

THE SULTANATE AS THE BASIS FOR MALAY POLITICAL AND CULTURAL IDENTITY FROM A HISTORICAL PERSPECTIVE

MOHD. ARIS OTHMAN
Universiti Kebangsaan Malaysia

SINOPSIS

Melaka telah meletakkan asas yang kukuh kepada institusi kesultanan dalam sistem politik, sosial dan ekonomi masyarakat Melayu tradisi. Sebelum dari zaman kegemilangan Melaka, Melayu sebagai satu entiti sosio-politik tidak begitu diketahui.

Selepas dari zaman kegemilangan Melaka, masyarakat Melayu tradisi telah mengalami proses disintegerasi. Kedatangan kaum kolonial telah membawa perubahan-perubahan dari segi politik, sosial dan ekonomi masyarakat Melayu. Namun demikian institusi kesultanan tidak terhapus oleh perubahan-perubahan ini bahkan ia dikekalkan sehingga hari ini sebagai lambang yang penting dalam sistem pemerintahan negara.

Introduction

The purpose of this paper is to trace briefly the historical continuity of the Malay Sultanate as an institution that forms the basis for the expression of Malay political and cultural identity.

The Malacca period has been given prominence in Malay political history. Nothing much was known about Malay political and social entity before this period and whatever accounts were given were largely speculative and open to various historical interpretations. In this state of situation, it is rather difficult to determine the beginning of the Malay Sultanate as an institution that forms the basis for Malay political and cultural identity. The institution was said to have begun during the Malacca period and later Malay states adopted the institution in their political and social organizations on the model of Malacca.

Beginning from the Malacca period, the historical continuity of the Sultanate has been maintained up to this day in the system of government. The institution of the Sultanate continues to be the basis for the expression of Malay political and cultural identity.

This paper is roughly divided into three main parts. The first part gives a brief account of the various historical references to the kingdom Malayu. The second part of the paper discusses the Sultanate as the basis of Malay political and social organizations while the last part of the paper summarizes the points raised in the paper.

Historical references to the kingdom Malayu

It is interesting to note that 'Malayu'¹ or 'Melayu' was mentioned in South East Asian History in the various periods from the end of the 7th century till about the end of the 14th century. The first mention of Malayu in historical sources was in relation to its status as a vassal state of the Indianized kingdom of Sri Vijaya which rose to power in A.D. 683 succeeding the Empire of Funan. In its heyday Sri Vijaya became an important sea power and controller of the Straits of Malacca. Its capital was at Palembang. This Empire lasted until A.D. 1292.

It was reported that after the decline of the Indianized kingdom of Funan in Cambodia, Malayu sent an embassy to China in A.D. 644-5. Palembang was mentioned as a separate state which sent an embassy to China in A.D. 670-73. It was in A.D. 683 that the state of Palembang began its expansionist policy. Historical sources indicated that Sri Vijaya was synonymous with Palembang. The people of Malayu to the north and the island of Bangka seemed to be the arch enemies of Palembang at that time. We are told also that Sri Vijaya later became a state with its center at Palembang which later conquered Bangka and annexed Malayu. In 1025 Malayu as one of the dependencies of the Sri Vijaya Empire was subdued by the Cholas from southern India who launched an attack against the Sumatran (Sri Vijaya) Empire.

The Chinese Chau Ju-Kua writing in 1225 gave a list of 15 states which owed allegiance to Sri Vijaya. They were Pahang, Trengganu, Langkasuka, Kelantan, South Selangor, Jelutong (all in the Malay Peninsula except the legendary state of Langkasuka), P'at'alung (south of Ligor), Semang, Batak (in Sumatra), Tambra-lunga (in the region of Ligor), Gerahi (on the Bay of Bandon), Palembang, Kampar (on the east coast of Sumatra), Lamuri (Acheh), Ceylon and Sunda (West Java). It is interesting to note here that Malayu was not mentioned in the list. The explanation given in historical sources was that by the end of the 11th century she was already an independent state. Kampar has also gained its independence from Sri Vijaya at the same time and the examples of these two states were soon to be followed by others so that by A.D. 1225 the once powerful kingdom of Sri Vijaya was already declining in power. In the declining years of the Sri Vijaya Empire, Malayu replaced Palembang as the chief city of the Empire (Moorhead 1961: 94). Malayu did not remain as an independent state for long for in 1292 it was attacked and made a vassal state by East Java although some historical sources doubted the authenticity of this event. Anyhow by 1292 Sri Vijaya has ceased to exist.

