

In the case of a freak election ... ; All races may not be represented under the current GRC system

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The Group Representation Constituency (GRC) system undoubtedly plays an essential role in securing a key pillar to national security in Singapore — racial harmony. Introduced in 1988, it was acknowledged by a Select Committee as “not perfect” but one that will “preserve our fragile, multi-racial fabric” and “entrench the multi-racial character of our Parliament”.

Still, there is ambiguity surrounding the laws that regulate this important system. A GRC system that keeps with the spirit of the law should be able to ensure a multi-racial Parliament. However, the letter of the law in its current form followed to its logical conclusion would appear to only ensure a bi-racial Parliament (Chinese and Malay MPs).

The spirit of the law

According to Article 8A of the Parliamentary Elections Act, the purpose of the GRC is “to ensure the representation in Parliament of Members from the Malay, Indian and other minority communities.”

The concern was that Parliament would have no minority representation in demographically Chinese-majority Singapore if Singaporeans were to irrationally vote solely along racial lines on Election Day — what has been dubbed the “freak” election.

Moreover, given the HDB racial quota rule, in an electoral system constituted purely of Single-Member Constituencies, a minority candidate cannot be elected exclusively on the votes of his own community, in a freak communal election.

Hence, in such a worst-case scenario, Singapore’s Parliament can remain multi-racial only if the Malay, Indian and other minority candidates are elected via a GRC, which requires at least one minority candidate as one of its members.

In summary, GRCs are formed based on the following rules in the current Parliamentary Elections Act:

- Rule 1 The total number of MPs elected as members of a GRC must constitute at least one-quarter of the total number of elected MPs.
- Rule 2 Each GRC will be designated to have at least one candidate who is either (i) a Malay or (ii) an Indian or from another minority community.
- Rule 3 The minimum number of MPs for each GRC is three; the maximum is six.
- Rule 4 The number of GRCs designated to have at least one Malay candidate must be three-fifths of the total number of GRCs; where that number is not a whole number, it should be rounded up.

The letter of the law

Although the spirit and intention of the GRC system is commendable, it is not legally

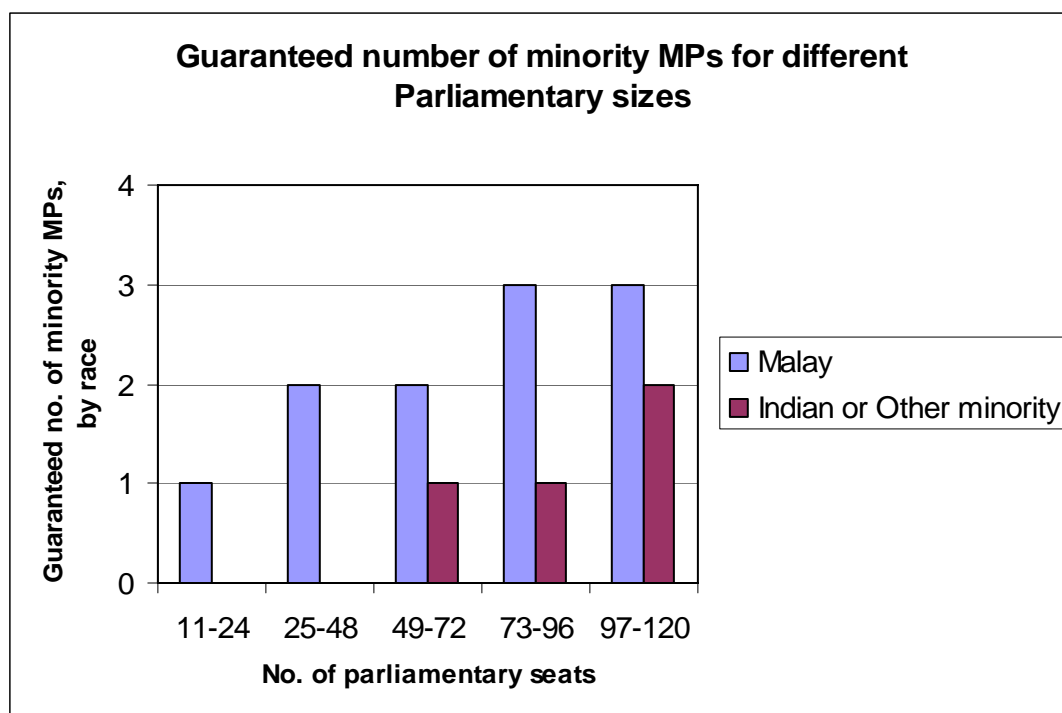
watertight in a freak communal election. As a result, in such a scenario, there may only be Chinese and Malay representation in a bi-racial Parliament while Indians and “Others” are left out.

This may be attributed to the ambiguities within the Parliamentary Elections Act.

They are as follows: Firstly, the Act does not provide for a fixed minimum number of MPs representing the Malay, Indian and Other minority communities for each Parliament; secondly, there is no set number of parliamentary seats; thirdly, the size of each GRC is neither uniform nor stipulated; and finally, the minimum number of GRCs is not established.

Hence, a possible freak election result could occur where the guaranteed number of Indian and Other minority MPs is compromised given the following: Firstly, if there are 96 or less seats in Parliament; secondly, if the number of MPs elected via GRC is at the legal minimum; thirdly, if the size of each GRC is at the maximum; and finally, if only one minority candidate is designated for each GRC.

The graph illustrates the guaranteed number of minority MPs for different Parliament sizes under existing rules.



Possible solutions

There are four possible solutions to this.

Firstly, all things being equal, a minimum of 97 seats should be set for Singapore’s ideal multi-racial Parliament to be able to withstand a freak communal election.

Secondly, the maximum GRC size could be reduced from six to five members. This way, Singapore is guaranteed its multi-racial Parliament with a minimum of 81 seats, which is

closer to the average Parliament size in the past years.

Thirdly, just as there is a minimum number of SMCs, the minimum number of GRCs can be fixed at five.

As the number of GRCs designated to have at least one Malay candidate must be three-fifths of the total number of GRCs, this will ensure that at its bare minimum, Parliament will have three Malay, one Indian and one Other minority MP.

Finally, it is possible for the Act to explicitly state that Parliament must have at least one MP from each of the four racial categories.

Ultimately, regardless of the option chosen, the letter of the law may have to be altered in order to be aligned with the spirit of the law and its desire for a racially harmonious Singapore.

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