

# THE MAKING OF SABAH 1865-1941

THE DYNAMICS OF INDIGENOUS SOCIETY

D. S. RANJIT SINGH



University of Malaya Press

Cover Page

The Native Chiefs' Advisory Council with  
Governor D. J. Jardine,  
Sandakan

11 May 1937.

Courtesy: Datuk Haji Sibi bin Datu Agasi 1991.

**To my wife, Gurmit and children,  
Surinderjit, Sarenjit and Jaspreet.**

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# CONTENTS

Figures	ix
Tables	ix
Maps	x
Plates	xi
Preface	xiii
Acknowledgements	xv
List of Abbreviations	xvii
1 : The Indigenous People of Sabah: Classification and Distribution	1
2 : <i>The Suku</i>	31
3 : The Brunei <i>Jajahan</i> Structure on the West Coast	57

## The Making Of Sabah

4 :	The <i>Datu</i> System of Sulu on Sabah's East Coast	91
5 :	The Genesis of Western Rule, 1865-1881	113
6 :	The Establishment of the British North Borneo Company	135
7 :	Indigenous Reaction to Company Rule and the Mat Salleh Uprisings, 1882-1903	175
8 :	Administrative Consolidation and the Rundum Rebellion, 1900-1915	215
9 :	Capitalist Enterprise and Indigenous Society, 1900-1941	239
10 :	The Strengthening of Indigenous Institutions of Authority, 1900-1941	255
11 :	The Native Chiefs' Advisory Council, 1915-1941	283
12 :	Retrospect	299
	Glossary	315
	Bibliography	317
	Index	335

## FIGURES

Figure 1 :	
List of Native Members of the ACNA in 1915	284
Figure 2 :	
Composition of Members of the NCAC 1915-1938	292

## TABLES

1 :	
The Population of Sabah 1891-1991	27
2 :	
The Indigenous Population of Sabah by Detailed Major Ethnic Groups 1991	28

## LIST OF MAPS

Map 1 : Major Rivers and Place - Names of Sabah	xvi
Map 2 : Languages of Sabah	10
Map 3 : Distribution of the Indigenous Population of Sabah in the 1870's	29
Map 4 : Sabah-Spheres of Control in the 19th Century	30
Map 5 : Major <i>Suku</i> Communities of Sabah in the 19th Century Beyond The Brunei and Sulu Spheres of Control	33
Map 6 : Major Brunei <i>Jajahan</i> in Western Sabah in the 1870's	64
Map 7 : Gaya Settlement 1883	192
Map 8 : Mat Salleh's Defences At Tambunan As of January 1900	199
Map 9 : Map And Design of Mat Salleh's Fort At Tambunan As of January/February 1900	200

## LIST OF PLATES

1 :

A Signpost Leading to the Site of Syarif Usman's  
Fort and Grave near Kota Marudu 1980

2 :

Memorial Stone at Kampung Tebabar,  
Tambunan in Honour of Mat Salleh

3 :

O. K. K. Haji Mohamad Arshad and Others, 22.6.1911

4 :

O. K. K. Haji Mohamad Arshad 22.6.1911

5 :

O. K. K. Datu Agasi 1937 (standing)

6 :

O. K. K. Panglima Abdullah bin Panglima  
Udang 1937 (standing)

7 :

Group Photo of the Native Chiefs' Advisory  
Council with Governor C.R. Smith at the  
Government Cottage Jesselton 1938

8 :

O. K. K. Datu Harun 1937 (Standing)



## PREFACE

North Borneo or Sabah emerged as a state in its own right during the period of effective rule of the British North Borneo Company, (BNBC, or the Company) 1882-1941. As a consequence, and more often than not, most historians of Sabah history have tended to concentrate on the activities and policies of the said Company. Indigenous society, where examined, has been treated from the point of view of reaction from that society towards Company rule, rather than the perspective of its structure and dynamism. As indigenous society forms the backbone of the foundations of the state, it becomes imperative to study not only the role played by the Company in forging the fragmented territories and disparate societies into the apparatus of a new state, but also the nature and workings of indigenous society, its evolution, and its contributions towards this achievement. The formative processes also had their roots in the pre-Company setting and therefore the period of study extends from the second-half of the nineteenth century to 1941. Also with the attainment of independence in 1963, there has been a growing need for an autonomous history of Sabah using indigenous society as the base for the necessary reconstruction and reinterpretation. This work therefore seeks to look at the processes involved from "the bottom-up" as well as from the "the top-down", to show how, in both pre-Company and Company times, grass-roots circumstances modified political patterns which had been externally imposed.

In trying to understand indigenous society and its development during this crucial phase, the framework of coexisting and succeeding political systems has been used as the connecting link. The work thus examines first of all the various types of societies and political systems that existed before the establishment of the Company. Their economic, commercial and social patterns are examined and linked to indigenous administrative institutions which are identified. Changes brought about within indigenous society as a consequence of the impacts of the influence of the Brunei and Sulu Sultanates and the Bajau and Illanun communities are emphasised.

During the period of BNBC rule, the Company's objectives, policy and administration are examined with a view of giving greater emphasis to change within indigenous society. An attempt has been made to study both the negative and positive aspects of Company policy in so much as it affected indigenous society and also the reaction of the latter. Finally emphasis has been given to the development of indigenous society in the aspects of socio-economic reforms, and particularly the development of indigenous administrative institutions, that is, the Native Chiefs, the Native Court and the Native Chiefs' Advisory Council which produced a viable elite administrative leadership group by the outbreak of the Pacific War in 1941. Company policy and rule not only fulfilled some of its core objectives such as the extension of western capitalist enterprise to Sabah, but led to the strengthening of indigenous administrative institutions which together with their own dynamism and the functioning of the other apparatus and institutions of state administration, created the foundations of the new state. The "Making of Sabah" is a long and complex story, and no work can pretend to have presented a comprehensive view without also taking into account, inter alia, the role of the Chinese community, the issues of labour and immigration, and the development of the economy. These concerns are, however, beyond the scope of this work which has as its focus the dynamics of indigenous society in the formation of Sabah as a new state.



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## ABBREVIATIONS

ACNA	Advisory Council for Native Affairs
BNBC	British North Borneo Company
BNBCTD	British North Borneo Company Treaties and Documents
BNBH	The British North Borneo Herald
BNBOG	The British North Borneo Official Gazette
BNBPA	British North Borneo Provisional Association
BSJ	Borneo Society Journal
C.O.	Colonial Office
JMBRAS	Journal of the Malayan/Malaysian Branch, Royal Asiatic Society
JSBRAS	Journal of the Straits Branch, Royal Asiatic Society
NAB	Native Affairs Bulletin
NCAC	Native Chiefs' Advisory Council

The Making Of Sabah

SMJ	Sarawak Museum Journal
SSA	Sabah State Archives, previously the British North Borneo Central Archives
SSAPF	Sabah State Archives Personal Files
SSASF	Sabah State Archives Secretariat Files
SSJ	Sabah Society Journal

# THE INDIGENOUS PEOPLE OF SABAH: CLASSIFICATION AND DISTRIBUTION

## The Physical Environment

Sabah or North Borneo as it was known earlier, is situated on the northern portion of the island of Borneo and has an area of approximately 73,620 square kilometers. It extends approximately from the Mengalong River on the west coast which divides it from Sarawak (Lawas District) to the eastern part of Sebattik Island on the east coast. The eastern end of the boundary separates Sabah from Indonesian Kalimantan and divides the Island of Sebattik into two halves in the process. Latitude 4 10' north was used as the baseline for drawing the boundary between Sabah and Indonesian Kalimantan.<sup>1</sup> Sabah generally lies between latitudes 3 52' and 7 25' north and between longitudes 115 20' and 119 16' east. It has a long, "heavily indented" coastline of about 1440 kilometers and is surrounded on three sides by seas: the South China Sea in the west and north, the Sulu Sea in the northeast and the Celebes Sea in the east. It is also strategically located between Hong Kong, Manila and Singapore.<sup>2</sup>

Physiographically, the state can be divided into four major regions: the western lowlands, the western cordillera, the central uplands and the eastern lowlands.<sup>3</sup> The western lowlands forms a narrow, coastal strip of about 48 kilometers wide. It has a low profile about 305 meters above sea level and runs from the Sarawak border in the southwest to the Kudat Peninsula in the northwest. The rivers traversing this region, including the Tempasuk, Tuaran,

Putatan and Papar, are short and swift and are therefore, not very useful as channels of communications. However, they bring down rich alluvial sediment which, together with the flat nature of the land and the abundant tropical rain (60-120 inches per year) provides ideal conditions for wet rice cultivation. The southern part of this region, the Padas-Klias, is however, drained by a major river, the Padas River, which is navigable for small launches for about 96 kilometers from the sea.

The western cordillera consists of a series of mountain ranges and intermountain plains which run generally on a north-south axis parallel to the west coast. The most important of these ranges are the Crocker Range on the west and the Wittu Range on the east of the region. This belt of mountainous country is about 80 kilometers wide and is dominated by the grand Mount Kinabalu, the highest peak in Southeast Asia, standing at a height of 4,101 meters (13,455 feet). From north to south there exist a number of interior valleys, the most important of which are the Lohan, the Ranau, the Tambunan, the Keningau and the Tenom plains. Many of these plains are dissected by small streams which have deposited rich alluvium. The Tambunan and Keningau plains are however traversed by a major tributary of the Padas, the Pagalan which provides the only river access to the coast for the inhabitants of the intermountain valleys. These valleys of the cordillera are of immense importance in terms of human settlement as they represent the only interior regions of the state where permanent settlement and sedentary cultivation have developed.

The central uplands is a triangular area of mountainous country, about 305 to 1220 meters high. It is heavily forested and the terrain rugged. It lies between the western cordillera and the eastern lowlands. The eastern lowlands is the largest of all the physiographic regions. It is a broad, low belt of country running from the Darvel Bay in the southeast to the Bengkoka peninsula in the northwest. The longest river in the state, the Kinabatangan (navigable for more than 192 kilometers) is found in this region. The other major rivers are the Sugut, Paitan, Labuk and Segama. The plains are largely forested by mangrove and are prone to

widespread and perennial flooding. The rivers have broad delta formations and most of them enter the sea through a wilderness of mangrove and *nipah* swamps. As such the eastern lowlands have proved a barrier to permanent cultivation and large-scale settlement. In connection, Lee Yong Leng comments on the nature of these lowlands as follows:<sup>4</sup>

In most cases, they [the rivers] provide the only means of communication ... In an undeveloped, forested and hilly area where there are no roads, it is not surprising that most, if not all, the native villages and their associated *ladangs* [cultivated plots] are sited along these rivers

The state also abounds with excellent harbours, the chief ones being the Sandakan harbour, the Kota Kinabalu and Gaya harbours, and the Kudat harbour. The bays (Darvel, Sandakan, Labuk, Paitan, Marudu, Ambong and Kimanis Bays), are well sheltered and constitute excellent areas for the gathering of sea-produce.

### The Name

Before 1881, the State of Sabah as we know today, did not exist. It was moluded as such only during the period of administration of the British North Borneo Company (BNBC or the Company), 1882-1946. Various names have been used to designate either the area concerned or the new state. These include "Sabah", "North Borneo", and "British North Borneo". The word "Sabah" was first used officially in a document dated 29 December 1877. The document was a Commission from the Sultan of Brunei, Abdul Mumin (r. 1852-1885) appointing Gustavus Baron von Overbeck as "Maharajah of Sabah". The title was conferred on Overbeck in consequence of four other separate documents signed on the same date by the said Sultan and Pengiran Temenggung Sahibulbahar bin Sultan Omar Ali Saifuddin granting Baron von Overbeck

and Alfred Dent large tracts of territory in the northern part of Borneo Island stretching from the Sulaman River on the west coast as far as the Sibuku River on the east coast. Overbeck and Dent had earlier formed a partnership, called the "Association", hereafter referred as the Overbeck-Dent Association (ODA), on 27 March 1877 for the purpose of acquiring territorial concessions in Borneo. The ODA thus became owner of the grants made by the Brunei authorities in December 1877.

The name "North Borneo" first appeared in a document dated 2 December 1878. This document was an application for a Royal Charter submitted to the British government by Alfred Dent on behalf of the ODA. In his application Alfred Dent proposed to set up a British company which would develop the concessions. As Dent's hope of obtaining a Charter for his proposed company became more promising in 1881, the name "British North Borneo" gained currency. This was reflected in the formation of the British North Borneo Provisional Association (the BNBPA or Provisional Association) in March 1881 on Dent's initiative. The Provisional Association became the new owner of the concessions in Borneo as it bought over the assets of the Overbeck-Dent Association in April 1881. In May of the same year, the Provisional Association appointed its first Governor, W. H. Treacher to administer its possessions in Borneo. Treacher was designed "Governor of British North Borneo".

From May 1881 to August 1882 the Provisional Association and then the BNBC, which took over the administration in June 1882, continued to use the three names, "Sabah", "North Borneo", and "British North Borneo", interchangeably for the territory in question. In August 1882, Sir Tenterden of the Foreign Office advised Sir Rutherford Alcock, the Chairman of the BNBC that it was improper for the Company to use the name "British North Borneo", as "North Borneo was not British Territory". As a result the BNBC dropped the word "British" and the name "North Borneo" became established.

Till 1888, North Borneo was usually referred to as the Territory of North Borneo by the British government. In that



year however, the said government established a Protectorate over North Borneo. In the Protectorate Agreement, the polity was recognised as an "independent State" and designated as "the State of North Borneo". The young state continued to be known as North Borneo till 1963 when, as a result of local demands, its name was officially reverted to Sabah.<sup>5</sup>

## Historical Background

From the remote past until the sixteenth century, the region constituting present-day Sabah was inhabited by a number of indigenous communities which did not evolve into a political system with the attributes of statehood which, in the Southeast Asian context, normally took the form of a *kerajaan* (government), a *negeri* (state) or a sultanate. By the beginning of the sixteenth century, the Sabah region had come under the suzerainty of the Brunei Sultanate, but even then it was never ruled as a single political unit.<sup>6</sup> Though the area northeast of Brunei Bay was generally referred to as "Saba" by the Brunei authorities, it was meant to denote a geographical rather than a political entity.<sup>7</sup> Present-day Sabah was in fact divided into numerous *jajahan* (dependencies) by the Brunei government, but these *jajahan* were established along the coast or *pesisir* only, while the interior remained independent.<sup>8</sup>

The political situation became more complicated as a result of a succession war in Brunei which lasted from 1662 to 1674.<sup>9</sup> One of the contenders to the throne, Muhiddin, who was himself a member of the Brunei Royal family, invited Sulu assistance and offered its ruler the area northeast of Brunei if he was successful in defeating his rival, Abdul Mubin of Pulau Cermin.<sup>10</sup> On achieving this feat, the territorial offer appears not to have been honoured, with the result that for the next two centuries, Sabah became the bone of contention between the two powers.<sup>11</sup> As a consequence, by the nineteenth century, Sabah was carved up into three zones: the coastal belt from Kimanis to Pandasan

was under Brunei's de facto control; the area from Marudu Bay to the Sibuku river, under Sulu control; and the rest, mainly the interior remained in the hands of independent chiefs. This was the situation when, in 1877, the Overbeck-Dent Association, a precursor of the British North Borneo Company made its appearance on the scene.<sup>12</sup>

## Demography

Largely due to Sabah's late emergence as a state in its own right, a clear definition of its indigenous people is somewhat difficult.<sup>13</sup> The problem is compounded by the presence of a large number of diverse sub-groups; the absence, amongst some of them at least, of a common awareness; and the lack of any compilation of records on the local communities by the Brunei and Sulu Sultanates.<sup>14</sup> Moreover, population movement before the establishment of Company rule was more fluid and transient. Communities moved freely between Sabah, the Sulu archipelago, Brunei and Dutch Borneo as political boundaries in the modern sense were still undefined.<sup>15</sup>

In the interior regions of Sabah, the physical terrain contributed to a mode of settlement which was restricted, self-sufficient and isolated. Through the ages, the difficulty in communications contributed to the development of self-contained, self-named sub-groups which rarely designated "any unit larger than the (endogamous) tribe, and in many areas the largest unit [was] the village or longhouse."<sup>16</sup> The lack of the development of "autonyms"<sup>17</sup> for groupings larger than the sub-group, called the *suku* in Sabah, results in the problem of finding a common name for a wider group of people who are otherwise linguistically and culturally related.

Only with the establishment of BNBC rule in 1882, was more information on the indigenous communities compiled and published. Some of the Company's officials, though lacking the necessary formal anthropological training, produced useful infor-

mation on the classification of the indigenous peoples, basing their categories on rough folk usage. A major drawback, however, was the tendency amongst them to concentrate on the "pagan" peoples of Sabah with the result that, ironically, little information of a similar nature was recorded concerning the coastal Malay-Muslim communities.<sup>18</sup>

The Company, moreover, undertook the compilation of a regular official census. The first census was held in 1891, followed by another in 1901, but both were incomplete because the Company was still in the throes of establishing a systematic government and large areas of the interior had yet to be brought under effective administration.<sup>19</sup> Thereafter, censuses were held at ten yearly intervals. The 1911 census may be considered the first reliable population count, though even in this year, there were incomplete returns for one census district, Pensiangan.<sup>20</sup> The 1921 and 1931 censuses were more elaborate and complete but the census scheduled for 1941 was arrested by the outbreak of the Second World War.<sup>21</sup> Though these censuses allow a population analysis especially for the period after 1911, they are not totally reliable, as the census-takers themselves were faced with the problem of ethnic classification. L.W. Jones, the superintendent of the 1951 census aptly summed up the problem in these words:<sup>22</sup>

The question of race or community has vexed every census-taker in North Borneo in the past and indeed everyone else who has attempted a comprehensive survey of it because of the complexity of the point with regard to the natives of the country.

Given the circumstances, the Company census-takers took the most practical step by using categories following current usage. These categories were largely "exonyms" which had been coined by Brunei authorities and the coastal Muslim communities who referred in broad general terms to the interior people by classifying them according to their geographical location and occupation. Thus, the word Orang Dusun was generally applied to in-

digenous communities settled along the coastal plains and involved in wet rice cultivation; Orang Murut for communities settled in the hills and Orang Sungai for those found along the banks of major rivers.<sup>23</sup> These terms gained the seal of permanency especially when the Company began to use them officially for administrative and census purposes. Problems still arose due to the difficulty of distinguishing some *suku* as belonging to one of the above categories. D. R. Maxwell, the superintendent of the 1921 census, for example, expressed full awareness of the problem as follows:<sup>24</sup>

... the 1891 Census shows a number of Tengaras in the Kinabatangan District. After this one record they do not appear again; not because they have disappeared but because they have been included under the bigger group of Muruts ... Again the Tambunwas, who are nothing more or less than rather backward Dusuns, have sometimes been enumerated as Dusuns, sometimes as Tambunwas, and sometimes as Orang Sungei ...

Recent socio-anthropological studies have been undertaken by scholars in Sabah, but these have been largely case or micro studies of particular *suku* communities.<sup>25</sup> Though providing valuable "indepth" knowledge about certain groups, they do not generally help a scholar in formulating larger socio-ethnic or cultural categories, or in classifying the people of Sabah on a more scientific anthropological basis. By looking for minute differences among the various *suku* rather than for broader similarities some have, in fact, compounded the problem. Scholars like G. N. Appell have actually rejected the terms "Dusun" and "Murut" as extraneous, without suggesting suitable alternatives.<sup>26</sup>

Whatever the drawbacks of the general traditional categories including Dusun, Murut and Orang Sungai, they have become firmly established in Sabah over the years and are now accepted by a large section of the population to whom they have been applied. As Prentice remarks, any "attempt to exclude them from

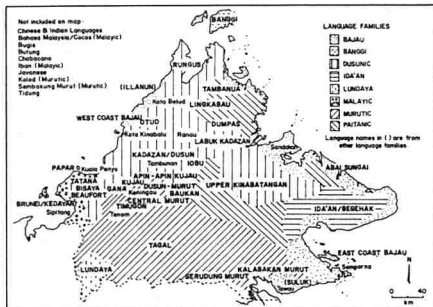
the linguistic nomenclature of the region would meet considerable resistance from many quarters, not least from the groups to which they are applied".<sup>27</sup> Thus for instance, when in response to the campaign of some Dusun political leaders who felt that the word "Dusun" was derogatory, the use of the term "Kadazan" was officially adopted in 1970, some Dusun groups strongly objected. This linguistic controversy, based on group sentiments continued till very recent times. In 1995 however, the deadlock between the two groups was broken when they consented to accept the term "Kadazandusun" as the official category.<sup>28</sup>

For the purpose of avoiding confusion, the older traditional categories used by the Company's censuses will be used in the present study with one or two modifications. Based on the categories employed, the indigenous peoples of Sabah may be grouped into the following major categories: the Kadazandusun, the Murut, the Bajau, the Brunei-Malay, the Suluk, the Illanun and the Orang Sungai.<sup>29</sup>

### The Murut

The Murutic and Dusunic speaking peoples were probably some of the earliest inhabitants of modern Sabah and therefore may be termed as the autochthonous people of the region.<sup>30</sup> They speak languages that are related, falling under the same group of languages referred to as the Bornean stock.<sup>31</sup> The Murut of Sabah are quite different from those peoples of Sarawak who are often referred to as Murut, although the Sabah Murut, especially of the Tagal sub-group are also found in quite large numbers in Indonesian Kalimantan and to a lesser extent in Sarawak. In the past, a process of migration to and fro was a common feature amongst the Tagal. This process continues to this day, although to a lesser extent and now mainly for marriage purposes.<sup>32</sup> As has been noted, the term "Murut" is an "exonym" for the people to whom it is applied, for in the past these people, in reality, identified themselves as members of a series of self-named sub-groups. These

## The Making Of Sabah



MAP 2 : LANGUAGES OF SABAH

SOURCE : REPRODUCED FROM A. SULLIVAN AND C. LEONG (eds.),  
COMMEMORATIVE HISTORY OF SABAH, 1881-1981, p. 580.

### Map 2: Languages of Sabah

Source: Reproduced From A. Sullivan and C. Leong (eds.),  
*Commemorative History of Sabah, 1881-1981*, p. 580

names usually corresponded to the dialects they spoke, or some place-name such as that of a river on which they lived. Based on the work undertaken by O. Rutter, G. C. Woolley, J. L. Landgraf, D. J. Prentice and S. P. Lees, the Murut can be divided into at least seven sub-groups or *suku*, namely the Nabai of Keningau, the Timogun of Tenom, the Boakan of the upper half of the Sook River, the Peluan of the Dalit river, the Semambu of Sipitang and Pensiangan, the Tagal of the Bole River and the Kolor around the Bole and Meligan. The main branch of the Timogun *suku* for example lived on the plains at Tenom, bordering the Padas and Pegalan rivers. Timogun means "people of the river".<sup>33</sup>

From this it is evident that the Murut inhabit an area which resembles a triangle, stretching from Apin Apin, just north of Keningau to Kalabakan in the southeast to the Sarawak/Kalimantan border in the southwest. The great divides between different river systems made the communities isolated and scattered. Traditionally the longhouse which was the typical Murut village, constituted a single socio-economic unit. Though admirably suited to the needs of the Murut, the longhouse system was prone to epidemics. The concomitant loss of population, as a result of disease the subsequent cessation of raiding, and the reduced need for the security of the longhouse once Company rule was established caused the longhouse system to be gradually abandoned by the 1920s, by some *suku*.<sup>34</sup> The gradual erosion of the traditional Murut community was heightened during the early decades of the twentieth century by the disruptive effects of the extension of Company rule.<sup>35</sup> The seriousness of the situation became obvious when the Company's government discovered that the Murut population was actually declining. Compared to the figure of 27,226 persons in the 1911 census, the 1931 census enumerated a Murut population of only 24,444.<sup>36</sup> The stark reality prompted the government, in 1935, to investigate the matter seriously and to take remedial measures which slowly began to bear fruit, though the results were only evident long after Company rule had ended. In 1970 the Murut community had increased to

30,908, while the figure for 1991 was 50,206 persons out of a total population of 1,730,098 for the state.<sup>37</sup>

### The Kadazandusun

The Kadazandusun, who form the largest component of Sabah's population (321,052 out of a total of 1,730,098 for the state in 1991) have been inferred to have had historical links with the Visaya and Tagalog of the Philippines.<sup>38</sup> However, more recent linguistic evidence suggests that the Kadazandusun language is not as closely related to the Malayic Tagalog and Visayan languages as once thought. In fact, the Dusunic languages form their own family under the Bornean group of languages and only become related to the Malayic languages at the superstock level of the Western Austronesian group.<sup>39</sup>

The majority of about ninety-five per cent of the Kadazandusun are concentrated on the west coast of Sabah.<sup>40</sup> Their main groups are the Kadazan of Penampang and Papar, the Rungus of Kudat, the Lotud of Tuaran, the Bundu of the Tambunan hills, the Tambunan of the Tambunan Valley, the Ranau of the Ranau Valley, and the Liwan of the hills of the Crocker Range. There are others of a mixed origin, especially the Kwijau and the Tatana.<sup>41</sup> Though this classification is based on traditional categories, and the term "Dusun" itself is an "exonym", it is interesting to find that the majority of the different Kadazandusun groups have, in fact, close linguistic ties. Without exception, the Dusunic languages are of a common ancestry, forming a linguistic chain, and can be mutually understood in varying degrees along that chain.<sup>42</sup>

The Murut and the Kadazandusun were originally hunter-gatherers and swidden rice cultivators. Over the centuries, many Kadazandusun communities, attracted by the conducive conditions of the west coast lowlands and the intermountain valleys, took to wet rice cultivation and became settled farmers.<sup>43</sup> In fact, rice cultivation, whether of the hill or wet type, not only has had



a long tradition in Sabah, but was also the most important economic activity of the indigenous people.<sup>46</sup> Even in 1918, when large areas had been opened up by European capitalist enterprise for the cultivation of tobacco and rubber, the area under *padi* cultivation was almost twice as large as that under any other crop.<sup>46</sup> *Padi* cultivation was so important culturally that it became enmeshed in ritual.<sup>46</sup>

### The Bajau

The Bajau, together with a number of other Muslim communities, played a prominent political role both before and at least during the early period of BNBC rule. The other Muslim groups are the Illanun (Iranun), the Suluk (Taosug), and the Brunei-Malay. The Muslim category also includes those people who were originally of Kadazandusun descent, but were converted to Islam. They are the Bisaya, the Kadayan, Orang Sungai, Tidong and a number of other smaller groups.<sup>47</sup>

The Bajau of Sabah originated from their traditional home which was around the southern parts of Mindanao and Basilan, and some islands in the Sulu archipelago, especially the Tapani Tana, Cagayan de Sulu and Balangingi groups. Unable to live off agriculture because of an environment unsuited for such purposes, these people became expert boat-builders and seamen. Beginning probably as fishermen and traders, they took advantage of the commercial expansion of the Sulu Sultanate in the late eighteenth century. Responding to the great demand for manpower, some Samal-speaking groups became slave-raiders, while others worked as collectors of marine and jungle produce in Sulu's Bornean dependencies.<sup>48</sup>

As a result of these activities, beginning in the late eighteenth century, many Samal groups began to open up new settlements in Sabah. By the nineteenth century, the Bajau acquired settlements at Marudu Bay, Tempasuk, Inanam, Kawang and Papar on the west coast and in the Omaddal, Sandakan and Darvel Bay

regions on the east coast.<sup>49</sup> Though a heterogeneous people, the Bajau of Sabah were of two main types: the sedentary coastal dwellers of the west coast, and the strand boat-people of the east coast.<sup>50</sup> In this literature of the nineteenth century, the latter have been described as "sea gypsies", a nomadic race which never made their home on land, but lived their entire lives in villages built over the water and sustained themselves by catching fish, collecting *tre pang* (sea cucumber, *holothuria*), turtle-eggs and diving for pearl oyster. The west coast Bajau, on the other hand, gave up their slave raiding activities as a result of British, Dutch and Spanish naval action in the nineteenth century to become *padi* farmers, fishermen and excellent herdsmen and horsemen.<sup>51</sup> Their former prowess is still very much remembered in Sabah, even at state functions when Bajau of the Kota Belud region can often be seen forming the guard-of-honour for dignitaries, mounted on horseback in full ceremonial attire and armed with traditional weapons. The Bajau form the largest Muslim community in the state and the second largest indigenous group after the Kadazandusun. In 1911, they numbered 22,587, forming 16 per cent of the state's population while the 1991 figure was 203,317 or about 12 per cent of the total population of Sabah.<sup>52</sup>

### The Illanun/Iranun

Another group which was politically and numerically more important in the nineteenth century than presently, and a force to be reckoned with, were the Illanun or Iranun. Moving out of their ancestral home around Lake Lanao in central Mindanao, the Illanun were the first to take advantage of the expanding Sulu trade to become large-scale slave raiders and traders in the eastern seas. To conduct their operations more effectively they established a network of satellite posts, some of them in Sabah, the most important being Pandasan, Marudu and Tunku. Most of the Illanun population was dispersed or killed in 1845 when Marudu, the stronghold of Syarif Usman, was destroyed by the

British. This perhaps accounts for their meagre numbers today, totaling a mere 9,781 in 1991.<sup>53</sup>

### The Brunei-Malay and the Suluk

In contrast with the restless and marauding Bajau and Illanun, the Brunei-Malay and the Suluk were a settled people owing allegiance to the respective capitals of the Brunei and Sulu Sultanates. They inhabited the coastal areas and their settlements correlated geographically with the spheres of influence exercised by their respective sultanates in their heyday. The Brunei-Malay were concentrated almost exclusively on the south-western coastal areas of Sabah, especially at Papar, Beaufort and Mempakul, while the Suluk settled at Marudu, Sandakan, Lahad Datu, and the lower courses of the major rivers on the east coast. The Brunei-Malay were more numerous, constituting in 1970 about 28,150 persons, compared to the Suluk who numbered about 10,907 in the same year. In the 1991 census, the Suluk population of Sabah had increased to 44,389 persons. The Brunei - Malay have been merged with the larger category "Malays".<sup>54</sup> In the heyday of their sultanates, both played important roles in their respective areas as administrators and traders and, through the Islamisation of some of the local communities including the Bisaya of Mempakul, the Kadayan of Sipitang on the west coast and the Orang Sungai of the Kinabatangan and other rivers on the east coast.<sup>55</sup> It may not be far-fetched to say that the Brunei-Malay, the Illanun, the Bajau and the Suluk constituted the most important political and commercial force in the Sabah region up till the early decades of this century.

### The Orang Sungai

Small Kadazandusun communities settled in the mid-courses of the large rivers on the east coast, the Sugut, the Paitan, the Labuk

the Kinabatangan, and the Segama, were generally Islamised by the Suluk in the eighteenth and nineteenth centuries. They were collectively called Orang Sungai to "differentiate" themselves from their pagan Dusun brothers".<sup>54</sup> On each major river of the east coast they had more specific names. On the Kinabatangan they were called Buludupi, on the Labuk, Dumpas and on the Paitan, Orang Sungai. They were basically swidden agriculturists, but in the nineteenth century they also began to play an important role in the Sulu economic and commercial structure of the east coast.<sup>57</sup> Their population registered 9,168 persons in 1911, 17,535 in 1970, and 42,916 in 1991.<sup>58</sup>

### The Population as a Whole

During the hundred years from the time when the Company's first census was taken in 1891, to 1991, some interesting developments have taken place in the demographic structure. Figure I which has been compiled from various sources gives the population figures for the major ethnic groups.<sup>59</sup> In 1887 the Company had estimated a population of 150,000 people, but the 1891 census enumerated a figure of 67,062. The 1911 census however showed a figure of 208,183 persons. As this drastic increase could not have been due merely to natural increase, and as there was no large scale immigration either, the actual population in 1891 was obviously larger.<sup>60</sup> A smaller figure was registered because the Company had, as yet, not extended full administrative control over many areas of Sabah, especially the interior, and therefore a proper count could not be taken.

The total population of Sabah has multiplied from an estimated 120,000 in 1891 to over 1.7 million in 1991, indicating a fourteen fold increase in hundred years.<sup>61</sup> Part of this tremendous increase is due to the rapid rise in the Chinese population which in 1891 was only 7,156, but registered a figure of 199,140 in 1991, an increase by 28 times over the period. Another interesting change

is the phases of increases and the changing ratios. Between 1891 and 1960, the Chinese population increased more rapidly compared to the Indigenous population, the ratio in 1960 being Chinese to every three Indigenes. From 1960 to 1980 however, the trend was the reverse and the ratio was roughly one to five in the same order. The situation after 1980 has to be analysed in the light of two new factors. One is the presence of an unprecedented large number of non-citizens enumerated in the 1991 census at 423,062 persons. The second is the employment of a new system of classification for the indigenous population which in the 1991 census was divided into two broad categories; "Bumiputra" meaning the Malays and "Other Bumiputra" which included almost all the indigenous groups of Sabah, except the Brunei-Malay who were merged with the larger category, the Malays.

NOTES

1. See Convention between Great Britain and The Netherlands Defining Boundaries in Borneo, 1891, C.O. 874/503, ff. 36-39; and Agreement between the United Kingdom and The Netherlands, 1915, C.O. 874/503, ff. 73-76.
2. Albert Teo and A.G. Sullivan, *Sabah, Land of the Sacred Mountain*, Kota Kinabalu: Sabah Handicraft Centre, 1988, p. 4, and Lee Yong Leng, *North Borneo (Sabah), A Study in Settlement Geography*, Singapore: Eastern Universities Press, 1965, p. 1.
3. For more details see Lee, *North Borneo*, pp. 1-14; R. Harrison, "An Analysis of the Variation Among Ranau Dusun Communities of Sabah, Malaysia", Columbia: Ph.D. thesis, Columbia University, 1971, pp. 68-69; *Handbook of British North Borneo 1886 (Handbook 1886)*, London: William Clowes and Sons, 1886, pp. 21-32; and *Handbook of The State of North Borneo 1934*, London: British North Borneo Company, 1934, pp. 13-20.
4. Lee, *North Borneo*, p. 6.
5. For more details on the ODA, the Brunei and Sulu grants, the charter issue, the BNBP, and the BNBC see generally Chapters 5 and 6 below. For more particular reference concerning the first documented use of the words "Sabah" and "North Borneo", see document 5, C.O. 874/54; and Alfred Dent to the Marquis of Salisbury, 2 December 1878, and inclosure, letter 137, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)*, Harrison and Sons, 1882, pp. 129-135. See also, Alfred Dent, Managing Director BNBP, to W. H. Treacher, Governor of British North Borneo, 31 May 1881, C. O. 874/177, f. 3; Secretary BNBC to W.H. Treacher, 18 August 1882 and enclosures, Court's despatch 44/1882, C.O. 874/292, f. 118-119; Agreement between Her Majesty's Government and British North Borneo Company, 12 May 1888, F.O. 12/86, ff. 425-426; and A. Sullivan and Cecilia Leong (eds.), *Commemorative History of Sabah, 1881-1981*, Kota Kinabalu: Sabah State Government, 1981, p. 123.
6. For more information on the structure of the traditional state in Southeast Asia see, Kenneth R. Hall and John K. Whitmore (eds.) *Explorations in Early Southeast Asian History: The Origins of Southeast Asian Statecraft*, Ann Arbor, Michigan: Center for South

and Southeast Asian Studies, University of Michigan, 1976; Paul Wheatley, *The Kings of The Mountain: An Indian Contribution to Statecraft in South East Asia*, Kuala Lumpur: Second Sri Lanka Endowment Fund Lecture, University of Malaya 1980; A. J. S. Reid and L. Castles (eds.), *Pre-Colonial State Systems in Southeast Asia*, Kuala Lumpur: JMBRAS Monograph, 6, 1975; and Seomarsaid Moertono, *State and Statecraft in Old Java: A Study of the Later Mataram Period, 16-19th Centuries*, New York: Southeast Asian Program Monograph Series, Cornell University, 1968. According to the Brunei Annals, the *Silsilah Raja-Raja Brunei*, the Sultanate of Brunei began to expand into an empire to include Sabah during the reign of Sultan Bulkiah. He was the fifth sultan of Brunei and is generally thought to have ruled the sultanate during the time of Antonio Pigafetta's visit in 1521. For a translated version of the Brunei Annals, see H. Low, "Selesilah (Book of the Descent) of the Rajas of Bruni", *Journal of the Straits Branch, Royal Asiatic Society (JSBRAS)*, V, 1880, pp. 1-35. For a transliterated version in Romanised Malay, see P. L. Amin Sweeney, "Silsilah Raja-Raja Berunai", *Journal of the Malaysian Branch, Royal Asiatic Society (JMBRAS)*, XLI, ii, 1968, pp. 1-82. For more information on the extent of the Brunei empire during this period, see D. S. Ranjit Singh, *Brunei 1839-1983: The Problems of Political Survival*, Singapore: Oxford University Press, 1984; reprinted 1991, pp. 16-20.

