Executive Summary

In this position paper, the third in its electoral reform series, MARUAH approaches the issue of electoral boundary delimitation. Singapore’s electoral boundary delimitation process is characterized by a lack of transparency with no public representation on the Electoral Boundary Review Committee (EBRC) and no substantive explanations provided for the decisions of the Committee. Constituency boundaries often appear to be arbitrary with no community of shared interest within a constituency, and more natural communities split between different constituencies. Boundary changes are also made more frequently than appear to be required based on movements in population.

As a result of these practices, community spirit and identity are weakened and residents are unable to form strong relationships with their elected representatives. This has implications for the legitimacy of Singapore elections – namely the erosion of public trust in the neutrality and democratic spirit embodied in the administration of elections, and hence the erosion of the legitimacy of Parliament and Government itself.

Singapore’s boundary delimitation process must also be analyzed in terms of the The Universal Declaration of Human Rights Article 21(3), which states that “The will of the people shall be on the basis of the authority of the government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,” and the International Covenant of Civil and Political Rights which calls for fair and transparent delineation of electoral boundaries so as to ensure that political outcomes “guarantee and give effect to the free expression of the will of the electors.” While there are no binding international standards for boundary delimitation, it is MARUAH’s view that Singapore’s present electoral boundary delimitation system does not fully meet the fundamental principles of Impartiality, Equality, Representativeness, Non-discrimination and Transparency.
MARUAH recommends the following measures to improve Singapore’s electoral boundary delimitation system so as to engender a process that is broadly accepted by the citizenry and helps to bolster confidence in, and identification with, electoral outcomes:

**A. Create independent and impartial EBRC**

An independent and impartial EBRC should be created by statute with members from both the public and private sector. Decisions of the EBRC should be made by majority vote of the panel. Parliament can then accept or reject the committee’s proposals as a whole but not modify individual boundaries.

**B. Improve transparency of EBRC deliberations and polling data**

The rationale and criteria for determining the number of constituencies, the drawing of boundaries and the selection of GRCs should be published and debated in parliament. The EBRC should be required to provide more data on the reasons for keeping or modifying electoral boundaries. Public consultations should also be held during the redistricting process and also before the EBRC recommendations are submitted to parliament.

**C. Align electoral boundaries to communities of interest (Planning Areas)**

Electoral boundaries should be aligned to URA Planning Areas as much as possible because they form natural communities of shared interest. Aligning constituencies with Planning areas will also simply the provision of municipal services by Town Councils. The EBRC should also be required to ensure that the number of voters per MP is constant within 10% across all constituencies. This will create stronger community identity and prevent the appearance of gerrymandering that results when HDB estates are arbitrarily broken up into different GRCs.
1. HISTORY OF THE ELECTORAL BOUNDARY MANAGEMENT REGIME IN SINGAPORE

Electoral Boundaries Delimitation in Singapore

The practice of electoral boundaries delimitation headed by a boundary commission has its roots in Britain which pioneered the commission approach several generations ago. Most of the major democracies including, Australia, New Zealand and Canada, once ruled by the United Kingdom have followed suit and adopted boundary commissions.

Today, the statute pertaining to electoral boundaries in s 8 of the Parliamentary Elections Act remains broadly defined as follows:

(1) The Minister may, from time to time, by notification in the Gazette, specify the names and boundaries of the electoral divisions of Singapore for purposes of elections under this Act.

(2) The number of electoral divisions of Singapore shall be the total number of the electoral divisions specified in the notification made under subsection (1).

In Singapore, the Electoral Boundaries Delimitation Committee was conceived in 1954 to map out 25 constituencies in the island based on suggestions in the Rendel Report and information from the 1947 Census (Yeo, 1973). However 1957 was the last year in which an all-party committee was formed to define electoral boundaries.

Beginning from the first post-Independence General Election in 1968, the Prime Minister would form the Electoral Boundaries Delimitation Committee, usually headed by the Prime Minister’s Secretary in a five-man committee prior to every

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1 http://statutes.agc.gov.sg/aol/search/display/view.w3p;page=0;query=DocId%3A%228cc883c5f5-4e3c-bad4-e3b6992999a5%22%20Status%3AINFORCE%20Depth%3A0;rec=0#pr8.he-
2 from which the ST quoted in a 2010 article on boundary revisions
3 Up until the 1984 General Election, the Electoral Boundaries Delimitation Committee was made up of six members
general election. The Prime Minister would also lay down specific activities to be undertaken by the Committee:

1. Recommend the number of Single Member Constituencies (SMCs) and (since 1988) Group Representation Constituencies based on the number of electors in the recently-revised electoral roll and,

2. Recommend the boundaries that demarcate the Constituencies.

In submitting the Electoral Boundaries Delimitation White Paper to the Prime Minister, the Committee would specify the considerations that were taken in putting forth the recommendations. These considerations have invariably – from the first post-Independence General Election - been based on existing electoral boundaries, population shifts and housing developments, as well as the statutory requirement for of the minimum number of SMCs based on the Parliamentary Elections Act. The Committee would subsequently determine the size of an SMC by dividing the number of electors with the number of Member of Parliaments to be elected. A 30 percent variation for the size of a SMC has generally been used in the recommendation.

Where changes to the electoral boundaries are made by each Committee, no further accounts for doing so are historically provided in the White Paper. Besides the White Paper or Report, minutes of meetings have never been published and no public hearings have ever been held. 1967 and 1971 were the last times that reasonably detailed justifications were given for changing electoral boundaries. Upon completion of the review, the Committee submits a report to the Cabinet detailing recommended modifications to constituencies and the drawing of boundary lines. The report is accepted by the government without the need for approval of Parliament or oversight by the courts. Once approved, the new map is published in the Government Gazette.

