

Parliament Sitting Date: 17 Aug 1999

**ISSUES RAISED BY PRESIDENT ONG TENG CHEONG
AT HIS PRESS CONFERENCE ON 16TH JULY 1999
(Parliamentary Q&As)**

Mr Jeyaretnam: May I ask the Prime Minister a question or two? I understood him to say that the Cabinet would have been happier if the President had decided to seek re-election. But the Cabinet was concerned whether he was medically capable. But the President had said in his statement that his doctors had given him a clean bill, that his cancer was in complete remission and the President clearly indicated that his health would not stand in the way of his becoming President. May I ask the Prime Minister to explain to this House on what basis or information did the Cabinet conclude that he would not be capable of discharging his duties?

Mr Goh Chok Tong: Mr Speaker, Sir, yes, the President had told the public at his press conference regarding his present health situation. But the Cabinet had two medical reports, one from the President's doctor in the United States, Dr Saul Rosenberg, and the other from his physician in Singapore. We studied the reports and it was quite clear from the reports that if you should focus or project the President's health condition into the future, there was a very strong likelihood that he would not be able to perform his duties normally. In a sense, it is like looking at a glass of water, whether it is one-third full or two-thirds empty. The Cabinet had to take the advice of the doctor and take a very careful view of what the President's future condition would be like. And it is on the basis of our understanding of the President's future medical condition, as given in the medical reports, that the Cabinet decided that it could not support the re-election of the President. But it is a matter for the President to decide. He could still have decided to stand for re-election and it would be his right if he wanted to stand for re-election. But we have given our views on the basis of what we think would be his future medical condition, as advised by the doctors, and that Cabinet could not support his re-election.

Mr Inderjit Singh (Ang Mo Kio): Mr Speaker, Sir, I would like to ask the Prime Minister whether the Government has been inconsistent when they supported President Ong Teng Cheong's attempt at the Presidential office six years ago knowing that he already had a similar medical condition and now, given that the condition has not changed, it is not supporting his bid for a second term.

Mr Goh Chok Tong: Mr Speaker, Sir, we have not been inconsistent. We knew of the President's condition in 1992 when he was first struck with low-grade lymphoma. And again, from medical advice, we knew the likely progression of low-grade lymphoma that, in the first six years of this disease, there would have been no great problem for the President to perform the functions. But the next six years would not be quite the same. If you ask his doctors, they would tell you that, in the nature of things, the next six years would not be the same as the last six years. And it is on the basis of the next six years that we are concerned with. The doctors were right in their assessment, as shown in the last six years. The President had performed his duties quite normally.

Dr Lee Tsao Yuan: I would like to thank the Minister for Finance and the Prime Minister for their clarifications. I would like to ask the Minister for Finance - unfortunately I do not have the Budget book here to refer to - what is the approximate size of the Net Investment

Income and is it found in the Budget book. More importantly, I would like to ask the Prime Minister how come the President, who is supposed to safeguard the reserves, was mistaken regarding the definition of Net Investment Income. And how come he did not realise that there was no need to draw down reserves as a result of the cost-cutting measures because there was actually, as Dr Richard Hu pointed out, a budget surplus? It would seem to me that that kind of information would be readily available to the President whose official and constitutional function is to protect the reserves.

I am rather puzzled by this state of affairs and more importantly, the Prime Minister has mentioned that he and the President have been friends and colleagues for a very long time, but it seems to me that there has actually been a breakdown of trust between the Government and the President where this is concerned so that matters of definition, matters of information as it were, do not seem to be readily conveyed across the various offices. Could the Prime Minister please explain? I think it is more than just a question of differences of definition or opinion. I am rather puzzled that there is a very significant difference, not so much of opinion, but of a breakdown of trust.

Mr Goh Chok Tong: Mr Speaker, Sir, I am equally puzzled and I am still puzzled as to why the President did not understand fully the meaning of the NII as explained by Dr Richard Hu. The President did not deal with me directly on most of the issues. He dealt with the civil servants, normally through his Principal Private Secretary. I would normally come into the picture when they could not resolve certain issues. And of course when it came to my attention, I would then look at the matter and involve other Ministers who were concerned to resolve the issue. I do not think there was this breakdown in trust. It may be differences in the approach to the problems. And as far as the Government was concerned, there was never any reluctance in our case to cooperate. Where we disagreed we explained our disagreement. We finally sorted out whatever issues that we had. I do not get a sense that there was this breakdown in trust. It is just different approaches to the problems.

Dr Richard Hu Tsu Tau: The NII is in the first page of the Budget book, below the line. You can just add up the figures year by year. It averages between \$3 and \$5 million a year.

Dr S. Vasoo (Tanjong Pagar): May I ask the Prime Minister whether the Government has in any way put pressure on President Ong not to stand again?

Mr Goh Chok Tong: Mr Speaker, Sir, that would be very unfair to the President, and unfair to the Government too because whatever pressure we put on the President, he is not a man who succumbs to pressure. And as shown, he has an independent viewpoint on many issues.

