SPEECH BY PRIME MINISTER ON THE SECOND READING OF THE CONSTITUTION OF THE REPUBLIC OF SINGAPORE (AMENDMENT) BILL IN PALIAMENT ON TUESDAY, 24 JULY 1984

Preliminary

Mr Speaker, Sir, I beg to move, "That the Bill be now read a Second time."

Sir, the continent of this Bill are closely related to the Parliamentary Election (Amendment) Bill, the second and third reading of which is the next item on the Order Paper. It will, therefore, be necessary for me to refer to both Bills.

The main objective of the proposed legislation is to ensure that there will be in Parliament a minimum number of opposition representatives. If in the General Election, less than a minimum number is returned, then opposition party candidates who polled the highest percentage of votes will be declared returned as non-constituency numbers to bring the number up to the prescribed minimum. It is proposed that this minimum will be three non-constituency members. However, the number can be later increased by Parliament to six. The effect of the legislation, therefore, is that if (as happen in the past four General Elections)

National Archives of Singapore

the PAP wins all seats, there will still be in this Chamber at least three opposition members. If the opposition wins three or more seats, then these provisions are inoperative.

Specific provision of the Bill

Sir, may I now refer to certain clauses of the Bill and the relationship between this Bill and the Bill to amend the Parliamentary Election Act. This Bill to amend the Constitution is an enabling provision. The Constitution needs to be amended in order that provisions can be incorporated in the Parliamentary Election Act for non-constituency members.

The amendment to the Constitution will provide that, in addition to elected constituency MPs, Parliament can provide by law additional members, to be known as non-constituency members, in order to ensure representation of a minimum number of MPs from a political party or parties not forming the Government. It is not the intention that independent candidates should become non-constituency members.

National Archives of Singapore

The enabling provisions also authorise Parliament by law to provide for the filling of vacancies of seats of non-constituency members.(Clause 4(2)).

Such non-constituency members will have all the rights, privileges and duties of elected MPs with the exception that they shall not vote in Parliament on any motion relating to a Bill to amend the Constitution, a Supply Bill or Supplementary Supply Bill, a Money Bill or a vote of no confidence in the Government (Clause 3(1A)). It is logical and right that only elected constituency members should vote on these matters.

Other provisions in the Bill

There are two provisions in the Bill which are not related to this objective of providing opposition representatives.

The first is Clause 3 which proposes to amend Article 39(1) of the Constitution. At present, each time the number of elected constituency MPs in Parliament is to be increased, it is necessary to enact a law. It is considered that this is not really necessary because the procedure for the revision of electoral boundaries and the increase or reduction of number of constituencies (which in turn will determine the number of MPs) is already spelt out in the Parliamentary Election Act. The proposed amendment, therefore, provides that the number of elected MPs will be equal to the number of constituencies. This does not change

National Archives of Singapore

the present position in substance. It, however, makes it unnecessary to enact a law each time the number of MPs is increased.

Secondly, Clause 2 proposes to amend Article 9 of the Constitution to extend the period an arrested person can be detained in custody before being produced in a Magistrates' Court from the present 24 hours to 48 hours. The amendment is necessary to enable the police to investigate offences more thoroughly. The present 24-hour limit places undue constraints on police investigation. As the courts sit only during normal office hours, this means that in practice suspects who are arrested at night or outside office hour would have to produced in court, sometimes in a matter of 8 to 10 hours, By extending the limit to 48 hours the police would be in a better position to complete their investigations and to carry out follow-up action. This would include the arrest of accomplices, recovery of stolen property, searching for and seizing of material evidence, holding of identification parades and the recording of statements.

National Archives of Singapore

In this regard, Members may wish to know the practice in other countries. In the UK, where power of detention is based on case law, it has been the established practice since 1980 for the police to hold a suspect without charge for up to 48 hours. Indeed, legislation is now before the UK Parliament to further extend this to 96 hours. Japan is another country where the authorities have an uninterrupted 48-hour period before deciding whether to charge the suspect in court.

