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THE ADMINISTRATIVE ASPECTS OF THE MALAY SULTANATES IN MALAYSIA

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ADMINISTRATIVE ASPECTS OF THE MALAY SULTANATES IN MALAYSIA

Despite numerous writings on the indigenous Malay polity, there has been no real focus on one aspect of the subject, namely, the traditional system of administration. Neither visitors to the Malay states in the days before the establishment of British administration nor later students of Malay society have shown a sustained interest in the subject. Existing literature reveals that what is best understood about the history of Malay society is the subject of power politics.

While it is naive to believe that the political can be totally divorced from the administrative, some general distinctions must be made for relevant emphasis. It would not be inappropriate to [illegible] administration as more specifically the implementation or execution of [illegible] rules, decrees, and the like rather than the process of authority and power, which is what politics is basically [illegible].

Many other problems are also encountered in discussing the traditional Malay system of administration. The Malay Peninsula was, in the early [illegible] a single political entity. The Melaka Sultanate alone, at the height of its power in the 15th century, came close to embracing the whole of the Peninsula. And indeed it seems quite certain now that subsequent [illegible] tended to look to Melaka as the source of [illegible] writ.

Even then it would be unduly simplistic to take the Melaka olitical system as representative of the political systems in all the alay states which existed subsequent to it. The whole process of istorical development was extremely complex and it cannot be ignored. ortunately, it is possible to establish that, historical developments nd local variations notwithstanding, there was a basic political tructure shared by virtually all the Malay states except Negeri Sembilan.[1]

Still, in attempting to present an overall picture of the ituation which obtained in the Peninsula, there are risks of over-implication, if not distortion. The generalizations made here are based n examples culled from the usually brief reports of various visitors o the different parts of the Peninsula. It is undeniable that these are often isolated reports. Apart from being sketchy they do not permit proper reconstruction of the existing situation in a particular place nd at a particular time.

One more major problem remains. Discussion here, as far as ossible, will be confined to what may be claimed to be indigenous ractices or, at least, traditions which had long been in vogue and were diluted by Western methods and usages. For this reason, only minimal eferences will be made to two states namely 19th-century Peninsular

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[1] Negeri Sembilan, which subscribes to a matrilineal system, is not, as in the case of the other states, based primarily on territorial organization. Kinship ties form the basis of socio-political relationships except at the very top. Negeri Sembilan's peculiar situation will not be discussed here.

Johor and post-1821 Kedah. In the case of Johor, it is now well known that, since the early 19th century, Western influence became increasingly marked there and the introduction of a bureaucratic type of administration had begun by at least the middle of the 19th century.[2] What emerged subsequently was a synthesis of the indigenous and that which derived from the West.

The Kedah situation somehow has escaped the notice of historians. There are two major factors to bear in mind when discussing 19th-century Kedah. Firstly, it was subjugated and ruled by Siam from 1821 to 1842; secondly, it subsequently came under the direct influence of the British who had established themselves firmly in Penang since 1786. Undeniably, Kedah's political structure after 1842 was still basically that of the traditional Malay model.[3] But the society had suffered severe trauma. For one thing, drastic depopulation had taken place.[4] Perhaps even more important still, the entire polity was annihilated for a period of 20 years. The process of reconstruction proceeded apace after 1843 but it

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2. See Muhammad bin Haji Alias, Tarikh Bentara Luar, Johor Bahru, 1928, also Khoo Kay Kim, "Johor in the 19th Century: A Brief Survey", Journal of the Historical Society, University of Malaya, Vol.6, 1967/68.

3. See Sharom Ahmat, "The Political Structure of the State of Kedah, 1879-1905", Journal of Southeast Asian Studies, Vol.I, No.2, 1970, p.115.

