

## **Community Committee 'able to deal with evolving concept of race'**

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The Community Committee is part of a system fluid enough to deal with the malleable concept of race in the presidential elections, said two political office holders on Friday (Sept 8).

The issue of what it means to be Malay, and the role of the Community Committee that certifies a prospective candidate's ethnicity, continued to spark discussion at the Institute of Policy Studies forum on the reserved presidential election.

Following changes to the constitution last November, this month's Presidential Election has been reserved for the Malay community. A 16-member committee will certify a prospective candidate's racial group.

The very concept of race evolves and the system to determine one's race should not take a "definitive, restrictive, exclusive approach", said Minister in the Prime Minister's Office Chan Chun Sing.

"The community must come to terms (with) who best represents them. If the community accepts someone... then who else outside the community will want to dispute that and who else in the community will want to dispute that?" he said.

"So it's a very common-sensical way to allow the community to decide for themselves."

Mr Chan was responding to IPS Senior Research Fellow Mathew Mathews, who asked if the committee's decision would affect the country's overall social cohesion or notion of the reserved election if – in a hypothetical situation – it were to reject a Malay candidate because he is Christian.

The system tries to strike balance between defining race and leaving the concept "fluid and malleable and changeable over time", said Senior Minister of State (Communications and Information and Education) Janil Puthuchery .

"To have that fluidity over time is very, very important. It doesn't lock us in," he said. "If the Malay community changes its aspirations and its sense of what makes a Malay five years from now, there should be a way to reflect that in the choice of candidate, without us having to go for a potentially very divisive Constitutional amendment."

Dr Puthuchery acknowledged that the hypothetical individual mentioned by Dr Mathew could feel excluded, but said the individual could still contest in an open election.

A reserved presidential election kicks in if someone from a particular racial group has not been represented for five continuous terms.

A community may not unanimously agree on who belongs to its community, and the decision could fall on its leaders, said Dr Puthuchery.

On who selects and sets the criteria for the committee, Mr Chan said Singaporeans should elect the government that they trust to make the decision.

Earlier during the forum, participants had also discussed how an individual could be deemed “accepted” as a member of a particular community.

For this presidential election, the constitution defines a “person belonging to the Malay community” as anyone who considers himself to be a member of the community and who is generally accepted as such by the community.

With the Community Committees made up of prominent individuals, the Government has devised an “elite-driven mechanism”, said Dr Norshahril Saat, a fellow at the ISEAS-Yusof Ishak Institute. On its part, the Malay community at large seems primarily concerned with the candidates’ ability to speak the language, their religious outlook, and contributions to the community.

Dr Norshahril felt sentiments on the ground today require Malays to be Muslims – a point other academics felt to be potentially contentious.

“So, a person who has an Indian father and a Malay mother is more Malay than a whole-hearted Malay who happens to be a Christian?” mused Dr Kevin Tan, an adjunct professor at the National University of Singapore’s law faculty.

If the Community Committee requires the candidate to be a practising Muslim to consider him or her Malay, that “poses a lot of problems, simply because it infringes a person’s right to religious freedom” – which is also a constitutional provision, said Singapore Management University law don Eugene Tan.

“That opens another potential can of worms, because if a Christian Malay is not given a certificate of eligibility, I think that person can take this case to the courts,” he said.

That the decisions of the Community Committee— which also assesses minority candidates under the Group Representation Constituency system in General Elections — are final, is also a problem, said Dr Kevin Tan.

“That is probably unconstitutional... The basic fundamental principle about the separation of powers is that if the court has to interpret the constitution, no branch of the Government can tell the court what to do,” he said.