

# Governing Singapore: How, Why, and Where are we Heading?

The Singapore "Executive-led" Government System:  
Reflections for Hong Kong

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Civic Exchange is a non-profit organisation that helps to improve policy and decision making through research and analysis.

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## PREFACE

We are pleased to have an opportunity to work with scholars at the Singapore Institute of International Affairs (SIIA) for the publication of this paper. We commissioned this report about the Singapore political system so as to provide a reference as well as a reflection point for Hong Kong's own consideration of its evolving constitutional development.

The Basic Law provides Hong Kong with an "executive-led" political structure. The HKSAR Government's Constitutional Development Task Force noted in its Second Report (April 2004) that "executive-led" is an important principle underlying the design of Hong Kong's political structure, "and a crucial feature for giving effect to State sovereignty". A footnote then provided how Hong Kong's "executive-led" structure was realized.

Over the years, it has been often said that the Hong Kong political system may evolve to become more like the Singapore system because the Central People's Government favors a system that has elections but nevertheless also has a strong executive. This background paper will enable those interested in the subject to have a deeper understanding of the Singapore system so they can see how it was envisioned and created, as well as the extensiveness of the government's involvement in the economy, society and politics. They can then compare it to the Hong Kong system today to make their own assessment of the two systems.

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Christine Loh  
Chief Executive Officer

September 2005

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### *Disclaimer*

The views expressed in this report are those of the authors and do not necessarily represent the opinions of Civic Exchange.

## 1.0 Introduction

The formal structure of the Singapore system, as we know it today, is a republic with a parliamentary system of democracy based on the British Westminster model, but which has been adapted to suit the local conditions. This was developed both as a vestige of the British colonial administration and the longstanding rule of the People's Action Party (PAP) government.

Known widely for its efficiency, strong government, limited democracy and economic priorities, among other controversial characteristics, this system has its fair share of praise and criticism. For sure, the Singapore system is notable in the sense that while parliamentary democracy is practiced and elections regularly held, the Executive continues to wield extraordinary powers, surpassing those of other parliamentary democracies in the world. In addition, in spite of an "oft-grumbling" electorate voicing dissatisfaction with how the government deals with issues, the PAP unflinchingly returns to govern. This it does, with an unflinching belief that what it does is in Singapore's best interests. Whether this is in fact so, remains debatable. But what is certain is their expressed motto that Singapore must continue to be a viable economy is accepted by many Singaporeans. This has been the hallmark of the PAP administration since it came into power in 1959.

As we will examine in this paper, such characteristics of the Singapore system are closely related to the socio-political exigencies that surrounded the establishment of an independent Singapore in the 1950s and 1960s, and the mindset held then has largely remained unchanged. Three other contextual factors that impacted its development have also remained unchanged – its small size, heterogeneous population and strategic location.

This paper will examine how the phenomenon of the PAP's long reign in government and how its governing philosophy and its mode of working has become synonymous with the Singapore political system over the years. The various socio-political factors peculiar to each decade and the way they became entrenched in the Singapore polity will be analysed as well. This will include the review of the executive, legislature, judiciary, civil service, statutory boards and parapolitical bodies, and how they interact to make the governing of Singapore function as it does – essentially an efficient, effective, one-party state. Beyond the efficiency and effectiveness that it is known for, this paper will also try to examine the much more complex and nuanced relationship between the Singapore government and its people. Finally, the paper will give a prognosis of the challenges ahead for Singapore, and how the government will react to these challenges to forge a way forward.

## 2.0 The Development and Formation of the Singapore Political System

After the Japanese Occupation in 1945, there were popular movements that aimed at ending British colonial rule in Singapore. In response to the decolonization movements after the 2<sup>nd</sup> World War and the changing sentiments within Singapore society, the British took the decision to inaugurate a Legislative Council in 1948. The Legislative Council then comprised six elected seats and a further 16 ex-officio and nominated members. The proportion of elected seats was raised to nine out of 25 in 1951. However, it was not until 1953 that George Rendel was commissioned by the British administration to review the constitutional status of Singapore in response to the rising agitation by both anti-colonial nationalists and communists in Malaya. The British while willing to consider a gradual move towards self-

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rule and greater independence, was adamant that this power transfer must under no circumstances be hijacked by the communists.

The Rendel Constitution represented the first concrete step towards self-government for Singapore. While leaving defence, finance and internal security in the hands of the British Governor, the Constitution introduced automatic voter registration and a new 32-member Legislative Assembly, 25 seats of which were to be directly elected by the people. (Yeo, 2002:203-204)

With the prospect of self-government, there was a burgeoning of political parties including the People's Action Party (PAP) and the Singapore Labour Front. These were both formed in 1954 and quickly commanded genuine popular support.

The process of election into the Legislative Assembly was adapted from the Westminster model of democracy, based on the ethos of majority rule determined by the first-past-the-post or plurality system. The first legislative Assembly held under the Rendel Constitution took place in April 1955. Several parties took part but none won a clear majority. The Singapore Labour Front led by David Marshall was then the biggest winner, winning 10 out of the 25 seats.

Impatient with the slow transfer of power, the first elected Chief Minister of Singapore, David Marshall, led an all-party delegation to London to discuss Singapore's constitution in 1956. Talks failed and Marshall resigned to join the opposition. In 1957, there was a second all-party delegation led by Lim Yew Hock (having succeeded Marshall as Chief Minister). The successful conclusion of these talks gained Singapore a fully elected and self-governing 51-seat Legislative Assembly. The Head of State (Yang di-Pertuan Negara) would be chosen from distinguished Singaporeans to be the Queen's representative for four years. He had the power to appoint the Prime Minister who would command and have majority support of the legislature. The Prime Minister would appoint a cabinet of ministers to form the government, which in turn, would be directly responsible to the Legislative Assembly. In all respects, this was a conventional Westminster parliamentary model except that the British fully controlled foreign policy while internal security was shared between three representatives each from the Singapore and British governments and one representative from the Malayan government. (Shee 1985: 5; Haas 1999: 16-17; Kingsbury 2001: 333)

In the May 1959 elections, the PAP contested all fifty-one constituencies and won an overwhelming majority of forty-three seats with 53.4% of the popular vote. Thus, in June 1959, PAP's Secretary-General, Lee Kuan Yew, assumed office as Singapore's first Prime Minister, declaring to bring independence from the British and establish a democratic, non-communist, socialist Malaya. This came about amid urgent threats of a communist insurgency in Singapore and an internal power struggle within the PAP. This internal struggle within PAP resulted in a split with the PAP left-wing faction leaving to form the Barisan Sosialis (BS or Socialist Front) in 1961 as they felt they could not rise to power within the PAP. Correspondingly, to prevent the BS from gaining government, the PAP redoubled its efforts to have Singapore associated within the new Federation of Malaysia. Not only would the larger political framework undermine BS power, the strongly right-wing Alliance government in Malaya would contain the activities of the left-wing BS. (Shee 1985: 7; Kingsbury 2001: 334)

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Fortunately for the PAP, the situation was in their favour. The then-Prime Minister of Malaya, Tunku Abdul Rahman, thought a communist take-over was imminent in Singapore and was fearful of the danger this would pose to Malaya. He had earlier felt that Singapore and Malaya were too different in terms of ethnicity, language and religion, such that a merger would be inconceivable. In the face of a communist threat, he changed his decision about rejecting Singapore's entry as part of the Malaysian Federation. (Shee 1985:6) Lee promptly took advantage of Tunku's position and persuaded Singapore citizens that only by merging with Malaya would Singapore have a chance of survival. He stressed that the Malayan hinterland with its tin and rubber production would sustain Singapore's economic health through entrepot activities. In addition, an independent Singapore was not militarily viable thus a merger would make it more secure. It was also hoped that this would dilute the Chinese chauvinism thus far displayed by Chinese Singaporeans, and so ease the Chinese-Malay tension. This would prevent the racial riots which Lee was constantly vigilant about. (Shee 1985: 7)

In a referendum that Lee offered in 1962 on the proposed terms of merger, 71 percent of the electorate supported his position. On 22<sup>nd</sup> September 1963, the PAP won 37 seats (against 13 seats by the BS) of the Legislative Assembly in a hastily arranged election. This marked the gradual weakening of political opposition in Singapore. (Shee 1985: 8; Haas 1999: 20; Kingsbury 2001: 334-5)

But it soon became apparent that the merger was headed for failure. Lee was frustrated that instead of focusing on economic development (primary agenda of the PAP government in Singapore), the dominant party (United Malays National Organisation or UMNO) of the ruling Alliance in Malaysia requested special privileges for Malays in Singapore. Lee had already allowed Malay-vernacular schools, and was unwilling to comply with UMNO's request. He had a vision of a "Malaysian Malaysia" with equitable political and economic opportunities among all races. Racial violence between the Chinese and Malay communities in 1963 and 1964, continued cross-border tensions and discontent over Lee's political Malaysian aspirations later led to Singapore's expulsion. Singapore thus achieved full independence on 9<sup>th</sup> August 1965. (Haas 1999: 21; Kingsbury 2001: 336)

### 3.0 The Political System of an Independent Singapore

Stung by the merger failure amid a sensitive post-independence geo-political situation that included racial tensions, widespread unemployment, illiteracy, poverty and a housing shortage, the PAP government believed its legitimacy in governance was to be proved by making Singapore an economically prosperous and politically stable entity. Lee and a close-knit group of like-minded PAP leaders modified the unicameral parliamentary model with a 5-year term left by the British rather than start from scratch. They believed that it was unwise to do away with all facets of colonial administration, complicating the mammoth task of nation-building. Instead of "reinventing the wheel", they chose to adopt and adapt the British model to suit local conditions.

According to Raj Vasil, the PAP chose a democratic polity based essentially on the British Westminster model but limited it to ensure a stable political order. In so doing, they were able to attain their objective by essentially continuing with the colonial political system and processes; instead of having to introduce a variety of limitations on the rights and freedoms of their citizens, the mass media, the political parties, the trade unions and other voluntary

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organizations through Singapore's constitution or a new set of laws. They allowed most of the laws introduced by their British colonial overlords to remain in the same statute book (Vasil, 2000:50-51). These included, for instance, the Internal Security Act, which in the earlier years were used to take on communists, secret society members and racial chauvinists.

Lee Kuan Yew and his PAP colleagues opted for what they saw as "limited" or "controlled" democracy (western critics might think it is closer to authoritarianism than democracy), believing it suited Singapore's needs. Liberal democracy was seen as unsuitable for Singapore because in the hands of its largely uneducated population, democracy could easily be exploited as a political tool. On many occasions, Lee openly expressed doubts about the applicability of the democratic ideal to developing countries. In a Q&A Session following his address to the Royal Society of International Affairs in London in May 1962, he openly cast doubts on the difficulties of applying liberal democracy in an under-developed and under-educated world. However, he was willing to allow some form of procedural democracy with regular elections in exchange for political legitimacy. But once elected, the argument goes that the government should be allowed to "govern unhampered" and not be "sidetracked by public opinion".