On the medical condition of the President, I did not want to be too explicit since the President is not standing for re-election. I think it would be unfair to him. But being less explicit, Members here may not understand what exactly is the position and why there is this difference. I would say that there was a difference in interpretation of the medical reports. We have to be advised by the doctors and we had to ask questions that we were not sure as to what certain words meant. We were also advised by his doctor that for the next six years, there would be a strong likelihood of certain events taking place. The President, from his point of view, can quite rightly look at the other aspect that these are all statistics. And from his point of view, he is the best judge of his own health. He said he felt "fine" and I have no reason to doubt him that he felt "fine". It is a question of how we interpret the medical reports. But in our case, we were guided by professional advice and not just how we felt over the

medical reports.

Mr Leong Horn Kee (Bishan-Toa Payoh): Mr Speaker, Sir, I would like to ask the Prime Minister whether this issue of staff support for the President would be helpful because in the past when there was no elected President and there was no need to safeguard the reserves, the President only had one Principal Private Secretary. I am not saying that we should have a full presidential staff, but perhaps some more senior support for him would be helpful in his interaction with the other civil servants who are on a senior level.

Mr Goh Chok Tong: Mr Speaker, Sir, in the past, the President had just a personal secretary. There was no Principal Private Secretary. The difference is that the PPS is an Administrative Officer. Your private secretary looks after your office management and so on. We felt that it is not necessary for the President's office to have a large staff because if you begin to man the President's office in order to check the civil servants, we must have a super Auditor-General to check on the Accountant General. You need to have your own lawyer to check on the AG's office and you begin to build a White House staff, as you call it, which would then have its centre of power, and it is totally unnecessary because the key appointments are subject to the veto powers of the President. Under the system that we have devised, the President should work through the people in Government.

I too only have a Principal Private Secretary. I have a Press Secretary but I felt that he would be underworked, and I have given my Press Secretary three jobs. He is my Press Secretary. He is also holding a position as Deputy Secretary in the Ministry of Information and the Arts so that he can know what is going on and keep me informed of news. And I still find that he is underworked. So I thought he should also be the Chief Executive Director of the People's Association. And because he is from the Ministry of Foreign Affairs, he also attends briefings regularly in the Ministry of Foreign Affairs. This is how we use staff. We do not just have people who sit around looking for little faults here and there. It is totally unnecessary.

The President has the right to use staff in the Government to get whatever information which he wants. He does not require a big staff. Likewise, I have a right to go to any Ministry and demand information to be given to me and circumventing the Minister, if necessary. I do not require a big staff to run the Government.

Mr Seng Han Thong (Ang Mo Kio): Mr Speaker, Sir, since the only concern of the President's re-election is health and the only reason cited by the Prime Minister for the Cabinet not to support the President's re-election is health, may I know whether the Government intends to publish the medical reports to clear the public misperception.

Dr Wang Kai Yuen (Bukit Timah): On the same note, Mr Speaker, Sir, may I ask the Government whether it is setting a precedent that good health is a key criterion for persons seeking high office in Singapore?

Mr Goh Chok Tong: Mr Speaker, Sir, the Government has no intention to publish the medical reports of President Ong Teng Cheong. He is not seeking re-election. It is irrelevant now to publish the medical details of the President's health.

As for the other question whether we are setting a new precedent, I think health is important but it is not a constitutional requirement. We have not put this in. It is very difficult

for us to devise a way where we have to define health before a person can stand for election. But I would suggest that any potential candidate who wants to stand for election as President should be asked the question by the press. What is your health condition? Do you have an underlying condition which you know, over time, will lead to problems? Nobody can forecast how a heart will tick over time, or whether or not you may get cancer. Nobody can forecast. But at that point of time, do you have an underlying condition which you know must progressively lead to bigger and bigger problems for you. I think it is a fair question for the press to ask. I do not think at this stage it is wise for us to change the Constitution or the Presidential Elections Act to make it a requirement for health to be declared publicly.

Mr S. Iswaran (West Coast): I would like the Prime Minister to clarify, since the projected health condition was the reason for the Government withholding its support for President Ong seeking a second term, what has the Government done to satisfy itself of similar consideration before extending its support to a candidate in the forthcoming elections.

Mr Goh Chok Tong: Mr Speaker, Sir, the Government has no authority whatsoever to demand Mr S R Nathan, as a candidate, to tell us what his health is. But of course privately, I have asked him when I saw him. I said, "What is your health condition?" He told me that he is able to discharge his responsibility. I asked, "Any underlying condition?" He said, "No." He had a heart bypass operation some years ago, but he has been to the National Heart Centre and has been cleared by the doctors. At this point in time, there is no legal basis that I can compel him to tell me what it is, but he has told me what his health condition was. So, personally, I believe his health is good and the press can ask him. If he goes to the nomination centre tomorrow, whether he is returned opposed or unopposed, the press can ask him about his health condition. It is a relevant question for the press to ask.

