

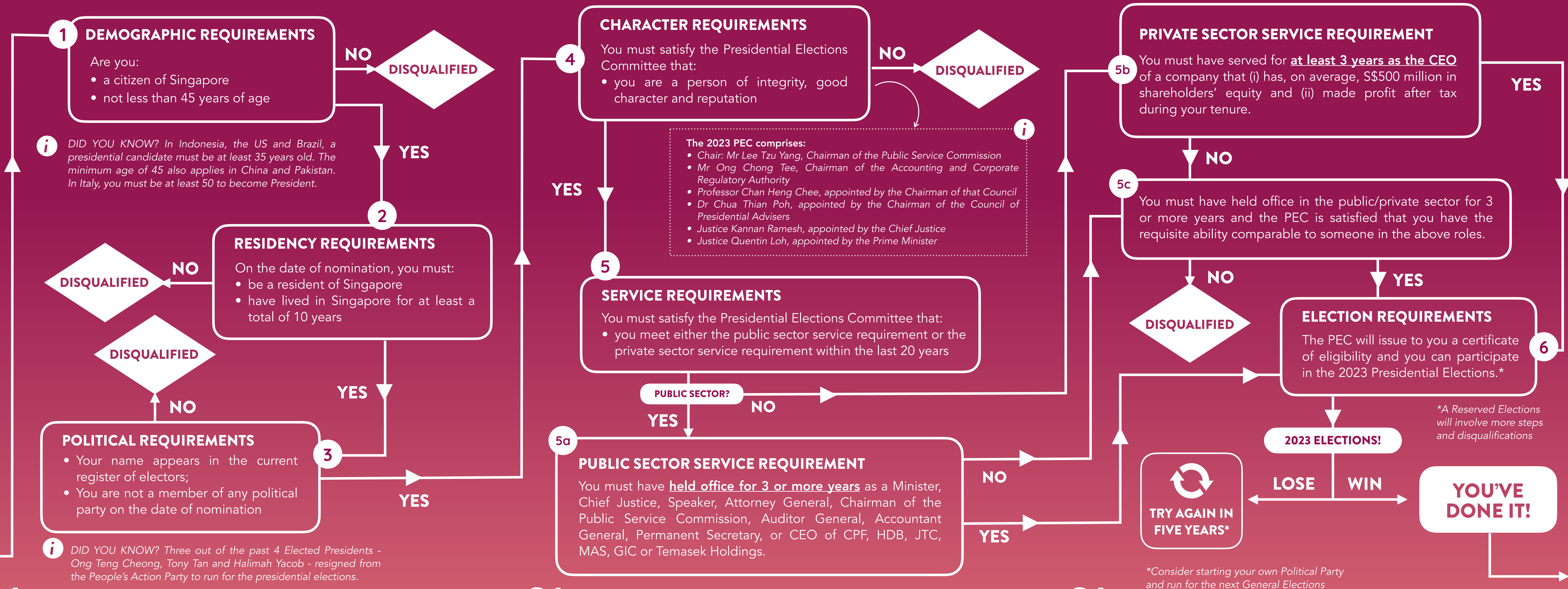
# SO YOU WANT TO BE SINGAPORE'S NEXT PRESIDENT?

CAPE explains the qualification requirements for the Elected Presidency and the outsized role of the PEC



START HERE





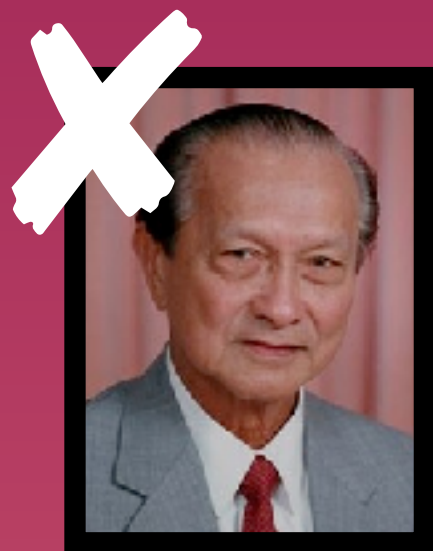
# HYPOTHETICALLY, WHO MIGHT NOT QUALIFY FOR THE PRESIDENCY TODAY?



**2<sup>nd</sup> President Benjamin Sheares**, who was an obstetrician, would not fulfil the direct private or public sector service requirements.



**3<sup>rd</sup> President Devan Nair**, who was a unionist, politician, and had served brief stints of leadership in the civil service, would not fulfil the direct public sector service requirements.



**4<sup>th</sup> President Wee Kim Wee**, who was a journalist and diplomat, does not fulfil the direct private or public sector requirements. Though appointed, President Wee was the first President to enjoy new custodial powers after the 1991 Constitutional Amendments that created the Elected Presidency.



**Disclaimer:** Note that the Elected Presidency and its custodial powers are distinct from the ceremonial Presidential functions that Sheares and Nair performed. Their terms preceded the 1991 Constitutional Amendments. These former Presidents would qualify for the EP only if the PEC decides to exercise its discretion to grant them a certificate of eligibility.

# A (S)ELECTED PRESIDENCY?

## IS THE ROLE OF THE PEC OUTSIZED?

*\*Presidential Elections Committee*



The Constitution “places an unseemingly great power in [the PEC] by giving it discretionary power to determine who is fit enough to offer himself as a candidate, and providing for less than objective criteria”.

*Constitutional Law scholar Prof Valentine Winslow*

**i**

Prof Winslow also noted that the Constitution “place[s] the ruling of the PEC **beyond judicial review, however questionable its decision may be**”. Article 18(12) of the Constitution states that a decision of the PEC as to whether a candidate for election to the office of President has fulfilled the character and service requirements is final and is **not subject to appeal or review in any court**.

*Winslow, Valentine S. "Electing the President: The Presidential Elections Act 1991." Singapore Journal of Legal Studies (1991): 476-481.*

# FOOD FOR THOUGHT

1. Do you find the eligibility requirements an adequate and effective gauge of a candidate's suitability to perform the custodial and ceremonial role of the Elected Presidency (EP)?
2. What would you add, remove, or change about the eligibility requirements – and why?
3. In light of the evolving role of the EP in balancing the PAP's dominance and checking the government, would these requirements eliminate prospective candidates who could fulfil this role?
4. Do you agree with the view that the PEC has "unseemingly great power" in determining eligibility of EP candidates? What are the pros and cons of such discretion?
5. Is it time to abolish the EP and return to a ceremonial president who is appointed by Parliament? Should an appointed body be established to take over the EP's custodial role?