These points will be elaborated by the Second Minister for Home Affairs when he moves the second reading of the Criminal Procedure (Amendment No 2) Bill at this Sitting.

Legislation is unique

National Archives of Singapore

Sir, I would like to focus my remarks on the proposal to provide a minimum number of opposition MPs in Parliament. It is not usual for a government to initiate such legislation. But to do nothing, may do the next Parliament and the people a disservice. I shall explain.

Political parties exist : they have failed to win in four General Elections

The PAP won all seats in the last General Election in 1980. So too in the General Election held in 1976, 1972 and 1968. The people have returned the PAP in all constituencies in all the four General Elections held in the past 16 years and by-elections in 14 constituencies in between. Since 1965, when Barisan Sosialis boycotted Parliament, the opposition has not been represented in Parliament until November 1981 when the present Member for Anson was returned by 653 votes in a by-election.

In retrospect, the years 1965-81 were Singapore's golden years - a period during which we made rapid economic and social progress. They were infinitely more bountiful than the earlier period of six years, 1959-65, when we had fierce and obstructive opposition. After 1965, when there was no Parliament opposition to distract the attention of the Government or the people, Singapore enjoyed political stability and rapid economic progress.

National Archives of Singapore

Mr Speaker, Sir, the fact that opposition was un-represented in Parliament during those 16 years was certainly not due to a dearth of opposition parties or lack of individuals willing to stand in the election. There are today 20 registered political parties in Singapore. In the last General Election in 1980, seven

opposition parties contested. There were 43 candidates from the opposition. The PAP won because the people so decided.

With or without the opposition : the PAP has governed and will continue to govern

Older voters can vividly recall the late 50s and early 60s when we had the other extreme - opposition not only in Parliament, but opposition in the streets as well. Opposition of the most dangerous kind - communalists and communists.

There was even a period (1961-62) when the PAP had only a majority of one in Parliament. It did not stop the government from governing. But because so much time was spent on countering the wiles and mischief of the opposition, we had time only for solving the most urgent problems. In 1962-63, after one PAP member died, we did not have a majority : there was a tie - 25 PAP Government to 25 opposition MPs. Nevertheless, we had to and we did govern. A government's duty is to govern, fairly and firmly, regardless of the sound and fury an opposition simulated or actually stirs up.

National Archives of Singapore

Let me, therefore, assure this House that this proposal is not because the PAP has suddenly gone soft in the head. In the next election, we shall field

candidates in every constituency, to offer the people able, honest and dedicated representatives. We have searched relentlessly and thoroughly. Our new candidates will increase the level of knowledge and competence of Members of this House. We will fight to win every constituency. We could field a few weak and token new candidates to allow the opposition easy constituencies. From the voting pattern of the 1976 and 1980 General Elections, I concluded that our younger voters want to be represented by educated and effective MPs and will no longer vote for the PAP candidates if the opposition candidate appears by comparison to be better qualified or more competent. This was the obvious message in Radin Mas and Telok Blangah in the 1980 General Election.

Reasons for proposals summarised

Why should we deliberately ensure that Parliament, henceforth, should have at least a few opposition members?

National Archives of Singapore

Sir, there are several reasons :

First, from our experience since Dec 81, when the Member for Anson entered this Chamber, we discovered that there are considerable benefits for the younger Ministers and MPs. They have not faced the fearsome

foes of the 1950s and 60s. Initially they were awkward in tackling the opposition member. But they soon sharpened their debating skills. They have learned to put down the inanities of the Member for Anson.

Secondly, and much more important, opposition MPs will educate a younger generation of voters who, not having experienced the conflicts in this House in the 50s and 60s, harbour myths about the role of the opposition. Although they are disillusioned by the performance of the Member of Anson, some hope other opposition candidates can be more credible and effective. Well, let there be others. The people will learn the limits of what a constitutional opposition will do.

Thirdly, some non-PAP MPs will ensure that every suspicion or rumour of misconduct will be reported to these non-PAP MPs at least anonymously : these MPs, unlike PAP MPs, will give vent to any allegation of misfeasance or corruption or nepotism, whereas PAP MPs will only take them up after enquiries show that the allegations have some shadow of truth. This approach of opposition members will dispel suspicions of cover-ups of alleged wrongdoings.