Since 1963, regular and open elections have accorded political legitimacy to the PAP as representatives of the people and to govern at will. It took about a decade for the PAP to establish almost absolute political dominance. During this period, Lee did not shied away from using the colonial preventive detention laws (the Internal Security Act) to quell civil unrest. It has been noted that Operation Cold Store in 1963, in which 115 opposition Barisan Socialis leaders, journalists and trade unionists were arrested and detained without trial under the ISA, and a number of subsequent swoops in the early years of PAP rule effectively stunted the growth of political opposition for years to come. (Yeo, 2002: 217).

The political system of Singapore is embodied in the Constitution which over the years had undergone several changes in response to a changing electorate and in the PAP's attempts to remain in control. While starting off as a parliamentary democracy based on the British Westminster model, constitutional changes and political consolidation have resulted in the Executive (the Cabinet) replacing the Parliament as the dominant force in Singapore.

### ***3.1 The Executive, Legislature, Judiciary and the Elected President***

The three pillars of governmental decision making, also known as the three organs of state provided by the Constitution, are the Executive, the Legislature and the Judiciary.

#### ***3.1.1 The Legislature - Parliament***

The Singapore Parliament is unicameral (single house) and is modeled on the Westminster system of parliamentary democracy where the elected members of Parliament (MP) are voted in at regular general elections. Elections are based on the first-past-the-post system, that is, whoever secures the most votes win.

The constitution lays out the role of the legislature and defines the qualification and disqualification for membership of Parliament, the exercise of legislative power and the overall legislative process. Each Parliament lasts for 5 years from the date of its first seating after a General Election (GE). Elections must be held within three months of the dissolution of Parliament.



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The present tenth Parliament constituted by the election held in November 2001 has 94 MPs consisting of 84 elected MPs, one Non-Constituency MP (NCMP) and nine Nominated MPs (NMP). Since 1968, the PAP has almost total dominance in Parliament and while its popular votes has varied from around 60% to over 70%, they have always occupied over 90% of the seats because of the first past the post electoral system.

The elected MPs represent either Single Member Constituencies (SMC) or Group Representation Constituencies (GRC) of three to six candidates, where at least one in the team must belong to a minority race. This is to ensure that there are always representation of members from the Malay, Indian and other minority communities. There were 14 GRCs in the 2001 General Election and 9 single member constituencies. The role of the MPs is to act as a bridge between the community and the government by ensuring that the concerns of the constituents are heard in Parliament.

The Constitution also provides for the appointment of other MPs not voted in at a General Election. Sensing a desire on the part of many Singaporeans for more opposition in Parliament, an act was passed by the Parliament in 1984 allowing the appointment of up to six Non-Constituency Members of Parliament (NCMPs). This is to ensure that the views of a minimum number of opposition representatives in parliament can be heard. Only when no opposition party candidates are returned in elections, or if the ruling party felt there is too few opposition members, are NCMPs (who are the top losers measured in terms of percentage of popular votes they garnered during the election – or in short unsuccessful opposition candidates with the highest percentage of votes) invited to enter parliament.

An NCMP can speak and take part in parliamentary debates, and vote on most of the bills except on no-confidence motions, constitutional amendments, supply and money bills and removing the President from office. Many critics or political analysts see this as one of the PAP's public relations exercises to show that it is not intolerant of political opposition and to appease those who voted for the opposition (Yeo, 2002: 206).

Similarly, the Nominated Member of Parliament (NMP) scheme was introduced in 1990 to enable the government to bring into Parliament Singaporeans who possess special skills and knowledge. Initially, six NMPs were selected to sit in Parliament. Currently, there are nine NMPs in Parliament - the maximum number permitted by the Singapore Constitution. NMPs are appointed by the President for a term of two and a half years on the recommendation of a Special Select Committee of Parliament chaired by the Speaker. The NMPs are first nominated by the public, or by functional groups, namely, business and industry; labour; the professions, tertiary education institutions; social and community service organizations; and media, arts and sports organizations. The nominees are then interviewed by the Special Select Committee of Parliament, who then makes the selection and recommendation.

According to former Prime Minister Goh, the NMPs are intended to satisfy a desire for alternative views, to give non-partisan Singaporeans more opportunities for political participation, and to increase the number of MPs from under-represented groups such as women. While the government and most Singaporeans appear to be positive about the NMPs, the scheme has its critics who see it as a plot to undermine the legitimate opposition (Mauzy and Milne, 2002: 144).

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Other roles in the Parliament includes –

*Speaker* presides over the sittings of the House and enforces the rules prescribed in the Standing Orders of Parliament; The *Leader of the House* who is responsible for the arrangement of government business and the legislative programme of Parliament. The *Party Whip* who ensures good communication within the party and contributes to the smooth running of the party's parliamentary machinery. The Whip ensures that there are always sufficient party members in the Chamber to support the party's position and that the MPs vote according to the party's line; The *Parliament Secretariat* who assists Parliament in its functions and in all matters associated with its procedures and practices.

The three main functions of the Parliament in Singapore include-

*Law-making:* This involves two distinct stages - the recognition to have new legislation and a decision by the Cabinet with regards to its nature, and the process through which a bill moves. This process begins with an introduction of a Bill, known as a Government Bill, if a minister introduces it on behalf of the state, while any member of the house introducing a bill would be known as a private member's bill. All Bills must go through three readings in Parliament and receive the President's assent to become an Act of Parliament. However, there are certain bills that cannot be introduced or moved except on the recommendation of the President. These are specifically Bills or amendments relating to tax matters, financial obligations of the Singapore Government, and matters concerning the Consolidated Fund.

*Financial Control:* Parliament exercises financial control by requiring the Government to seek the approval of the House for its annual budget. But the Budgetary debates are usually more of a platform for ministers to explain the various projects for the year ahead, and for parliamentarians to express their wish list because of the dominance of the ruling party in parliament..

*Critical / Inquisitorial:* At the start of each Parliament sitting, one and a half-hours are reserved for questions. This is a chance for MPs to raise questions with the Ministers. . By questioning the Ministers, Parliament makes the Government accountable for its actions and allows the public to listen to a spectrum of views and opinions.

Parliamentarians are often more vocal on so-called "bread and butter" issues. But in reflecting the nature of the Singapore political system, with an emphasis on administrative skills and managerial capacity rather than oratorical skills, debates in the Singapore parliament are not the most exciting. Questions raised by MPs are also supposed to be centred or phrased to focus on the "how" and not the "why".

(For specific constitutional clauses on the functions of the Parliament, refer to Appendix.)

### 3.1.2 *The Executive (Cabinet)*

The Cabinet is led by the Prime Minister, who is appointed by the President as the Member of Parliament who commands the confidence of the majority of Parliament. This means the leader of the party elected during the elections with the majority votes. On the advice of the Prime Minister, the President appoints other ministers from among the elected Members of Parliament to form the Cabinet.

The Cabinet is responsible for all government policies and day-to-day administration of the affairs of state. It is responsible collectively to Parliament and comprises the Prime Minister,

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Senor Minister, Minister Mentor, two Deputy Prime Ministers and the ministers in charge of the ministries of Community Development, Youth and Sports; Defence; Education; the Environment and Water Resources; Finance; Foreign Affairs; Health; Home Affairs; Information, Communication and the Arts; Law; Manpower; National Development; Trade and Industry; and Transport.

In the absence of clear separation of powers in a parliamentary system of government, all powers, both law-making and executive, are wielded by the Prime Minister and the cabinet. As such, the Prime Minister and the cabinet enjoy unrivalled power within the limits provided by the country's constitution.

(For specific constitutional clauses on the functions of the Executive, refer to Appendix.)

### **3.1.3 *Judiciary***

Institutionally, Singapore has inherited the British Westminster model, with an emphasis on the independence of the Judiciary. The Judiciary is one of three constitutional pillars of government along with the Legislature and Executive and is safeguarded by the Constitution.

The top tier of the judiciary is the Supreme Court which comprises the Court of Appeal and the High Court respectively. The Subordinate Courts comprise the Magistrate as well as District Courts. There are also other specialist courts including the Small Claims Tribunals; the Family Court; and the Juvenile Court, among others.

In Singapore, the court's role is to interpret and apply the laws passed by the Parliament. Singapore's judiciary system is internationally rated and there is virtually no criticism of Singapore's judicial handling of commercial, business and civil law, other than defamation cases involving political opponents, and the death penalty and caning.

In formal terms, the Singapore constitution includes the usual provision for the judiciary to maintain its independence and function with full effectiveness as the vital custodian of political rights and liberties of the people. Individual judges, once appointed, may only be removed on grounds of misbehavior or incompetence, after an independent tribunal investigation.

(For specific constitutional clauses on the functions of the Judiciary, refer to Appendix.)

### **3.1.4 *The Elected President***

Prior to 1992, the President of Singapore was appointed by Parliament and played a largely ceremonial role. But in 1991 the Constitution was amended to allow for the election of a President by Singapore citizens. This was a major constitutional and political change in Singapore's history. Under the revision, the President shall hold office for six years and has a variety of functions and powers such as the right to veto senior civil service appointments and government expenditures which draw on national reserves. An overseeing role is also accorded to the office with regards to the application of the Internal Security Act, the laws relating to the control of religious organizations and the activities of the Corrupt Practices Investigation Bureau (CPIB).

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To run for the presidency, prospective candidates must be above 45 years of age and is not a member of any political party on the date of his/her nomination for election. He/She must also have held office for at least 3 years as Minister; Chief Justice; Speaker; Attorney-General; Chairman or top civil servant of the Public Service Commission (PSC) or a statutory board; chairman or CEO of a company with a paid-up capital of at least S\$100 million. These requirements are unique as most states only require that candidates be citizens born in the country and be of a certain minimum age. The stringent requirements effectively limit the number of people who can run for the presidency, and according to a recent estimate that came out in the newspapers, perhaps only about 200 in the population of 4 million are eligible to run for the office.

The President once elected shall be assisted by a Council of Presidential Advisers which comprises six members, of whom two are appointed by the President, two by the Prime Minister, one by the Chief Justice, and the last by Chairman of the Public Service Commission.

Presidential powers include the capacity to withhold approval of government budgets and public office appointments for the Chief Justice, Judges and Judicial Commissioners of the Supreme Court; Chief of Defence Force; Commissioner of Police and the chairman, member and chief executive of any statutory board. However, in all these decisions, the Parliament with a two-thirds majority vote can overrule the decision of the President if he decides contrary to the Council of Presidential Advisers. He can also examine the Government's exercise of its powers under the Internal Security Act (ISA), religious harmony laws, and in corruption investigations. The President must however consult the Council of Presidential Advisers before he takes a decision on these matters.

(For specific constitutional clauses on the functions of the Presidency, refer to Appendix.)

### **3.2 *The Role of the Civil Service***

The Singapore civil service is unique as it is more the government's tool for developing the country than a politically neutral body as in most parliamentary systems of governments. It is the result of the political circumstances in which PAP ruled following decolonization. The threats from communism and the task of state building and economic expansion determined the Government's attitude to the civil service at that time. Consequently, the civil service has been kept subservient since post independent days. The PAP set out from the beginning to reorganize and re-orientate the civil service to work for its own national goals.

