

SINGAPORE'S MULTIRACIAL ETHOS

'Special position of the Malays': It's a shield, not a sword

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THE commitment of Singapore's founding generation of leaders to a multiracial ethos contributed to the island's failed merger with Malaysia. After independence, they sought to develop a "Singaporean Singapore" identity, while symbolically recognising the special position of Malays here.

As Minister Mentor Lee Kuan Yew explained in 2004 – and again in Parliament last week – the founding leaders were determined that the Chinese majority in Singapore, having "suffered communal bullying and discrimination during the two years we were a part of Malaysia", will not discriminate against or bully any other race in turn.

The centrepiece of Singapore's attempt at inclusive citizenship for its mi-

norities, especially the Malays, can be found in Article 152 of the Singapore Constitution. Article 152(1) states: "It shall be the responsibility of the Government constantly to care for the interests of the racial and religious minorities in Singapore." And Article 152(2) recognises the "special position of the Malays" – "the indigenous people of Singapore".

This means the government of the day has a responsibility to care for the interests of racial and religious minorities. This was agreed to in 1958, during the negotiations for self-government between the British colonial authorities and Singapore's all-party delegation. This commitment was incorporated into the preamble of the 1959 Constitution and is now found in Article 152.

Interests, duties and responsibilities – rather than rights and entitlements – constitute the de facto language of Singapore citizenship. Significantly, Article 152 does

not use the word "rights" but "interests".

Therefore, the constitutional safeguards as provided for in the article should be construed as political rather than legal. The special position of Malays in Singapore does not amount to the special rights Malays have in Malaysia. Likewise, the constitutional exhortation for the government to care for racial and religious minorities does not mandate affirmative action for them.

Article 152 should be seen as a shield, rather than a sword, that the minorities can use collectively against the government of the day if it fails to care adequately for them. Any government that fails to honour the spirit and substance of Article 152 will suffer the consequences at the ballot box.

Unsurprisingly, interpretations of Article 152(2) differ. Some feel the provision confers special rights on Malays. Others – Malays and non-Malays alike – argue

that special rights for one ethnic group is antithetical to Singapore's multiracialism, undermines the ideal of meritocracy and would encourage a crutch mentality among Malays.

There is a semblance of preferential treatment extended to the Malay-Muslim community (99.6 per cent of Malays in Singapore are Muslim). For instance, Article 153 enables the establishment of Muis and the Syariah Court via the Administration of Muslim Law Act, thus providing for a limited degree of legal pluralism for the Muslim community. Muslims in Singapore are governed by Islamic law in matters of personal law such as marriage, divorce and inheritance.

The community also enjoys other privileges such as free tertiary education (modified in 1989 with means testing), state support for the mosque-building programme, and the appointment of a minister to help represent the interests of an

important minority.

Today, the discourse on citizenship has shifted to the quality of belonging and inclusiveness in nation-building. Article 152 represents the aspiration to racial equality as an integral part of the country's multiracial ethos. To be sure, this remains a work-in-progress.

Hence MM Lee's opinion that a level playing field will take "decades, if not centuries, and we may never get there" is a sobering thought. It raises urgent questions of how we can catalyse the nation-building process.

Fifty years ago this year, Singapore secured internal self-government with the promise to care for the interests of racial and religious minorities. The commitment to this promise remains and nourishes the nation-building endeavours of this accidental state.

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