slater views the PAP government as a Leviathan through its use of coercive and remunerative powers. Thomas Hobbes' *Leviathan*, published in 1651, has shaped Western political thinking. For society's self-preservation and protection from anarchy, Hobbes argued that a leader and protector, whose position is governed by a contract with the people, is needed. The PAP government sees itself in a similar light as a leader and protector, operating within a social compact which governs the relationship between the government and the governed. For one perspective of Singapore's social compact, *see* Eugene K.B. Tan, *The Evolving Social compact and the Transformation of Singapore: Going Beyond Quid Pro Quo in Governance, in* MANAGEMENT OF SUCCESS: SINGAPORE REVISITED (Terence Chong ed., 2010).

[11] This is the term used in JEFFREY A. WINTERS, OLIGARCHY (2011).

This political dominance arises from a variety of factors including the structural and self-inflicted impoverishment of the opposition, the opposition's inability to present a united front and to convince the electorate that it can form a viable political alternative, and the configuration of the political system that makes effective political competition difficult.[12]

Until the 2011 general elections ushered in a so-called 'new normal' political landscape in Singapore,[13] parliamentary elections were one-sided and effectively a limited referendum of sorts on the PAP's performance and legitimacy.[14] In addition, the PAP is "adept at changing the electoral rules to its advantage" in the electoral process.[15] The PAP government has rejected repeated calls for the establishment of an independent electoral commission.[16]

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[12] Suzaina Kadir, *Singapore: Engagement and Autonomy within the Political Status Quo, in* CIVIL SOCIETY AND POLITICAL CHANGE IN ASIA: EXPANDING AND CONTRACTING DEMOCRATIC SPACE 324-54 (Muthiah Alagappa ed., 2004); HUSSIN MUTALIB, PARTIES AND POLITICS: A STUDY OF OPPOSITION PARTIES AND THE PAP IN SINGAPORE (2003); DIANE K. MAUZY & R.S. MILNE, SINGAPORE POLITICS UNDER THE PEOPLE'S ACTION PARTY (2002); James V. Jesudason, *The Resilience of One-Party Dominance in Malaysia and Singapore, in* THE AWKWARD EMBRACE: ONE-PARTY DOMINATION AND DEMOCRACY 127-72 (Hermann Giliomee & Charles Simkins eds., 1999); Heng Chee Chan, *The Role of Parliamentary Politicians in Singapore,* 1 LEGIS. STUD. Q., no. 3, at 423 (1976).

[13] For various analysis of the 2011 general election, *see* VOTING IN CHANGE: POLITICS OF SINGAPORE'S 2011 GENERAL ELECTION (Kevin Y.L. Tan & Terence Lee eds., 2011); CATHERINE LIM, A WATERSHED ELECTION: SINGAPORE'S GE 2011 (2011); DEREK DA CUNHA, BREAKTHROUGH: ROADMAP FOR SINGAPORE'S POLITICAL FUTURE (2012).

[14] Mauzy, *supra* note 12; Garry Rodan, *Elections without Representation: The Singapore Experience under the PAP, in* THE POLITICS OF ELECTIONS IN SOUTHEAST ASIA 61-89 (R.H. Taylor ed., 1996).

[15] Allen Hicken, *Asia and the Pacific: General Overview, in* HANDBOOK OF ELECTORAL SYSTEM CHOICE 459 (Josep M. Colmer ed., 2004).

[16] The Elections Department is under the Prime Minister's Office, http://www.elections.gov.sg/ (last visited Feb. 2, 2012).

Table 1: PAP's Post-Independence Electoral Performance, 1968 – 2011

Date of General Election	Total No. of Parliamentary Seats	Total No. of Parliamentary Seats Contested by PAP Only (%)	PAP's % Share of Total Valid Votes Cast	PAP's Share of Parliamentary Seats (%)
13 Apr 1968	58	51 (87.9)	86.7	58 (100)
2 Sep 1972	65	8 (12.3)	70.4	65 (100)
23 Dec 1976	69	16 (23.2)	74.1	69 (100)
23 Dec 1980	75	37 (49.3)	77.7	75 (100)
22 Dec 1984	79	30 (39.8)	64.8	77 (97.5)
3 Sep 1988	81	11 (13.6)	63.2	80 (98.8)
31 Aug1991	81	41 (50.6)	61.0	77 (95.1)
2 Jan 1997	83	47 (56.6)	65.0	81 (97.6)
3 Nov 2001	84	55 (64.7)	75.3	82 (97.6)
6 May 2006	84	37 (44.05)	66.6	82 (97.6)
7 May 2011	87	5 (5.75)	60.1	81 (93.1)

Source: Author's compilation based on information available at the website of
the Singapore Elections Department

The inherited common law legal system is a legacy of Singapore's British colonial past, which began when Stamford Raffles of the British East India Company founded Singapore in 1819 with the goal of turning it into an entrepôt at the crossroads of East and West, and between the Indian and Pacific oceans. The development of an autochthonous political and legal system is a more recent phenomenon, gaining traction from the last decade of the twentieth century.[17] Indeed, the confidence that accompanied successful state-building bred further confidence and the belief that Western political models and ideologies are not entirely appropriate for Singapore's nation-building. State-building in Singapore is nominally built on established institutional templates of democracy derived from other parts of the world. In fact, nation-building is indigenously developed and jealously protected from external influence.[18]

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[17] ANDREW PHANG BOON LEONG, THE DEVELOPMENT OF SINGAPORE LAW: HISTORICAL AND SOCIO-LEGAL PERSPECTIVES (1990).

[18] This likens state-building to the development of 'hardware' such as institutions (e.g., the public service, courts) and their strength and institutional capacity. Nation-building is equated with the development of 'software' (or 'heartware' so to speak), such as the inculcation of values, norms, and political beliefs necessary to engender a sense of belonging and common purpose in a nation-state.

Hewed as it was from the established Westminster system of parliamentary democracy, Singapore's parliamentary system today maintains but trappings of its colonial legacy. Even though the Westminster heritage is often cited, the adaptation of political institutions and processes is seen as being necessary for Singapore's political survival and prosperity. There is no sentimental attachment to its Westminster roots. This dovetails with the abiding belief in the 'Singapore way': a model of development that is coterminous with her history, societal values, and development objectives, in contradistinction to prevailing Western norms.[19]

Since the mid-1980s there has been a deliberate effort at post-colonial 'constitutional engineering' in Singapore. In the evolving constitutional architecture, the core intent of these efforts is to design a political system that can reduce the incidence and severity of 'political accidents' such as a 'freak' election outcome, in which the PAP is not returned to power.[20] This impetus in constitutional design entails that such concerns relating to the political system are dealt with preemptively wherever possible. Specific concerns relating to Singapore include the lack of minority representation, the lack of opposition representation (and voices) in Parliament, the lack of adequate checks and balances should a 'rogue government' be in power, and catering to the desire for a more diverse and competitive political landscape.

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[19] *See, e.g.,* Bilahari Kausikan, *Governance That Works,* 8 J. DEMOCRACY, no. 2, at 24, 27 (1997) for a robust defense of the view that "there cannot be a 'Singapore model' that is applicable anywhere but in Singapore."

[20] This theme of 'freak election results' was a constant refrain of Singapore's first Prime Minister Lee Kuan Yew in the 1980s. The theme was repeated by Lee's successor, Goh Chok Tong in the 1990s, during which significant constitutional changes first conceived under Lee were implemented and tested during Goh's tenure as Prime Minister (1990-2004). *See* also Li-ann Thio, *The Passage of a Generation: Revisiting the Report of the 1966 Constitutional Commission, in* EVOLUTION OF A REVOLUTION: FORTY YEARS OF THE SINGAPORE CONSTITUTION 7-49 (Li-ann Thio & Kevin YL Tan eds., 2009); Mutalib Hussin, *Singapore's First Elected Presidency: The Political Motivations, in* MANAGING POLITICAL CHANGE IN SINGAPORE: THE ELECTED PRESIDENCY 167-87 (Kevin YL Tan & Lam Peng Er eds., 1997).