7. The word is used in this context in Sweeney, "Silsilah Raja-Raja Berunai", pp. 25, and 64. There also appears to be little or no connection between Sabah and the biblical "Sheba". See M. Hall, "Sabah and Sheba", *Sarawak Museum Journal (SMJ)*, VII, 1956, pp. 175-182.
8. C.O. 874/54, documents 1-5. These documents refer to the 1877 agreements between the Overbeck-Dent Association and the Brunei government by which the latter transferred its dependencies in Sabah to the former. In addition to the transfer, the text spells out the extent of Brunei's claims in Sabah with reference to the number of dependencies and their geographical extent. It is clear from the text that Brunei's dependencies were all located along the coastal belt. In these documents the Brunei government made no attempt to claim jurisdiction over the interior regions. This fact was con-

- firmed in 1881 by North Borneo's first Governor, W.H. Treacher (1881-1887). W.H. Treacher, Governor, North Borneo, to Alfred Dent, Managing Director, British North Borneo Provisional Association (BNBPA), 18 November 1881, Governor's despatch 54/1881, C.O. 874/228, f. 310.
9. This date is given in H. R. Hughes-Hallett, "A Sketch of the History of Brunei", *JMBRAS*, XVIII, ii, 1940, p. 13.
  10. Sweeney, "Silsilah Raja-Raja Berunai", pp. 63-64.
  11. N. Tarling, *Britain, The Brookes and Brunei*, Kuala Lumpur: Oxford University Press, 1971, p. 6.
  12. W. H. Treacher, Acting Consul-General for Borneo, to the Earl of Derby, 22 January 1878, letter 118, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)*, London: Harrison and Sons, 1882, pp. 118-119. A large part of the same correspondence also appears in F.O. 12/86 ff. 281-325. The Sulu Sultanate, however, only established political control over the east coast of Sabah in the late 18th and early 19th centuries. See J.F. Warren, *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery, and Ethnicity in the Transformation of a Southeast Asian Maritime State*, Singapore: Singapore University Press, 1981, pp. 75-93. For more details on the Overbeck-Dent Association, see Chapter 5.
  13. Incidentally, Ordinance 1 of 1911 of the State of North Borneo defines a native as "any aboriginal inhabitant of British North Borneo and any other Asiatic who may be or become entitled to rank as a Native in accordance with rules to be laid down for that purpose and published in the Gazette." See *The Ordinances of the State of North Borneo 1881-1926*, Singapore: The Malaya Publishing House, n.d., p. 146. The Constitution of the State of Sabah defines a native as "a person who is a citizen, is the child or grandchild of a person indigenous to the State ..." *The Constitution of the State of Sabah*, Kota Kinabalu: Government Printer, 1977, Article 41(10) p. 55.
  14. The 1970 census gives a list of 23 indigenous groups. *Statistical Handbook, Sabah, 1971*, Kota Kinabalu: Department of Statistics, 1972, pp. 6-7.
  15. See below, pp. 7-8.
  16. D. J. Prentice, "The Murut Languages of Sabah", *Pacific Linguistics*, Canberra: The Australian National University, 1971, p. 2.



17. An "autonym" is a term of ethnic identification used by a particular people to refer to themselves while an "exonym" is one invented by people, foreign to those being identified.
18. For some examples of the writings of the Company's officials see O. Rutter, *The Pagans of North Borneo*, London: Hutchinson, 1929; and G. C. Woolley, *The Timoguns: A Murut Tribe of the Interior, North Borneo*, Jesselton: Native Affairs Bulletin (NAB), 1, Government Printer, reprinted, 1962.
19. See J. H. Walker, "Census of British North Borneo and Labuan 1891", *British North Borneo Official Gazette (BNBOG)*, 1 February 1892, pp. 19-35; and "Census of British North Borneo 1901", *Supplement, BNBOG*, 5 October 1901.
20. D. R. Maxwell, *State of North Borneo: Census Report, 24 April 1921*, Jesselton: Government Printer, circa 1922, p. 2.
21. See L. W. Jones, *North Borneo: Report on the Census of Population held on 4 June 1951*, London: 1953, pp. 23-25.
22. *Ibid.*, p. 42.
23. Rutter, *The Pagans of North Borneo*, pp. 13-15.
24. Maxwell, *Census Report 1921*, p. 18.
25. Some of these include: M. Glyn-Jones, "The Dusun of the Penampang Plains in North Borneo", Kota Kinabalu: unpublished manuscript, Sabah State Archives, 1953, pp. 1-125; J. L. Landgraf, *Interim Report to the Government of North Borneo on Socio-Anthropological Field Work Amongst the Muruts*, Jesselton: Government Printer 1956, pp. 1-30; T. R. Williams, *The Dusun: A North Borneo Society*, New York: Hold, Rinehart and Winston, 1965; G. N. Appell, "The Nature of Social Groupings Among the Rungus Dusun of Sabah, Malaysia", Canberra: Ph.D. dissertation, The Australian National University, 1965; and Harrison, "An Analysis of the Variation Among Ranau Dusun Communities".
26. G. N. Appell, "Ethnographic Profiles of the Dusun-Speaking Peoples of Sabah, Malaysia", *JMBRAS*, XLI, ii, 1968, p. 131.
27. Prentice, "The Murut Languages of Sabah", p. 2.
28. Even as early as the 1920s, the Dusun of Papar were calling themselves "Kadazan". In the 1960s, Donald Stephens, the most outstanding Kadazandusun leader to emerge, campaigned for the use of the term "Kadazan" in place of "Dusun". The "Kadazan" category was officially adopted for the first time in the 1970 census.

- Rutter, *The Pagans of North Borneo*, p. 31; M. C. Roff, *The Politics of Belonging, Political Change in Sabah and Sarawak*, Kuala Lumpur: Oxford University Press, 1974, pp. 53-56; and A. Sullivan & C. Leong (eds.), *Commemorative History of Sabah, 1881-1981*, Kota Kinabalu: Sabah State Government, 1981, p. 564. Interview with Datuk Dr. James P. Ongkili, 27 May 1978 at Kota Kinabalu. Also see *Borneo Mail* 10 March 1999.
29. To some extent this categorisation is also used by Landgraf. Roff however prefers to use the categories "Non-Islamic Indigenes" and "Malayo-Muslim Peoples". See Landgraf, *Interim Report*, pp. 1-3; and Roff, *The Politics of Belonging*, pp. 20-24.
  30. The Murut have no legend of migrating from any other country; as far as they are concerned, they are the aboriginal inhabitants of the land. In the past, they migrated from valley to valley, and visualised the whole hilly region of south-western Sabah and northern Kalimantan as Murut country. The Murut, however, have a legend about a great flood which inundated the earth, leaving only two survivors. From this couple the Murut multiplied and repopulated the land. Woolley, *The Timoguns*, p. 1; Williams, *The Dusun: A North Borneo Society*, pp. 3-8; and J. D. Headly, "Timogan Genesis", *JMBRAS*, XXI, i, 1948, pp. 148-149.
  31. *Annual Report of the Summer Institute of Linguistics (SIL) 1980*, Kota Kinabalu: Government Printer, 1980, pp. 1-2.
  32. The "Sarawak Murut" are found in small numbers in Sabah and are generally referred to as Lundayeh or Lundaya. Personal communication with A. Sullivan, 8.7.1994. Also see Prentice, "The Murut Languages of Sabah", pp. 2-3; Landgraf, *Interim Report*, p. 3; and R. Needham, "A Note on Some Murut Kinship Terms", and "A Note on Ethnic Classification in Borneo", *JMBRAS*, XXIII, i, 1955, pp. 159-161, and 167-171.
  33. Woolley, *The Timoguns*, p. 1; S. P. Lees, "Murut Orthography", *Sabah Society Journal (SSJ)*, III, ii, 1966, pp. 90-97; Landgraf *Interim Report*, p. 4. According to the Summer Institute of Linguistics, the Murutic family of languages can be divided into 14 languages under 8 sub-families. *Annual Report of SIL 1980*, pp. 1-2.
  34. G. C. Woolley, one of the BNBC's most capable and long serving officers was despatched to undertake research among the Timogun in the 1930s. One of his informants, a local police inspector in the

North Borneo Constabulary, Chief Inspector Dualis, himself a Timogun, told him that in the olden days, all the Timogun lived in longhouses, some of which were 80-100 yards long. Small-pox epidemics, one of which occurred in 1906, were said to have reduced the Timogun population by more than half. Longhouses were consequently abandoned. Woolley, *The Timoguns*, pp. 1-3.

35. See Chapter 8 for more information on the decline of the Murut people
36. L.W. Jones, *The Population of Borneo: A Study of the Peoples of Sarawak, Sabah and Brunei*, London: The Athlone Press, University of London, 1966, pp. 33-37.
37. *The British North Borneo Herald and Financial Record*, LIII, 1935, pp. 210 and 250-252. For the 1970 and 1991 figures see Tables 1 and 2.
38. In 1911, the Kadazandusun numbered 78,951 out of a total population of 208,951 constituting about 41% and, in 1970, it numbered 183,574 out of 651,304 or 25%. See Tables 1 and 2. Both O. Rutter and T.R. Williams suggest that the Kadazandusun migrated from mainland Asia. Rutter, *The Pagans of North Borneo*, pp. 20-21; Williams, *The Dusun: A North Borneo Society*, pp. 3-8. The publication of early accounts of movement of people from Borneo to the Philippines has given rise to speculation that the Kadazandusun, Murut, Visaya and Tagalog had close ties in the past. Father Santaren, "Bisayan Accounts of Early Bornean Settlements in the Philippines", *SMJ*, VII, 1956, pp. 22-42. For comments on the transcript, See T. Harrison, "Bisaya: Borneo-Philippine Impacts of Islam", *Ibid.*, pp. 43-47; and R.A. Bewsher, "Bisayan Accounts of Early Bornean Settlements in the Philippines Recorded by Father Santaren", *Ibid.*, pp. 48-53.
39. *Annual Report of SIL 1980*, pp. 1-2.
40. Appell, "Ethnographic Profiles", p. 133.
41. The Kwijau of Keningau and the Tatana of Klias Peninsula are a mixture of Murut and Kadazandusun. Fr. A. G. Lampe, "The Kadazan", *Borneo Society Journal (BSJ)*, 3, July 1962, p. 5.
42. *Annual Report of SIL 1980* pp. 1-2; B. M. Clayre, "A Comparison of Some Dialects of Dusun", *SSJ*, III, i, 1966, pp. 3-12. The east coast Kadazandusun groups, according to Clayre, are the Labuk Dusun, the Mangkok and the Bengkoka.

43. This process was still going on in the early decades of the twentieth century. It is, for instance, only in the 1920s and 1930s that many "hill" Kadazandusun moved to the interior valleys of Tambunan, Ranau and Keningau to take up wet rice cultivation. Lampe, "The Kadazan", pp. 5-8.
44. E. Bateson, *Padi Cultivation in North Borneo*, Jesselton: Agricultural Department, Bulletin 2, Government Printer, 1918, p. 1
45. *Ibid.*
46. For more details of these ceremonies see Rutter, *The Pagans of North Borneo*; I. H. N. Evans, *Studies in Religion, Folk-lore, and Custom in British North Borneo and the Malaya Peninsula*, Cambridge: Cambridge University Press, 1923, and *The Religion of the Tempasuk Dusuns of North Borneo*, Cambridge: Cambridge University Press, 1953; Williams, *The Dusun: A North Borneo Society* and J. B. Burrough and A. Jamin, "Traditional Methods of Dusun Rice Cultivation", *SSJ*, V, i, 1972, pp. 352-364.
47. Landgraf, *Interim Report*, pp. 2-3.
48. Warren, *The Sulu Zone*, Introduction xx, and pp. 67-102, and 182-211; D. S. Ranjit Singh, "The Structure of the Indigenous Economy in Sabah in the 1860s and 1870s", Muhammad Abu Bakar, Amarjit Kaur & Abdullah Zakaria Ghazali (eds.), *Historia: Essays in Commemoration of the 25th Anniversary of the Department of History, University of Malaya*, Kuala Lumpur: The Malaysian Historical Society, 1984, pp. 393-394; Diary of William Pryer, 2 March 1878, C.O. 874/67, ff. 14-15.
49. *The British North Borneo Herald (BNBH)*, II, v, 1884, pp. 7; *BNBH*, IV, xi, 1886, pp. 221 and 224; *Report on the Putatan Sub-District, British North Borneo 1884*, Sandakan: Government Printer, 1885, pp. 2-5; J. F. Warren, *The North Borneo Chartered Company's Administration of the Bajau, 1878-1909*, Ohio: Center for International Studies, Ohio University, 1971, pp. 24-31; I. D. Black, "The Ending of Brunei Rule in Sabah, 1878-1902", *JMBRAS*, XLI, ii, 1968, pp. 176-192.
50. As has been mentioned, the BNBC's official-historians tended to concentrate on the "pagan" peoples of Sabah and therefore, have left us very little information on the sea-based coastal Muslim communities. However, in recent years, much research has been undertaken on the Bajau or Samal people as a whole, especially those found in the southern Philippine region. These works include

Thomas Kiefer, *Tausug Armed Conflict: The Social Organisation of Military Conflict in a Philippine Modern Society*, Chicago: Philippine Studies Program, Research Series, 7, University of Chicago, 1969; *The Tausug: Violence and Law in a Philippine Moslem Society*, New York: Holt, Rinehart and Winston, 1972; and "The Tausug Polity and the Sultanate of Sulu: A Segmentary State in the Southern Philippines", *Sulu Studies*, I, 1972, pp. 19-64; Harry A. Nimmo, *The Sea People of Sulu: A Study of Social Change in the Philippines*, San Francisco: Chandler Publishing Co., 1972; David E. Sopher, *The Sea Nomads: A Study Based on the Literature of the Maritime Boat People of Southeast Asia*, Singapore: Memoir of the National Museum Singapore, 5, 1965; and Warren, *The Sulu Zone*. For more specific research on the Bajau in Sabah, see Clifford Sather, "Social Rank and Marriage Payments in an Immigrant Moro Community in Malaysia", *Ethnology*, VI, 1967, pp. 97-102; Warren, *The North Borneo Chartered Company's Administration of the Bajau*; and Carol A. Warren, "Bajau Consciousness in Social Change: The Transformation of a Malaysian Minority Community", Canberra: M. A. dissertation, The Australian National University, 1977. For a discussion of the problems of research among the Suluk, Bajau and Illanun and an appraisal of the relevant historiography see G. N. Appell, "Studies of the Tausug (Suluk) and Samal-speaking populations of Sabah and the Southern Philippines", *Borneo Research Bulletin*, I, ii, 1969, pp. 21-22; and "Ethnographic Notes on the Iranon Maranao (Illanun) of Sabah", *SSJ*, V, ii, 1970, pp. 77-82.

51. Warren, *The Sulu Zone*, pp. 182-197; M. H. Baker, *Sabah: The First Ten Years As A Colony, 1946-1956*, Singapore: University of Singapore, reprinted 1965 p. 9; *Handbook 1886*, pp. 33-34. According to D. R. Maxwell, the superintendent of the 1921 census, the sea Bajau of the east coast also collected fire wood and *bakau* bark for a living. See Maxwell, *State of North Borneo: Census Report 1921*, p. 69.
52. See Tables 1 and 2.
53. For a discussion of the terms Illanun, Iranun, Lanon and Lanun, the reasons for their emigration from the Lake Lanao area, and some of their satellite settlements see Leigh Wright, "The Lanun Pirate States of Borneo: The Relevance to Southeast Asian His-

- tory", Paper presented at the Conference on Southeast Asian Studies, 22-26 November 1977, Kota Kinabalu, and "Pre-Colonial Politics in Sabah", Paper presented at Seminar Sejarah dan Masyarakat Sabah, 12-16 August 1981, Kota Kinabalu. Also see Warren, *The Sulu Zone*, pp. 149-181. For more details on the role of these communities in nineteenth century Sabah, see Chapters 3 and 4 below. The figure 9,781 for 1991 is given in *State Population Report Sabah, Population and Housing Census of Malaysia 1991*, Kuala Lumpur: Department of Statistics, Malaysia, 1995, pp. 89-93.
54. See Table 2, and *State Population Report Sabah 1991*, pp. 89-93.
  55. *Ibid.*
  56. H. G. Keith, *Shifting Cultivation in North Borneo, 1949*, Sandakan: Government Printer, 1949, p. 8.
  57. See Chapter 4.
  58. See Tables 1 and 2.
  59. See Tables 1 and 2.
  60. The Chinese population for example, which accounted for most of the new immigrants, had only increased from 7,156 persons in 1891 to 26,002 persons in 1911. See Table I.
  61. Estimation for 1891 given by James H. Walker, Superintendent of Census for 1891. Walker, "Census of British North Borneo 1891", p. 23; For the 1991 figure see *State Population Report Sabah 1991*, pp. 89-93.

**Table 1**  
**The Population of Sabah, 1891-1991**

Indigenous Sub-Groupings											
Year	Kadazan- dusun	Murut	Bajau	Brunei	Suluk	Orang Sungai	Other Indigenes	Indigenous Total	Chinese	Others	Grand Total
1891	34,166		11,150	3,546	3,733	n.a.	6,454	59,049	7,156	857	67,062
1901	33,456	12,230	10,885	6,767	6,373	4,784	6,549	81,044	12,282	11,201	104,257
1911	87,951	25,314	22,587	6,877	5,303	9,168	15,384	172,584	26,002	9,597	208,183
1921	99,229	28,400	31,348	8,728	6,637	7,422	21,277	203,041	37,642	16,661	257,344
1931	102,401	24,444	31,640	10,507	5,766	6,999	23,461	205,218	47,799	17,206	270,223
1951	117,867	18,724	44,728	22,312 (+ kadayan)	7,866	13,697	17,815	243,009	74,374	16,758	334,141
1960	145,229	22,138	59,710	23,450	11,080	15,112	29,779	306,498	104,542	41,485	454,421
1970	183,574	30,908	77,755	28,152	10,907	17,535	87,924	436,755	138,512	76,037	651,304
1980								788,866	153,981	7,709	950,556
1991											1,730,098

Compiled from the following sources:

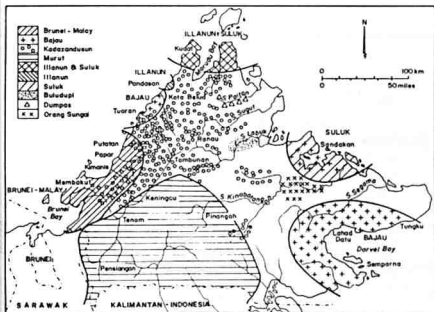
1. J. H. Walker "Census of British North Borneo and Labuan 1891", *BNBOG*, 1 February 1892, pp. 19-35.
2. "Census of British North Borneo 1901", Supplement, *BNBOG*, 5 October 1901.
3. T. W. Rose, "Census 1911", *BNBOG*, 2 January 1912, pp. 18-23.
4. D. R. Maxwell, *State of North Borneo: Census Report, 24 April 1921.*, pp. 1-65.
5. A.N.M. Garry, *State of North Borneo: Report on the Census, 26 April 1931*, London: Circa 1932, p. 14.
6. L. W. Jones, *North Borneo: Report on the Census of Population held on 4 June 1951*, p. 112.
7. Sullivan and Leong, *Commemorative History of Sabah*, pp. 545-579.
8. *State Population Report Sabah, Population and Housing Census of Malaysia 1980*, Kuala Lumpur: Department of Statistics, Malaysia 1983.
9. *Annual Bulletin of Statistics, Sabah, 1991*, Kota Kinabalu: Department of Statistics, Malaysia, Sabah Branch, 1992, p.10.
10. *State Population Report Sabah, Population and Housing Census of Malaysia 1991*, Kuala Lumpur: Department of Statistics, Malaysia, 1995, pp. 89-93.

**Table 2**  
**The Indigenous Population of Sabah by Detailed Major Ethnic Groups, 1991**

Bumi- Putra	Other Bumiputra						Total other Bumiputra	Total Bumiputra	Chinese	Indians	Others	Total Malaysian Citizens	Non Malaysian Citizens	Total
	Malays	Kadazan- dusun	Murut	Bajau	Suluk	Orang Sungai								
106,049	321,052	50,206	203,317	44,389	42,916	168,606	830,486	936,535	199,140	8,348	163,013	1,307,036	423,062	1,730,098

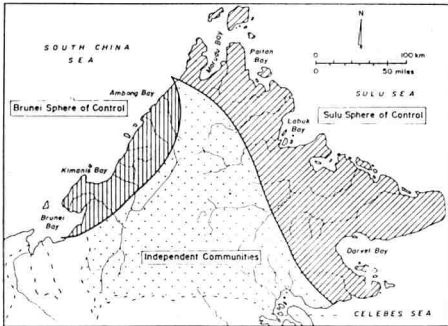
Reconstructed from: *State Population Report Sabah, Population and Housing Census of Malaysia 1991*, Kuala Lumpur: Department of Statistics, Malaysia., 1995, p. 89-93.





Map 3: Distribution of the Indigenous Population of Sabah in the 1870's

Source : Reconstructed From Various Sources Used in Chapters 1-4.



Map 4: Sabah-Spheres of Control in The Nineteenth Century  
Source: Reconstructed From Sources Used in Chapters 1 - 4.

## THE *SUKU*

### The Social Structure

By the end of the eighteenth century, large parts of present-day Sabah had come under the jurisdiction of the Sultanates of Brunei and Sulu. The Brunei Sultanate exercised *de facto* control over the coastal regions of western Sabah, extending from Padas Klias in the south to Kota Belud in the north. The Sulu Sultanate on the other hand had jurisdiction from Tempasuk to the Sibuku River on the east coast. Many of the local autochthonous communities in Sabah, especially the Kadazandusun who lived along the coastal belts, were brought under the *jajahan* systems of either of these sultanates. In addition new settlements of Melayo-Muslim communities migrating from the two sultanates began to spring up in Sabah. These included Brunei Malay, Bajau, Illanun and Suluk settlements.

A large part of the interior of Sabah however remained independent of Brunei or Sulu control. Here autochthonous communities retained their traditional indigenous social systems. A central authority did not emerge in their political organisation. As such their political and social systems portrayed many features of what may be termed tribal societies. In fact the Company's most noted scholar-administrator who was responsible for pioneering work on these communities, G.C. Woolley,<sup>1</sup> invariably used the term "tribe" to denote these groups. However, the local communities in Sabah used the term "*suku*" to refer to the different groups.

Woolley himself later began to use this term in the Malay translations of his bulletins on the *adat* (customs) of the various local communities. For example the "Nabai Tribe" and the "Timogun Tribe" appear as "Suku Nabai" and "Suku Timogun", and the "Kwijau Tribe" appears as "Suku Kwijau".<sup>2</sup> Though portraying many features of "tribal" societies, autochthonous groups in Sabah in fact had many unique features particular to the local environment. In the circumstances, the local term, *suku* is highly appropriate and has been adopted as a point of reference to denote autochthonous groups in Sabah, and for describing their social system.

It may be worthwhile too, in passing, in making a short reference to what is meant by "tribal" society. Experts exploring the various types of societies and political systems generally divide them into two broad categories. Societies with political systems which possess a centralised form of government are called states. Those whose political systems do not have this attribute may be termed stateless or tribal. All societies have a political system, which refers to the structure, the organisation and institutions which regulate the political relations of that society and keep it together.<sup>3</sup> Some of the features of a stateless or tribal society and its political system have been described by M. Fortes and Evans-Pritchard. An important feature of such societies is that its territorial framework and political cohesion amongst its members are decided by the extent of the lineage ties and the amount of direct cooperation present, and not by an administrative structure as in a state. Tribal society is also highly egalitarian where political office brings neither substantial economic rewards and privileges, nor juridical rights.<sup>4</sup>

A large portion of the communities living in Sabah in the second half of the nineteenth century, especially those in the interior, had the attributes of tribal societies, but in many ways they were unique, and as mentioned we will use the local term, *suku* to describe them. The groups that represented this type of organisation included the Murut sub-groups of the Timogun (Tenom), the Nabai (southern plains of Keningau, west bank of

the Pegalan), the Bokan (upper half of the Sook River), the Peluan (the Punt, the Dalit and lower half of Sook river), the Semambu (the Tomani, the Telokosan and Pensiangan), the Tagal (the Bole), the Kolor (the Melingan and Bole), the Tenggara (headwaters of the Kuamut), and the Melikop (upper reaches of the Kinabatangan). The Kadazandusun sub-groups which still practised this system consisted of the Bundu (northern hilly regions of Tambunan), the Tuhauan and the Tebabar (Tambunan valley), the Liwan (hills of Crocker Range), the Taga (hills of Tambunan and Ranau), the Tidong (upper Labuk), and the Rungus (Kudat region). There were also the mixed groups of Kwijau.<sup>5</sup> Altogether, these communities accounted for about 50,000 inhabitants, or one-third of the total population of Sabah, in the later part of the nineteenth century.<sup>6</sup>



**Map 5 : Major Suku Communities of Sabah in the Nineteenth Century Beyond The Brunei and Sulu Spheres of Control.**

Source : Reconstructed From Sources Used in Chapters 1 and 2.

Though the local Sabah *suku* communities shared some of the general features of tribal societies described by Fortes and Evan-Pritchard, in many other ways they differed considerably. Their actual structure was the product of the combination of a number of factors. The major features that emerged were that, each *suku* had in its possession a geographically defined area which it claimed as its ancestral land with the longhouse as the focus of living and social activity. The institutions of the longhouse headman, formally appointed, and the longhouse council, informally constituted, served as the temporal forces for the running of society, while religion and *adat* became the metaphysical and tradition-bound forces which sanctioned, legitimised and regulated social relations and behaviour.

### The Economic Basis: Swidden Agriculture

To a large extent the *suku* structure in Sabah was a product of geographical and economic conditions.<sup>7</sup> As has been noted, rice cultivation formed the corner-stone of the economy of the indigenous people of Sabah.

Though some communities eventually started wet rice cultivation, a large proportion of the indigenous population in the interior and the east coast continued to be engaged, and still are, in shifting cultivation (*ladang, tebasan*),<sup>8</sup> growing hill or dry *padi* as the main crop with corn, tapioca, sweet potato and banana as secondary crops.<sup>9</sup> In 1881, William B. Pryer, the first British Resident to administer the Overbeck-Dent syndicate's outpost at Sandakan, journeyed up the Kinabatangan and described a typical scene in an interior settlement, in the following manner.<sup>10</sup>

At last on the afternoon of this, eighth day, the first of the true villages of the interior was reached... Pleasantly situated amongst fruit trees, the high forest forming a background, it was surrounded by small patches of potatoes, caladi and a few vegetables. A recent cleared hill a short distance off

showed paddy, a foot high, growing all over it, and on all sides were to be seen the universal plantain. Underneath the house, in a sty, was a pig. The people are Tambumwah Sudyaks.

The influence of ecological conditions on the mode of economic activity is clearly evident. The hill regions of the western cordillera and the central uplands were heavily wooded with primary tropical forest and there was little flat land available for the cultivation of wet padi. The latter point was emphasised in a BNBC circular in 1939 as follows<sup>11</sup>

A very cursory knowledge of the nature of the major portion of the country in which shifting cultivation is practised would satisfy any enquirer that wet padi cultivation in these areas is not practisable.

These regions were scantily populated and though there was a shortage of flat land, hilly land covered with virgin forest was abundant.<sup>12</sup> Such land when cleared was most fertile and gave good yields when planted with hill *padi*. The least amount of technology was required as there was no need to plough the fields and keep them fertile. Once used, they could be abandoned and fresh fertile land cleared. There was plenty of land to shift to and, moreover, it was not worth the effort working the old fields which with time became less productive, or more often, overgrown with *lalang* (*imperata*).<sup>13</sup> Though the productivity of hill *padi* was low when compared to wet *padi*, the amount of effort and technological innovation put in usually gave the native a comparatively reasonable return, especially if there was sufficient rain and no destruction by pests.<sup>14</sup> Moreover, he could supplement his needs by gathering and hunting food in the jungle and the streams in the form of game, fish, wild vegetables and fruit.<sup>15</sup> However, these conditions kept the interior native largely on a subsistence level and, thus, in an "unprogressive" state. *Padi* stocks seldom lasted till the next harvesting season. This was mainly due to the size of

the unit of land which was found practicable to work at one particular season. Due to the physical nature of the region which was steep and highly dissected by fast-flowing streams, the unit of land worked was usually small. To work additional land meant going a considerable distance which was impractical. Further, to replenish his dwindling stocks, the swidden cultivator had to obtain food from the jungle and this occasionally interrupted his planting operations. The hill native was therefore caught in a vicious cycle, for "in areas where there [was] no flat land it [was] a question of either Shifting Cultivation or starvation."<sup>16</sup>

On the eastern lowlands, conditions were different. There was plenty of flat land and forest. The region, however, was traversed by relatively long, broad rivers. These were prone to widespread flooding and had built large delta formations which were covered with mangrove and *nipah* swamp.<sup>17</sup> These physical characteristics were barriers to communications and large scale settlement even on the sprawling plains. The most viable settlements were along the coasts and along the banks of the major rivers, the Segama, Kinabatangan, Labuk, Sugut and Paitan which were navigable for long distances inland. The coastal areas, though suitable for settlement were prone to slave raiding.<sup>18</sup> These areas were mainly inhabited by the Bajau and the Suluk who were under the leadership of strong chieftains who could hold their own against slave raiders. These communities were involved in various commercial activities, but had not taken up rice cultivation. Small Kadazandusun communities however, were settled along the banks of the middle courses of these rivers where they practised only swidden cultivation so that a wet rice zone like the one on the west coast did not emerge on the eastern plains. These Kadazandusun groups were by the late nineteenth century, generally Islamised as a result of Suluk and Bajau influence and came to call themselves Orang Sungai. Those autochthonous groups which preferred to retain their own independent way of life and existence kept their settlements nearer to the headwaters of the major rivers where penetration by outsiders was more difficult. Here they were able to hold their own and sometimes even ter-



rorize downstream settlements.<sup>19</sup> The geographical conditions in their surroundings were quite similar to those found in the mountainous regions of the western cordillera and the central uplands and, consequently their main economic activity remained shifting cultivation and jungle produce gathering.<sup>20</sup> Swidden agriculture and hunting-gathering produced minimal surpluses and could only support small and compact, as opposed to densely concentrated, community units. The economic system was not complex enough to bring about the degree of specialization that produced a class structure, containing such specialized groups as retainers and fighting men. Neither was it able to produce strong lineage groups necessary for the emergence of a paramount chief.

### The *Suku* Territorial Framework

Though the BNBC grouped autochthonous societies of Sabah along broader categories such as Dusun [now Kadazandusun], Murut and Orang Sungai, the people themselves did not identify themselves as such, neither did they have such an overall identity or structure. There were linguistic, cultural and religious linkages within each major category but there was no overall political or administrative structure. Societies termed as Murut for example comprised of numerous autonomous self-named sub-groups who lived separately as self-contained communities in their own traditionally designated geographical areas, and were very often at war with each other.

The Murut sub-groups, of the Timogun, the Nabai and the Peluan for example lived in clearly defined geographical areas of their own and were bitter enemies before BNBC days.<sup>21</sup> Each sub-group such as the Timogun consisted of a member of longhouse communities which formed the basic unit of their social framework. Such a social structure was identified as the *suku*. Thus the Timogun identified themselves as Suku Timogun and the Peluan as Suku Peluan. Though each longhouse in itself was a highly autonomous, self-contained and viable unit, the preva-

lence of inter-*suku* warfare and head hunting made it inevitable for longhouse communities to forge and maintain some kind of link, identity and unity with the *suku* as a whole to survive. A longhouse community without a *suku* framework would be so vulnerable to enemy attack that it would be annihilated and its lands taken over. The *suku* framework provided security in two major ways. Firstly, it provided the territorial base for the various longhouse communities constituting the *suku*. Every *suku* staked a claim to a particular section of the land within which its members could operate. Rivers valleys, hills and watersheds formed the natural boundaries for these territories. The 1951 Report on Shifting Cultivation gives some inkling concerning the natural boundaries as follows:<sup>22</sup>

Certainly some and probably all communities depended on shifting cultivation originally regarded a definite area of country as theirs, within which each member of the community could make a clearing; boundaries were and are natural features such as ridges and streams.

Such claims were recognised by other *suku*. A member of an enemy *suku* entering one's own territory would be attacked on sight. The Timogun, the Nabai and the Peluan for example had clearly demarcated territorial areas of their own. The valley of the Pundi River, a tributary of the Sook, was Peluan country, the Tenom plains, Timogun country, and the Keningau plains, the Nabai heartland. Each *suku* similarly had clearly defined claims over the hills of the region: the Timogun could use the hills to the west of Tenom for hunting and swidden agriculture, while the hills to the east belonged to the Peluan.<sup>23</sup>

Secondly, the *suku* structure provided the framework within which member longhouse communities could forge occasional alliances for undertaking joint defence or conducting raids. The *suku*, as a whole, sometimes enlisted even the help of the visiting trader, who on the west coast was invariably a Brunei-Malay, a Bisaya or a Sarawak Dayak, in the fight against its enemies.<sup>24</sup>

Thus, the exigencies of economic and political survival and common cultural and linguistic affinities produced, among the interior natives of Sabah, a *suku* framework and a territorial base within which operated a loose association of longhouse communities.

### The Longhouse

The longhouse community, however, remained the core unit of *suku* society in Sabah. The physical centre of the community was the longhouse itself, an ingenious structure most suited for survival and cultural needs, for defense purposes and for the organisation of economic activity. W.B. Pryer on his 1881 Kinabatangan trip, describes a typical longhouse of the interior as follows:<sup>25</sup>

The entrance to the house was up a high notched post. Inside was a row of rooms on the left hand, with doors opening into the central passage, opposite to which, on the right, was a slightly raised platform, running the length of the house, the whole being under one roof and raised on piles several feet from the ground.

Each *bilik* or *pintu* (room or compartment) represented the living quarters of one family or household. The raised platform was generally a public place, but each family could use the area opposite their room for storing some of their private property, like jars and gongs. Each longhouse community was under the jurisdiction of its own headman. There was freedom for members of a *suku* to associate themselves with whichever longhouse community they preferred, so long as the headman was willing. Thus, a member of one longhouse was free to leave and join another and this usually happened when a member could not get along with the headman, or with other members of the longhouse. In other instances, it was due to economic and physical reasons. When a longhouse

became too crowded and the surrounding piece of land insufficient to support the population, enterprising individuals would either break away and join another smaller longhouse, or build a new longhouse. A new member, when admitted to an existing longhouse, would either be allocated a vacant room or be obliged to build an extension at the end of the house.<sup>26</sup>

Theoretically, all longhouse communities within a *suku* enjoyed equal status and a compromise was reached whereby each was allocated its own area of land with a stream or its watershed generally serving as the boundary between the adjoining longhouses. Members of other longhouse communities within the *suku* could not use this land except with the express permission of the headman. When making hill clearings for shifting cultivation "all were supposed to keep to the watershed of their own village stream".<sup>27</sup> Within this designated area, members of the longhouse community were free to choose patches of virgin jungle and make clearings for hill *padi*. Usually such a choice was determined by the community as a whole and the patch chosen cleared jointly. For planting purposes, it was then divided into smaller family plots by the marking of sticks. After a maximum of two years, a fresh patch was prepared and successively rotated until all the available land within the vicinity of the longhouse was exhausted after which the longhouse itself was moved to a new area.<sup>28</sup> It was a fine example of communal living which allowed some degree of individual ownership and effort.