National Archives of Singapore

The educative role

In brief, within eight months after the Member for Anson entered this Chamber, my senior colleagues and I came to the conclusion that the new situation, contrary to our expectations, was better for Singapore, both for the government and the people. It is no longer in the interests of Singapore for the 1980s that the old guards should exert their dominance to exclude the opposition so that distraction from our vital goals is minimised. We did this for the 1960s and 70s in order that the people could concentrate on the urgent tasks of survival. The position has changed. Over 60 per cent of today's voters are aged 40 and below. They were teenagers or toddlers when the struggles were enacted in the 1950s and 60s. They feel they are missing something. They want to experience some of the excitement of political combat.

National Archives of Singapore

We can broadly define the older political generation as those who were aged 20 and above at the time of the race riots in 1964. They were old enough to experience and remember the riots and revolution, the intimidation and assassinations, the strikes and demonstrations, the disruption and destruction of the 1950s and 60s. In the Feb 1968 elections, they were a clear majority of the electorate - 91 per cent. By the 1972 elections, they were 61 per cent of the electorate. In the 1980 elections, they became a bare half -50 per cent. In 1984,

they have become a minority - 40 per cent of the electorate (see Table and Graph). By 1988 they will be reduced to 31.5 per cent of the electorate, despite the old living longer. This is the nub of the matter. Unfortunately, we cannot distill the essence of their experiences and conclusions of the older and transmit them to the younger generation. If the human mind were like computers, how marvellous it would be. The quintessence of one generation's experience could be abstracted and fed from one brain to another. But the brain works differently. A person learns vividly and remembers best when his lessons are accompanied by sharp pain or great joy. After he scalded himself with boiling oil, he learns how to fry more carefully the rest of his life. After he has enjoyed his first encounter with the durian, he will never forget how to identify the fragrance. Some can learn to sniff out a good durian without eating good and bad ones.

On Thursday, 19 July, I read a review on SBC's 25 Years In Retrospect by a journalist, in the Straits Times, page thirteen of its supplement. I am told he is 25 years old. He had completed his 'A' level in 1977, did his NS and joined the Straits Times. He wrote : "Not having lived through Singapore's tumultuous period of change during the riots, curfews and street clashes, I wasn't particularly moved by For the Heart and Minds." He recounted how Tan Kok Seng, an older man (47 years old) and author of three local novels, found it moving. Tan Kok Seng had contributed to this SBC documentary. But for this journalist :

National Archives of Singapore

"Singapore's harmonious development has perhaps led to a generation so cocooned from the past that when the sepia pictures of yesteryear are shown on television or in the papers, they are merely visual statements of a specific era, bearing little emotional attachments for us." " Bearing little emotional attachments for us", they are his operative words. He concluded : "So, while For the Hearts and Minds would probably draw out some tears from the scarred memories of our elders, the younger set will look on it as just another chapter in a history lesson." If this young man is representative of his generation, I fear his generation will have to pay to learn the facts of life in a multiracial-multilingual-multireligious society situated in Southeast Asia. For turbulence, turmoil and troubles come fast and non-explosive because nothing has gone wrong for so long. If we have at least three opposition MPs for the five years of the next Parliament, we can educate his generation on some lessons that can be taught about the present opposition alternatively.

National Archives of Singapore

In 1984, 60 per cent of our electorate are aged 21 to 40 years. This younger generation does not know what is, or should be, the role of an opposition. Some believe that a Government can be made to change its policies by vociferous protests or nagging or repetitious arguments. Others believe that they, as voters, will do better with an opposition pressing and coercing more benefits out of a hard-fisted government. However, not without good reason,

they do not want the disadvantage of an ineffectual opposition MP in their constituency, unable to get their problems put right : from prompt repairs by HDB, PUB and TAS, to taxi and hawker licences. By this amendment, we shall provide them with some experience on the usefulness and the limitations of opposition MPs. They will experience different kinds of jousting styles, and I hope, a wider range of arguments and ideas than the limited repertoire we have heard since Dec 81. When the Member for Anson came into this Chamber, he swaggered in with the much vaunted hopes of his excited followers. They filled up the public gallery to watch the Government tremble and tumble. Three years later the Government is undented, but the Member has been tarnished by unsavoury book-keeping and accounting practices until the Official Assignee has been appointed by the court as receiver of the Workers' Party, the abuse of Parliament Privileges, failed law suits and costs awarded against him and his party, convictions for various offences against the law, and rejected appeals.