Nothing very much was known about Malayu regarding its political and military strength. There were reports about battles being fought between the people of

¹ According to historical sources, Malayu was located on Jambi river in Sumatra and it included the whole area from the Jambi-Kampar district to Palembang. Its port was located either at the mouth of the Jambi or the Kampar rivers. Jambi or Malayu was mentioned as one of the important ports on the Batang Hari river which played an important role in the history of the area. It was an independent entity in A.D. 671 but became a vassal of the kingdom of Sri Vijaya in A.D. 689. Malayu was also mentioned as the last Indianized state of any importance in the island. See Moorhead (1961).

Malayu and the Siamese. In 1295, three years after the fall of Sri Vijaya, Malayu sent a mission to the Chinese Emperor asking for protection from the Siamese menace. It is also important to note that as early as 1281, Malayu had sent two Muslim emissaries to China and the names of these two were given as Sulaiman and Chams'ud-din.

Another historical event in which Malayu was involved was in 1340-1375 when a half-Sumatran and a half-Javanese prince was given control of the state after the Sadeng War in Java. However the prince later moved inland and assumed control over the kingdom of Minangkabau. The year 1377 marked the final extinction of Malayu as a state and its ruin was completed by the growth of Islam. According to historical sources, in 1377 the ruler of Malayu did succeed in gaining the title of 'King of San-fo-Ts'i' (Sri Vijaya) from the Chinese Emperor but by this time San-fo-ts'i' had already been conquered by Java. The annoyed King of Majapahit sent his troops and assassinated the imperial envoys before the seal was presented to the ruler of Malayu. 'San-fo-ts'i' was completely destroyed and hence forth her name was forgotten.

Sejarah Melayu (Malay Annals) has also made a reference to a city called Palembang 'in the land of Andalas'. Palembang, according to *Sejarah Melayu*, was ruled by a certain Demang Lebar Daun, a descendent of Raja Shulan or Chulan. There was a river called Muara Tatang and in the upper reaches of this river there was another river called the Malayu. It was on this river that the legendary hill called Bukit Si Guntang Mahameru was located. It was here also that the legendary tale about the descendents of Malay rulers began. It was mentioned that the city of Palembang was the same as the Palembang of today.

It is rather unfortunate that the history of Malayu was not traced after its downfall in the latter half of the 14th century. Even before this period the historical records given about this state were rather sketchy. This might be due to the fact that it was on the periphery of another political center and due attention was not given to it. At the time of the fall of Sri Vijaya, a certain Sumatran or Javanese by the name of Parameswara announced his independence of Majapahit. Consequently he was driven out by the Javanese and established himself first at the present day Singapore in 1390 and later at Malacca. He founded the Malacca dynasty which was to become famous for the next century. Parameswara might have been a descendent of those Sailendra kings who once ruled Sri Vijaya, central Java and possibly Funan. One interesting point here is whether there was any link between Parameswara and his followers with the old state of Malayu which came to its downfall in 1377. The date of Parameswara's plight to Singapore was given as 1390 which was only 13 years after the downfall of Malayu. Thus there could be a link between the old state of Malayu with the newly established Sultanate of Malacca. However this is only a speculation in the absence of reliable historical data.²

² According to one of my Javanese informants in Kampung Baharu, there was a Javanese myth that a certain mythical figure ran away from Java or Sumatra and people of the land called him 'the one who runs away'. Could this person be Parameswara? This merits farther research. It is also interesting to note that 'Melayu' in Javanese means *orang lari* (the one who runs away).

The enmity between Melayu and Java had a striking resemblance with the rivalry between the Sultanate of Malacca with the Javanese kingdom of Majapahit in the later periods. Could it be that they were trying to settle old scores. However the stories in the *Sejarah Melayu* should not be taken as historical facts because it had no sense of dates and the sequence of events. It is interesting to note that it was in the last days of the Majapahit Empire and the beginning of the rise of the Malacca Empire and the expansion of Islam that the confrontation between Malacca and Majapahit was highlighted in the *Sejarah Melayu*. These encounters always resulted in the loss to the Javanese of their honour and men who fought in battles. Perhaps this might be to symbolize the downfall of Majapahit and the ascendancy to power of the new kingdom of Malacca.

The term 'Malaysia' also gained usage at this time but it seemed to refer to the whole Archipelago which at one time or other was under the political ambit of Funan, Sri Vijaya, Sakothai and Majapahit. The Javanese referred to what is now Peninsular Malaysia as Pahang. So Malaysia and Melayu must have been used to refer to two different political entities. There was also a reference made to a Malay colony in Ceylon (Javaka or Peninsula Malays) but no farther details were given (Moorhead: 1961: 88).

The Sultanate of Malacca and its bearing on later Malay Social and Political Organizations

I am not going to give details that led to the rise of the Malacca Sultanate and the events that followed because this is not an attempt to rewrite history. It is sufficient for the purpose of this paper to give certain features about the Malacca Sultanate that had an important bearing in the social and political organizations of the later Malay states.