Society in a longhouse community was highly egalitarian. As mentioned earlier, the economic structure and the demographic pattern could not support highly specialised groups. Neither did a cultural ideology develop which catered for a class structure. Even though these were the days of inter-*suku* warfare and headhunting, such operations were undertaken jointly by male members of the community and not by a special group of retainers. Even the highest political authority in Sabah's *suku* world, the longhouse headman, was not a product of a class structure. He enjoyed his position by virtue of being elected to his post

because he possessed certain personal qualities and not because of class or lineage ties.

The autochthonous Kadazandusun and Murut *suku* of Sabah were not slave-orientated societies. There was no slave class as such, though each longhouse community usually acquired a few slaves periodically for sacrificial purposes rather than for economic functions, social prestige or as a power base. Even during raids, prisoners were never taken as a rule, only heads. Prisoners only hindered operations and they were not needed as slaves in large numbers. Even slaves acquired for sacrificial purposes were not a product of the internal socio-economic structure. They were usually old people who had been handed over as part of the "*basah*" (blood-money) ceremony at a temporary peace-making with a hostile *suku*.<sup>29</sup> Sometimes they were bought from Suluk, Bugis or Brunei slave traders. In the first half of the nineteenth century as the slave trade began to develop on the rivers of the east coast of Sabah, interior communities began to obtain slaves cheaply from Suluk and Bugis traders who, in exchange, acquired jungle produce for the Sulu market. Such purchases were limited in nature. James Warren, however, feels that interior groups obtained a major portion of the four to five hundred slaves that were brought each year to the Kinabatangan during this period. According to him, they were bought not only for ritual sacrifices, but to perform important economic functions as well. According to him:<sup>30</sup>

Slaves who were not purchased for ritual purposes fulfilled important economic roles among interior tribal groups. They were absorbed into the slave class and procured forest produce for the coast hinterland trade.

The available evidence, at least for the 1860s and 1870s, does not seem to bear out these observations for the interior *suku* communities in Sabah, though these imported slaves could have been used by the coastal Muslim population. A slave class as an economic component was alien to Sabah's *suku* socio-economic structure. There were, however, substantial Muslim Suluk and Bajau

communities settled along the coastal belt and along the lower courses of the rivers of the east coast. These had a slave class component. Many of these communities did conduct jungle produce gathering operations themselves and it is possible that a large number of slaves coming into the region were absorbed and used by them for this purpose.<sup>31</sup>

Sabah's *suku* communities acquired a handful of slaves for sacrificial purposes in connection with a variety of ceremonies. The most common one was the *semanggup* in which a slave was tied up and slowly speared to death by all present. As each one thrust his blow, he delivered a message which was supposed to be carried by the departing man to dead relatives residing on Mount Kinabalu.<sup>32</sup> Another ceremony was connected with the practice of headhunting indulged in, generally, to appease the spirit of some one who had died and to end the period of mourning. Head taking after a successful raid would call for celebration, but if the raid did not materialise, the head of a slave was substituted for commencing such merry-making.<sup>33</sup> The head or heads acquired during raids would be decorated and hung in the house. A great important ceremony or feast, called the *mensilad* was undertaken every five to six years to appease the spirits of the heads so that they would not harm the inhabitants.<sup>34</sup>

In each Kadazandusun and Murut longhouse there were also women religious specialists called the *bobohizan*. There was usually a head *bobohizan* and a few junior ones. Their main function was to act as intermediaries between the world of man and divine power, conduct ceremonies for various occasions and functions, such as during birth, death, at the time *padi* was ripening and when it was harvested, and to cure illness. In some *suku* like the Timogun, the institution was highly developed and a long period of training was required for novices. The art or knowledge was jealously guarded and passed-on only to daughters or girls of the same community. As *adat* and religious belief were so important in Sabah's *suku* society the *bobohizan* exercised great influence on the behaviour of the community and individuals, especially in preventing them from transgressing *adat* law (customary law).<sup>35</sup>

Religion and *Adat*

The dictates of religious belief and *adat* had so permeated the soul and mind of *suku* communities in Sabah that their world view, thought patterns and behaviour were coloured by them. Religion and *adat*, in fact, provided the metaphysical sanctions for their actions.<sup>36</sup> It laid down rules and practices to regulate and govern their behaviour. With odd exceptions, there was strict and universal adherence to the dictates of *adat*. This may explain why, from the sociological point of view, in addition to the economic and demographic constraints, an elaborate governmental structure did not develop. There was simply no need for it.

Man's actions whether of individuals or of the whole community were viewed as affecting the world of the supernatural and, if these actions transgressed *adat*, disturbances in the order of the cosmos would take place.<sup>37</sup> This would bring divine retribution to society in the form of plague, pestilence, floods and crop failure. To be of the right behaviour, society must conform to *adat* which was considered to be the manifestation of the divine "Truth" on earth. As a deterrence against the blatant flouting of *adat*, strict punishments were meted out to the offenders, especially if the crime was of a serious nature, such as murder or incest. In addition to the punishment which often meant death or banishment in these cases, the family of the guilty party was liable to payment of ritual fines to the whole community for the performance of appropriate ceremonies to appease the offended spirit and to cleanse the whole countryside around the longhouse. There were various types and degrees of ritual fines and compensations; some were communal and others involved simple transactions between individuals.

The four major types of *adat* fines in order of importance were *kepanasan*, *sogit*, *babas*, and *kemaluan*.<sup>38</sup> *Kepanasan* normally were ritual fines for sexual crimes like incest, and other forbidden sexual relations. *Sogit* covered compensation for any kind of bodily harm, including hurting someone else's child and for breaking a marriage contract. *Babas* was of two types. One was used to

"break" an *adat* rule as, for example, when a marriage was viewed as constituting incest of the third degree.<sup>39</sup> The *babas* legitimised such a marriage contract. The other type of *babas* was compensation paid to effect a reconciliation after a quarrel or a fight by the guilty party. Finally, *kemaluan* was recompense owed for slandering and wrongful defamation of character. Fines were usually paid in kind, in the form of buffaloes, pigs, chicken, brass gongs and jars. There is no evidence of currency having been in circulation amongst the *suku* society in Sabah before 1881.<sup>40</sup>

*Adat* and *adat* law covered the entire range of human activity within the *suku*. This included inheritance, adoption, serious crimes, sexual relations, hunting, ownership of land and fruit trees, labour sharing and raiding within the general life of the community; and name giving, teeth filing, marriage and death within the life-cycle of the individual. The sheer number and variety of ceremonies observed as well as the payment of fines involved, created a demand for the acquisition of certain treasure items and large quantities of food. Because of the great socio-cultural value of some of these items, their possession became a traditional sign of prestige and, consequently, acquired great economic value, becoming highly prized as inheritance items.<sup>41</sup> Their acquisition and possession did not, however, create marked wealth and social differentiation, nor did it increase considerably the total value of the community's wealth as a whole. There was even little accumulation of food surpluses. Stocks exceeding daily needs were soon depleted at communal feasts and in the preparation of rice beer called *tapai* which was consumed in large quantities.<sup>42</sup> Because of the large food supplies required, some ceremonies like the *mensilad* feast were held only at long intervals. Treasure items accumulated over a period of time were soon recycled in social relations, especially through marriages, while some were "lost" as burial jars.

The treasure items required for socio-cultural needs became, during the course of time, items of foreign manufacture. Most popularly, these were Chinese jars acquired either directly from the Chinese or via Brunei traders. Some were used for burial pur-



poses as the majority of the Kadazandusun and Murut buried their dead in large jars. The jars were cut into two halves, the body placed in a crouching position, and the two halves then sealed.<sup>43</sup> Another type of jar, a more rare and expensive one, known as the *gusi* was treasured purely for its magical qualities. In addition to these, brass gongs, the traditional musical instruments possessed by almost every longhouse community, became the common mode of paying bride-price (*berian*). Smaller items included brass ornaments such as ear-rings, girdles and anklets which were highly cherished by the women and even men of certain *suku*.<sup>44</sup>

These items of import as well as other necessities such as salt, iron implements, and cloth, were acquired by the shifting cultivator by bartering jungle produce with the foreign trader. Generally jungle produce consisted of rattan, beeswax, honey, gutta-percha, Indian rubber, *damar*, jelutong and camphor, which were highly demanded by foreign traders.<sup>45</sup> In one region the hill natives also grew hill tobacco as an additional barter item.<sup>46</sup> *Suku* communities on the western cordillera who acquired the jungle produce by organising collecting parties, then transacted group exchanges with the plain wet rice communities, at the periodic markets (*tamu*) in the plains, or with the Brunei, Bisaya or Dayak traders who occasionally ascended the Padas river. Similarly, interior communities on the eastern lowlands established trading connections with the Suluk traders who operated on the great rivers, the Kinabatangan, Labuk, Sugut, Paitan and Segama.

### Political Institutions

Though religious belief, *adat* and *adat* law provided the fundamental framework for regulating man's behaviour and ensured that society operated more or less on its own, the realities of temporal life created the need for judicial authority. There were bound to be cases when people broke the law. An impartial arbitrator was indispensable to ensure that offenders were punished and the

sanctity of *adat* was maintained. Moreover, there were areas where *adat* could not function without a human agency, such as economic organisation, relocation of the longhouse, defence from external threats, organisation of raids, negotiations, alliances, and regulation of trade. Though sophisticated forms of organisation were neither necessary nor possible, certain fundamental institutions of administrative and political authority did evidently emerge.

The most significant political institution to emerge in *suku* society was that of the *orang tua*, (the longhouse headman). As has been pointed out, he was not the product or representative of a class or lineage system. He was selected formally through a consensus of opinion at a gathering which was attended by most senior male members of the community.<sup>47</sup> In the case of a newly established longhouse, the leader of a group who initiated the break-away was usually accorded the honour. The post was not hereditary, but the son of a headman, if he possessed the right qualities, might be chosen to succeed his father. Obviously the headman owed his position to various personal qualities which included bravery, a good knowledge of the *adat*, impartiality, as well as those leadership qualities which were necessary to keep the community secure, orderly and viable. His foremost role was that of institutional head and administrator. He was the chief representative of the community when intra-*suku* relations, especially of a political nature, were involved. According to G.C. Woolley, heads of the various communities within the *suku* "were theoretically equal to each other in power", and acted in consultation.<sup>48</sup> It was the *orang tua* who negotiated for the community's piece of land, and sanctioned his community's participation in defence raids and trading connections. If there was misunderstanding between members of his longhouse and another, he attended the arbitration proceedings which were normally organised by a neutral headman in his own premises. As an administrator, his role was to organise communal work, determine the appropriate times for clearing, ensure that the plots were fairly divided among the families and synchronise planting.

In his second important role he combined the functions of the judiciary and the executive. To be able to preserve order in the community meant that he had to possess a deep knowledge and understanding of and experience in *adat* law. Though justice, like most other matters, was the concern of the whole community, it was upon the headman that powers of judicature and punishment were bestowed when *adat* was flouted. To enjoy the confidence and support of the community he was obliged to exercise judgement with wisdom and impartiality. His role in maintaining social order made him not only a judge, but also an investigator, a witness, an evaluator and a law-enforcement officer. He was a witness to the *berian* agreement when a marriage was proposed and could order the defaulting party to pay compensation. He was a witness when an adoption was made. He was the evaluator when disputes concerning inheritance shares arose, and he was the judge and law enforcer who meted out punishment when crimes of murder and incest were committed.<sup>49</sup>

For fulfilling these multifarious tasks the *orang tua* received no payment in the form either of court fines or taxes. The latter were non-existent in *suku* society. Court fines went either as compensation to the injured party or as ritual payment to the whole community for feasts or cleansing ceremonies. There were, however, some rewards of office, mainly in the form of social prestige. In recognition of this, community members performed personal services for the headman. According to Rutter:<sup>50</sup>

The duties a headman owes to his people are compensated by the dues he may reasonable expect them to provide in return, not in the form of tax or tithe, but in service ... His rice field is felled and planted; he is a welcome guest at any celebration and in many small ways reaps the harvest of his position.

The headman may also have enjoyed some discreet financial gain from favours and privileges granted to traders. Nevertheless, he was unable to entrench his position politically or militarily. He

lacked the necessary resources and manpower to create and maintain a retinue of fighting men. Thus, while it may be reasonable to assume that the exigencies and contingencies of survival needs led to the development of a symbiotic relationship resembling something in the nature of a social contract between the community and the headman, the position of the headman, in terms of the possession of physical force or power, was vulnerable.

How then did the longhouse community remain a politically viable proposition? The lack of a standing corps of enforcement officers within the community was more than compensated for by the weight of *adat* and the support that the community as a whole threw behind a respectable headman. In most cases, the headman had a council of elders to advise him in important matters and decisions. It was an informal body of senior members of the longhouse, who not only elected the headman but also ensured that he acted in accordance with *adat* and religious beliefs and supported him in his actions and decisions. They took an active interest in the affairs of the community and, since writing was unknown, they were also the repositories of lore and tradition. They were, thus, in a position to quote case-law as precedents for the settlement of village problems. According to Rutter, these elders from the earliest times must have been "at once the judiciary and the council which decided the policy and affairs of the community".<sup>51</sup> The village council as an institution disappeared gradually during the course of Company rule, but was an important administrative and judicial organ in pre-Company days.

*Suku* society in Sabah then was one where shifting cultivation provided the economic and demographic base; association within the *suku*, the territorial and cultural framework; the longhouse and the institutions of headman and council, the administrative structure; and religious belief and *adat*, the metaphysical sanctions and legitimacy for human behaviour.

## NOTES

- 1 George Cathcart Woolley joined the British North Borneo Company's service in 1901. He served in many capacities: as District Officer, Magistrate, Commissioner of Lands and Resident and a number of other positions. He also became a leading authority on the customs of the Kadazandusun and Murut sub-groups. His compilation of native laws and customs or *adat* were published in a series of bulletins. He retired from service in 1932, but rejoined the Company's administration in 1947. His second stint however was short-lived for he passed away in December 1947. For a good write-up on his career, see *Sabah Society Journal* (SSJ) V, iii, 1971, p. 177.
- 2 See sub-titles on the front covers of the following bulletins: G.C. Woolley, *Murut Adat*, Kota Kinabalu: Native Affairs Bulletin (NAB) No. 3, Government Printer, reprinted 1962; G.C. Woolley, *Adat Murut: Adat Bagi Mengotorkan Hak Waris di-antara Suku Nabai, Keningau dan Suku Timogun, Tenom*, Jesselton: NAB No. 3, Government Printer, reprinted 1958; G.C. Woolley, *Kwijau Adat: Customs Regulating Inheritance Amongst the Kwijau Tribe of the Interior*, Sandakan: NAB, No. 6, Government Printer, 1939; and G.C. Woolley, *Adat Bagi Mengatorkan Hak Waris di antara Suku Kwijau di Pendalaman*, Jesselton: NAB No. 6, Government Printer, reprinted, 1962.
- 3 See W.J.M. Mackenzie, *Politics and Social Science*, London: Penguin Books, 1967, pp. 193-198, Lucy Mair, *Primitive Government*, Pelican, 1962, M. Fortes and E.E. Evans-Pritchard, "Primitive States and Stateless Societies", Eric A. Nordlinger (ed.), *Politics and Society, Studies in Comparative Political Sociology*, Englewood Cliffs, New Jersey: Prentice-Hall Inc., 1970, pp. 23-24.
- 4 Fortes and Evans-Prithcard, "Primitive States and Stateless Societies", pp. 23-24.
- 5 See Map 5 for their location. This list has been compiled from a number of sources. Particular care has been taken to determine the location of these groups before the establishment of Company rule in 1882. Subsequently, in the early decades of the twentieth century some of the hill groups began to move to the valleys of Tambunan, Ranau and Tuaran. The sources used are: G.C. Woolley,

*The Timoguns: A Murut Tribe of the Interior, North Borneo*, Jesselton: NAB No. 1, Government Printer, reprinted 1962 p. 1. Woolley, *Adat Murut*, NAB No.1; Woolley, *Dusun Adat*, NAB No. 5, p. 1; J. L. Landgraf, *Interim Report to the Government of Northern Borneo on Socio-Anthropological Field Work Amongst the Muruts in 1954-1955*, Jesselton: Government Printer, 1956, p. 4; S.P. Lees, "Murut Orthography", *SSJ*, III, ii, 1966, pp. 19-35. "Census of British North Borneo and Labuan 1881", *British North Borneo Official Gazette*, February 1892, pp. 35; D.R. Maxwell, *State of North Borneo: Census Report, 24 April 1921*, Jesselton: Government Printer, circa 1922, pp. 18 and 68; and H.G. Keith, *Shifting Cultivation in North Borneo, 1949*, Sandakan: Government Printer, 1949, pp. 8-9.

- 6 The 1911 census gives a figure of 45,312 people for the Interior Residency which consisted of the Districts of Tenom, Keningau, Tambunan and Rundum. It can be assumed that this figure represents almost entirely the indigenous population of the Interior Residency which was then still closed to alien (especially Chinese) settlement. This figure does not, however, include the *suku* communities of Pensiangan, the Labuk, the Sugut and the Kinabatangan. Moreover, by 1906, the interior Kadazandusun and Murut population was already declining, having presumably reached its peak before this. It can be assumed, therefore, that the actual figure for the interior indigenous population in the 1860s and 70s was around 50,000 to 60,000 people. See L. W. Jones, *North Borneo: Report on the Census of Population held on 4 June 1951*, London, 1953, p. 23. The policy of keeping out all alien settlement in the Interior Residency was strictly maintained by the Company's government till 1928. J.L. Humphreys, Governor North Borneo, to the President, British North Borneo Company, 23 August 1928, Governor's despatch, 481/1928 and Development of Interior Residency, Sabah State Archives Secretariat File (SSASF), 1768/28.
- 7 According to Fortes and Evans-Pritchard, though ecological conditions influence the economic structure, the latter does not necessarily determine the political structure. Societies practising fixed agriculture could sometimes evolve political systems which are called 'stateless' while those involved in shifting agriculture may even develop the political structure of a state. The examples given

are the Tallensi and Bemba of Africa. Fortes and Evans-Pritchard, "Primitive States and Stateless Societies", p. 24.

- 8 *Ladang* or *tebasan* are the most common terms used by the local communities (Kadazandusun, Murut) for shifting cultivation. Keith, *Shifting Cultivation in North Borneo*, p. 1.
- 9 Diary of William Pryer, 13 February 1878, C.O. 874/67, f. 4; *British North Borneo Herald (BNBH)*, IV, iv, 1 March 1886; and *Handbook of British North Borneo, Colonail and Indian Exhibition 1886*, London: William Clowes and Sons, 1886, pp. 38-41. For more details on traditional methods of growing hill *padi* and shifting cultivation, see O. Rutter, *The Pagans of North Borneo*, London: Hutchinson, 1929, pp.86-89; E. Bateson, *Padi Cultivation in North Borneo*, Jesselton: Agricultural Department Bulletin, No. 2, Government Printer, 1918, pp. 6-7 and 20-22; J.B. Burrough and A. Jamin, "Traditional Methods of Dusun Rice Cultivation", *SSJ*, V, I, 1972, pp. 352-364; *Report of the Committee on Shifting Cultivation 1951*, Jesselton: Government Printer, 1953, pp. 1-19; and Keith, *Shifting Cultivation in North Borneo*, pp. 1-21.
- 10 W.B. Pryer, *Diary of a Trip up the Kina-Batangan River*, London: W. Greaves & Co., circa 1882 (Copy in Sabah State Archives, Kota Kinabalu), pp. 10-11. The early officers of the Overbeck-Dent Association and the Company called the interior natives of Sabah 'Sundyaks'. For more details of Pryer's work see Chapter 5.
- 11 Quoted in Keith, *Shifting Cultivation in North Borneo*, p. 14.
- 12 E. Bateson noted the small population in relation to the size of the region in these words: "The only stimulus to progress for such people is increasing pressure of population which forces them to give up methods requiring the use of large areas of land and settle down to regular cultivation. There is no prospect of this cause operating in North Borneo." Bateson, *Padi Cultivation in North Borneo*, p. 21.
- 13 The old fields were usually abandoned after a maximum period of two years after which the soil as believed to have deteriorated though the major reason was that the fields had become overgrown with weed-grass (*lalang, imperata*). As it was difficult and laborious to extirpate this weed, the natives found it easier to clear a fresh piece of jungle for cultivation. During the course of time though, secondary jungle would appear on the deserted fields where the shade would automatically kill the weed. These fields could be worked

- again without difficulty. To some extent, native methods of shifting cultivation assisted soil deterioration. This happened when the top soil was eroded, especially between the time the jungle was cleared and the *padi* started growing. Bateson, *Padi Cultivation in North Borneo*, p. 7; Dr. J.O.Shircore, *Report on Native Health with Special Reference to the Sociological and Economic Factors bearing on the Depopulation Problem of the Interior and West Coast, North Borneo*, Sandakan: Government Printer, 1939, p. 7.
- 14 In the estimates made by E. Bateson (then Superintendent of Agriculture) in 1918, nearly 32,000 acres of land, out of a total of 58,000 acres devoted to *padi*, was under hill *padi*. Though this amounted to more than 50% of the total area under *padi*, hill *padi* produced only 20% of the total output. Bateson, *Padi Cultivation in North Borneo*, pp. 1-3 and 20.
  - 15 D.J. Prentice, "The Murut Languages of Sabah", *Pacific Linguistics*, Canberra: The Australian National University, 1971, p. 4.
  - 16 Keith, *Shifting Cultivation in North Borneo*, p. 12.
  - 17 R. Harrison, "An Analysis of the Variation Among Ranau Dusun Communities of Sabah, Malaysia", Unpublished Ph.D. thesis, Columbia University, Columbia, 1971, p. 77; Jones, *North Borneo: Report on the Census of Population 1951*, p. 29. The difficulty of communications and settlement was noted by Pryer when he made his boat journey up to the Kinabatangan. The river mouth had numerous channels which were covered by mangrove and *nipah* swamp, about twenty miles deep. These river channels were intersected by lagoons, each exactly like the other so that it was easy for one to lose his way. Pryer, *Diary of a Trip up the Kinabatangan River*, p. 2.
  - 18 The main autochthonous group settled on the eastern lowlands were the Kadazandusun. There was hardly any Murut settlement in this area. Personal communication with A. Sullivan, former Director of the Sabah Museum and the Sabah State Archives, 8.7.1994.
  - 19 Some of these upriver communities may be identified as the Romanov, Melikop, Tenggara, Sagai and the Tumbunwah. Treacher to A. Dent, 7 January 1882, Governor's despatch 3/1883, C.O. 874/229; Diary of William Pryer, 18 January 1879, C.O. 874/68, f. 73; and W.B. Pryer, Resident East Coast, to Treacher, 13 September 1883, enclosure, Treacher to Sir Rutherford Alcock, Chair-



- man BNBC, 13 September 1883, Governor's despatch 266/1883, C.O. 874/235, ff. 364-367.
- 20 W. B. Pryer, the Resident of the East Coast visited the Labuk in 1883 and gave a vivid description of the activities of the upstream *suku*. There were various "Sundyak" villages which were marked by boundaries. There were broad fields of dry *padi* all around the villages. Other crops such as sugar cane, Indian corn and bananas were also cultivated. Most houses had piggeries attached. After the *padi* harvest most of the people usually collected gutta-percha, but as by 1883 supplies were depleted, they turned more and more to the collection of camphor, rattan and damar. Pryer to Treacher, August 1883, enclosure, Treacher to Alcock, 31 August 1883, Governor's despatch 262/1883, C.O. 874/235, ff. 341-316.
- 21 In 1885, serious internecine blood feuds occurred between these *suku*. D.D. Daly, Assistant Resident Province Dent, to the Resident, West Coast, 30 June 1885, enclosure 2, W.H. Treacher, Governor North Borneo, to Sir Rutherford Alcock, Chairman, British North Borneo Company, 9 December 1885, Governor's despatch 150/1885, C.O. 874/240, ff. 323-326.
- 22 *Report of the Committee on Shifting Cultivation 1951*, p. 4.
- 23 Woolley, *The Timoguns*, pp. 1-2 and *Adat Murut*, p. 1.
- 24 Woolley, *The Timoguns*, pp. 1-2. In the 1880s the Murut of the upper Padas Valley collected gutta-percha, rattan and beeswax as the major items for exchange and commercial purposes. The main traders who ascended the river to these regions were Sarawak Dayaks who usually came well-armed in large groups of twenty to thirty. Daly to the Government Secretary, North Borneo, 1 April 1886, enclosure, Treacher to Alcock 30 April 1886, Governor's despatch 77/1886, C.O. 874/241, f. 334; *BNBH*, IV, xi, 1886, p. 219.
- 25 Pryer, *Diary of a Trip up the Kina-Batangan River*, p. 8.
- 26 Woolley, *The Timoguns*, p. 3.
- 27 *Ibid.*, pp. 2-3 and 28-29.
- 28 Landgraf, *Interim Report*, pp. 4-6.
- 29 Woolley, *The Timoguns*, pp. 27 and 31.
- 30 J. F. Warren, *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a Southeast Asian Maritime State*, Singapore: Singapore University Press, 1991, p. 199.

- 31 Two important sources which bear out these observations are Pryer to Treacher, 5 October 1881 and Wittl to Treacher, November 1881, enclosures in Treacher to Alcock, 8 February 1882, Governor's despatch 33/1882, C.O. 874/229, ff. 310-329.
- 32 *Ibid.* It is important to note that not all these ceremonies mentioned above were not necessarily performed by both the Kadazandusun and Murut, though both had strong cultural affinities. Sometimes the ceremonies were common, but they were conducted differently.
- 33 In the 1880s, the Peluan, the Timogun and the Nabai in the upper Padas Valley, conducted regular raids on each other's settlements and took the heads of enemies slain. Daly to the Resident, West Coast, 30 June 1885, enclosure 11, Treacher to Alcock, 9 December 1885, Governor's despatch 150/1885, C.O. 874/240, ff. 323-325.
- 34 Rutter, *The Pagans of North Borneo* pp. 200-203, Woolley, *The Timoguns*, pp. 26-31.
- 35 T. R. Williams, *The Dusun: A North Borneo Society*, New York: Holt, Rinehart & Winston, 1965, pp. 17-26; M. Glyn-Jones, "The Dusun of the Penampang Plains in North Borneo", unpublished typescript, 1953, Sabah State Archives, Kota Kinabalu, pp. 95-97; and Prentice, "the Murut Languages of Sabah", pp. 5-6.
- 36 Some of the conclusions here have been derived from information supplied to the writer during interviews. Most of the material, however, has been obtained from the following: G.C. Woolley, *Tuaran Adat: Some Customs of the Dusuns of Tuaran, West Coast Residency, North Borneo*, Sandakan NAB No. 2, Government Printer, 1937, pp. 1-44; and *Dusun Adat*, pp. 1-23; Rutter, *The Pagans of North Borneo*; Williams, *The Dusun: A North Borneo Society*; and I.H.N. Evans, *The Religion of the Tempasuk Dusuns of North Borneo*, Cambridge: Cambridge University Press, 1953.
- 37 The Kadazandusun generally believed in an ultimate divine being called Kinoringan who, according to them, created this world. See F. G. Whelan (ed.), *Dusun Stories from Kota Belud*, Kuching Borneo Literature Bureau, 1969, pp. 1-4.
- 38 For additional information see Pangeran Osman bin O.K.K. Pangeran Haji Omar, *Dusun Custom in Putatan District*, with a translation by G.C. Woolley, Jesselton: NAB No. 7, Government Printer, reprinted 1962, p. 1-55.

- 39 Among the Kadazandusun, incest of the first degree referred to a sexual relation between parents and children, between brothers and sisters and between uncles/aunts and nephews/nieces. Incest of the second degree referred to sexual crimes between first or second cousins. Incest of the third degree involved sexual relations between third cousins. See Woolley, *Dusun Adat*, p. 20 and *Tuaran Adat*, pp. 21-22.
- 40 Same currency, obviously, foreign (mainly Dutch) was used for decorative purposes. Personal communication with A. Sullivan, 8.7.1994.
- 41 Landgraf, *Interim Report*, p. 11.
- 42 The Company tried to limit consumption of *tapai* by imposing taxes on its manufacture, but failed to achieve the desired results. *Tapai* is still the most common and popular drink among the Kadazandusun and Murut today.
- 43 Woolley, *The Timoguns*, pp. 1, 4-18 and 22-31, P.A. Burrough, "Murut and Dusun Graves in Kinangau District", *SSJ*, V, iii, 19071, p. 216.
- 44 Rutter, *The Pagans of North Borneo*, p. 215, Pryer, *Diary of a Trip up the Kinabatangan River*, p. 8. Pryer describes the use of these brass ornaments by the interior natives as follows: "There were two or three women and one old man... He wore enormous brass earrings ... and round his waist was a girdle of brass wire ... The girls wore similar earrings and girdles, as well as rolls of brass wire round the arm ...."
- 45 *British North Borneo Herald (BNBH)*, V, xi, 1 October 1886, p. 223 and VI, vi, 1 June 1887, p. 130; Landgraf, *Interim Report*, p. 6. A good description of these items appear in *Handbook 1886*, pp. 59-68. Some are described here briefly. Gutta-percha is the hardened sap of the tree called scientifically *dichopsis gutta*. The native obtained the sap by cutting down the tree, making rings round the stem and scraping the gutta-percha. In 1886 the price of a *pikul* of gutta-percha was about \$70. Indian rubber was obtained from sap extracted from a creeper scientifically known as *willonghbera*. This creeper grew generally all over Sabah. In 1886 the price per *pikul* was \$30-40. To obtain beeswax, bees' nests were collected and the wax extracted. The dollar quoted here and subsequently is the Straits Settlement dollar.

- 46 *BNBH*, II, iii, 1884, p. 2; and II, iv, 1884. The Liwan and Taga of the Crocker Range grew local tobacco introduced in the Sabah region perhaps as a result of the activities of the American Trading Company of Borneo which attempted tobacco planting at Kimanis in 1865, but abandoned the venture in 1866 due to various problems. See Chapter 5.
- 47 Glyn-Jones, "The Dusun of the Penampang Plains", pp. 107-112, Rutter, *The Pagans of North Borneo*, pp. 68-70.
- 48 Woolley, *The Timoguns*, p. 2.
- 49 See generally Woolley, *The Timoguns*, pp. 1-31; *Dusun Adat*, pp. 1-23; and Pangeran Osman, *Dusun Customs in Putatan District*, pp. 1-55.
- 50 Rutter, *The Pagans of North Borneo*, p. 69.
- 51 *Ibid.*, p. 69, Williams, *The Dusun: A North Borneo Society*, p. 62.

## THE BRUNEI *JAJAHAN* STRUCTURE ON THE WEST COAST

### The Wet Rice Zone

The socio-economic conditions of the Kadazandusun communities in the western lowlands and the intermountain valleys of the western cordillera were also largely determined by geographical factors. Physical conditions here favoured the emergence of wet rice cultivation which developed probably even prior to the extension of Brunei rule in the sixteenth century. The young short rivers of the western lowlands, though largely unsuited for navigation, brought down rich alluvial soils from the mountain ranges to form a narrow, but fertile and flat plain of about thirty miles wide. Regular monsoon rains and tropical temperatures furnished ideal conditions for wet rice cultivation, to which some of the hill Kadazandusun gradually adapted. Over time, the west coast became the "rice bowl" of Sabah and formed the only region producing surplus rice. By the 1860s and 1870s, rice cultivation on the west coast had reached quite an advanced stage. Regular tilling was undertaken, and rice was grown by using the more advanced and productive method of transplanting the seedlings at regular distances rather than by using the broadcast method which was considered less productive. An elaborate system of dykes, levels and sluices was used, and in some areas, artificial canals were constructed for irrigation purposes. Most of the coastal area of Tuaran, Putatan, Penampang, Papar and Kimanis was brought under cultivation and, in some areas, there was a shortage of flat land.<sup>1</sup>

In the valleys of Tambunan and Keningau, wet rice was also cultivated, but it was irrigated and not "rain" *padi* as on the coastal lowlands. In these areas, the Kadazandusun developed an ingenious system of terraces and channeled water from small streams for the *padi* fields. E. Bateson gives an interesting account of the way the Kadazandusun maximised the use of the natural environment:<sup>2</sup>

In these places irrigation has presented no difficulty beyond the powers of the natives to overcome. There are small streams which are easily dammed and the channels required to lead the water to the fields are short. At Tambunan much of the land had originally a gentle slope and terracing was necessary to make it suitable for *padi* growing; in this work the natives have shown considerable industry.

Wet rice cultivation produced surpluses which were able to support a large population. It is not surprising therefore that the west coast has traditionally been the most densely populated region in Sabah.<sup>3</sup> As noted earlier, conditions on the sprawling east coast did not permit the development of settled cultivation.

### The Genesis and Development of Internal and External Trade

The emergence of the wet rice economic zone on the west coast had the pre-requisites for the development of internal, inter-group upland-lowland trade. This was, namely, the presence of an interface between two contrasting economic types, constituting wet rice cultivation on the one hand and hunting-gathering-cum-swidden-cultivation on the other. Studies of pre-colonial Southeast Asian societies strongly indicate that the economic activities of hunter-gatherers and settled cultivators led to interdependence, symbiotic relationships, and mutual economic benefits. Such interdependence, arising out of the relative specialization of each

group in relation to the other led to inter-group exchanges of food, and services.<sup>4</sup> In the case of the mountainous regions of the west coast of Sabah, the hunter-gatherer communities usually ran short of *ladang* rice which was supplemented by supplies procured from the wet rice cultivators of the plains, in exchange for meat and jungle produce. As the rivers were unsuitable as highways of communications and transportation, the indigenous communities developed a system of land tracks for the purposes of upland-lowland trade.<sup>5</sup>

Besides rice for subsistence, the Kadazandusun and Murut, whether he was a settled or swidden cultivator, needed certain items for the fulfillment of his physical and cultural needs which could not be produced locally, such as iron implements, cloth, brassware and jars. Reciprocally, the west coast of Sabah was able to offer certain commodities such as tropical jungle and sea produce which were in high demand, especially in China. This state of affairs encouraged the development of trade, both inter-regional as well as inter-insular. In the long run, the west coast attracted the fast rising port-state of Brunei which, in the sixteenth century, extended political jurisdiction over this region primarily with the aim of ensuring a steady supply both of rice for its population and jungle produce for its commercial needs.

The history of the external trade of the west coast of Sabah dates back to about the tenth century A. D.<sup>6</sup> The jungle and sea produce of Borneo such as camphor, sago, birds'-nests, honey, beeswax, gutta-percha, pearls, mother-of-pearl, *trepang* and *agar-agar* (edible sea-weed) were in great demand in China, especially for medicinal purposes and as delicacies.<sup>7</sup> Chinese traders, looking for these commodities, regularly visited small collecting and exchange centres along the west coast of Sabah from the tenth to the fourteenth centuries. The produce, especially camphor, honey, beeswax, gutta-percha, rattan and *damar* came from the interior, furnished by upland-lowland exchanges, mediated for the foreign trader by the plain-dwelling peasant communities.

As Chinese trade with the Borneo region expanded, some amount of direct trading by Chinese traders continued with

Sabah's west coast, but a permanent base to refit and conduct regular trading became imperative. Brunei was recognised as the ideal place because of its good harbour, central location and the fact that it had as early as 518 A. D. already established tributary relations with the Middle Kingdom.<sup>8</sup> By the ninth century Chinese trade with Brunei appears to have increased significantly and, in response, the latter stepped up its trading connections with the hinterland.<sup>9</sup> In time Brunei became the main collector of natural produce for Chinese junks as well as the chief distributor of Chinese goods in the region. For several centuries, till the rise of Sulu in the late eighteenth century, Brunei dominated the entreport trade not only with western Sabah, but for the Borneo region as a whole and Sulu.<sup>10</sup> At the same time as Brunei developed into a great emporium, it also became stronger politically. By the late fourteenth century it was able to cast off any semblance of Majapahit's hegemony and, by the early fifteenth century, was charting an independent course.<sup>11</sup> The coming of Islam most likely during the early fifteenth century, not only provided a theocratic and political structure for the emerging kingdom but also made Brunei, like Melaka in the fifteenth century, a commercial and missionary base.<sup>12</sup>

Though the Chinese initially served as the main shippers on the Brunei run, it was not long before Brunei merchants entered the international trade network. By the fifteenth and early sixteenth centuries they were trading regularly with Melaka, contributing significantly to the latter's trade with China in such commodities as gold, beeswax, honey, rice and sago.<sup>13</sup> Subsequently, as Melaka declined, Brunei traders conducted direct trade with China. When, in the late eighteenth century, Manila became the chief functionary for China's Southeast Asian trade, Brunei traders established trading relations with her.<sup>14</sup>

With a viable economic and political base which Brunei came slowly to evolve by the sixteenth century, it found itself strong enough to exert political influence over the surrounding areas. This was apparently linked with the realisation that commercial preeminence and prosperity depended, to a large extent, on estab-



lishing suitable trade links with the hinterland which made it imperative for those areas to be brought under her political hegemony. The policy of territorial expansion was said to have been launched by the fifth sultan, Sultan Bolkuah who, in the early decades of the sixteenth century, brought large areas in the Borneo-Sulu region, including the west coast of Sabah under Brunei domination.<sup>15</sup> In the nineteenth century, Brunei's jurisdiction was still evident in a large number of dependencies on Sabah's west coast.<sup>16</sup>

Lowland-upland trade on the west coast of Sabah was only feasible through a system of land routes in which the plain dweller occupying the area between the coastal strip and the interior was a necessary intermediary between the internal and external commercial networks. The Brunei administration and its trading interests could not therefore, establish political and commercial hegemony by merely controlling the river mouths as suggested in the Bronson model.<sup>17</sup> Brunei was obliged to establish control, beyond the river mouths and coastal settlements, over the wet rice producing lowlands which provided direct access to the internal land routes and trade networks.