National Archives of Singapore

The young will be given a chance to judge the opposition members, not from a short burst of election sloganeering and rhetoric, but from five years of their performance in Parliament. There is, however, the real possibility that some able opposition MPs, with serious ideas and practical policies can, in 4-5 years, spell out credible alternative policies. Then they will grow in stature and

influence. This was what the PAP with three Assemblymen did from 1955-59. That is a risk the Government must face.

Survival of the fittest

Mr Speaker, Sir, when my senior Cabinet colleagues and I look back at our early hectic years of governing Singapore, we realize how much we have benefited from having gone through a very hard school. We met street thugs. Had we not become streetwise, we would have been clobbered. Like dogs which are closeted in a bungalow behind fences, we would have been run over when exposed to treacherous traffic. From our perilous years in the 1950s and 60s, a whole generation of Singaporeans, now all over 40 years old, were educated in a harsh political school. They were wise to the ways of an irresponsible opposition and did not vote for any in four successive general elections. They need no further lessons. Nor do the older Ministers. My generation has grown 25 years older; our children have no memories of troubled times from reckless opposition. A younger generation of Ministers also missed this experience. Fierce combat made the older Ministers what they are. Those amongst us who were weak, slow, or nervous, became early casualties. Those present are the survivors of a Darwinian process of natural selection. We have keen survival instincts, familiar

National Archives of Singapore

with every trick, underhand or dastardly manoeuvre; we know how to deal with every scoundrel.

In the next few years, the younger team of Ministers will take total charge. They are men of ability and integrity. The challenges and adversaries they will meet cannot be foreseen. Life is for real. And the game is for keeps. Any failure on their part to deal with Singapore's problems will mean painful setbacks in the lives of all Singaporeans. It is not possible for the old guards to solve all the spiky problems before they pass on the baton to the younger team. And I believe when the old guards have moved on, some really ambitious and bright, if not totally trustworthy, men will come out to pit their wits against the new guards. They are likely to be young men, mow in their twenties and thirties, scholars with all the professional gloss. They are bidding their time. Some combat experience with three opposition MPs, such as there can be from the known field of political aspirants, will stand them in good stead for this contest.

National Archives of Singapore

<u>Is the Bill an indictment of PAP MPs?</u>

Mr Speaker, let there be no misunderstanding. This proposal is no indictment of our PAP MPs, or of their lack of probing and ferreting for information and the tenacious pressing of their constituents' interests. The

Hansard, throughout the years when there was no opposition in Parliament, contains ample evidence of Ministers and the Government being taken to task by PAP backbenchers. They will continue to be alert. The point is they accept that the Government does not deliberately lie, cheat, deceive, steal. The Member for Anson, on the other hand, alleges that, like him, and his Workers' Party, we do.

The public perception is that there are certain areas, certain aspects of government where a PAP backbencher is unlikely to question the government as relentlessly as an opposition member. And indeed there are subjects and questions raised by the Member for Anson which no thinking and intelligent MP would consider raising; not because they are afraid to do so, but because they would be acting wildly and stupidly if they did. PAP MPs have made sharp but constructive and responsible criticism.

National Archives of Singapore

And let us not forget that at least 25 per cent have consistently voted against the Government. Some of them want to believe the worst that the Member for Anson has opportunity to debunk every mischievous charge.

<u>Other alternative approach were considered and can be considered in future</u>

Mr Speaker, Sir, the Bill before the House is not a hastily conceived proposal. For nearly two years, my Cabinet colleagues and I have carefully discussed the principle as well as the alternative approaches.