Mr Jeyaretnam: May I ask the Prime Minister again on the question of the President's health. The Prime Minister said that the Government had two reports. Were they conflicting reports from the report given by the President's own doctor? And who did the interpretation? Was it the Attorney General or did the Government seek an opinion from someone qualified, eminent in this field outside Singapore, to decide between the two reports? Did the Government report say that the President's powers would be affected and there was a likelihood that he would not be able to discharge the powers as President? Finally, may I ask the Prime Minister - he has been very candid - whether the Cabinet decided on Mr S R Nathan because they would find it less of a problem having him as President?

Mr Goh Chok Tong: Mr Speaker, Sir, there were two medical reports which I saw and one of them was from Dr Saul Rosenberg. He is the foremost authority in the world on lymphoma cancer. The other report is by the President's personal physician in Singapore, Dr John Wong, and he of course is also an authority in Singapore on oncology. The two reports were similar. They were not conflicting reports. We had Dr John Wong in Cabinet to interpret his report and the report of Dr Saul Rosenberg for us, and we were advised by an oncologist, not an Attorney-General. We were not qualified and, personally, there were many terms which were beyond me, and we had to satisfy ourselves by asking questions and getting the doctor to explain in layman's terms what the likely condition of the President would be.

Have I missed out any point?

An hon. Member: S R Nathan?

Mr Goh Chok Tong: What about S R Nathan?

Mr Jeyaretnam: May I just say a little bit more?

Mr Goh Chok Tong: No, please sit down. I will explain so that you do not have to say a bit more!

We have looked at S R Nathan very carefully and we chose him, because of the man's maturity and his balanced judgment. And we know that if he had to exercise his constitutional duties where he disagrees with us, he would exercise it in accordance with the authority which he has. I have no doubt about it. If we had any doubts, we would not have appointed such a person. We are not looking for yes man, as Members of the House would know. We are looking for people with independent views who can add to the system, not sycophants. We want people with that ability to perform the role of that particular institution, and S R Nathan, in our view, and in my personal view, qualifies eminently.

Dr Lily Neo (Kreta-Ayer Tanglin): Sir, may I ask the Prime Minister to define to this House the status vested on the wife of the elected President? What is the status of the First Lady?

Mr Goh Chok Tong: Mr Speaker, Sir, I am unable to find this definition in the Constitution. As far as I am concerned, she is the wife of the President. And as a matter of courtesy, many of us refer to her as the First Lady. But, in effect, the First Lady has no status in the Constitution, unlike the Minister, Prime Minister or the President.

Mr Zulkifli bin Baharudin (Nominated Member): Mr Speaker, Sir, first, in view of the uniqueness and infancy of the Presidency and the likelihood of differences of opinion between the President and the Government, does the Prime Minister see a need now to review the CPA, so that they are better able to handle the differences between the Government and the President?

Secondly, because the senior civil servants report directly to the Prime Minister, whether he could call upon the CPA to have senior civil servants report to them to answer issues of difficulties that the President may face.

Mr Goh Chok Tong: Mr Speaker, Sir, up to now, I do not think there is a need for us to review the composition of the CPA. It has worked fine. The President has sought advice from the CPA, and whenever Budgets were submitted, the CPA went through them quite carefully and gave their advice.

Whether we need to change this later on, I would not know. It depends on our experience in running the system. The CPA can, through the President's Office, call up any civil servant to answer any questions, if it wants to. There is nothing against that. I think the Accountant-General and the Auditor-General periodically might have been called up to explain certain statements or figures. It has the right to call up civil servants.

Mr Low Thia Khiang: Mr Speaker, Sir, I am puzzled over the puzzle of the Prime Minister. The Prime Minister is puzzled why the President, who was the Deputy Prime Minister, did not understand clearly that the Government does not need to draw on past **reserves**, and thereby made such statements. And he is also puzzled as to why the President decided to cast

doubts on the Government. Based on the sequence of events the Prime Minister has given, in terms of whether to support the re-election, I wonder whether the Prime Minister is implying that the reason why the President has cast doubts and raised so many issues and decided not to stand for re-election was because the Cabinet failed to support his re-election,

I would also like the Prime Minister's opinion on whether or not the routine function of the elected President should be made more transparent, so that Singaporeans would know what the elected President is doing, rather than at the end of the term, the elected President comes out with something which has already passed.

My third concern is that although the Prime Minister says that the elected President can work through the Government system, the civil servants and all that, I wonder how would the elected President know if the Government or a statutory board decides that it has to sell land or dispose of assets within the budgeting period. Would the Prime Minister clarify?

Mr Goh Chok Tong: Mr Speaker, Sir, on his first question, it is one that can only be answered by the President. I would not know why he did not understand the NII and I would not know why exactly he chose to criticise the Government. But I thought it is necessary for the Government to state its position on a very basic area where we had disagreement, and that is whether we supported his re-election or not. The rest is for people to draw their own conclusions.