The Malacca period was an important one in Malay history because it was the first Malay political entity of any kind that emerged after the downfall of other Indianized empires in South East Asia. Although the Malacca Sultanate lasted for only a century nevertheless it exerted an immense influence on later Malay states as it provided a model for a Malay political and social organization. It was during the Malacca period that court tradition was established as spelled out in the Malacca Constitution. (Newbold 1971: 231-312; Bastin and Winks 1966: 26-32).

The basic element in the political and social structure was the presence of the ruling class (*pemerintah*) and the subject class (*rakyat*). The Sultan (a Muslim title) constituted the apex in the political hierarchy. Besides members of the royal household there were ministers who were responsible for the administration of the state. The ruler always belonged to the royal patrilineage while the ministers (*menteri*) or executives were drawn from the aristocratic but not from royal lineages. The Malacca tradition also laid down that the first candidate for the sultanate should not be the son of a common mother (Moorhead: 1961: 129). There was also a hierarchy of other offices such as the *Bendahara* (Chief Minister), the *Temenggung* (Commander of Troops and Police), the *Penghulu Bendahari* (Treasurer), *Menteri*

(Secretary of State) and the *Shahbandar* (Harbor Master and Collector of Customs).³ Being an important trade center, the *Shahbandar* was looked upon as a very important office. Although there were trading posts in the outlying provinces, power seemed to be concentrated in Malacca. It is interesting to note that the Malacca sultans also took an active part in the international trade and in this way they had economic resources at their disposal to enhance their political power.

Trade and politics were only two aspects to be reckoned with during the Malacca sultanate. Another important aspect was that Malacca became a center for the propagation of Islam. The spread of Islam was mainly through intermarriage between members of the Malacca royal family and members of other ruling families. Javanese traders were said to have been converted in Malacca and in turn brought the new faith back to Java. Muslim merchants also inter-married with newly converted Muslims thus furthering the process of Islamization. One feature that characterized Malacca during this period was the presence of a considerable number of influential Muslim population from various ethnic groups such as Turks, Arabs, Persians and Muslim Indians from Tamil India and Gujerat.

The Golden Age of the Sultanate of Malacca has been portrayed in the *Sejarah Melayu* (Malay Annals). Although the authenticity of the *Sejarah Melayu* is questionable as it lacked time sense, nevertheless, the accounts it gave about Malacca could help us in some ways to understand the situation in the state in its heyday. Believed to have been written during the Malacca period, *Sejarah Melayu* described the cultural paraphernalia of Malay court such as titles and etiquette, various types of weapons as symbols of office, dresses on formal occasions and sense of loyalty to the sultans. *Sejarah Melayu* also gave descriptions about the encounters between the Malay and Javanese warriors which mostly took place in the Malay and Javanese courts. This was during the time of Hang Tuah, a Malay warrior bearing the title of Laksamana who displayed courage and loyalty in the service of the sultan.⁴ It was also a period during which Malacca had reached the height of its power covering Pahang, Siak, Kampar, Rokan, Inderagiri, Trengganu, Johore and the Rhio-Lingga Archipelago with a total population of 40,000 (Moorhead: 1961: 134).

According to one description in *Sejarah Melayu*, when Hang Tuah and his men went on a mission to the Javanese court they were not only tested for their courage and strength but also told to show the various features that differentiated the Malays from the Javanese. Of importance here was the way the *kris* (Malay weapon) was worn (C.C. Brown: 1970: 72). The Javanese king of Majapahit was informed that the Malays wore their *kris* in front for practical reasons. The Malays were then told that the Javanese wore their *kris* behind instead of in front. No reasons were however given for these different styles. There was also a reference to a Malay custom of surrendering a weapon to the sultan after a duel (Sheppard 1960: 50-51). This happened after Hang Tuah had subdued a Javanese warrior who had earlier challenged him to a dual. In conforming to the Malay adat the *kris*

³The fact that there were four *Shahbandar* in Malacca at this time showed that it was an important trade centre. See Bassett in Wang Gangwu (ed.) (1964: 115).

⁴A historical interpretation of *Sejarah Melayu* has been attempted by De Jong. See Josselin De Jong in Bastin and Roolvink (eds.) (1964: 239-241).

used known as *kris taming sari* which was to play an important role in Malacca was awarded to the Malay warrior by the Majapahit king only after the latter had obtained permission from the sultan of Malacca who was also present.

Intrigues between the Malay and Javanese warriors with the backing of their respective rulers to discredit and kill one another was also recorded at length in the *Sejarah Melayu*. What is important here is not the accuracy of the description but rather the reason why such a prominence was given to the open confrontation between the Malays and Javanese as opposed political entities. Although historical records show that there was in fact a marriage alliance between a Malacca ruler and a princess of Majapahit, the feelings of enmity between the two political entities did not end with the marriage alliance. As has been stated earlier, it might be an attempt on the part of *Sejarah Melayu* to enhance the prestige of Malacca at the expense of the declining Majapahit Empire.