The PAP rulers considered the civil service a vital instrument without whose support they could not fulfill their objectives of national survival and prosperity. This was particularly so in the immediate post-independence years. They were not for a politically neutral and non-partisan civil service that could serve different political masters with equal zeal and commitment. According to Lee Kuan Yew, political neutrality of the civil service was unworkable in the social and political environment of the new states of Asia. Faced with the difficulties of post-independence nation-building, it has always been employed by the PAP government to achieve national goals. Lee Kuan Yew's government therefore set up a Political Study Centre to inculcate the civil service with the PAP government's objectives and educate them on their policies. This was seen as vital to a united force working towards building a successful Singapore (Worthington 2003: 135, Vasil 2004).

As far as the PAP rulers were concerned, it was necessary to have a civil service that fully understood the objectives and policies of its government and could view these as national goals to which they were to be totally committed. Just as the collective responsibility of the cabinet is critical, for the PAP, only an elite civil service could supply the skills required for the major national tasks ahead. A responsible and effective bureaucracy to carry out the government's policies promptly is crucial for a government that bases its legitimacy on the ability to "deliver the goods".

### 3.3 *The Parapolitical Institutions*

The government also has a hand in parapolitical institutions, the major ones being the Community Centres, Citizens' Consultative Committees and the Residents' Committees established in the 1960s and 1970s. Though distinct from political parties, there is a definite relationship to the PAP as they were established not only for the government to consolidate political primacy within the grassroots of Singapore society, they were also necessary to strengthen the social and community links that had been disrupted when citizens left their villages to live in HDB flats. (Seah 1985: 173-5; Hill and Lian 1995: 165) In particular, community centres came under the direction of the People's Association, a statutory board created to promote group participation in socio-cultural, educational and athletic activities for enhanced multiracial consciousness, and instill a sense of national identity and duty toward a multiracial state.

The Citizens' Consultative Committees were part of the initiative in which informal leaders could be identified and fostered. They were crucial especially in the racially tense environment of the 1960s to bring about communal harmony. Then as now, it transmits information about people's needs and grievances to government while relaying back to the community governmental action. This is seen as a bid to enlarge citizens' political participation. Residents' Committees are a similar institution to facilitate two-way communication between citizens who live in public housing and the government. With blocks of HDB flats split into zones with a corresponding zonal committee in charge, they were to deal with the issues that affected the daily lives of residents. (Hill and Lian 1995: 169)

### 3.4 *From Structure to Ideology*

The Singapore construct of a political system is intended to be seamless from the political to the grassroots. Defying clear labels, the political system has been variously labeled "limited democracy" "semi-democracy" "controlled democracy" "illiberal democracy" and by its harsher critics as "authoritarian" ranging from "soft authoritarianism" to "technocratic authoritarianism".

From a procedural point of view, it can be argued that the trappings of democracy exists in Singapore with the conduct of open, regular and generally fair elections. However, at the same time, the Singapore government makes no pretence of practicing liberal democracy. It has on many occasions articulated the view that the interest of the community at large must take precedence over the interests of the individual. It has also championed an Asian variant of democracy and argued against Western-style liberal democracy and press freedom. They also argued that democracy should only be a means and not an end in itself. What is more important for a country is to have good governance – efficient and effective government.

Right from independence, the PAP has maintained that the sign of good governance would be seen in its efficacy and endurance. Making government more efficient and effective rather than limiting its power seemed to be the main concern. Having achieved remarkable success in Singapore, all policies and initiatives were and still are being geared towards ensuring the prosperity and stability of the nation (Quah, 2001: 297; Austin 2004: 17). These policies and initiatives are guided by a set of governing principles or philosophy deeply embedded in the minds of the leaders. What is the essence of this governing philosophy?

### **4.0 The Governing Philosophy and Ruling Strategies of Singapore**

The PAP has ruled Singapore continuously since 1959. Therefore to understand the governing philosophy of Singapore, one needs to focus on the guiding beliefs and values of the PAP elite, and in particular that of Lee Kuan Yew. The founding leader ruled for almost 30 years as its Prime Minister, and remains active in the government now as the Minister Mentor. This shows that the governing philosophy of Singapore has remained fundamentally unchanged, even as it experiences its third generation of PAP leaders, headed by Lee Hsien Loong (the son of Lee Kuan Yew). While allowing much greater political participation, and evolving a more consultative political style, the new leaders have stuck to its long-held world view and governing paradigm. In essence this can be summed up as utilitarianism (pragmatism) and elitism.

Lee entered politics in the 1950s as a socialist. His vision of socialism was based substantially upon the utility of a strong, centralized state as a tool for achieving national goals. He regarded the strong paternalistic state as a useful tool to accumulate and deploy capital to achieve unnaturally rapid economic development. He emphasized state planning and control, but not state ownership, and did not seek in the early days to nationalize enterprises. Indeed private capital and enterprise were encouraged to help develop trade and commerce. To Lee, socialism was primarily a means of organizing society to industrialise and bring prosperity in the shortest possible time (Barr, 2000:73).

The “Survival motif” became a prominent part of Lee Kuan Yew’s rhetoric and dominated political discourse for years to come. The “Crisis-driven” nature of Singapore’s economic and political landscape, and the widespread pervasion of a culture of insecurity led to an atmosphere of circumspection, where everyone engaged in self-censorship and most people avoided trouble by refraining from expressing any political opinions in public.

### **4.1 Pragmatism**

The litmus test for any government policy is “Does it work?” This in a nutshell embodies the pragmatic governance approach of the PAP government. In many ways, Singapore’s pragmatism is very close to Chinese political thought and learning, based on the idea of practical application. Attention was not paid to abstract theories, methods of thought, logical consistency or to similarities and differences among conceptualizations. Lee Kuan Yew described the PAP approach as “rational”, meaning choosing the best available course of action and not allowing any option for achieving that goal to be excluded on account of dogma (Mauzy and Milne 2002:52).

Pragmatism has manifested itself in many varied policies over the past four decades. Government intervention in all spheres of life is justified and rationalized in terms of the

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contingencies of a particular situation rather than on the basis of any inviolable principles. However, three main themes can be observed – ensuring economic progress, maintaining racial harmony, and building a national identity. These are cornerstones to Singapore's success and are as important as they were in the fractious 1960s. Successive prime ministers, Goh Chok Tong and Lee Hsien Loong, have always chosen to abide by the winning formula created by Lee Kuan Yew and his team of first generation leaders. This pragmatic formula has become so institutionalised that it can be said with a high degree of certainty that Singapore's political and public policy future will continue to be defined within this paradigm (Austin 2004: 14) as people have begun to judge the government primarily by its ability to deliver economic progress and ensure social stability and security.

### 4.2 *Ensuring economic progress*

Collective national economic success with resulting benefits for all provides the core of leadership doctrine in its pursuit of economic policies. The government has stressed challenge and survival since 1959. Particularly after being expelled from the Malaysian Federation in 1965, without natural resources and the loss of its hinterland (Malaysia), economically, Singapore faced potential collapse. The dimensions of the post-independence crises enabled the leadership to use the “survival” motif to justify draconian measures on Singapore to ensure economic prosperity and social harmony. The PAP leadership under Lee set out to build a hardworking, rugged community that would survive against all odds. Trade union leaders, newspaper editors, ethnic and religious leaders were convinced, cajoled or pressured into cooperation with the government's plans to transform Singapore into an industrial city (Barr, 2000: 32). Political freedom and all else were secondary as the government focused on economic development.

The PAP government, beyond promoting policies, acted as facilitators and regulators to the planning of Singapore's economic development. The capital-human resource capacity of a country was crucial in ensuring the success of business enterprise – foundation of a country's subsequent economic success (Austin 2004: 72). To counter this problem, the government sought much of Singapore's private investment from foreign multinational corporations (MNCs) with the idea that if the government's “duty was to create a livelihood for two million Singaporeans... [and if] MNCs could give... workers employment and teach them technical and engineering skills and management know-how, [they] should bring in the MNCs.” (Austin 2004: 7)

Simultaneously, the public sector fuelled its own development plans for the country through the establishment of the Economic Development Board (EDB), Jurong Town Corporation (JTC), Housing Development Board (HDB), Development Bank of Singapore (DBS) and Port of Singapore Authority (PSA).

As discussed in the section on Singapore Government's role in the Economy, the highly interventionist approach and active involvement of the government in Singapore's economy in the early days is one of the reasons for Singapore's initial economic success. The government statutory boards, public enterprises and foreign companies (actively wooed by the government) are the key drivers that have led Singapore's economic development.

### 4.3 *Racial Harmony, Social stability and National identity*

Post-independence, Singapore was rife with racial tension. How to prevent communal violence, build a stable society and instill a greater sense of common identity took on an urgency for the political leaders of the day. Building a stable society was a must to avoid a repeat of the pre-1965 communal violence. At the outset, besides activating emergency laws to quell and deter unrest, longer plans were made to lay foundations for long-term racial harmony. One such initiative was built into the housing policy of the government. The ethnic enclaves (established by the British colonials for easy management of the different races) broke down as people left to live in public housing. The terms of obtaining a Housing Development Board (HDB) flat (public housing) were simple –citizenship, income and family-size –and quotas ensured that there would be no ethnic concentration in a particular housing estate. (Quah 1985: 249; Hill and Lian 1995: 5) In addition, community centres were built within these estates to increase racial interaction as different races came together to “participate in social, cultural, education and athletic activities”. (Seah 1985: 177)

Further measures were taken at the educational level to inculcate racial respect and a national identity in the young. Here, as elsewhere in Singapore society, was the emphasis on English as a common medium of learning, and communication among the races was heavily promoted, with the national ideal of meritocracy where all races are equal and fair opportunity abounds in every sector according to personal ability. Singapore’s education system is geared toward promoting racial respect and fostering a sense of national identity and loyalty to Singapore. (Gopinathan 1985: 202-3)

It was vital at the establishment of independence that there was no preferential status given to any of the races and everyone could compete on the basis of their merit, although constitutional recognition was given to the special position of the Malays as indigenous people of Singapore. (Vasil 2000: 208) Thus, Malay, English, Tamil and Chinese were institutionalised as the four official languages, with Malay accorded the special status of the national language. (Vasil 2000: 96) Although Malay, Tamil and Chinese schools continued existing alongside English-medium schools well into the 1970s and early 1980s, it was clear that English became the preferred medium of instruction as it was the language of science, international business, of the courts and the administration. English-medium schools provided children the opportunity to learn their ethnic language alongside English. Thus in 1987, the government announced that English would be the sole medium of instruction in all schools while continuing the policy of bilingualism. The government considered it necessary that each ethnic group retained its distinctive features through its language and customs, and in respecting their own culture would also respect others’, thus making for a genuinely multiracial Singapore. (Vasil 2000: 93-4)

These national solidarity efforts were somewhat undermined in the 1980s with an annual “Speak Mandarin” campaign designed to encourage the Chinese community to substitute dialect with Mandarin in vocal communication. The different dialect-speaking groups were seen to create divisions within the Chinese community –a situation which the PAP government considered undesirable. This alarmed the Malay and Indian communities which saw this as raising Chinese dominance in the state. Misgivings continued despite the government’s assurance that it was not an attempt to make the Chinese people more equal than others, but to strengthen community bonds. It did not help when the government decided to introduce Confucianism into the short-lived Religious Knowledge programme in



secondary schools as part of its cultural symbolic construction of the nation in the 1980s. (Hill and Lian 1995: 6, 200)

Subsequently, there were efforts to make Singapore a more cohesive and truly multiracial society through “Shared Values” in the early 1990s. The “Shared Values White Paper” outlined five essential elements, namely (1) nation before community and society before self; (2) family as the basic unit of society; (3) regard and community support for the individual; (4) consensus instead of contention; (5) racial and religious harmony. These, however, bore Confucianist overtones and have since faded from national consciousness. (Thio 2004: 194-6; Clammer 1993: 35-8) Ask any Singaporeans now if they can remember what the Shared Values, and the debates and discussions that went into it are, one is likely to get some blank stares or skeptical smiles. Singaporeans do not often readily accept the deliberate social re-engineering exercises undertaken by the government. This applies to the Chinese community but particularly the other races that are suspicious of such cultural “make-overs”. There is a strong sentiment that the imposition of external (Confucianist) values are implicitly undermining their own racial heritage.