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4 Parliamentary Elections Act 8A 1A
http://statutes.agc.gov.sg/aol/search/display/view.w3p;page=0;query=DocId%3A%228cc6883c-c5f5-4e3c-bad4-e3b6992999a5%22%20Status%3Ainforce%2Depth%3A0;rec=0

Due to the committee’s lack of independence from the government and oversight by the judiciary, checks to prevent an abuse of the system are absent.

With the first post-Independence General Election in 1968, there was a lead time of eight months between the publication of revised electoral boundaries and the calling of the Election. Since then with every election, the lead time has decreased with the lead time between revision of electoral boundaries and elections two-and-half months over the last decade. The shortest lead time occurred in the 2001 General Election with elections called less than two weeks after announcement of new constituency boundaries.

The impact of boundary delimitation was significantly increased in 1984 when the Constitution was amended to provide that the number of elected Members of Parliaments (MPs) would simply be equal to the number of constituencies. Up until that time, Parliament had to pass a Parliamentary Membership Act to vary the number of MPs. After Article 39(1) of the Constitution was amended, however, the power to specify the number of MPs was given to the Government through its ability to specify electoral boundaries, including the number of electoral divisions.\textsuperscript{6}

Multi-member constituencies with a minimum number of minority MPs were introduced under the Group Representation Constituency (GRC) system in 1988. The size, minimum minority representation and boundaries of GRCs (and single-member constituencies, SMCs) are also determined by the Executive and implemented by the Electoral Boundary Review Committee (EBRC).\textsuperscript{7}

\textsuperscript{6} Straits Times, “Cutting down on the double work”, 25 July 1984, page 12.
\textsuperscript{7} See Maruah Position Paper on the Group Representation Committee (GRC) system for a fuller discussion of the GRC system.
2 THE CURRENT OPERATION OF THE EBRC SYSTEM IN PRACTICE

Frequency of and Rationale for Electoral Boundaries Review

With every electoral boundary review committee that has been formed since Singapore’s self-governance, changes to constituency boundaries have been made. In other words, these changes have been occurring almost every five years – which is extremely frequent in comparison with other developed democracies around the world (see Annex 1).

This frequent redrawing of electoral boundaries seems to occur regardless of the presence of trigger factors, since these boundary changes have been occurring throughout periods of both high and low population growth as well as both high and low internal residential relocation. Moreover, the lack of transparency regarding the criteria used by the EBRC for this process stymies outside attempts to scrutinise the boundary management regime.

According to the Delimitation Equity Project\(^8\), common triggers for delimitation include: following a national census, a change in the number of seats apportioned to an area, changes in administrative boundaries, and reaching a prescribed level of malapportionment.

Other common triggers for delimitation include the passage of a specified time period. Countries that have electoral laws or constitutional provisions requiring delimitation after every ten years include Canada, India, Japan, Malaysia, Mauritius, Nepal, Pakistan, Papua New Guinea and the United States. However Singapore’s statutes do not prescribe a specified time period beyond which boundary revision has to be considered.

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In Singapore’s case, the first decades of independence were characterized by extensive population shifts resulting from redevelopment and movement into HDB Estates. However, the pace of such movement has substantially decreased in the last two decades.

The task of analysing whether such frequent delimitation is necessary is complicated by the lack of transparency regarding the delimitation process by the EBRC. While the EBRC’s report often cites new housing developments and population shifts to warrant their changes, it does not provide details regarding how such considerations translate into its recommendations. This is out of line with other democracies around the world that adopt a similar process for re-districting electoral divisions, which often provide a specific list of ‘triggers for the delimitation of electoral boundaries which amount to a very specific framework or criteria. For example, in Macedonia the Czech Republic, and Germany, one of the ‘triggers’ set out include circumstances in which the degree of malapportionment has exceeded 3%, 15%, and 25% respectively, as cited above.

While the Electoral Boundaries Review Committee in its report provides considerations for housing developments and population shifts in putting forward its recommendations, it does not provide details of how such considerations are incorporated in its recommendations. The EBRC reports are noteworthy for being exceedingly sparse and brief, consisting primarily of maps illustrating the recommended changes cartographically. This is a far cry from other ‘developed’ Commonwealth democracies in the world. For example, in Australia, proposed boundary changes and redistributions of the population in each election and state are painstakingly described in text-heavy documents spanning at least 50 pages - and on top of that, come with the addition of various maps and GIS data. All of this information is easily available online on their Elections Department websites. Similarly detailed reports on proposed boundary changes are made available to the public in the United Kingdom.

Brevity is often a virtue but details, reasoning, and explanations are often lacking in the EBRC reports. As such, where there may even be justified boundary changes,
explanation is lacking. There is a need to provide for more robust substantiation of the rationale and principles that guide the EBRC’s recommendations.

**Variation in Size of Electoral Constituency**

Since the inaugural post-independence General Election in 1968, a 30% variation in the size of the GRC or the SMC has been adopted to calculate the number of electors in each constituency – supposedly in order to ensure that constituencies are relatively equal in population.