III. 'PREEMPTIVE' CONSTITUTIONAL DESIGN, THE LONGUE DURÉE, AND THE HARMONY IDEOLOGY

The mid-1980s to 1991 marked an intense period of constitutional engineering during which the Constitution was substantially amended. This period of constitutional innovation was preceded and accompanied by the PAP's less than impressive electoral victories in the three general elections of 1984, 1988 and 1991. In these general elections, the PAP did not maintain their dominance (as they did in the 1968, 1972, 1976 and 1980 editions). It garnered slightly less than two-thirds of the total valid votes cast (see Table 1). By the PAP's own high standards, its electoral performance in 1984, 1988, and 1991 were relatively poor. This was notwithstanding the fact that the PAP had delivered the economic goods and Singaporeans' income grew significantly during the twenty years between independence in 1965 and 1984. The last few years of the 1980s also witnessed preparations for Singapore's first political leadership handover from Lee Kuan Yew to Goh Chok Tong in 1990, and a controversial national security clampdown against alleged Marxist conspirators in 1987 and 1988.

The PAP government recognized that Singaporeans, while confident of PAP's economic governance, were less enamored of its political dominance. To arrest this gradual weakening of electoral popularity, the PAP introduced various constitutional innovations. At one level, these innovations could be regarded as part of the overarching effort in preemptive constitutional design to cater to the perceived flaws and inadequacies of the imported Westminster form of government for Singapore. These innovations were ostensibly not only aimed at tackling the various concerns the government had with democratic development, but at evolving a distinctive political and electoral system that was deemed appropriate for an exceptional sovereign city-state. At another level, the innovations were perceived by the government's critics as disingenuous efforts to tilt the political playing field to the PAP's advantage. The PAP's government's overarching concern in promoting its conception of governance and institutional design was how to entrench its political dominance.

The government's desire not to be fettered by its Westminster heritage was evident even as the claim to its colonial Westminster origins was instrumentally relied upon whenever it was useful to assert such a *longue durée*. The modern nation-state, as Benedict

Anderson suggests, tends to project its history back to a geographic and cultural entity with a long past so as to derive some dimension of heritage, legitimacy and standing born of the *longue durée*.[21] In Singapore, this strategic narrative of a political *longue durée* reflects an inchoate dialogue between the imported Westminster traditions and conventions, and the particularistic imperative of contextualizing and modernizing political institutions to fit the demands and aspirations of political modernity and sovereignty.

Yet, while asserting its Westminster roots, the Singaporean quest for political modernity has its unevenness and its contradictions. In its restless search for a veritable political past and heritage, the quest for a *longue durée* was not only confined to tracing its lineage to that of its colonial master. Singapore has incorporated selected facets of the ancient Chinese political philosophy of Confucianism, as well as the republican endeavors of the founder of republican China, Sun Yat-sen, into its otherwise brief political historiography.[22] This aspect of (re-)defining the national past requires the various tools of nurturing nationalism including inventing traditions, creating national myths and national heroes, and revising the national historiography.[23]

Given the particularistic neo-Confucian political culture subtly promoted by the Singaporean government, the political leadership subscribes to the Confucian precept that leaders have a moral duty to act in the collective interest. It is from this that they derive their moral authority to govern even as the legal and political authority to govern comes from the electoral mandate.[24]

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[21] BENEDICT R. O'G ANDERSON, IMAGINED COMMUNITIES: REFLECTIONS ON THE ORIGIN AND SPREAD OF NATIONALISM (rev. ed. 1991).

[22] Eugene K.B. Tan, *Re-engaging Chineseness: Political, Economic and Cultural Imperatives of Nation-building in Singapore,* 175 CHINA Q. 751 (2003).

[23] *See* THE INVENTION OF TRADITION (Eric Hobsbawm & Terence Ranger eds., 1983).

[24] Singapore's founding Prime Minister Lee Kuan Yew argues that good government is what people want and that cultural values *a la* 'Asian Values' play a determinant role in deciding the political norms of a society:

> "What Asians value may not necessarily be what Americans or Europeans value. Westerners value the freedoms and liberties of the individual. As an Asian of Chinese cultural background, my values are for a government which is honest, effective and efficient in protecting its people, and allowing opportunities for all to advance themselves in a stable and orderly society, where they can live a good life and raise their children to do better than themselves... Very few democratically elected governments in the Third World uphold these values. But it is what their people want... It is Asian values that have enabled Singapore to contain its drug problem."

This system of government is presumed to be virtuous and to be trusted. As such, a government of good men (and women) should not be subjected to the pervasive scrutiny and suspicion that political leaders in liberal democracies face. To do so would undermine the integrity of the political system and render political governance more challenging since the government's focus would be diffused. This imperils the common good. To reinforce its approach to governance, the PAP government gave its self-interested imprimatur to the Confucian notion of good government by good men, incorporating it as a cornerstone of Singapore's political governance philosophy. Thus, the *Shared Values* White Paper affirmed:

> The concept of government by honourable men (*junzi*) who have a duty to do right for the people, and who have the trust and respect of the population, fits us better than the Western idea that a government should be given as limited powers as possible, and should always be treated with suspicion unless proven otherwise.[25]

In this scheme of things, the *junzi* (君 子 , Confucian gentleman)[26] and *li* (禮, proper behavior in sync with societal order and norms through moral propriety) are dominant themes, resonating with the political elites in Singapore.[27]

Daniel A. Bell observes that Singapore's political meritocracy is based on the assumption that political leaders have a better sense of the community's interest than the average citizen.[28] This coupled with the need for Singapore's political leaders to be trained over several electoral cycles means that

See FOOK KWANG HAN ET AL., LEE KUAN YEW: THE MAN AND HIS IDEAS 380 (1998).

[25] SHARED VALUES (Cmd. 1 of 1991) at 8, para. 41.

[26] For an elaboration of the classical understanding of the Confucian *junzi*, *see* WM. THEODORE DE BARY, THE TROUBLE WITH CONFUCIANISM 24-45 (1991).

[27] On the compatibility of Confucianism and human rights, and that 'Confucianism values' are universal values too, *see* Louis Henkin, *Confucianism, Human Rights and 'Cultural Relativism,' in* CONFUCIANISM AND HUMAN RIGHTS 1-20 (1998). *See also* DOH CHULL SHIN, CONFUCIANISM AND DEMOCRATIZATION IN EAST ASIA (2012).

[28] Daniel A. Bell, *Introduction: The Theory, History, and Practice of Political Meritocracy, in* THE EAST ASIAN CHALLENGE FOR DEMOCRACY: POLITICAL MERITOCRACY IN COMPARATIVE PERSPECTIVE 19 (Daniel A. Bell & Chenyang Li eds., 2013).

"meritocracy is incompatible with multiparty rule and the possibility that it would lead to alteration of political power." Hence, the apparent exceptionalism of Singapore becomes the watchword to explain away the inherent contradiction manifested through the overlaying of a one-party dominant system on a liberal democratic political system inherited from the British.[29]

Allied with the theme of political leaders who serve the larger good is the essentialist approach towards culture through its insistence on the need to maintain the Asian way of life in the face of enervating Westernization. Culture is relied upon to revive the values of consensus and harmony intrinsic to the system of values and traditions of Singaporeans of various races.[30] The endeavor to reinvigorate harmony (和) as a desired and indigenous socio-cultural norm and value needs to be seen in the context of the political ethos and economic pragmatism nurtured by the state. The interplay of culture, institutional design in governance and the promotion of ideational norms and aspirations reflect the way Singapore has sought to promote political governance.

In seeking consensus and stability, harmony is instrumentally utilized as both a means and an end in political governance.[31] This coheres with Francis Fukuyama's observation that stability and respect for authority as ideal conceptions of governance necessarily consign disagreement, contention, and conflict as problematic or even illicit.[32] Enshrined as part of the national Shared Values,[33] the Singaporean ideology of consensus and

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[29] For a discussion of Singapore's political meritocracy, *see* Benjamin Wong, *Political Meritocracy in Singapore: Lessons from the PAP Government, in* THE EAST ASIAN CHALLENGE FOR DEMOCRACY: POLITICAL MERITOCRACY IN COMPARATIVE PERSPECTIVE 288-313 (Daniel A. Bell & Chenyang Li eds., 2013); Kenneth Paul Tan, *Meritocracy and Political Liberalization in Singapore, in* THE EAST ASIAN CHALLENGE FOR DEMOCRACY: POLITICAL MERITOCRACY IN COMPARATIVE PERSPECTIVE 314-339 (Daniel A. Bell & Chenyang Li eds., 2013). Wong discusses the rigorous and systematic mode of selection by which Singapore's top echelon of political leaders are identified and groomed for public office.