4. Most of the Kedah Malays migrated to Province Wellesley. In 1820, there were less than 6,000 Malays there; in 1850, the figure had risen to 54,000. See C.M. Turnbull, The Straits Settlements 1826-27, From Indian Presidency to Crown Colony, London, 1972, p.14.

was starting virtually from scratch.[5] By then Malay states close to the Straits Settlements (founded in 1826) had become very aware of Western practices. The reign of Sultan Ahmad Tajuddin Mukarram Shah (1854-1878) saw important developments in Kedah. For example, a modern school was established and a teacher from Singapore employed. A military force was inaugurated and a Dutch convert to Islam was engaged to train the troops.[6] The process of synthesis had begun not unlike the situation in Johor.

It would be ideal, of course, if discussion of Malay socio-political systems could be confined entirely to the period prior to the 19th century; but the dictates of sources make this very difficult. Indigenous sources themselves are all too scarce, and those that exist do not easily permit a micro-study of the traditional administrative system. The Malay historian in earlier times had to be mainly preoccupied with the ruling elite upon whom he depended for patronage. He wrote for them rather than for the populace at large.

It has been said, for example, that when the Sultan returned to Kedah in 1843, the town of Alor Setar had become a jungle with only two or three houses: see Wan Yahya bin Wan Mahamad Taib, Salasilah atau Tarekh Kerja-an Kedah, Alor Setar, 1911, p.11.

See Muhammad Hassan bin Datuk Muhammad Arshad, Al-Tarikh Salasila Negeri Kedah, Kuala Lumpur, 1968, pp.208-11, 218-22. It is believed that it was also during the reign of this ruler that the traditional chieftainships (orang besar bergelar) were abolished completely: see J. de V. Allen, "The Elephant and the Mousedeer - A New Version: Anglo-Kedah Relations, 1905-1915", Journal of the Malaysian Branch Royal Asiatic Society (JMBRAS), Vol.41, pt.1, 1968, p.55. The orang besar system in fact had been changed even before the Siamese invasion, specifically during the reign of Sultan Ahmad Tajuddin Halim Shah (1804-43). Prior to that, Kedah appears to have adopted the multiple-four system of which has survived in Perak to this day. On the chieftainships in Kedah, see Datuk Wan Ibrahim, "Gelaran2 Pangkat dalam Negeri Kedah Pada Zaman Dahulu" and "Gelaran2 Orang Besar Kedah Pada Zaman Pemerintahan Marhum Sultan Ahmad Tajuddin II &c.", Kedah Dari Segi Sejarah, Jilid 3, bil.1, 1968, pp.31-2.

It is of fundamental importance to note that in the traditional Malay kerajaan[7] the source of all authority was the institution of Yang di Pertuan (he who is made Lord). Together with Islam, monarchy as also other aspects of adat[8] became deeply entrenched in Malay society. The political system allowed for frequent power struggles and, often, civil war determined who among equals ought to rule. Non-members of royalty might support one candidate or another but they never themselves became candidates. Succession, under normal circumstances, was decided by election. The elective body usually comprised the Kerabat Diraja (members of royalty closely related to the ruler) as well as the higher-ranking titled chiefs. The candidates could be not just the late ruler's children but also his uncles, brothers or nephews. There were a number of guiding principles governing succession. For example, preference ought to be given to the eldest son if his mother was of royal blood (anak gahara). In most states, the person most likely to succeed would have received the title of Raja Muda. In practice, however, succession was a major

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7. Kerajaan more clearly conveys the Malay concept of state than negeri which, because it has traditionally subsumed a range of connotations, cannot now adequately transmit a specific idea. It is only in recent times that it has been used as the Malay equivalent for the Western concept of "state". (See Khoo Kay Kim, The Western Malay States, 1850-1873, Kuala Lumpur, 1972, p.3. for examples of earlier uses of the word kerajaan).

8. In the past this term was usually translated as "custom". This was the case in all treaties between the Malay rulers and the British administration. Such a translation is inaccurate as, in popular parlance, the word "custom" tends to refer to general habits and observances while adat, in fact, referred to all existing institutions. However, the word was defined accurately, and indeed copiously, in R.J. Wilkinson's A Malay-English Dictionary.

problem. This was one of the more unstable features of Malay polity. Succession disputes not only led to civil wars but also encouraged a propensity on the part of contending candidates to seek assistance from outside the state - from neighbouring kingdoms or the Siamese, or Western powers, namely, the Portuguese, the Dutch and the English - at one time or another.