In the three-tiered commercial system which evolved involving the interior, the coastal plain and external trade, the Brunei trader assumed a specialised and dominant role, functioning as resident merchant at various coastal villages such as Papar, Kimanis, Inanam, Mengkabong and Pandasan and as coastal shipper along the western Sabah coast.<sup>18</sup> Within the system of exchanges that emerged, upland communities obtained such items as salt, cloth and jars from the plain dweller in exchange for jungle produce, which the latter, in turn, bartered with the Brunei trader for the much-prized luxury items and salt.<sup>19</sup> Within the network of exchanges, the plain dweller retained some foreign items for himself, and used surplus rice and sago, as exchange commodities at both ends of the exchange system.<sup>20</sup> Though some significant changes took place during the nineteenth century within the commercial pattern, the three-tiered system was still operating in the 1860s and 1870s. It was a non-marketised sys-

tem of exchange in which a chief's house in the wet rice lowlands was used as a base for conducting business. The chief was normally a local Kadazandusun, under Brunei jurisdiction. Traders from the coast would go up to the chief's house, bringing along with them their wares. Similarly, upland communities would descend, using land routes, with their jungle produce. There appears to have been no pre-arranged meeting for exchanges between groups. Under these circumstances producer-vendors and traders were obliged to rely on the chief as commercial agent, unless groups from the coast and uplands happened to meet spontaneously and the exchanges took place directly. Usually, however, the chief was a trader himself.<sup>21</sup> H. L. Leicester, the administrative officer of the Overbeck-Dent Association at Papar and A. H. Everett, his successor, noted some of these activities amongst the chiefs in 1879. Compiling notes on some of the local personalities of the Papar and Kimanis region in 1879 Leicester wrote:<sup>22</sup>

Umpuan Ali Omar who returned from Pattatan [Putatan] visited me. He says that the 'tajow' (jar) which he took to Pattatan with Pengiran Subudin realised 33 pikuls i.e. about \$700. During their stay at Pattatan they lived in the house of the headman Datu Keilan.

His successor, Everett, while visiting some of the chiefs of Kimanis wrote:<sup>23</sup>

Went up the Kimanis river by boat and walked 1 1/2 hours to Ganggang's house. Found there a number of Nabai Dyaks trading. Ordered Ganggang to be ready with poll-tax after harvest.

The produce of the uplands and lowlands was eventually brought, usually by the Brunei traders themselves, to export centres along the coast. From here it was then shipped in Brunei *prahu* (boats) which monopolised the coastal trade of western Sabah in the Sabah-Labuan-Brunei run. In the months of March and April 1879, for example, out of a total of fourteen vessels involved in

coastal trading which visited Papar, seven were Brunei vessels, four Sarawak, two British, and one Sulu. In the same months together with May, the major items exported through Papar were raw sago, gutta-percha, coconut and rice/*padi*. Major imports were cloth, treasure, brassware, salt, sundries, agricultural implements, firearms and gun-powder.<sup>24</sup> Though by the second half of the nineteenth century a portion of the traffic in exports and imports went to Labuan and Sarawak, Brunei still remained an important entreport.

### The *Jajaban* System

The political and administrative framework established by Brunei in her dependencies was an extension of its central structure, the final outlines of which seem to have taken shape during the time of Sultan Hassan, who reigned during the early decades of the seventeenth century.<sup>25</sup>

Brunei belonged to the genre of Southeast Asian Sultanate based on the Islamic concept of the ruler functioning as God's representative or *kalipuatullah*. At the apex of both the social and political structure was the Sultan or *Yang di-Pertuan* who symbolised supreme authority in the state.<sup>26</sup> In theory he held absolute power, but in practice it was much diluted. The post itself was not automatically hereditary; the senior ministers of state, functioning as an informal ad hoc council could, on specific grounds decide to bypass a candidate.<sup>27</sup>

Below the ruler was a hierarchy of officials of various orders, which corresponded to a division of society into various classes. At the top rung were the four ministers of state called *Wazir*, usually chosen from among close members of the royal family or nobility (*pengiran*). These were the *Pengiran Bendahara* (the chief minister), the *Pengiran Temenggung* (minister in charge of justice and defence), the *Pengiran di-Gadong* (minister in charge of finance) and the *Pengiran Pemanca* (minister in charge of diplomatic affairs).



Map 6: Major Brunei *Jajaban* in Western Sabah in the 1870's  
 Source : See Appendix A

The second order of state officials were called the *Ceteria* the highest ranking being the *Pengiran Syahbandar* (officer in charge of commerce). The *Menteri* formed the third layer.<sup>28</sup> They were subordinate chiefs and either performed bureaucratic functions or were appointed as land chiefs. They performed certain duties "usually centered around the administration of the capital, the royal appanages, and the trade of those two units."<sup>29</sup> At the base of the hierarchy were the village headmen who, in contrast to the other officials, were not centrally appointed. They were the product of their own village communities given official recognition by the government. In many respects Brunei's central political structure resembled that of Melaka in the fifteenth century.<sup>30</sup>

At the time of its glory during the sixteenth and early seventeenth centuries when the empire was large, Brunei devised a unique system of dividing and allocating its dependencies (*jajahan* or *sungai*),<sup>31</sup> for the purposes of administration which was very much a functioning reality in the nineteenth century. It was also a method by which power and resources were shared so that a balance was maintained between the monarchy, the *Wazir*, and the rest of the nobility.

Generally, the territorial possessions of the sultanate consisted of the central polity (the capital city where the monarch was based) and its dependencies. A conscious differentiation was normally maintained between the two in the use of terminology. The centre was always referred to as the *negeri* (state), while the standard terms for dependencies were *jajahan* or merely *sungai* (river).<sup>32</sup> In the 1870s and 1880s Brunei's principal dependencies on the west coast of Sabah were Tempasuk, Tuaran, Menggatal, Mengkabong, Inanam, Api-Api, Putatan, Kawang, Panglat, Papar, Benoni, Kimanis, Bongawan, Membakut, Padas Klias and Padas Damit.<sup>33</sup> Each *jajahan* was a territorially defined unit in which the valley of each river or of a major tributary formed the geographical core. The extent of the Putatan *jajahan*, for instance, comprised the "Putatan river from its source to its mouth and the country drained by the said river."<sup>34</sup>

According to the Brunei system, *jajahan* were divided into two main categories, namely official appanages and personal hereditary domains.<sup>35</sup> Official appanages, in turn, were of two types: the *sungai kerajaan* were appanages of the reigning Sultan, while the *sungai kuripan* were the appanages of the principal ministers of state, the *Wazir*. The government of these dependencies and their revenues were also entrusted respectively to the reigning Sultan and the *Wazir* in office. They could not be inherited by the descendants of the office holders and reverted, instead, to the next incumbent.<sup>36</sup> The second category of dependencies was termed *sungai tulin* or *pesaka* (private hereditary domains). These were held as private lands by the Sultan, the *Wazir* and the Brunei nobility, the *pengiran*. The sultan still possessed sovereign rights over *tulin* dependencies held by others, but the individual overlord governed these holdings privately and collected revenue. The latter's obligation to the sultan consisted of the imposition of the general edicts and laws of the centre and the payment of certain central taxes to the ruler. In contrast to the *sungai kerajaan* and *sungai kuripan*, the *sungai tulin* or *pesaka* were inheritable. They could also be bought and sold in private transactions, except in the case of acquisition by foreign concerns, when the sultan's consent was required. One of the best examples of this system in actual operation in the nineteenth century is portrayed by the concessions obtained by A. H. Everett<sup>37</sup> by an agreement signed on 23 June 1883 with Sultan Abdul Mumin (r. 1853-1885) to prospect for minerals in some of the Brunei dependencies. Prospecting rights were given in fifteen dependencies including Belait, Tutong, Limbang, Temburong, Lubi, Bukob Linggongan, Bangawan, Kawang and Tuaran for fifteen years. According to the agreement, Everett was to pay a total of five hundred dollars for all these rivers annually to the Sultan or his successor for the sovereign rights exercised by the ruler. In addition, Everett was to pay four thousand dollars annually for each of the rivers, to its respective owners for their *tulin* rights. If the rivers were the "Sultan's private property, [*tulin*], the said sum ... is to be paid to His Highness, or to his heir on his death". Here the reference

was to the sultan's *tulin* rivers. In contrast, if the rivers were "the property of the Brunei government" or in other words, *sungai kerajaan*, "the said sum ... is to be paid to the (Crown) Sultan, or on his death, to his successor". A clear distinction is, therefore, made between the sultan's heir and his successor. In the case of the sultan's *tulin* rivers, upon his death, the annual rent money was to go to his heir (and family), while, in the case of crown appanages, the money was to go to his successor. If the rivers were "the private property of other Pangerans, or it belongs to them through their holding the Office, the money is to be paid to them". Here the reference is to the *tulin* and *kuripan* rivers of the nobility.<sup>38</sup>

Just as in the case of the Peninsular Malay States, political power depended both on the extent of territory held and the size of the population inhabiting it. In the case of Brunei *jajahan*, the size of the population was particularly important because a major portion of the revenue was derived from a specific tax called poll-tax which was levied on the head of each family.<sup>39</sup> Its significance to the overlord was indicated by the fact that he owned not only the territory, but also his subjects, who were called his *hamba*, (slaves, subjects) though they were not slaves in the ordinary sense of the word. Ownership rights over subjects, in the sense of the right to collect poll-tax from them, were exercised by a particular overlord, even when his *hamba* migrated and settled in the *jajahan* of another overlord. This often led to a situation where certain villages in a particular *jajahan* were held by chiefs other than the actual Brunei overlord. In the 1880s, for instance, the *jajahan* of Putatan was owned as a *tulin* by Pengiran Muda Tajudin of Brunei but, in actual fact, the Pengiran Temenggung, the Pengiran Bendahara, Pengiran Syahbandar Bakar and Pengiran Tajudin Bogal who were all residing at the capital, had claims over certain villages in the dependency as some of their *hamba* had settled there.<sup>40</sup> In another instance, a number of Bajau, originally of Mengkabong, settled permanently in 1879 in Papar and the overlord of Mengkabong, Pengiran Abdul Rauf, yearly despatched his agents to collect the poll-tax from them.<sup>41</sup> As Peter Leys noted,

the system was "peculiar but ... perfectly defined and one well established by usage."<sup>42</sup> It was cleverly devised to cover the central government's rights and relations with the dependencies.

The linkage between the centre and the dependencies was forged through the *jajahan* hierarchy. *Jajahan* holders, with few exceptions, were "absentee" overlords who spent most of their lives at the Brunei capital. The only outstanding example of a Brunei overlord who stayed in Sabah seems to have been Pengiran Abdul Rauf, the owner of the Mengkabong Panglat Besar, Menggatal and Api-Api rivers.<sup>43</sup> Most of the other Brunei overlords controlled their dependencies through the creation of a local administrative machinery which was manned either by agents sent by them from Brunei or by local entrusted chiefs.

Interestingly, though the dependencies were divided into official and personal appanages, at the local level, the general format and composition of the *jajahan* hierarchy was similar.<sup>44</sup> To a large extent it was modeled on the lines of the central structure. The administration was headed by a principal chief or district chief, who, like the *Pengiran Bendahara* at the centre was effectively the chief minister of the particular dependency. There was no special term used to designate this post of *jajahan* head chief as different terms were used in different dependencies. In the 1870s and 1880s, Datuk Amir Bahar, Datuk Bahar, Datuk Digadong, Datuk Setia and Pengiran Maharaja Lela were the *jajahan* head chiefs of Papar, Kimanis, Tutong, Putatan and Membakut respectively.<sup>45</sup> Most of the office holders of the *jajahan* hierarchy, including the *jajahan* head chief, were local chiefs who had been incorporated into the system through appointment by the Brunei overlords. These chiefs were traditional heads of various *suku* communities residing in the *jajahan*. Datuk Amir Bahar of Papar and Datuk Setia of Putatan were both local Bajau chiefs, while Datuk Bahar of Kimanis was a local Kadazandusun.<sup>46</sup> Occasionally, however, central officials of the third order, the *Menteri*, and even nobles, were appointed to posts in the *jajahan* hierarchy. This happened especially if the dependency was an official appanage (*kerajaan* or *kuripan*). In 1879, the Membakut,



which was the official appanage (*kuripan*) of the Wazir Pengiran Pemanca, was governed by a Brunei noble, Pengiran Maharaja Lela in his capacity as *jajahan* head chief.<sup>47</sup> Brunei personnel were clearly distinguished by the use of specific honorifics such as *Pengiran* and *Ampuan*, while local chiefs incorporated into the *jajahan* system were usually conferred the titles of *Datuk* or the less important title of *Orang Kaya*.<sup>48</sup>

The *jajahan* head chief was directly responsible to the Brunei overlord and, therefore, formed the vital link between the dependency and the centre. In his functions, he was responsible for the general administration and well-being of the dependency. He remitted the annual taxes to the capital and implemented the general policy instructions and edicts he received.

Next in importance was the *Datuk Temenggung* who, like his counterpart at the centre, the *Pengiran Temenggung*, was in charge of local security and justice. In each *jajahan*, at the local capital or administrative centre, the sultanate also created the position of *Datuk/Orang Kaya Bandar* or *Syahbandar* to take care of the town and its commerce. This was the basic structure of the *jajahan* hierarchy. In Papar, in the 1870s and 1880s, the *jajahan* hierarchy was composed of the *Datuk Amir Bahar* (*jajahan* head chief), the *Datuk Temenggung* and the *Orang Kaya Syahbandar*.<sup>49</sup> In Mengkabong, the Brunei overlord, Pengiran Abdul Rauf himself took charge of the *jajahan* administration and therefore performed the function of the *jajahan* head chief as well. The officers under him consisted, in order of importance, of the *Datuk Bandar*, the *Datuk Temenggung*, the *Datuk Pemanca* and the *Orang Kaya Laksmāna*.<sup>50</sup> At the base of the hierarchy were various community and tribal chiefs. They were mostly of Kadazandusun stock, but there were Brunei-Malay and Bajau as well who, by the second half of the nineteenth century, had established settlements on the west coast of Sabah.

In those areas of Sabah where Brunei imposed its jurisdiction, the political systems of local Kadazandusun communities underwent re-organisation and adaptation. One of the fundamental changes brought about was the creation of an administra-

tive unit larger than the longhouse or village as was the case in the past. Hitherto relatively independent, isolated villages and communities were now forged together administratively into larger units, the *jajahan*. This, together with the creation of the local *jajahan* hierarchy meant relating administratively and economically to a wider, more sophisticated superstructure.

Brunei authorities, however, retained the basic existing institutions of the local Kadazandusun communities and reorganised them only to the extent that they facilitated the smooth operation of the superstructure. As such, the longhouse community, administered according to the *adat* through the village head, and the village council, was retained as the basic unit of *jajahan* administration. The village head, traditionally elected, was confirmed in his post officially through the conferment of special titles such as *Datuk* and *Orang Kaya*, and the issuing of letters of appointment and commissions by the Brunei authorities. Over and above this, local communities, authorities and institutions had to relate to the *jajahan* system created by Brunei.

In many aspects, the local Kadazandusun communities lost their previous independence, especially as new impositions in the realms of taxation, justice and commerce were made by the Brunei authorities. In the field of justice, the village head was allowed to retain his jurisdiction over *adat* matters, but the dispensation of justice concerning serious affairs such as murder, robbery and inter-*suku* feuds was taken over either by the *Datuk Temenggung* at the local level or the *Pengiran Temenggung* at the capital.<sup>51</sup> Moreover, the concept of justice itself underwent some modification. In Kadazandusun *adat* the principle concerning the imposition of fines was compensatory in nature. Fines were either paid to the victim as compensation or to the whole community for the performance of rituals. With the establishment of the Brunei system, a new concept, that a proportion of the fines be paid to the presiding person or persons, was introduced.<sup>52</sup> Kadazandusun communities were also now liable to taxation, something which had been absent in their system. Village head-

men were obliged to collect an annual poll-tax from each household in their village for the Brunei overlord.<sup>53</sup>

The creation of the *jajahan* hierarchy brought about another fundamental change in the structure of local authority. Local chiefs now became graded and stratified through ascription. The conferment of different titles by the Brunei authorities meant that some chiefs were merely *Orang Kaya* while others were *Datuk* who, consequently, enjoyed a higher social status. More important was the fact that some of the local chiefs were appointed to important posts in the *jajahan* hierarchy, such as that of *jajahan* head chief. These began to command far greater powers and responsibilities vis-a-vis other local chiefs who remained mere village heads at the lowest rung of the administrative ladder. It produced a situation where the majority of hitherto independent and theoretically egalitarian chiefs within the *suku* system were obliged to recognise, as their superiors, others amongst them whose position, authority and influence had been enhanced by Brunei patronage and legitimisation.

### The Bajau Threat in the Nineteenth Century

In addition to the gradual administrative changes experienced as a result of Brunei influence, Sabah's west coast communities also underwent important political and commercial changes during the nineteenth century as a consequence of the activities of the Bajau and Illanau, the rise of Sulu, expanding British interests in Borneo, and the activities of the Brookes in Sarawak.

Significant changes occurred with the rise of Sulu in the late eighteenth century when it attempted to wrest political and commercial control from Brunei over Marudu Bay, and encouraged the establishment there of satellite settlements by the Illanun and Bajau as staging points for their slave-raiding operations. The struggle between Sulu and Brunei commenced in earnest in 1771 and, by the 1820s, Sulu was able to eliminate Brunei's political and commercial hold in the Tempasuk and Marudu Bay areas.

By this time, Illanun and Bajau communities had settled at Tempasuk, Pandasan and Marudu under Sulu patronage. Their slave-raiding activities, encouraged and sponsored by Sulu, lent a further blow to Brunei's commerce.<sup>54</sup> In the beginning of the nineteenth century, for a short period, some of these communities, especially the Bajau of Tempasuk, became strong enough in their own right not only to relinquish Sulu hegemony, but to further menace Brunei authority along the west coast of Sabah.<sup>55</sup> Led by men of strong independent disposition, they were, however, deeply divided. Alliances, or confederacies forged by their chiefs for the main purpose of coordinating and undertaking joint slave-raiding operations, were only temporary. There was neither the cooperation nor the organisational structure to consolidate political control. In the 1830s Sulu was able to reassert its power over these communities when it appointed a powerful chief, Syarif Usman, as its governor in Marudu.<sup>56</sup>

Meanwhile, in the 1840s, the British adventurer, James Brooke, had established himself in the Brunei dependency of Sarawak. Wishing to consolidate his position in Sarawak and Brunei, he actively endeavoured to get the British involved in the Borneo region. His chief method of obtaining such involvement was by campaigning for the destruction of "pirate" strongholds in Borneo. His unceasing efforts ultimately led to the destruction in 1845 of Syarif Usman's stronghold of Marudu.<sup>57</sup> Many of the inhabitants fled to Labuk, Sugut and Tunku on the east coast of Sabah where they continued their activities for some time.

Apart from the dispersal of the population at Syarif Usman's stronghold at Marudu, the rest of the Bajau and Illanun settlements at Pandasan and Tempasuk remained relatively intact. In fact, the Bajau began to establish settlements further south and, by the 1860s and 1870s, substantial communities had taken up residence in the Brunei dependencies of Tuaran, Inanam, Mengkabong, Kawang, Papar and Pangalat. Though their power had been reduced by British naval action, and their slave-raiding activities curtailed, they introduced a new demographic element

in the region. This meant that a new pattern of internal inter-ethnic, economic and political relations also came into existence.

In the initial stages, these communities tried, from their strong coastal centres, to subjugate the plain Kadazandusun agriculturists with the primary intention of obtaining subsistence items such as rice. However, owing to their inherent disunity and, also due to the fact that the plain communities were themselves in a strong position to resist such subjugation, the seafaring peoples abandoned the attempt. Having chosen to settle down along the coast permanently, they were obliged to forge relations with the agricultural Kadazandusun along the lines of coexistence and interdependence. They, consequently, turned to more peaceful and productive pursuits in order to secure items suitable for exchange with the peasants of the plains and, in this respect, they became fishermen, gatherers of sea produce, traders and small-scale *padi* planters. Together with some of the Brunei-Malay communities who had settled along the coast from Padas-Klias to Kimanis, they formed the third economically specialised group, the sea produce gatherers.

The shallow seas, shoals and reefs of Sabah abounded in rich marine produce. Some communities made a living by catching fish, and gathering sea slugs and turtles eggs.<sup>58</sup> Others were involved in the commercial exploitation of export items such as seed-pearls, *trepang*, tortoise shell and mother-of-pearl shell which found their way to Labuan, Singapore and China. These items were collected in the seas and the estuaries of rivers around Padas-Klias, Bongawan, Batu-Batu, Tempasuk and Pandasan. In areas under his jurisdiction, the Sultan of Brunei collected royalty on these items.<sup>59</sup>

The coming of the Bajau and the Illanun and their subsequent involvement in sea produce gathering brought about some basic changes in the trade patterns of western Sabah. For these communities, trade and barter with the agricultural Kadazandusun was vital for the procurement of rice. On the other hand, the peasant communities were provided with an alternative source of trade from which they could now acquire fish and salt in exchange

for rice without having to go through the Brunei intermediaries, thus weakening established Brunei-Kadazandusun commercial links.

Inter-group trade between the coastal newcomers and the plain agriculturists, however, could not be undertaken on the basis of an informal marketing system because of mutual hostility and suspicion. Some amount of spatial distance was needed for exchange to take place and the whole activity of transactions had to be regulated and formalised by certain mechanisms.<sup>60</sup> In this respect the newcomers introduced the concept of the institutionalised system of periodic rural markets that they were familiar with in their homeland regions of Sulu and southern Mindanao. These periodic markets, known as the *tiangui*, had developed in the Philippines as a result of the synthesis of local practices and Spanish influence.<sup>61</sup> In Sabah the *tiangui* came to be known as the *tamu*. Though it provided a formalised means of exchange, additional mechanisms were needed to forestall or regulate overt hostile behaviour. For these reasons, the earliest *tamu* developed along the coastal strip on neutral ground which was some distance away from areas of concentration of either the Bajau or the plain Kadazandusun. The place was further sanctified by the taking of sacred oaths by the chiefs of both ethnic groups whose settlements were contiguous to the *tamu* centre. The oaths consisted of the erection of a stone or stones in the *tamu* areas and an undertaking by the chiefs concerned to regulate the behaviour of their followers according to certain agreed rules and sanctions. The *tamu* system became popular in western Sabah and, by the 1860s and 1870s, was firmly established. The influence of the newcomers on the *tamu* system is evident from the fact that the largest *tamu* began to develop in the "zone of cultural contact between the Kadazans and the Bajau".<sup>62</sup> In the 1860s and 1870s two of the biggest *tamu* were held at Inanam and Pagunan (Putatan), both of which were located along the coast in this area of cultural contact between the two ethnic groups.<sup>63</sup>

The time cycle used depended on the nearness of the *tamu* site to a particular cultural centre. In the case of *tamu* which

were closer to the Bajau cultural area, the Muslim lunar cycle was adopted with the market day held at weekly, fortnightly or monthly intervals. If, however, the *tamu* site was located close to the Kadazandusun cultural area, the ten-day cycle was used. For example, the Pagunan *tamu* was held every ten days.<sup>64</sup> In addition to the larger *tamu* just described, a subsidiary feeder system of smaller *tamu* gradually developed, linking other smaller centres along the coast and the interior regions.<sup>65</sup> Despite this linkage, the larger *tamu* still remained the major centres of direct exchange for communities from all over the countryside. The Inanam *tamu* in the 1870s and 1880s was attended by the coastal Bajau who brought fresh fish, dried fish, iron implements and salt for barter. The plain Kadazandusun brought mainly rice and farm produce. In addition, the market was well attended by upland Kadazandusun communities who came from such far away places as the Liwan, a region in the hills bordering the Putatan district, and Tambunan, an interior valley. These upland communities brought mainly local hill tobacco, India-rubber, armadillo skins, beeswax and gutta-percha. The Inanam *tamu* was attended by outside traders as well, especially the Chinese (from Labuan) and the Brunei-Malay. These traders brought such items as iron implements, cloth, jars and brassware.<sup>66</sup> In this way, the *tamu* seems to have developed into a focal point for both local inter-regional trade and foreign commerce.

In one major region of the west coast, namely the Padas River valley, the conditions necessary for the emergence of periodic markets or other formal marketing institutions did not exist. The upper region of this river system was mainly Murut country and the Murut were not settled agriculturists, but hunter-gatherers cum swidden cultivators. The lower course of the river was settled by the Bisaya who depended mainly on sago for subsistence. There were some Brunei-Malay settlements as well where wet rice was grown. In this region, the mode of exchange remained non-marketised.<sup>67</sup> The Padas River, however, unlike the other rivers on the west coast, was navigable to a point quite far inland. This gave rise to the development of another system of

trade whereby large trading parties would go upstream to procure jungle produce direct from the interior natives. Jungle produce was gathered and stored by the natives in their longhouses. Trading parties of Brunei-Malay, Bisaya and Sarawak Dayak, would ascend the Padas periodically and go from one longhouse to another, exchanging such articles as salt, rice, iron goods and cloth for the jungle produce.<sup>68</sup>

On the north-west coast of Borneo as a whole, the establishment of the British at Labuan in 1846, the presence of the Brookes in Sarawak and the activities of the Bajau served to undermine Brunei's pre-eminence in the region. In one respect, Brunei's external trade was given a boost as Labuan served to replace Manila as the outlet for its produce. Furthermore, the destruction of the powerful slave raiding centre at Marudu helped to restore trade on a more secure footing. On the other hand, contemporary developments brought new mechanisms of trade and fresh competitors. The *tamu* system, and the entry of Labuan Chinese and Sarawak Iban into the internal trade network in western Sabah meant that Brunei traders lost their earlier position of commanding a virtual monopoly. For the plain Kadazandusun and the interior communities, alternative sources of trade were made available which put them in a more independent position economically, vis-a vis the Brunei trader who had been the sole supplier of foreign goods formerly.

The establishment of the Bajau and the Illanun in western Sabah also brought about significant political changes within the Brunei dependencies in that area. In the Pandasan-Tempasuk area, the Bajau and Illanun completely destroyed any semblance of order. After suffering defeat at the hands of the British navy in 1845, they seemed to have accepted nominal Brunei sovereignty. Brunei tried to reestablish the *jajahan* machinery in this area by appointing local Bajau chiefs as *jajahan* heads, but being of an independent disposition they would rather be led and administered by their own individual chiefs than accept the authority of a paramount chief, even if he were a Bajau. Hence, the experiment failed miserably in the Pandasan-Tempasuk region. In the 1850s



Datu Mirajah Dindah of Pandasan, an Illanun chief was made *jajahan* head, but he "found it so impossible to establish order and they [the Bajau] threatened his life so often that he was obliged ... to abandon the attempt".<sup>69</sup> After him, Datu Rumbangang, a Bajau chief of Tempasuk, was appointed to the post, but he too failed, and retreated with his family to Pandasan in the interests of safety.<sup>70</sup>

As no general order and peace could be established, each village became an armed camp. On a wider scale it led to ethnic polarisation and inter-ethnic feuds amongst the Kadazandusun, Illanun and Bajau. Between 1868 and 1878 the Illanun under the leadership of certain chiefs, especially Pengiran Sri Raja Muda of Pandasan challenged the Bajau right to collect birds' nests from the Mantanani Island. They also resented the Bajau practice of stealing cattle.<sup>71</sup> The latter practice was so notorious among the Bajau on the west coast of Sabah that subsequently Company officials were plagued by this problem.<sup>72</sup> In 1877, a similar dispute involving cattle, led to a feud between the Kota Belud Bajau and the Kadazandusun of the Tempasuk plains of the village of Bongal under Orang Kaya Ungat. The Kadazandusun aligned themselves with the Pandasan Illanun and paid tribute to Pengiran Sri Raja Muda for his support against the Bajau. Upland-lowland trade on the Tempasuk was disrupted so that, by 1878, the Kota Belud Bajau were running short of rice supplies.<sup>73</sup>

In other areas farther south, some Brunei *tulin* overlords appointed Bajau as *jajahan* head chiefs, as in the case of Datuk Amir Bahar at Papar. The Bajau character of recalcitrance and independence, however, always showed itself. Datuk Amir Bahar gathered sufficient strength to lead an insurrection which drove out the Brunei *pengiran* who then sold Papar to the sultan who became the new owner.<sup>74</sup> This however did not have the desired effect of subduing Datuk Amir Bahar who kept himself entrenched in the region in the 1870s. He continued his independent ways, remitting to the sultan only whatever portion of the yearly taxes he deemed fit.<sup>75</sup> Rarely were the Brunei overlords themselves sufficiently powerful with a large enough retinue of retainers at hand

to administer their *tulin* efficiently. As mentioned earlier, a significant exception was Pengiran Abdul Rauf. By the 1870s and 1880s Brunei's de facto control in her Sabah dependencies was largely nominal. Most Brunei overlords were "absentee" owners who stayed at the capital, cared little for the welfare of the inhabitants or the proper administration of their appanages, but were rapacious in their pecuniary demands. Many local chiefs, even of Brunei-Malay ethnicity, found their position untenable as they could not sustain taxation without conferring the benefits of security and fair government. In 1881, the Padas local chiefs, led by their head chief, Pengiran Mohamad Abbas, revolted against their Brunei overlords and demanded that they be administered directly by the sultan. In accordance with this, the Sultan summoned the conflicting parties to the capital and by a proclamation, took over the direct administration of the river.<sup>76</sup>

A similar situation arose in 1881 in the Brunei dependencies of Membakut and Kuala Lama.<sup>77</sup> When the BNBC began to consolidate its administration in Sabah, the *jajahan* head chief of Membakut, Datuk Abdullah, told the Assistant Resident of Province Dent, D. D. Daly in 1886 that his people were ready to throw off their allegiance to the Brunei government and seek the protection of the Company because of constant harassment and exactions by Brunei overlords who did not reciprocate by providing security and other administrative services. According to him a "few Pangerans levy taxes at irregular times, but otherwise Brunei does not afford them protection, nor do the Brunei Pangerans ever hold *Becaves* [court] in either country".<sup>78</sup> By the 1870s and 1880s the fabric of the Brunei *jajahan* system in Sabah was being torn apart. Though the situation was due partly to the neglect and inability of the Brunei overlords in providing effective security, the entrenchment of Bajau communities was the single most important factor responsible for the state of affairs.

The activities of the Bajau not only had diluted Brunei's commercial hold on the internal trade of Sabah, but had also seriously jeopardised the *jajahan* system. It led to the emergence of strong local Bajau chiefs, who would not recognise as their

superior any other chieftain, be he a Bajau or a Brunei overlord. The fragmentation of authority under individual chiefs destroyed the earlier sense of belonging to a wider administrative structure, the *jajahan*, and brought about communal polarization within each *jajahan* itself. The Bajau, though of a highly independent disposition, had a high sense of ethnic belonging. The local plain and upland Kadazandusun communities, some of whom were in a strong position numerically and economically, reacted by doing the same. This, combined with the availability of new trade opportunities at Labuan, led to the rise of some powerful local Kadazandusun chiefs such as Datuk Dugassa of Papar, Si Gantok of Upper Putatan and Gunsanad, the Taga Chief of Upper Papar and Putatan. These chiefs were able to build a measure of local Kadazandusun solidarity and emerge as the spokesmen and protectors of communal interests. Datuk Dugassa himself was able to reinforce his position by regularly trading with Labuan from where he imported arms as well to make his fighting position viable. He succeeded in rallying the support of the Papar Kadazandusun in preventing undue oppression and interference by the Bajau under Datuk Amir Bahar or by Brunei authorities, especially in matters of *adat*.<sup>79</sup> Gunsanad was able to organise the upland Taga in instituting a trade blockade, thus temporarily disrupting upland-lowland trade and the *tamu* system in Papar and Putatan.<sup>82</sup> Thus, long before the establishment of Company rule, Sabah communities on the west coast had already started acting and reacting in communal terms, though not necessarily along the political lines of pan-Bajau and pan-Kadazandusun types of solidarity.

## NOTES

1. *Report on the Putatan Sub-District, British North Borneo, 1884*, Sandakan: Government Printer, 1885, pp. 2-5; E. Bateson, *Padi Cultivation in North Borneo*, Jesselton: Agriculture Department Bulletin 2, Government Printer, 1918, pp. 1-14. For more information on traditional methods of growing wet rice in Sabah, see O. Rutter, *The Pagans of North Borneo*, London: Hutchinson, 1929, pp. 89-93; and J.B. Burough & A. Jamin, "Traditional Methods of Dusun Rice Cultivation", *SSJ*, V, 1, 1972, pp. 352-364.
2. Bateson, *Padi Cultivation in North Borneo*, p. 9.
3. In 1918 it was estimated that the West Coast Residency, which roughly corresponded to the whole of the western lowlands region, had about 19,800 acres under wet padi out of a total of 26,500 acres for the whole state. In 1911, the west coast of Sabah (including Tempasuk and Marudu) had a population of more than a hundred thousand, compared to a total of 208,183 for the whole state. As seen below, the west coast was the smallest of the three regions:

West Coast	-	5,195 )
Interior	-	7,648 ) square miles
East Coast	-	16,545 )

L.W. Jones, *North Borneo: Report on the Census of Population held on 4 June 1951*, London, 1953, pp. 23 and 28-29; W. H. Treacher, Governor, North Borneo, to Sir Rutherford Alcock, Chairman, British North Borneo Chartered Company, 14 May 1884, Governor's despatch 121/84, C.O. 874/236, ff. 535-536; and Bateson, *Padi Cultivation in North Borneo*, pp. 7-14.

4. J. T. Peterson, "Ecotones and Exchange in Northern Luzon", Karl L. Hutterer, (ed.), *Economic Exchange and Social Interaction in Southeast Asia: Perspectives from Prehistory, History and Ethnography*, Ann Arbor, Michigan: Centre for South and Southeast Asian Studies, The University of Michigan, 1977, pp. 55-71.
5. Rutter, *The Pagans of North Borneo*, pp. 89-93.
6. For Chinese contacts from the tenth to the fifteenth centuries with the north western region of Borneo, including Brunei, see W. P.