[30] Eugene K.B. Tan, *Harmony as Ideology, Culture, and Control: Alternative Dispute Resolution in Singapore*, 9 AUSTL. J. ASIAN L., no. 1, at 120 (2007).

[31] On harmony as an organizing concept in governance and in Confucian thought, *see* JULIA TAO ET AL., GOVERNANCE FOR HARMONY IN ASIA AND BEYOND (2010).

[32] Francis Fukuyama, *The Primacy of Culture*, 6 J. DEMOCRACY, no. 1, at 7 (1995). Daniel A. Bell reminds us that harmony is "the idea that social relations characterized by peaceful order and respect for diversity are essential.": *See* Daniel A. Bell, *Why We Must Measure National Harmony*, FINANCIAL TIMES, Nov. 18, 2013.

[33] Singapore's Shared Values, adopted by the Parliament of Singapore on Jan. 15, 1991, are:

harmony provides a suitable ideational substratum to reinforce the social discipline that is cherished and consciously inculcated by the state in Singaporean society. As a political resource, the propagation of communitarianism, and the harmony ideology and culture can be leveraged upon discursively to disarm any potential political or social change movement, especially those favoring the pursuit of individual rights over community interests, of which the state is seen as the ultimate protector.

IV. SYMBOLIC OPPOSITION AND THE VALORISING OF ALTERNATIVE VOICES

A. NON-CONSTITUENCY AND NOMINATED MEMBERS OF PARLIAMENT

Introduced in 1984 and 1990 respectively, the innovations of the Non-Constituency Member of Parliament (NCMP) and the Nominated Member of Parliament (NMP) schemes derive their currency from the political intent of maintaining Parliament's relevance in a one-party dominant system. By then, the PAP government recognized the need to ensure a nominal, if not minimum, representation of opposition parliamentarians. In essence, the NCMP and NMP schemes were designed to produce a legislature that would include non-government MPs. Rather than substantially deepening democratic tendencies, the flurry of innovations to Singapore's democratic institutions superficially address the electorate's desire for alternative voices in Parliament without liberalizing the political system.

This attempt to introduce non-PAP MPs, albeit unelected, was to ensure that Parliament would not be perceived as a *de facto* PAP party caucus. In turn, this can help reduce the perception that Parliament, as the legislative body, was but a mere rubber stamp of law-making, budgetary and policy initiatives of the dominant Executive (the Cabinet).[34] It also sought to assure the Singaporean

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- Nation before community and society above self
- Family as the basic unit of society
- Community support and respect for the individual
- Consensus, not conflict
- Racial and religious harmony.

[34] ROSS WORTHINGTON, GOVERNANCE IN SINGAPORE 63-105 (2003). Worthington sees the Singapore legislature as being peripheral to policy-making. Similarly, PERC (Political & Economic Risk Consultancy) in its *Asian Intelligence* report

electorate that it should vote in its self-interest and not be overly concerned with Parliament being dominated by the PAP, since there will be a guaranteed minimum number of non-PAP MPs.[35]

Thus, the NCMP scheme would ensure that Parliament has a minimum number of legislators outside the ruling party (i.e., the PAP). In its original form, the NCMPs were selected from the best-performing opposition candidates who did not win seats in the general election and had secured at least 15 per cent of the vote among their respective constituencies. The opposition, not surprisingly, strongly opposed the NCMP scheme regarding it as an attempt to dissuade voters from recognizing the importance of electing opposition MPs. Given the objection to the NCMP scheme, opposition parties initially opted not to accept the NCMP seats when offered. Instead of expanding the NCMP scheme, the government introduced another constitutional innovation in 1990 – the NMP scheme. This was not surprising. The NMP innovation not only marked the effort to have more non-government voices in Parliament but also flagged the clear preference for 'alternative' or non-partisan voices, rather than 'opposition' or partisan voices. The accent on consensus and alternative voices, rather than contestation and opposition voices, is evident and reflects accurately the constitutional intent. Like their NCMP counterparts, the NMPs are unelected representatives. They are selected by a special Select Committee of Parliament and recommended for appointment by the elected President.[36] Hence, the NMPs (more

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of Feb. 20, 2013, "PERC's Ranking of National Legislatures in Asia," observes in the Singapore case the "very strong executive decisions that the legislature has endorsed – often without a great deal of debate." *Cf.* KHAI LEONG HO, SHARED RESPONSIBILITIES, UNSHARED POWER: THE POLITICS OF POLICY-MAKING IN SINGAPORE 170-215 (Rev. & expanded ed. 2003), who notes the MPs' legitimation role in public policy making. *See also* Chan, *supra* note 12.

[35] Party, government, and the state are often conflated in the Singapore context. This is not surprising given the PAP's dominance since 1959 when it first formed the government after Singapore attained self-government from the British. At another level, the PAP elites often conflate voter interest with that of the PAP's self-interest, which is, in turn, conflated with that of the state's interest.

[36] In selecting applicants for appointment as NMPs, Section 3(2) of the Fourth Schedule of the Constitution provides that NMPs "shall be persons who have rendered distinguished public service, or who have brought honor to the Republic, or who have distinguished themselves in the field of arts and letters, culture, the sciences, business, industry, the professions, social or community service or the labor movement...." The provision further provides that the Special Select Committee, in making any nomination, "shall have regard to the need for nominated Members to reflect as wide a range of independent and non-partisan views as possible."

than the NCMPs) lack the requisite authenticity and authority to represent any group including the functional groups that they may come from and from which they may have secured endorsements for their applications.

As NCMPs and NMPs are not elected legislators, their legislative powers are also limited. Article 39(2) of the Constitution stipulates that NCMPs and NMPs are not to vote in Parliament on (i) any Bill that seeks to amend the Constitution; (ii) a Supply Bill, Supplementary Supply Bill or Final Supply Bill; (iii) a Money Bill; [37] (iv) a measure of no confidence in the Government; and (v) removing the President from office. [38]

Initially, the Constitution provided for up to six NMPs. In 1997, the Constitution was amended to provide for a maximum of nine NMPs. [39] This constitutional amendment indicated the greater utility of the NMP scheme to the PAP government while also signaling a political preference that the legislature is not about strident, opposing voices but rather about constructive and alternative voices. This perspective of Parliament, as one characterized by consensus instead of contention, is in keeping with the harmony philosophy that is encouraged by the PAP government. It was argued that NMPs could make the legislative debates "more representative" by providing "an intermediate range of opinions," which MPs with political party affiliations could not offer. [40] These inputs would promote the legislative process through broadening political participation and enhancing consensus building. The praise for the NMP scheme can be contrasted with the seeming lack of attention to the NCMP scheme. There was little incentive to enhance the NCMP scheme in the same manner as the NMP scheme. One incisive critique of the NCMP and NMP schemes is that they are regarded

> as placating the electorate's desire for a genuine opposition by guaranteeing an opposition presence, though in token numbers, with inferior powers and lacking an electoral mandate.… These changes do not impede strong government or effect any real changes in power, while mitigating the 'one party state' image and

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[37] As defined in Article 68 of the Singapore Constitution.
[38] As provided for under Article 22L of the Singapore Constitution.
[39] Only two NMPs were appointed in the first batch during 1990.
[40] 54 SINGAPORE PARLIAMENTARY REPORTS, Col. 701 (Nov. 29, 1989) per Deputy Prime Minister Goh Chok Tong.

the unsavory images of intolerance and absolutism this evokes.[41]

The preemptive nature of these constitutional innovations was evident even as the notion of representation was subtly relied upon to add legitimacy. More importantly, they sought to keep pace with and manage the desire for more non-government voices in the legislature by regulating it. This was preferred to allowing the opposition to develop and grow organically in a more competitive political setting. Further, the pre-emptive approach to institutional design meant that the PAP government was less likely to be dictated to on the pace and scope of political change in Singapore. In accommodating this nascent desire for a more competitive political landscape, then Deputy Prime Minister Goh Chok Tong emphasized that the provision of guaranteed legislative seats for the opposition results in "more opportunities for political participation and to evolve a more consensual style of government where alternative views are heard and constructive dissent accommodated."[42] With more elected non-government and opposition parliamentarians, a side narrative of trade-offs in which Parliament is more fractious, contentious, and slower to make decisions is put forth at the same time.