The frequency of conflicts notwithstanding, the institution of monarchy provided the only true element of cohesion in every Malay kingdom. It symbolized the integrity of the state and provided the bond which held together the total society. Hence the Malay kingdom was known as a ke-raja-an (the state of having a raja). Legitimacy emanated from the ruler; hence all the ministers and officers must be formally installed by him. One such ceremony was witnessed by an English visitor to Perak in the early 1820s:

> The Raja having requested my presence at the ceremony of administering the oath of allegiance to some ministers and officers, I accordingly attended at the hall. A large concourse of people were assembled. The chiefs and their attendants were seated on carpets and mats on the floor. In front of the sopha on which the Raja sat, were arranged the following articles, a low stool on which lay the Koran, and a large jar of consecreated water, on the top of which was a model of a crown. The Raja advancing, dipped the regalia, consisting of armour, in the water, and placed them against a pillow.
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> The new ministers and other officers then approached and had the oath tendered to them. This oath consists of two parts and is very short. The first part is the promise of fidelity, the second imprecates every calamity to afflict the juror and his family to remote generations should he betray the trust and confidence reposed in him.... The ceremony was concluded by a discharge of fifteen guns - after this we partook of some preserved

> fruits and confections composed of rice, flour and sugar and having shaken hands with the Raja and his principal men, a custom they adopt most heartily, we returned to our temporary home.[9]

Despite the seemingly unlimited authority reposing in the ruler, it was always understood that he was not the sole decision-maker. Traditional Malay historical works never ceased to insist that each important decision was arrived at by mesyuarat dan muafakat (consensus achieved through discussion).[10] Hence, it is stated in the Sejarah Melayu:

> ... no ruler, however great his wisdom and understanding, shall prosper or succeed in doing justice unless he consults with those in authority under him. For rulers are like fire and their ministers are like firewood, and fire needs wood to produce a flame.[11]

In 1861, a Perak ruler found himself vehemently opposed by his principal officers of state because he had granted a concession to a foreigner without consulting them. The Raja Muda, at the head of the opposition, explained:

> Eang de Per Tuan /Yang Di Pertuan/ himself can do nothing without my knowledge and that of the other Orang Besar as I am the Wakil of the Eang de Per Tuan and brother and his Successor to the Sovereignty of Perak with equal powers. Now the Eang de Per Tuan in this case has not consulted me nor even informed me of it and I in no account will consent to its being farmed to any person of another country.[12]

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9. Lt. C. J. Jam[illegible]low, "Observations on Perak", Journal of the Indian Archipelago and Western Asia, Vol.4, 1850, pp.503-4.

10. See, for example, Raja Chulan, Misa Melayu, Kuala Lumpur, 1962, passim; Raja Ali al-Haji Riau, Tuhfat al-Nafis, Singapore, 1965, passim. The Misa Melayu is believed to have been written in the late 18th century and the Tuhfat al-Nafis in the mid-19th century.

11. C.C. Brown, Sejarah Melayu; "Sejarah Melayu or Malay Annals", JMBRAS, Vol.25, Pts.2 & 3, 1952, p.124.

12. [illegible] Kay Kim, The Western Malay States, pp.127-8.

Faced with this opposition, the ruler cancelled the concession.

Often, in historical works, a particular ruler is described as a strong personality and, therefore, having a firm grip on the country's administration. But, in effect, the ruler who could rule more assertively was usually the ruler who enjoyed loyal support from the majority of the ruling class. In many instances, this was the result of a victory achieved in the course of a civil war. The ruler would then proceed (and he had the authority to do so) to place those who had fought for him in positions of responsibility. This could be done in one of two ways: (i) the traditional chieftainships could be removed from the control of recalcitrant chiefs and conferred on those who supported the new ruler; or (ii) offices could be left vacant when refractory incumbents died and persons of the same family who expected to fill such positions were left out in the cold.