However, MARUAH holds that this deviation figure is outdated. Since 1968, decades of developments in Singapore have converted it into a densely-populated city-state. The current circumstances are clearly different from the year in which this deviation figure was formulated – when the rural and urban populations in Singapore were clearly distinct. Thus, the 30% variation used in Singapore presents a potential problem; Given that developments of past decades in Singapore have converted it into a densely populated city state, it is necessary to question if this 30% deviation figure conceived during a time when rural and urban populations in Singapore were clearly distinct is still relevant today.

The anachronistic nature of this deviation figure is emphasized by how out-of-step Singapore’s figure is with other countries in the world. A November 2008 study conducted at the Geary Institute in University College Dublin stated: “In 16 cases a margin of tolerance is defined. This is lowest in Macedonia (where the member-population ratio may not deviate by more than 3% in any constituency) and most generous in Singapore (30%).”

Countries with a deviation of not more than 15 percent include Armenia, Germany and Czech Republic. Zimbabwe and Papua New Guinea adopt a maximum deviation of 20 percent, while Canada uses a 25 percent deviation in proposing electoral districts. While Australia uses a ten percent tolerance limit, Australian election law requires that electoral districts deviate by no more than 3.5 percent, three years and six months after the expected completion of

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10 Systems, 2004, op cit
the redistribution. This criterion was devised to produce equality of population halfway through the seven-year Australian districting cycle and to avoid wide discrepancies at the end of the delimitation cycle.

**Lack of Specific Electoral Boundaries Statute**

The legal requirements for delimiting electoral boundaries in Singapore are defined in 54 words in the Parliamentary Elections Act:

**Electoral divisions**

(1) The Minister may, from time to time, by notification in the *Gazette*, specify the names and boundaries of the electoral divisions of Singapore for purposes of elections under this Act.

(2) The number of electoral divisions of Singapore shall be the total number of the electoral divisions specified in the notification made under subsection (1).

This is an overly broad basis for defining electoral boundaries. This provides a weak legal basis for standardizing and enforcing adherence by each EBRC to the terms of reference they are given. By default, statutory silence or ambiguity accords to much discretion to the Prime Minister’s Office in setting terms of reference to the EBRC.

**Independence of the EBRC**

What further exacerbates the issue of transparency with regard to the boundary delimitation regime in Singapore is the seeming lack of accountability of the EBRC. The Committee is made wholly of civil servants who report directly or indirectly to the Prime Minister – potentially undermining the popular legitimacy of the EBRC’s recommendations in the public eye.

Matters relating to the composition of the Committee, including the number and partisanship of its members, the triggers for re-defining electoral boundaries, and even the specific variation to be used for the size of each constituency could be written into the Parliamentary Elections Act.
**The Role of Courts and Public Consultation in Electoral Boundaries Review**

There is no appeal process involved in the Electoral Boundaries Review process in Singapore.

While it is an uncommon practice for courts to be involved in the delimitation process, a limited capacity could be circumscribed for the role of courts where delimitation plans can be challenged and an avenue of recourse provided to the public who feel that their constituency boundary has been unfairly drawn.

Countries which have adopted such a practice include Australia, Canada, Czech Republic, Fiji, France, Indonesia, Ireland, Japan, Lithuania, Mexico, New Zealand, Nigeria, Uganda, United Kingdom, and the United States.\(^{11}\)

As detailed in Annex 1, a period of public consultation is observed in some countries following the publication of proposed electoral boundary changes (eg the UK, New Zealand, Malaysia). During this period of time, interested parties may make representations in respect of the proposed changes and make counter-proposals.

\(^{11}\) Systems, 2004, op cit
3 CITIZENS’ PERCEPTIONS OF THE ELECTORAL SYSTEM

Perceptions of Gerrymandering

MARUAH subscribes to the view that the current electoral boundary management regime in Singapore has led to many potentially adverse effects on the public legitimacy of the Singapore elections.

MARUAH stresses that, while there is no evidence of specific intent to gerrymander, the EBRC process has created the impression in some quarters that gerrymandering has taken place. The purpose of MARUAH’s intervention in this paper is to draw attention to the weaknesses in the process from a right-based and public legitimacy perspective.

An opinion exists among certain segments of the Singaporean populace, including some Opposition figures and their supporters (and it should be noted that 40% of the electorate voted for Opposition parties in the last Parliamentary elections in 2011) that Singapore’s current electoral boundary management regime serves to benefit the interests of the ruling party - at the expense of the smaller opposition parties participating in the Singapore elections. This view has even been documented in media reports from the mainstream media, which is ultimately controlled by the government of the day via the Newspaper and Printing Press Act and the Broadcasting Act. Instance of these views being expressed are documented below.

It is impossible to conclusively prove that EBRC boundary changes have been or have not been made under some degree of influence from partisan political calculations, since the basis for the decisions is not published in detail, nor are the minutes of the EBRC’s meetings – even those held decades ago - publicly available, as the Singapore government has refused blanket declassification of governmental papers even after a period of 50 years\(^1\) and no Freedom of Information Act exists to judicially compel such declassification.

Ironically, one of the reasons for public scepticism towards electoral boundary changes is that the Elections Department does not publish election results at precinct level. It is thus impossible for impartial observers to objectively assess whether the redrawing of constituency boundaries is likely to favour one party or another, and whether accusations of gerrymandering hold water (cf. the transfer of certain districts in Hougang from Aljunied GRC to Ang Mo Kio GRC, and the transfer of districts in Kaki Bukit from Marine Parade to Aljunied GRC)

As Nominated MP Eugene Tan observed in Parliament, “For instance, taking the EBRC Report of February 2011, what are the reasons to retain the Singapore Member Constituencies (SMCs) of Potong Pasir and Hougang, while abolishing five other SMCs? How did the EBRC decide which GRCs should become smaller? One could not discern the methodology of the EBRC. Not surprisingly, accusations of gerrymandering were raised.”