- Groeneveldt, "Early Notices of North Borneo and Sulu from Chinese Sources", *BNBH*, IV, ii, October 1886, pp. 213-215; J. P. Ongkili, "Pre-Western Brunei, Sarawak and Sabah", *Nusantara*, No. 3, January 1973, pp. 52-55; and J. B. Burrough, "The Development of Periodic Markets in Sabah, Malaysia", *SSJ*, VI, ii, 1975/76, pp. 23-24.
7. For a detailed discussion of the role of these commodities in the trade between China and the region as a whole, especially the Sulu and Sabah regions, see J. F. Warren. *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a Southeast Asian Maritime State*, Singapore: Singapore University Press, 1981. Also see *BNBH*, V, ii, 1<sup>st</sup> October 1886, p. 223.
  8. Brunei maintained tributary relations with China from the sixth to the fifteenth centuries A.D. See D.S. Ranjit Singh, *Brunei 1839-1983: The Problems of Political Survival*, Singapore: Oxford University Press, 1984, pp. 12-17.
  9. Quoted from J.B. Burrough, "The Development of Periodic Markets in Sabah, Malaysia", *SMJ*, VI, ii, 1975/6, p. 2-3.
  10. Warren, *The Sulu Zone*, pp. 3, 27 and 77-78.
  11. From early times, Brunei, being a small and weak polity, managed to survive by seeking protection from various powers, including China and Majapahit. With Majapahit's decline in the late fourteenth century, Brunei seems to have turned to China once more till 1424 when the Chinese began to withdraw from active participation in Southeast Asian affairs. See Ranjit Singh, *Brunei 1839-1983*, pp. 12-17.
  12. It is uncertain when or how exactly Islam came to Brunei. It is said that the third Sultan of Brunei, Sultan Syarif Ali, who came from Taif in Arabia and died in c.1432, helped spread the Islamic faith in Brunei. There is no doubt that during the sixteenth century Brunei was a great missionary base in the region. One of the major reasons for the Spanish attack in 1578 was to stem the tide of Brunei's Islamic influence in the Philippines. E.H. Blair and J. A. Robertson, *The Philippine Islands*, Cleveland: 1903-9, IV, XXXIII, pp. 125-60, and 213-231; P.O.K. Amar Di Raja (Dr.) Haji Mohd. Jamil Al-Sufri, "Islam in Brunei", *Brunei Museum Journal*, IV, i, 1977, pp. 37-39. For a brief account of the general spread of

- Islam in Southeast Asia see M. A. Rauf, *A Brief History of Islam*, Kuala Lumpur : Oxford University Press, 1964.
13. M. Teixeira, "Early Portuguese and Spanish Contacts with Borneo", *Boletim Da Sociedade De Geografia De Lisboa*, Lisboa: July-December, 1964, p. 301; L.R. Wright, *The Origins of British Borneo*, Hong Kong : Hong Kong University Press, 1970, p. 11.
  14. This must have occurred only after 1768 when Manila became an important centre for the re-export of Southeast Asian produce to Macau, which was the only port allowed by the Chinese for European ships, and that too only to those belonging to the Portuguese and the Spaniards. Warren, *The Sulu Zone*, pp. 62-63. Moreover, relations between the Spaniards and Brunei before this period, especially in the second half of sixteenth and first half of the seventeenth centuries, were hostile. The Spanish authorities from Manila attacked Brunei in 1578 and 1579/80. Sultan Hassan of Brunei is believed to have attacked the Spanish outpost of Santao in 1617. See Ranjit Singh, *Brunei 1839-1983*, pp. 21-24. A good account appears in Teixeira "Early Portuguese and Spanish-Contacts with Borneo", and Blair and Robertson, *The Philippine Islands*, IV and XXXIII, pp. 125-160 and 213-231.
  15. H. Low, "Selasilah (Book of the Descent) of the Rajas of Bruni", *JBRAS*, V, 1880, pp. 3, 7, 24, 25 and 32; and H.R. Hughes-Hallett, "A Sketch of the History of Brunei", *JMBRAS*, XVIII, ii, 1940, p. 23.
  16. For a list of Brunei's dependencies on Sabah's west coast in the nineteenth century, see Map 6. For commercial relations between Brunei and this region, see D.S. Ranjit Singh, "Brunei and the Hinterland of Sabah: Commercial and Economic Relations with Special Reference to the Second Half of the Nineteenth Century", J. Kathirithamby-Wells & John Villiers (eds.), *The Southeast Asian Port and Polity, Rise and Demise*, Singapore : Singapore University Press, 1990, pp. 231-245.
  17. B. Bronson, "Exchange at the Upstream and Downstream Ends: Notes Towards a Functional Model of the Coastal States in Southeast Asia", *Economic Exchange and Social Interaction in Southeast Asia*, pp. 39 and 52.
  18. Diary of H. L. Leicester (Papar), 6 March - 27 July 1879, C.O. 874/73 ff. 3-32.

19. Treacher to Alcock, 25 August 1885, enclosure I. Governor's despatch 112/1885, C.O. 874/239, ff. 580-581.
20. A substantial amount of sago was produced in the 1860s and 1870s at Papar, Putatan, Kimanis, Membakut Kuala Lama, Padas and Klias. Some of it was consumed locally, but the bulk of the sago, both in its raw and refined forms, was exported to Singapore via Labuan and Brunei. Some of the sago was refined locally by Chinese sago factories. In 1876, these districts exported sago worth 18,822 sterling pounds to Labuan. Brunei's own major export to Singapore in 1883 and 1884 was sago, which had been obtained from her dependencies in western Sabah. Treacher to Alcock, 28 November 1882 and enclosure, Governor's despatch 346/1882, C.O. 874/232; Treacher to Alcock, 6 February 1884, Governor's despatch 31/1884, ff. 159; Treacher to Alcock, 20, C.O. 874/236, Governor's despatch 250/1884, C. O. 874/237, f. 614; and "Report by Acting Consul-General Treacher on the Commerce and Navigation of the Sultanate of Brunei, the Territory of Sarawak and the Territory of British North Borneo for the year 1884", enclosure, Treacher to Alcock, 19 June 1885, Governor's despatch 82/1885, C.O. 874/239, ff. 326-330.
21. Chiefs, such as Si Gantok of Upper Tuaran, for example, were able to emerge as strong traders as they controlled vital points along established upland-lowland trade-routes. S. E. Dalrymple, Assistant Resident Province Keppel, to the Secreatry, Sandakan, 1 January 1886, enslosure, Treacher to Alcock, 29 April 1886, Governor's despatch 78/1886, C.O. 874/241, f. 345.
22. Diary of H. L. Leicester, 2 March 1879, C.O. 874/73, f. 2. For more details on Leicester see Chapter 5.
23. Diary of A.H. Everett (Papar), 16 October 1879, C.O. 874/73, f. 55.
24. The information here has been compiled from the Diary of H.L. Leicester for the months of March, April ad May 1879, C.O. 874/73. Very little change was brought about by Leicester, who was appointed in February 1879 as the first officer of the Overbeck-Dent Association at Papar, so that the traditional trading scene remained unchanged.
25. For a picture of the political structure in other Southeast Asian states see J. M. Gullick, *Indigenous Political Systems of Western Malaya*, London : University of London Press, 1958; and Warren,

- The Sulu Zone*. For a good study of Brunei's administrative, political and social systems see D. E. Brown, *Brunei: The Structure and History of a Borneo Malay Sultanate*, Brunei: Brunei Museum, 1970. For accounts of Brunei's central administrative structure see also W. H. Treacher, "British Borneo: Sketches of Brunei, Sarawak, Labuan and North Borneo", *JSBRAS*, XX, 1889, pp. 13-74; XXI, 1890, pp. 19-122; R. E. Stubbs, "Two Colonial Office Memoranda on the History of Brunei", D. E. Brown (ed.), *JMBRAS*, XLI, ii, 1968, pp. 83-116; and P. Leys, "Observations on the Brunei Political System", *Ibid.*, pp. 117-130.
26. It means "He who is made King". See P.L. Amin Sweeney, "Silsilah: Raja-raja Brunei", *JMBRAS*, XLI, ii, 1968, p. 24.
  27. In 1852 such a council of the senior ministers decided to choose Pengiran Abdul Mumin instead of Pengiran Hashim, the son of the late Sultan Omar Ali Saifuddin II as the new Sultan. Eventually, in 1885 when Sultan Abdul Mumin died, Pangiran Hashim was elected Sultan. N. Tarling, *Britain, the Brookes and Brunei*, Kuala Lumpur: Oxford University Press, 1971, p. 2; *The Sarawak Gazette*, 1 July 1885, 1 August 1885, pp. 61-62 and 67-68.
  28. For further information on these various ministers and officials see Brown, *Brunei*, pp. 86-118. Stubbs, "Two Colonial Office Memoranda", p. 87; and Sweeney, "Silsilah", pp. 4, 23, 24 and 72.
  29. Brown, *Brunei*, pp. 116-118.
  30. For some comments on the Melaka structure, see Gullick, *Indigenous Political Systems of Western Malaya*, p. 49.
  31. Literally, *sungai* means a river. The Brunei authorities used the words *jajahan* and *sungai* interchangeably. These words mean "a province, district or dependent territory". See Treacher to Alfred Dent, 18 November 1881, Governor's despatch 54/1881, C.O. 874/228, ff. 309-311.
  32. See C.O. 874/54, documents 1-5. The word *negeri* was consistently used to refer to the capital city (Brunei). The dependencies were usually referred to as *jajahan-jajahan* or *sungai*.
  33. See Map 6.
  34. Treacher to G.L. Davies, Acting Resident West Coast, 10 May 1884, enclosure, Treacher to Alcock, 14 May 1884, C.O. 874/236, Governor's despatch 121/1884, C.O. 874/236, f. 541.



35. For a good account of the *jajaban* system, see Leys, "Observations on the Brunei Political System", pp. 117-130.
36. See C.O. 874/54 documents 1-5.
37. For more information on A. H. Everett see Chapters 5 and 6.
38. Copy of an Agreement between A.H. Everett and Sultan Abdul Mumin, dated 23 June 1883, enclosure 2, Treacher to Alcock, 31 August 1883 and enclosures, Governor's despatch 262/1883, C.O. 874/235, ff. 324-329.
39. The Brunei term for poll-tax was *buis*. Under the Brunei system poll-tax was collected only from heads of families, bachelors being exempted. The amount imposed on each head of family was usually \$1 (Straits dollar) or its equivalent in kind per year. Diary of H.L. Leicester, 9 March 1879, C.O. 874/73, f. 3-4; Treacher to Davies, 10 May 1884, enclosure, Treacher to Alcock, 14 May 1884, Governor's despatch 121/1884, C.O. 874/236, f. 543.
40. Treacher to Alcock, 5 May 1884, Governor's despatch 113/1884, C.O. 874/236, f. 490.
41. Diary of A.H. Everett, 10 September 1879, C.O. 874/73, ff. 34-35.
42. Leys, "Observations on the Brunei Political System", p. 120.
43. Pengiran Rauf was a close member of the Brunei royal family, but because of some differences with the Sultan, he choose to stay away from the capital in his *tulin* rivers. He usually resided in Mengkabong. In 1879 he was 70 years of age but still retained "a sound mind and excellent judgement". The Pengiran had his own flag for the Mengkabong. It was, of two descriptions. When used in Mengkabong, it consisted of a red lion with white background. When travelling, it consisted of a white lion on a red background. Diary of H. L. Leicester, 1-7 April 1879, C.O. 874/73, ff. 10-13. See also, Treacher to Alcock, 15 July 1883 and enclosures, Governor's despatch 119/1883, C.O. 874/235, ff. 69-71.
44. The system described here is based on the situation as it existed during the 1870s and 1880s in the Brunei dependencies of the west coast of Sabah.
45. Amir Bahar in the Arabic language means literally "chief of the sea-coast". For more details on Datuk Amir Bahar of Papar see below. Tutong was a Brunei dependency close to the capital and not within the territories of modern Sabah. Diary of A. H. Everett, 9, 13, 16 October 1879, C.O. 874/73, ff.49, 51, 52 and 55; Arthur

- Keyser, Acting Consul Brunei, to the High Commissioner for Borneo, 18 June 1899, High Commissioner's Office Files, Borneo 183A/1899, and enclosures; Treacher to Davies, 10 May 1884, enclosure, Treacher to Alcock, 14 May 1884, Governor's despatch 121/1884, C.O. 874/236/545. Most of the *jajahan* head chiefs had strong political and commercial bases. For example, Datuk Amir Bahar of Papar was a dealer in arms and ammunition. He acquired these items from Labuan or from Chinese traders and sold them to the Kadazandusun in exchange for cattle. Diary of A. H. Everett, 17 September 1879, C.O. 874/73, f. 37.
46. Diary of A.H. Everett, 9, 13 October 1879, C.O. 874/73, ff. 49, 51 and 52; Treacher to Davies, 10 May 1884, enclosure, Treacher to Alcock, 14 May 1884, Governor's despatch 121/1884, C.O. 874/236, f. 545.
  47. Diary of A.H. Everett, 16 October 1879, C.O. 874/73, f. 55.
  48. In the *jajahan* of Putatan, its Brunei overlord, Pengiran Muda Tajudin conferred on the local Kadazandusun chiefs the title of *Datuk Pengiran* on the chief of Terrowie village, while the chiefs of Kinampong, and Berbait villages earned the titles of *Datuk Maharaja Lela* and *Datuk Panglima* respectively. Treacher to Davies 10 May 1884, enclosure, Treacher to Alcock, 14 May 1884, Governor's despatch 121/1884, C.O. 874/236, f. 546.
  49. The *Datuk Temenggung* of Papar was a Kadazandusun, while the *Orang Kaya Syahbandar* was a Brunei-Malay. Diary of A. H. Everett, 18 September, 7 October 1879, C.O. 874/73, ff. 37 and 48.
  50. Diary of H.L. Leicester, 3 April 1879, C.O. 874/73, f. 11.
  51. Diary of H. L. Leicester, 5, 23, 24 March and 5 July 1879, C.O. 874/63 ff. 3, 8, and 28.
  52. In 1871 two local personalities in Papar clashed over cattle stealing. A murder took place because of the hostilities. The case was heard in Brunei where one party was fined ten guns worth a total of about \$220. *Ibid.*
  53. Diary of A. H. Everett, 18 September 1879, C.O. 874/873, f. 37.
  54. Warren, *The Sulu Zone*, pp. 77-79.
  55. I.D. Black, "The Ending of Brunei Rule in Sabah, 1878-1902", *JMBRAS*, XLI, ii, 1968, pp. 176-192; and L.R. Wright, "The Lanun Pirate States of Borneo: The Relevance to Southeast Asian History", paper presented at the Conference on Southeast Asian Studies, 22-26, November 1977, Kota Kinabalu, pp. pp. 1-16.

56. Syarif Usman had a strong following and a large settlement with a fort built at a strategic location. The remnants of the fort and the layout of his settlement can still be seen today, amidst secondary forest. The fort is reported to have been well armed, and had two huge canons which were mounted on a smaller fort which controlled the entrance to the main one. Syarif Usman's settlement itself was well concealed and located at a most strategic position on one of the rivers flowing into the Marudu Bay. Outside the fort a large area was reserved for *padi* cultivation. The Syarif was said to have possessed the powers of invulnerability and, though a man of fierce disposition, many people came to settle under him as he provided security and opportunity for commerce. Syarif Usman advanced Sulu's interests by keeping the Illanun and Bajau in some sort of check, and by promoting raiding against Brunei. He even issued an open threat that he would sack Brunei if it continued its flirtations with the British. Interview with Encik Sabli b. Mohidin, Headmaster of Sekolah Menengah Kebangsaan, Kota Marudu, on 27 April 1980. St. John estimated the population of Syarif Usman's settlement in the 1840s at about 50,000 inhabitants. O. Rutter, *British North Borneo: An Account of its History, Resources and Native Tribes*, London: Constable & Co., 1922, p. 98.
57. See Ranjit Singh, *Brunei 1839-1983*, pp. 40-58. For a detailed account of the battle see G. L. Jacob, *The Raja of Sarawak: An Account of Sir James Brooke, K.C.N., L.L.D., Given Chiefly through Letters and Journals*, Vol. 1, MacMillan & Co., London, 1876, pp. 293-297. Also see G. Irwin, *Nineteenth Century Borneo: A Study in Diplomatic Rivalry*, Singapore: Donald Moore Books, 1965, pp. 109-126.
58. *BNBH*, II, v, 1884, p. 5; and IV, xi, 1886, pp. 221 and 224; *Report on the Putatan Sub-District*, p. 5.
59. *BNBH*, II, v, 1884, p. 12; IV, iv, 1886 pp. 43-44; and VI, xi, 1886, p. 224.
60. For more information on the types of mechanisms used in exchange relations see B. L. Foster, "Trade, Social Conflict and Social Integration: Rethinking Some Old Ideas on Exchange", *Economic Exchange and Social Interaction in Southeast Asia*, pp. 3-22.
61. Dr. Serafin D. Quison, "The Tianguí: A Preliminary View of an Indigenous Rural Marketing System in Spanish-Philippines", pa-

- per presented at a symposium entitled "Southeast Asian Response to European Intrusions", organised by the British Institute in Southeast Asia, Singapore, 27-30 January 1981, pp. 1-2.
62. Burrough, "The Development of Periodic Markets in Sabah", p. 26.
  63. *BNBH*, II, ii, 1884, p. 9; and II, iv, 1884, p. 2.
  64. Sometimes disputes arose as to the time cycle used, especially if the *tamu* in question was a large one, attended by both Bajau and Kadazandusun. The Pagunan *tamu* was disrupted for a time in 1884 because of such a dispute. As a result, some interior communities who had traditionally brought down their produce, especially tobacco, to this market now began to take it to Inanam. Treacher to G.I. Davies, Acting Resident, West Coast, 10 May 1884, enclosure, Treacher to Alcock, 14 May 1884, Governor's despatch 121/1884, C.O. 874/236, f. 548.
  65. For example a coastal *tamu* was held every Wednesday along a small stream between Benoni and Papar. Diary of H.L. Leicester, 5 March 1879, C.O. 874/73, f. 3.
  66. *BNBH*, 11, ii, 1884, p. 9; and 11, iv, 1884, p. 2.
  67. The absence of a wet rice cultivation zone and the lack of Bajau influence in this area probably explains why a *tamu* system did not develop in this region. Moreover, the Padas River was navigable and traders had direct access to the interior communities. In the 1880s, Company officials noted the absence of any *tamu* here. Daly to the Resident of the West Coast, 30 June 1885, enclosure 2, Treacher to Alcock, 9 December 1885, Governor's despatch 150/1885, C.O. 874/240, ff. 325-326.
  68. The Sarawak Dayak were quite active traders on the Padas. Their trading parties usually numbered between 30-100 men. It was a risky affair going up the Padas into Murut country. There were inter-*suku* feuds going on here and one could sustain injury through the slightest misjudgement. The Sarawak Dayak were usually well armed and went in large groups. *BNBH*, IV, xi, 1886, p. 219; G.C. Woolley, *The Timoguns: A Murut Tribe of the Interior, North Borneo*, Jesselton: Nature Affairs Bulletin I, Government Printer, 1962, p. 2.
  69. Tom Harrison (ed.), "The Diary of Mr. W. Pretyman, First Resident of Tempassuk, North Borneo (1878-1880)", *SMJ*, VII, 1956, 6 May 1878, p. 343.

70. *Ibid.*, 6-16 May 1878, pp. 343-350.
71. *Ibid.*, 4-8 May, 24 May, 18 July and 4 August 1878, pp. 339-346, 353-354, 366-367 and 373-374.
72. Governor to the Chairman, BNBC, 10 September 1882 and enclosures, Governor's despatch 265/1882, C.O. 874/232.
73. Harrison, "Diary of W. Pretyman", 4-8 May, 19 May-7 June and 8-18 July 1878, pp. 339-346, 351-360 and 364-366.
74. Governor to the Chairman, BNBC, 7 March 1882, Governor's despatch 72/1882, C.O. 874/229.
75. Diary of A. H. Everett, 7 September and 2 October 1879, C.O. 874/74 pp. 32 and 45.
76. The Padas chiefs signed the following affidavit (translated) dated 2 June 1886 at Padas:

"We the Chiefs on The Padas river do hereby solemnly declare on our Oaths on the Koran.

That on the sixth day of May 1881 we informed H.H. Sultan Mumin that we would no longer follow the Pangerans [sic]; we would follow only the "titah" (proclamations, edicts) of H. H. the Sultan. At that time we had taken up arms against the Pangirans [sic]. In answer to our proposal H. H. the Sultan called us to Brunei in the month of July 1881 and it was agreed before H. H. Sultan and all the Pangerans [sic] who had "pusaka" (*pesaka*, hereditary rights) on the Padas river: that the Pangerans [sic] and all others should hand over to the Sultan all their powers on the river and that his "titah" alone should be acknowledged there".

The chiefs agreed to lay down their arms and had to pay fines totaling 2700 Straits Dollars to one of the Pengirans who had been attacked. The Sultan then issued a "titah" to each of the Padas chiefs ordering them to collect all the poll-tax of the dependency in his name. The affidavit was signed by the following chiefs: Pengiran Abbas, Dato Mahajarah Leila, Si Apit, Orang Kaya Muda Nuralam, Orang Kaya Muda Bundalla and Orang Kaya Setia Rajah. Copy of translation of an affidavit signed by the Padas chiefs, 2 June 1886, enclosure, Treacher to Alcock, 24 July 1886, Governor's despatch Z (t), C.O. 874/241, ff. 762-764.

77. The Membakut and Kuala Lama dependencies were the appanages of the Pengiran Pemanca. See C.O. 874/54 documents 37 and 38.
78. D. D. Daly, Assistant Resident Province Dent, to the Resident, West Coast, 26 June 1886, enclosure, Treacher to Alcock, 27 July 1886, Governor's despatch Z (V) 1886, C.O. 874/240, ff. 770-771.
79. Diary of H. L. Leicester, 26 February 1879, C.O. 874/73, f. 2; Diary of A. H. Everett, 27 September, 7 October 1879, C.O. 874/73, ff. 43 and 48.
80. "Report on the Putatan Sub-District for the Eight Months ending 31 December 1884" by L. E. Dalrymple, Acting Resident of Dent Province, enclosure I, Treacher to Alcock, 25 August 1885 Governor's despatch 112/1885 C.O. 874/239, ff. 580-603. Gunsanad or Kunsanat has sometimes been stated as the Taga chief and sometimes as the Kwijau chief. In 1899 he was made Government Chief at the newly opened interior station, Keningau. He was later to emerge as one of the most influential personalities in the interior. For his earlier career, see Ian D. Black, *A Gambling Style of Government: The Establishment of Chartered Company's Rule in Sabah, 1878-1915*, Kuala Lumpur: Oxford University Press, 1983, pp. 137, 163, 164 and 167-168. For his later role see below, Chapters 8 and 10.

## THE *DATU* SYSTEM ON SABAH'S EAST COAST

### The Commercial and Social Structure

While the west coast of Sabah came under the commercial and political domination of the Brunei Sultanate, the east coast came under the influence of the rising Sulu Sultanate in the late eighteenth and nineteenth centuries. The geographical, economic and demographic conditions and patterns on the east coast were quite different from those existing on the west. Here, the autochthonous communities, the Kadazandusun were settled in much smaller numbers in scattered settlements. Geographical constraints prevented them from settling directly on the coasts and river mouths which had large delta formations and were swamp covered.<sup>1</sup> The adjoining plains were also scarcely populated. Though broad and sprawling, these plains were subject to regular and widespread flooding which was an effective barrier to communications. Unable to harness the mighty rivers such as the Segama, the Kinabatangan, the Sugut, the Labuk and the Paitan for *sawah* (wet rice) cultivation, the Kadazandusun settled away from the flood plains along the middle and upper courses of these rivers where they practiced swidden rice cultivation and hunting-gathering.

Though no wet rice cultivation<sup>2</sup> with a concentrated peasant population was found on the east coast here, unlike the west coast, the rivers were navigable for long distances inland, and served as important highways of communications and commerce.

Moreover, the east coast was potentially richer in natural products, especially in the much sought after jungle produce for the China market. Kadazandusun communities, desirous of obtaining such foreign items as Chinese jars, brass gongs, cloth and salt, collected jungle produce including gutta-percha, Indian rubber, *damar*, rattan and camphor for barter.<sup>3</sup> Another important item exchanged for jungle produce was rice. W. H. Treacher, who became the first Governor of North Borneo under the Overbeck-Dent Association in 1881 gave the following comments on the Sandakan district:<sup>4</sup>

... partly to the wealth of jungle produce which the natives collect at their ease and barter for rice, it may be said, no food supplies are raised.

Adventurous Suluk traders, who found that handsome profits could be made by selling foreign items in exchange for the produce of the Sabah's east coast, soon entered the river systems to service trade in the region and to supply Jolo's expanding trade with China. By the late eighteenth century Jolo had emerged as the terminating point for the annual Chinese junks playing on the eastern flank of Borneo.<sup>5</sup> Though the indigenous settlements were scattered, river accessibility allowed the trader to reach most of the Kadazandusun villages situated along the courses of the major rivers.

Trade on these rivers was conducted in three stages. At one end of the traffic was the local Suluk domiciled rowing trader who, from a small base in the lower reaches of the river, went up and down the river in a *lanteen* (bamboo raft), on which he stored goods acquired from the base. The trader sold these goods on credit on the upstream journey, and collected payments in kind on his way back.<sup>6</sup> In the Kinabatangan most of these local traders were Suluk *haji* (Muslims who had performed the pilgrimage to Mecca) who monopolised commerce even on its upper-most tributaries, the Pinangah, Melian and Melikop. As the Suluk traders were the only suppliers of foreign goods, they charged



exorbitant prices. The second stage of the traffic involved the exchange of items between the local rowing Suluk trader and Suluk as well as Chinese resident merchants at the downstream depot. As a result of riverine commerce on Sabah's east coast, small Suluk settlements, comprising mainly traders, were established on the lower courses of rivers. On the Kinabatangan these settlements were located at Bilit and Malapi. In 1881, for example, Malapi had a population of 300 inhabitants, chiefly Suluk. There were also about 20 Chinese who were mainly carpenters and shopkeepers.<sup>7</sup> In the third leg, goods were shipped in large Suluk junks from these depots to Jolo and vice versa.

From the late eighteenth century, the established commercial and demographic patterns began to experience radical changes. This was principally due to the change in the international patterns of trade in the Sulu region. There was a sudden upsurge of trading activity at Jolo as European country traders, mainly English, began to call at Jolo to acquire Southeast Asian produce which they needed to conduct trading transactions pertaining to the China trade. Jolo's expanding international commerce brought about the political and commercial rise of the Sulu Sultanate.<sup>8</sup> The east coast of Sabah especially, began to assume importance for the sultanate. The region was rich not only in jungle produce but also in maritime produce. The traditional method of acquiring Sabah's jungle produce through trade with local native communities was insufficient to funnel Sulu's expanding external trade. Though interested in acquiring Sabah's rich, natural resources, Sulu could not, like the Brunei Sultanate on the west coast, exploit the potential wealth merely by establishing an administrative superstructure. Sulu was obliged to marshal manpower and capital resources from outside Sabah in order to organize economic enterprise for the large scale exploitation of jungle and marine produce in that region.

In the ensuing endeavour, Suluk *datu* were encouraged to open up settlements in eastern Sabah to conduct viable economic operations. From the late eighteenth century, Suluk settlements began to spring up along the coasts and lower courses of Sabah's

east coast rivers from Marudu in the north, to Darvel Bay in the southeast. A major ethnic component of these Suluk sponsored settlements was the Bajau who supplied the manpower needs. The manpower requirements of the sultanate, as a whole, and its economic enterprises in Sabah, however, could not be fulfilled by the available human resources in the Sulu region. To supplement this urgent need, the sultanate initiated large scale raiding, marauding and enslaving operations, which were conducted mainly by Bajau and Illanun satellite centres located in Sabah itself. Most of the slaves secured, usually from outside the region, were disposed off at Jolo, but many were employed by Suluk *datu* on their economic enterprises on Sabah's east coast where they became eventually an important social component.<sup>9</sup>

By the 1870s, domestic slavery had become an important component of the Suluk-Bajau-Illanun population in Sabah right from Tempasuk on the west coast to the Sibuku River on the east. There was some slave trade left, but it was declining mainly as a result of British naval action and Dutch measures on the east coast of Borneo. According to W. B. Pryer and F. Wittl two of the early officers of the Overbeck-Dent Association who furnished two very detailed reports in 1881 on the question of slavery on the West Coast and the East Coast, the institution of slavery was absent amongst the autochthonous communities.<sup>10</sup> Small numbers of slaves were from time to time acquired by these communities from outside for ceremonial purposes. Domestic slavery and the trade in slaves was a phenomenon purely of the coastal Muslim societies. According to Pryer, there were only two classes of people amongst the coastal Muslim population; masters and slaves. Almost all the Suluk-Bajau-Illanun chiefs had slaves, while some traded in them as well. For example, Datu Maharajah Dinda of Pandasan, Syarif Yassin of Marudu, Datu Mohamad Ashgari (Sulu governor at Sandakan), amongst others, were all slave owners. In terms of ratio, it was estimated that two out of three people at Tempasuk were slaves, and at Marudu, four out of five.

The slave traffic was both from the Sabah region to other parts and vice versa. Bajau, Suluk and Illanun slave raiders and

dealers often took captives from the east coast of Sabah and sold them off in Palawan, and Bulungan in Dutch Kalimantan. Slaves coming into the Sabah region could have been captured from the Malay Peninsula, Singapore, the Philippines and, the Dutch East Indies. There were some important markets from where slaves could be bought as well; these were Palawan, Tawi-Tawi and Jolo. In Sabah, there were a few local "emporiums", chief of which were Benkoka in Marudu Bay and Tunku in Darvel Bay.

Slaves were of two types; slaves in the 'rigorous' sense and slaves in the second degree who were called *anak emas* (golden children). The first category included slaves who were acquired by purchase or through capture, and children of such slaves. The second category consisted of offsprings of slave mothers married to freemen. Slaves were well treated and, could rise to power and influence within the social hierarchy. Pryer gives as illuminating insight into the manner in which slaves were treated and behaved as follows:<sup>11</sup>

... any slave however may aspire to become a master if he is strong enough and fierce enough ... Bondage was light, slaves being allowed to do pretty much as they liked and the relationship between them [master and slave] is rather more that of follower and lord than that of master and slave as understood by us (the English).

Soolo slaves would be very much astonished if half a dozen of them were sent out with an overseer into the fields to work at sugar cane or corn planting and as they are all kris [small Malay sword] bearers, their objections might take a practical form.

There were various customary rules governing the relationship between masters and slaves. Some of these were: *anak emas* slaves could not be sold; a slave woman, if she gave birth to a child by her master, became free; slaves were allowed to marry with the consent of their master or masters, and slave women became free if a freeman married her and paid the bride price to her master.

Slaves performed important functions in the Sulu political-economic system; they served as retainers, domestic helps, collectors of jungle and marine produce, traders, *prahu* crew and even raiders. They were the pillars of the *datu's* economic and political power. Slaves who were not *anak emas* proved saleable not only as labour force but also for ritual human sacrifices amongst the interior tribes. Some of the forty-odd people captured by the Illanun in 1879 were destined to the latter end.

By the second-half of the nineteenth century, a new economic and ethnographic dimension was added to Sabah's east coast as the coastline became dotted with Suluk-Bajau settlements servicing the economy of the Sulu Sultanate. The Bajau being strand dwellers and boat people, figured prominently on the bays and islands, while the Suluk established settlements mainly along the coast and river mouths. An important region of concentration for both were the Sandakan Bay and Lingkabo regions. The Bajau here were under the powerful leadership of Tuan Imam who had his headquarters at Timbang Island. Tuan Imam, who was a Bugis brought into captivity as a young boy, was purchased by the Sultan who, on finding that he grew up to be a man of character and ability, made him the local chief at Timbang. Here he married the "queen" of the Bajau and organised the economic activities of the community. He was aided in this capacity by his sons, the most prominent of whom was Panglima Abdul Rahman. With the help of about two hundred Bajau collectors, Tuan Imam worked the richest seed-pearl fishery in the region at Lingkabo island for the sultan. The collectors were advanced food and other requirements by the Sultan while Tuan Imam managed the organisation, collection and distribution of the harvest. The Imam and his sons were also large scale collectors of jungle produce and traders, owning a fleet of *prahu*. Periodically they organised large parties of Bajau for the collection of rattan in the Sugut and Labuk rivers. These trips sometimes lasted over a month. Jungle produce acquired from these rivers was shipped to Jolo and even Labuan while the Imam's *prahu* brought back much needed rice supplies from Palawan.<sup>12</sup>

The Suluk population in the Sandakan Bay and Lingkabo consisted of Suluk *datu* and Suluk traders with their retainers and slaves. The *datu* were Mohamad Ashgari and Mohamad Israel, who functioned as Sulu's governors at Timbang Island and Lingkabo respectively, as well as some local chiefs, the most influential and powerful of whom was Datu Haji Anseruddin.<sup>13</sup> Of the wealthy traders, Haji Basoh, Nakhoda Ali and Nakhoda Meyer among others, monopolised the commerce of the Kinabatangan, bringing in such items as rice, oil and cloth from the Sulu islands to barter for the jungle produce and birds' nests of the interior.<sup>14</sup>

In the Darvel Bay region, the coastline from Silam to Sibuku was almost devoid of population because of the havoc caused by the Sagai headhunters of the interior. Only at the birds' nests caves of Madai and Sigalong was there a significant population consisting mainly of the Erahan *suku* under the headships of Datu Yahya, Rajah Tuah and Pengiran Amas.<sup>15</sup> The islands of the Bay, that is, Omaddal, Bum Bum and Pulau Gaya, however, had a substantial population of about 3,000, composed of mainly Bajau and Suluk. The region was a nest for slave raiders, the main centres being Tunku, Pantow-Pantow and Pulau Gaya under Datu Kurunding, Maharaja Alam and Raja Laut respectively. In addition to slave raiding and selling activities, the area was also noted as a major source of Borneo produce. Datu Alam was the Sultan's representative in charge of the collection of birds' nests at Madai and Sigalong. Some of the Bajau, especially at Omaddal under Panglima Abdul Rahman, were fully involved in the procurement of marine produce such as *trepang*, pearl shell, tortoise shell, sharks fins and fish. Slave crew manned *prahu* transporting these items to Jolo where arms and gunpowder were obtained.<sup>16</sup>

The situation in the Labuk, Paitan, Sugut and Marudu Bays was similar. The Bajau occupied Sugut Bay under Perkasa, Paitan Bay under Panglima Bucu and Marudu Bay under Haji Drahim at Bengkoka. Suluk settlements in this region, usually at the mouth of the rivers, were under various *syarif*. The Sugut River mouth was the home of powerful Suluk chiefs namely Datu Mohamad Israel, Syarif Yassin and Syarif Hussin. The Marudu

Bay was the headquarters of Syarif Shih, Syarif Yassin Ali and Syarif Alam.<sup>17</sup> The Bajau either worked in pearl fisheries in the Marudu Bay or served as retainers for the *syarif*, most of whom were slave dealers.<sup>18</sup>

Another change of significance on the east coast was the emergence of a mixed race of people through the inter-mixture of local Kadazandusun communities with migrant races. Unlike the west coast, the small isolated Kadazandusun communities in the middle courses of the great rivers of the east coast were unable to resist Suluk/Bajau domination. After a long process of intermarriage and association with the Suluk and Bajau, many of the Kadazandusun communities were gradually Islamised. Nevertheless they continued to form a distinct group on each river, with an identity and character of their own. They also took on new ethnic names and were known variously as Buludupi on the Kinabatangan, Dumpas on the Labuk, and Orang Sungai on the Paitan. They were poor agriculturists, planting only bananas and sweet potatoes, with an occasional patch of hill *padi*.<sup>19</sup> Placed, however, in a most favourable geographical position on the rivers in relation to the upland-lowland trade between the interior communities and downstream Suluk/Bajau traders, and having inherited some of the aggressiveness and shrewdness of the latter, they began to partake in the commercial life of the rivers. The volume of trade on the great rivers was substantial. In the 1880s, as many as fifty trading boats mainly belonging to Suluk and Bajau traders could be doing business on a single river at one particular time. Many of the boat owners were engaged in direct trade whereby luxury goods were advanced to loal communities in exchange for jungle supplies. The practice of advancing goods was widespread and the interest charged was *lipat dua kali*, or double the original value of the loan.<sup>20</sup> Though the system led to abuses, feuds and even enslaving, it provided a practical basis for the flow of economic and commercial activity.<sup>21</sup> On the other hand, the more organised and wealthy traders undertook the collection of jungle produce in addition to conducting general trading. The interior communities were often irregular with their supplies so that trad-

ers were obliged to wait for long periods before they were furnished with the goods. The enterprising and bigger traders, like Tuan Imam of the Bajau, therefore overcome this shortcoming by organizing collecting parties of their own men. In this system, traders purchased the right to collect jungle produce on a particular tract of jungle from the local chief or *suku* in payment for such items as jars or brassware. The usual produce collected was rattan and gutta-percha, the latter fetching about eighty dollars a *pikul* at Sandakan or Labuan. Sometimes, however, collecting parties came in without such a contractual agreement or else did not adhere to its conditions, and this led to serious clashes. In 1882, for example, two Suluk traders were killed in the Sugut by the Kadazandusun for "illegally" trying to collect gutta-percha and rattan.<sup>22</sup>

Another valuable Sulu enterprise in eastern Sabah involved the extraction of birds' nests from the huge Gomantong caves near Malapi. The caves were first discovered by the Segaliud Buludupi chief Datu Bandar Betan and, subsequently, were taken over by another chief Sandukur, who in return for protection from the Sultan of Sulu, made a gift of four of the caves to the ruler. Pengiran Samah, the grandson of Sandukur was then appointed by the Sultan to organise the collection of birds' nests in all the caves at Gomantong. Half the produce of the four caves belonging to the Sultan went to the ruler, while the other half was kept by Pengiran Samah who used one half of his own share to pay the men whom he mobilized for the collection of the nests.<sup>23</sup> In the 1880s the value of the birds' nests collected from the Gomantong caves alone was 25,000 Straits dollars annually.