On the question of leaving matters to the last and at the end of the term of the President before we discuss them openly, I think when there are disagreements, if it justifies being aired publicly, they will be aired publicly. It is up to the President to decide. In the case of Article 22H, it was discussed openly in Parliament. So it depends on the issues concerned, and we have always come here each time we have certain problems over certain definitions or conventions, and we have come here to keep the public informed.

There should be no misunderstanding whatsoever if the public were to go back to the statements made earlier to see how the system should be worked. And because of the press conference, certain doubts have begun to creep in. It therefore gave us the opportunity to explain once again to the public.

On transactions during the Budget period, the civil servants have a constitutional duty to inform the President if, in their view, a particular transaction will draw down **reserves**. If a transaction like selling land at below cost will draw down the **reserves**, that civil servant has a duty to inform the President's Office or the President. In this case, it will be the Accountant-General or whoever is in charge of the statutory board that owns the land involved.

Mr Low Thia Kiang: What if he fails to report?

Mr Goh Chok Tong: If he fails to report, then I think he has committed an offence under the Constitution.

Mr Chng Hee Kok (East Coast): Mr Speaker, Sir, in my view, the most crucial point in this whole issue is the standing of the Government and our institutions among international investors. There was a suggestion by the Prime Minister that PERC has already indicated that the standing of our institutions and our Government has been affected. My question is whether the Prime Minister is planning to take any concrete measures or moves to strengthen

and improve our institutions, if damage has already been done by this debate.

Mr Goh Chok Tong: Mr Speaker, Sir, at the moment, there is no need for us to think of ways to strengthen the institution. It is how the institution is being implemented which is important. The fact that we are debating this institution is part of the process of working the system. The President has taken certain issues into the open. He has let his views be known. We react in a way that we should. We come to Parliament. We explain why and we explain away the mistaken perception of the President. So it is more on how this system will be implemented. And when we have a new President, I have no doubt that he would have a new style of managing certain things in the two areas that he has got the powers. And we will still work the process through and, if necessary, we will come to Parliament and explain. At this stage, I do not think we need to change any particular Article in the Constitution to strengthen the institution.

Mr Simon Tay: Mr Speaker, Sir, this is not an occasion for me to clarify my own views, but I hope the Prime Minister could clarify some of the points that he has brought up.

First, I think it is very important that the Prime Minister has emphasised that this is a new and unique institution. The principles have just been published in a White Paper and the points he clarified after the President's comments are new to me and the whole House. I think if I have to make comments again, it would be different in the light of the clarifications the Prime Minister has made.

With that point, let me ask three questions. First, I hope the Prime Minister, as CEO, stands by the duties under Article 146 that the civil servants must report. A few minutes ago, he said that he thinks it is an offence. But can I ask him, as the CEO, to state very clearly to the civil service that this is taken as a clear offence and a breach of the constitutional duty. That point has to be made just as importantly, as he has said that the President must have the moral courage to be independent when necessary within his limited powers.

Secondly, I hope the Prime Minister will consider that there is a need at times to air both agreements and disagreements. I recollect that in the last ---

Mr Speaker: Mr Tay, can you ask your questions, please?

Mr Simon Tay: Yes, Mr Speaker. I hope the Prime Minister will take occasion to share points on which the elected President agrees with the Government that his action is not necessary, just as disagreements may surface later.

Thirdly, I would ask the Prime Minister whether in the next six years, the next term of the elected President, the Government will entrench the Presidency within the Constitution and therefore strongly establish an accepted office for the elected President.

Mr Goh Chok Tong: Mr Speaker, Sir, my statement just now had made it very clear that civil servants, ie, CEOs of particular Ministries or statutory boards have a constitutional duty to perform and, as CEO, I have made it very clear, as I have done in my statement, that if they have any reason to suspect that **reserves** are being drawn down, wittingly or unwittingly, they must indeed tell the President. In fact, it is a constitutional duty. If a civil servant who is required to do so does not do so, he is derelict in his duty.

The suggestion by Mr Simon Tay that we should, from time to time, raise in this House points which have been agreed to between the President and the Prime Minister, I think we can consider that. If it involves a matter of principle, I think we should let it be aired over here. But if it is just merely agreements on routine matters, I do not think we need to come to the House or we need even to go public on that. But where a principle is involved, a new principle in particular, where we have settled between the President and the Government, I think it is useful to keep the House informed.

Thirdly, whether we would entrench the Presidency in the Constitution, in terms of our inability to change the Article without his permission in the next term, I would not want to commit myself at this stage. I think it is better for us to work the system and be very satisfied that we have a good system before we entrench those powers in the Constitution. Otherwise, it is very difficult for us when we find that we should in fact do things in a different way to try to change the Constitution, because the President can block it. So I would rather err on the side of caution. I would say that we should try to entrench that within the next six years, but I would not want to commit myself at this moment.