The ruler had to rely heavily on immediate loyal support, there was no elaborate machinery with which he could quickly impose obedience. Or, perhaps more important still, his position was never very secure with so many other candidates eligible for the throne lurking in the background. He had, therefore, to strengthen personal ties with the more influential chiefs, often by marrying their daughters. Further, he had to allocate appanages to members of royalty to keep them at peace. The same applied to the majority of titled chiefs. But, political problems apart, the ruler played a direct role in administering his kingdom within the confines of the state capital.

In general, it is not far-fetched to say that the Malay kingdoms were port states. Each was initially established at and developed from a base located in the lower reaches of a major river. In fact, every one of the Peninsular states, except Negeri Sembilan, derived its name from its principal river. The capital of a state was the place of residence of the ruler. Some of the capitals were stable (for instance, Kuala Kelantan and Kuala Trengganu); others tended to shift from one locality to another, especially under pressure from external attacks. Perak represented the extreme example of a state with the capital continually shifting. Almost no single place was chosen as the capital twice. But, irrespective of where the capital was located, the traditional Malay kerajaan was strongly focused on the capital. Until external factors brought radical changes to the Peninsula in the 19th century, the capital was also, in many cases, the principal port of the kingdom. It is a moot point whether Malay societies in earlier times were, in fact, agrarian based, Kedah, however, being an exception.[13] The available evidence tends

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13. There is evidence that by the 1750s, if not earlier, Kedah had become an important rice exporting state. The Dutch government at Melaka relied on it and took great care not to fall out with Sultan Muhammad Jiwa over his other trading ventures in case he interrupted this trade. Rice was also sent to Riau, capital of the Johore empire. See Dianne Lewis, "Kedah - The Development of a Malay State in the 18th and 19th Centuries" in Anthony Reid and Lance Castles (eds.), Pre-colonial State System in Southeast Asia, Monographs of the Malaysian Branch of the Royal Asiatic Society, No.6, 1975. About a century later, it was still said of Kedah that "it possesses a greater extent of open plain and paddy land than any other country to the eastward of the Peninsula; its area is 4,500 square miles, and its population is supposed to amount to 24,000.... Kedah supplies Penang largely with rice, and is still more useful adjunct from its numerous herds of cattle and buffaloes; in fact, in this particular it is the chief supply for the whole Straits as far as Singapore."

Cont'd...

to suggest that most of the other Malay states were dependent on imports of rice, especially from Java. In other words, commercial activities tended to be dominant. The strength of every Malay kingdom varied with the success or failure of its trade.[14] Exports and imports were usually channelled through the capital. The ruler and his agents fully enjoyed the opportunities available for pecuniary gains when a particular port (if it was also the capital) became popular among foreign traders even if they derived from only countries within the region.

Because many of the Malay states tended to function largely as emporiums, the centre was all important and the periphery, by comparison, often of little consequence except when a particular area became the centre of mining (for example, Larut and Kelang in the mid-19th century) or a trading depot (as in the case of Kuala Lumpur in Selangor and Linggi in Negeri Sembilan, also in the mid-19th century). Such a territory would unavoidably attract the attention of the ruler who would then endeavour to place a person whom he trusted as the administrator.

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13. Cont'd.
(Colonial Office 273/24, India Office to Colonial Office, 4 September 1868, encl. Col. H. Man to Sec. to Govt. of India, 29 February 1868. Col. Man was the last Lieut.-Gov. of Penang before the Transfer of the Straits Settlements to the British Crown in 1867).

14. For a graphic description of this situation in 17th and early 18th century Johor, see Leonard Y. Andaya, The Kingdom of Johor, pp.38-44.

