

Date: 15 Oct 2015

Time: 21.00PM-23.00PM

Venue: KC Room

Note-Taker: Dave

Presiding Officer: Tee

Attendance: Dave, Tee, Avery, Jay, Sara,, Matthew, Qi Siang, Tamara, Daniel Silverman '17, Swarnima (late), Isabel (late)

Absent: Subhas, Adila, Anandita,

Agenda:

- Amendments
- Judiciary

Summary:

Agenda	Discussion Points	Action
Amendments	<p>Suggestion to have 50% confidence vote to confirm directors</p> <ol style="list-style-type: none">1. Tee: Unclear who, but I would suggest it would be from the legislature2. Dave: Do they have to do it for each position?3. Daniel: Ministers are not elected by a legislative body. We don't necessarily have to copy these but we should bear that in mind4. Qi Siang: Allows them to show a lack of confidence in a certain position. But you could do this through an impeachment process5. Tee: let's look at the intention, to check the process of the chief-executive determining all the directors. There could be alternate ways of doing this. Is this a good intention? (murmurs of yes)6. Sara: Could we have it the opposite way, whereby people can motion in the government against a position	

7. Devil's Advocate:
 - a. Argument against is that the President should have the authority to decide these given the mandate
 - b. Argument for is to provide a check and balance
8. Qi Siang: Could force the President to announce the cabinet with reasoning in advance.
 - a. Tee: Would this give people the power to raise objections?
 - b. Qi Siang: Could work both ways
 - c. Avery: They'll never disclose bad reason
 - d. Qi Siang: Doesn't matter, as long as they are able to justify
 - e. Daniel: Could challenge integrity of the student government
9. Tee: Two options that are concrete:
 - a. Having them motion against positions
 - b. Requiring the President to disclose reasons
 - c. No reason why they can't work together
10. Daniel: Meritocracy.
11. Tee: May be some value to assess the background and skill set of the directors. Could do this by asking them to submit a resume?
12. Matthew: Doesn't the current constitution have no restriction on how the President can appoint people. Isn't the current restriction public reaction?
13. Daniel: The Yale-NUS student body can often overlook the actions of the government, so public push-back might be small
14. Dave: Should bear in mind that the more checks and balances we have on the appointments, the longer it will take for the government to start working
15. Devil's Advocate:
 - a. Dave has a solid point
 - b. We also need to remember what the purpose of the directors in the government is. We know their job scope, but what will

	<p>their duties be. If they make decisions then it makes sense to have them conferred from the government. If they won't make decisions then there might not be much harm in allowing more freedom in their appointment</p> <p>16. Matthew: It's about where you have the barriers. You can have the barriers at the start or have them for specific decisions</p> <p>17. Devil's Advocate:</p> <ul style="list-style-type: none"> a. Benefits of having a barrier at the beginning gives them more authority. If they mess up they can then be sacked b. Benefits of not having this would be for them to execute stuff. c. Thus, it is a question of what role you view the directors as having, implementation vs legislature putting forward policy <p>18. Tee: Shall we postpone this?</p> <ul style="list-style-type: none"> a. Agreement 	
Judiciary	<p>Judiciary</p> <ul style="list-style-type: none"> 1. Tee: Yongzhi doesn't want a judiciary, because it will cause another layer of bureaucracy 2. Devil's Advocate: If they are randomly selected it's worth asking why are you giving them power. I think that that is Yongzhi's point. We need to ask why we're putting checks on the system if we don't trust democracy. We could give them very little power. You can potentially get a judiciary with a specific agenda. - Won't provide pro arguments as they have previously been provided 3. Tee: You can look at a similar system to the public representative system, where they just provide reports on the government and let the masses decide 4. Qi Siang: One of the reasons you don't elect judges is that you don't want a popularity contest 	

5. Avery: I think we should have a judiciary for a just in case. Can be limited powers
6. Tee: non binding opinion poll on the following 3 options:
 - a. Judiciary
 - i. 1
 - b. Judiciary with limited power
 - i. 6
 - c. No Judiciary
 - i. 3
7. Tee: Consensus seems to be to have a judiciary with limited powers
8. Dave: Can have checks and balances
9. Avery: Could have a mix in appointment methods
10. Daniel: Will there be a chief judge? Could be interesting to base it on the US Supreme Court model.
11. Devil's Advocate: The problem with the US Supreme Court Model is that they sit on the court for life. But that probably isn't what Daniel is suggesting. We need to work out their specific powers and what areas they are going to review. First area we can decide on is whether the judiciary should be able to overturn government decisions
12. Qi Siang: We need to have it so that they can enforce the constitution, since that's pretty important
13. Matthew: I would not interpret limited powers as not making them weak, but focussing their areas. A lot of Universities that have them have them as an honour code enforcement. I think we should avoid that, as that allows for them to cause long lasting damage
14. Tee: Worth distinguishing the honour code from the code of conduct for government members
15. Avery: Can we just see if we want judiciary to look at disputes within government, students and student organisation
 - a. Government - Government