Although such attempts to create national identity are artificial and have been criticised heavily, there is no doubt that “the PAP’s constant recourse to propaganda and exhortation as a means of creating or channelling social change and behaviour patterns” have reaped some results. Many Singaporeans are now conscious of racial harmony such that support was given to the government in using the Internal Security Act to tackle Islamic fundamentalist suspects in 2001-2. Also, more Chinese is being spoken, while national hygiene campaigns have made for a cleaner environment.

#### **4.4 *Elitism***

The other long held belief and approach of the Singapore government is elitism. Elitism is the belief that there is always a small group of people at the top who actually make the important decisions influencing society. This is based on the belief that men are not born equal, and the brightest and most capable must lead. There is little doubt that the PAP, particularly under Lee Kuan Yew, believed strongly that only a few of the best and brightest are capable of leading the country well. He believed that the government would be drawn from the cream of the broader elite. The government would then rule in the interests of the whole society, transcending sectional interests and politics. This elitist belief is reflected in many of Lee Kuan Yew’s speeches, and most importantly is manifested in the general paternalistic approach of the government and in an assortment of its policies (Mauzy and Milne 2002:53-54).

To the Singapore governing elites, politics is about leadership. They believe that their strength lies on the premise that leaders are the best judges and the guiding forces of the country’s destiny. Hence, particularly in the first two decades of nation-building in the 1960s through to early 1980s, the government did not consider it particularly important to consult Singaporeans or promote their participation in the political system. Indeed there was a conscious decision in the early years to “depoliticize” the population through the education system and other legal and political measures. The aggressiveness with which the PAP government emphasized internal cohesiveness and its virtual monopoly of state and society leaves little enthusiasm for political participation. In this regard, the PAP’s push for depoliticized citizenry has been rather successful.

The other side of elitism is the idea of meritocracy. The belief in elitist principles has in turn led to the establishment of a meritocracy based on educational achievement and job performance. The meritocratic principle is applied to education, the civil service, armed forces and government-linked companies. In education, great stress is placed on streaming and examinations, and scholarships are awarded at the tertiary level, which ties these scholars to careers in the civil service, armed forces and the GLCs. These government scholars in turn provided a pool where future political leaders are groomed and drawn. It is therefore quite telling that many of the second and third generation political leaders come from the rank of these government scholars.

PAP's long reign in Singapore, its centralized power structure and elitist policy-making structure together with pragmatism are often seen as ingredients contributing to the government's efficiency and effectiveness in the planning and delivery of economic growth and social stability.

Ensuring economic growth and prosperity is such a fundamental tenet in the PAP government's rule that its dominant position in the Singapore government does not come as a surprise.

### **5.0 Singapore Government's Role in the Economy**

It is a fallacy to think that governments in market economies adopt a total hands-off approach. Indeed in most market economies, the government plays a significant role in directly providing various services such as health care, power and water supply, and transportation amongst others.

Singapore is no exception in this regard, though it perhaps appears much more dominant and active in the economy because of the absence of a strong industrial entrepreneurial tradition. Historical, socioeconomic and political factors, some of which discussed earlier, provided the backdrop for the highly interventionist approach of government in the earlier decades of Singapore's development.

Historically political factors played a major role in shaping the changes in Singapore. Anti-British sentiments combined with socioeconomic problems and people's strong identification with the city provided an opportunity for a more radical, interventionist government to come into power after WWII. The unhappy episode of Singapore's merger with Malaysia which ended in the former's expulsion in 1965, and the adversity experienced in the 1960s with the Indonesian Confrontation, the British withdrawal of its entire military base resulting in a loss of 38,000 jobs, all contributed to an acute sense of vulnerability that facilitated the rise of a highly interventionist and paternalistic PAP, emphasizing economic and social responsibilities (Lam 2000:401-417).

Immediately following the military withdrawal, fiscal measures were used to stimulate economic development and to improve social conditions. To tackle the serious problem of unemployment then, the state economic development plan emphasized job creation. The government also sought to attract foreign investment by offering generous incentives to attract foreign investors to set up factories and jobs. To reassure the investors of a stable labour market, the government did not hesitate to intervene in the labour market. The Employment Act and the Industrial Relations (Amendment) Act were introduced in 1968 to tighten conditions pertaining to employment and to impose limits on negotiation over

employment conditions. These Acts made it difficult for workers to go on strikes and brought about a certain stability to the labour market. The power of trade unions was checked and its role has slowly transformed.

### *5.1 The Role of Trade Unions in Singapore*

Trade unions in Singapore can be seen as a source of support for the government and the two are often described as having a “symbiotic” relationship.

The National Trade Union Congress (NTUC) today is the national umbrella organization of about 70 registered trade unions. Formed in 1961, the NTUC then had to compete against the left-wing Singapore Association of Trade Unions (SATU) for the support of the workers. The growth of NTUC was only possible because of the collapse of the pro-communists and left-leaning trade unions after tough actions brought about by the PAP government to rein-in the powers of these unions.

Former Prime Minister Lee Kuan Yew and his colleagues were firmly committed to the view that the colossal compulsions of economic growth and expansion made it imperative that the government control all instruments and centres of power, including the union movement. During 1967 and 1968, the government pushed through dramatic changes in laws governing unions and industrial relations thus, the role of unions was severely restricted (Vasil, 2004: 133).

Tripartism as a concept to structure labour relations was proposed after 1968 by the PAP government and the NTUC. The justification for a policy of tripartism as for many of PAP’s policies was to achieve higher economic growth. Tripartite bodies such as the National Wages Council and Skills Development Fund were then formed in the early 1970s. These tripartite bodies typically consist of representatives from the government, the labour movement and the employers’ organization with a neutral chairman to look into economic and labour issues. For instance, the National Wages Council will formulate wage guidelines for the economy to ensure orderly wage increases to promote social and economic development. (Chew, 1991: 10)

There were two other significant developments in the trade union movement in the 1970s. The first was the consolidation of the PAP-NTUC “symbiotic” relationship through the institutionalization of formal and informal links between the two organizations. PAP had been the dominant of two partners through the creation of interlocking links of union leaders who are also PAP members of parliament (MP). PAP MPs provide the top level executive leadership in NTUC and also many of the NTUC-affiliated unions. This has now developed to the point that the NTUC Secretary-General is usually a government minister, demanding of the individual a very delicate balance between union interests and national interests.

A second development involves the transformation of union structure, which was initially dominated by large omnibus general unions, and evolved into a structure which now has a number of industry-wide and house unions. These smaller unions are usually less effective in the trade union movement because of their lack of manpower and financial resources. Their ability to influence trade union policy is also limited as delegate representation at NTUC conferences was determined by the number of members each union had.

All these changes in the trade union movement have meant that the curtailing of their influence, and like many other institutions in Singapore, become part of the government's scheme to work hand-in-hand to promote economic growth which supposedly would then benefit the workers they represent. Therefore the "PAP-NTUC symbiotic relationship", does not symbolize the equality of status but rather like the rest of the government's apparatus, works to strengthen national cohesiveness.

Currently, NTUC has about 70 registered trade unions with more than 470,000 members in support of the labor movement. The structural changes in the economy over the years have meant the emergence in Singapore of more white-collared and better-educated workers, and a broadly based middle-class. The traditional role of trade unions to fight for wage increases and improve working conditions has been slowly diluted and the NTUC has in turn supplemented its role by providing services and acquiring profits for its members (Mauzy and Milne, 2002: 33). Among other things, NTUC offers insurance, food fare, supermarket (Fairprice) and taxi services. Members are also provided with amenities and facilities for their enjoyment, such as the use of clubs and holiday chalets.

### 5.2 *The Creation of "Singapore-Inc."*

Due to Singapore's long historical trading tradition, it has a pool of entrepreneurs who were primarily traders rather than manufacturers. Traders tend to have short investment horizons that are inappropriate for manufacturing investments typically characterized by long investment gestation periods. Hence, when the PAP government came into power, it had to take on the role of the entrepreneur of directly providing goods and services in order to compensate for the private sector's lack of size, long-term vision, and inability to take risks (Park 2000:54).

The Singapore government's participation in the economy takes two forms – either through the Statutory Boards (STBs) or through the Government-linked companies (GLCs). STBs are more directly under the government than the GLCs. They are established through parliamentary legislation and must answer to the ministry that established them, though in reality most of them enjoy great autonomy. Many of the STBs directly provide goods and services such as the Housing Development Board (public housing), the Public Utilities Board (water, gas and electricity), Port of Singapore Authority (port services) while others work more as regulatory authorities.

GLCs, on the other hand, are more loosely related to the government, whose involvement is through equity participation. Government's ownership share differs from GLC to GLC although in most cases it is over 50%. Three large holding companies Temasek Holdings (under the Ministry of Finance), MND Holdings Pte Ltd (also under the Ministry of Finance) and Sheng-Li Holding Pte Ltd account for virtually all government ownership in GLCs. GLCs cover a truly diverse spectrum of activities from banking (DBS), to airlines (SIA), to printing and publishing (SPH), amongst many others.

The government's highly interventionist approach and active involvement in the economy is one of the reasons for Singapore's initial economic success. It helped that the STBs and the GLCs, despite being "government" have been run on commercial criteria, while it is true that monopoly and quasi-monopoly powers have helped profitability. The overall balance of evidence suggests that Singapore's STBs and GLCs are among the most efficient and well-

managed state-owned enterprises in the world. The good performance of the STBs and GLCs are in part due to their private-sector type orientation (Park 2000:55).

The Singapore government's intervention in the economy has become more indirect and evolved into a broader motif over the years. In spite of extensive government intervention, the Singapore government did not share the socialist view of nationalizing industries. Instead, it recognized the importance of rebuilding the economy through the private sector and actively promoting free trade. Many of these interventions were generally market-facilitating rather than market-distorting. The creation and maintenance of an environment highly conducive to doing business, underpinned by an excellent infrastructure and an effective, pro-business government contributed to the relative success of the economy. Such a favourable business environment attracted massive amounts of foreign investment which along with the STBs and the GLCs account for the dominant share of the economy to this day.