Mr Goh Choon Kang (Marine Parade): Sir, this is a follow up question on the functions of the CPA. Can the Prime Minister say to what extent the views or opinions expressed by the President at his press conference were those of his own or they actually reflected the collective view of the CPA?

Mr Goh Chok Tong: Sir, I would not know the answer. But if I have to guess the answer, I think it was the President's own view.

Mr Chiam See Tong: Sir, I would like to ask a question about the NII. The Minister for Finance, Dr Richard Hu, said that the Government has got enough surpluses to tide over 1998/99 and the NII was held to be past investments from 1992 onwards. But suddenly it has now been changed to present reserves. What is the rationale behind this?

Dr Richard Hu Tsu Tau: No, it is not the rationale. You have just turned the question around. NII has always been current reserves. That is according to the Constitution. So there is no dispute over that.

Dr Lee Tsao Yuan: I would like to come back to this issue of the unpleasant encounters that the President had. The Prime Minister mentioned that civil servants have a constitutional duty to report to the President in the event of a drawdown of reserves. But has the President the right to query public servants directly regarding the areas of his constitutional duty? Secondly, would the Prime Minister undertake to investigate what were these unpleasant encounters that the President had or, maybe his Principal Private Secretary had, and also to ensure they would not occur again?

Mr Goh Chok Tong: Mr Speaker, Sir, when we talk about civil servants having the responsibility under the Constitution to report to the President, it is not all civil servants but only those who are designated with the responsibility to do so under the Constitution. The President has the right to call up anyone for information which he wants. It is for him to exercise that right if he needs to get further explanation of certain issues or figures.

As for the unpleasant encounters, I would not know unless the President raises them with me, privately or publicly, which he has done through the press conference. I thought he

would probably have identified the major unpleasant encounters in his long list of problems at the press conference, and we have addressed those episodes in Parliament earlier.

Mr Sin Boon Ann: Mr Speaker, Sir, I would like to go back to the question of the President's health. If the condition of the President's health is crucial to the consideration of support given by the Cabinet to a candidate, why was not the present candidate, who is 75 years old and is known to have had a bypass, required to submit a medical report, even if he is not required by the Constitution to do so? Instead, we require the same of President Ong.

Mr Goh Chok Tong: Mr Speaker, Sir, there is no legal basis for us to get the candidate to submit a medical report. We have asked him, and he has satisfied himself that he is physically and medically fit to stand for election.

Mr Inderjit Singh: Sir, while I accept all the explanations that the Minister for Finance has given on the technical issues that were raised by the President, I think one issue that still remains to be answered is that of the mindset changes that the President talked about, ie, the attitudes of the civil servants and some of the Ministers that he had encountered during his term in office. Does the Prime Minister intend to address these issues of attitude among the civil servants?

Mr Goh Chok Tong: Sir, it is a matter of conjecture that some civil servants and Ministers found his attitude to be a nuisance. Unless I go around asking the civil servants and Ministers whether they indeed found the President's checking on them a nuisance, I would not know whether it is true or not. So it is not necessary for me to send out a general circular to the civil service and the Ministers to change their mindset.

Dr Michael Lim Chun Leng (Cheng San): As health was the main reason why the Cabinet rejected, and also at the point in time, like what the Prime Minister said, we had supported the President even though he had lymphoma, as a doctor, we have always been taught that low grade lymphoma would be difficult to cure, but it generally runs a fairly long course. In this instance, what I want to know, and I think it is also public interest, unless the course of the disease has taken a drastic change to become a high grade disease, or the disease cannot go into total remission, there would be little reason for Cabinet not to support him, if the lymphoma remains as it was in the past. Perhaps the Prime Minister would like to clarify this.

Mr Goh Chok Tong: Mr Speaker, Sir, the President's low grade lymphoma has indeed transformed into high grade lymphoma more than a year ago.

Mr Low Thia Kiang: Sir, the Prime Minister said just now that unless he sends a circular to civil servants to find out whether anyone finds the President a nuisance, he would not know. I would like to ask him if he would tell us, in this House, whether he has asked any Minister here who finds President Ong troublesome and a nuisance.

Mr Goh Chok Tong: I do not think it is necessary. If he wants to ask this question in the House he should get the Speaker to go around asking each one of us whether we do so or not. I think it is totally irrelevant. The point is, no Minister has withdrawn any cooperation from the President, and when most Ministers see him, we call him "Mr President". There is no disrespect shown to the President whatsoever. So it is totally irrelevant for us to try and guess whether Ministers regard the President's performance of his duty as rather vexing to them. I think we have always cooperated, and we should cooperate, and we will continue to

cooperate with the new President.

Mr Jeyaretnam: Mr Speaker, Sir, I am sure the people of Singapore would have been very glad to hear the Prime Minister say in this House that the Government was not looking for sycophants to run for the post of President. If that is the case, what was the need for the Cabinet to shortlist certain people and then finally decide on Mr S. R. Nathan as the Cabinet's choice? Is it not better to leave the judgment to the electorate to decide who should be their President? Is the Prime Minister aware that there is a feeling among great many Singaporeans that they have been completely left out, cheated, of their chance to choose the President?