- b. Government - Student Orgs
- c. Government - Students
- d. Student Organisations - Student Orgs
- e. Student Orgs - Students
- f. Students - Students

16. Matthew: What about disputes between organisations and students?

- a. Tee: Policy would likely be for the government to decide. On less clear areas, such as a student organisations, could be given to government to decide on a case by case basis

17. Qi Siang: What if a student has an issue with the government

- a. Avery: Would fall under government monitoring government

18. Devil's Advocate: We need principled reasons for having them to oversee these various reasons

19. Avery: Primary purpose of the student government is to deal with the concerns of students

20. Daniel: How would DDP play into the judiciary?

- a. Tee: Arguments can be made for utilising their expertise

(Devil's Advocate switched to Matthew during Jay's absence)

21. Devil's Advocate: Argument against elected judiciary is that you view judicial decisions as a campaign issue, be those past decisions or future decisions

22. Tamara: Is it possible for students to go to the DOS to say when the Student Government is doing something immoral

- a. Tee: Issue with the DOS is that we don't have any commitment to dealing with these issues

23. Tamara: Call for re-vote on whether we need a judiciary

- a. No one seconds this

24. Isabel: Only be ok with the judiciary if they are limited to government-government decisions. Therefore, influence should remain within the government. Avery agrees.

25. Devil's Advocate: Not having a judiciary creates many problems. We don't have a body to rule between many classes of disputes within different government parties. There are many instances where these are needed, but it could be done by a different body in theory.
26. Tee: Some consensus on having the judiciary rule when there are disputes involving the government.
27. Swarnima: What happens if there is a dispute between government and student organisation. How would this occur?
28. Tee: If there was a dispute around recognition process
(Sara takes over convening powers temporarily)
29. Straw Poll:
- a. Government - Government
 - i. 8
 - b. Government - Student Orgs
 - i. 7
 - c. Government - Students
 - i. 7
 - d. Student Organisations - Student Orgs
 - i. 1
 - e. Student Orgs - Students
 - i. 0
 - f. Students - Students
 - i. 0
30. Qi Siang: Since we seem to have consensus, should we rename it from the judiciary to something else, since it's tailored to government, we could change it to the 'council of ombudsman'
(Tee returns and takes over convening)
31. MOTION: to make straw poll binding through a re-vote. Seconded
- a. Vote by acclamation for each option
 - b. Government - Government**

	<ul style="list-style-type: none"> i. 9 c. Government - Student Orgs i. 8 d. Government - Students i. 8 e. Student Organisations - Student Orgs <ul style="list-style-type: none"> i. 1 f. Student Orgs - Students <ul style="list-style-type: none"> i. 0 g. Students - Students <ul style="list-style-type: none"> i. 0 <p>32. Tee: Can we leave the name to whoever drafts that. What's the rationale for having them manage these disputes?</p> <ul style="list-style-type: none"> a. Qi Siang: To provide a check and balance on government affairs and to enforce constitutional stipulations and regulations and adjudicate disputes involving the government b. Devil's Advocate: Need for justification due to no elections. By having this rationale, we've just prevented the government from resolving disputes that involve itself. c. Tee: Can add both to purpose? I suggest both of them. <ul style="list-style-type: none"> i. Acclaim to agree <p>33. Tee: Anyone want to call for the random selection and demographic control method</p> <p>34. Daniel: Allows for people who may not be as passionate to get in without barriers.</p> <p>35. Tee: The next proposal for the judiciary will hopefully account for this. Do you want to suggest an alternative?</p> <p>36. Devil's Advocate: Main objection with random selection is that you can't control for conflicts of interest. A 10% petition may not account for that.</p>	
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| | <p>37. Tee: Another way of looking at it is that the solution may also rely on a popularity contest. I'm hearing random selection criticism. Are there alternative suggestions?</p> <p>38. Qi Siang: I suggested having a randomly selected committee that appoints them</p> <p>39. Tamara: Difficult to establish criteria</p> <p>40. Avery: Agreed. Also we need to be wary of creating committees to appoint committees to appoint committees etc. Let's not make this bloated</p> <p>41. Qi Siang: If we pull out of a hat, it will be less objective</p> <p>42. Tee: The question is whether deferring decisions helps the student body</p> <p>43. Sara: I see that there will be just as much bias, potentially even more by having it appointed, since you can still just appoint your friends</p> <p>44. Avery: No one really likes random selection but we haven't been able to come up with a better option</p> <p>45. Sara: Can we think of a better way to do random selection</p> <p>46. Tee: Can we control for conflict of interest?</p> <p>47. Dave: Conflicts of interest can be hard to resolve in this college</p> <p>48. Daniel: How about an interview process through the DOS or another council</p> <p>49. Dave: Have everyone in the judiciary declare their conflicts of interests</p> <p>50. Tee: How do you make these conflicts of interest known? What if no one knows about my relationships? We can only control up to a certain point.</p> <p>51. Tee: We shall consider the options proposed by Daniel and Qi Siang if anyone wants to overturn current vote. Dave's suggestion can be discussed at a later date. - No one objects</p> | |
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52. Tee: What about the method for registering strong disagreement with an appointment?