Government's focus on attracting FDIs from the big multinational corporations, and its own involvement in business through the GLCs have led to the relative weakness of the Small and Medium Enterprise (SME) sector. This is in stark contrast to the other tiger economies such as Taiwan and Hongkong where the SMEs played an important role in the vibrancy of their respective economies

### **6.0 Relationship between Singapore Government and its People**

Delivering economic growth, and ensuring the economic prosperity of the population has provided the PAP government with the legitimacy it needed to remain the dominant power. However, as the economy matures and shows signs of slowing down, and as the need for restructuring resulting in chronic unemployment became apparent, increasingly questions are raised about the role of the government. As the population become more educated, and society more complex, the pragmatic philosophy and governing principles of PAP as discussed in the previous section are increasingly being questioned.

How do Singaporeans generally relate to the pragmatic philosophy and governing principles of PAP? Judging from the fact that PAP gets re-elected in each and every election, one could infer that the relationship between the people and the government of Singapore is a long-standing relationship bonded by trust. However, the reality is much more complex and nuanced. The founding leader of an independent Singapore, Mr Lee Kuan Yew, has been noted to have said that "it is better to be feared than to be loved". This leaves one wondering about the state of relationship between the Singapore government and its people.

Chan Heng Chee in her 1975 essay on "Politics in an Administrative State: Where has the politics gone?" argued that the movement of the Singapore polity towards an administrative state was thought to begin after Singapore's separation from Malaysia. Mass anxieties regarding the tenuous thread of survival for the island-nation provided the psychological predisposition which enabled the PAP to "depoliticize" the hitherto highly politically mobilized population. Another academic, Chua Beng Huat, writing 20 years later, had his own take on the successful depoliticization of the Singapore population. He noted that depoliticization was largely the effect of an ideological consensus between the PAP government and the people because of the merging of their respective concerns during the 1960s and 1970s – namely, the economic survival of the new nation coincided with the need of individual citizens to "make a living" at a time of economic underdevelopment. In short,

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the government has been successful in redirecting popular sentiments away from politics and towards the economy.

The relationship between the Singapore government and the people was then built on this subtle consensus of tangible material returns in exchange for acceptance of a paternalistic regime. This social compact worked for two decades without much challenge. However, by the mid-1980s it became obvious that Singapore and its people have changed due to the spectacular progress. Despite their highest regard for Lee Kuan Yew and his remarkable achievements, increasingly, Singaporeans began to feel that his paternalistic leadership has had its day. They acknowledge that it had worked with great effectiveness in the past and without it, the government would not have delivered the progress and prosperity achieved. However, there was feeling that this leadership style was no longer entirely suited to the emerging new realities of Singapore with its more educated, and more affluent population.

Ideally, the PAP government would want the government-people relationship to be based on rationality rather than sentiment, and with focus on substance rather than form. People should respect and trust the government and let the government get on its task of “ruling” without much hindrance. However, following the first setback in the 1984 general elections in which the PAP lost an “unprecedented” two seats in Parliament, and saw a drastic fall in popular vote, the PAP government in its own post-mortem of what went wrong came to the conclusion that while PAP should maintain the substance of its policies, it should not depend just on rational arguments but must also appeal to emotions to win support. This was the beginning of a shift towards a more consultative form of government, emphasizing feedback and consensus-building.

This move towards a more consultative form of government cannot be turned back as Singaporeans become more educated. With a new generation of Singaporeans, and the emergence of a more complex society with different class structure, there is a need to relook at the social compact established in the earlier years of independence.

While performance in terms of efficiency and ability to continue to deliver economic goods remain the cornerstone for political legitimacy and the “bonds” that bind the Singaporeans and its government, a growing number of Singaporeans are also demanding a change in political style. Although the pressure for such change had been anticipated by Lee Kuan Yew and his first generation colleagues following the 1984 elections, it was only with the accession of Goh Chok Tong as Prime Minister that signified a real change in leadership style. When Goh Chok Tong took over from Lee Kuan Yew in 1990, he promised to be more consultative, conciliatory and less authoritarian.

Goh Chok Tong and his second generation of leaders tried to open up the space for more political and social discourse through mechanisms such as the Feedback Unit, the Nominated Members of Parliament (NMP) scheme. After decades of letting the government take the lead in almost everything, it is therefore not surprising that people also look to the government to bring about greater consultation and political and social space for civil society.

A dependency syndrome marked the state of relations between the government and the people. The PAP’s effective and efficient management of the whole society and its pervasive influence has resulted in widespread political apathy and a certain dependency. Singaporeans have come to rely on the government to solve most of its problems. The exercise of extensive controls over so many important public and social institutions by the PAP government has

retarded the development of a citizenry that would otherwise take greater responsibility for their own actions.

Another hallmark of the relationship between that of the Singapore government and its people is that of an economic exchange or transaction. As mentioned earlier, overall, the government legitimacy centres on the ability to deliver economic growth and stability. While the government openly eschews welfarism, it has to respond to the demands and needs of the people through various monetary and help schemes. In the prosperous years of the 1990s, one saw generous Budget surpluses in the forms of Central Provident Fund top-ups, New Singapore Shares, and introduction of subsidy schemes like Edusave, Medifund, etc.

The government is a service provider and expected to deliver all sorts of “goodies” failing which “incessant” complaints surfaced. Hence, Singaporeans have been labeled “whiners” and a “complaining lot”. Such complaints remain so because of PAP’s insidious control on society. This has begun to change in recent years as internet technology and the loosening of PAP control has generated some success in demands driven and organized by individuals. However, one can also be cynical and “credit” the government for “allowing” mobilization to succeed as it slowly opens up space for political and social activities that are generally seen in line with the broad goal for society to become more entrepreneurial and creative in order to succeed in an increasing competitive, knowledge-based and innovative society. Economic imperatives will continue to be the guiding principle for government in deciding how much “openness” the society needs.

### **7.0 What is the Way Forward?**

After so many years of being run by a political and bureaucratic elite that sought to depoliticize and control the people in the interests of political stability, efficiency and economic success, not unexpectedly, political apathy among citizens is widespread. Through its past policies and conduct, the Government has created an orderliness in our society while conducive to economic growth, discourages active debate particularly in the political arena.

Changes are slowly taking place in response to the changing local conditions and to external regional and global forces. The PAP government has responded to the changing nature of the global economy and faced the onslaught of globalization and competition with greater economic liberalization. Can this, however, be sustained without correspondingly greater political liberalization? The government has begun to loosen its control on society and has encouraged some political pluralism. However, it still attempts to cling on to its old formula of co-optation rather than genuine competition. What it does is to try and tolerate and accommodate more differences within the government and the ruling party through expanding its networks and means of co-optation. This formula however is showing signs of dysfunctionality as the need to transcend into a knowledge-based economy requires individuals that are non-conformist, more creative and more willing to take risks. The government’s rather paternalistic and at times patronizing approach has stifled the much-needed creative and questioning processes critical for a knowledge-based economy.

As mentioned earlier, incremental social and political liberalization has taken place under the second Prime Minister, Mr Goh Chok Tong. However, one must also be clear that such liberalization was selective and carefully managed. Openness was seen as a way to help the government refine its agenda – not to allow citizens to challenge it.

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There was much speculation as to what “political style” and what “political changes” Mr Lee Hsien Loong would bring to Singapore when he was primed to take over from Goh Chok Tong as the third Prime Minister of Singapore in August 2004. There was initial fear that Mr Lee Hsien Loong, being the son of Lee Kuan Yew, would turn back the clock and return to a more “authoritarian” rule. But in his speeches just before he took over the rein of the premiership, Mr Lee promised that Singapore’s trend to become a more open society would continue. This is entirely believable – and not only because the administration is intellectually convinced that wide consultation improves governance and makes citizens feel valued.

The promise to stay the course is credible also because that course was never a revolutionary one. Lee will build on the consultative and participatory style of policy-making introduced by Goh, and at the same time, carefully managed it. This was reflected in his very clear statement that he would respond to what he acknowledged was a better-educated and more informed younger generation seeking to express themselves freely and voice diverse views, but he also warned that criticism that scores political points and undermines the government’s standing would not be tolerated. What the latter really means is open to such wide-ranging interpretation that cynics would certainly take this as a clear sign that the government is unwilling to allow any genuine political space and competition.

To fulfill his promise of more openness and a stronger civic society without compromising PAP political supremacy and economic imperative, Singapore has consciously been promoting “civic society” and not civil society. It has also attempted to separate civic society into the political and the non-political, and going all out to support and promote the non-political, particularly those helping with the delivery of social services.

As Garry Rodan, professor of politics at Australia’s Murdoch University noted, “there doesn’t appear to be any substantive policy or philosophical agenda that marks him apart from his predecessors or current colleagues. He represents continuity in PAP’s social conservatism, skepticism about laissez-faire economics and apprehension about political competition” (FEER 19 August 2004).

In the 2004 National Day Rally Speech just after Lee Hsien Loong became prime minister, he listed five top priorities for his new government. They were (1) to improve foreign relations and protect Singapore’s overseas interests; (2) build the economy to create jobs and raise incomes, and continue with industrial upgrading while helping those who were affected by restructuring programmes; (3) reach out to the younger generation, hearing their views and affording a more open polity; (4) continued investment in education such that Singaporeans have necessary skills to earn a living and possess character and loyalty towards the state, including the knowledge of their mother tongue; and (5) the promotion of a higher birth rate with state incentives and assistance. It can be seen that these measures are reiteration of former policies geared toward ensuring economic progress, maintaining racial harmony, and building a national identity within the new social, economic and political paradigm of Singapore. Even as the new government continues former PM Goh Chok Tong’s policy of open interaction with the community and a willingness to hear people’s views, and encourage citizens to rely less on the government to resolve problems, the underlying governing philosophy remains the same.

For people outside of Singapore, it is perhaps a mystery that for a country that has achieved such high economic development, with a big middle class, would continue to be politically



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stunted, without any big clamour for political change. In an opinion survey done just before Lee Hsien Loong took over as the Prime Minister, 450 respondents when asked about what they think should be the top three priorities for the new leadership listed “ensuring good jobs; lowering the cost of living; and maintaining a safe and secure Singapore”. To “loosen up politically and giving people more freedom” consistently scored less than 10% and remains the lowest priority for most Singaporeans surveyed.

Another Feedback Unit survey of over 1,000 respondents in late 2004 also showed that about 70% of the respondents were most concerned about creating sufficient jobs and maintaining Singapore’s economic competitiveness.

If the results of the survey are to be believed (and there is no reason to doubt it) then it looks like Singaporeans are looking for more of the same thing from their governments. The relationship between government and people will continue to be governed by the social compact of “legitimacy and political support in exchange for delivery of economic prosperity and social stability”. The reality is that, after a prolonged recession brought about both by external factors and internal economic restructuring, the confidence of Singaporeans is deeply shaken. Indeed Singaporeans may have come full circle, from being confident and self-assured in the 1990s back to a sense of uncertainty and vulnerability. And in this period of uncertainty and vulnerability, the people will cling on to what they have been used to – a strong PAP government.

