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Tan K. B. EUGENE

Singapore Management University, eugene@smu.edu.sg

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Closed vote not the only way to ensure minority EP

BY

[EUGENE K B TAN](#)

June 16, 2016

How to ensure that minorities can be periodically elected, if we have not had a minority President for some time, is probably the most controversial term of reference for the high-powered Constitutional Commission chaired by Chief Justice Sundaresh Menon.

The intent and outcome of having a minority President, especially one exercising custodial powers, is laudable. It is a powerful statement of our multiracialism for a Chinese-majority country to elect a non-Chinese as head of state. But how we go about doing so is crucial.

To use race as a pre-qualifying condition to contest in a restricted election is to effect affirmative action. Dr Mathew Mathews argued in TODAY last week that such an election method would be a “nudge” to be used only as a last resort when “a particular race has not been represented in the presidency for a substantially long period”.

But this strikes at the heart of our meritocracy. Further, given the President’s custodial powers, the electoral system must enable all who are qualified to contest. It also perpetuates the belief that the majority of Chinese-Singaporeans discriminate against non-Chinese Singaporeans, even for the august office of the head of the state.

We would not ask for the position of Prime Minister or Chief Justice to be rotated among the races. If a minority gets a leg-up to the highest office, questions will arise as to his political authority, legitimacy, and standing — compromising the minority President’s ability to properly and faithfully execute constitutional, community and ceremonial duties.

His mandate and moral authority to say no to the Government would be weakened. We should not have the President handicapped by the “but for” question: Would he be the President but for the closed contest?

Ultimately, a restricted election would undermine the presidency as a symbol of national unity.

In making the presidency an elected one, a significant trade-off is that the office could no longer be rotated among the different races as it was in the past. This is a circle that probably cannot be squared. Merit must come ahead of race if the presidency is to command authority, authenticity and respect.

The term of reference also presupposes that only minorities can be a symbol of multiracialism, undermining the essence of our multiracialism.

President Wee Kim Wee, a Peranakan Chinese, was much beloved and respected by all Singaporeans, demonstrating that being from the majority race is not a barrier to being a symbol of multiracialism. Similarly, our first President, Yusof Ishak, played a critical role in restoring trust and confidence among the races in the aftermath of the 1964 race riots, one of the most tumultuous periods in Singapore's modern history.

It was what President Yusof Ishak did and not his ethnicity that enabled him to transform the office of the head of state into a symbol of our multiracialism. In a sense, he initiated an invented tradition, an important one, no doubt. What was common among our ceremonial presidents (the others being Benjamin Sheares and Devan Nair) was their being active and exemplary practitioners and promoters of multiracialism. They infused into the presidency the spirit and soul of multiracialism in Singapore.

I do recognise the abiding importance of multiracialism in the *raison d'être* of the presidency and to safeguard it as a respected institution of multiracialism. In my submission to the Constitutional Commission, I proposed that for a presidential candidate to be elected, the individual must secure the most number of votes among all the candidates and poll a threshold minimum proportion of votes (for example, between 30 to 40 per cent) from the minority races (individually or collectively).

This can be done through an alternative preferential system where voters rank the candidates in order of preference. Each voter has one vote, but rather than mark an X, he indicates a "1" for his first choice candidate, a "2" for his second choice, a "3" for his third choice and so on. The candidate with the least first preferences is eliminated first, and the votes are allocated to the other candidates according to the second-preference choices indicated on the ballot papers for that eliminated candidate. This process continues until one candidate meets the requisite thresholds and is elected.

This will maintain the current electoral system of the simple plurality election and candidates contesting individually, but require candidates to secure as many second preferences. In turn, they need to unequivocally demonstrate that they have the credentials to be a symbol of multiracialism by appealing to all races.

Multiracialism becomes a key component of the candidate's overall merit that voters have to consider and assess. A candidate will need to win substantial, if not majority of, support from all component racial groups in Singapore in order to be elected. This approach is sustainable, authentic and meaningful.

This mode of election prevents the presidential election from being premised on race. A restricted election will invariably bring race into the election, unnecessarily politicising the office of the Elected Presidency.

It may also give rise to the belief that a minority group has a legal right for one of its own to be elected President.

Furthermore, voters might decide that there is no necessity or urgency to vote for an electable minority candidate since the system will provide for a minority President in regular intervals if one is not elected.

It has been tritely repeated that Singaporeans tend to vote along racial lines. However, without empirical evidence, we run the risk of perpetuating this alleged voting behaviour as a fact.

To be sure, race, religion and language remain fault lines in our society. But we must not pander to these centrifugal forces. Instead, we should endeavour to rise above our prejudices, stereotypes and weaknesses. The electoral system can and should play a part in this regard.

If Singaporeans do vote along racial lines, then the appropriate response is to work on getting Singaporeans to shed that behaviour so that minority candidates can compete on an even footing with ethnic Chinese candidates. To give in to racial discrimination would be an indictment of our multiracialism. Efforts should also be made to encourage suitably-qualified minorities to step forward and seriously consider running for the presidency.

No amount of constitutional tinkering or engineering can remove a racial or even a racist mindset and disposition in electoral behaviour. Rather, we need to design an election process in which candidates and the electorate alike consider how their electoral behaviour and their votes would be in the individual and collective self-interest, thus entrenching multiracialism.

This way, we can safeguard the presidency as a true symbol of national unity and ensure our multiracialism is sustainable, rather than one that is artificially supported and imposed by constitutional fiat.

ABOUT THE AUTHOR: Eugene K B Tan is associate professor of law at the Singapore Management University School of Law.