

Voters' choice must be respected

Law Minister Shanmugam dismisses suggestions that only a Government-endorsed presidential candidate can be influential

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Any suggestions that only a Government-endorsed presidential candidate can be influential as the Elected President "would be wrong", Law and Foreign Affairs Minister K Shanmugam said yesterday.

Speaking to reporters after a community event, Mr Shanmugam also reiterated that whoever is elected must be respected.

He was responding to comments by presidential hopeful Tan Cheng Bock, who took issue with what Mr Shanmugam had said on Friday at an Institute of Policy Studies (IPS) forum on the Elected Presidency.

Dr Tan had said that he was surprised by Mr Shanmugam's remarks, including that "whether the President actually wields influence obviously depends on who the President is".

Dr Tan had asked: "Is (Mr Shanmugam) saying that the people's choice of the President matters little unless he is endorsed by the Government? Then how is the President to be above politics?"

Mr Shanmugam reiterated yesterday that the President's influence on the Government in areas outside his constitutional powers would depend on his experience, knowledge and wisdom.

He added: "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."

He noted that the importance of credentials have also been recognised by the presidential hopefuls, as they have emphasised their specific qualifications to be head of state in the lead-up to the Presidential Election.

During the IPS forum, Mr Shanmugam also pointed out that the President "can speak on issues only as authorised by the Cabinet; and he must follow the advice of the Cabinet in the discharge of his duties".

Mr Shanmugam cited Article 21(1) of the Constitution which says the President shall "act in accordance with the advice of the Cabinet or of a Minister acting under the general authority of the Cabinet".

But Mr Shanmugam also stressed that not only are the constitutional powers vested in the Elected President "significant" ones, he can also be "highly influential" on issues of the day. That, however, does not entail him speaking out in public against the Government because it would be "completely unconstitutional".

Apart from Dr Tan Cheng Bock, other hopefuls, such as former NTUC Income chief Tan Kin Lian and ex-senior civil servant Tan Jee Say, also disagreed with Mr Shanmugam's remarks and said that they believe that the President has wider powers.

Mr Shanmugam said yesterday that his remarks during the IPS forum was to clarify what had been set out in the Constitution, and to help in bringing about "a more informed debate".

Adding that it would not be appropriate for him to comment further, Mr Shanmugam said that the other Presidential hopefuls "are entitled to their views".

Mr Shanmugam's remarks on Friday were the second time when he had sought to debunk notions that the President can publicly challenge the Government or initiate policy changes.

Yesterday, Mr Shanmugam was asked by reporters if he expects future clashes on the interpretation between the Government and the next Elected President.

Mr Shanmugam replied that there is "no broad disagreement" between his views and other lawyers who have expressed their views.

"In the end, I don't see that there would be much of a conflict," he said.

"If there is disagreement, as previously it has happened before, you can get it resolved through the courts. When you have a check and balance, you must expect that sometimes there must be differences in views. If there are differences in views, we have a structure and system in place to deal with those differences."

Noting that there have been three White Papers on the role of the President, Mr Shanmugam reiterated that it would be the duty of the Cabinet and Members of Parliament to explain the "technical issues" to the public. But such a process "will take time", he noted.

"It allows us the process of explaining and that's good. But we still mustn't assume everyone understands," said Mr Shanmugam.