In the capital itself, it was common for most matters to be referred directly to the ruler. In other words, he played a direct role in administration. Some French visitors to Kuala Trengganu in 1769 were to witness the administration of justice. One of them recorded:

> As the King of Tronggannon was absent when we put into his realm, one of his uncles was in charge of the Government. He was very elderly and his special function was to administer justice. We witnessed an execution carried out there.... A young Malay had disappeared a fortnight earlier, some of his belongings were found on another Malay who was immediately arrested and questioned by the Headman of the town. He was asked how he had come about the young man's effects; he said he had found them in the wood where the Malay had been killed. He denied that he had committed the crime, but his answers to the various questions put to him showed that he was the murderer.... When the questioning was over, the culprit was sentenced to death and the execution set for the next day.... He was taken in a boat with his hands tied behind his back and accompanied by twelve rowers. There was a kind of pointed fork on the brow of the boat with a small yellow flag; from time to time one of the rowers announced to the sound of a tamtam that any who committed a similar crime in the King's realm would suffer the same fate.[15]

The same Frenchman described the ruler as "his kingdom s only merchant".[16]

It was also said that:

> The King ... does all the sea trade on his own account with Europeans, he also owns several boats that go to Cambodia, Siam and other places, he also charters the ships of these people to bring rice to meet the needs of his subjects.... Numerous boats also come from Java bringing them rice and a few goods.[17]

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15. John Bunmore (tr.), "French Visitors to Trengganu in the Eighteenth Century", JMBRAS, Vol.46, Pt.1, 1973, p.153.

16. Ibid., p.153.

17. Ibid., p.148.

In 1827, an English merchant wanting to trade in the interior of Pahang also had first to call on the ruler at Kuala Pahang. He recorded

> Met the Rajah of Pahang by whom I was well received, I requested permission to proceed to the gold mines, to dispose of my goods, which he refused to grant, for the following reasons, it being very troublesome and not to be performed in less than 40 days' hard pulling.
>
> Being a stranger and a European, some unforeseen accidents might occur, and my disposing of my goods to the natives in the interior might cause trouble.[18]

The Englishman had perforce to cut short his stay in Pahang.

In other words, the ruler of a Malay state controlled all aspects of life within his domain although, in practice, his involvement in the actual government of his realm was often indirect. It was common for a ruler to appoint various persons to act on his behalf. Through them he could also mobilize his subjects at the lower level of society for there existed in traditional times the institution of kerah (very generally comparable to the corvee system in Europe). The following is a description of the kerah system in practice - in the 1860s, when the Sultan of Kedah wanted to construct a road to Singora:

> ... [he] called on all his ryots for assistance; they were forced to labour at considerable distance from their homes, not only without wages, but having to provide their own food; the line was carried through some deep jungle and swampy land; many caught fever and died, and many more carried their families across

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[18] Charles Gray, "Journal of a Route Overland from Malacca to Pahang, across the Malayan Peninsula," Journal of the Indian Archipelago and Eastern Asia, Vol.6, 1852, pp.372-3.

our boundary /into Province Wellesley/ and abandoned their allegiance.[19]

Clifford who had vast experience of Malay society has provided a useful concise description of the traditional Malay administrative structure, he wrote:

> Under the Malay feudal system the country is divided into a number of districts, each of which is held in fief from the Sultan by a Dato' or District Chief. These districts are sub-divided into minor baronies, each of which is held by a Dato' Mudà, or Chief of secondary importance, on a similar tenure from the District Chief.[20]

It is not certain that in every sultanate, the districts were "sub-divided into minor baronies' nor is it wholly correct to say that those who held the title of Datuk (previously spelt Dato' or Datoh) were always territorial or district chiefs. Clifford also neglected to mention that there was yet a smaller unit of administration - the kampung.

District chiefs were generally one of two kinds: the resident and the absentee. Perak and Pahang were two states where the district chiefs (non-royalty) were found in their own appanages (pegangan).

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19. Col. H. Man to Sec. to Govt. of India, op.cit. The above is merely a specific example of the human resources available to a ruler and, to view it from a different perspective, the absolute authority the ruler had over his subjects. The moral tone of the report is not immediately relevant here; it was common then for British officials to denigrate indigenous institutions by subtle distortions. Suffice it to say that the institution of Sultan, as distinct from the person, was held in reverence by the society at large, hence its permanence.