B. THE GROUP REPRESENTATION CONSTITUENCY INNOVATION

The Singapore government treats race, language, and religion as fault lines in Singaporean society. Under Singapore's rigid, largely state-assigned Chinese-Malay-Indian-Others (CMIO) racial classification, every Singaporean is racially designated at birth, based on one's patrilineality.[43] This definitive racial identity

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[41] Li-ann Thio, *The Right to Political Participation in Singapore: Tailor-making a Westminster-Modelled Constitution to Fit the Imperatives of 'Asian' Democracy*, 6 SING. J. INT'L & COMP. L., no.1, at 181 (2002).

[42] 54 PARLIAMENTARY DEBATES SINGAPORE, Col. 695 (Nov. 29, 1989).

[43] On the CMIO classification, *see* Sharon Siddique, *Singaporean Identity, in* MANAGEMENT OF SUCCESS: THE MOULDING OF MODERN SINGAPORE 563-577 (Kernial Singh Sandhu & Paul Wheatley eds., 1989). Limited racial self-definition, through 'double-barreled race options,' was permitted recently. *See* Press Release, Singapore's Immigration and Checkpoints Authority, Greater Flexibility with Implementation of Double-Barreled Race Option from 1 January 2011 (Dec. 29, 2010), *available at* http://www.ica.gov.sg/news_details. aspx?nid=12443. For relevant Government policies and the collection of statistics, the first component of a double-barreled race will be used. For

is used for a variety of purposes including the choice of mother tongue language instruction in schools, ethnic quotas in public housing,[44] opportunities within military service (whether conscript or professional), and eligibility to contest as a Malay, Indian or other minority candidate in parliamentary elections.[45]

Proponents of electoral integration champion an electoral system that generates inducements for moderate behavior and crosscutting loyalties.[46] First implemented in the 1988 general elections, the Group Representation Constituency (GRC) electoral system is a significant departure from the classic simple plurality electoral system that was the hallmark of Singapore's Westminster form of government. It was Singapore's *sui generis* attempt at sustaining multiracialism through electoral integration. The GRC was created "to ensure the representation in Parliament of Members from the Malay, Indian and other minority communities."[47] Unsurprisingly, critics regard the GRC scheme as

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example, a person who is classified as Chinese-Malay will be treated as Chinese for relevant official purposes and data gathering.

[44] On the Ethnic Integration Policy, *see* Hoong Sin Chih, *The Politics of Ethnic Integration in Singapore: Malay 'Regrouping' as an Ideological Construct*, 27 INT'L J. URB. & REGIONAL RES., no. 3, at 527 (2003); Hoong Sin Chih, *The Quest for a Balanced Ethnic Mix: Singapore's Ethnic Quota Policy Examined*, 39 URB. STUD., no. 8, at 1347 (2002); Hoong Sin Chih, *The Limits to Government Intervention in Fostering an Ethnically Integrated Community – A Singapore Case Study*, 37 COMMUNITY DEV. J., no. 3, at 220 (2002).

[45] Under the Parliamentary Elections Act (PEA), section 27, the Presidential Council of Minority Rights would establish the Malay Community Committee, and the Indian and Other Minority Communities Committee, at every election to determine whether a minority candidate in a GRC team is indeed Malay, Indian, or other racial minority. Section 27A(8) of the PEA enlarges the pool of eligible minority candidates: a person belonging to the Malay community is "any person, whether of the Malay race or otherwise, who considers himself to be a member of the Malay community and who is generally accepted as a member of the Malay community by that community." Similar provisions are prescribed for persons of Indian origin and any other minority community.

[46] DONALD L. HOROWITZ, ETHNIC GROUPS IN CONFLICT (1985); Donald L. Horowitz, *Electoral Systems: A Primer for Decision Makers* 14 J. DEMOCRACY, no. 4, at 115 (2003). To secure as many votes as possible to win, politicians need to reach out and establish a broad-base appeal that transcends ethnic lines. Thus, the policy prescription is to 'engineer' a system of healthy political competition that facilitates the development of cross-cutting cleavages and encourages inter-ethnic cooperation while making racial chauvinism and extremism politically counter-productive. This approach lends critical support to and emphasizes the virtues of moderation, racial non-partisanship, and the development of inter-ethnic trust and cooperation.

[47] Singapore Constitution, 1999 Reprint ed., art. 39A(1).

a shrewd, if not blatant, attempt to stem the PAP's electoral decline and perpetuate its electoral dominance.[48]

The PAP government has consistently argued that the GRC system ensures that the needs, concerns, and views of minority races are not ignored or neglected in an ethnic Chinese-dominant Singapore. The government claimed that the electorate, especially the young voters, had a tendency to vote along racial lines, "preferring candidates who were best suited to their own needs without being sufficiently aware of the need to return a racially balanced slate of candidates."[49] This supposed racial bias in the electoral process would particularly threaten the representation of the ethnic Malay community, the most significant minority race community.[50]

In January 1988, at the introduction of the GRC proposal, then First Deputy Prime Minister Goh Chok Tong disclosed that then Prime Minister Lee Kuan Yew and he had first discussed the need to secure a multi-racial Parliament in July 1982. The voting trend, if it continued, would result in the under-representation of Malays in Parliament. Prime Minister Lee had proposed a 'twin constituencies' solution wherein two single-member constituencies would be 'twinned,' and where one of the two

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[48] Li-ann Thio, Lex rex *or* rex lex*? Competing Conceptions of the Rule of Law in Singapore,* 20 UCLA PAC. BASIN L.J. 1 (2002); Li-ann Thio, *supra* note 41; Li-ann Thio, *Choosing Representatives: Singapore Does it Her way, in* THE PEOPLE'S REPRESENTATIVES: ELECTORAL SYSTEMS IN ASIA-PACIFIC REGION 38-58 (Graham Hassall & Cheryl Saunders eds., 1997); Rieger, *supra* note 9, at 242; Jinshan Li & Jørge Elklit, *The Singapore General Election 1997: Campaigning Strategy, Results, and Analysis,* 18 ELECTORAL STUD., no. 2, at 199 (1999).

[49] 50 SINGAPORE PARLIAMENTARY REPORTS, Col. 180 (Jan. 11, 1988). As voting is secret and no opinion polls allowed during the hustings, it is unclear how the PAP government arrived at its conclusions on Singaporeans' voting behavior. Section 78D, Parliamentary Elections Act also prohibits exit polls on polling day.

[50] The Malays, which comprise about 14 per cent of the Singapore population, are constitutionally recognized as the indigenous people of Singapore. Article 152 of the Singapore Constitution states that

    (1) It shall be the responsibility of the Government constantly to care for the interests of the racial and religious minorities in Singapore.

    (2) The Government shall exercise its functions in such manner as to recognize the special position of the Malays, who are the indigenous people of Singapore, and accordingly it shall be the responsibility of the Government to protect, safeguard, support, foster and promote their political, educational, religious, economic, social and cultural interests and the Malay language.

Besides the 'special position' of the Malays, Article 153A(2) of the Constitution provides for Malay as the national language of Singapore.

candidates must be Malay. This did not find support among the PAP Malay MPs who were concerned that a minority race candidate would be perceived to have 'leaned on' a Chinese candidate to get elected. However, with the PAP suffering significant electoral setbacks in the 1984 election, the PAP's minority MPs agreed to the GRC proposal to ensure that minority race candidates, especially first-time Malay candidates, would be elected in future elections in adequate numbers. First Deputy Prime Minister Goh Chok Tong explained in Parliament:

> … It is make-belief to pretend that race and language do not affect voter preferences…. Paradoxical as it may seem, to ensure that multi-racialism succeeds in Singapore, we have to openly recognize that race does play a part in politics…. Loyalty to one's own community, to race, to one's religion and language is stronger than loyalty to the nation, particularly if that nation is a new one and has many races…. [I]t is wise of us to strengthen the political framework before it is weakened by disillusionment, despondency and despair when one community finds itself thrown out of Parliament by the electoral system.[51]

Under the GRC scheme, voters elect in an enlarged electoral district, on a 'one person, one vote' basis, a team of Members of Parliament (MPs) rather than an individual MP. A political party contesting in a GRC has to field a multi-member team of which at least one member must be from a designated minority race. To ensure adequate Malay parliamentary representation, three-fifths of the total number of GRCs are designated constituencies where at least one of the candidates in every group shall be a person belonging to the Malay community.[52]