Mr Goh Chok Tong: Mr Speaker, Sir, the President has two roles. One is ceremonial, serving as a symbol of Singapore. The other are the custodial functions that he has under the Constitution. The two roles are now merged into one person and any Government would want to ensure that whoever becomes the President is somebody who can do Singapore proud, and can do the job competently. So we, as a Government, would therefore always have a vested interest to ensure that the right man emerges to become the President. But there is nothing to stop Mr Jeyaretnam from finding someone who qualifies under the rules to stand for election against somebody whom the Government supports, and the people can decide. In this instance, Mr Jeyaretnam has failed to find somebody who can become a contestant in the arena against Mr S. R. Nathan. There is no rule against it. It is within our right to try and get the best candidate for Singapore. Singaporeans are not cheated. In fact, our lament is not enough people are coming forward who can do Singapore proud in performing the role of the Presidency.

Mr Jeyaretnam: May I suggest to the Prime Minister that if he is sincere in what he said, the Government should now remove the restrictions on who should stand as President. The basic qualifications are laid down in the Constitution as for Members of Parliament. Let the public decide - not the Prime Minister, not the Senior Minister, nor the Cabinet - as to who should be the President.

Mr Goh Chok Tong: Mr Speaker, Sir, we have gone through these arguments when we debated the criteria for the Elected Presidency. I do not think we need to repeat them. We are looking for honourable men and women who can perform a particular function. You do not just want to have somebody who has bought and sold some shares, some private tutors or failed politicians, to demean the post of the Presidency, and let the people decide. We regard the Head of State as a very important institution and it is best that we have the right person who fulfils certain criteria to stand for election for that particular post, and the matter has been decided over here. Parliament has decided. The people have elected the PAP. This was an issue way back in the 1988 election. We won. We defeated the argument by Mr Jeyaretnam. So the people have spoken on this issue. We have got this through in Parliament.

Mr Jeyaretnam: Is the Prime Minister saying that this Government is not prepared to trust the intelligence of our people?

Mr Goh Chok Tong: We do not trust the opinions of certain politicians.

Mr Zulkifli Bin Baharudin (Nominated Member): Sir, Singaporeans heard of the President's problem through a press conference and today we are hearing the Prime Minister's clarification. I certainly think there is a better way for Singaporeans to know about the problems faced by the President and the Government. Is there a way we can find where we

could discuss these problems, know about them, without having risk agencies downgrading us and without causing concern among the population?

Mr Goh Chok Tong: Sir, that is the choice for the President. He has chosen to go public with the press conference. I have chosen to come over here to explain and face MPs in answering any questions that they may have. I do not choose a press conference to rebut the points raised by the President.

Mr Speaker: One last question. Mr Tay.

Mr Simon Tay: One of the details in the President's press conference which caught the attention of the people was the reference to the reply of the civil servant saying that it would take 52 man-years. We have heard clarifications that it was 56 man-years. May I ask the Prime Minister, given that the President has a right to access the information under Article 22F of the Constitution, is it, in his opinion, the right thing for a civil servant to tell the President roughly how much time it would take to answer his question? Is that fulfilling the duty under Article 22F? Secondly, whether in his own experience as Prime Minister, civil servants come to him and before answering his questions, tell him roughly how many man-hours it would take?

Mr Goh Chok Tong: Sir, I have seen a copy of the minutes of the meeting where the President asked for the information to be given. I have read the minutes and there was no indication whatsoever that the Accountant-General was being disrespectful or rude. The President wanted certain information and it is quite right for the Accountant-General to explain that, "Mr President, Sir, if you would like to have all the lands owned by the Government valued, it would require 56 man-years." I saw the minutes. The minutes were approved by the President. It was entirely obvious to me that this was a very normal discussion between a respectful civil servant and the President.

The Senior Minister (Mr Lee Kuan Yew): Mr Speaker, Sir, the exchanges this afternoon establish two important principles. First, this new institution which we have established can function. In a way, it was perhaps as well that the President chose in his farewell press conference to vent his frustrations. He left the Government with the unpleasant task of having to rebut him in public. I have heard the exchanges this afternoon, and I would like to add these few points.

The integrity of the Government is of crucial importance to Singapore. Many people do not like what they call the authoritarian, dictatorial attitude of the PAP, which I have led since 1959. That was 40 years ago. We started with a **reserve** of about \$50 or \$60 million in the kitty. We are now able to guard for the future of Singapore, and the troubles we may run into from time to time, over S\$150 billion. It's not as big as the Saudi oil **reserves**, but it is not peanuts.