Worker’s Party (WP) chairman Sylvia Lim has alleged in a speech in parliament that ‘there is gerrymandering in the ruling party’s favour’. She cited various polling districts, such as Aljunied GRC, which had lost seven polling districts to Ang Mo Kio GRC and gained six new ones from Marine Parade GRC, alleging that the seven districts lost were districts where the WP had enjoyed ‘significant support’ due to WP chief Low Thia Khiang’s position and influence - while the six districts gained from Marine Parade GRC were traditional PAP strongholds.

She went on to opine that ‘the entire electoral boundary re-drawing process is completely shrouded in secrecy, chaired by the Secretary to the Cabinet. There are no public hearings, no minutes of meeting published. The revised boundaries are released weeks or even days before Nomination Day. The report makes no attempt to explain why certain single seats are retained when others are dissolved, nor why new GRCs are created or old ones re-shaped. Voters have changed constituency at successive elections without moving a single step. Adam Road is now Tanjong Pagar, Serangoon Central is Marine Parade. Coincidentally, constituencies which

showed strong Opposition support are broken up or merged with others. Today, we no longer have Eunos GRC or Cheng San GRC."

Chua Lee Hoong, the then Political Editor of the Straits Times, suggested in a commentary in The Straits Times that the reason behind the disappearance of Hong Kah and Jalan Besar GRCs were due to the ‘changing of the guard’ - where their ‘two anchor persons - Mr Yeo Cheow Tong and Dr Lee Boon Yang - had already left the front bench and will be retiring from politics altogether’. This is a very interesting claim from a mainstream media outlet and one that would seem to be consistent with the notion that considerations internal to the incumbent party’s political planning process play a role in boundary changes, versus objective, demographic constituency boundary definition considerations.

Ms Sylvia Lim concurred: ‘We also note that the Hong Kah and Jalan Besar group representation constituencies (GRCs) have been dissolved. They happen to be GRCs helmed by ministers who have stepped down from Cabinet and expressed wishes to retire - Mr Yeo Cheow Tong and Dr Lee Boon Yang respectively.’

Constitutional Law expert Thio Li-Ann has also publicly alluded to the possibility that the boundary changes have often been put into place by the ruling party to secure its own interests in any upcoming elections. She asks: ‘were [the boundary changes] to diffuse a voting bloc which was not sympathetic to the incumbent government? Was it really just an issue of changing demographics? People can draw their own inferences’… ‘if you divide up residents in Area X who might have a same interest, and put them in Areas A and B, then you dilute the force of that interest and the possibility that this interest could generate political influence’

In a commentary on the revision of Electoral Boundaries in 2011, Straits Times political correspondent Zakir Hussain asked,

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15 Straits Times, 25 Feb 2011
16 As quoted in The Straits Times 25 Feb 2011
17 As quoted in The Straits Times 18 Sep 2010
i) One, when the total number of SMCs was increased to 12 from the previous nine, why did the committee not just add three new ones carved out from areas that have seen a population increase? Why did it instead remove five existing SMCs and replace them with eight new ones? Might it be because the SMCs that are to be scrapped have incumbent MPs who are tipped to step down? The reasons are never fully explained.

ii) Two, is it a coincidence that Ang Mo Kio and Pasir Ris-Punggol GRCs are the only two six-MP GRCs - and they just happen to be helmed by two of the strongest figures in the ruling party - Prime Minister Lee Hsien Loong and Deputy Prime Minister Teo Chee Hean?

iii) And is it a coincidence that every one of the other GRCs has at least one incumbent minister within its boundary? Three, why did the boundary of Aljunied GRC - which saw the closest outcome in the 2006 General Election with the Workers' Party (WP) getting 43.9 per cent of the vote - change when the end result is effectively the same population size? What was the change in aid of?

iv) On one level, it is not hard to see that some of the committee's decisions can be explained by population shifts. For instance, rapidly expanding parts of Ang Mo Kio and Pasir Ris-Punggol GRCs were hived off to form Sengkang West and Punggol East SMCs, respectively. What is more puzzling, however, is when the changes cannot be explained on the basis of population shifts alone.

v) Was a large chunk of the Aljunied-Hougang ward, supportive of the WP in the 2006 elections, according to WP chairman Sylvia Lim, hived off deliberately to Ang Mo Kio GRC? And did a seemingly pro-PAP portion of Marine Parade GRC, Kaki Bukit ward, become a part of Aljunied GRC for the same reason? Perhaps those who are familiar with Singapore politics can read into the committee's decisions some of the key considerations that might have influenced it. MPs in some single seats are likely to step down, while up-and-coming MPs and office-holders previously in GRCs can helm other seats on their own.

vi) There is also the suspicion that changes to the GRCs were driven by where the ministers' seats were located. Thus Nee Soon GRC
conveniently combines the Chong Pang ward of Law and Home Affairs Minister K. Shanmugam with two single seats then helmed by Associate Professor Ho Peng Kee and Mr Ong Ah Heng; and labour chief Lim Swee Say’s Buona Vista ward has moved from Holland-Bukit Timah to Tanjong Pagar GRC, where he would likely lead the People’s Action Party’s campaign, given Minister Mentor Lee Kuan Yew’s age. Tanjong Pagar GRC no longer includes Little India and Balestier Road - which comes under Information, Communications and the Arts Minister Lui Tuck Yew - but now extends westwards to include Holland Village. In turn, Mr Lui’s Moulmein ward has been moved to the new Moulmein-Kallang GRC helmed by Environment and Water Resources Minister Yaacob Ibrahim, perhaps to give Mr Lui - the only first-term MP in the current batch to become a minister - the experience of an electoral contest in a ward that is likely to see one. But such attempts to read into the committee’s decisions are at best speculative. The task of giving reasons for the redrawing of boundaries should rightfully belong to the committee.”