- a. Swarnima: needs rewording. Should this petition exist?
- b. Tee: The question is about how much power the petition has. Judiciary could decide
- c. Qi Siang: We could do with this as principal, since its randomly selected. Number is also pretty small
- d. Daniel: You'd be surprised how difficult it is to get 10%
- e. Swarnima: Dislikes idea of petitions, especially if we include a clause requiring you to declare your conflict of interest
- f. Devil's Advocate: If you're looking at reasons other than conflict of interest then it should all be under one process, rather than looking for arbitrary reasons to disqualify people
- g. Tee: Who wants the 10% petition to remain?
 - i. 0
- h. Tee: Who want the 10% petition removed?
 - i. 4

53. Tee: Let's look at the conflict of interest clause. Anyone have any objections?

- a. Devil's Advocate: Kind of useless system if people don't have conflicts of interest that they are unwilling to declare
- b. Qi Siang: If it was a problem, you could potentially expose the conflict of interest?
- c. Daniel: What if it's a secret?
- d. Avery: You can't control for everything
- e. Tee: No harm in having the clause. People agree?
 - i. People agree

54. Tee: Let's revisit the removal clause in light of this decision

- a. Qi Siang: I would vote for it to stay but with an amendment in writing (20% in writing)

	<ul style="list-style-type: none"> b. Dave: The higher the amount the less populist it would be, but the more useless it would also be c. Tee: The amount may set a precedent for the rest of the clauses d. Avery: Doesn't want on principle e. Sara: What is the rationale for increasing it? f. Tee: To make it less susceptible to charisma g. Devil's Advocate: Obvious objection to not having a way for removing someone is that there would be no method for removal h. Tee: Alternative method is that the judiciary can kick out members. This is also susceptible to charisma i. Avery: This alternative seems more palatable j. Tee: You can have rules of impeachment k. Dave: Who would then enforce these l. Devil's Advocate: Could have a strict arbiter <ul style="list-style-type: none"> i. Matthew: You could consider a randomly selected member of the legislature who holds no other position m. Devil's Advocate: Every role sucks n. MOTION: to have rules for impeachment - Passed by acclamation o. Motion to remove petition method - Passed by acclamation <p>55. Tee: Does anyone have any issues with refusing candidacy. What happens if we do?</p> <ul style="list-style-type: none"> a. Qi Siang/Avery: Draw again - General agreement 	
Divvying up work	<ul style="list-style-type: none"> 1. Tee: <ul style="list-style-type: none"> a. Preamble with Duties and Powers. <ul style="list-style-type: none"> i. Qi Siang 	Tee to send a writing guideline doc

	<ul style="list-style-type: none"> ii. Matthew - point person iii. Anandita b. Structure and Roles. <ul style="list-style-type: none"> i. Avery - point person ii. Sara iii. Tamara c. Elections. <ul style="list-style-type: none"> i. Isabel - point person ii. Swarnima iii. Adila 	
<p>Writing Guidelines</p>	<ol style="list-style-type: none"> 1. Tee: British English? <ul style="list-style-type: none"> a. Approved by acclimation 2. Tee: Look at current constitution and the constitutions of other schools for possible clauses 3. Tee: With regard to phrasing we want it to be specific, unless the spirit of the clause calls for generality 4. Swarnima: Are we going to be working on the same constitution document. 5. Tee: I will compile them and then people can comment 6. Devil's Advocate: How will we resolve small issues and disputes about that section? 7. Tee: Do you have a suggestion? 8. Matthew: Should be voted upon. Each suggestion should be put toward the committee. Small changes can be done by an up and down vote but big change can be sent back to the drafters 9. Dave: Do you want these in a meeting or online? 	

	<p>10. Matthew: You can do both</p> <p>11. Tee: I see no issue with this. Let's do it.</p> <p>12. Tee: Please discuss within your groups and tell me if you have any problems</p>	
Important Decisions	<p>1. Judiciary will only deal with disputes regarding the government. Includes...</p> <p>A. Reviewing the government/specific government members</p> <p>B. Adjudicating complaints raised against the student government by the student body or a student organization.</p> <p>2. Members of the judiciary will be randomly selected and adjusted for demographics. There will be strict rules for impeachment of a judiciary member.</p>	
Next Meeting	<p>1. Tee: Do we need a Monday meeting?</p> <p>2. Sara: I think we should cancel it, as they aren't productive</p> <p>3. Isabel: Agree unless there's something urgent</p> <p>4. Tee: tentatively cancel unless there's something urgent</p> <p>5. Tee: Let's set a day to finish these. Monday 23:59, so there's time to comment</p>	

Agenda for our next meeting:

- Assignment of drafting postponed until tomorrow

Reminders/ Updates