Hence we find Singapore in this paradoxical situation in which, citizens are actually expecting government to provide more not less – not only should government be ensuring protection against terrorists, keeping infectious diseases at bay, and delivering economic and material goods, they should also provide room for more consultation and more dissent, provide more political space, provide more funding for the arts, etc. In short, after years of being spoon-fed and government-led, there is no overwhelming desire from the people to shoulder more responsibility for their own lives. The government has to shoulder, in large part, the blame for this state of affairs for the party who claimed credit for the rain, must also be blamed for the drought. As a journalist put it, in Singapore, strong interventionist traits is still in vogue. Singaporeans seem torn between “wanting government to get off its high horse and answer to the people, and wanting it to charge forward, providing firm leadership” (ST 29 November 2003).

A new social compact will have to be re-negotiated between the Singapore government and its people for Singapore to meet the challenges ahead. This is particularly so because globalization and intense economic competition has made Singapore more vulnerable and many of the factors affecting Singapore’s economic growth are really beyond the government’s control. Political apathy, a tool used by the Singapore middle class in response to the three primary principles of governance promulgated by the PAP government for such a long time, has to be discarded if Singapore is really to move beyond a conformist society to a creative one to survive in an increasingly uncertain regional and global environment.

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President: <http://www.istana.gov.sg/president.html>

Subordinate Courts of Singapore: <http://www.subcourts.gov.sg>

National Trade Union Congress: <http://www.ntucworld.org.sg>

### The President

**17.** —(1) There shall be a President of Singapore who shall be the Head of State and shall exercise and perform such powers and functions as are conferred on the President by this Constitution and any other written law.

(2) The President shall be elected by the citizens of Singapore in accordance with any law made by the Legislature.

(3) Any poll for the election of President shall be held as follows:

(a) in the case where the office of President becomes vacant prior to the expiration of the term of office of the incumbent and a writ for the election has not been issued before such vacation of office or, if so issued, has already been countermanded — within 6 months after the date the office of President becomes vacant; or

(b) in any other case — not more than 3 months before the date of expiration of the term of office of the incumbent.

### Qualifications and disabilities of President

**19.** —(1) No person shall be elected as President unless he is qualified for election in accordance with the provisions of this Constitution.

(2) A person shall be qualified to be elected as President if he —

(a) is a citizen of Singapore;

(b) is not less than 45 years of age;

(c) possesses the qualifications specified in Article 44 (2) (c) and (d);

(d) is not subject to any of the disqualifications specified in Article 45;

(e) satisfies the Presidential Elections Committee that he is a person of integrity, good character and reputation;

(f) is not a member of any political party on the date of his nomination for election; and

(g) has for a period of not less than 3 years held office —

(i) as Minister, Chief Justice, Speaker, Attorney-General, Chairman of the Public Service Commission, Auditor-General, Accountant-General or Permanent Secretary;

(ii) as chairman or chief executive officer of a statutory board to which Article 22A applies;

(iii) as chairman of the board of directors or chief executive officer of a company incorporated or registered under the Companies Act (Cap. 50) with a paid-up capital of at least \$100 million or its equivalent in foreign currency; or

(iv) in any other similar or comparable position of seniority and responsibility in any other organisation or department of equivalent size or complexity in the public or private sector which, in the opinion of the Presidential Elections Committee, has given him such experience and ability in administering and managing financial affairs as to enable him to carry out effectively the functions and duties of the office of President.

(3) The President shall —

(a) not hold any other office created or recognised by this Constitution;

(b) not actively engage in any commercial enterprise;

(c) not be a member of any political party; and

(d) if he is a Member of Parliament, vacate his seat in Parliament.

(4) Nothing in clause (3) shall be construed as requiring any person exercising the functions of the office of President under Article 22N or 22O to —

(a) if he is a member of any political party, resign as a member of that party; or

(b) vacate his seat in Parliament or any other office created or recognised by this Constitution.

### Term of office

- 20.** —(1) The President shall hold office for a term of 6 years from the date on which he assumes office.
- (2) The person elected to the office of President shall assume office on the day his predecessor ceases to hold office or, if the office is vacant, on the day following his election.
- (3) Upon his assumption of office, the President shall take and subscribe in the presence of the Chief Justice or of another Judge of the Supreme Court the Oath of Office in the form set out in the First Schedule.

### Discharge and performance of functions of President

- 21.** —(1) Except as provided by this Constitution, the President shall, in the exercise of his functions under this Constitution or any other written law, act in accordance with the advice of the Cabinet or of a Minister acting under the general authority of the Cabinet.
- (2) The President may act in his discretion in the performance of the following functions:
- (a) the appointment of the Prime Minister in accordance with Article 25;
  - (b) the withholding of consent to a request for a dissolution of Parliament;
  - (c) the withholding of assent to any Bill under Article \*5A, 22E, 22H, 144 (2) or 148A; \*Article 5A was not in operation at the date of this Reprint.
  - (d) the withholding of concurrence under Article 144 to any guarantee or loan to be given or raised by the Government;
  - (e) the withholding of concurrence and approval to the appointments and budgets of the statutory boards and Government companies to which Articles 22A and 22C, respectively, apply;
  - (f) the disapproval of transactions referred to in Article 22B (7), 22D (6) or 148G;
  - (g) the withholding of concurrence under Article 151 (4) in relation to the detention or further detention of any person under any law or ordinance made or promulgated in pursuance of Part XII;
  - (h) the exercise of his functions under section 12 of the Maintenance of Religious Harmony Act (Cap. 167A); and
  - (i) any other function the performance of which the President is authorised by this Constitution to act in his discretion.
- (3) The President shall consult the Council of Presidential Advisers before performing any of his functions under Articles 22, 22A (1), 22B (2) and (7), 22C (1), 22D (2) and (6), 144, 148A, 148B and 148G.
- (4) Except as otherwise provided in clause (3), the President may, in his discretion, consult the Council of Presidential Advisers before performing any of his functions referred to in clause (2) (c) to (i).
- (5) The Legislature may by law make provision to require the President to act after consultation with, or on the recommendation of, any person or body of persons other than the Cabinet in the exercise of his functions other than —
- (a) functions exercisable in his discretion; and
  - (b) functions with respect to the exercise of which provision is made in any other provision of this Constitution.

### Appointment of public officers, etc.

- 22.** —(1) Notwithstanding any other provision of this Constitution, the President, acting in his discretion, may refuse to make an appointment to any of the following offices or to

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revoke any such appointment if he does not concur with the advice or recommendation of the authority on whose advice or recommendation he is, by virtue of that other provision of this Constitution or any other written law, to act:

- (a) the Chief Justice, Judges and Judicial Commissioners of the Supreme Court;
  - (b) the Attorney-General;
  - (c) the Chairman and members of the Presidential Council for Minority Rights;
  - (d) the chairman and members of the Presidential Council for Religious Harmony constituted under the Maintenance of Religious Harmony Act (Cap. 167A);
  - (e) the chairman and members of an advisory board constituted for the purposes of Article 151;
  - (f) the Chairman and members of the Public Service Commission;
  - (g) the Chief Valuer;
  - (h) the Auditor-General;
  - (i) the Accountant-General;
  - (j) the Chief of Defence Force;
  - (k) the Chiefs of the Air Force, Army and Navy;
  - (l) a member (other than an ex-officio member) of the Armed Forces Council established under the Singapore Armed Forces Act (Cap. 295);
  - (m) the Commissioner of Police; and
  - (n) the Director of the Corrupt Practices Investigation Bureau.
- (2) Where the President, contrary to the recommendation of the Council of Presidential Advisers, refuses to make an appointment or refuses to revoke an appointment under clause (1), Parliament may, by resolution passed by not less than two-thirds of the total number of the elected Members of Parliament referred to in Article 39 (1) (a), overrule the decision of the President.
- (3) Upon the passing of a resolution under clause (2), the President shall be deemed to have made the appointment or revoked the appointment, as the case may be, on the date of the passing of such resolution.

### Appointment of members of statutory boards

**22A.** —(1) Notwithstanding any other provision of this Constitution —

- (a) where the President is authorised by any written law to appoint the chairman, member or chief executive officer of any statutory board to which this Article applies, the President, acting in his discretion, may refuse to make any such appointment or to revoke such appointment if he does not concur with the advice or recommendation of the authority on whose advice or recommendation he is required to act; or
  - (b) in any other case, no appointment to the office of chairman, member or chief executive officer of any statutory board to which this Article applies and no revocation of such appointment shall be made by any appointing authority unless the President, acting in his discretion, concurs therewith.
- (1A) Where the President, contrary to the recommendation of the Council of Presidential Advisers, refuses to make or to concur with an appointment, or refuses to revoke an appointment or to concur with a revocation of an appointment, as the case may be, under clause (1), Parliament may, by resolution passed by not less than two-thirds of the total number of the elected Members of Parliament referred to in Article 39 (1) (a), overrule the decision of the President.
- (1B) Upon the passing of a resolution under clause (1A), the President shall be deemed to have made or revoked the appointment, or to have concurred with the appointment or revocation of appointment, as the case may be, on the date of the passing of such resolution.

(2)

(a) The chairman or member of a statutory board to which this Article applies shall be appointed for a term not exceeding 3 years and shall be eligible for reappointment.

(b) Any appointment to the office of chairman, member or chief executive officer of a statutory board under clause (1) (b) or any revocation thereof shall be void if made without the concurrence of the President.

(3) This Article shall apply to the statutory boards specified in Part I of the Fifth Schedule.

(4) Subject to clause (5), the President acting in accordance with the advice of the Cabinet may, by order published in the *Gazette*, add any other statutory board to Part I of the Fifth Schedule; and no statutory board shall be removed from that Part by any such order.

(5) No statutory board shall by order under clause (4) be added to Part I of the Fifth Schedule if the total value of the reserves of the statutory board on the date of making of such order is less than \$100 million.

### Budgets of statutory boards

**22B.** —(1) Every statutory board to which Article 22A applies shall —

(a) before the commencement of its financial year, present to the President for his approval its budget for that financial year, together with a declaration by the chairman and the chief executive officer of the statutory board whether the budget when implemented is likely to draw on the reserves which were not accumulated by the statutory board during the current term of office of the Government;

(b) present to the President for his approval every supplementary budget for its financial year together with a declaration referred to in paragraph (a) relating to such supplementary budget; and

(c) within 6 months after the close of that financial year, present to the President —

(i) a full and particular audited statement showing the revenue received and expenditure incurred by the statutory board during that financial year;

(ii) as far as practicable, an audited statement of the assets and liabilities of the statutory board at the end of that financial year; and

(iii) a declaration by the chairman and the chief executive officer of the statutory board whether the statements referred to in sub-paragraphs (i) and (ii) show any drawing on the reserves which were not accumulated by the statutory board during the current term of office of the Government.

(2) The President, acting in his discretion, may refuse to approve any budget or supplementary budget of any such statutory board if, in his opinion, the budget is likely to draw on reserves which were not accumulated by the statutory board during the current term of office of the Government, except that if he approves any such budget notwithstanding his opinion that the budget is likely to so draw on those reserves, the President shall cause his opinion to be published in the *Gazette*.

