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Why right to vote not spelt out

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THE Constitutional Commission of 1966 had good reasons to recommend that the right to vote be entrenched in the Constitution but those reasons no longer hold.

At that time, Singapore was barely a year old as a sovereign independent nation. Its citizens had voted in only two general elections, in 1959 and 1963.

The commission thus felt that it could not safely assume that Singaporeans would cherish choice, expressed in periodic and general elections by universal and equal suffrage, held by secret vote, Law Minister K. Shanmugam said.

Nominated MP Thio Li-ann had cited the commission led by former chief justice Wee Chong Jin when she made the call for the right to vote to be spelt out in the Constitution.

Mr Shanmugam pointed out that since 1966, Singapore had held 10 general elections with 95 per cent voter turnout in each.

'Every citizen reaffirms that Singapore has a democratic society every time he or she recites the pledge. There can be no concern that our citizens may not know the importance of voting or may not exercise it,' he said.

More safeguards to come

THE right to vote will be further strengthened when Article 5 (2A) of the Constitution is in operation, MrShanmugam indicated yesterday.

That article deals with, among other things, the powers of the Elected President, as well as Articles 65 and 66 of the Constitution, which provide for general elections.

When the article comes into effect, a referendum will be needed before the right to vote can be amended by Parliament, unless the President directs otherwise.

The constitutional amendment of 1991 that established the Elected Presidency was crafted such that Article 5 (2A) did not come into immediate effect. Presidential powers could be changed by Parliament if two-thirds of all elected MPs supported it.

Asked by Nominated MP Thio Li-ann when Article 5 (2A) would come into operation, MrShanmugam reiterated the Government's position that it would consider after some years of experience of operating under revised spending rules for the reserves.

Court case has no bearing on it

COMMENTS made by a judge in a 1998 decision and cited by Nominated MP Thio Li-ann have no bearing on the legal status of the right to vote, the Law Minister said yesterday.

On Thursday, Dr Thio had raised concerns over a comment by Justice M. Karthigesu in his decision on the appeal of former Government of Singapore Investment Corporation manager Taw Cheng Kong, which seemed to suggest the right to vote was a privilege.

Mr Shanmugam said that the legal nature of the citizen's right to vote was not an issue in that case and was not argued. It was mentioned in passing and is, therefore, unlikely to be treated as a precedent.

Furthermore, Justice Karthigesu's decision was ultimately overturned by a Court of Appeal, albeit on another point.

Mr Shanmugam said that Parliament generally avoided discussing specific court decisions but as DrThio had referred directly to the case, he would give the Government's view on the point raised.

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