

?? Why this veil must be lifted

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COMMENT

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EVERYONE can spout opinions, but there can be only one set of facts.

The moment you veer from those facts, your assumptions are wrong, your views are skewed, and your protests hollow. That is why the Government went into unfamiliar territory and declassified confidential documents relating to discussions on bilateral issues with Singapore.

Removing the official seal from correspondence between Tun Dr Mahathir Mohamad and Lee Kuan Yew and lifting the veil on what was said behind closed doors between Prime Minister Datuk Seri Abdullah Ahmad Badawi and Senior Minister Goh Chok Tong in 2005 was about as popular with government leaders as flossing the teeth of a tiger.

The popular view among ministers was that negotiations between leaders of countries are best kept out of the public domain. Otherwise, foreign leaders would be wary of negotiating with Malaysia, especially on delicate matters.

But an exception had to be made this time.

Not because Dr Mahathir raised a stink on the Government's decision to abort the bridge project. Not because the former prime minister called the Government "half-past-six" and gutless for calling off the bridge project.

But because Malaysians deserve to have the full facts on the genesis of the bridge project and the reasons why the Government called time on it. They had been fed a steady diet of innuendoes, half-truths and unsubstantiated allegations for far too long.

The result: confusion and disenchantment on the ground.

Today, there will be more clarity. Today, they will know that it was Dr Mahathir who put the issue of allowing Singapore access to Malaysian airspace on the negotiating table. Today, they will know that it was Singapore, and not Malaysia as alleged by Dr Mahathir, who broached the subject of supplying sand to the republic.

Today, they will know that the water pipelines on the Causeway cannot be removed by Malaysia with the simple matter of giving the republic six months' notice.

Today, they will know that Singapore was not in favour of the bridge from Day One and had to be coaxed, persuaded and

offered sweeteners to come on board.

But today will also bring some questions for Malaysians.

Chief among them: Why wasn't the advice of the Attorney-General's Chambers sought when the idea of the half-bridge was proposed?

The only comprehensive legal advice was obtained by the Government that inherited the project.

And this is what the A-G's Chambers said: Malaysia could not proceed to build a bridge unilaterally because of various legal implications. In particular, Malaysia had obligations under the Johor-Singapore water agreements 1961 and 1962, the Wayleave Agreements, and the Separation Agreement 1965. There were also legal implications for the rail service under the Singapore Railway Transfer Ordinance.

Surely, with this legal fact on the table, no responsible Government could have harboured any illusion of being able to build the crooked bridge unilaterally.