(3) Where by the first day of the financial year of such statutory board the President has not approved its budget for that financial year, the statutory board —

(a) shall, within 3 months of the first day of that financial year, present to the President a revised budget for that financial year together with the declaration referred to in clause (1); and

(b) may, pending the decision of the President, incur expenditure not exceeding one-quarter of the amount provided in the approved budget of the statutory board for the preceding financial year,

and if the President does not approve the revised budget, the statutory board may during that financial year incur total expenditure not exceeding the amount provided in the approved

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budget of the statutory board for the preceding financial year; and the budget for the preceding financial year shall have effect as the approved budget for that financial year.

(4) Any amount expended during a financial year under clause (3) (b) shall be included in any revised budget subsequently presented to the President under that clause for that financial year.

(5) Nothing in this Article shall prevent the taking of any action by the Monetary Authority of Singapore in the management of the Singapore dollar; and a certificate under the hand of the chairman of the board of directors of the Monetary Authority of Singapore shall be conclusive evidence that any action was or was not taken for such purpose.

(6) It shall be the duty of every statutory board and its chief executive officer to which this Article applies to inform the President of any proposed transaction of the statutory board which is likely to draw on the reserves accumulated by the statutory board prior to the current term of office of the Government.

(7) Where the President has been so informed under clause (6) of any such proposed transaction, the President, acting in his discretion, may disapprove the proposed transaction, except that if he does not disapprove any such proposed transaction even though he is of the opinion that the proposed transaction is likely to draw on the reserves accumulated by the statutory board prior to the current term of office of the Government, the President shall cause his decision and opinion to be published in the Gazette.

(8) Where after 30th November 1991 a statutory board is specified in Part I of the Fifth Schedule pursuant to an order made under Article 22A (4), any reference in this Article to the approved budget of a statutory board for the preceding financial year shall, in relation to the first-mentioned statutory board, be read as a reference to the budget for the financial year of the first-mentioned statutory board during which that order was made.

(9) For the purposes of this Article, a proposed transfer or transfer (whether by or under any written law or otherwise) by any statutory board to which this Article applies (referred to in this clause and clause (10) as the transferor board) of any of its reserves to —

(a) the Government;

(b) any Government company specified in Part II of the Fifth Schedule (referred to in this clause and clause (10) as the transferee company); or

(c) another such statutory board (referred to in this clause and clause (10) as the transferee board),

shall not be taken into account in determining whether the reserves accumulated by the transferor board before the current term of office of the Government are likely to be or have been drawn on if —

(i) in the case of a proposed transfer or transfer of reserves by a transferor board to the Government — the Minister responsible for finance undertakes in writing to add those reserves of the transferor board to the reserves accumulated by the Government before its current term of office;

(ii) in the case of a proposed transfer or transfer of reserves by a transferor board to a transferee company — the board of directors of the transferee company by resolution resolves that those reserves of the transferor board shall be added to the reserves accumulated by the transferee company before the current term of office of the Government; or

(iii) in the case of a proposed transfer or transfer of reserves by a transferor board to a transferee board — the transferee board by resolution resolves, or any written law provides, that those reserves of the transferor board shall be added to the reserves accumulated by the transferee board before the current term of office of the Government.

(10) Any reserves transferred by a transferor board together with or under any undertaking, resolution or written law referred to in clause (9) shall be deemed to form part of the reserves



accumulated by the Government, transferee company or (as the case may be) transferee board before the current term of office of the Government as follows:

- (a) where the budget of the transferor board for any financial year provides for the proposed transfer of reserves and the budget is approved by the President — at the beginning of that financial year;
- (b) where a supplementary budget of the transferor board provides for the proposed transfer and the supplementary budget is approved by the President — on the date of such approval by the President; or
- (c) in any other case — on the date those reserves are so transferred.

### **Appointment of directors of Government companies**

**22C.** —(1) Notwithstanding the provisions of the memorandum and articles of association of the company, the appointment or removal of any person as a director or chief executive officer of any Government company to which this Article applies shall not be made unless the President, acting in his discretion, concurs with such appointment or removal.

(1A) Where the President, contrary to the recommendation of the Council of Presidential Advisers, refuses to concur with an appointment or removal of any person as a director or chief executive officer under clause (1), Parliament may, by resolution passed by not less than two-thirds of the total number of the elected Members of Parliament referred to in Article 39 (1) (a), overrule the decision of the President.

(1B) Upon the passing of a resolution under clause (1A), the President shall be deemed to have concurred with the appointment or removal of any person as a director or chief executive officer on the date of the passing of such resolution.

(2)

(a) A director of a Government company to which this Article applies shall be appointed for a term not exceeding 3 years and shall be eligible for reappointment.

(b) Any appointment or removal of any director or chief executive officer of a Government company to which this Article applies without the concurrence of the President shall be void and of no effect.

(3) This Article shall apply to the Government companies specified in Part II of the Fifth Schedule.

(4) Subject to clause (5), the President acting in accordance with the advice of the Cabinet may, by order published in the *Gazette*, add any other Government company to Part II of the Fifth Schedule; and no Government company shall be removed from that Part by any such order.

(5) No Government company shall by order under clause (4) be added to Part II of the Fifth Schedule unless on the date of making of such order —

(a) the value of the share holders' funds of the company attributable to the Government's interest in the company is worth \$100 million or more; and

(b) it is not a subsidiary of any of the Government companies specified in Part II of the Fifth Schedule; and for the purposes of this paragraph, "subsidiary" shall have the same meaning as in the Companies Act (Cap. 50).

### **Budgets of Government companies**

**22D.** —(1) The board of directors of every Government company to which Article 22C applies shall —

(a) before the commencement of its financial year, present to the President for his approval its budget for that financial year, together with a declaration by the chairman of the board of

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directors and the chief executive officer of the Government company whether the budget when implemented is likely to draw on the reserves which were not accumulated by the Government company during the current term of office of the Government;

(b) present to the President for his approval every supplementary budget for its financial year together with a declaration referred to in paragraph (a) relating to such supplementary budget; and

(c) within 6 months after the close of that financial year, present to the President —

(i) a full and particular audited profit and loss account showing the revenue collected and expenditure incurred by the Government company during that financial year, and an audited balance-sheet showing the assets and liabilities of the Government company at the end of that financial year; and

(ii) a declaration by the chairman of the board of directors and the chief executive officer of the Government company whether the audited profit and loss account and balance-sheet of the Government company show any drawing on the reserves which were not accumulated by the Government company during the current term of office of the Government.

(2) The President, acting in his discretion, may disapprove the budget or supplementary budget of any such Government company if, in his opinion, the budget is likely to draw on reserves which were not accumulated by that company during the current term of office of the Government, except that if he approves any such budget notwithstanding his opinion that the budget is likely to so draw on those reserves, the President shall cause his opinion to be published in the *Gazette*.

(3) Where by the first day of the financial year of such Government company the President has not approved its budget for that financial year, the Government company —

(a) shall, within 3 months of the first day of that financial year, present to the President a revised budget for that financial year together with the declaration referred to in clause (1); and

(b) may, pending the decision of the President, incur expenditure not exceeding one-quarter of the amount provided in the approved budget of the Government company for the preceding financial year,

and if the President does not approve the revised budget, the Government company may during that financial year incur a total expenditure not exceeding the amount provided in the approved budget of the Government company for the preceding financial year; and the budget for the preceding financial year shall have effect as the approved budget for that financial year.

(4) Any amount expended during a financial year under clause (3) (b) shall be included in any revised budget subsequently presented to the President under that clause for that financial year.

(5) It shall be the duty of the board of directors and the chief executive officer of every Government company referred to in this Article to inform the President of any proposed transaction of the company which is likely to draw on the reserves accumulated by the company prior to the current term of office of the Government.

(6) Where the President has been so informed under clause (5) of any such proposed transaction, the President, acting in his discretion, may disapprove the proposed transaction, except that if he does not disapprove any such proposed transaction even though he is of the opinion that the proposed transaction is likely to draw on the reserves accumulated by the Government company prior to the current term of office of the Government, the President shall cause his decision and opinion to be published in the *Gazette*.

(7) Where after 30th November 1991 a Government company is specified in Part II of the Fifth Schedule pursuant to an order made under Article 22C (4), any reference in this Article to the approved budget of a Government company for the preceding financial year shall, in

relation to the first-mentioned Government company, be read as a reference to the budget for the financial year of the first-mentioned Government company immediately preceding the making of that order.

(8) For the purposes of this Article, a proposed transfer or transfer by any Government company to which this Article applies (referred to in this clause and clause (9) as the transferor company) of any of its reserves to —

(a) the Government;

(b) any statutory board specified in Part I of the Fifth Schedule (referred to in this clause and clause (9) as the transferee board); or

(c) another such Government company (referred to in this clause and clause (9) as the transferee company),

shall not be taken into account in determining whether the reserves accumulated by the transferor company before the current term of office of the Government are likely to be or have been drawn on if —

(i) in the case of a proposed transfer or transfer of reserves by a transferor company to the Government — the Minister responsible for finance undertakes in writing to add those reserves of the transferor company to the reserves accumulated by the Government before its current term of office;

(ii) in the case of a proposed transfer or transfer of reserves by a transferor company to a transferee board — the transferee board by resolution resolves that those reserves of the transferor company shall be added to the reserves accumulated by the transferee board before the current term of office of the Government; or

(iii) in the case of a proposed transfer or transfer of reserves by a transferor company to a transferee company — the board of directors of the transferee company by resolution resolves that those reserves of the transferor company shall be added to the reserves accumulated by the transferee company before the current term of office of the Government.

(9) Any reserves transferred by a transferor company together with or under any undertaking or resolution referred to in clause (8) shall be deemed to form part of the reserves accumulated by the Government, transferee board or (as the case may be) transferee company before the current term of office of the Government as follows:

(a) where the budget of the transferor company for any financial year provides for the proposed transfer of reserves and the budget is approved by the President — at the beginning of that financial year;

(b) where a supplementary budget of the transferor company provides for the proposed transfer of reserves and the supplementary budget is approved by the President — on the date of such approval by the President; or

(c) in any other case — on the date those reserves are so transferred.

### **Moneys of the Central Provident Fund**

**22E.** The President, acting in his discretion, may withhold his assent to any Bill passed by Parliament which provides, directly or indirectly, for varying, changing or increasing the powers of the Central Provident Fund Board to invest the moneys belonging to the Central Provident Fund.

### **President's access to information**

**22F.** —(1) In the exercise of his functions under this Constitution, the President shall be entitled, at his request, to any information concerning —

(a) the Government which is available to the Cabinet; and

(b) any statutory board or Government company to which Article 22A or 22C, as the case may be, applies which is available to the members of the statutory board or the directors of the Government company.

(2) The President may request —

(a) any Minister, or any senior officer of a Ministry or of a department of the Government; or

(b) the chief executive officer and any member of the governing board of any statutory board or the directors of any Government company to which Article 22A or 22C, as the case may be, applies,

to furnish any information referred to in clause (1) concerning the reserves of the Government, the statutory board or Government company, as the case may be, and the Minister, member, officer or director concerned shall be under a duty to provide the information.

### **Concurrence of President for certain investigations**

**22G.** Notwithstanding that the Prime Minister has refused to give his consent to the Director of the Corrupt Practices Investigation Bureau to make any inquiries or to carry out any investigations into any information received by the Director touching upon the conduct of any person or any allegation or complaint made against any person, the Director may make such inquiries or carry out investigations into such information, allegation or complaint if the President, acting in his discretion, concurs therewith.