The Malacca sultanate lasted for about one century. The downfall of the Sultanate marked the beginning of the disintegration of the Malays as a political entity. One event that followed the downfall of Malacca was the establishment of 'small states' in the rest of the peninsula. With the exception of the State of Negeri Sembilan which was influenced by the matriarchal system of the Minangkabau, the social and political systems in the newly emerging Malay states were principally based on the traditional pattern of the Malacca Sultanate.⁵

One feature that characterized the political state of situation in the disintegrated Malay states after the Malacca period was the lack of a centrally organized political machinery which had control over the entire state. In most cases the sultan was powerful in his own district which happened to be the capital of the state while other districts in his domain were virtually controlled by the district chiefs. The district chiefs controlled most of the economic resources that enabled them to enhance their political positions (Roff 1967: 3-5).

In contrast to the old sultanate of Malacca which thrived mainly on its entreport trade, the later Malay states depended mainly on the production of tin. Unlike the Malacca sultans who were actively engaged in trade and controlled the revenue of the state, the sultans in the newly emerging states were not in a position to exercise control over the economic resources in their states especially in the collection of taxes on tin. There was no centralized system of revenue collection. This caused power to be dispersed to the districts which were under the control of the district chiefs (Gullick: 1969: 127). Other economic ventures were of minor importance as far as state revenue was concerned.

The period after the downfall of the Malacca Sultanate was also characterized by a large scale inter village migration and movement of people. The unsettled conditions gave rise to an impermanent nature of Malay village settlements. Ill-treatment by chiefs might be a cause for villagers to flee from a village and seek refuge in the district of another chief. This seemed to be the only mechanism of checking the powers of a sultan or a chief. The impermanent nature of village settlements also

⁵For a full discussion of indigeneous Malay political system see Gullick (1969). See also Roff (1967: 2-11).

affected economic activities. There was no agricultural production on a large scale and agricultural activity was mostly confined to members of a family. The concept of property was not in the minds of the Malays at that time. There was no incentive to accumulate wealth or property as it would be liable to be confiscated by the sultans or chiefs. Trade in the inland villages was mainly in the hands of the immigrant population while the masses of the Malay population were mainly peasants. Malay traders were mainly drawn from the aristocratic class.

Another feature that characterized the situation in the newly emerging Malay states after the Malacca period was the active participation and influence exerted by the Indonesian immigrants in the politics of the Malay states. Chief among them were the Minangkabau from Sumatra and the Bugis from Celebes. The Javanese who came in a steady stream especially after the fall of Malacca did not interfere in the political affairs of the Malay states as such but rather made their presence felt by opening up new villages. The Minangkabau influence was mainly felt in Negeri Sembilan with the adoption in that state of their matrilineal social and political systems. The Bugis succeeded in establishing a dynasty in Selangor and made their influence felt in other states such as Johore, Perak and Kedah (Hall 1968: 350-352; Bassett in Wang Gangwu (ed.) 1964: 122-123).

There was a big scale immigration of the Minangkabau into the state of Negeri Sembilan in the 16th century. Their impact on the Malays is associated with the adoption of their *adat pepatih* (matrilineal system of law) in Negeri Sembilan. The menace from Bugis which threatened the political situations in the Johore and Selangor sultanates made it necessary for the formation of a confederacy of the four districts of Sungai Ujong, Rembau, Jelebu and Johol in the state of Negeri Sembilan (the nine states). It was this confederacy that paved the way for the beginning of the office of *Yang di Pertuan Besar* of the state of Negeri Sembilan. It is interesting to note that the first three rulers of the state came from Minangkabau until the emergence of a royal dynasty.

Negeri Sembilan is the one state in Malaysia in which the influence of the Indonesian immigrant is most deeply felt. In this respect Negeri Sembilan is unique. Although Minangkabau influence was also felt in such state as Perak but it did not infiltrate into the social and political systems of that state. Unlike the situation in other states, there was no sultanate in Negeri Sembilan when the large scale immigration of Mainangkabau took place. In such a situation it was much easier for the Minangkabau to exert their influence and introduce a political system based on the Minangkabau model. Conditions in the other states were different. There was already an established sultanate whose political organization was essentially autocratic. This kind of political organization was necessary to hold together the diverse elements in the population. Thus Minangkabau influence was difficult to penetrate into the already established political and social systems.