After much deliberation, the Government has decided to proceed with the approach now before the House. It is a simple proposal. It involves no change for the voters and is easy to understand. Let us see how it works in practice. If there are any malfunctions, we can make changes by amending the Parliamentary Election Act. If three constituencies return opposition MPs, then this amendment need not be invoked. In that case the people in these constituencies will learn how to live with opposition MPs in charge of their constituencies, for PAP branches will suspend meet-the-people sessions. The voters have to grow up and live with their choices. In Anson the voters were first misled and then abandoned the voters of Blair Plain, we soldiered on and served them. But not in the next elections.

National Archives of Singapore

The Government must be prepared to review the method of electing opposition MPs in the light of experience and, if necessary, to modify it. What we are trying does not disturb the main framework of the Constitution. We can improve, adjust and change it.

This is the reason why the amendments to the Constitution are in the form of enabling provisions. The details as to the manner and procedure whereby non-constituency members are to be elected are to be spelt out in the Parliamentary Election Bill. Any modifications or changes which may be made in the future, therefore, would not necessitate an amendment to the Constitution and Parliament can effect such changes by an ordinary Act of Parliament.

Proportional representation? No

Mr, Speaker, Sir, in the wake of the announcement of the proposal, several opinions have appeared in the press advocating the system of proportional representation. These advocates do not appear to be aware of the dangers and pitfalls of proportional representation and especially in our multiracial, multireligious and multilingual context. There is no place for proportional representation in Singapore because :

National Archives of Singapore

(a) Firstly, it will only spawn political parties on racial, linguistic, and religious orientations. Campaigning during elections will then be marked by emotional appeals to extremism and chauvinism.

(b) Secondly, the experience of Western countries where proportional representation is practised shows that proportional representation

almost invariably leads to weak governments. The order of the day is coalition governments. Indeed in some countries, like Italy, there have been more governments than the number of years in a given period.

Others have proposed a second chamber, There are as many constitutions as there are ingenious legal minds to translate popular will into a workable legislature and executive. From my experience, constitutions have to be custom-made, tailored to suit the peculiarities of the people wearing them. Like shoes, the older they are, the better they fit. Stretch them, soften them, resole them, repair them. They are better than a brand new pair of shoes. Our people have got used to and understand the present system. And most important, it works. Many countries have tried and gone through several constitutions since independence, from Prime Minister and parliamentary to Presidential government, on to military rule, back to elections for a President of new peoples' Republics. They have not brought stability or legitimacy. I believe it is better to stretch and ease an old shoe when we know that the different shape and fit of a young generation requires a change.

National Archives of Singapore

The Change to meet the future

Mr Speaker, Sir, in closing may I remark that this proposal would in effect enable Singapore to have a good effective government while, at the same time, satisfying those who feel that there should be a few opposition MPs represented in Parliament.

The legislation before the House will give Singaporeans a fair and firm government with at least three opposition MPs.

****

National Archives of Singapore

PERCENTAGE OF ELECTORS AT STATED AGE GROUPS

Year	Total Electorate	Age as on 1 Jul	Number (See Note 1)	Percentage (See Note 1)
1968	759,367	21-23	69.862	9.2
		24 & above	689,505	90.8
1972	908,382	21 - 27	235,271	25.9
		28 & above	673,111	74.1
1976	1,095,817	21 - 31	426,273	38.9
		32 & above	669,544	61.1
1980	1,290,426	21 - 35	645,213	50.0
		36 & above	645,213	50.0
1984	1,494,422	21 - 39	891,831	59.7
		40 & above	602,591	40.3
1988 (See note 2)	1,680,000	21 - 43	1,150,000	68.5
		44 & above	530,000	31.5

Note 1 : The numbers and percentages for 1968 through to 1980 are estimates. They are based on age distributions of citizens from the 1970 and 1980 Censuses. The figures for 1984 are actual.

National Archives of Singapore

Note 2 : All figures for 1988 are projected.