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More public education needed on changes to EP system

BY

[EUGENE K B TAN](#)

February 28, 2017

The office of Singapore's Elected President is often misunderstood. Although it has been part of our system of institutional checks and balances since 1991, a popular misconception is that the President is a centre of political power unto itself.

This misunderstanding may reside in the fact that the President is popularly elected although the office of head of state is non-partisan. The lack of understanding on the EP can be partly attributed to the fact that of the four presidential elections (1993, 1999, 2005, and 2011), only two were contested (1993 and 2011).

With about six months to go before Singapore's fifth Presidential Election and, more significantly, the first reserved election, public education efforts will have to be redoubled.

The President's custodial powers are reactionary in nature. Our system of Government remains a staunchly parliamentary one, where the elected Government wields executive power exercised primarily by the Cabinet headed by the Prime Minister.

The consequential amendments to the Presidential Election Act earlier this month drew to a close the latest round of changes to our political system to entrench "good politics and leadership". These procedural changes include:

- Providing more time for prospective candidates to apply for the Certificate of Eligibility and for the Presidential Elections Committee to assess such applications.
- The provision for the Community Committee and its sub-committees for the Chinese, Malay, and Indian and other minority communities to operationalise the hiatus-triggered reserved election mechanism.

There were also amendments to improve the election process, including making it more convenient for overseas Singaporeans to register to vote overseas, and the use of a clearer demarcated area on the ballot papers for the voter to indicate his choice of candidate to reduce disputes during the ballot counting process.

The law was also changed to provide for the automatic recounting of votes when the difference in votes polled by the top two candidates is 2 per cent or less. Previously, such candidates had to apply for a recount.

Besides these amendments, the debate in Parliament last month was more notable for the announcement of the non-legislative changes to the Presidential Elections.

The first is the attempt to differentiate the campaigning for the Presidential Election from the Parliamentary Election. For instance, specific sites for campaign rallies will no longer be designated. However, candidates can still hold rallies if they so wish. They will have to secure the venues themselves, and the requisite police permits.

The preference now is to provide more airtime on television as the Government seeks to have candidates shift to television as the primary medium for voter outreach. The use of social media and indoor meetings of targeted group of voters will continue.

These changes come on the back of the combative 2011 Presidential Election, characterised by candidates and voters alike having competing and conflicting visions of the Presidency, which were often at odds with the clear powers of the Elected President provided for in the Constitution.

Another non-legislative change is the timing for the Presidential Election, which had always been held in August. This year's Election, which will also be a reserved one for candidates from the Malay community, will be held in September. This would avoid coinciding with the National Day celebrations in August.

To what extent this would help remains to be seen, given that the country may well be in election mode from June 1 when the formal process of the Presidential Election commences.

Since independence, Singapore has sought to constitutionally engineer a political system that meets its unique needs and aspirations. Although hewed from the British Westminster parliamentary model, the deliberate and regular institutional

re-design of our electoral and political system has resulted in our evolving away from the template.

For instance, innovations during an intense burst of constitutional engineering between 1984 and 1991 saw the creation of the Non-Constituency Member of Parliament (NCMP; introduced in 1984), the Nominated Member of Parliament (NMP; 1990), the Group Representation Constituency (GRC; 1988), and the Elected President (EP; 1991) schemes.

To be sure, these innovations have been criticised as disingenuous efforts by the ruling People's Action Party (PAP) to further tilt the political playing field to its advantage.

Taking advantage of the strong electorate mandate in the September 2015 General Election, the PAP Government had embarked on what was the most significant renovation to the Elected President framework since its introduction in 1991.

The latest changes to the EP system were made within a relatively compressed timeline. From start to end, including public consultations and making the necessary constitutional and legislative changes, it took about 12 months.

The timing is significant as we are on the threshold of PM Lee and his team preparing to hand over the reins of Government to the fourth-generation leadership in a few years' time.

The vast majority of the constitutional changes in the last 25 years have centred on the institution of the Elected Presidency, reflecting the quest to perfect our system of governance.

The EP institution was itself born out of the nagging fears of a "rogue government" ruining Singapore through profligate spending and unmeritorious key public office appointments. Arguably, this round of substantive changes to the EP institution was motivated by the desire to reduce the likelihood of a "rogue president" and to enhance the office as a symbol of national unity.

Time is of the essence as Singaporeans go to the polls in September. There is already confusion about the reserved election. Some Singaporeans erroneously understand such an election as being confined to Malay candidates and that only Malay voters are eligible to vote.

There is the urgent need to explain the latest changes in a manner that is accessible to the masses. Otherwise, the Elected Presidency will remain

misunderstood, making it susceptible to politicisation during the hustings and its role as a governance watchdog not fully realised.

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