Oddly enough, the GRC concept did not start off with political representation or electoral integration as its core objective when it was first raised publicly in January 1987. Once popularly known as the 'Team MPs scheme,' the concept was initially geared towards administrative and quasi-political decentralization with the establishment of a form of local government known as Town Councils. Led by their elected MPs, Town Councils are

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[51] 50 SINGAPORE PARLIAMENTARY REPORTS, Cols. 183-190 (Jan. 11, 1988).
[52] Section 8A(3) read with section 8(1)(b)(i) of the Parliamentary Elections Act.

responsible for the daily running of the public housing estates and estate improvement. These important roles were previously handled by the government's housing agency, the Housing and Development Board (HDB). By making the voters' ballots bear an intimate nexus with the well-being and market value of their public housing estates, the Team MPs' proposal was intended to concentrate the electorate's minds, when voting, on which party would best meet their material concerns. As the PAP had an impressive record in delivering rapid and shared economic growth and had always staked its claim to fielding the superior candidates, the Team MPs concept was expected to stem the PAP's declining electoral support as the GRC scheme posed relatively high "barriers to entry" to the opposition parties.[53]

The original rationale for the Team MPs idea, however, was not well received by the public. According to Jon Quah, this "forced the PAP government to subsequently reveal its real, though unstated, goal" of entrenching multiracialism in the legislative process.[54] However, given the virtues of the GRC, it is highly unlikely that the PAP government had to conceal the scheme's real objective in the first place. Rather, the poor reception to the Team MPs was over concerns that it was a hidden attempt to promote the PAP's political stranglehold on power. A radically different tack was in order to make the major constitutional re-design palatable to the electorate, who were by then increasingly dissatisfied with the PAP's lack of sensitivity to the people's concerns. The objective of electoral integration was subsequently and strategically added about a year after the Team MPs' concept was first unveiled. Quite evidently, the sudden shift in the policy rationale of the Team MPs' scheme suggests that political instrumentalism was an undercurrent at work.

Given the significance of the proposed amendments, the GRC proposal was referred by Parliament to a parliamentary select committee. Based on the public submissions, the select committee found widespread support for the GRC concept, especially from the minority communities.[55] At the third reading of the Bill, First Deputy Prime Minister Goh remarked that:

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[53] The PAP did not lose a GRC candidacy until the 2011 general election.
[54] Jon S.T. Quah, *Singapore: Meritocratic City-State, in* GOVERNMENT AND POLITICS IN SOUTHEAST ASIA 289, 299-300 (John Funston ed., 2001).
[55] *See further* Report of the Select Committee on the Parliamentary Elections (Amendment) Bill (Bill No. 23/87).

> [Our Team MP concept] is benevolent. The
> constitutional change is initiated by the majority to
> directly benefit the minority communities without any
> direct benefit to itself. ... On its own, it [the GRC] will
> not ensure success in building up or strengthening our
> multi-racial society. It is a formal institutional
> arrangement. For us to succeed, we must have the same
> spirit as the Swiss to search for consensus, to work
> through informal as much as formal arrangements, to
> make every citizen, whichever community, he belongs
> to, feel that he is a Singaporean.[56]

Given the GRC's electoral bias in favor of the minorities,
Parliament was careful to provide for Article 39A(3) of the
Constitution, which states that laws relating to the GRC scheme
are valid despite their being inconsistent with the equal protection
clause under Article 12 of the Constitution[57] or be considered a
"differentiating measure" under Article 68.[58]

The GRC has significantly transformed Singapore's electoral
landscape. In its idealized conception, the political parties
competing in a GRC have to portray a multi-racial orientation that
appeals to the ethnic Chinese and non-Chinese voters alike in
order to secure as many votes as possible. Taking an overtly racial
line would risk alienating segments of the electorate. The GRC
scheme can actualize moderation in electoral politics. While the
GRC scheme ensures that there will be adequate parliamentary
minority representation, it may well "institutionalize and rigidify
divisions that have no substantive purpose other than formalizing
consciousness of 'difference'."[59] While the constitutional intent

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[56] 50 SINGAPORE PARLIAMENTARY REPORTS, Cols. 27 & 53 (May 18, 1988).
[57] Notwithstanding Article 39(A)(3), the potential inconsistency with Article 12's
equal protection clause arises on two counts: (1) the GRC 'prefers' minority
races by giving them a designated number of parliamentary seats; and (2) a vote
cast in a GRC is 'worth more' than a SMC vote as the GRC places between
four to six MPs while the latter places only one MP (*see also* Li-ann Thio,
supra note 48).
[58] Article 68 of the Singapore Constitution provides that a differentiating measure
is "any measure which is, or is likely in its practical application to be,
disadvantageous to persons of any racial or religious community and not
equally disadvantageous to persons of other such communities, either directly
by prejudicing persons of that community or indirectly by giving advantage to
persons of another community."
[59] Graham Hassall, *Systems of Representation in Asia-Pacific: A Comparative
Analysis*, *in* THE PEOPLE'S REPRESENTATIVES: ELECTORAL SYSTEMS IN THE
ASIA-PACIFIC REGION 16 (Graham Hassall & Cheryl Saunders eds., 1997).

behind the GRC is praise-worthy, the manner in which the ruling party has sought to capitalize on the GRC scheme to maintain its political dominance was not. In particular, the PAP's approach can reinforce the perceived subordinate role of the minority races in the electoral process.[60]

First, in its quest for a decisive and overwhelming electoral victory, the PAP's robust electoral approach tends to relegate the GRC's multi-racial intent to a subordinate status. For instance, the PAP's electoral strategy has been to have each GRC team headed by a Cabinet minister. The PAP presents the electoral defeat of any PAP GRC team not only as a loss for the PAP but one where the country loses the services of a (valuable) minister. Another strategy is to field new (and/or 'weaker') PAP candidates in teams led by stronger and more established colleagues in order to ensure the former's election.[61] Prior to the 2011 general election, the last time the PAP fielded a woman candidate or a minority candidate in a single-member constituency (SMC) was in the 1991 general election.

Secondly, the GRC scheme has expanded dramatically since 1988 resulting in the adulteration of its core function. This expansion had taken place along two fronts: The doubling in the maximum size of a GRC team, and the significant increase in the proportion of GRC parliamentary seats. In 1988, each GRC team comprised three MPs, and just below half of all parliamentary seats were for the GRCs. By 1997, the size of a GRC team had increased to either five or six MPs, and the GRCs constituted almost 90 per cent of parliamentary seats.[62] Table 2 shows the rapid pace at which GRCs became the majority of elected parliamentary seats.

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[60] *See* Eugene K.B. Tan, *Multiracialism Engineered: The Limits of Electoral and Spatial Integration in Singapore,* 4 ETHNOPOLITICS, no. 4, at 413 (2005).
[61] *See also* Li-ann Thio, *supra* note 48, at 202-03; Li-ann Thio, *supra* note 41.
[62] Section 8A(1A) of the Parliamentary Elections Act mandates a minimum of eight SMCs.

Table 2: Distribution of SMC and GRC Parliamentary Seats, 1988 – 2011

Date of General Election	Total No. of Parliamentary Seats	No. of SMC Seats (%)	No. of GRC Seats (%)	Make-up of GRCs / Average No. of MPs in each GRC
3 Sep 1988	81	42 (51.9)	39 (48.1)	Thirteen GRCs: 3-member GRCs / 3.0
31 Aug 1991	81	21 (25.9)	60 (74.1)	Fifteen GRCs: 4-member GRCs / 4.0
2 Jan 1997	83	9 (10.8)	74 (89.2)	Fifteen GRCs: five 4-member, six 5-member, and four 6-member / 4.93
3 Nov 2001	84	9 (10.7)	75 (89.3)	Fourteen GRCs: nine 5-member & five 6-member / 5.38
6 May 2006	84	9 (10.7)	75 (89.3)	Fourteen GRCs: nine 5-member & five 6-member / 5.38
7 May 2011	87	12 (13.8)	75 (86.2)	Fifteen GRCs: two 4-member, eleven 5-member & two 6-member / 5.0

Source: Author's compilation based on information available at the Singapore
    Elections Department website