So before my colleagues and I became unable to function, we discussed amongst ourselves whether we could trust a future generation to exercise the same prudence, the same care, over what we have accumulated and may need in the future. It is an open secret that some of my colleagues think that I am attempting something which is futile. Because if a generation is determined to spend its way through its patrimony, it will go back from rags to riches to rags. But at least we should have some mechanism to get the people to pause. Let me explain how a government works.

I had been in charge of the CPIB from 1959 to 1990. It has not got a huge, enormous apparatus ferreting out what is going on in immigration and the customs, and in tenders. But it has experienced investigators who can detect signs, and you can always be sure that when something wrong is taking place, and somebody is being shortchanged, that matter will come out.

Dr Lee Tsao Yuan worries about whether the President is given the right information. Let us suppose for one moment that what my colleagues and I feared did take place - that we have a spendthrift, reckless, adventurous, opportunist government that is willing to spend its way to prosperity, and is stripping off the family heirlooms. Does anybody in this House believe, in the culture that we have created, that public servants will quietly see their pensions go down the drain? Because as these **reserves** are drained away, the value of our currency will drop, as the rupiah dropped. They are going to take every step to protect their future, and will do so. And that is how the CPIB works. Have no doubts, I have no doubts, people will go and see the Auditor-General, lower officials, if the Permanent Secretary or the CEO of a statutory board is not on the job, and say, "Look, this is something dreadfully wrong. And this will lead to all of us being left with nothing."

But, as Mr Lim Kim San and Dr Goh have argued with me before we brought these provisions to the House, a good mobiliser can play ducks and drakes with the electorate and swing it around against the President and his Council of Advisors, and can get it through a referendum, then all is lost. But if you have these checks, you have certain hurdles, obstacles, then I hope that there will be people in this House, in spite of a large majority for the Government, who will say, pause, think about it before you take this step. Unlike Indonesia, Malaysia or Thailand, you have nothing to pledge to the World Bank. You have not got hidden **reserves** of oil, gas, uranium, copper or gold. It is that kind of climate of integrity, high standards that is our best protection.

So we put up with a lot of frivolous, irrelevant attitudes from some opposition members. What we have embarked on is for a very serious purpose. Why should I, before I stepped down from office, put impediments in the way of my successor, if I did not believe that this obstruction, this inconvenience, could prove to be a very valuable break, a circuit breaker, if the need were to arise? Today's exchange, as a result of what the President said on 16th July, was useful as part of the education of our people.

Mr Jeyaretnam: May I ask the Senior Minister - I am glad he is in the House - in his interview to the press he has said then that the President is not a check on the Government, that it must be the Opposition who will be the check on the Government. Is he then saying that the President was never intended to be a check on the Government?

Mr Lee Kuan Yew: I think there is something obtuse about the Non-Constituency Member.

In the context of the Q&A, I pointed out that those who were hoping that the President could act as a counter-force to the Government, they were wrong, because all he can do is to protect the **reserves** and protect the integrity of appointments. If you want a counter to the Government, a check against the Government, you must have them in the Opposition, and the Opposition to be an effective counter must offer a credible alternative, which unfortunately Mr Jeyaretnam, since 1972 when he first stood for elections, has lamentably failed to do. Therefore, however I answer him, it does not really matter, because at the end of the day,

does he present an alternative? This is really at the heart of our problem, that until there is a viable alternative to the present Government, to the PAP, it is imperative that the PAP must have checks and balances within itself, or all would have gone down in the last 40 years.

For 16 years from 1965 to 1981, when Mr Jeyaretnam was first elected, there was no Opposition in this Parliament, but we had the system, of everybody being informed, the wheels of the system were kept going. When he came in, the system was functioning. I did not believe that the one-party system that many African countries had constitutionally legislated for was good for the country. It is bad for the PAP MPs if every time they went for election, only PAP candidates can stand against them. The very fact that they can be contested, and that the people want some opposition, keeps them on their toes. So the system works. It behoves us to remember that the system works only if there are men and women of integrity to man it. And that is easy to lose. Look at Vietnam, look at the People's Republic of China, they were led by men who were prepared to sacrifice everything for a cause. In power, with the cultural revolution, standards went down. In power, after they opened up in Vietnam, the whole country is awash with corruption and they have had to hang their bankers, their customs officers. I think we can take pride that we have been able in 40 years of PAP government and maintained the integrity of the institutions of the state.

Mr Low Thia Kiang: May I seek clarification from the Senior Minister? Is the Senior Minister implying that even with the PAP, the dominant party, continuing as Government, he has no confidence and that the PAP may one day produce a government that will squander the **reserves**, thereby you need the checks and the circuit breakers?

Mr Lee Kuan Yew: I fully concede that. I cannot tell Mr Low Thia Kiang what his grandson will be. I know what he is. I do not know what his son will be, never mind his grandson. A society goes through many phases. Those who missed the hardships of the Japanese Occupation will not understand my generation. Those who were born after the PAP formed the Government may believe that better roads, schools, hospitals, facilities come as the natural order of things. I do not blame them. Therefore, this setback which we had, which could become much more serious, was a reminder of how things could go dreadfully wrong. One day President Suharto was supreme; in 1997 he mismanaged a crisis. In May 1998 the country began to unravel. It is a natural sequence of the passing of the generations. He had to face a generation of Indonesians that no longer shared with him - the fight against the Japanese, against the Dutch - but a generation that had increasing frustrations and anger at what they saw was mismanagement of their resources.