Thus, due to geo-political factors the east coast of Sabah became commercially linked to the Sulu Sultanate and served as a major contributor to its external trade. Suluk and Bajau settlements established along the coast of eastern Sabah became a permanent feature. They supplied vital jungle and marine produce from Sabah's forests and marine gardens for Sulu's external/international trade and supplemented the sultanate's manpower needs by enslaving and raiding activities. In return, they obtained from

Jolo arms and gun-powder to maintain their physical position; and textiles, sundries, opium and luxuries for barter and their own consumption.<sup>24</sup>

### The *Datu* System

The riches obtained as a result of the control which Sulu established over the hinterland resources of Sabah allowed for the political emergence and expansion of the sultanate. The Sulu Sultanate has been described as a "segmentary state" in which power was diffused among the Sultan and the aristocratic *datu*. Theoretically the sultan was supreme religious and political head, but in reality his power depended on his wealth, personality and the alliances that he could forge with powerful *datu*. Unlike Brunei, the Sulu state did not possess a well defined corporate institutional structure at the centre. The *datu*, with their political bases scattered over the Sulu Archipelago and Sabah constituted the basic framework of the Sultanate. The strength or weakness of the Sulu state depended on the power of these *datu* and the extent to which they fulfilled their duties and allegiance to the ruler.<sup>25</sup>

The Sultan used certain mechanisms at his disposal to consolidate and maintain his position. By virtue of being the defender of the faith, he enjoyed great power and at Friday prayers within the realm, the *kutbah* (sermon) was read in his name. The power of the *datu* exercising authority in the ruler's name was legitimised by *cap* or edicts issued by him which were normally read out at court.<sup>26</sup>

In 1878, the Sultanate claimed jurisdiction over the dependencies (*jajahan, tanah-tanah* or *daerah taaluknya*) of Pandasan, Marudu, Paitan, Sugut, Bonggaya, Labuk, Sandakan, Kinabatangan and Mumiang in Sabah. In the second-half of the eighteenth century, the sultanate gave a different list to Alexander Dalrymple. The names of the dependencies given then were Papar, Marudu, Mangidara and Tirum. It is apparent that by 1878 Sulu did not have control over Papar. The dependencies of Marudu



and Mangidara roughly covered the area from Pandasan to the Sibuku River and corresponded to the 1878 *jajahan*. Tirum referred to the area from the Sibuku River to the Balik Papan River, which the sultanate also claimed in 1878.<sup>27</sup>

Just as in the case of the Burnei *jajahan* on the west coast, rivers and river basins delineated the geographical extent of the Sulu *jajahan*, but the political structures differed radically. Suluk *datu* with local family ties and strong personal influence in Sabah were usually appointed resident governors to represent the ruler's authority in the dependencies. These centrally appointed governors usually established themselves at strategic locations along the lower courses of rivers, as in the Bronson model.

From these riverine posts they controlled all traffic with the interior and even gained a certain measure of control over those communities which were not directly under Sulu hegemony. In the 1830s and 1840s, for instance, Syarif Usman effected his jurisdiction over the whole of Marudu Bay from his *kota* (fort) on the Marudu river. His son, Syarif Yassin, in turn, who ran away after Sir Thomas Cochrane devastated his father's fort in 1845, became the Sulu governor of the Sugut River. He established his headquarters near the important village of Pantai Buling, some seven miles up-river, from where he controlled trade and administered justice. In 1870, however, he felt obliged to leave Sugut as he had, in the course of dispensing justice, incurred the enmity of the family of another powerful local chief, Pengiran Tambangan, who he had been sentenced to death for having committed incest with a daughter. Leaving his son, Syarif Hussin, in charge of Sugut, Syarif Yassin re-established himself in the Marudu Bay.<sup>28</sup> Syarif Hussin's father-in-law, Datu Mohamad Israel, was himself the governor of the important pearl fishery at the island of Lingkabo in Labuk Bay which belonged to the Sultan. Datu Mohamad Israel remained its administrator till July 1879 when he retired to his village of Sirip, on the Sugut, as a result of intervention by W. B. Pryer, the Overbeck-Dent Association's Resident at Sandakan.<sup>29</sup> In the case of the Sandakan and Kinabatangan *jajahan* these were, until 1874, under the powerful

Sulu aristocrat, Datu Harun Al-Rashid, a close member of the royal family. This *datu* controlled the huge Kinabatangan *jajahan* from the strategic town of Malapi which was the Sultanate's established administrative centre on the river.<sup>30</sup> After he left, Datu Mohamad Ashgari was appointed governor and established his headquarters at Sandakan (Timbang Island) where he remained until Pryer's arrival, in 1878 as Resident.<sup>31</sup>

These Sulu "mandarins" did not establish a *jajahan* administrative structure like the one forged by the Brunei authorities on the west coast. The east coast was sparsely populated, with scattered settlements of Suluk, Illanun and Bajau people under their own *datu* and chiefs. However, the long navigable rivers on the east coast provided easy communications with the diverse ethnic groups, both coastal and interior. Pacts were made with various local chiefs so that gradually, "a loosely integrated political system that embraced island and coastal populace, maritime, nomadic fishermen and slash and burn agriculturists of the coastal rim and interior foothills" was forged.<sup>32</sup> By this means, local chieftains, were not forged into a hierarchy of officials, with ascribed functions. They were allowed to retain their power bases, administer their own settlements, and run their own economic activities so long as they adhered to the general edicts and fulfilled the tax demands of the Sultan and accepted the jurisdiction of his representative in relevant matters.

An effective method of controlling the movement of all *prahu* plying on the major rivers was by setting up customs houses called *bintang marrow*, at the strategically located river stations. A bamboo or rattan was slung across the river and a duty charged for lifting it and allowing a boat to pass. One such *bintang marrow* existed on the Kinabatangan near Malapi, and one on the Labuk at Tanda Batu.

So long as the *jajahan* governors remained loyal to the centre, they enjoyed legitimacy which gave them immense prestige and influence. Their main task was to ensure that the Sultan's interests were taken care of. This meant transmitting to the ruler his share of the royalties and the ten per cent import tax levied in

his name, as well as ensuring that Sabah's marine and jungle produce was channeled to Jolo where the sultan exercised a monopoly over external trade.<sup>33</sup> Quite apart from this, the governors introduced their own taxes on river traffic, imposed *sarar*<sup>34</sup> (compulsory trade) on the interior tribes, indulged in commerce and conducted slave trading and raiding activities. Syarif Yassin was a powerful slave dealer while Datu Harun Al-Rashid was said to have terrorised the Sandakan region by making slaves of anyone he could lay hands on.<sup>35</sup> The wealth acquired from commercial and slave raiding activities made many a *datu*, like Datu Mohamad Ashgari, men of considerable means.

### Disintegration

As with Brunei's influence on the western flank of Sabah, the fortunes of the Sulu Sultanate too began to experience an eclipse in the second half of the nineteenth century. European activity began to affect Sulu's economic prosperity as well. British naval action at Tempasuk and Marudu Bay in 1845, the sacking of Balangingi Island by the Spaniards in 1848, and the destruction of Riung by the Dutch in 1858 contributed to undermining the slave raiding activities of Sulu. Spain's naval action led, in fact, to strained relations between Manila and Jolo, a consequent decline in trade between the two, and a move on the part of Sulu to channel its trade through Labuan and Singapore. Fearing the danger of British, Dutch or German political intervention in the Sulu region, Spain began an earnest campaign in 1871 to destroy Sulu by attacking its trading craft.<sup>36</sup>

Driven from their older centres, the Balangingi, Illanun and Bajau slave raiding communities found refuge in the isolated regions of the north-eastern Borneo coast. They founded new centres at Tawi-Tawi, Tunku, Omaddal, Pulau Gaya and Sibuku. However, finding their theatre of operations constricted, and having lost their established commercial and political links with Jolo, they turned on Sulu commerce itself and wreaked havoc on coastal

communities in the Sabah dependencies of Sulu. In the 1860s, the Pulau Gaya chief, Tunggal, blockaded the Kinabatangan and Datu Harun Al-Rashid was forced to despatch two big boats to fight him. He was quiet for a while, but soon resumed his activities, this time raiding even Jolo and Palawan.<sup>37</sup> In 1877, Imam Janjowi and Datu Kurunding, the leaders of the powerful marauding communities of Tawi-Tawi and Tunku, led a combined expedition which sacked the east coast of Sabah and is believed to have taken six hundred slaves. A sworn enemy of the Sultan and some of his major *datu*, Imam Janjowi killed seven of Datu Harun's men in 1878. In 1878 a fleet of some fifty *prahu* belonging to the major "pirate" chiefs in the region assembled, carrying a force of about five hundred armed men under Imam Janjowi, Datu Kurunding, Maharaja Alam of Omaddal and Raja Laut of Pulau Gaya. It raided the Sugut, Labuk and Lingkabo coastal areas, taking slaves, and disrupting Sulu commerce between Palawan, Sabah and Labuan. In 1879, slave raiders from the Sibuku river led by Aini once again raided Paitan and seized about forty captives.<sup>38</sup> In 1878 the marauding communities at Tunku were attacked by HMS *Kestrel* under Captain Edwards, but Maharaja Alam managed to escape and continued his activities at Pantow-Pantow with the collaboration of local chiefs such as Maharaja Lambi and Imam Si Balang. It was not until 1886 that their headquarters were destroyed by HMS *Zephyr* under Captain Hope and the Company's forces.<sup>39</sup> These measures did much to curb this nefarious activity, but Sulu power in her Sabah dependencies had already weakened and the situation became volatile in the 1870s and 1880s.

Once central support for the Sulu governors slackened, some governors, like Datu Harun Al-Rashid left the Kinabatangan for the capital. The Sugut and Paitan were also left without a governor as Syarif Hussin moved to Marudu Bay because of his enmity with Pengiran Tambangan's family. In such a situation local chiefs and communities began to operate on their own, often disrupting the established political and commercial structure. The greatest disruption came from the mid-stream Islamised communities, the

Dumpas, Orang Sungai and Buludupi who began to interfere in the commercial system. On the Labuk, the Dumpas, under the leadership of Datu Pengiran took control of upstream-downstream commerce by acting as middlemen, by levying heavy taxes, and by imposing the *sawat* on upland Kadazandusun communities. According to one report, it became a common practice of their:<sup>40</sup>

... to interpose themselves between the inhabitants of the interior and the outside world to undertake the management of all trading transactions, to impose taxes upon the Sundryaks, sending up goods to these latter for which they demanded exorbitant prices .. which, if resisted, they were ready to follow up with force. Better armed and more rapid and resolute in action than the natives of the interior, they invariably came off best in the encounter though there were times when the Sundryaks, pressed unduly, would retaliate by a midnight raid ...

At Malapi on the Kinabatangan, Pengiran Samah, the Buludupi chief, did the same by operating a customs house on his own. He refused to let traders go beyond his house on the river, and denied others permission to trade or recover debts from the area. Though Pengiran Samah checked the exploitation of the people of Malapi by traders from outside, he himself was not just in his actions and was known to have oppressed the interior natives.<sup>41</sup>

In fact, a situation was produced where communities and strong local leaders took the law into their own hands. Armed camps existed and hostilities erupted among the Bajau and Suluk; mid-stream and interior tribes; between traders and local chiefs and between local chiefs and the Sulu Sultanate. Fights broke out between traders and the Buludupi at Malapi and there was general fear in 1878 that the latter would combine with the Dumpas and Orang Sungai of Sugut, Paitan and Labuk in a general rising against the traders.<sup>42</sup> The interior communities, oppressed and bullied, resorted to devastating attacks on middle course and down stream river settlements. Sagai raids depopulated the country south of the Kinabatangan river; the Tumbunwah and Romanov

*suku* of upper Kinabatangan raided Buludupi settlements of this river, and the Sundyaks on the Labuk attacked the Dumpas.<sup>43</sup>

The greatest blow to the Sulu Sultanate in terms of political opposition came from powerful local chieftains. The lack of a corporate *jajahan* hierarchy and an administrative structure which could provide general law and order meant that these local chiefs continued invariably to retain and strengthen their economic and military bases. The latter process became even more pronounced because of the anarchic conditions prevailing on the rivers, coasts and the sea lanes. Coastal and island communities were forced to arm themselves in the light of the general failure by the Sulu Sultanate in providing security against slave raiders. Midstream communities armed themselves against raids by interior tribes and oppression by traders. Chiefs like Panglima Abdul Rahman (son of Tuan Imam of Sandakan) and Pengiran Samah were able to acquire large fighting forces because of the lucrative trade and economic enterprises they were involved in. Pengiran Samah not only obtained birds' nests from the collection that he organised, but also benefited by acting as a middleman for the large body of men he gathered for such collection. The organisation of manpower by him for the collection of a large quantity of birds' nests at the Gomantong caves required assembling hundreds of men for whom complete preparations for feeding had to be made even some six months before the actual collecting operation began.<sup>44</sup> Panglima Abdul Rahman and his father, Tuan Imam, could command the support of over twenty armed *prahu* at short notice to counter threats by slave raiders.<sup>45</sup> In these volatile circumstances many chiefs began to act in open defiance of Jolo and were in a state of rebellion. Panglima Abdul Rahman, for example, planned to unite all the Bajau in the Sandakan Bay and drive out the Sulu governor, Mohamad Ashgari. There was Pengiran Samah who did not send the Sultan's share of birds' nests for some years and killed the Sultan's agents who carried a *cap* for the purpose. In 1879, in fact, he declared himself sultan of the Kinabatangan. At Darvel Bay, since 1875, Maharaja Alam had also stopped sending the Sultan's share of the Madai and Sigalong birds' nests and re-

fused to pay the customary allegiance to the Sultan. Even Datu Mohamad Israel, the Sulu governor of Lingkabo had visions of setting himself up as ruler of the island.<sup>46</sup>

## NOTES

1. See Chapter I.
2. In 1881, the Superintendent of Agriculture wrote a report on the Kinabatangan. According to him, no irrigated *padi* was grown at all in the district. Treacher to Alfred Dent, 29 September 1881 and enclosure, Governor's despatch 34/1881, C.O. 874/228, ff. 187-193.
3. *Ibid.*, f. 193; and *BNBH*, V, vi, 1887, p. 130.
4. Treacher to the Chairman, BNBC, 27 March 1882 and enclosure, Governor's despatch, 90/1882, C.O. 874/230, f. 76.
5. For a detailed account of Jolo's trade with China in the late eighteenth and early nineteenth centuries and the role played by Sulu's dependencies in Borneo in terms of the produce that they contributed towards this trade, see J. K. Reynolds, "Towards an Account of Sulu and its Borneo Dependencies, 1700-1878", Wisconsin: Thesis submitted in partial fulfillment of M. A., University of Wisconsin, 1970, pp. 33-48; and J. F. Warren, *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a Southeast Asian Maritime State*, Singapore: Singapore University Press, 1981, pp. 5 and 67-103.
6. W. B. Pryer, *Diary of a Trip up the Kina-Batangan River*, London: W. Greaves & Co., C1882, pp. 4-5.
7. Treacher to Alfred Dent, 29 September 1881 and enclosure, Governor's despatch 34/1881, C.O. 874/228, ff. 187-193.
8. Warren, *The Sulu Zone*, pp. 17-68.
9. T. M. Kiefer, "An Anthropological Perspective on the Nineteenth Century Sulu Sultanate", J. A. Larkin (ed.) *Perspectives on Philippines Historiography: A Symposium*, (New Haven: Monograph Series, No. 21, Yale University, Southeast Asian Studies, 1979, pp. 62-63; Warren, *The Sulu Zone*, pp. 149-236. For a good account of Sulu's dependencies in Sabah from the late eighteenth to the middle of the nineteenth centuries see A. Dalrymple, "Essay Towards an Account of Sooloo", J.R. Logan (ed.), *Journal of the Indian Archipelago and Eastern Asia*, Singapore: 1849; J. Hunt, "Sketch of Borneo or Pulo Kalamantan", and "Some Particulars Relating to Sulo, in the Archipelago of Felicia", J.H. Moor, (ed.), *Notices of the*



*Indian Archipelago and Adjacent Countries*, Singapore: 1837 Appendix, pp. 12-60.

10. Captain F. Wittl was appointed by the Overbeck-Dent Association in 1878 to take charge of a small police force at Tempasuk. See Chapter 5. For more details on these two reports, see Pryer to Treacher, 5 October 1881 and Wittl to Treacher, November 1881, enclosure in Treacher to Alcock, 8 February 1882, Governor's despatch 33/1882, C.O. 874/229, ff. 310-329.
11. *Ibid.*, ff. 311-312.
12. Diary of William Prayer, 20 February, 14 March 1878, C.O. 874/67, ff. 9, 14-15, and 25-27; 12 October 1878, 14 February, 16 March 1879, C.O. 874/68, ff. 35, 84 and 102.
13. Treacher to Alfred Dent, 29 September 1881, Governor's despatch 34/1881, C.O. 874/228 and enclosures.
14. Diary of William Prayer, 24 March 1878, C.O. 874/67, f. 36; 24 September 1879, C.O. 874/69, f. 27.
15. Treacher to Sir Rutherford Alcock, Chairman BNBC, 9 September 1884 and enclosures, Governor's despatch 196/1884, C.O. 874/237, ff. 292-299.
16. Treacher to Alfred Dent, 26 October 1881, Governor's despatch 40/1881, C.O. 874/228; Treacher to Alcock, 24 November 1883 and enclosure, Governor's despatch 351/1883 C.O. 874/235, ff. 667-675; Treacher to Alcock, 3 July 1884, Governor's despatch 147/1884, C.O. 874/237.
17. E. P. Gueritz's Diary of a Trip in the Launch 'Kimanis', enclosure, Treacher to Alcock, 26 October 1883, Governor's despatch 306/1883, C.O. 874/235. Haji Drahim was the right-hand man of Syarif Yassin. Treacher to Alcock, 10 May 1883, and enclosures, Governor's despatch 147A/1883, C.O. 874/234.
18. Treacher to Alcock, 1 August 1882, Governor's despatch 217/1882, C.O. 874/231.
19. At Malapi the Buludupi did not undertake wet rice cultivation. He had no knowledge of ploughing and did not keep buffalo. Treacher to Alfred Dent, 29 September 1881, and enclosures, Governor's despatch 34/1881, C.O. 874/228.
20. Pryer to Treacher, August 1883, enclosure, Treacher to Alcock, 31 August 1883, Governor's despatch 262/1883, C.O. 874/235, f. 309.
21. A. H. Everett to Treacher, 2 January 1883, enclosure, Treacher to Alcock, 5 January 1883, Governor's despatch 12/1883, C.O. 874/

- 233; Treacher to Alcock, 1 March 1883, C.O. 874/233, Governor's despatch 74/1883, C.O. 874/233.
22. Treacher to Alcock, 28 November 1882, and enclosures, Governor's despatch 346/1882 C.O. 874/232; Everett to Treacher, 2 January 1883, enclosure, Treacher to Alcock, 5 January 1883, Governor's despatch 12/1883, C.O. 874/233.
  23. Sandukur was the Buludupi chief of Malapi. Each important cave at Gomantong had a name. There were about twelve caves producing birds' nests in the 1880s. The Sultan's caves were Kuris, Bubung Bulud, Semud Putih, and Durham. Diary of William Pryer, 6 May 1878, C.O. 874/68, f. 70 and 22 January 1879, C.O. 874/68, ff. 75-76; C.A. Bampfylde's Journal Relating to a Visit to the Gomantong Caves, 22 February 1883, enclosure, Treacher to Alcock, 27 February 1883, Governor's despatch 71/1883, C.O. 874/233.
  24. Many of the local Suluk, Bajau and Buludupi chiefs were opium addicts. Arms and gunpowder were some of the chief items imported by the Suluk *datu* in Sabah. Bampfylde's Journal Relating to a Visit to the Gomantong Caves, 22 January 1883, enclosure, Treacher to Alcock, 27 February 1883, Governor's despatch 71/1883 C.O. 874/233; Treacher to Alcock, 24 March 1883, and enclosures, Governor's despatch 108/1883, C.O. 874/234.
  25. For a good account of the structure of the Sulu state see J.K. Reynolds, "Towards an Account of Sulu and its Borneo Dependencies, 1700-1878", Wisconsin: thesis submitted in partial fulfillment of M.A., University of Wisconsin, 1970, pp. 1-76; C. A. Majul, "Political and Historical Notes on the Old Sulu Sultanate", *JMBRAS*, XXXIII, i, July 1965, p. 35; N. M. Saleeby, *The History of Sulu*, Manila: Manila Bureau of Printing, 1908, pp. 151-210; and T. Kiefer, "Anthropological Perspective on the Nineteenth Century Sulu Sultanate", pp. 56-57.
  26. Diary of William Pryer, 25 November 1878, C.O. 874/68, f. 55.
  27. For the 1878 sessions, see the treaty of the same year between the Sultan of Sulu and Overbeck. C.O. 874/54, documents 6 and 7. See also, Reynolds, "Towards an Account of Sulu", pp. 42-47.
  28. E. P. Gueritz's Diary of a Trip in the Launch 'Kimanis' to Sugut, Paitan, Sumudell, Banguay and Abai, enclosure, Treacher to Alcock 26 October 1883, Governor's despatch 306/1883, C.O. 874/235; Everett to Treacher, 19 July 1882, enclosure, Treacher to Alcock,

- 15 August 1882, Governor's despatch 235/1882, C.O. 874/231, ff. 198-200; and Treacher to Alcock, 3 March 1886, Governor's despatch 37/1886, C.O. 874/240 f. 699.
29. Diary of William Pryer, 12 October 1878, C.O. 874/68, ff. 40-41; *Ibid.*, 22 October 1880, C.O. 874/69, f.142; E. P. Gueritz's Diary of a Trip in the Launch 'Kimanis, enclosure, Treacher to Alcock 26 October 1883, Governor's despatch 306/1883, C.O. 874/235. The original Sandakan, established in 1872, by William Clarke Cowie, was on Timbang Island about 12 miles from present-day Sandakan. For more details see Chapter 5.
  30. Pryer, *Diary of a Trip up the Kina-Batangan River*, pp. 4-5; Diary of William Pryer, 25 November 1878, 18, 27 January 1879, C.O. 874/68, ff. 55, 73 and 78.
  31. Diary of William Pryer, 5 September, 12 October, 25 November 1878, C.O. 874/68, ff. 15, 40, 41 and 55.
  32. Warren, *The Sulu Zone*, Introduction, xxi.
  33. The Sultan levied a duty of ten per cent on imports only. Produce exported from the dependencies was not taxed. Diary of William Pryer, 6, 10 April 1878, C.O. 874/67, ff. 45 and 49; Warren, *The Sulu Zone*, p. 41.
  34. *Sarar* was a system of forced trade whereby certain foreign articles such as cloth were forcefully "sold" to the people of a village and a fixed amount of jungle produce, which was usually exorbitant, demanded in return for each piece of item sent. For example, a catty of camphor was demanded for every two pieces of cloth forced upon the villagers. Diary of William Pryer, 20 July 1880, C.O. 874/69, f. 125.
  35. Diary of William Pryer, 23, 24, 25 November 1878, C.O. 874/68, ff. 53-55; 29 May 1879, C.O. 874/68, f. 129; A.H. Everett to Treacher, 19 July 1882, enclosure, Treacher to Alcock, 15 August 1882, Governor's despatch 235/1882, C.O. 874/231.
  36. See Warren, *The Sulu Zone*, pp. 104-125 and 191-197.
  37. Pryer, *Diary of a Trip up the Kina-Batangan River*, p. 5.
  38. Diary of William Pryer, 21 February 1878; 17 and 18 October 1878, C.O. 874/67, ff. 10 and 41-43; and 28 and 29 May 1879, C.O. 874/68, ff. 128-129.
  39. Treacher to Alcock, 20 May 1886, Governor's despatch F/1886, C.O. 874/241, ff. 427-431; Treacher to Alcock, 16 July 1886, Governor's despatch Z(c)/1886, C.O. 874/241, ff. 667-670.

### The Making Of Sabah

40. Pryer to Treacher, August 1883, enclosure, Treacher to Alcock 31 August 1883, Governor's despatch 262/1883, C.O. 874/235, ff. 308-323. Also see Treacher to Alfred Dent, 7 January 1882, Governor's despatch 3/1882, C.O. 874/229.
41. Diary of William Pryer, 1 April 1878, C.O. 874/67, f. 42; 10 January 1879, C.O. 874/68, f. 70.
42. *Ibid.*, 4 December 1878, C.O. 874/68, f. 59.
43. Treacher to Alfred Dent, 7 January 1882, Governor's despatch 3/1882, C.O. 874/229; Diary of William Pryer, 18 January 1879, C.O. 874/68, f. 73; and Pryer to Treacher, 13 September 1883, enclosure, Treacher to Alcock, 13 September 1883, Governor's despatch 266/1883, C.O. 874/235, ff. 364-367.
44. Pryer to Treacher, 13 September 1883, enclosure, Treacher to Alcock, 13 September 1883, Governor's despatch 266/1883, C.O. 874/235, f. 365.
45. Diary of William Pryer, 17 October 1878, C.O. 874/68, f. 41.
46. Diary of William Pryer, 14 March, 2 April 1878, C.O. 874/67, ff. 27 and 43; 18 January 1879, C.O. 874/69, ff. 5 and 51.

## THE GENESIS OF WESTERN RULE, 1865-1881

### The American Venture

In the early decades of the nineteenth century, the United States of America became actively interested in expanding its commercial interests in the Far East and Southeast Asia. Various diplomatic missions were despatched to Japan, China, Siam and Borneo for the purpose. In 1845 such a mission visited Brunei in the warship, the USS *Constitution*. The Americans offered the Brunei government protection in return for a treaty of friendship and commerce. Brunei, however, at the time was already negotiating with the British government. Being optimistic of obtaining British protection, it rejected the American offer. A second attempt made by Joseph Balestier, the United State's Consul in Singapore was more successful.<sup>1</sup> In 1850 a treaty of "Friendship and Commerce" was concluded between the two countries. The question of protection was not on the agenda, but the United States obtained commercial privileges and the right to establish a consulate in Brunei.<sup>2</sup>

The treaty remained inoperative until the United States established a consulate in Brunei in 1865.<sup>3</sup> In that year Claude Lee Moses arrived in Brunei as the United States Consul via Singapore. Moses however was more interested in making quick money for himself rather than advancing American interests in the region. He accurately sized-up the situation in Brunei where the Sultan and his *pengiran* welcomed America's presence, hoping to

use the new power as a counter-weight against Sarawak expansion. The monarch and his nobles were also in great financial straits as a result of the dwindling empire.<sup>4</sup> Moses seized the opportunity and immediately persuaded the Sultan and the Temenggung to lease him large territorial concessions in Sabah for certain yearly payments. He obtained two documents, both dated 11 August 1865 containing the grants. By the first document, Sultan Abdul Mumin (r.1853-1885) leased the area from the Sulaman River on the west coast of Sabah to the Paitan River on the north east for a yearly rental of \$4500. The Pengiran Temenggung signed the second agreement by which he leased his dependencies of Benoni, Kimanis, Paitan, Sugut, Bongaya, Labuk, Sandakan, Kinabatangan, Cagayan and Muming for an annual sum of \$4000. The leases were for a period of ten years but could be renewed.<sup>5</sup> It is obvious that with the exception of Benoni, Kimanis, Sulaman and Tempasuk, Brunei did not have jurisdiction over the rest of the area leased to Moses, as the region was under effective Sulu control.

Moses quickly left for Hong Kong to sell his concessions. On 9 September 1865, he was able to sell them to two American traders, Joseph William Torrey and Thomas B. Harris and a Chinese, Wo Hang. Torrey then formed the American Trading Company of Borneo in 1865 to develop the territories acquired.<sup>6</sup> The transfer of the leases was confirmed by another document signed by Sultan Abdul Mumin on 24 November 1865 by which the Brunei monarch appointed Torrey as "Rajah of Ambong and Maroodoo [Marudu] with the powers of life and death over the inhabitants ... the right of making laws, coining money, creating an army ... together with all the powers and rights usually exercised by and belonging to sovereign rulers ..."<sup>7</sup>

The American Trading Company of Borneo decided to open a settlement at Kimanis. In December 1865, the settlement, called "Ellena" by Torrey, was started with about 12 Americans and 60 Chinese. Joseph Wheelwright was appointed Lieutenant Governor and Thomas Harris as Chief Secretary. The plan was to develop commercial agriculture by planting sugarcane, tobacco and

rice. The colony however was short-lived and had to be abandoned by the end of 1866 due to shortage of capital, severe sickness among the settlers and labour unrest.<sup>8</sup>

Torrey returned to Hong Kong and tried to dispose off his possessions in Sabah to other interested parties. In 1870, Gustavus Baron von Overbeck the Consul-General for Austria-Hungary became interested in the Sabah leases and subsequently acquired them from Torrey and the American Trading Company of Borneo in 1875 for a sum of \$15,000 provided a renewal could be secured within nine months.<sup>9</sup> The Sultan refused to renew the grants, and Overbeck, having failed to arouse interest in the venture in Vienna, turned to the firm of Dent Brothers of London for financial support.

### The Overbeck-Dent Association And The Pioneering Residents

Alfred Dent, the younger partner of the British firm, saw great potential in the Sabah venture and agreed to go into partnership with Overbeck. On 27 March 1877, the Overbeck-Dent Association was formed between the two men for the purpose of obtaining the Sabah leases and selling them off for a profit.<sup>10</sup>

On 16 December 1877 Overbeck arrived at Labuan in a chartered steamer, the "America" and had an interview with W. H. Treacher, the Acting Consul-General for Borneo. According to the Baron, the object of his organisation was to acquire territorial concessions in Sabah from the Sultan of Brunei, "and form a British Company, the main desire being to develop the agricultural resources of the northern portion of Borneo ..."<sup>11</sup> Overbeck then proceeded to Brunei where he managed to persuade Sultan Abdul Mumin and Pengiran Temenggung Hashim to conclude five documents on 29 December 1877. By these agreements, the Sultan and the Temenggung leased to Overbeck and Dent almost the same area as granted to Moses in 1865, that is, extending from the Sulaman River on the west coast to the Sibuku River on the east

as well as some of their *tulin* rivers, chiefly Papar, Benoni and Kimanis. The ODA was to pay the Sultan \$12,000 and the Temenggung \$3000 yearly. The major difference in the new arrangements was that there was no time limit on the leases. The Sultan also, by a Commission (document five) appointed Baron von Overbeck as "Supreme Ruler" of the territories granted, with the title "Maharajah of Sabah and Rajah of Gaya and Sandakan".<sup>12</sup> The ODA obtained the Sultan's sovereign rights over Sabah, but many Brunei *jajahan* on the west coast still remained as *tulin* property of various Brunei overlords over which the ODA held no jurisdiction until such time as they were bought over individually, a process, which was completed only in 1902.<sup>13</sup>

Baron von Overbeck soon learnt, however, that the Sultan of Sulu had rival claims over the territories granted by the Sultan of Brunei, and fearing that the Brunei grants might become the focus of an international dispute, decided to secure the Sultan of Sulu's rights over Sabah as well. Treacher himself was of the opinion that the Sultan of Brunei's territory extended at the utmost to the west side of Marudu Bay and the remaining territory mentioned in the Brunei grants, that is from Marudu Bay to the Sibuku River was actually under Sulu rule.<sup>14</sup> The idea that Overbeck should also secure the Sultan of Sulu's rights over Sabah might have originated from Treacher, who now began to take an active interest in the activities of Overbeck. Treacher, who wished to see that British interests were safeguarded and advanced, accompanied Overbeck to Jolo, the chief island of Sulu, with the intention of overseeing the negotiations himself and by ensuring that relevant clauses were included in the Sulu grants so that the undertaking in Sabah was one over which the British Government had sufficient jurisdiction.

Overbeck and Treacher had come to Jolo at an opportune moment. The Philippine Spanish authorities had launched one of their periodic campaigns aimed at subjugating the stubborn kingdom.<sup>15</sup> The island of Jolo was under siege, and the capital was in Spanish hands. Overbeck and Treacher met the Sultan at Meimbong on the southern side of the island. Fearing that he



would most likely be forced to capitulate to the Spanish, Sultan Muhamad Jamal was not unwilling to negotiate with Overbeck. The presence of an agent of the British Government in the person of Treacher raised the Sultan's hopes of obtaining British military and political support against Spain. In an agreement signed on 22 January 1878, and quite similar to the Brunei grants, but including additional clauses which gave the British government the ultimate right over the future transfer of the concessions granted, the Sultan parted with his Borneo possessions for an annual rental of \$5000. The area ceded to the Overbeck-Dent Association extended from the Pandasan River on the west coast to the Sibuku River on the east, though the Sultan insisted he had jurisdiction from Kimanis to Balikpapan, and wished the limits to be so included. It was only upon Treacher's advice that he agreed to the limit being fixed at the Sibuku River. By a Commission bearing the same date, the Sultan of Sulu also appointed Overbeck as "Datu Bendahara and Rajah of Sandakan".<sup>16</sup>

Having acquired the concessions in Sabah, Overbeck and Dent found themselves in a dilemma. Their original intention was to dispose off the leases at a profit to the highest bidder, but the restrictive clauses imposed by Treacher in the Sulu agreement precluded the possibility of selling them anywhere except in Britain. Dent decided that the best option open was to float a company in Britain and obtain a royal charter for it so as to give it credibility, legitimacy and protection as a governing body of such a vast territory. Consequently on 2 December 1878 Alfred Dent applied for a Royal Charter from the British government.<sup>17</sup>

Having already spent a considerable sum of money in obtaining the concessions, the syndicate was unable to finance the establishment of a centralised governmental structure immediately. To leave Sabah temporarily to its own fate without assuming some semblance of physical control over it would have aggravated the existing political situation in Sabah, which was far from stable. Besides, the latter course would have weakened their attempts to float a share-holding company, and to obtain support from the British Government. Overbeck had, to some extent,

made preparations for such a contingency. When he came in the chartered ship, the 'America' from Singapore to Labuan on his way to Brunei in December 1877, he had brought along with him on board the ship three Englishmen. They were William Pretzman, William B. Pryer and H. L. Leicester. Overbeck decided to start a rudimentary administration at key settlements, mainly as a "keep off" sign to other powers. As a result, Pryer was landed on the east coast at Kampung German, or the original Sandakan, a small village then on Timbang Island in Sandakan Bay on 11 February 1878, and in April of the same year Pretzman and Leicester were landed on the west coast at Tempasuk and Papar respectively.<sup>18</sup> The country was administratively divided into the East Coast and West Coast Residencies by Overbeck. Both Pryer and Pretzman were given the title of Resident and Leicester that of Assistant Resident.<sup>19</sup> Leicester served only a short stint and was replaced in September 1879 by A. H. Everett, formerly of the Sarawak service.<sup>20</sup>

These three pioneering officers, functioning as administrators in the midst of a strange country, almost entirely without military or bureaucratic support, were instructed by Overbeck to cultivate friendly relations with the natives. The general principles of the administration were outlined by Overbeck whereby the Residents were instructed to respect native practices and custom scrupulously. Changes were not recommended, except gradually. In dispensing justice the Residents were told to seek the assistance and advice of local chiefs. Petty offences were to be tried by the native chiefs themselves, and provisions made for the right of appeal to the Resident. Land alienation was forbidden, except when fair and equitable indemnification was made.<sup>21</sup> Dictated by the necessity of scanty resources, Overbeck had, in fact, laid the principles of a simple, informal, decentralised type of government. For more than three years, from early 1878 to 1881, the pioneering Residents tried to weave these instructions, almost single handedly, into the existing socio-political culture and to produce a viable working administration.