The GRC scheme's enlargement has worked to the PAP's advantage as the opposition parties have had immense difficulties fielding GRC teams. This enlargement of the GRC scheme, however, did not find its inspiration in the furtherance of the multi-racialism ideal. Rather, the enlargement rationale was driven by the desire to harness economies of scale by consolidating housing estate operations through larger Town Councils.[63] Furthermore, the enlargement of the GRC scheme was more beneficial to the PAP electorally.[64]

In short, the constitutional imperative and rationale of minority representation are poorly imprinted in the electoral process and on the electorate. Consequently, the *raison d'être* of multi-racialism forms, if at all, only a small part of the electorate's decision-making process. Hence, the election of minority candidates becomes an incidental and procedural effect, rather than a motivation. The situation is compounded by the PAP offering material incentives, such as preferential access to

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[63] For details, *see* Eugene K.B. Tan, *supra* note 60.
[64] *See generally* Netina Tan, *Manipulating Electoral Laws in Singapore*, 32 ELECTORAL STUDIES, no. 4, at 632 (2013).

subsidized upgrading (extensive facelift and renovations) of public housing precincts if they voted the PAP teams into office.[65] Notwithstanding the government's portrayal of the over-arching rationale for the NCMP, NMP, and GRC innovations as political changes for the greater good, the reality is that the changes, including the 2010 amendments, have not been disadvantageous to the ruling PAP in any significant way.

C. 2010 CONSTITUTIONAL AMENDMENTS: PLUS ÇA CHANGE?[66]

The 2010 constitutional amendments and electoral changes announced were aimed at refreshing the NCMP, NMP and GRC schemes. For the NCMP scheme, the Constitution was amended to provide two changes. The first was to increase the maximum number of NCMPs "declared to be elected" after a general election from six to nine. With the increase to the constitutionally-mandated minimum of nine opposition MPs, inclusive of NCMPs, the minimum number of nine opposition MPs is now fixed and is equal to the number of NMPs.[67] Where opposition candidates are elected in a general election, the number of NCMPs declared elected is determined by the formula of '9 minus x,' where x is the total number of opposition candidates elected to Parliament. The second change was to fix the upper limit of NCMPs declared to be elected instead of it being a variable number. Before the 2010 amendments, the Parliamentary Elections Act prescribed a minimum of three opposition members in Parliament, although the

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[65] All things being equal, a precinct with popular support for the PAP had priority in the disbursements of such upgrading benefits. Conversely, voters were 'cautioned' with the denial of upgrading benefits should electoral support for the PAP was not forthcoming. This abiding concern of voters over their housing estates becoming decrepit due to the lack of upgrading, arguably, had an electoral impact. *See further* John Guh-sheng Hsieh & David Newman, *Elections in the Asia-Pacific: A Decade of Change, in* HOW ASIA VOTES 81-102 (John Fuh-sheng Hsieh & David Newman eds., 2002); James Chin, *Anti-Christian Chinese Chauvinists and HDB Upgrades: The 1997 Singapore General Election,* 5 SOUTH EAST ASIA RES., no. 3, at 217 (1997). The HDB's upgrading program and the politicization of public housing, generally, are succinctly discussed in BENG-HUAT CHUA, POLITICAL LEGITIMACY AND HOUSING: STAKEHOLDING IN SINGAPORE 124-51 (1997).

[66] The epigram's full expression is *"plus ça change, plus c'est la même chose"* which is loosely translated as "the more things change, the more they remain the same."

[67] In addition, the 2010 amendments to the Parliamentary Elections Act stipulate a cap of two NCMPs from any one GRC.

President could specify a higher number, up to six, before Nomination Day.[68]

In outlining his government's plans to tweak the NCMP scheme, Prime Minister Lee noted that the NCMP scheme had enabled Singaporeans to compare the policies and programs of the government and the opposition, and for Singaporeans to evaluate the performance of parties and MPs through parliamentary work, and not just during the short general election campaign. The 2010 changes mean that whatever the general election outcome, elected opposition members and non-constituency members, would form about one-tenth of all members of Parliament.[69]

When Parliament passed the NMP scheme in 1990, the government had provided for a sunset clause in the legislative provisions. This was in recognition of the deep concerns over the legitimacy of appointed MPs who did not contest in an election. Each new Parliament had to decide whether it wanted to have NMPs. With the institutionalization of the NMP scheme in 2010, Parliament now no longer have to decide whether to have NMPs. The Prime Minister observed that the NMP scheme had worked well and that it should be a permanent part of the political system. The government also announced that it would broaden the scope of unelected representation of the various functional groups in Parliament. Besides nominations from the public in general, the special select committee also formally invites nominations from six functional groups - business and industry, the professions, the labor movement, social and community organizations, media, arts and sports, and tertiary education institutions. The 2010 amendments provided for an additional functional group, the people sector or civil society. Prime Minister Lee said that, "This

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[68] The President would have gazetted, before Nomination Day, the number of NCMPs (a minimum of three to a maximum of six) in the next Parliament. However, this was never done in practice and the default position was a minimum of three opposition MPs (whether elected and/or unelected). Thus, prior to the 2010 amendments, if fewer than three opposition candidates were returned as elected MPs, then there could be one, or two, or three NCMPs depending on the number of elected opposition MPs, using the formula of '3 minus x' (x being the number elected opposition MPs). For example, if two opposition candidates were elected, then there would be one NCMP, whereas if three opposition candidates were elected, there would be no NCMPs.

[69] In the current twelfth Parliament (as at Nov. 1, 2013), there are 99 MPs, comprising 87 elected MPs, 9 NMPs, and 3 NCMPs. Of the 87 elected MPs, 7 are from the opposition, all from the Workers' Party. Assuming there were no opposition candidates elected at a general election, there would be, guaranteed, nine NCMPs (9 minus 0). As six opposition MPs were elected at the May 2011 general election, three NCMPs were declared elected (9 minus 6).

will give civil society a voice in Parliament and encourage civil society to grow and to mature further." These changes to the GRC scheme were not substantial and did not require any amendment to the Constitution or other legislation.

Typically, MPs in a GRC will carve out divisions within a GRC among themselves. Each MP will focus on looking after his own division in the GRC. Consequently, MPs in a GRC are less likely to know the voters in the other divisions, resulting in voters finding it harder to identify with the enlarged electoral district, or with the other MPs of the GRC. The proposed change was ostensibly motivated by the imperative to strengthen the link between voters and their MPs as well as having electoral candidates and their political parties provide voters with a strong incentive to vote for them. To this end, the Prime Minister sought to impress upon voters to cast their ballots on the basis of which candidates and political parties would do the best job in three areas *viz* looking after the constituents' interests, representing them in Parliament, and ultimately forming the government to run the country. The Prime Minister indicated that there would be smaller GRCs and fewer six-member ones, resulting in the average national GRC size becoming smaller. To effect the change, the Prime Minister merely needs to specify in the Electoral Boundaries Review Committee's (EBRC) terms of reference that there would be fewer six-member GRCs, and that the average size of a GRC should not exceed five members.[70]

In ringing the changes to the GRC, the Prime Minister did note the advantages of having bigger rather than smaller GRCs, reiterating the themes of multi-racialism, the administration of Town Councils, the GRCs' higher barriers to election, and the gap between the ruling party and the opposition:

> They enable stronger multiracial teams to be formed which include MPs who have different backgrounds and skills, who can serve voters more comprehensively and effectively…. Bigger GRCs also require any challenger to field a strong team and offer a serious alternative to have a chance to win. Therefore, bigger GRCs encourage responsible and credible Opposition parties to emerge.

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[70] This was the case in the May 2011 general election. *See also* Table 2.

Even as the changes were proposed, the PAP government emphasized the imperative of responsible and credible opposition parties. The subtext was that, in the absence of credible alternatives, the PAP was the obvious choice for voters given its track record.

For the PAP government, a general election is not simply about choosing one's representatives in the legislature. Instead, the political behavior sought to be promoted by the PAP government among the voters is to regard a general election as a serious political act that is, ultimately, about electing the government of the day. The PAP has urged voters to provide the winning political party with a strong parliamentary majority, and with that a clear mandate to govern decisively.