The flow of Minangkabau immigrants into the state of Negeri Sembilan accelerated after the fall of the Malacca Sultanate (Newbold 1971: 216-217; Hall 1968: 355, Swift 1965: 12-122). The switch from patrilineal to matrilineal political and social systems was said to have occurred before the 19th century. However the district of Sungai Ujong became matrilineal only as late as 1800 A.D. because it was the one major district in the state where the Minangkabau influence was weak. It is also argued that in states like Perak and Selangor the Minangkabau

culture had failed to gain political and social recognition because of the diverse elements in the populations of those states (Gullick: 1969: 37-38). I think this argument was only partly true. The overriding factor was the nature of the political systems which could not accommodate the 'democratic' Minangkabau model.

As far as the Bugis were concerned, they caused a great deal of unrest in some Malay states such as the southern state of Johore, the central state of Perak and the northern state of Kedah. The Bugis dynasty in Selangor has already been referred to in the earlier part of this paper. In Selangor they had established themselves in the valleys of the Klang and Selangor rivers (Kennedy: 1962: 59). It was easy for the Bugis to establish themselves because the Malays in the area lived in scattered settlements and they were not politically organized. Through marriage alliances with the Johore princesses, the Bugis were able to gain a foothold in the politics of the state. In the early part of the 18th century they found themselves fighting the Minangkabau in a civil war of succession in Kedah (Hall 1968: 351). Perak was also subject to Bugis attack a few years after the Kedah civil war. An important event was the crowning of a Bugis prince as Sultan of Selangor probably in the first half of the 18th century and this coronation was witnessed by a Malay sultan of Perak. The setting up of the Bugis dynasty in Selangor was one important impact of the Bugis influence in the Malay state. Bugis influence ended by the end of the 18th century (Kennedy: 1962: 63: 64).

What is clear from the above account is that after the fall of the Sultanate of Malacca in the first half of the 16th century Malay as a political entity was disintegrating and there was never to be a state run after the fashion of Malacca in terms of power and prosperity. We have seen that to a large extent the diverse elements in the Malay population gave rise to situations of unrest and political instability. There was a lack of a central authority which exercised power over the entire state. Economic and political circumstances gave rise to situations which helped territorial chiefs to strengthen their positions *vis-a-vis* the sultans. However the sultanate as an institution was never toppled because it was necessary for social cohesion. It was a symbol of unity rather than the exercise of power. The disintegrated nature of the Malay states which was partly due to civil wars and constant migrations of people continued until British intervention in the later part of the 19th century.

The sultanate continued to be the main basis for Malay political organization despite the disintegrated nature of the Malay regimes before the coming of the British in the later part of the 19th century.

Let us now examine in more details the institution of the sultanate and how the states were actually administered. At the apex of the political hierarchy was the sultan who in practice did not exercise much power. The sultan was supposed to be in control of a state or *negeri* which constituted the biggest political unit in the domain of the sultan. The capital of such a state was always located near the mouth of a river which offered a strategic position for the collection of taxes and for defense purposes. A smaller political unit was the district or *jajahan/daerah* which came under the jurisdiction of a district chief who was normally drawn from a non-royal but aristocratic lineage. Some chiefs were however drawn from the royal lineage. The smallest political unit was the village or *kampong* where the masses of the population were mainly concentrated. Under normal circumstances, the masses in the *kampong* or *jajahan* were kept out of the affairs of the state. As far as the

administration was concerned, they were merely called upon to perform the compulsory labour under the *kerah* system (Roff 1967: 5).

One of the basic elements of Malay political and social structure is the division of the community into *golongan rakyat* (subject class) and *golongan raja/pemerintah* (ruling class). It is interesting to note that while it was difficult for an ordinary Malay subject to be accepted into the ruling class this was not so with the Indonesian or Arab immigrants. An immigrant could claim that he was an aristocrat and there was no means of checking his true identity. Historical records show that most of the immigrants who were accepted into the ruling class were Sumatran Syeds and other Arab half-castes, Bugis (from Celebes) and Achinese (from north Sumatra). They were treated as aristocrats in the Malay states in the latter half of the 19th century (Gullick: 1969: 67, 81). In the state of Kedah, Syed ranked second after the sultan in the hierarchy of state officials (Gullick: 1969: 108). There was also a report of a Javanese who was more or less treated as an aristocrat with the title of *Dato' Dagang* (Headman of foreigners) in Selangor. He was responsible for opening up new lands in Klang (Selangor) in the late 19th century settled mainly by Javanese who were engaged in coffee planting. There was also the case of a Bugis merchant in Perak by the name of Dayang Ismail who was regarded as being a leader of the Bugis in Perak (Gullick: 1969: 130). Thus it was possible for an Indonesian immigrant of some standing to obtain a chief's permission to open up new villages and to gain status in Malay society. It is interesting to note also that in some states the title system of the Javanese royalty such as '*Pengeran*' and '*Raden Mas*' or '*Raden*' were used (Gullick: 1969: 67). In very exceptional cases a peasant could become a chief as reported in the state of Pahang. One was the case of To' Gajah of Pulau Tawar whose father was a Rawa (Sumatra) immigrant and the other was the *Orang Kaya*⁶ of Semantan.

