

Elected presidency: Selecting the right person for a unique office

The system works best when the president is independent without being antagonistic towards an elected government



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As Singapore prepares for the upcoming presidential election, the spotlight is once again on the unique institution of the elected president. This time, talk has centred on the qualifying criteria for private sector candidates, which some perceive as exceptionally stringent. Do we really need such a high bar for this office and what qualities should a president possess to perform the role well?

Answering these questions requires clarity about the aims of the elected presidency and the nature of the president's role.

INTENT OF THE ELECTED PRESIDENCY

After decades of one-party dominance under the Westminster system of government, the 1980s and 1990s saw a series of constitutional innovations. The Non-Constituency Member of Parliament and Nominated Member of Parliament schemes were designed to inject a diversity of voices into Parliament, while the elected presidency was introduced with a different intent: to serve as a "second key" to safeguard Singapore's reserves and exercise certain other custodial powers as a check on the government of the day.

Rather than create an entirely new institution, the idea was to augment the powers of the

president, who had hitherto performed a purely ceremonial role as head of state, and conferring upon the president legitimacy for the expanded role via an electoral mandate.

PRESIDENCY OFTEN MISUNDERSTOOD

Given the unique nature of this institution, it is perhaps little wonder that the role of the president is still often misunderstood. In most other countries, the president is either at the apex of the executive branch of government, or a ceremonial head of state akin to a constitutional monarch.

Some assume that because Singapore's president is elected, he or she must have a political agenda or champion a set of policies. Indeed, there have been prospective candidates in previous elections who seemed to intimate a larger role for the president than is consistent with the constitutional mandate.

At the other end of the spectrum is the misunderstanding that the president's role is still mostly ceremonial and does not involve complex decision-making. After all, it may appear to be a no-brainer to assent to a drawdown of the reserves during times of crisis such as the 2008 global financial crisis or the Covid-19 pandemic.

The reality is more complex. Besides exercising judgment on whether a drawdown of past reserves is merited, the president also has to weigh the specifics of the Government's request – including the quantum of the drawdown and what the sums are to be used for. Indeed, the president's mandate includes scrutiny of actions that may run



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the risk of a drawdown, such as the giving of any guarantee or the raising of any loan by the Government. Furthermore, the president's approval is required for budgets of the Government, specified statutory boards and state-owned companies.

It is a reflection of the import and complexity of such decision-making that in the exercise of certain powers, the president is required to consult the Council of Presidential Advisers (CPA), a body of highly experienced public and private sector leaders. In other instances, the president may consult the CPA but is not bound by law to do so.

BALANCE NEEDED IN EXERCISE OF PRESIDENT'S POWERS

In instituting the protection of reserves framework and the

elected presidency, the Government in 1991 was in effect tying its hands and subjecting itself to an external check, seeing this as a necessary safeguard against the risk of a future profligate government frittering away the reserves that had been accumulated over the years.

The elected government in any parliamentary democracy must have sufficient latitude to pursue its agenda per its electoral mandate, notwithstanding the need for checks and balances. The fine balance needed in Singapore's unique system is that the president should not set out to frustrate the Government's agenda, even while serving as a check on the Government. The system functions best when the president is independent without being unnecessarily antagonistic – that is, prepared to rein in an irresponsible government,

without frustrating a responsible one.

ON QUALITIES AND QUALIFICATIONS

What qualities and qualifications, then, should be required of the elected president?

To potentially override the elected government on financial and other matters, the president must be highly experienced and command respect, besides having legitimacy conferred upon him or her by the electorate.

Eligibility via the public sector service requirement is restricted to some 50 senior public sector positions, including those of Cabinet ministers and permanent secretaries. The private sector service requirement has been tightened to now require candidates to have served for at least three years as the most

senior executive of a profitable company with an average of \$500 million in shareholders' equity. The high bar is understandable, considering that the elected president's decisions potentially concern billions of dollars, even if it limits the number of potential candidates from the private sector to a select group.

In any case, the Presidential Elections Committee may exercise discretion to certify a candidate who has the experience and ability comparable to someone who has served as the chief executive of a company with a shareholders' equity of at least \$500 million.

Besides exercising custodial oversight in key areas of governance, a president must also be a unifying figure for all Singaporeans and represent Singapore on the international stage.

Without a political agenda to advance, the contest becomes not one among competing manifestos but a judgment of which candidate can best fulfil the demands of office in terms of financial experience, independence of mind, community standing and public profile. The criteria for candidacy are such that only heavyweights from the public, private or non-profit sectors can contest.

INCUMBENT PRESIDENT CAN SHAPE THE ROLE

Even within the bounds of the Constitution, a president can shape his or her role while remaining apolitical and without usurping the role of the Government.

President Halimah Yacob, for instance, has been a tireless advocate for women's development, mental health and people with disabilities. These are causes that Singaporeans of all walks of life and political persuasions can rally around; drawing attention to these issues helps to unite citizens through the common goal of building a better society.

Each elected president brings something distinctive to the role, helping to build up this unique and important national institution.

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