20. H.C. Clifford, "Expedition to Trengganu and Kelantan", in JMBRAS, Vol.34, Pt.1, 1961, pp.68-9. The term "minor baronies" was probably a reference to mukim which was an aggregation of villages with a sufficient number of houses (40 at least) to have a mosque.

Perak situation was described by a Malay writer in 1872 in the
llowing manner:

> Each of the chiefs has his own subjects (anak buah) and his own rules for them and each lords over his subjects with no one having authority over another's subjects but all the chiefs forgather before the Raja. The situation is quite unlike English practices where each officer has his own rank and he who is of higher rank can command another of lower rank.[21]

the Pahang's system showed an interesting variation - the hierarchical
stem was more rigidly structured although both states subscribed to the
ltiple-four system of major chiefs.[22] In Pahang the 16 chiefs came
rectly under the control of the 8 who in turn were directly subordinate
the 4. All were territorial chiefs but, unlike the situation in Perak,
y the 4 major chiefs could be deemed to have appanages of their own,
others administered territories within the four appanages.[23]

In the case of Kelantan and Trengganu, developments in the 19th
ntury eventually saw the emergence of members of royalty as district
iefs. With regard to Trengganu, it was said that:

Muhammad Ibrahim Munsyi. Kisah Pelayaran Muhammad Ibrahim Munsyi, Johor, 1956, pp.74-5.

The chiefs were divided into several hierarchical categories: the 4, the 8, the 16 and, in the case of Perak, the 32.

W. Linehan, "History of Pahang", JMBRAS, Vol.14, pt.2, 1936, pp.197-8.

There is no evidence that payments of dues to the ruler were strictly observed for there was no means by which the ruler could check the exact amount of taxes collected for no record, it appears, was ever kept.

Clifford once described the district chief in the following manner:

> The hereditary chief of a district in Malay countries is usually related more or less closely by ties of blood with the people over whom he rules. He has been born and bred among them, has wed their womenfolk, lived their lives, shared in their troubles and their good fortune, more especially the latter, and even at his worst knows and is known most intimately by them, and cannot but be largely in sympathy with them.[26]

Clearly Clifford was describing a situation which existed prior to developments in the second-half of the 19th century which saw the apportioning of important districts to members of royalty not only in Kelantan and Trengganu but also Selangor.[27] In the new situations which emerged obviously the relationship between the district chief and the people over whom they administered became more formal because such new district chiefs were members of royalty. Therefore, by the 19th century, administration of the other districts in many Malay states became increasingly more dependent on the headmen at the village or kampung level which was the smallest unit of administration.

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26. H. Clifford, "A Journey Through the Malay States of Trengganu and Kelantan", The Geographical Journal, Vol.9, No.1, 1897, p.17.

27. See my article "Traditional Malay Polity: Two Preliminary Case Studies" in Federation Museum Journal, Vol.XIII, New Series, 1968, p.89.

Each kampung, except in the case of Negeri Sembilan, had a headman who, in a situation where the political system was more elaborate, was responsible to the chief of a sub-district. Where a less elaborate system existed, as in Selangor before the mid-19th century, he was in direct contact with the district chief. It is sometimes assumed that the village headman was necessarily called a penghulu. Although penghulu is the most comprehensive generic term which can be used for the local headman, not every local headman in a Malay village was called a penghulu. Penghulu merely meant a headman; his jurisdiction could be considerably more extensive than that of a single village. This was certainly the case in Trengganu during the reign of Baginda Omar (1839-1876). He ascended the throne after a prolonged period of power struggle and found it prudent to replace a number of district headmen (who proabably had been his adversaries) with penghulu who were directly responsible to him. When Clifford visited Trengganu in the late 19th century, he still found many of the districts under the administration of penghulu. He remarked:

> In Ulu Trengganu, where the population is very sparse, these Peng-hulu have a greater extent of country under their charge than is customary in other parts of the State.[28]

In Kelantan, the term penghulu seems not to have been used in the 19th century, that is, before the advent of British administration. The administrative structure appears a little more complex than which obtained in the other Malay states. Between the village and the district,