The ethnic composition of the population in the various Malay states to a great extent influenced the type of political organization. We have seen that in many of these states there were immigrant populations such as Minangkabau, Javanese and Bugis. Besides establishing themselves in Negeri Sembilan, the Minangkabau were also accepted as 'relatives' (*saudara*) by the people of Perak. Beside Minangkabau, there were also Bugis, Kerinchi, Rawa, Mendeling and Batak in Perak (Mc Nair 1972: 130-135). In Selangor there were Batak, Rawa and Mendeling peasants and one Bugis colony was established at Linggi in the predominantly Minangkabau state of Negeri Sembilan. Besides the Indonesian immigrants, there were also Arabs who intermarried with the Malays. These Arabs were influential in trade and religion. The presence of foreign immigrants in the Malay population made it necessary for the appointment of *Dato' Dagang* (headman of foreigners) which has been referred to earlier. Such an appointment has been made in the state of Selangor.

There were enmities between the Malays and the immigrants. Trade was mostly in the hands of the Indonesian immigrants while the Malays were mostly peasants. It was reported that in 1892 *anak Dagang* referring to the Indonesian immigrants would not live near villages of *anak negeri* referring to the local born Malays. In a way the presence of the diverse elements in the population was advantageous to the

⁶This is a chiefly title.

sultans and chiefs for they could manipulate the situation to their political advantages. It was in this kind of situation that the political organization in these states took a different shape from that of the more democratic Negeri Sembilan. In states like Perak and Selangor a centralized and autocratic type of authority was necessary to deal with the diverse elements in the population.

As was evident during the time of the Malacca Sultanate, the control of economic resources was important as the basis for a strong political power. We have seen that in the case of the Malacca Sultanate trade was the main source of its income. In the case of the later Malay states the revenue of the states was mainly derived from tin. Thus the mining of tin was the main economic venture which supported the Malay political system in the first half of the 19th century. The Malays were in virtual control of the mining activities until about 1820. Chinese miners were engaged in increasing numbers between 1840 and 1860 and they were under the control of Malay chiefs. There were however independent miners and they only paid their taxes to the Malay chiefs if the export of tin passed through their areas. In other cases where the mining communities were smaller, the Malay chief might be a partner in the venture. Whatever was the situation, it was the chief rather than the sultan who collected most of the taxes paid by the Chinese miners.

The maintenance of the political system was to a large extent dependent on the control of the economic resources. It was the control of these economic resources by the territorial chiefs that caused power to be dispersed from the sultans to the various district chiefs. This was one way in which the chiefs could usurp the powers of the sultans. Looked at from this point of view one can say that the power of the chiefs did not depend on the backing of the sultans but rather on their own strength and resources. Thus the territorial chief was the key institution in the Malay political system.⁷ While the sultans could enjoy a position of dignity, powers could be concentrated in the hands of the chiefs.

The production of tin on a big scale brought the Malays into the network of international economy through its foreign trade. Thus Malay economy at this time had already adopted the monetary system of exchange. However this did not necessarily mean that money was used in all economic exchanges. Sometimes payments were also made in kind such as taxing a proportion of particular goods. Wealth was also accumulated in the form of tin ingots.

There was no evidence to show that the Malays were engaged in barter trade at this time. It has already been pointed out that the Malays were mostly peasants engaged in small scale agricultural production. Trade was mostly in the hands of Indonesian immigrants and most of the Malays who were engaged in trade were drawn from the aristocratic class. The main source of income of the Malay peasants was the sale of foodstuffs or of cash crops on a very small scale. The Chinese were mainly engaged in petty trade in the larger centres. On the part of the Malay peasants there was no incentive to produce on a big scale because settlements were

⁷In my research in another context in 1969 in the district of Ulu Selangor, I discovered that the office of territorial chief (*Datok Kaya*) was still in existence and has been incorporated into the modern administrative machinery. However, the office holder did not wield any power but only acted as a liason between the District Office and the Royal Household.

temporary and there was no guarantee of security. There was constant movement of people from village to village and in such an unsettled situation it was not worth while to embark on a large scale agricultural production. Thus mining and agriculture became the main economic pursuits of the later Malay states.