V. DRIVERS OF CHANGE

The series of constitutional changes since the 1980s were extensive. Future changes are likely to be incremental unless the political situation undergoes a sea change. A key theme of changes in the 1980s and 2010 is the emphasis on opposition parties needing to measure up to the dominant PAP. The changes also can be seen as concerted attempts to raise the electoral bar while the ruling PAP is still able to effect and implement the necessary constitutional and other legislative changes. The PAP sees itself as the only party deserving to govern Singapore. In that light, the various changes discussed in this article seek to ensure that the PAP remains in a pivotal position electorally even as it continues to impress upon voters, especially those born post-independence, the criticality of Singapore having a responsible and credible government with a strong electoral mandate. Put plainly, for the PAP, elections must not only be about electing MPs to serve the voters' interests. Equally important, if not more important, is for a general election to serve the national interest by putting in power the government of the day with a strong mandate. For the PAP government, this is the main consideration for voters going to the polls.

What was the impetus for this set of changes over an extended period of time, which is certainly still a work in

progress?[71] The most extensive amendments to the legislative and electoral system took place in a relatively short span of time between 1984 and 1990, with the 2010 changes being more tweaks rather than innovations. To be politically dominant in a more competitive electoral landscape, the ruling PAP has to ensure that the political system remains relevant and caters to the growing democratic aspirations. Prime Minister Lee Hsien Loong indicated as much, saying that "as Singapore society continues to evolve, so too must our democratic institutions." He noted that Singaporeans, increasingly, want national issues to be more fully debated and to play a part in improving policy formulation. He added that:

> [m]ost importantly, changes like these will keep Parliament in sync with the concerns and aspirations of Singaporeans, and strengthen the role of Parliament as the key democratic institution where important national issues are deliberated and decided.[72]

Even as the Prime Minister emphasized the strengthening of Parliament's role as a key democratic institution, he reiterated the need "to make the changes carefully" and to proceed pragmatically:

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[71] For instance, selected constitutional provisions relating to the elected Presidency such as Article 5(2A), which entrenches this change, are not yet in operation although enacted twenty-two years ago in 1991. In response to a parliamentary question in February 2007 as to whether Article 5(2A) of the Constitution will be brought into operation soon, the Deputy Prime Minister and Minister for Law replied that:
> ... we are not ready to bring Article 5(2A) into operation soon. This is because we are still refining the Presidential safeguards, especially in regard to the country's reserves. This is a gradual process that requires time. Sir, when we enacted the provisions in our Constitution for an elected Presidency, we were conscious that those changes were unique and unparalleled elsewhere. Our clear and stated intention was to refine the scheme and to iron out all the issues that may arise in the light of experience over time, before bringing the entrenchment provisions into operation. As Members know, we have previously made amendments to refine the framework to deal with issues that had not really been anticipated.
See 82 SINGAPORE PARLIAMENTARY REPORTS, Col. 1238 (Feb. 12, 2007). This means that most constitutional provisions, including those on the elected Presidency and fundamental liberties, can be amended by a two-thirds majority of votes (excluding NCMPs and NMPs) in Parliament. This is not an issue for the PAP government since it holds eighty of the eighty-seven elected seats.
[72] 86 SINGAPORE PARLIAMENT REPORTS, Col. 515 (May 27, 2009).

Our goal is to improve on a system which is already working but can still be improved. We must not jettison the lessons that we have learnt at great cost through our political history and experience over the last half century, as to what really works for Singapore. *Nor should we create a system which inadvertently produces weak governments, just to placate those who desire a stronger opposition in Parliament. Singapore has to have a strong and capable government, with a clear mandate from the people and the ability to act decisively to protect and advance our interests.* We cannot afford a government that is ineffective, indecisive, or paralyzed by internal divisions. We are seeking a system that works well for Singaporeans, and that will deliver good governance, and strong and competent leadership. We are not looking for a system which sounds good in theory, but is unsuited to our conditions and unworkable in practice. This approach, this sort of system, is what marks us as different from many other countries.[73]

Congruent with this approach and outlook to institutional design, the PAP government seeks to manage the pace of political change. In this regard, it attempts to calibrate adroitly the changes while also seeking to influence and mold Singaporeans' political attitudes towards elections as the key vehicle by which a strong government is emplaced. Unsurprisingly, the government stated that the changes to the NCMP, NMP and GRC schemes would result in "a more balanced electoral system." Noting the increase to at least eighteen members of parliament (or just below one-fifth of the House, comprising of at least nine opposition MPs and nine NMPs) who would not be from the ruling party, the Prime Minister predicted that the change in the composition of Parliament would "affect the dynamics of the House, between the Government and the opposition parties." Yet, even in a deliberate and relatively more contentious accented legislative set-up, the Prime Minister cautioned the opposition MPs to "uphold the political system and the institutions of our democracy and [to remember that] their loyalty must be to Singapore." In short,

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[73] 86 SINGAPORE PARLIAMENT REPORTS, Cols. 515-516 (May 27, 2009) (emphasis added).

political parties are expected to work within the status quo even as the PAP asserts that it always does right for the people and the Singaporean nation-state.

The changes demonstrate the saliency of two key features of Singapore's political system. The first is to retain Parliament as the focal point of the political system. This means that elections are the primary mode of political contestation at regular intervals, with Parliament being the main platform for political contestation between elections. The second and more significant feature is the political elites' belief that constitutional design must produce a government with a clear mandate to govern. This is aided by a simple plurality electoral system of 'one voter, one vote' in both single-member and multi-member districts. With the simple plurality electoral system, whether an electoral candidate wins by a single ballot or with 99.9 per cent of the votes, the winner takes the seat (in the case of a GRC, the winner takes all the seats). As such, two-thirds of the national popular vote has given the PAP at least 93 per cent of parliamentary seats since 1968.

The Prime Minister asserted that the changes do not "entrench any one party, nor … deliberately result in weakened governments." [74] Instead, they seek to 'update' Singapore's political system to better reflect the aspirations of Singaporeans by providing an "adequate voice for diverse views in Parliament, including non-partisan views and those who have voted for the Opposition." This has been the consistent theme that ostensibly undergirds the innovations since the 1980s. Nonetheless, such a framework would also facilitate the elected government garnering a clear mandate to govern. The 2010 changes did not detract from this central political organizing principle and preference of a clear mandate to govern. The changes maintained the simple plurality electoral system, which tends to deliver decisive electoral outcomes when compared with other electoral systems such as proportional representation. Prime Minister Lee noted that the first-past-the-post system "tends to produce decisive majorities and enables the winning party to govern effectively."

While Prime Minister Lee acknowledged that the proportional representation (PR) system would "certainly increase representation of alternate views and opposition parties in

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[74] All other remarks by Prime Minister Lee in this section are taken from his speech on the state of Singapore politics during the debate on the President's Address (*see* 86 SINGAPORE PARLIAMENT REPORTS, Cols. 513-527, (May 27, 2009).

Parliament," he opined that "PR systems tend to produce weak governments, based on shifting coalitions of different parties." Relying on the fact of Singapore's multi-racial, multi-religious composition, Prime Minister Lee argued that while PR systems may work for homogenous societies, the likelihood in Singapore is weak coalition governments, "with small extremist parties wielding a disproportionate influence on the policy of the government, because the government needs the minority partner." Indeed, the Prime Minister asserted that "proportional representation would ruin" Singapore as:

> PR will encourage parties to form based on race and religion or, for that matter, based on cause-related issues, to push stridently for the narrow interests of their group, at the expense of other groups, and this would polarize and divide our society.

On the timing of the changes, the Prime Minister said he was initiating the changes "so that we can discuss and settle this in a calm atmosphere and make the amendments in ample time before the next election," adding that these changes were for the long-term strength and stability of the system.[75]

Much room has been accorded to the Prime Minister's explanation and justification for the 2010 constitutional changes. They provide valuable insights into the political elites' thinking on institutional design in Singapore. In Singapore's context, a dominant narrative is that the autochthonous political system works well. Political stability has enabled rapid and shared economic prosperity. This has been a rich source of political legitimacy for the PAP government. This functional approach, however, may not appeal to the younger voters to whom the PAP's 'Third World to First World in One Generation' success story has limited traction. What is evident from the foregoing explanation is how the extended series of constitutional changes reinforce the long-standing discourse of 'right-sizing' the political system to ensure that it is designed to meet the needs and challenges, as conceived by the ruling elites, for good governance.

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[75] The 2011 general election was called slightly more than a year after the constitutional and legislative amendments were passed. Although the PAP was returned to power with eighty-one of the eighty-seven elected seats, it garnered its lowest share of the total valid votes cast, including losing a GRC for the first time.