### **President may withhold assent to certain Bills**

**22H.** —(1) The President may, acting in his discretion, in writing withhold his assent to any Bill (other than a Bill seeking to amend this Constitution), if the Bill or any provision therein provides, directly or indirectly, for the circumvention or curtailment of the discretionary powers conferred upon the President by this Constitution.

(2) The President, acting in accordance with the advice of the Cabinet, may pursuant to Article 100 (and whether before or after his assent has been withheld to a Bill under clause (1)), refer to a tribunal for its opinion the question whether the Bill or any provision therein provides, directly or indirectly, for the circumvention or curtailment of the discretionary powers conferred upon the President by this Constitution; and where such a reference is made to the tribunal, Article 100 shall apply, with the necessary modifications, to that reference.

(3) Where a reference is made to the tribunal and the tribunal is of the opinion that neither the Bill nor any provision therein provides, directly or indirectly, for the circumvention or curtailment of the discretionary powers conferred upon the President by this Constitution, the President shall be deemed to have assented to the Bill on the day immediately after the day of the pronouncement of the opinion of the tribunal in open court.

(4) For the purposes of this Article, where, on the expiration of 30 days after a Bill has been presented to the President for his assent, the President has neither signified the withholding of his assent to the Bill nor referred the Bill to a tribunal pursuant to Article 100, the President shall be deemed to have assented to the Bill on the day immediately following the expiration of the said 30 days.

### **Restraining order under Maintenance of Religious Harmony Act**

**22I.** The President, acting in his discretion, may cancel, vary, confirm or refuse to confirm a restraining order made under the Maintenance of Religious Harmony Act (Cap. 167A) where

the advice of the Cabinet is contrary to the recommendation of the Presidential Council for Religious Harmony.

### **Cabinet**

- 24.**—(1) There shall be in and for Singapore a Cabinet which shall consist of the Prime Minister and such other Ministers as may be appointed in accordance with Article 25.  
(2) Subject to the provisions of this Constitution, the Cabinet shall have the general direction and control of the Government and shall be collectively responsible to Parliament.

### **Appointment of Prime Minister and Ministers**

- 25.**—(1) The President shall appoint as Prime Minister a Member of Parliament who in his judgment is likely to command the confidence of the majority of the Members of Parliament, and shall, acting in accordance with the advice of the Prime Minister, appoint other Ministers from among the Members of Parliament:  
Provided that, if an appointment is made while Parliament is dissolved, a person who was a Member of the last Parliament may be appointed but shall not continue to hold office after the first sitting of the next Parliament unless he is a Member thereof.  
(2) Appointments under this Article shall be made by the President by instrument under the public seal.

### **Parliament**

- 39.**—(1) Parliament shall consist of —  
(a) such number of elected Members as is required to be returned at a general election by the constituencies prescribed by or under any law made by the Legislature;  
(b) such other Members, not exceeding 6 in number, who shall be known as non-constituency Members, as the Legislature may provide in any law relating to parliamentary elections to ensure the representation in Parliament of a minimum number of Members from a political party or parties not forming the Government; and  
(c) such other Members not exceeding 9 in number, who shall be known as nominated Members, as may be appointed by the President in accordance with the provisions of the Fourth Schedule.  
(2) A non-constituency Member or a nominated Member shall not vote in Parliament on any motion pertaining to —  
(a) a Bill to amend the Constitution;  
(b) a Supply Bill, Supplementary Supply Bill or Final Supply Bill;  
(c) a Money Bill as defined in Article 68;  
(d) a vote of no confidence in the Government; and  
(e) removing the President from office under Article 22L.  
(3) In this Article and in Articles 39A and 47, a constituency shall be construed as an electoral division for the purposes of parliamentary elections.  
(4) If any person who is not a Member of Parliament is elected as Speaker or Deputy Speaker, he shall, by virtue of holding the office of Speaker or Deputy Speaker, be a Member of Parliament in addition to the Members aforesaid, except for the purposes of Chapter 2 of Part V and of Article 46.

**Group representation constituencies**

**39A.** —(1) The Legislature may, in order to ensure the representation in Parliament of Members from the Malay, Indian and other minority communities, by law make provision for

—  
(a) any constituency to be declared by the President, having regard to the number of electors in that constituency, as a group representation constituency to enable any election in that constituency to be held on a basis of a group of not less than 3 but not more than 6 candidates; and

(b) the qualifications, in addition to those in Article 44, of persons who may be eligible for any election in group representation constituencies, including the requirements referred to in clause (2).

(2) Any law made under clause (1) shall provide for —

(a) the President to designate every group representation constituency —

(i) as a constituency where at least one of the candidates in every group shall be a person belonging to the Malay community; or

(ii) as a constituency where at least one of the candidates in every group shall be a person belonging to the Indian or other minority communities;

(b) the establishment of —

(i) a committee to determine whether a person desiring to be a candidate belongs to the Malay community; and

(ii) a committee to determine whether a person desiring to be a candidate belongs to the Indian or other minority communities,

for the purpose of any election in group representation constituencies;

(c) all the candidates in every group to be either members of the same political party standing for election for that political party or independent candidates standing as a group;

(d) the minimum and maximum number of Members to be returned by all group representation constituencies at a general election; and

(e) the number of group representation constituencies to be designated under paragraph (a) (i).

(3) No provision of any law made pursuant to this Article shall be invalid on the ground of inconsistency with Article 12 or be considered to be a differentiating measure under Article 78.

(4) In this Article —

"election" means an election for the purpose of electing a Member of Parliament;

"group" means a group of not less than 3 but not more than 6 candidates nominated for any election in any group representation constituency;

"person belonging to the Malay community" means 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;

"person belonging to the Indian or other minority communities" means any person of Indian origin who considers himself to be a member of the Indian community and who is generally accepted as a member of the Indian community by that community, or any person who belongs to any minority community other than the Malay or Indian community.

**Speaker**

**40.** —(1) When Parliament first meets after any general election and before it proceeds to the despatch of any other business, it shall elect a person to be Speaker, and, whenever the office of Speaker is vacant otherwise than by reason of a dissolution of Parliament, shall not transact any business other than the election of a person to fill that office.

(2) The Speaker may be elected, in such manner as Parliament may from time to time decide, either from among the Members of Parliament who are neither Ministers nor parliamentary Secretaries or from among persons who are not Members of Parliament:

Provided that a person who is not a Member of Parliament shall not be elected as Speaker if, under any of the provisions of this Constitution, he is not qualified for election as a Member of Parliament.

(3) Upon the Speaker being elected and before he enters upon the duties of his office, he shall (unless he has already done so in accordance with Article 61) take and subscribe before Parliament the Oath of Allegiance in the form set out in the First Schedule.

(4) The Speaker may at any time resign his office by writing under his hand addressed to the Clerk of Parliament, and shall vacate his office —

(a) when Parliament first meets after a general election;

(b) in the case of a Speaker elected from among the Members of Parliament, if he ceases to be a Member of Parliament otherwise than by reason of a dissolution thereof or if he is appointed to be a Minister or a parliamentary Secretary; or

(c) in the case of a Speaker elected from among persons who are not Members of Parliament, if any circumstance arises that, if he had been elected to a seat in Parliament, would cause him to vacate his seat by virtue of Article 46 (2) (a) or (e).

### Prorogation and dissolution of Parliament

**65.** —(1) The President may, at any time, by Proclamation in the *Gazette*, prorogue Parliament.

(2) If, at any time, the office of Prime Minister is vacant, the President shall, by Proclamation in the *Gazette*, dissolve Parliament as soon as he is satisfied, acting in his discretion, that a reasonable period has elapsed since that office was last vacated and that there is no Member of Parliament likely to command the confidence of a majority of the Members thereof.

(3) The President may, at any time, by Proclamation in the *Gazette*, dissolve Parliament if he is advised by the Prime Minister to do so, but he shall not be obliged to act in this respect in accordance with the advice of the Prime Minister unless he is satisfied that, in tendering that advice, the Prime Minister commands the confidence of a majority of the Members of Parliament.

(3A) The President shall not dissolve Parliament after a notice of motion proposing an inquiry into the conduct of the President has been given under Article 22L (3) unless —

(a) a resolution is not passed pursuant to the notice of such motion under Article 22L (4);

(b) where a resolution has been passed pursuant to the notice of such motion under Article 22L (4), the tribunal appointed under Article 22L (5) determines and reports that the President has not become permanently incapable of discharging the functions of his office or that the President has not been guilty of any of the other allegations contained in such motion;

(c) the consequent resolution for the removal of the President is not passed under Article 22L (7); or

(d) Parliament by resolution requests the President to dissolve Parliament.

(4) Parliament, unless sooner dissolved, shall continue for 5 years from the date of its first sitting and shall then stand dissolved.

### Constitution of Supreme Court

**94.** —(1) The Supreme Court shall consist of the Court of Appeal and the High Court with such jurisdiction and powers as are conferred on those Courts by this Constitution or any written law.

## Appendix – Constitutional Articles detailing the Singapore Political System

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(2) The office of a Judge of the Supreme Court shall not be abolished during his continuance in office.

(3) A person qualified for appointment as a Judge of the Supreme Court or a person who has ceased to hold the office of a Judge of the Supreme Court may be appointed as the Chief Justice in accordance with Article 95, or may sit as a Judge of the High Court or as a Judge of Appeal, if designated for the purpose (as occasion requires) in accordance with Article 95, and such person shall hold office for such period or periods as the President, if the President, acting in his discretion, concurs with the advice of the Prime Minister, shall direct.

(4) In order to facilitate the disposal of business in the Supreme Court, the President, if he, acting in his discretion, concurs with the advice of the Prime Minister, may appoint a person qualified for appointment as a Judge of the Supreme Court to be a Judicial Commissioner of the Supreme Court in accordance with Article 95 for such period or periods as the President thinks fit; and a Judicial Commissioner so appointed may, in respect of such class or classes of cases as the Chief Justice may specify, exercise the powers and perform the functions of a Judge of the High Court. Anything done by a Judicial Commissioner when acting in accordance with the terms of his appointment shall have the same validity and effect as if done by a Judge of that Court and, in respect thereof, he shall have the same powers and enjoy the same immunities as if he had been a Judge of that Court.

(5) For the purposes of clause (4), the President may appoint a person qualified for appointment as a Judge of the Supreme Court to be a Judicial Commissioner to hear and determine a specified case only.

### **Restriction on parliamentary discussion of conduct of a Judge of Supreme Court**

**99.** The conduct of a Judge of the Supreme Court or a person designated to sit as such a Judge or a Judicial Commissioner shall not be discussed in Parliament except on a substantive motion of which notice has been given by not less than one-quarter of the total number of the Members of Parliament.

### **Public services**

**102.** —(1) For the purposes of this Constitution and except as hereinafter in this Part provided, the public services shall be —

- (a) the Singapore Armed Forces;
- (b) the Singapore Civil Service;
- (c) the Singapore Legal Service; and
- (d) the Singapore Police Force.

(2) Except as otherwise expressly provided by this Constitution, the qualifications for appointments and conditions of service of persons in the public services may be regulated by law and, subject to the provisions of any such law, by the President.