Before leaving the subject of Malay economy it is pertinent to mention the *kerah* system (forced labour) which was prevalent in Malay society during this time. *Kerah* was an institution through which free labour could be exacted from the masses of the population for the economic and political advantages of the sultans and chiefs. Jobs that needed a lot of manpower such as the building of stockades or clearing jungles for agricultural purposes might be performed through the *kerah* system. It has been reported that Javanese labourers had been engaged in jobs that needed extra physical exertion and special skills such as the building of stockades (Gullick: 1969: 107; Roff 1967: 5). Villagers might also be called upon to accompany a chief or a sultan for long journeys that might take days.

Malay preoccupation with status was not only apparent among members or categories in the ruling class (*golong pemerintah*) but also manifested in the institution of *kerah*. Only the common people in the subject class were liable to perform *kerah* duties. Apart from aristocrats, certain categories of people from the non-aristocratic class were also exempted from *kerah* duties. The northern state of Kedah which already had an elaborate bureaucracy listed the following categories of people who were exempted from performing *kerah* duties. They were the *Raja* (*Sultan* in other states), those who had the titles 'Syed' (of Arab origin), any person of good birth, a *Haji* (those who have performed the pilgrimage to Mecca), *lebai* (religious Muslim), *pegawai* (government official), *penghulu* (village headmen), mosque official, servants of the Sultan's household or other persons who had been exempted. Although the list might vary from state to state there were always categories of people exempted from *kerah* duties to reflect their statuses in society.

Besides *kerah* system there were also the institutions of *orang berhutang* (debt-bondage) and *hamba/abdi* (slavery).⁸ When a person became indebted he would offer his services to his creditor and became attached to him. This in essence was debt-bondage. In most cases such a person would become attached to his creditor for the rest of his life for his services had no economic value. Thus in form it was an economic institution but in substance it was a mixture of several elements (Gullick: 1969: 99). As far as a chief was concerned the possession of bondsmen might enhance his power and prestige. When the Malay states came under British control, debt-slavery and bondsmanship were abolished.

Besides doing the normal household chores, bondsmen had to perform agricultural work. Agricultural labour was regarded as a degrading kind of occupation and it was mainly performed by the subject class. Although bondsmen might be called upon to do agricultural work, no attempt was made to employ bondsmen for large scale production except in some small ventures in tin mining. It is interesting to note that an aristocrat who became indebted was not liable to be a bondsman

⁸ It was the British attempt to interfere with the institution of debt-bondage which was an aspect of the Malay custom at the time that led to the murder of one of the British officials. See Roff (1967: 16).

because it was not befitting an aristocrat to do menial work. In the northern state of Kedah, the work of agricultural debt-bondsmen included *kerja panjang pendek* (odd jobs of personal and domestic service), *kerja dalam bendang* (cultivation of rice in the rice field) and *kerja dalam dusun* (work in the orchards). It is difficult to say whether agricultural debt-bondsmen in other states were also subject to the same categories of work.

Another class which must be considered in relation to the economic system was the slaves. In terms of status, a slave was regarded as lower than a bondsman. A bondsman was for all intent and purposes an *orang merdeka* (free man). In other respects, a slave was very much similar to a bondsman. Unlike the slaves, bondsmen were regarded as members of the same society. No chiefs or sultans could enslave a Muslim. Thus while a non-Muslim could be enslaved, a Muslim could only be reduced to a debt-bondsman. Thus there was also a hierarchy of status even in bondage.

Thus far we have examined Malay social and economic systems and tried to relate them to the whole political structure. It is now pertinent to state briefly the judicial system and how it was related to the whole political and social systems. Broadly speaking there were two types of 'law' for guiding behaviour. They are *undang-undang negeri* (state law) and *undang-undang adat* (*adat* law). *Undang-undang adat* or village 'law' was Indonesian custom (Gullick: 1969: 115). However, details of this law varied from village to village especially in the villages settled by Indonesian immigrants. We have seen how the *adat pepatih* which was Minangkabau origin had gained a foothold in Negeri Sembilan and became the basis for the political and social systems of that state and also the basis for village practices in Perak. Other villages might practice the *adat Temenggung* but it was suggested that the contents of these two *adat* were essentially the same (Tylor 1984: 123). Their only difference was the way in which each was administered. In general village customs were guided by these two *adat*.

Besides the *adat* of the village, there was also the law of the sultans and chiefs (*undang-undang raja*) which became the basis for the exercise of authority of rulers over the masses. The basis of this law was spelled out in the Malacca Constitution and thus derived its origin from the Malacca Sultanate (Newbold 1971: 231-313). However, the administration of *undang-undang raja* varied from state to state depending on the nature of the regimes. In the case of Negeri Sembilan, the 'democratic' system practiced was principally based on the *adat pepatih*. Since *adat pepatih* became the basis for the political and social systems, the local village custom was synonymous with the law that governed the relationship between rulers and subjects. Thus the differences between the various political units such as village, district and state as far as the contents of the law were concerned were less clear-cut than in other states.

