



Residents voting on Friday. Amid celebrations over Mr Tharman Shanmugaratnam's groundbreaking win, the writer says, there seems like a lot that the Presidential Elections Committee and the Elections Department would do well to address before the next election rolls around – to ensure the qualification process, the roles of the president, and the presidency as a system, work. ST PHOTO: MARK CHEONG

# PE 2023 and brewing questions over the elected presidency system

Tharman Shanmugaratnam won decisively but the issues raised during the hustings could come home to roost in a future race.

## Gillian Koh

Voters have indicated by a decisive margin that Mr Tharman Shanmugaratnam should be Singapore's ninth president.

At his post-election doorstep interview after the sample count was published by the Elections Department (ELD), Mr Tharman said the result is "another milestone in the process of evolution" in our nation. A non-Chinese is the choice of 70.4 per cent of electors from a multiracial slate of candidates.

This was a strong mandate for the President-elect. With recognition of his competence, commitment to an inclusive and compassionate Singapore, as well as his international standing as a leader of substance, the outcome leaves no doubt that Mr Tharman's popularity and other personal qualities have transcended race.

### TWISTS IN CAMPAIGN

For sure, Mr Tharman was not getting a free pass to the Istana. His fellow candidates, Mr Ng Kok Song and Mr Tan Kin Lian, did not pull any punches in the contest. They laid out their own abilities and experience for the post. They also argued forcefully that the position was best filled by someone who was not recently part of the Government or the ruling People's Action Party – perhaps Mr Tharman's only liability – if only they could convince the public of it.

There were several twists in the campaign, with a great deal of questioning of the election system and the work of the president, judging from public discourse online, social media and closed networks such as WhatsApp.

In the end, the broader public was not troubled by these

arguments. Mr Tharman is just such a towering figure politically, known for his humanity, generosity of spirit and, critically, for walking the talk of his campaign slogan – Respect for All – and did not play dirty. One opponent even withdrew allegations of a smear campaign from Mr Tharman's camp as the latter respectfully explained that he would not condone such tactics even if they were adopted by his supporters.

### QUESTION OF ELIGIBILITY

Still, it would be prudent to square away several important issues thrown up by PE2023 before they come home to roost at the next presidential election.

The first relates to the issue of eligibility for candidacy. Readers would recall a fourth individual who had actively campaigned and publicly expressed his interest in contesting in early June – the businessman and former

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non-resident ambassador to Morocco, Mr George Goh.

In putting himself forward through the deliberative track, he knew from the outset, as the informed public would have, that he depended on the Presidential Elections Committee (PEC) stretching the criteria to allow for an aggregation of the companies he exercised executive power over to be an eligible candidate.

But when he was denied this, Mr Goh complained that the PEC had not been fair in its decision as it took a "narrow interpretation of the requirements without explaining the rationale behind its decision".

So it was fortuitous that the PEC decided to publicly release its letter to Mr Goh to explain the grounds for his disqualification. While its guidelines do not oblige it to explain the rejections publicly, there was provision for the PEC to share its communication with candidates to refute allegations against it. It proved that Mr Goh had received the note which set out categorically what the rules are and how his dossier was matched against it.

This was a serious attempt to question the system, but any distrust was in good part quelled after this. At a time of heated contest, it would be unfortunate to have the authority be undermined in such a manner.

Again, on the matter of eligibility, Mr Ng also raised the issue of allowing former members of the Government to be presidential candidates. Calling this a potential for a conflict of interest, he urged voters to support a non-partisan candidate like himself. However, the rules clearly allow for Cabinet posts to be qualifying roles.

Mr Ng's comments struck a chord with the public. Mr Tharman addressed this issue convincingly by citing the contributions of the independent-minded, late

President Ong Teng Cheong, and said it should not be a simple question of labels but urged people to look deeper into a candidate's character and track record.

The outcome suggests that this is not an area that troubled voters so much as to have scuppered Mr Tharman's presidential bid, but it could arise again in the future.