Erosion of local identity and community spirit

There is also evidence of other negative externalities that have arisen from the current electoral boundary management regime. This includes the erosion of community spirit and the identity of constituents, with the constant ‘chop-and-change’ of electoral boundaries.

A person’s sense of identity is inextricably linked to the physical spaces where they grow up and live in. People affix memories and experiences to spaces in an intangible manner. Such identity is manifested through the sense of belonging to certain neighborhoods when growing up. In Singapore, where most citizens only move out of their parent’s home upon marriage - and even then are still encouraged

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18 The Straits Times 2 Mar 2011
by the Government to stay near their parents after marriage - possessing a sense of belonging to the neighborhoods they live in is especially important.

When constituency boundaries are redrawn frequently and constituents come under the leadership of different MPs throughout the years, citizens tend to become discombobulated and find it difficult to nurture a sense of belonging, or to have long-term interest in the day-to-day affairs of their constituencies and country. Ultimately, this could lead to difficulties in learning to vote in the best interests of their constituencies - and in the best interests of the wider community of Singapore.

This erosion of community spirit stemming from confusion over the electoral boundary changes can be seen in snippets derived from interviews with citizens from all sectors of Singaporean society throughout the years.

In a letter to the Straits Times Forum, Mr Adam Reutens-Tan, wrote: “If the Government truly desires more political interest among the youth of today, it must nurture a sense of belonging. That cannot happen when one lives either in a constituency that bears a name that is very different from where one lives, or in uncertainty over which constituency one’s home will be in at the next elections.”

Interviews with voters who are discomfitted by the disconnect between community and electoral boundaries have become a fixture of media reports on Electoral Boundary Reviews. For example, in 2001, a retiree in his 70s, was quoted as saying that he has lived in the East Coast all his life, but is bewildered as to ‘whether I am in Siglap constituency, or Bedok, or East Coast, or, who knows, Marine Parade itself’. In 2010, an Aljunied resident asked ‘why Aljunied Road and the surrounding area are not part of Aljunied GRC. If you do a taxi driver test, that is, hop into any taxi and say, ‘Take me to Aljunied’, I wonder how many will take you to any part of Aljunied GRC.’ In 2011, a 64-year-old long-time Hougang resident was taken aback to learn that his block in Hougang estate had been transferred from district Aljunied GRC to

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20 The Straits Times 28 Feb 2011
21 The Straits Times, 14 April 2001
22 The Straits Times 18 Sep 2010
Ang Mo Kio GRC, ‘First we’re part of Aljunied, and now we’re in Ang Mo Kio? I think I’m starting to lose track of where my ward is now’. An Yishun Ave 4 resident was also uncomfortable about being part of Ang Mo Kio GRC, ‘Ang Mo Kio is actually quite far away - two MRT stops from where I live. It’s also very different from Yishun. When I go out, I usually don’t leave Yishun, so it’s better to have a Nee Soon GRC’.24

Another voter was confused as to why he was listed as an Ang Mo Kio GRC voter even though he lived on Yishun Avenue 4:

Dr Kevin Tan, a Constitutional Law specialist, notes that ‘Once upon a time, there used to be a sense of ‘geographical pride’ in being, say, a Katong or Bukit Timah boy. But these days, such pride of belonging has become a scarce commodity because vast electoral-division changes mean that some Bukit Timah dwellers evolved into Ayer Rajah constituents overnight, and some Braddell Road residents found themselves absorbed into the Marine Parade GRC fold. You can live in the same house for 10 years and see your constituency redrawn a few times. MPs also keep changing. After a while, you’re nothing more than a geographical entity. How do you inspire pride? How do you expect people to be excited about elections?’25

The last quote from Dr Kevin Tan is especially poignant. The erosion of community spirit not only affects citizens whose districts have frequently been moved to other constituencies, but also affects the functioning of Singapore’s electoral system, in its attempt to meet the objectives of achieving a ‘democratic society’.

Without community spirit and a sense of belonging with their constituencies - which has been significantly threatened by the constant ‘chop-and-change’ of electoral boundaries throughout the years - citizens also no longer feel like active participants in Singapore’s affairs. Rather, they feel like ‘geographical entities’, or pawns that are moved around for reasons that are never divulged to them. Singaporeans’ sense of

23 The Straits Times 25 Feb 2011
24 The Straits Times 25 Feb 2011
25 The Straits Times, 14 April 2001
rootedness and belonging would be the victims. Apathy and disinterest could then begin to set in and affect social life.

**Engendering of political apathy and cynicism among citizens**

Another possible externality arising from the functioning of the EBRC is the engendering of disinterest, cynicism and apathy among citizens toward the political system.

With frequent boundary changes unaccompanied by explanation and consultation, there is a danger that Singaporeans would potentially view the elections and the political process as a ‘top-down’ exercise in which they have no place to voice their opinions or to even exercise their rights within the political system. This situation is conducive to the breeding of apathy and cynicism, when citizens feel that ‘the outcome has already been decided and that their voices and votes really do not matter anymore’.