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28. See Clifford, "Expedition to Trengganu and Kelantan", p.79.

there was another unit of administration - a kind of sub-district but the following is a more precise description:

> The administration of the rural districts of the State /Kelantan/ is of the most rudimentary description. Many years ago a number of officers known as the "Toh Kweng" were established as Headmen over groups of villages comprising one or more "mukim" or parishes.[29] Upon these officers was supposed to devolve the responsibility for preventing crime, arresting evildoers, keeping the peace, and for the carrying out of orders from the capital.... Previous to the appointment of "Toh Kweng" the Imam or parish priest[30] was the only local governing influence, subject to the spasmodic control of some Tungku or Datoh, nominally the head of the district, but for reasons of inclination or policy residing usually at the capital, and having little or no interest in his charge. For the last thirty or forty years the "Toh Kweng" and Imam have existed side by side, the former in some places and the latter in others being the more influencial.[31]

There were other nomenclatures used such as Tok Nebeng (in Upper Perak and Kelantan), Tok Sidang (in Perak) and Tok Demang (in Melaka). These were village headmen demonstrating very clearly that the term penghulu was not consistently used throughout the Peninsula to refer to village headmen.

British officials in the 19th century, even before 1874, had a close look at the functioning of the headman system. J.F.A. McNair,

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29. A mukim was an area (comprising one or more villages) with sufficient number of people for a mosque to be established.

30. An imam in Kelantan then was, like the penghulu, a headman, He should not be compared to a 'parish priest' as in the Kelantan Islamic society, there was no division between religious and secular affairs.

31. See C.O.273/314, Foreign Office to C.O., 7 January 1905, enclosure: General Report of the Affairs in the State of Kelantan for the Year August 1903-August 1904.

one of the earliest to have toured various parts of the Malay Peninsula, described the system in the following manner:

> The government by Penghulus or Village Chiefs in the Malay Peninsula may be said to be coeval with the institution of Village Society. Under native rule, the Penghulu was invariably selected from amongst the principal land-owners in the district or village. He was entrusted by the Raja with considerable authority. On him devolved the collection of the revenue, the settlements of disputes, the repression and detection of crime, the punishment of a certain class of which he was himself permitted to deal. He was in point of fact in all matters of local government, the responsible head of his district /more correctly village/ and was subordinate only to the chief of the country. In some extended divisions of the country, he had junior Penghulus under him, who were styled "Penghulu Mukims". For purposes of Police he had at his disposal a Village Watchman or Mata Mata, who was nominated by himself, and to whom certain privileges were given in the way of exemption from taxes. The Penghulu himself received no fixed salary from the State, but was relieved from payment of taxation of every kind.[32]

McNair was describing more specifically the situation in Perak with which he was more familiar.[33] Swettenham, who also had knowledge of the Malay states before 1874, made basically similar comments on the headman system: he wrote:

> ... a Penghulu established in a village under the ordinary circumstances, ... is a man of responsible influence, with a thorough knowledge of his people, and the topography of the country over which he exercises control. His village is one of a number

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32. C.O.273/120, File No.11251: Local District Administration - Memorandum by Sir Frederick A. Weld, 28 May 1885; encl. Report dated 9 October 1882 submitted by J.F. McNair. He seems a little confused here between the headman of a village and the chief of a district.

33. See his book, Perak and The Malays: Sarong and Kris, London, 1878.

> forming a District under a superior native Headman - a Datoh. The Datoh is responsible for his District, the Penghulu for his village, and each holds office only during good behaviour.[34]

The village headman was the only member of the ruling class who had a close rapport with the villagers. A Malay village was usually a settlement founded by a few persons. These pioneering settlers were either relatives or close friends.[35] In course of time, the population would multiply, but marriages would help to preserve kinship ties. In certain instances, new migrants might move into the same area; these usually settled down apart from the old residents, unless, of course, they shared common territorial origins. Where a particular village was occupied by two or three different groups of people (as, for example, Rawa, Mendeling, Batu Bahara, etc.), a separate headman was usually appointed for each group. The same principle applied if the immigrants were Chinese. Until the end of the 19th century (even after the establishment of British administration), the appointment of Chinese headmen - Kapitan China - to supervise and control their own people was a common practice. A variant of the Kapitan China system was the Kangchu system in vogue in 19th century Johor.[36]

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34. C.O.273/120, File No.11251: encl., Frank Swettenham, "Some arguments in favour of governing Perak through its headmen", 8 October 1876.