The third issue related to eligibility is the fact that the PEC vouches for a prospective candidate's standing as a "person of integrity, good character and reputation" as among its terms of reference. The question was then about how it performed this duty when not-for-profit organisation Aware noted Mr Tan's history of "objectifying women, reducing them solely to their appearances for their personal entertainment". While the Association of Women for Action and Research's goal was to alert the public, the PEC said that it would leave it to voters to decide if this record that had belatedly surfaced should be held against Mr Tan.

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However, in building a strong institution such as the presidency, taking the time to address these issues with strong case studies or even adjusting some processes to take into account any issues that may arise can smoothen the running of future elections and ensure fewer arguments over the enforcement of stated rules.

### RAISING WRONG EXPECTATIONS

The second area where the campaign skirted close to being out of bounds was when Mr Tan said he would persuade the Government to attend to the issues of high cost of living, housing affordability and job security.

While he would assure audiences subsequently during the hustings that he knew the president did not have the power to set the policy agenda of the Government, he persisted in stating that he had the ability to exercise soft power to convey his views.

Mr Tharman, on the other hand, preferred to focus his campaign on what the Office of the President can reasonably achieve and do directly through moral suasion and ground-up initiatives to uplift the disadvantaged. This was a powerful unifying message. It can be tempting for future

candidates to promise to shape public policy in different ways, but what more can be done to make it clear that the president's approach and targets are different from the Government's, even if they are no less important?

It is troubling to witness candidates misrepresent the role which raises the prospect of voters selecting candidates based on unsustainable expectations. Even when candidates voluntarily certify they understand the roles and limitations of those in the presidency, an unfair fight almost emerged in spite of best efforts by fellow candidates, media and the Elections Department to call an "off-side" on such campaigning.

More public education by the Elections Department may be needed. An appreciation of the media and other third parties in calling out these infringements should be more than welcome the next time around.

### PLACING SUPPORTERS IN THE CPA

The third area where the campaign took a most worrying turn was when Mr Tan offered to place his supporters – Singapore Democratic Party's Tan Jee Say and Progress Singapore Party chair Tan Cheng Bock – on the Council of Presidential Advisers (CPA).

The president has to consult the CPA before exercising his or her veto on the use of past national reserves, or the appointment to top public service posts. While the president does have the prerogative of appointing up to three people to the CPA and there is nothing against placing supporters in those roles, it is also understood that the CPA must be free from partisanship in conducting its work.

Here, Mr Ng was courageous to object vehemently to such a move and point out the dangers of injecting partisanship into the presidency. Is it good enough to assume that candidates and eventual victors of the presidential election understand that their selection of members of the CPA should also abide by the spirit of the Office – that it should comprise people who understand that they must stand above the political fray and are not members of any political parties; to faithfully discharge their duties "without fear or favour, affection or ill will, and without regard to any previous affiliation with any political party"? This is an issue that would benefit from deeper reflection.

### PRESIDENTIAL ELECTION IS NOT A MID-TERM GENERAL ELECTION

Ahead of the next presidential election, strengthening the institution of the elected presidency and tackling these issues will help cement its role as one that is clearly above politics. This distinction is not a nicety but consequential.

After all, electing the president relates to a different political process and institution than electing a government in a general election, and moves to take the partisanship out of the presidency will solidify that distinction. The latter is the executive branch that decides on public policy and legislation and directs state finances to these ends.

The president must necessarily arise from a different process where individuals are voted in directly by the populace. They depend on their personal and singular standing and must be qualified for the unique role while it is left to voters to decide who they can identify with the most for the next six years.

This weekend, we celebrate Mr Tharman's groundbreaking win and mark a significant milestone in the evolution of the country's multiracial meritocracy.

There seems like a lot that the PEC and the Elections Department would do well to address before the next election rolls around – to ensure the qualification process, the roles of the president, and the presidency as a system, work.

But there is also renewed confidence in the elected presidency because of the decisive victory Singaporeans have given Mr Tharman, who stayed scrupulously close to the rules and culture of the presidency in his campaign.

He has the trust of Singaporeans to be our head of state. He can now also use his term in office to show, not just tell, how it ought to be understood.

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