Ultimately, such sentiments, if not addressed and checked, would greatly hinder efforts to build up a ‘democratic society’ in Singapore.

Again, there is much evidence for the existence of such sentiments across Singapore’s varied social strata.

Journalist Ken Kwek, writing for the Straits Times, bemoaned the ‘sense that Singaporeans have little say in the delineation of electoral spaces. Their geographical attachments do not seem to figure in the process, and they can only accept that sensible decisions will be made on their behalf, based on abstract demographic forces…”

The cynicism that the ‘top-down process’ breeds can be seen from various comments made by other citizens. Chua Lee Hoong, writing for the Straits Times, speaks of a discussion with a colleague regarding how the boundary changes had become the ‘butt of jokes’ and ‘bred cynicism towards politicians and the political

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26 Lee Chun Wah, quoted in The Straits Times, 14 April 2001
27 The Straits Times 24 Feb 2006
process’. One quote from this alleged conversation that stood out was how the colleague had asked ‘Would a child brought up on a diet of electoral boundary jokes take an election seriously? And by extension, would he or she take elected politicians seriously?’

Such jokes include, for example, how some residents in Braddell Heights have joked about their lack of sea view even though they are part of Marine Parade GRC among others. Joo Chiat constituency today (2011 version) doesn’t actually contain the Joo Chiat conservation area (West of Still Rd). The constituency would be better described as Siglap (Telok Kurau & Frankel estate). One cluster of flats in Bedok North has changed constituencies in every General Election between 1996 and 2011, moving from Aljunied GRC to East Coast GRC, Marine Parade GRC and then back to Aljunied GRC. A neighbouring cluster has also gone through a similar journey except that it started out as part of Eunos GRC.

As Political observer Zulkifli Baharudin has put it, ‘I think those delineating the boundaries need to try their best to ensure the boundaries don’t become a joke’.

Yet, there is evidence that despite the danger of apathy and cynicism being slowly engendered, many Singaporeans still have a strong inclination to be treated as active participants in the political system and process.

For example, a citizen, Mr Khoo Lih-Han, staunchly declared that ‘we, as voters, should be told in detail why some GRCs have been shrunk or changed, and why some SMCs have been dropped or created. There should not merely be an announcement of changes in electoral boundaries with the authorities assuming that Singaporeans agree to these’.

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28 The Straits Times, 4 Mar 2006
29 The Straits Times 14 April 2001
30 Blks 537-547 Bedok North Street 3
31 Blks 501-536
32 The Straits Times, 26 Feb 2011
33 The Straits Times 2 Mar 2011
Choa Chu Kang GRC MP Zaqy Mohamad recalled the Electoral Boundaries Report that had been published before every general election in the past; In the early years, the report apparently included detailed analyses on population numbers, maps and boundary options. However, this practice seems to have ‘stopped in 1976’. He suggests that there is ‘a need to better justify the changes - and earlier’.  

MARUAH believes that an alternative electoral boundary management regime can be created which pre-empts such problems by using housing developments on the ground and ‘population changes as the key units of organization. These suggestions will be set out in Section 5.

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34 The Straits Times 25 Oct 2011
4 COMPARISON TO INTERNATIONAL PRINCIPLES

The right of people to choose their governments is enshrined in the Universal Declaration of Human Rights Article 21 (3)

*The will of the people shall be on the basis of the authority of the government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures*

Furthermore, the International Covenant of Civil and Political Rights adopted by the United Nations General Assembly enshrines the civil and political rights of individuals, including the rights of electors. The UN Human Rights Committee’s General Comment 25 interprets the right as follows:

*Although the Covenant does not impose any particular electoral system, any system operating in a State party must be compatible with the rights protected by article 25 and must guarantee and give effect to the free expression of the will of the electors. The principle of one person, one vote, must apply, and within the framework of each State’s electoral system, the vote of one elector should be equal to the vote of another. The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely*

While there are no binding international standards for the conduct of boundary delimitation, the Internal Foundation for Electoral Systems (IFES) has proposed the following fundamental principles to govern boundary delimitation:

- **Impartiality** - The boundary authority should be a nonpartisan, independent and professional body
- **Equality** - The population of constituencies should be as equal as possible to provide voters with equality of voting strength
- **Representativeness** - Constituencies should be drawn taking into account cohesive communities, defined by such factors as administrative boundaries, geographic features and communities of interest

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• **Non-discrimination** - Constituencies should not be drawn in a manner which discriminates against disadvantaged minorities

• **Transparency** - The delimitation process should be as transparent and accessible to the public as possible

We examine below the degree to which Singapore adheres to these principles.

**Impartiality**

*Delimitation should be carried out by an impartial boundary authority, one that is independent, professional and not aligned with a particular political party*

Apart from the USA where electoral boundaries are drawn by politicians, most other countries appoint impartial (non-partisan) public officials and professionals with the requisite expertise in election administration, geography, cartography, demography and statistics. In Australia, New Zealand and India, the decision of the boundary commission is binding but many other countries give the Executive or Legislature the power to accept, reject or modify the decisions of their boundary commissions.

