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Citation

EUGENE, Tan K. B.. Reserved election: Boost for multiracialism?. (2016). *Today*. 1-4.

Available at: https://ink.library.smu.edu.sg/sol_research/3859

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RESERVED ELECTION: BOOST FOR MULTIRACIALISM?

BY

[EUGENE K B TAN](#)

September 9, 2016

Singapore is on the threshold of the most significant re-engineering to its constitutional architecture since the introduction of the Elected Presidency (EP) in 1991.

With the Constitutional Commission's work completed, the task now falls on the Government to secure the buy-in for the proposed constitutional changes.

A critical proposal is having reserved elections, to preemptively manage the potential issue of race marginalisation and the need to have a person from every major race for the head of state office. This move could, however, lead to potential problems.

No one disagrees that having a minority-race President, elected by popular mandate and exercising custodial powers, is a powerful statement of multiracialism for a Chinese-majority country.

Similarly, we would have attained racial nirvana if the ethnic Chinese community needs a reserved election to have one of their own become President.

The Commission recommends that the reserved election proviso is activated only after there has not been a President from a major racial community for five continual terms, or 30 years.

Clearly, the Commission views the reserved election as an inter-generational safeguard for minority representation.

It is, rightly, not in favour of making the office mechanically rotational among the major races.

But we have to guard against the reserved election being seen as a vehicle for affirmative action. A race-based election can give rise to the belief that a racial community has a legal right for one of its own to be elected President.

Will there be subsequent expectations that other public offices be rotated among the races?

Next, will the reserved election change our understanding of meritocracy? The Commission was at pains to emphasise that candidates in a reserved election will have to meet the stringent eligibility criteria, similar to an open election.

However, as a reserved election is not open to hopefuls from other races, a legitimate argument can be made that the meritocratic principle is not exercised in its full measure.

The reserved election approach also presupposes that only a minority- race President can be a symbol of our much-vaunted multiracialism. Is any of our former and present ethnic Chinese presidents any less a symbol of multiracialism than our former non-Chinese presidents?

Indeed, it was not race or the colour of their skin that automatically endowed our Presidents as symbols of Singapore's multiracialism. Rather, it was their practice and promotion of multiracialism that infused into the institution of the presidency the spirit and soul of multiracialism.

Furthermore, a reserved election might just reinforce the alleged tendency of Singaporeans to vote along racial lines.

Voters might see that there is no necessity or urgency to vote for an electable minority candidate since the system will provide for a minority-race President at regular intervals if one is not elected.

I remain sceptical that Singaporeans will compromise their own best interests and elect someone who is not deserving simply because they are of the same race.

As such, I hope that Singapore will not need to use the reserved election mechanism to have a minority President.

DEALING WITH RACE

The above discussion does not at all deny that race, religion and language remain fault lines in our society. Neither do the above arguments under-estimate that these markers of ethnicity can induce and arouse primordial loyalties.

But, as a principle of governance, we must not pander to these centrifugal forces, especially when we are not a deeply divided society in urgent need of symbolic approaches. Instead, we should endeavour to rise above our prejudices, stereotypes and weaknesses.

Even as we remain grounded in pragmatism in dealing with challenges, we should not have to sacrifice idealism. The electoral system can and should play a part in this regard.

If Singaporeans do vote along racial lines, then the urgent task is to work on sensitising Singaporeans to shed that behaviour so minority candidates can compete on an even footing with ethnic Chinese candidates. The solution is not to give in to the racial discrimination.

No amount of constitutional engineering can remove a racial or even a racist mindset and disposition in electoral behaviour.

Instead, what we should do is nudge and provide “incentives” for candidates and the electorate to think of how their electoral behaviour and their votes can entrench multiracialism and for their self-interest. Such a consideration should go into a voter’s assessment of a candidate’s overall merit.

With the Commission’s recommendations made public on Wednesday, all eyes are on the Government’s detailed response next week. It is likely that most of the recommendations would be accepted or tweaked for implementation in the nation’s fifth Presidential election, which must be conducted latest by August 2017.

There is a need to ensure that the report — its rationale and reasoning for the far-reaching recommendations — is well understood by the public.

The Commission’s recommendations reflect the collective wisdom of its high-powered membership with vast experience in the Government, the private sector, and in diplomacy as well as input from Singaporeans from all walks of life.

It would be a wasted opportunity if Singaporeans do not learn more about the presidency and the impact of these impending changes from this important exercise. The truth of the matter is that not everyone will agree on the various recommendations, but we should be open to discuss the disagreements.

As the process of engagement is time consuming but necessary, the Government should not give the impression that it is proceeding with undue haste, especially when the system is not broken.

The process is as important as the final outcome.

Values such as multiracialism, meritocracy, integrity, and democratic engagement and active citizenry must continue to be nurtured so that they can stand us in

good stead as we strive to create a system of governance that is robust, relevant, and resilient for the good of our common destiny.

ABOUT THE AUTHOR:

Eugene K B Tan is associate professor of law at the Singapore Management University. He made written submissions and oral representations to the Constitutional Commission earlier this year.