William Pryer landed at Kampung German or Sandakan on Timbang Island on 11 February 1878 with two assistants, an African named Abdul and a West Indian named Anderson.<sup>22</sup> He was placed in a most precarious position in an area where Sulu authority was waning, and many chiefs had, as a result, become semi-independent. The area was plagued by animosity between Suluk and Bajau, between trader and chief, and was open to the vicious attacks of slave-raiders.<sup>23</sup> Pryer's first administrative act was to publish a customs notification imposing duties on vessels and cargo entering the harbour.<sup>24</sup> This was immediately opposed by most traders and the local chiefs who argued that such payments were unprecedented. Pryer was obliged to withdraw his notification and to grant duty exemption to local craft as well as goods imported from Cagayan, Palawan and Sulu.<sup>25</sup> Realising that the support and cooperation of the local chiefs was vital for any administrative innovation, he went about cultivating their friendship. In the process he was able to win the confidence of some of the most influential and powerful chiefs in the region, including the chief of the Sandakan Bajau, Tuan Imam and his son Abdul Rahman as well as the Suluk chief, Datu Haji Anseruddin.<sup>26</sup> A wise policy was instituted whereby administrative and judicial powers were delegated to loyal local chiefs. Tuan Imam was appointed customs controller at his village of Upak on Timbang Island; Pengiran Omar, an influential Suluk chief, was appointed government representative at Malapi on the Kinabatangan, which up till then was controlled by another local chief, Pengiran Samah; and Datu Haji Anseruddin's son was made customs collector at Meningol, also on the Kinabatangan.<sup>27</sup> Pryer also found it judicious to delegate the dispensing of justice to these chiefs. A Native Court was initiated at Kampung German and Tuan Imam and Mohamad Ashgari were appointed magistrates, though the loyalty of the latter, the former Sulu governor of the Sandakan district, was perhaps questionable.<sup>28</sup>

The first major crisis for the new government came when the Sultan of Sulu, having capitulated to the Spaniards on 22 July 1878<sup>29</sup> sent a *cap* (seal) to the former governor, Mohamad Ashgari,

ordering him to re-establish Sulu's authority as he was abrogating his treaty with the Overbeck-Dent Association. The Suluk inhabitants under Mohamad immediately armed themselves and indicated their intention to carry out the Sultan's orders even if it meant bloodshed in confronting Pryer. The government was only saved from certain disaster by the Bajau who, under Abdul Rahman, rallied to the Resident's assistance and were determined to uphold his authority under all circumstances.<sup>30</sup> The vulnerability of the new administration was exposed when, in September 1878, two Spanish warships arrived in Sandakan (Kampung German, Timbang Island) and threatened to hoist the Spanish flag.<sup>31</sup> Pryer promptly convened an emergency meeting of the local chiefs loyal to him who agreed to resist the Spaniards. The local leaders, however, were disappointed at having to guarantee their own personal safety as well as that of the government. They indicated that most of them had welcomed the establishment of the syndicate's government hoping it would bring an end to anarchy in the region. This had not materialised and they were most disappointed. According to Pryer:<sup>32</sup>

At the meeting at Hadji Dato's [Datu Haji Anseruddin], Hadji Dato said in the most direct way that the people of the country looked to the Government to protect them, that up to the present time it was they who had been protecting me [Pryer].

Further trouble and scares arose with the imminent threat of a large invasion by the joint fleet of slave-raiders under Datu Kurunding, Maharaja Alam, and Imam Janjowi who had descended on the east coast.<sup>33</sup> Pryer, finding himself in a predicament expressed his dilemma:<sup>34</sup>

I expect I shall again have to fall back on him [Datu Haji Anseruddin] and the Badjaus for the fourth or fifth time.

After repeated appeals, he was finally provided six policemen in December 1878.<sup>35</sup> An occasional visit by the ships of the British

Navy, such as that by HMS *Kestrel* in August 1879, also helped to boost his authority.<sup>36</sup> It was under these precarious circumstances that Pryer established a rudimentary government through the support and cooperation of some of the local chiefs who were anxious for the restoration of stable conditions. His success in this matter was due to his diplomacy, which involved balancing rival forces, and his wisdom in delegating authority to the local chiefs. Pryer is best known as the founder of modern Sandakan. The settlement at Kampung German on Timbang Island caught fire on 5 June 1879 as a result of which he informed the local chiefs of his intention to establish a new town on the mainland. On 21 June 1879, clearing work commenced at Buli Sim Sim and a new town came into existence. Pryer named it Elopure at first, but soon renamed it Sandakan. Thus was born modern Sandakan at the present site. Pryer continued to serve the British North Borneo Company till 1887 when he retired to take up private agricultural enterprise around present-day Sandakan.<sup>37</sup>

On the west coast, William Pretyman landed at Tempasuk on 22 April 1878 with two assistants, J. Peltzer and Hochstadt. He found himself in the midst of a turbulent country which constituted the heartland of the Bajau communities who were unwilling to accept any organised systematic government.<sup>38</sup> Pretyman was obliged to seek the protection of the former Brunei appointed *jajahan* chief, Datuk Rumbangang, who had relinquished the post after a futile attempt to bring law and order amongst the unruly Bajau. He and the head chief of the Illanun, Pengiran Sri Raja Muda of Pandasan, in fact, gladly welcomed the new government, and expected the Maharaja (Overbeck) to come in force to end the anarchy that prevailed. The establishment of the Residency, without any accompanying force not only disappointed them, but threw them into uncertainty, especially when there were strong rumours, hardly three weeks after Pretyman's arrival, of a general uprising by the Bajau to oust the Europeans.

Pengiran Sri Raja Muda and his Illanun pledged their lives in support of the Resident but took pains to point out that he and his people were taking great risks in the event of the syndi-

cate giving up the country.<sup>39</sup> Datuk Rumbangang similarly complained that the unstable conditions had forced him recently to relinquish his post as *jajahan* chief, but with Overbeck's promise of a new government and new laws he had agreed to reaccept the position. He complained bitterly that Overbeck had not kept his promise: "Why does the Maharaja not complete his promise and send proper force to complete his wishes?"<sup>40</sup>

The Bajau, with a natural disposition for independence and, irritated by certain administrative restrictions imposed upon them by Pretyman, were quite suspicious of the syndicate and wanted a trial of strength not only to test its real objectives, but also its power. Many Bajau believed that the Europeans did not have the welfare of the country at heart and had come not to stay but to plunder and exploit. One aggressive chief, Datuk Linte, told the Resident that the people had heard they were American pirates. He declared that, "If the white men meant plunder, let there be a fight, if peace let there be peace; and if the white men are just we will all follow them."<sup>41</sup> In addition to the Bajau's suspicions of the European's intentions, they were opposed to the new taxes imposed by Pretyman. According to Datuk Rumbangang, "they were not used to them and did not intend to pay them."<sup>42</sup>

Pretyman, seeing the seriousness of the situation, contemplated leaving the post but, on further reflection, decided on a new line of action. He now resolved to use the inter-ethnic rivalry to bolster his position. He called for Pengiran Sri Raja Muda of the Illanun for assistance, upon which the latter promptly arrived from Pandasan with a host of chiefs and armed men, determined to stay by the Resident's side until such time as the pending uprising was scotched.<sup>43</sup> With this vital force behind him, Pretyman took his next step. He called together a meeting of all the chiefs and warned them of possible reprisals from the British in the event of an uprising. He reminded them that if trouble arose they would be held responsible and the disloyal chiefs excluded from the government.<sup>44</sup>

The determination of Pretyman, who had the staunch support of the Illanun, and the threat of reprisals drove home the

point. From henceforth, one Bajau chief after another came declaring his loyalty. Having temporarily mastered the situation Pretyman directed his energies towards consolidating his authority and laying the foundations of a rudimentary administration. His immediate priority was to end inter-community and intra-chieftain feuds so that settled and peaceful conditions conducive to trade and prosperity could be established. This was related to his second objective which was to extend the authority and influence of his government over new areas which hitherto had not acknowledged the syndicate's jurisdiction. His third objective was to instill in the people the principle of the rule of law as well as to institute a system of a simple judiciary. All this would contribute, he believed, towards revival of trade in the area.

Pretyman used various means for the realisation of his first objective. One was a tactic already employed earlier: the punitive deterrent. The Bajau chiefs were warned, on pain of punishment, not to attack the hill Kadazandusun. The Kadazandusun and Bajau subsequently accepted Pretyman's arbitration and the longstanding hostility between the Bajau and Kadazandusun was peacefully resolved through a meeting of the leading chiefs presided over by Pretyman.<sup>45</sup> To maintain a watchful eye on the activities of the chiefs and gradually gain their participation and cooperation, Pretyman instituted an informal weekly meeting of chiefs. By this arrangement the chiefs visited the Residency on Sundays to discuss matters and seek the Resident's advice. Chiefs who resided far away from the Residency reported less frequently at fortnightly intervals. To ensure that the hill Kadazandusun derived greater benefits from the administration, Pretyman established a government station at Ginambour which he visited once a week to settle matters.<sup>46</sup>

The issue that demanded the Resident's time and attention most was the administration of justice. It was his duty, employing firmness and tact, to persuade the natives to accept the principle that they could not take the law into their own hands and that all cases had to be either referred or reported to him. At first, most of the chiefs meted out their own justice but, in due course,

more chiefs began to bring cases for the Resident's arbitration. The Resident established a regular court at his Residency and, at times, instituted ad hoc courts when he visited outstations. Pretyman acted as chief judge, but he closely adhered to Overbeck's instructions by always having one or more native chiefs sitting with him as assistant judges. The following example of court procedure is recorded in his diary:<sup>47</sup>

The Sultan of Ilanun brought a complaint against Datu Mir Rajah Dinda for detention of a slave which had run away. At a court composed of the Pangerans [Sri] Rajah Muda, Padoukan and Datu Mudau, I advised the Datu to return the slave after payment by the Sultan of \$13 for expenses incurred in catching the slave. It was so settled.

The Resident followed the traditional procedure of granting ninety per cent of the fine as compensation to the injured party. Out of the remaining ten per cent, half was paid to the new government and the remainder divided amongst the native representatives who formed the court.<sup>48</sup>

In his endeavours to revive commerce, Pretyman started a weekly *tamu* in front of the Residency. Its success led the Resident to institute a monthly *tamu*, at Ginambour in the midst of Kadazandusun country, to revive upland-lowland trade.<sup>49</sup>

While the Resident was busy establishing settled conditions, Datuk Linte, who had from the beginning expressed hostility towards the ODA, began to cause trouble. Bearing a wide reputation for fearlessness and believed to be *kebal* (invulnerable), he tried to fan the flames of revolt by declaring that the country belonged by right, not to the ODA, but to the Bajau. Pretyman ordered Datuk Linte to leave the area, but the Bajau chief defied the order and prepared to resist the Resident. Pretyman was forced to personally arrest him and almost lost his life in the skirmish. His courage, however, impressed the local populace and earned him their respect and cooperation, though there were always small groups of disaffected Bajau who intermittently plotted against him.<sup>50</sup>



Despite suffering severe bouts of fever, Pretyman proved an energetic man. In 1879 he succeeded in extending the syndicate's jurisdiction in the Marudu region by persuading the powerful *syarif* of the area, Syarif Shih and Syarif Yassin, to accept its authority.<sup>51</sup> He had, meanwhile, also strengthened his position by creating a small police force composed of local men who were placed under the command of Captain F. Wittl, an Austrian.<sup>52</sup> Pretyman had managed to establish the authority of the syndicate by boosting the power and influence of loyal local chiefs, but the loyalty of these chiefs was personal to Pretyman rather than to the ODA itself. The Resident, who was forced to leave on account of ill health, was touched by the respect and friendship shown to him by the leading chiefs and noted the importance of individual personal relations between an European officer and the native chiefs for effective government. He wrote:<sup>53</sup>

After Court Datu Roubangang stopped to gossip, he was good enough to pour out his fears and thoughts on my intended departure. I led him to talk of poll-tax, he said he did not think I should have any trouble in imposing this tax. He begged it might not be done by anyone else. I mention these flattering remarks not because they touch me, but I should wish to show what a part personal government has in the east ...

On 24 January 1880, Pretyman departed, leaving Tempasuk under the direct charge of Captain Wittl and the overall authority of A.H. Everett, the newly installed Resident at Papar.<sup>54</sup>

Papar, the second station opened by the Overbeck-Dent Association on the West Coast Residency, was placed under the charge of an Assistant Resident, H. L. Leicester.<sup>55</sup> He took up his post in January 1878 but apparently was considered unsuited for the job by the syndicate which replaced him on 5 September 1879 with A.H. Everett, formerly of the Sarawak service.<sup>56</sup> During his short stint, Leicester was faced by two major problems, namely, local opposition to the imposition of poll-tax and the

alarming rate of crime and feuds. The local population of Papar, Kimanis and Benoni, the three districts placed under his charge, initially refused to pay the tax of two dollars per annum imposed on all adult males by Leicester. They felt there was no justification in Leicester's order, as traditionally only heads of families had paid the said tax to the sultan's government.<sup>57</sup> Their dissatisfaction was voiced through their chiefs who refused to collect the tax. Despite Leicester's threat to fine the chiefs, only some complied reluctantly, while the majority persisted in disobeying his orders.<sup>58</sup>

The second major task was bringing a semblance of order and justice into an area which was rife with the problem of cattle stealing, litigation involving slaves, and feuds amongst the local chiefs.<sup>59</sup> Leicester succeeded to some extent in solving the problem by instituting Native Courts based on local *adat* law. He himself acted as the Magistrate. Two minor local Malay chiefs, Bandari and Penurat were appointed to sit with him on the bench as advisers. All judgements were passed after consultation with these chiefs, each of whom was paid ten per cent of the fines collected as commission.<sup>60</sup> Leicester's influence amongst the local chiefs however remained weak. This was due mainly to the fact that he lacked a forceful character like that of Pretymann and Pryer, as well as his failure to cultivate the support of the more powerful local chiefs.

Thus it was left to Everett to consolidate the influence of the Resident. One of his first tasks was to draw up a list of the duties, powers and obligation of chiefs who were brought under the new administration. Everett subsequently held meetings with local chiefs who wished to serve the government and at these "council *negeri*", as these gatherings were called, he issued proclamations appointing them in the new service, and defining their duties. All commissions held from the Sultan of Brunei, known variously as *titah* and *cap*, were also withdrawn.<sup>61</sup> The Resident, however, realised that the mere incorporation of a mass of traditional chiefs into the establishment without an attempt to cultivate the

influence of the more powerful amongst them would hardly contribute to effective government.

Everett was to have a difficult time in getting the powerful chiefs on to his side. At Kimanis he was fortunate in finding in Datuk Bahar, the former *jajahan* head chief, a most cooperative and loyal man in whom, Everett felt, the administration of that district could be wholly entrusted.<sup>62</sup> At Papar, however, both the *jajahan* head chief Datuk Amir Bahar and the principal Kadazandusun chief, Orang Kaya Dugassa, were opposed to the new government. Dugassa was a powerful chief, "both by wealth and by the force of character" and was feared equally, by both Kadazandusun and Malay chiefs. In the absence of effective Brunei control he had acquired arms from Labuan and had been acting in an independent manner. He also tried to build up local resistance in the form of increased Kadazandusun solidarity and prevented the Brunei authorities from interfering with Kadazandusun custom. On the same principle, he refused to accept the judgement of Everett in a court case concerning a claim of his against another local chief for seizing his lands.<sup>63</sup> Finally, when the latter started building a fort to oppose the administration of the ODA, Everett was forced to take positive measures against Dugassa. The Resident threatened to bring the fierce Tempasuk Illanun down on him, whereupon Dugassa capitulated.<sup>64</sup>

It proved even more difficult effecting a reconciliation with Datuk Amir Bahar, who had virtually become an independent *de facto* ruler of Papar.<sup>65</sup> Leicester's Malay writer, Abang Drahim, explained the Datuk's opposition to the new administration as follows:<sup>66</sup>

Previous to the [syndicate's] advent he was in an almost independent position at Papar, and settled cases and collected revenue on his own account, remitting to the Sultan what he chose. Now his income is gone without compensation and at the same time he feels his dignity and position in the eyes of the people have been degraded.

Initially, the Datuk followed a policy of passive non-cooperation in the subtle Malay manner by not paying homage either to Leicester or Everett, on the pretext that he was severely ill. He wished the new government to come to grief by employing the less influential chiefs and hoped the ODA would eventually turn to him, and thereby restore his self-esteem.<sup>67</sup> Everett realised the importance of winning over Datuk Amir Bahar and wrote, "With a little further manipulation I hope to bring this chief over to our side".<sup>68</sup>

The Datuk's patience broke, however, when he realised that the new government meant business in implementing its policies, especially those pertaining to the collection of poll-tax and customs duties. In April 1880 he decided to resist the new government by force of arms; but fearing that Everett would receive military aid from Labuan, soon abandoned his plan and fled to the neighbouring district of Pangalat Damit which still belonged to the Sultan of Brunei.<sup>69</sup> Everett, meanwhile, had been waiting for reinforcements to arrive from Labuan, but when those failed to arrive at the most crucial moment, expressed his disappointment through describing the ODA's rule as nothing more than a "gambling style of government" which left its officers unprotected and devoid of any policy direction.<sup>70</sup> Everett continued his work at Papar till he was appointed Resident at Kudat in 1881. From here he supervised the affairs of Papar and, eventually, in 1883 succeeded in winning over Datuk Amir Bahar.<sup>71</sup>

Thus, the early Residents who began from positions of insignificance soon rose to positions of power and authority. Initially, they were obliged to take indigenous chiefs into their confidence by treating them as equals, advisers and even protectors. By adopting the principles of consultation and alliance, it was not long before the Residents acquired influence and authority whereby they themselves assumed a role analogous to that of the traditional head chief functioning with a hierarchy of subordinate chiefs. To a large extent the Residents maintained the basic traditional administrative structure but with appropriate modifications. For one thing, the Residents were no absentee overlords,

for another, they injected efficiency and justice into the old system. The pillars of the traditional system, comprising the institution of native chiefs and native courts, were strengthened, though in a manner the Overbeck-Dent Association saw fit. At the same time some bureaucratisation was introduced, mainly in the form of more formal rules of law and court procedure, the formation of a small police force and the beginnings of the institution of paid chiefs. The system was, above all, highly personalised with little coordination or centralization. The Residents, though left to their own ingenuity and, to a large extent, unprotected, managed to establish the rudiments of government, though the extent of the syndicate's jurisdiction remained limited.

With the coming of William Hood Treacher in 1881 as the first Governor of Sabah and the beginnings of a centralised government under his care, Sabah entered a new phase of administrative history. These two events marked the end of the personal, independent rule of the pioneering Residents, though the administrative structure they created continued to remain.

## NOTES

1. L. R. Wright, *The Origins of British Borneo*, Hong Kong : Hong Kong University Press, 1970, pp. 14-15; and Sharom Ahmat, "Joseph B. Balestier: The First American Consul in Singapore 1833-1852", *JMBRAS*, XXIX, ii, 1966, pp. 108-122.
2. For a copy of the treaty see J. de V. Allen, A. J. Stockwell and L. R. Wright (eds.), *A Collection of Treaties and Other Documents Affecting The States of Malaysia 1761-1963*, Vol. II, London : Oceana Publications Inc. 1981, pp. 415-417.
3. N. Tarling, *Britain, The Brookes and Brunei*, Kuala Lumpur: Oxford University Press, 1971, pp. 71, 169 dan 170.
4. D.S. Ranjit, *Brunei 1839-1983: The Problems of Political Survival*, Singapore: Oxford University Press, 1984, pp. 65-66.  
Ranjit, *Brunei 1839-1983*, pp. 65-66.
5. Allen, Stockwell and Wright, *A Collection of Treaties*, pp. 418-419.
6. K. G. Tregonning, "American Activity in North Borneo, 1865-1881", *Pacific Historical Review*, XXIII, November 1954, pp. 358-361.
7. Allen, Stockwell and Wright, *A Collection of Treaties*, pp. 420-421.
8. Tregonning, "American Activity in North Borneo 1865-1881" pp. 360-364.
9. Wright, *The Origins of British Borneo*, p. 116.
10. See Articles of Agreement between Alfred Dent and Baron von Overbeck, 27 March 1878, C.O. 874/16.
11. W. H. Treacher, Acting Consul-General for Borneo to the Earl of Derby, 2 January 1878, letter 116, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)*, pp. 117-118.
12. Documents 1-5, C.O. 874/54.
13. See Chapter 6 below. Also see I.D. Black, "The Ending of Brunei Rule in Sabah, 1878-1902", *JMBRAS*, XLI, ii, 1968, pp. 176-192.
14. W. H. Treacher to the Earl of Derby, 2 January 1878, letter 116, *Papers Relating to the Affairs of Sulu and Borneo, (Spain No. 1, 1882)*, pp. 117-118.
15. Tarling, *Britain, The Brookes and Brunei*, pp. 237-246.
16. Documents 6 and 7, C.,O. 874/54; and Treacher to the Earl of Derby, 22 January 1878, letter 118, *Papers Relating to the Affairs of Sulu and Borneo, (Spain No. 1, 1882)*, pp. 118-119.

17. E. Dent to the Under-Secretary of State, Foreign Affairs, 16 May 1878, letter 120; Statement and Application addressed to the Marquis of Salisbury, Secretary of State for Foreign Affairs by Alfred Dent and Overbeck, 2 December 1878, inclosure, A. Dent to the Marquis of Salisbury, 2 December 1878, letter 137, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)*, pp. 120, and 129-135.
  18. Treacher to the Earl of Derby, 2 January 1878, letter 116; Statement and Application addressed to the Marquis of Salisbury, Secretary of State for Foreign Affairs by Alfred Dent and Overbeck, 2 December 1878, inclosure, A. Dent to the Marquis of Salisbury, 2 December 1878, letter 137, *Papers Relating to the Affairs of Sulu and Borneo, (Spain No. 1, 1882)*, pp. 117-118 and 132; and Tom Harrison (ed.), "The Diary of Mr. W. Pretyman, First Resident of Tempassuk, North Borneo (1878-1880)", *SMJ*, VII, 1956, pp. 337-338.
- Kampung German was a small village on Pulau Timbang in the Sandakan Bay, some 12 miles from present-day Sandakan. It represented the first European settlement on the east coast of Sabah, established in 1872 by a Singapore firm, the Labuan Trading Company, which had been running the Spanish blockade of Jolo imposed in 1871. Operating from Labuan, the Company was engaged in selling arms and other contraband to Sulu from 1871-1872. However several of its vessels were intercepted by the Spaniards, whereupon, its Borneo manager, a Scotsman named William Clarke Cowie, who was later to become the Managing Director and Chairman of the BNBC, obtained the permission of the Sultan of Sulu to establish a more secure base on Timbang Island. Cowie called this base "Sandakan", but as many of his company associates were Germans, the settlement generally came to be known as Kampung German and the island as Pulau German.
19. K.G. Tregonning, "William Pryer, The Founder of Sandakan", *JMBRAS* XXVII, i, 1954, pp. 35-36; Supriya Bhar, *Sandakan : One Hundred Years, 1879-1979*, Sandakan : Sandakan Town Board Centenary Celebration Committee, 1979, p.1.
  20. Tregonning, "William Pryer", pp. 35-36; and Tom Harrison, "The Diary of Mr. W. Pretyman," pp. 337-338.
20. Diary of W. Pretyman, 5 September, 1879, C.O. 874/72, f. 79.

21. Tregonning, "William Pryer", p. 36.
22. For a short account of his career see Tregonning, "William Pryer", pp. 35-50.
23. See Chapter 4.
24. Diary of W. B. Pryer, 12 February 1878, C.O. 874/67, f. 3.
25. *Ibid.*, 2 March 1878, C.O. 874/67, f. 15.
26. *Ibid.*, 23 April 1878, C.O. 874/67, f. 61.
27. *Ibid.*, 19, 20 May 1878, C.O. 874/67, ff. 75-77.
28. *Ibid.*, 25 April 1878, C.O. 874/67, f. 61.
29. *Papers Relating to the Affairs of Sulu and Borneo, (Spain No. 1, 1882)*, pp. 223-224.
30. Diary of W. B. Pryer, 29 April 1878, C.O. 874/67, ff. 63-66.
31. Acting Consul-General Treacher to the Marquis of Salisbury, 24 September, 1878, *Papers Relating to the Affairs of Sulu and Borneo, (Spain No. 1, 1882)*, p. 123.
32. Diary of W. B. Pryer, 5 September 1878, C.O. 874/68, ff. 15-16.
33. *Ibid.*, 17 October 1878, C.O. 874/68, ff. 41-44.
34. *Ibid.*, 24 November 1878, C.O. 874/68, f.55.
35. *Ibid.*, 9 December 1878, C.O. 874/68, f. 60.
36. *Ibid.*, 29, 30, 31 August; 1 September 1879, C.O. 874/69, ff. 18 and 19.
37. Tregonning, "William Pryer", p. 48. For the history of modern Sandakan, see Diary of W. B. Prayer 15-23 June 1879, C. O. 874/68, f 135-140; and Supriya Bhar, *Sandakan, 1879-1979*, pp. 1-23.
38. See Chapter 3 for the prevailing political situation in the Tempasuk region. The narrative concerning Pretyman's work at Tempasuk is based on the following documents: Harrison, "The Diary of Mr. W. Pretyman", 2 May to 18 November 1878, pp. 335-404; and Diary of W. Pretyman, 2 May 1878 to 5 February 1880, C.O. 874/70-72.
39. Harrison, "The Diary of Mr. W. Pretyman", 8, 9, September 1878, pp. 384-385.
40. *Ibid.*, 4 May 1878, p. 341.
41. *Ibid.*, 12 May 1878, p. 347. The Bajau probably had not forgotten the Kimanis venture by the American Trading Company of Borneo 12 years earlier.
42. *Ibid.*, 4 May 1878, p. 341. Pretyman introduced the imposition of a poll-tax of \$2 per annum on each adult male.
43. *Ibid.*, 6 May and 14 May-22 May 1878, p. 349-353.



44. *Ibid.*, 8 May 1878, p. 345.
45. *Ibid.*, 14 May 1878, p. 348. For these feuds, see Chapter II.
46. *Ibid.*, 29 June, 11 August 1878, pp. 371 and 377.
47. *Ibid.*, 17 May 1878, p. 350.
48. *Ibid.*, 16 August 1878, p. 378.
49. *Ibid.*, 29 July 1878, p. 371.
50. *Ibid.*, 5 September - 5 October 1878, pp. 382-395; Diary of W. Pretyman, 10 January 1879, C.O. 874/72, f. 61.
51. Diary of W. Pretyman, 14 May and 30 June 1879, C.O. 874/72, ff. 77-79.
52. *Ibid.*, 13 December 1878 and 6 September 1879, C.O. 874/72, f. 56.
53. *Ibid.*, 9 January 1880, C.O. 874/72.
54. *Ibid.*, 1-8, 24 January 1880, C.O. 874/72, ff. 106, and 109.
55. Leicester's work at Papar is recorded in his diary: The Diary of H. L. Leicester, 24 January to 5 August 1879, C.O. 874/73, ff. 1-32.
56. Diary of W. Pretyman, 5 September 1879, C.O. 874/72, f. 79. Everett's work at Papar is recorded in his diary: The Diary of A. H. Everett, 6 September 1879 to 30 August 1880, C.O. 874/73, ff. 32-150.
57. Diary of H. L. Leicester, 24 February, 8, 9 March 1879, C.O. 874/73, ff. 1 and 3.
58. *Ibid.*, 27 March, 1 May, 16 June 1879, C.O. 874/73, ff. 10, 16 and 26.
59. *Ibid.*, 21, 27 May, 4 June, 5 July 1879, C.O. 874/83, ff. 21, 25 and 28.
60. *Ibid.*, 3 May, 28 June 1879, C.O. 874/73, ff. 17 and 28.
61. *Ibid.*, 24 September, 4 October 1879, C.O. 874/73, ff. 41 and 46.
62. *Ibid.*, 13 October, C.O. 874/73, f. 52.
63. *Ibid.*, 7 October 1879, C.O. 874/73, f. 48.
64. I.D. Black, *A Gambling Style of Government: The Establishment of Chartered Company Rule in Sabah, 1878-1915*, Kuala Lumpur: Oxford University Press, 1983, p. 9.
65. See Chapter II.
66. Diary of A. H. Everett, 7 September 1879, f. 32.
67. *Ibid.*, 2 October 1879, C.O. 874/73, f. 45.
68. *Ibid.*, 6 October 1879, C.O. 874/73, f. 47.

69. W. H. Treacher, Governor North Borneo, to Sir Rutherford Alcock, Chairman, BNBC, and enclosures, 10 September 1882, Governor's despatch 265/1882, C.O. 874/232.
70. Black, *A Gambling Style of Government*, pp. 11-12. The title of Black's book is derived from Everett's comment.
71. See Chapter 6.

## THE ESTABLISHMENT OF THE BRITISH NORTH BORNEO COMPANY

### The British North Borneo Provisional Association

While the pioneering Residents were trying to establish a semblance of administration at their outposts, Alfred Dent had, as noted earlier, applied for a Royal Charter from the British government on 2 December 1878. In his application he outlined the activities of the ODA and proposed to set up a company which would, if granted a Royal Charter, administer and develop Sabah along British lines of government, abolish trade monopolies, and protect the interests of the indigenous people. It was proposed that the British government exercise control over the conduct of foreign relations and the appointment of the principal administrative and judicial officers in the territory, and in return for the security and prestige it lent the chartered company, the British government would be able to extend its political influence over a large area of strategic and economic importance without the burden of full sovereign responsibility.<sup>1</sup> Dent began to canvass for support for his project and brought his ideas to bear upon influential personalities in London, such as Members of Parliament, Foreign Office personnel and ex-administrators who had served in high-ranking positions in the East.<sup>2</sup> With their help a meeting was convened on 26 March 1879 at the Westminster Palace Hotel at which Dent's project was hailed and a resolution taken to send a deputation to meet Lord Salisbury the Secretary of State for Foreign Affairs in the Conservative government of

Lord Beaconsfield, with the specific aim of requesting his government for support.<sup>3</sup> Though favourably disposed to Dent's venture, the government was obliged to study the question deeply as it involved serious internal and external political implications.<sup>4</sup>

In the general election of 1880 the Conservative government suffered a defeat and Dent began to lose hope of a charter being granted by the incoming Liberal government which was noted for its anti-expansionist policy. By this time Dent who had spent nearly 40,000 sterling pounds on his venture, decided to cut his losses and proposed to sell his concessions to Overbeck. The latter, in turn, proposed to interest the Austrian and German governments but failed. Thus, in the end it was Overbeck who sold his rights to Dent and retired from the enterprise.<sup>5</sup> Events took a fresh turn in the affairs of Sabah when Sir Julian Pauncefote, the Permanent Under Secretary in the Foreign Office and a close family friend of the Dents, successfully persuaded the Gladstone government of the benefits that would accrue to the British government from supporting Dent's undertaking in Sabah. The expected support of Gladstone's government for the Charter immediately strengthened the viability of Dent's concessions.<sup>6</sup> In March 1881 Dent was able to form the British North Borneo Provisional Association to which he transferred his rights on 4 April for 120,000 sterling pounds, making a hundred per cent profit while, in his capacity as Managing Director he continued to play an active role in the new undertaking. The other Directors who together with Dent formed the first Board of Directors of the Provisional Association were Sir Rutherford Alcock, a former Minister; Richard Biddulph, a Member of Parliament and banker; Richard Charles Mayne, a Rear-Admiral of the British Navy; and William Henry Macleod Reed, a merchant. The BNBPA governed Sabah from April 1881 to June 1882.<sup>7</sup>

In May 1881 Dent successfully obtained from the Colonial Office the services of W.H. Treacher, hitherto Acting Governor of Labuan and Consul-General for Borneo, and appointed him as the first Governor of Sabah.<sup>8</sup> Treacher who was on leave at that time in London returned to Labuan on 7 August 1881 and

from there set about organising an administration for Sabah, pending the establishment of a suitable headquarters for the new government. Treacher retained the division of the territory into two Residencies and started the administration with five European officers: W. B. Pryer was retained as Resident of the East Coast with his base at the new Sandakan;<sup>9</sup> A. H. Everett continued in his capacity as Resident of the West Coast operating from Papar; A. Cook was appointed Treasurer and Auditor; Von Danop as Superintendent of Agriculture; and Captain F. Wittl was to perform general service and undertake explorations.<sup>10</sup>

In the initial stage, Treacher favoured strengthening the government's position on the west coast. The region was substantially populated, had greater economic and commercial potential, and was strategically located in relation to international trade routes. A substantial portion of this economic potential was however denied to the new government due to the presence of a large number of *tulin* rivers on the west coast.<sup>11</sup> Their speedy absorption was therefore vital for political consolidation and to increase revenue earnings. Consequently, Treacher recommended the establishment of two new stations; one at Kudat and the other at Gaya Island, in addition to the two existing ones at Papar and Tempasuk respectively.<sup>12</sup>

The Governor was enthusiastic of making Kudat the headquarters of the new government. He spoke highly of its potential in view of its fine harbour and strategic location in relation to international trade-routes. As for the station on Gaya Island, the Governor deemed its establishment vital for two reasons. One was to tap the substantial coastal trade of the west coast rivers which hitherto found its way to Labuan in "native *prabus*". The other was to bring the government "into contact with the inhabitants [and] pave the way for our future negotiations for the transfer of the country [the independent rivers] to the rule of the Association".<sup>13</sup>

Treacher also believed that initially the government should concentrate on selected points and avoid a policy of establishing small settlements on each locality so as not to diffuse the strength

of its meager forces. In this respect Tempasuk, which proved unpromising, was to be abandoned temporarily. The European officer there, Wittl, and his police contingent were removed to Kudat while Tempasuk and Abai were left in the charge of two government appointed local chiefs. To consolidate the government's position at the other stations, two new officers, styled Assistant Residents were to be appointed at Gaya and Papar respectively. E. P. Gueritz was recommended for the Gaya post, but pending his arrival, E. L. Davies was appointed as Assistant Resident of both Papar and Gaya in November 1881.<sup>14</sup> The station on Gaya Island was subsequently opened by Davies in September 1882 when the coolies' quarters were completed.<sup>15</sup> In the meantime, Everett, the Resident at Papar, was removed to Kudat, which saw its birth as the headquarters of the new government on 17 December 1881.<sup>16</sup>

On the east coast, with the exception of the rapidly growing station at Sandakan, the government had little control in the sprawling rivers. The Resident at Sandakan, Pryer, had managed to establish a measure of control in the Kinabatangan by appointing a government paid chief, Datu Haji Anseruddin as Native Magistrate at Malapi in 1881. A European officer, G. Hewett was also appointed in the same year to supervise the affairs of this great river. In the rest of the region, comprising the Labuk, the Paitan, the Sugut, the Segama and the Darvel Bay, the government had yet to establish its authority.