In Singapore, the members of the EBRC are the heads of the Urban Redevelopment Authority (URA), Singapore Land Authority (SLA), Department of Statistics and the Cabinet Secretary. The first three represent agencies which have professional expertise in land use, mapping and population statistics, and the last is the link to Cabinet. While the staff supporting the EBRC may be able to make their own professional recommendations, the legal authority to make the final decision rests with the Prime Minister. *In the absence of greater transparency into the workings of the EBRC, it is difficult to assure Singaporeans that the boundary delimitation process is indeed impartial.*

**Equality**

*Constituency populations (or ratio of representatives to voters) should be as equal as possible to ensure that all votes carry the same weight*
For practical reasons, it is impossible to achieve complete equality of the weight of a vote in geographically-based constituencies, however the principle of equality requires that boundary authorities strive to maintain as equal a ratio of representatives to voters as possible. New Zealand has a limit of 5%; Australia and Italy, 10% and; Germany, 15% in the maximum allowable variation in the ratio of representatives to voters. Canada has a higher limit of 25% due to the very large variation of population density between its remote, sparsely settled areas and its urban centres.

Singapore had a limit of up to 20% variation up to 1980\(^\text{36}\) but has since widened the limit to 30%\(^\text{37}\). Notwithstanding this, the number of voters in Potong Pasir SMC has been more than 30% below the national average since 2001. In 2011, the number of voters was 35% below the national average\(^\text{38}\). Even if we accept Potong Pasir as an exception, the “norm” of up to 30% variation implies that voters in one constituency could have up to 86% (130%/70% - 100%) more voting power than voters in another constituency. For example, Punggol East had 33,261 electors while Whampoa had 21,615 electors at the time of the 2011 boundary revision (both are single-member constituencies). This implies that the vote of each elector in Whampoa carried 54% more weight than that of a voter in Punggol East.

Unlike Canada which has a vast difference in population density across its territory, Singapore is a compact and relatively uniform city-state. The need for representativeness, i.e. creating coherent constituencies with a community of interest (see below), compels some trade-offs with the principle of equal population, but it is unlikely that variations as large as 30% are required, especially since Singapore has the additional lever of being able to vary the number of members in GRCs to achieve greater equity in voter/MP ratios.

**Representativeness**


\(^{37}\) See EBRC reports from 1984 onwards.

The boundary authority should be obliged to take into account criteria relevant to representation such as administrative boundaries, geographic features, and other factors related to communities of interest

Much as Singapore is a relatively homogeneous urban environment by international standards, there remain some differences in the demographics and built environments of different parts of the city. Given that MPs are also responsible for day-to-day aspects of their constituents’ lives through the Town Councils, both elector and MP would benefit from having constituencies that are coherent areas with a shared community of interest. This was well-put by the 1954 Electoral Boundary Delimitation Committee:

“We tried to look at our proposed divisions through the eyes of the elector and the candidate. The elector should see clearly why he is in one division rather than in another; lines of demarcation, therefore, must be easy to follow. The area should not be bigger than the elector would travel normally and with ease. He must see that he has a common interest with his fellow electors.

“From the point of view of the candidate, the division must not be too large in number or diverse in interest for him to canvass his electors, or care for his constituents, once elected. He is concerned with the roads and with centres where he can hold meetings. It would also be his wish to represent a division where the community of interest and its distinctness from the interests of others is clear, and in speaking for which he can make his contribution to the deliberations of the Council or Assembly more distinctive and valuable.”

Ironically, present-day EBRC’s no longer seem to hold that view. Many HDB estates are chopped up between different constituencies, creating confusion as to which Town Council is responsible for what; Historically or culturally significant districts are haphazardly tacked onto different constituencies and; some areas are routinely cycled between different wards, all for no apparent reason.

Non-discrimination

Constituencies should not be drawn in a manner which discriminates against disadvantaged minorities

Internationally, this refers to the fragmenting of geographically concentrated minority groups across constituencies to dilute or discount their vote. In Singapore, the Group Representation Constituency (GRC) system was set up to ensure a minimum number of MPs from minority races in parliament. Maruah’s Position Paper on the GRC System discusses the system at greater length.

With regards to boundary delimitation, the boundaries of GRCs, like all other constituencies are determined by the EBRC without public consultation. Other than the requirement that the number of MPs elected through GRCs must be at least one-quarter of the total number of MPs\(^{40}\) and that three-fifths of the total number of GRCs have at least one Malay member\(^ {41}\), there are practically no other restrictions on which constituencies the government chooses to designate as GRCs and which minority race is allocated to which GRC.

Transparency

Constituency boundaries should be drawn in a transparent manner and the procedure should be accessible to the public through a consultation process

Given the inherently political ramifications of boundary delimitation, both voters and candidates are more likely to accept the outcome of the delimitation process if they can scrutinize the process. To do this, they must have access to information on, and input into, the decisions of the boundary authority. Transparency is therefore crucial in maintaining public confidence in the integrity of the delimitation process.

As enunciated elsewhere in this paper, however, the boundary delimitation process in Singapore is essentially opaque. Other than the final result, no other information is released on the rationale and criteria for determining the number of constituencies

\(^{40}\) Parliamentary Elections Act, Section 8A(2), Revised Edition 2011.

(which also determines the number of MPs), the drawing of electoral boundaries or the designation of certain constituencies as GRCs. There is no public consultation on any aspect of boundary delimitation.

A related issue is the current practice of not publishing detailed information of election results by polling district. Counting of ballots has been decentralized by polling district since 1997\(^\text{42}\). While this may be unavoidable due to the growth of GRCs and the sheer number of ballots that would otherwise have to be mixed together if counting were done on one table, it has also led to accusations of gerrymandering as there is a fear that areas of high or low support for the governing party may be moved to a different constituency at the next election. Under current practice, candidates are able to observe the count and make their own record of votes by polling district\(^\text{43}\) but the Elections Department only release the total vote count for an entire constituency\(^\text{44}\). In the event that a particular area is moved to another constituency at the next election, it is impossible for an independent observer to objectively assess whether the move might have been politically motivated.