Can I say that my successors will be as fortunate in passing on the baton to their successors? Can Mao Zedong predict that Deng Xiaoping would inherit his mantle because he castigated him and rusticated him three times? Can Deng Xiaoping predict that Zhao Ziyang would fail him? Or that Jiang Zemin would stay for so long? Can Jiang Zemin be certain that his next president will be as wise and astute? Nobody could foresee what happened. Therefore, we try our best to have institutions in place. They are not perfect. In the end, they may all fail. Then your and my grandsons will be the worse for it.

Mr Jeyaretnam: Mr Speaker, Sir, the Senior Minister, I am glad, has finally conceded a place for the Opposition. But he says there is no viable alternative. May I ask who is responsible for this? Is it not his Government which has gone out of its way to prevent a viable alternative coming up in this country?

Mr Lee Kuan Yew: I would have thought by his persistent questioning he has given the answer to the public.

Dr Lee Tsao Yuan: Point of clarification, Mr Speaker. I would just like to clarify the point whether the Elected President is a check and balance against the Government or not. I fully understand the point that the powers of the President are custodial. But I would like to quote from Hansard of 4th October 1990 from the then First Deputy Prime Minister, now Prime Minister [Hansard Vol. 56, No. 7, col. 461]. I quote:

"My Cabinet colleagues and I believe that a good system of government must have checks and balances. There are inadequate checks in our present parliamentary system of government. [This is in argument of the Elected President.]

Bear in mind that in introducing this Bill, the present Government is in fact clipping its own wings. Once the Constitutional amendment is effected, this Government will have some of its powers checked. The new Prime Minister will need to seek the concurrence of the President in certain key areas of government. I will be the first Prime Minister to be subject to these new checks and safeguards.

It is this same desire of wanting to check the potential abuse of power which prompts us to introduce additional checks on the government in three new areas, not mentioned in the first White Paper [referring to the ISA, proposed Maintenance of Religious Harmony Bill and CPIB investigations]."

So, pardon me if I am obtuse, Senior Minister, but I thought I would like to ask for clarification on this point.

Mr Lee Kuan Yew: This is a technical point which Members should know. The Prime Minister, when he was First Deputy Prime Minister, made this statement when he moved the Second Reading of the Bill. He is not a lawyer by training. Therefore, he uses words in a non-legal way. If I had delivered that speech, I would not have used those words because "clipping one's wings" would evoke in my mind the swans we have at Botanic Gardens. They are there because they cannot fly away. And I would not have used that metaphor because I would not want a Prime Minister who cannot get up on his feet and do what he wants.

The powers are enshrined in the Constitution. Never mind what the Ministers or Prime Minister say when they move a Bill. The Bill goes through the process. It goes to a Select Committee. It comes back. Finally, it goes through the Third reading. It is usually a perfunctory ritual. But it underlines the fact that you have read this for the Third time and these are the words that define the powers. Therefore, I was surprised to see this academic constitutional lawyer from our university - and I was alarmed when I read he is teaching our students constitutional law - that he had not read our own Constitution and that he believed that the President was partially ceremonial and partially executive. If he had read the provisions, he would know that in no Article or sub-Article of the Constitution is the President given executive power. He has a certain veto, a certain blocking power. Partly because I was, by training, a lawyer, so as the principal provisions were enacted, I took some care to make quite sure that this mechanism we were putting into place would not obstruct a government from doing what it legitimately should be able to do. Take the Constitution, read it, quote the Constitution to me and if we disagree on the meaning, there is the court. You cannot quote the Prime Minister and say, "On that basis, I ask the President to clip his

wings." I strenuously recommend against that.

Mr Jeyaretnam: May I ask the Senior Minister, when he says that the President has no executive power, is his decision to say "no" to the Government's proposal to use the **reserves** not an exercise of executive power?

Mr Lee Kuan Yew: I am not here, Mr Speaker, to show that I am a better lawyer than the Non-Constituency Member. The Prime Minister has quoted the Attorney-General's authority to read out certain passages, and the Attorney-General is prepared to go to court and argue that the President has no executive power. I was a lawyer. I have ceased to practise the law. I still understand certain basic principles but I always take advice, especially before I sue for defamation. I always consult people who are specialised in that practical branch of the law and who assure me that I have a foolproof case. Then I proceed.

Mr Jeyaretnam: May I ask the Senior Minister why has he not proceeded with his case?

Mr Lee Kuan Yew: I leave that to my lawyer, Senior Counsel Davinder Singh, who has great competence and is acknowledged as one who is extremely circumspect, knows exactly how to put a defendant in his place.