35. Ibid.

36. There was greater formality attached to the Kangchu system as the headman was given a formal letter of authority called the surat sungai (literally, river letter). Chinese migrants to Johor in the 19th century were primarily gambier and pepper growers who settled along the banks of the rivers where their plantations were established.

Administration in traditional times was, in general, very loose. The wide geographical dispersal of the numerous riverine settlements, coupled with the absence of efficient means of transport and communication, rendered it impossible for the central government to keep in close touch with the administrators at various levels. The autonomy enjoyed by each administrator varied proportionately with the distance between the superior and the subordinate. An example of how loose the administration could be is the following description of the situation along the Sungai Endau (Pahang) in the middle of the 19th century:

> On reaching the kampong (village) we were invariably received with distrust. Each referred to his neighbour as being possessed of the articles that we were in want of, though assured they would be paid for their goods. A person by name Inche Kachong was generally pointed out as the most wealthy man in the neighbourhood....
>
> I found Inche Kachong to be a man of independent bearing, he spoke to the To Jennang as being true enough the Rajah /head/ of the river, but, he added emphatically, not the Rajah over him. He told me he had two hundred slaves, orang Utans ... whom he intended to convey to Mersing, there to buka negri (open the country). He pointed to a large family of sons whom he evidently looked upon as his main supports.[37]

In extreme cases, the local headman might not even have met the ruler although this was probably rare. The following description by Swettenham indicates that such a situation did exist:

> Toh Bakar, the headman ... met me on the road, and took us to his house at Permatang Tinggi /in the interior of Pahang/, where we were received with a salute from a few muskets. About a mile before reaching Permatang Tinggi, I noticed the stream went over a bed

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37. J.J. Thomson, "Description of the Eastern Coast of Johore and Pahang, with adjacent islands", Journal of the Indian Archipelago and Eastern Asia, Vol.5, 1851, p.147.

> rock of slate, and all the gold is found further down the river.... I found that Toh Bakar had never been in his life to see the Raja at the mouth of the river, and though he (Toh Bakar) is called the owner of Trusang, one of the richest gold districts in Pahang, it is said the Raja has lately given the place to Toh Gajah.[38]

Although there was, often, no tight control from the centre, the authority of the ruler was nonetheless very real. A frequent visitor to the Malay states in the mid-19th century wrote:

> The many difficulties I had met with in the several journies (sic) I had already undertaken in the Malay countries, from the petty chiefs who are established in each village, convinced me that it was almost impossible to succeed in such journeys without having previously obtained a regular passport from the rulers of the Malayan States.[39]

The want of efficient communication and the wide geographical dispersal of the Malay villages might have made it impossible for the central government to effect close control over the lower administrative units but there is little evidence to suggest that there was frequent necessity for punitive expeditions to be undertaken to subjugate recalcitrant headmen or villagers. Malay history is not famous for local resistance and uprisings. One can justifiably conclude that order in Malay society was held together less as the result of coercive measures than by a bond between ruler and subjects based on the complete acceptance of the monarchy as the institution most basic to the existence of the polity.

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38. F.A. Swettenham, "Journal Kept During A Journey Accross Peninsula", Journal of the Straits Branch Royal Asiatic Society No.15, 1885; entry on 19 April 1885, pp.6-7. Tok Gajah was one of the favourites of the Pahang ruler.

39. Rev. P. Favre (Apostolic Missionary, Melaka), "A Journey in Johore" Journal of the Indian Archipelago and Eastern Asia. Vol III 1849 p.50.