\(^{42}\) Chua Mui Hoong, “PM: Precincts with greater support get upgraded first”, Straits Times, 1 Jan 1997, p 1,


\(^{44}\) In the case of presidential elections, only overall results for the entire nation are published,

5 WEAKNESSES OF THE PRESENT ELECTORAL BOUNDARY MANAGEMENT SYSTEM

This paper has documented a number of problems resulting from the current system of electoral boundary management in Singapore. The central disadvantage returns us to the theme of this series of papers from MARUAH, that of defending the legitimacy of Singapore elections – namely the erosion of public trust in the neutrality and democratic spirit embodied in the administration of elections, and hence the erosion of the legitimacy of Parliament and government itself.

The problems that this paper has documented as arising from the current electoral boundary regime are

a. An erosion of public trust in the fairness and legitimacy of electoral outcomes due to perceptions in some quarters of gerrymandering
b. An erosion of the perceived accountability of government and hence in commitment to social and political outcomes and to the society itself – this is potentially a violation of the right to representative government enshrined in the International Covenant of Civil and Political Rights adopted by the United Nations General Assembly, and hence is problematic to any rights-based conception of politics
c. The undermining of local identities and community rootedness, due to frequent constituency boundary changes and the resultant dilution of the historic character of neighbourhood landmarks and amenities
d. At a practical level, confusion among Singaporeans as to the location of necessary amenities

MARUAH observes that these difficulties arise from the following features of the EBRC process as currently practised in Singapore, and as has been detailed in this paper:

i. The lack of independence of the EBRC, which is comprised of civil servants reporting ultimately to the Prime Minister
ii. The frequency of significant electoral boundary changes – these take place with every single electoral cycle, ie approximately every 5 years without fail

iii. The practice of the EBRC (since at least the 1970s) to publish extremely brief, thin reports that fail to provide reasons for the changes recommended, which often seem unnecessarily complex and have been subject to allegations or publicly articulated suspicions of partisan gerrymandering

iv. The lack of specificity contained in the Parliamentary Elections Act as to the rules that should be followed by the EBRC in recommending electoral boundary changes, which accords too great a measure of discretion to the EBRC (and by implication the Prime Minister to which the EBRC is ultimately accountable)

v. The provision for a wide variance of 30% in the size of electorates

vi. The lack of publicly available data on polling results at precinct (polling district) level

vii. The absence of public consultation about the EBRC’s recommended changes before these are approved and gazetted; this denies the possibility of third party representations by voters/residents, NGOs, political parties and experts; it also pre-empts public debate on the recommendations before the changes are adopted

viii. The absence of an established process of judicial review and appeal to challenge electoral boundary changes
6 RECOMMENDATIONS

MARUAH recommends the following measures to correct these shortcomings, so as to engender an electoral boundary management regime that enjoys widespread public legitimacy and helps bolster confidence in, and identification with, electoral outcomes.

A. Create independent and impartial EBRC

An independent and impartial EBRC should be created by statute. Members of the EBRC would be appointed on the basis of technical expertise in cartography, demographics, statistics or election administration. As a practical matter, expertise in these areas may largely reside in the civil service but efforts should be made to appoint persons in the private sector as well. For example, with the growing use of Geographic Information Systems (GIS) there are likely to be professionals with the requisite experience in the private sector as well. As an added measure to ensure independence, the position of Chairman of the EBRC could be added to the list of public officers under Section 22 of the Constitution who can only be appointed or removed from office with the concurrence of the President.

Decisions of the EBRC should be made by majority vote of the panel and their recommendations presented to Parliament. Parliament would then have to accept or reject the committee’s recommendations as a whole (i.e, no modification of individual boundaries)

B. Improve transparency of EBRC deliberations and polling data

The rationale and criteria for determining the number of constituencies, the drawing of boundaries and the selection of GRCs should be published and debated in parliament. The EBRC should be required to provide more data on the reasons for keeping or modifying electoral boundaries. This could include population profiles of districts by age, race etc.; development plans and population forecasts.
In the interests of transparency, the Elections Department should also release election results at the level of individual polling districts. This would allow independent observers to objectively assess whether partisan factors are implicated in boundary changes.

Public consultations should also be held during the redistricting process and also before the EBRC recommendations are submitted to parliament.

C. Align electoral boundaries to communities of interest (Planning Areas)

Electoral boundaries should be aligned to URA Planning Areas as much as possible. Planning Areas are a building block of urban planning, with Singapore divided into Planning Regions, Areas and Subzones\(^45\). There are a total of 55 Planning Areas in Singapore with each Planning Area having a population of about 150,000 and served by a town centre and several neighbourhood commercial/shopping centres. As Planning Areas form a natural community of shared interest, we propose that Electoral Districts be aligned with planning areas as much as possible. Thanks to Singapore’s urban planners, housing clusters, road and rail services, and facilities such as markets and parks are predominantly designed around Planning Areas. Aligning constituencies and hence Town Councils with Planning areas will also simplify the provision of municipal services. This will create stronger community identity and prevent the appearance of gerrymandering that results when HDB estates are arbitrarily broken up into different GRCs.

The EBRC should also be required to reduce the variation in number of voters per MP to less than 10%. Where this is not possible, the EBRC would have to provide specific reasons why it cannot be done.