

## **Shanmugam: Quality is what counts**

### **He clarifies remarks on president's influence made at Friday forum**

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Law Minister K. Shanmugam said yesterday that he never suggested that only a Government-endorsed presidential candidate can wield influence with the prime minister.

He was reacting to presidential hopeful Tan Cheng Bock's interpretation of what he had meant when he spoke at an Institute of Policy Studies (IPS) forum on Friday.

Mr Shanmugam had said at the IPS forum that if the president is someone who commands little or no respect with the prime minister, then the influence would be limited.

Dr Tan, 71, commenting a day later, asked if Mr Shanmugam was saying that 'the people's choice of the president matters little unless he is endorsed by the Government'.

Yesterday, Mr Shanmugam explained this and other remarks he made at the forum, which also drew responses from two other aspirants - former NTUC Income chief Tan Kin Lian, 63, and former senior civil servant Tan Jee Say, 57.

Speaking to reporters at the Chong Pang Community Club, Mr Shanmugam said Dr Tan clearly did not have access to his entire speech: 'I wasn't at all suggesting that only Government-endorsed candidates can be influential. I want to be absolutely clear that any such suggestion would be wrong.'

Mr Shanmugam said there are three points to consider on the issue of influence and respect of the president:

'First and foremost is that the office of the presidency itself commands respect. You look at the office of the Chief Justice, many other offices, the office commands respect.

'Second, our president is elected by the people, so the people have the power to make that choice and that power to make that choice must itself also be respected. And anyone who is elected through that process will obviously carry the respect of that office.

'Whoever holds that office therefore deserves the respect of the office and the fact that he was elected through the process.'

As for the third point, Mr Shanmugam said that although there are many areas of governance which the Constitution says is reserved solely for the prime minister and the Cabinet - and where the president cannot give directions to the prime minister - the president can nevertheless be very influential.

'And the point I was seeking to make is that the quality of the advice given by the president - because the president can give advice even on areas outside of his scope - would depend on the quality of the person giving the advice,' he said.

'And a president who is wise, knowledgeable and experienced will obviously be able to give advice which would be more influential than another who doesn't have as much experience or as much wisdom, all things being equal. There can be exceptions.

'I think it's a very a simple point. The importance of qualifications for the office is recognised by the aspiring candidates themselves because they have all taken some pains to explain why they are qualified. So it's recognisable and a very simple and straightforward point: The quality of the advice is going to depend on who is giving that advice, and whether that advice will be influential would depend on how good that advice is.'

Both Mr Tan Kin Lian and Mr Tan Jee Say also reacted to Mr Shanmugam's remarks at the forum - particularly on his position that the president can only act and speak on the advice of the Cabinet.

Both men disagreed with Mr Shanmugam's interpretation and said the Constitution does not specifically state that the president cannot speak out.

Asked about this yesterday, Mr Shanmugam said he had set out his views based on the text of the Constitution and precedence, and did this so that there could be 'a more informed debate'.

He noted that some candidates disagreed with what he said: 'They think the president can or ought to do things which are not set out in the Constitution. They are entitled to their views. I really don't think I should express further views on this. I've said what I've thought.'

Mr Shanmugam, who was speaking after joining Muslim community leaders and residents in the breaking of the fast, was also asked by reporters for his views on the apparent public confusion about the president's roles.

Asked if the Government would issue any further clarification about this in the future, he said that the Law Ministry had previously issued a statement setting out the powers of the president, and that lawyers and academics had also expressed their views in the media.

He added that whoever was elected as president would get legal advice, and that the president is entitled to consult lawyers, the Attorney-General's Chambers and the Council of Presidential Advisers.

'In the end, I don't see much of a conflict. And if there is a disagreement, which has happened before, you can always get it resolved through the courts. When you have a check and balance, you must expect that sometimes there might be differences in views, and if there are differences in views, we have a structure and system in place to deal with those differences,' he said.

On whether the Government might refine legislation on the presidency to avoid future confusion, Mr Shanmugam said he personally thought the Constitution was very clear and did not need to be clarified.

'I cannot speak for future governments nor can I speak, honestly, for the entire Cabinet on what might happen in the future. You ask me, today, is the position clear? As I said at the IPS forum, I think the position is crystal clear.'