In this regard, the emphasis is on stability, effectiveness and efficacy of the electoral and political system. The criterion is whether the political system is fit for purpose, not whether it meets some ideological requirements.

While representation is given tacit recognition, it does not yet function as a definitive, foundational idea of political life in Singapore. The changes discussed underscore this. Representation is not sought for representation's sake. Political representation in Singapore is not ideologically driven. Hence, representation functions more as a means to the end of effective and competent governance. However, representation is, at its core, about enfranchisement. For laws and national policies to retain their legitimacy, Parliament — as the ultimate law-making institution — has to be the key platform for the articulation and debate of diverse views. As such, proportional representation can go some way towards addressing such issues.[76] The PAP government tends to mischaracterize PR systems as being divisive for encouraging voting along racial lines.[77] Properly designed, PR systems need not trigger racial responses nor should they invariably deliver racial outcomes or accentuate racial differences.[78]

Furthermore, voting along racial lines while possible is not a feasible electoral strategy in Singapore. The electoral system makes it difficult for voters, except perhaps for the ethnic Chinese majority, to vote along racial lines for political ends.[79] Given the unequivocal rejection of racial politics (and the racializing of political issues) in Singapore, proportional representation is unlikely to result in voters casting their ballots along racial lines. There are no political parties, save for one, organized along racial lines.

The PAP's wariness with proportional representation is not due to concerns of racial politics. Its real concern is fundamentally about the PAP's long-standing systemic abhorrence of a weak

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[76] *Cf.* PETER J. KATZENSTEIN, SMALL STATES IN THE WORLD MARKETS: INDUSTRIAL POLICY IN EUROPE (1985); Ronald Rogowski, *Trade and the Variety of Democratic Institutions*, 41 INT' L ORG., no. 2, at 203 (1987). Katzenstein and Rogowski argue that proportional representation is more likely in small, trade-dependent countries, given the greater need for political compromise and democratic participation. Singapore's external trade volume is almost four times its gross domestic product.

[77] *See* Tan, *supra* note 60.

[78] There is no reason why a creative institutional design for PR cannot be done, especially if the intent is to ensure political equity based on electoral results and that the political system reflect popular will.

[79] *See* Tan, *supra* note 60.

government, where the government is without a firm majority of seats. For the PAP, a PR electoral system is closely identified with a weak government. This makes proportional representation a non-starter for the PAP government. Proportional representation is seen as being detrimental to the strong governance that the political elites regard as being essential in Singapore. Whether the electoral system is equitable and whether it delivers a representative Parliament do not rank as major concerns for the government. Concerns of equity and representativeness vis-à-vis the electoral system and legislature are inadequately managed through the NCMP and NMP schemes. The Economist Intelligence Unit (EIU), in its July 2013 Singapore country report, observed that it was unlikely for "any notable changes" to the electoral system in the near future. However, the EIU added that in the long term:

> … the mismatch between the PAP's continued parliamentary dominance and its declining popular support seems politically unsustainable. Every voting system has its flaws and idiosyncrasies, but one in which 40% of the population who voted for opposition parties are represented by just six legislators seems problematic. At the very least, such results lend support to critics who argue that Singapore's political system is designed to enable the ruling party to claim a permanent electoral mandate rather than to reflect popular will.[80]

This resistance to greater representation and equity in the legislature may very well contribute to the disenfranchisement of voters, resulting in their voting against the status quo. However, true and purposeful representation can clothe political action with legitimacy and catalyze political participation as the political system is denominated and empowered by inclusiveness. Enfranchisement can contribute to a sense of ownership of the political institutions and processes. While the institutional design has to integrate the various political imperatives, representativeness can co-exist with effectiveness and efficacy.

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[80] ECONOMIST INTELLIGENCE UNIT, SINGAPORE, COUNTRY REPORT 3 (JULY 2013). The PAP subsequently lost two by-elections to the Workers' Party in May 2012 and January 2013. There were seven elected opposition MPs and three unelected (opposition) NCMPs as of July 31, 2013.

These attributes should not be seen to be competing or conflicting but can be integrated in the institution design.

Without a doubt, the constitutional changes to Singapore's political system over the past three decades reiterate and reinforce the centrality of, and abiding concern with, a strong and effective government. The innovations, however, do not go far enough. Paradoxically, the desire for a strong government on the part of the ruling elites may well result in representativeness, inclusiveness, and equity in the political system being relegated to secondary concerns. Consequently, the voters' sense of disenfranchisement with the electoral and political system may result in the lower likelihood of the general election delivering a strong government that the PAP so desires. The Singapore case study points to the ruling elites' abiding anxiety and prescient recognition that the electoral system and political system have to be refreshed to remain relevant, especially within the context of a one-party dominant state. However, as argued here, institutional design has to go beyond the quest for continued political control. For laws and national policies to retain their legitimacy, Parliament — as the ultimate law-making institution — must be a genuine and key platform for the articulation and debate of diverse views.

VI. CONCLUSION

The amendments to the Constitution and related legislation between 1984 and 2010 are part of the larger endeavor to retain Parliament's standing as the focal point of Singapore's political life and governance. These changes are in sync with the PAP government's efforts to develop a system of parliamentary democracy that it deems best for Singapore. Political autochthony is treated as a virtue and a norm in Singapore's political sphere even as Singapore strategically clings on to the selective use of its Westminster lineage. It complements the political imperative to keep Singapore's brand of parliamentary democracy relevant and legitimate notwithstanding the one party-dominant political system.

However, political autochthony alone is insufficient given that representation is a foundational idea of political life since ancient times. By a small measure, the changes do enhance Parliament's representativeness but only peripherally. The ruling

PAP has won, on average, 65 per cent of the popular vote in the seven general elections since 1984 when the Non-Constituency Member of Parliament (NCMP) scheme was first introduced. Over the years with a gradual politically maturing electorate, the emphasis in tweaking the political system has shifted towards privileging alternative and diverse views in Parliament, rather than adversarial, partisan ones. The Singapore government is acutely aware of the growing desire for a more open and vibrant political system – one where the citizen's voice matters and where the concern and interest with national matters is not the sole preserve of politicians. This politics with a small 'p' for the masses is to be distinguished from politics with a big 'P' which involves only a select group of citizens partaking as politicians in the rough and tumble of adversarial political contests. Further, there is a need to deal with the perception that parliamentary sittings are PAP party caucuses, wherein Parliament's ability to restrain the powerful executive is doubted.

 The constitutional changes reflect the steadfast belief that the institutional design of Singapore's political system must produce a government with a clear mandate, demonstrated through a strong parliamentary majority. The institutional design is geared towards the government of the day being able to govern resolutely and decisively in the long-term interests of Singapore. While some view the changes as conveying a political advantage to the PAP, it is reasonable to say that, at the very least, they do not disadvantage the ruling party. The changes are necessary, where the PAP government is concerned, to avoid a freak election outcome. Ironically, the so-called freak election outcome may happen but it would then be aligned with what voters want. If the desire grows for more non-PAP voices in Parliament —and not merely to keep the PAP in check— more voters will consciously cast their ballots for the opposition. If it results in a PAP loss, such an outcome would no longer be a freak (unintended) election outcome.

 Will the recent legislative changes let Singaporeans have their cake and eat it? That is, to continue to have the PAP government returned to power with a decisive majority while also having sufficient non-PAP representation in the legislature to keep the government in check. With the provision for a 'cooling-off day' in the 2010 amendments, Singaporeans are asked to vote in accordance with their own long term interests without the heat and passion of the hustings which runs high at the end of the nine-day

campaign period, the minimum length permitted under Singapore's election laws. Operating in the background is the attempted institutional assurance that there will be at least eighteen non-PAP parliamentarians in the legislature. However, as this article has argued, this may be inadequate to manage the desire for real and substantive opposition, and the inevitable movement towards a weakening of the one-party dominant system.

The latest round of constitutional amendments continues the theme and trend of adaptive exceptionalism in institutional design in the political arena: Singapore doing things her way and Singaporeans deciding their political fate. The PAP's political hegemony and attempt to manage the pace of political change notwithstanding, the touchstone challenge for sustainable institutional design must be inclusiveness and representation in tandem with Singaporeans' growing democratic aspirations, increasing civic-political participation, and democratic ownership of governmental processes.