It has been stated earlier that the chief was a key institution in the Malay political and social systems at this time. As far as the ordinary people were concerned, the immediate authority from whom they would appeal for justice was the territorial chief. The territorial chief in turn was obliged to give justice to prevent the people from giving their loyalty to another chief in another village. The worst that could happen to a chief or a sultan would be the loss of manpower through desertion or migration as this would seriously undermine his economic and political resources.

The villagers also depended on the chiefs for justice in their relationship with people outside the village or district.

Conclusion and Discussion

Malay political system before the advent of colonialism was organized in such a way so that power could be concentrated in the person of the sultan although in practice as we have seen it was the chiefs and court ministers who really exercised power. The chief was thus a key institution in the political system while the sultanate was an institution that symbolized Malay unity rather than the exercise of power. The administration of law was part of the political functions of the sultans and chiefs. Thus the judiciary was part of the Malay political system. There was no means of checking the powers of the sultans or chiefs. However if they abused their powers and authority and social order was not guaranteed, the villagers were at liberty to ask for protection from another sultan or chief. The loss of manpower would seriously undermine the political authority of the sultans or chiefs.

In conclusion the points expressed in this paper can be summarized as follows:

1. Malayu (Melayu) was first mentioned in historical sources as early as the middle of the 7th century and went into obscurity towards the end of the 14th century just before the founding of the first Malay dynasty at Malacca. If Malayu and the Sultanate of Malacca had any link then a Malay political entity although in the periphery of another political power would have started long before the rise of the Malacca Sultanate.
2. The Malacca Sultanate was important in Malay history because it was the first Malay political entity recorded in the history of the area. It provided a model for later Malay sultanates that were established elsewhere in the Peninsula. The Malacca Constitution laid the foundation for Malay court tradition and formed the basis for Malay political and social systems.
3. The period after the Malacca sultanate saw political instability in the Malay states. One of the features that characterized this period was the influence exerted by Indonesian immigrants. In the state of Negeri Sembilan, the Minangkabau *adat pepatih* was accepted wholesale and became the basis for the social and political systems of that state. In other Malay states, village law (*undang-undang adat*) was essentially Indonesian in content. The only variation between the various states was the way in which the *adat* was administered.

In spite of the unstable political situations especially after the Malacca period, the historical continuity of the sultanate has been maintained. The Sultanate has become the basis of Malay cultural and political identity rather than of the exercise of power and it has remained so to this day.

References

- Brown, C.C. 1970. *Sejarah Melayu* or Malay Annals. Kuala Lumpur Oxford University Press.
- De Jong, P.E. De Josselin, 1964. The Character of the Malay Annals. *In Malaya and Indonesian Studies*. J. Bastin & R. Roolvink ed. London: Oxford University Press.
- De Jong, P.E. De Josselin, 1960. Islam versus Adat in Negeri Sembilan (Malaya). *Bijdragen Tot de Taal – Land – En Volkenkunde* Deel 116 Is Gravenhage Martinus Nijhoff.
- Gullick, J.M. 1969. *Indigenous Political Systems of Western Malaya* London: The Athlone Press.

- Hall, D.G.E. 1968. *A History of South East Asia* London: Macmillan & Co. Ltd.
- Hall, A.H. 1956. The Keris and other Malay Weapons Origins and Early History. *Journal of the Malayan Branch of the Royal Asiatic Society*, 29: 4 No. 176.
- Kennedy, J. 1962. *History of Malaya*, London: Macmillan and Company.
- Mc Nair, J.F. 1972. *Perak and the Malays*. Kuala Lumpur: Oxford University Press.
- Moorhead, F.J. 1963. *A history of Malaya*, Vol. II, Malaya: Longmans of Malaya.
- Newbold, T.J. 1971. Political and Statistical Account of the British Settlements in the *Straits of Malacca* Vol. I Kuala Lumpur: Oxford University Press.
- Newbold, T.J. 1971. *Political and Statistical Account of the Straits of Malacca* Vol. 2. Kuala Lumpur: Oxford University Press.
- Ramsay, A.E. 1956. Indonesians in Malaya. *Journal of the Malayan Branch Royal Asiatic Society*, 29: 1.
- Roff, W.R. 1967. *The Origins of Malay Nationalism*. Kuala Lumpur: University of Malaya Press.
- Sheppard, M.C. 1960. *The Adventures of Hang Tuah*. Singapore: Eastern Universities Press Ltd.
- Swift, M.G. 1965. *Malay Peasant Society in Jelebu*. London: The Atlone Press.
- Taylor, B.N. 1948. Inheritance in Negeri Sembilan Historical Outline. *Journal of the Malayan Branch Royal Asiatic Society*, 21: 2.