In October 1881, Treacher made a cruise down the east coast from Sandakan with the aim of opening up another government station in the Darvel Bay region. He surveyed the neighbourhood of Omaddal, Boom Boom and Gaya Islands, but found the area void of a sizable population. Since a government station was not viable immediately, the Governor decided instead to establish an experimental station for crops at Silam.<sup>17</sup>

## The Charter and the Formation of the BNBC

While Treacher and his handful of officers were busy trying to increase the jurisdiction of the government over selected areas in Sabah, the Charter issue was being resolved in London. In considering the application for a Royal Charter by Alfred Dent, the British government was faced with two problems; internal difficulties and international complications. One of the internal difficulties related to the never-ending debate in Britain concerning her policy towards her existing empire and further expansion or non-expansion.<sup>18</sup> The two leading political parties in Britain, the Conservative and the Liberal, became branded as "imperialist" and "anti-imperialist" respectively, due partly to their political stance during general elections. This did not mean, however, that each party when in power strictly followed a policy of expansion or non-expansion.<sup>19</sup> The 1880s moreover heralded a new scheme of things in world affairs. The rise of Germany and Italy produced a change in the balance of power in Europe.<sup>20</sup> Their rising industrial capacities together with that of the United States meant increased competition for the British in world commerce. These forces, together with a host of others, resulted in what is generally known as the era of New Imperialism and neo-Mercantalism.<sup>21</sup> The Liberals, noted for disfavouring colonial expansion by direct intervention, became enmeshed in the 'New Imperialism' of the last two decades of the nineteenth century as they were restored to power "complete with their mid-Victorian philosophy of ... informal rule and free trade, and their policies of limited intervention and minimum responsibility".<sup>22</sup> In the light of imperialist pressure from such European powers as Germany and Italy, the Liberals could not stand aloof and watch the overseas interests of Britain undermined. In fact, Dent's scheme which called for a revival of chartered companies, fitted well into the Liberal government's philosophy of extending British imperial interests through the concept of the "informal empire".

Thus, Gladstone's government, after carefully considering Dent's application and the tangled nature of claims to Sabah by

Spain, Holland and the United States, decided that Dent's concessions in Sabah merited support, especially as they were considered vital for the safeguard and advancement of British commercial and strategic interests.<sup>23</sup> On 1 November 1881, the government finally granted the long awaited Charter incorporating the British North Borneo Company.<sup>24</sup> The Company was actually formed on 4 April 1882;<sup>25</sup> it acquired the rights of the Provisional Association on 19 April, and took over the administration of Sabah in June of the same year.<sup>26</sup> The Company's affairs in London were supervised by a Court of Directors who comprised of Sir Rutherford Alcock as Chairman, Alfred Dent as Managing Director and William Kidner and W. M. Crocker as Directors.<sup>27</sup>

In the process of obtaining a Royal Charter for the formation of the British North Borneo Company, the Overbeck-Dent Association and, later, the Provisional Association, formulated certain general principles for the administration and development of the territories acquired in Sabah. These ideas which may be said to have constituted the administrative philosophy of the Company, were determined largely by the principal personalities involved in the venture and those in the government, who like Pauncefote, supported its activities. The charter itself, which contained various conditions regulating the Company's activities, laid the foundations for some of the basic administrative principles to be pursued by the Company. In fact, these ideas and the regulations incorporated in the charter may be said to have represented the main thrust of colonial philosophy in Britain at the time. These were, namely, the Victorian ideals of free enterprise and the discovery of outlets for British capital investment overseas which, at one and the same time, involved the bringing of enlightenment and progress to indigenous peoples as a means of increasing productivity, commerce and profits. Government intervention, however, was conceived as the need merely to provide protection to British capitalist enterprise towards the enhancement of overall British Imperialistic interests.<sup>28</sup>

Even Alfred Dent, who initially was interested only in the profit motive, was gradually won over to the ideals of Victorian



colonial philosophy once the venture took on a more permanent character in the form of the British North Borneo Company. Some of the chief personalities who became closely involved subsequently with Dent's undertaking were themselves strongly inclined towards the advancement of British imperialistic, commercial and strategic interests. Amongst these were Sir Rutherford Alcock, Richard Biddulph Martin, Richard Charles Mayne, and William Henry Macleod Read. Alcock, especially, felt that Sabah should be quickly brought under the sphere of British interests as it was strategically an important area in terms of commerce and defence for the country's trade with China.<sup>29</sup> Moreover, it offered an unlimited potential for the outlet of British capitalist enterprise, especially as investment opportunities in Ceylon and other British possessions in Southeast Asia were becoming competitive and saturated. Developing the concessions by 'cultivation' and 'colonization', therefore, became the key policy of the Company.<sup>30</sup>

The British North Borneo Company itself did not envisage direct participation in my business or plantation activity<sup>31</sup> but hoped to provide the conditions conducive for such enterprise by others. In the process the Company hoped to provide a viable administration, establish peaceful conditions, provide security and build the necessary communications infrastructure.<sup>32</sup> In its attempts to attract potential investors, it was willing to offer liberal long-term land leases, and promised to overcome the labour shortage by encouraging Chinese immigration. Its own revenues were to be derived from land sales, taxation such as customs duties and poll-tax, and from spirit and opium farms customarily found in other British colonial possessions in Southeast Asia.<sup>33</sup>

An attempt was also made to lay down some principles pertaining to relations with the indigenous people of the territory. George Errington, a Member of Parliament, who attended the meeting organised by Alfred Dent at Westminster Palace Hotel in 1879, urged the supporters of the scheme in Sabah to extend to the native people of Sabah liberties and rights comparable to those conceded to inhabitants of other British colonial territories. Rutherford Alcock talked of extending influence in Sabah "in

the interests of the natives themselves, no less than of Christianity, civilization and commerce".<sup>34</sup> More concrete regulations concerning the Company's policy towards the inhabitants of the country were spelt out in the charter. The Company was scrupulously bound to protect the property and personal rights of the indigenous people and was forbidden from interfering with their religious and customary beliefs and practices. It was, nonetheless, obliged to abolish, though gradually, the institution of slavery which formed the cornerstone of the socio-economic framework of the coastal communities in Sabah.<sup>35</sup> This apparently paradoxical policy was, however, typical of the ambiguity of current colonial philosophy.<sup>36</sup>

In view of the fact that the days of chartered companies were long past, the chartering of the British North Borneo Company by the British government, which gave it vast powers to administer and develop a large region in Borneo, may be said to have represented a step which reflected the main stream of colonial thinking at the time in Britain. The British government wished to "avoid the charge of prematurely extending the British Empire, or of countenancing an Englishman as an independent Sovereign" and so gave its blessings to the unique experiment of reviving the concept of a chartered company.<sup>37</sup>

The Company was to a certain degree regulated by the Charter concerning its policies and administration, especially as it had to obtain the British government's approval when appointing its principal officers in the territory. As events were to show, some of its outstanding Governors, men like W. H. Treacher, E. W. Birch, and D. J. Jardine were borrowed from the Colonial Service.<sup>38</sup> Thus, notwithstanding the profit motive which was one of its major priorities and the vast powers entrusted to it by the charter, the Company was not purely an exploitative business concern.<sup>39</sup>

The Company did not have, nor did it try to present, a unique philosophy on indigenous rule. It adopted the pragmatic view that indigenous society was to be protected and their customs respected, but only to the extent that these did not unduly hinder

capitalist enterprise. Moreover, in the initial stage, from at least 1882 to 1900, the Company was faced by enormous problems. It had a limited budget to work with and lacked the experience and the military and financial backing for the implementation of a colonial style of government. In fact, little did it realise the extent and complexity of the problems of the local socio-political environment. Under these circumstances, it gave prior consideration to those strategies which were thought to generate revenue, such as opening up the country to planters, encouraging Chinese immigration as a means of overcoming the labour shortage, and territorial consolidation. Involvement with indigenous communities was kept to a minimum and a rather uncoordinated, piecemeal policy adopted according to what circumstances demanded, leading one historian to label Company rule as "a gambling style of government".<sup>40</sup>

While aspects of Company rule, especially concerning its attitude and policy towards the local inhabitants may indeed be said to contain the elements of a "gambling style of government", this was more true of the initial period from 1882 to 1900, when the Company faced many "teething" problems. Subsequently, however, the Company recognised the necessity of providing a more coordinated and systematic policy towards the indigenous peoples, if its commercial and economic aims were to be realised. Company rule in Sabah from 1882 to 1941 may be divided into three main phases: the initial phase, 1882-1900; the phase of consolidation, 1900-1915; and the period when indigenous political and administrative institutions were strengthened, 1916-1941.

## The Early Phase of Company Rule, 1882-1900

### Initial Policy and Problems

The services of W. H. Treacher, who had been serving as the first Governor of Sabah under the Provisional Association since his appointment in May 1881, were retained by the Company. In

early August 1882, the Court of Directors sent him a Commission, together with a set of Instructions and a Memorandum on the form of government to be established.<sup>41</sup> In the same month, Treacher's appointment as Principal Representative of the Company in Sabah was confirmed by Lord Granville of the Foreign Office.<sup>42</sup>

The "Instructions" impressed upon the Governor the need to further the objectives of the Company which were to advance the interests of European planters and traders, to develop Sabah commercially, to establish law and order, to gradually abolish slavery, and to ameliorate the condition of the natives. The Memorandum on the form of government laid out the basic structure of the administrative apparatus. The Governor was to head the administration and was vested with supreme legislative, executive and judicial powers. He was instructed to form a Consultative Council in due course so that "the wants and wishes of the natives may become known to the Government, and their interests duly consulted, and that undue interference with their established customs may be avoided".<sup>43</sup> The Council was to consist of the Governor as President, the Residents or Assistant Residents-in-charge, and a maximum of six indigenous representatives from each Residency. The council could be convened as often as the Governor wished, but it was required to meet at least once a year.

The Memorandum also called for the establishment of the judicial branch of the administration. Various types of courts termed as the Supreme Court, District Courts, Police Courts and Native Courts were to be established in the territory. The Governor was to act as Chief Judicial Officer and to preside over the Supreme Court while the Residents were to preside over District Courts. Below these were the Police Courts which were to be placed in the charge of Residents, Assistant Residents, or any other European or Native Officer appointed for the purpose. In addition there were to be also Muslim Probate and Divorce Courts which were to be handled by Native Magistrates. These were termed as Native Courts. The various types of courts enjoyed jurisdiction over both civil and criminal cases in a descending

order. Appeals from the lower courts could be tabled to the higher courts, and finally to the Governor whose decision was binding. The death sentence also needed his assent. The criminal law of the territory was to be based as far as possible on the principles of the Indian Penal Code; and civil law, on English Law. Native customary law however was to be the basis of Native Courts.

The Instructions and the Memorandum vested almost absolute powers in the person of the governor, the only check being the provisions of the charter and the directives of the Court of Directors. Unlike most other colonial administrations, there was no provision for the establishment of a legislative council which could effectively balance the powers of the chief executive. The idea of a consultative council with a large native representation for obtaining native opinion was a good one, even though its functions were limited to that of tendering advice. The early creation of such a body would have held the Company in good stead in its relations with the indigenous populace, and could have prevented some of the blunders the Company was to commit for a long time to come, which in their wake produced much upheaval amongst the local inhabitants and often resulted in violent reactions. The early governors however, too busy in opening up Sabah to Western capitalist enterprise, totally ignored this important proposal, and it was only when the devastating consequences of the Rundum Rebellion in 1915 drove home the point, that Governor C. W. C Parr saw the necessity of forming such a council to salvage the situation.<sup>44</sup>

In other respects the Instructions and the Memorandum did not propose radical changes. The territory's division into two Residencies with a number of districts each was maintained. Very little demarcation between the executive and judicial branches of the administration was recommended as the Company hoped to rule cheaply by loading its administrative officers, the Residents, Assistant Residents and later the District Officers, with judicial functions as well. In practice, this system was to prevail for a substantial period of Company rule, until the early decades of the twentieth century when more and more legally trained

personnel replaced the administrative officers in the judicial system.

Though Treacher, as governor, enjoyed immense powers, he was burdened, from the outset, with complex problems. He had to forge a policy and build an administration which took into consideration the provisions of the charter, met the demands and wishes of the Court of Directors, and at the same time safeguarded the interests of the indigenous population. These interests, by their very nature, were often quite incompatible and at times even diametrically opposed. There was the pressing task of opening up Sabah to capitalist enterprise, establishing a viable centralised governmental machinery, as well as incorporating into the administration diverse native socio-political systems and institutions with the minimum of upheaval. These were monumental tasks to be undertaken in a new country such as Sabah, which had no legacy of existing as a unified political entity of its own with a centralised governmental structure. In addition to these shortcomings, the Company administrators were allowed only a limited budget, and in their efforts to make the most efficient use of available resources, were forced to give prior consideration to selected issues.

Top on the list of priorities was the task of encouraging capitalist enterprise so that the ensuing economic development would generate enough revenue to offset the expenditure.<sup>45</sup> Sabah however had very little to offer prospective investors. It was a new and untried land, it lacked a large population which could provide cheap labour, and it did not have established sea communications. Though it could offer plenty of cheap land, suitable sites had yet to be located and the soil tested for cash crop growing.

To lure investors and planters, the Company made use of the only thing at its disposal, land. A set of land regulations empowering the Governor to issue provisional grants were quickly approved by the Court in 1882. Further regulations drawn up and published in 1883 indiscriminately offered large tracts of land at phenomenally low prices on long-term leases. By the Land Regulations of 1883, lots of 100 acres and above were offered to pro-

spective planters on a 999 year lease upon the payment of a premium of \$1 per acre, free of quit rent. The Court of Directors further instructed the Governor to launch an aggressive publicity campaign concerning these regulations in Britain, Ceylon, India and China.<sup>46</sup> In April 1883, the Governor, on his own initiative, started an official newspaper, *The British North Borneo Herald*, with the aim, inter alia, to supply information to interested planters.<sup>47</sup> In the early years the government spent a considerable amount of money on experimentation of crops such as tobacco, sugarcane and coffee at the experimental station at Silam which was established in 1881.<sup>48</sup>

One of the earliest firms interested in opening up plantation agriculture in Sabah was that of Messers De Lissa and Lachse. De Lissa, who had long experience in sugar planting in Mauritius and Southern Australia, applied for a free grant of 20,000 acres at Sapa Gaya river near Sandakan.<sup>49</sup> The Court willingly sanctioned the grant on condition that cultivation took place immediately.<sup>50</sup> During the initial five years, however, the response from planting circles on the whole remained lukewarm.<sup>51</sup> Thus the Company, struggling to keep itself solvent, was forced to rely heavily on increasing traditional exports such as jungle produce, birds' nests and timber.<sup>52</sup> It was under these circumstances that the government actively sought to bring the valuable birds' nests caves at Gomantong under its control. In 1882, the Company appointed C. A. Bampfylde, formerly of the Sarawak service, as Special Commissioner charged with the task of acquiring control over the said caves.<sup>53</sup> The short tobacco boom which lasted from about 1890 to 1902 also helped save the Company from financial disaster. Many Dutch and German planters began to plant tobacco in Sabah when it was discovered that tobacco of a high quality could be grown there. By 1890 sixty-one estates had been opened up. The boom, however, was short-lived chiefly due to the restrictive measures taken by the United States on the importation of tobacco. After 1902 there was a slow decline of the tobacco industry in Sabah.<sup>54</sup>

The Court was also anxious to open up steam communications between Sabah, Singapore, China and Australia to encourage trade generally and immigration from China. In 1882, an agreement was reached with Messers. Ross and Cowie to continue their steamer's run between Sabah and Singapore. The steam communications by Ross and Cowie were subsidised by the BNBC. Separate agreements were undertaken with Singapore Chinese merchants who owned and ran independent steamers. To open up communications with China and Australia, the Company was negotiating with the China Merchants Steam Navigation Company and one of the Australian lines operating between Australia and Hong Kong.<sup>55</sup> In the early years, the Chinese owned steamers from Singapore began to monopolise Sabah's trade by offering cheap rates of freight. This state of affairs had the Governor complaining to Messers. Birley, Dalrymple and Company, the Hong Kong agents for steam communications between Hong Kong and Australia to increase steamer trips between Hong Kong and Sabah so that more of Sabah's products such as birds nests, *tripang*, sharks fins and rattan could be exported to Hong Kong direct instead of via Singapore.<sup>56</sup> Progress in this direction was however slow.

Of paramount importance to the development of plantation agriculture was the availability of a plentiful supply of cheap labour. Sabah however, though extensive in area, was sparsely populated. More significant still was the nature of indigenous labour and manpower. These were tied up, with reference to Malayo-Muslim societies, in traditional commercial and economic activities within the framework of the institution of slavery, so that free labour was almost unknown. People would work, but not for wages and only as slaves. To be a paid worker was considered more degrading than to be a slave. W. B. Pryer, commenting on this phenomenon wrote in 1882:<sup>57</sup>

When first I arrived in Sandakan Bay I could not get a single person to work for wages for me, they offered to work for me if I would buy them, but to work for wages was then



looked upon and ...still is, as much more degrading than being a slave.

It was the declared policy of the government to abolish slavery gradually but this, instead of increasing the available labour in the free market, removed the only known source of labour available to the traditional native chiefs, traders and economic organisers. In April 1882, when Treacher visited the newly opened capital at Kudat, one of the leading *syarif* of the Marudu Bay, Syarif Shih, met the Governor. Treacher wrote:<sup>58</sup>

The principal object of his visit was to ascertain what slave Regulations would be enforced in his district. He ... explained that in his district there is no free labour to be obtained and if slaves were abolished, it would be equivalent to depriving the employers [meaning native owners] of labour.

To solve the labour shortage, the Company began to look to Chinese immigration. The Chinese were looked upon as an "industrious" race, and since there was "room for half-a-million Chinese ... without crowding out the natives", a rapid and large flow of immigrants was seen as the best means of quickly supplying cheap labour and generating a surplus revenue.<sup>59</sup>

Treacher gave priority consideration to this issue and proposed a policy of Company sponsored and financed immigration, to be initially on a limited scale, whereby agriculturists, rather than shopkeepers and artisans would be recruited directly from China, transported to Sabah and resettled on pre-selected sites. Though at first the Court of Directors rejected it in the hope that the Chinese would be brought in by private enterprise, on seeing that this did not happen and that the fate of the plantations was seriously threatened, they ultimately agreed to the Governor's proposals.<sup>60</sup> In 1882 the Court appointed Sir Walter Medhurst as Commissioner of Immigration at Hong Kong with instructions to arrange for a scheme to encourage Chinese migration to Sabah. Medhurst, however, merely advertised free passage to Sabah with-

out instituting any measures to control or select the migrants. Consequently, there was an overwhelming response and the sudden flow of Chinese immigrants into Sabah was far in excess of demand. Faced with unemployment, many returned to China after suffering great hardship.<sup>61</sup> The policy of bringing in Chinese was however continued and various immigration schemes were introduced over the years so that the Chinese population grew rapidly from seven thousand in 1891 to over fifty thousand in 1931.<sup>62</sup>

Chinese immigration was looked upon with favour not only to solve the labour problem but also as a means of increasing government revenue from opium farms. Treacher repeatedly drew the Court's attention to the large revenues earned from this source by the Straits Settlements. According to him, of an estimated annual revenue of \$3,007,270 there, \$1,593,600 accrued from opium farms. The Governor's hopes of increasing Sabah's revenue from the tax on opium, paid almost exclusively by the Chinese, proved well founded.<sup>63</sup> In 1930 the Company's revenue from opium amounted to over half-a-million dollars, out of a total revenue of about three-and-a-half million.<sup>64</sup>

Another issue which needed immediate attention was the problem of the presence of "independent rivers" in the midst of Company territory. This phenomena was peculiar to the west coast which had been administered differently by Brunei from the east coast under Sulu. On the east coast, Sulu *jajahan* did not belong to any particular *datu*. Sulu *datu* were there as governors, settlers, local chiefs, traders and economic organisers. It was therefore sufficient for the Company to acquire the rights of the Sultan of Sulu to be able to exercise jurisdiction over the whole region without having to deal with individual *datu* or overlords. The situation on the west coast was, however, radically different. Here where the system of division of *jajahan* operated; if the dependency was a *tulin* it was deemed the private property of a particular Brunei overlord. In the 1877 treaty with Overbeck, the Sultan and the Pengiran Temenggung had transferred some of their own territories, but had no right to alienate *tulin* rivers

belonging to other *pengiran*. The result was that the Company came into possession of unconnected territories interspersed by a number of such privately held dependencies as Tuaran, Inanam, Menggatal, Putatan, Pangalat and Kawang, to mention a few.

Some of these were much richer and more populous than the acquired territories and the Company lost potential revenue. More important, however, was that their continued existence weakened the Company's hold on its own territory and presented administrative and political problems. The government found that it could not consolidate the internal trade of the region and lost a good proportion of its own trade as native chiefs and traders were prone to diverting goods to "independent" rivers to avoid tax at government stations.<sup>65</sup> In 1886 Si Gantok, a chief in upper Tuaran, who controlled the upland trade and smuggled goods to the *tamu* at the independent river of Inanam was issued a warning.<sup>66</sup>

He must either pay the [government] Royalty on all dutiable produce exported into Inanam, or else ... as he controls the trade routes from the interior, he must divert the trade down to [government] markets in Ulu Tawaran and Ulu Putatan.

Some of these rivers, like the Kawang and the Pangalat, also acted as staging points and sanctuaries for cattle stealers and for those who, like Datuk Amir Bahar, wished to oppose Company rule.<sup>67</sup>

Concern over the future of the *tulin* rivers increased as other parties began to show interest in Brunei dependencies. A great shock for the Company's government came when one of its most senior and able officers, A. H. Everett, resigned in early 1883 due to dissatisfaction over service conditions, and started seeking mineral prospecting concessions in Brunei dependencies.<sup>68</sup> In June the same year, he succeeded in obtaining a lease from Sultan Abdul Mumin to prospect for minerals in fifteen Brunei dependencies, including Kawang, Tuaran, Sipitang and Padas Besar for a period of fifteen years.<sup>69</sup> Both the Company and Rajah Charles Brooke

became fearful that other powers might entrench themselves in the region by seeking similar concessions. They thus entered into a flurry of activity, each trying to out bid the other in obtaining the remaining Brunei rivers. In the race which ensued, the Company in 1882 acquired the Pangalat Damit from the Sultan of Brunei, but not the Pangalat Besar which belonged to Pengiran Rauf.<sup>70</sup> In July 1883 negotiations were started with Pengiran Rauf for the purchase of his various dependencies, and though he gave an undertaking not to lease them to any other party without first offering them to the Company, he was, for the time being, prepared to cede only the Pangalat Besar.<sup>71</sup>

In early 1884, Pengiran Muda Damit Tajudin, the son of the famous Raja Muda Hassim of Brunei,<sup>72</sup> and the *tulin* holder of the Putatan dependency, indicated his desire to cede the river to the Company. In a subsequent discussion, the deal was almost sealed but the Pengiran Temenggung, who had poll-tax rights over some of the inhabitants of the river, objected.<sup>73</sup> The Pengiran Temenggung was heir apparent to the Brunei throne, and as the Sultan was expected to die soon, he needed a large loan to win the support and favour of the more powerful families at the capital. The Governor, however, was not in a position to offer a loan on the spot and the Putatan deal fell through.<sup>74</sup> The Temenggung, nonetheless, later agreed to affix his *cap* and, in March 1884, the district was acquired from Pengiran Muda Tajudin for an annual payment of \$1,000.<sup>75</sup> In November of the same year, the Sabah government obtained the cession of the Padas-Klias, Tuaran and Bongawan dependencies from the Brunei Sultan for a sum of \$3,000 annual payment. The negotiations were protracted and Treacher was forced to bribe some of the court officials in order to complete the negotiations. Even after this, problems remained. In the Padas-Klias region was another dependency called Padas Damit governed by Pengiran Syahbandar who refused to cede the area. The Pengiran was supported by Rajah Brooke who opposed the cession of Padas-Klias to the Company. Due to boundary disputes with the Pengiran and the opposition raised by Rajah Brooke, the British government withheld confirmation of the

Padas cession till 1887.<sup>76</sup> Meanwhile, hostilities developed between the Pengiran and the Company which ultimately ended in the Padas Damit 'war' when Company troops crossed into the Pengiran's territory and destroyed his forts. The matter was finally settled in 1889 at Brunei when the Pengiran agreed to cede the river to the Company.<sup>77</sup> The remaining *tulin* rivers on the west coast were acquired by the Company over a period of time. In 1898 Mengkabong, Menggatal, Inanam, Api Api, Simbulan and Nafas Tambalang were acquired from Pengiran Jallaludin, the son of Pengiran Rauf, and others who had rival claims. The Kinarut was obtained in 1897 and the Membakut in 1900.<sup>78</sup>

Thus, during the first phase of Company rule, territorial consolidation, Chinese immigration, and opening the country to capitalist enterprise took priority over laying the foundations for a good, efficient government. To be fair to Treacher and his officers, this state of affairs had nothing to do with the lack of initiative or ability on their part. In fact, Treacher had his own ambitious plans of building a strong establishment and went about doing just that, until the Court clamped down on his activities and forced him to reduce expenditure.

### The Beginnings of the Administrative Structure

As noted earlier, Treacher had started the administration in 1881 with only four senior officers. The administrative machinery of the Company's government may be divided into two broad sections: the General Administration and the Departments. In the beginning the administrative structure consisted of the Governor, W. H. Treacher and two Residents, A. H. Everett and W. B. Pryer. Sabah was then divided into two broad administrative divisions called the East Coast and West Coast Residencies. As new stations were opened and more territory acquired, additional officers called Assistant Residents were appointed to help the Residents. In 1882 the West Coast Residency had two Assistant Residents, G. L. Davies and E. P. Gueritz at Papar and Kudat

respectively. Similarly, in the East Coast Residency, G. Hewett was Assistant Resident at Pinangah, in the upper Kinabatangan, while Lempriere was in charge of the Silam station.<sup>79</sup>

In 1885 the Governor initiated a scheme whereby the West Coast Residency was subdivided into a number of smaller administrative units called Provinces.<sup>80</sup> This system was extended over the whole of Sabah and, by 1903, it had eight such Provinces, each under an Assistant Resident.<sup>81</sup> In 1911, Sir Richard Dane, the Managing Director, visited Sabah with a view to studying the administration and suggesting improvements. In his 1911 report, he suggested the division of the country into five Residencies with twelve Districts and ten Sub-Districts. The Residencies were to remain, as formerly, under Residents, and the Districts and Sub-Districts were placed under officers designated as District Officers and Assistant District Officers respectively.<sup>82</sup> This system became a more permanent feature and the terms, Province and Assistant Residents, were slowly forgotten. The European Administrative hierarchy consisted of the Governor at the top, followed by the Residents, District Officers and Assistant District Officers.

The link with indigenous society was established and maintained by incorporating into the administration three basic institutions of local society that is, the Village Headmen (*Orang Tua*), the Native Chiefs (*Ketua Anak Negeri*) and the Native Court (*Mahkamah Anak Negeri*). This experiment had already been started by the early Residents of the Overbeck-Dent Association. The Company, while preoccupied with the issues of finance, territorial acquisition, attracting western capitalist enterprise, Chinese immigration, and the laying of an administrative structure, was at the same time obliged to formulate some kind of policy to be adopted towards indigenous society and the vast territories already in hand. For the time being, the interior was left without proper control. In its attempts to come to terms with the coastal and plain communities, the Company faced some major problems. One was how to integrate the two diverse political systems established by the Brunei and Sulu Sultanates, within a unified

administration. The nature and characteristics of the diverse ethnic groups within these systems were radically different. The new government was not always able to differentiate between them nor understand the subtle nuances of the relationship between the overall pattern of life and human activity. It was committed to a policy of eradicating two of the fundamental institutions of coastal communities, that of slavery and slave raiding, without realising its implications and the serious local opposition which it would create.

The Company's government was not strong enough, financially, and in terms of manpower to administer the indigenous communities directly. It therefore evolved a policy of ruling cheaply through a system of indirect rule involving native participation, while piece-meal measures were taken in anticipation of native opposition. What resulted was the lack of a uniform policy and an uncoordinated system of rule. In areas which were vital to Company interest, military force was sometimes used to establish control and, where necessary, European officers were stationed to maintain law and order. In other areas, however, matters were left more or less as they were. Here, the semblance, rather than the substance of authority, was considered sufficient, and the country was entrusted to the care of native chiefs and authorities, not out of any consideration for the intrinsic values of indirect rule, but as a measure of expediency. The Company found that indigenous political systems possessed certain institutions of authority that could be usefully incorporated, especially since many local chiefs were willing to cooperate with the Company. Evidently they viewed the advent of the new regime as a welcome change to the anarchic conditions of the 1860s and 1870s. Seeing that their services and advice were valued and their status ensured within the new order, many chiefs supported the Company's administration.

There were, however, some chiefs who were opposed to Company intervention. They continued to remain hostile and some even took up arms to defend what they considered their inalienable rights. Even where there was no evidence of overt

Company oppression, there was suspicion particularly among some of the coastal communities with whom the Company first came into contact, that it was going to transplant a totally alien socio-political system which would undermine their own. For the coastal Malayo-Muslim traditional leaders it meant the destruction of the basis of their political and economic power and, for society at large, including slaves, it meant uncertainty. To a large extent the dynamic changes that took place in Sabah in the 1860s and 1870s leading to the destruction of Sulu and Brunei hegemony, liberated many chiefs and their communities who proved restive. Invariably, in the period 1882-1900, chiefs and groups who clashed with the government came from the coastal Malayo-Muslim communities such as the Marudu Bay *syarif* and the Bajau, though there were instances of resistance from some of the interior communities as well. To make matters worse, early Company commitment to the abolition of slavery and slave-raiding hit at the core of the socio-political structure of the coastal Malayo-Muslim communities, and was viewed by many of them not as a virtuous policy designed to free mankind, but as a means to uproot them.

It was under these uncertain circumstances that a system of native administration took shape in Sabah. It went through various stages of evolution as the government and the indigenes adjusted to each other and found a new equilibrium. In the early years, interaction between the government and the natives where a degree of cooperation was possible, revolved round the question of how best existing native institutions of the Village Headmen, Native Chiefs and the Native Court could usefully play a part in the prevailing circumstances and needs. In the beginning the Company appointed Village Headmen, Native Chiefs and instituted Native Courts as and when the need arose without any kind of legislative sanction. Their duties, functions and status were also not defined, neither was there a proper salary classification scheme. The three institutions functioned as the connecting link between the government and native society. These native institutions came under the direct jurisdiction of the Assistant



Residents and later on, the District Officers and Assistant District Officers. Though until 1891 the Company did not pass any formal legislation concerning the status and authority of Native Chiefs, Village Headmen and the Native Court, it had already incorporated into the administration a number of traditional chiefs by direct appointment as a measure of expediency. Normally only powerful chiefs who were willing to give their cooperation by accepting government policies were selected as representatives. In some instances where this was not possible, the Company was content to appoint less influential chiefs merely to symbolise its authority. As the Company could not employ too many Native Chiefs because of economic constraints, usually only one or two from each major river were formally appointed. The rest, constituting the vast majority of the traditional chiefs, were neither overtly recognised by appointment or legislation, or even paid for their services, but were expected to follow government policy and accept the jurisdiction of government appointed chiefs. These were responsible for peace and order in their respective villages and were expected to report major disturbances and crimes to the Government Chiefs to whom they also surrendered the taxes. The government-appointed chiefs and headmen acted as the intermediaries between the people and the Company's administration. A clear stratification therefore emerged whereby recognised chiefs who originally acted as *primus inter pares*, gradually assumed a position of paramountcy over others as a result of the Company's patronage. There were, nevertheless, areas such as the Darvel Bay region, the Sugut, Paitan and Labuk, where Company presence was minimal and the government appointed chiefs so weak that many of the unappointed chiefs maintained a position of relative independence. The government, therefore, felt that the anomalous position of the unpaid, unrecognised chiefs and headmen, should be reviewed and their activities, duties and powers regulated. Towards this end the Village Administration Proclamation of 1891 was issued.<sup>13</sup> According to it, all existing traditional chiefs and headmen were automatically and legally given the stamp of recognition. Though the Proclamation had the ef-

fect of strengthening the authority of the traditional chiefs, there proved to be simply too many of them. The authorities also realised the danger of undesirable persons posing as government representatives, especially in areas where it had little authority and influence. To counter this, Section IV of the Proclamation was amended in 1893 to read as follows:<sup>64</sup>

No headman or chief who has not been expressly authorised to act as a headman under this Proclamation either by warrant from the Governor or by written permit from the chief district officers shall be deemed to have been appointed under this Proclamation or be entitled to exercise any of the powers conferred on headmen by this Proclamation.

The regulation dealt a blow to several local personalities who had hitherto been acting in an independent manner and caused a great deal of resentment amongst some of them. The Village Regulation of 1891 was a major step towards regulating indigenous institutions. Further legislation was introduction in the early decades of the twentieth century which served to make these three institutions the pillars of native administration in Sabah.

## The Departments

From the end of 1881 to 1883 Treacher also made moderate progress in establishing the other components of the governmental machinery; that is, the departments, a system of courts of law, and a legislative council. By the end of 1881 a few embryonic departments had emerged. L. S. Von Donop had been appointed Superintendent of Agriculture; I. H. Walker as Surgeon; and Captain A. S. Harrington as Commandant of the Sabah Constabulary. By January 1882 plans for the creation of the Sabah Constabulary were finalised.<sup>65</sup> The constabulary was to consist of two distinct sections, a Sikh Force and a Native Force. Captain Harrington was to proceed to India to recruit a hundred Sikhs for

the Sikh Force which was to perform paramilitary functions. The Native Force was to consist of eighty-five men recruited from amongst the Malays, the Suluk and the Somalis. This section was to perform police functions, and in time of hostilities, serve as auxiliaries.

The constabulary as a whole was to be trained at Kudat under Captain Harrington, but administratively the two sections were to be placed under different jurisdictions. The Sikh Force was to be placed entirely under the control of the Commandant; but the Native Force was to be under the charge of the administrative officer of each Residency; that is, the Resident. This was an exigency arrangement as the departments were in their infancy, and the Residents handled almost all matters including those connected with departmental work.

Treacher was trying to consolidate the government's position as effectively as circumstances allowed. He had opened up two new stations at Gaya and Kudat, bolstered the European establishment to ten officers<sup>86</sup> and started a few departments. Even this very moderate programme alarmed the Court of Directors who felt Treacher was moving too fast and spending too much money too quickly. By October 1882 the Chairman, Sir Rutherford Alcock, complained to the Governor about excessive spending, and limited future expenditure to 35,000 pounds per annum, excluding a total sum of 50,000 pounds set aside for sponsoring Chinese immigration. According to him, the Company would not be able "to carry on the Government of the country for any length of time on the present basis of expenditure".<sup>87</sup> To this the Governor retorted that he was unaware of a limit on expenditure. In his view the current spending was in no way excessive and could not be cut down without sacrificing good government and perhaps even abandoning the West Coast which would be politically unwise.<sup>88</sup> The Court, however, was persistent and accused Treacher of having too large an establishment:<sup>89</sup>

The Directors fail to see the necessity in this early stage of engaging such a huge and expensive staff of Europeans.

The European establishment had grown to about thirty by September 1883. Under the circumstances, the Governor had no choice but to reduce the staff. He proposed to terminate eighteen posts.<sup>90</sup> The poor service conditions had in fact already taken its toll. In January 1883, the Company lost one of its most valuable officers, A. H. Everett who resigned in protest against poor pay and service conditions.<sup>91</sup> In 1884 C. A. Bampfylde also resigned as he was only offered the post of Government Secretary.<sup>92</sup> Despite these restrictions and setbacks, Treacher was able to expand the number of Departments. In December 1882 the Department of Lands was established, headed by W. R. Cuthbertson as Commissioner of Lands. The following year saw the birth of the Public Works Department.<sup>93</sup>

In the early years of the Company, the absence of a clear cut demarcation between the powers and functions of the administrative officers, chiefly the Residents, and the Heads of Departments caused some conflict. In December 1882 Treacher put the matter to rest by a circular which subordinated all Heads of Departments to the jurisdiction of the Residents. In the circular, Treacher emphasised:<sup>94</sup>

The Residents are the Chief Executive Officers in the Residencies. The Resident is therefore ... the Principal Officer in his own district, and with him alone, and not with the Governor, should be carried on all the correspondence ... and from him they [Heads of Departments] take their orders and instructions.

This was a policy of expediency as the Residents were more familiar with their areas and as yet there were few departments manned by professionally trained officers.

## Courts of Law

One of the major tasks facing the new government was the establishment of a system of laws for the country. An important step in this direction was taken, when, by a Proclamation dated 23 December 1881, various laws of the Indian and Labuan models were promulgated.<sup>95</sup> This Proclamation adopted *mutatis mutandis*, the Indian Penal Code, the Indian Criminal Procedure and Civil Procedure Codes, the Indian Evidence Act and the Indian Contract Act. Some of the Ordinances of the Crown Colony of Labuan were also adopted such as those regulating the Opium Farms, the Tobacco Farms, Pawnbroking, the Sale of Land, and the Registration of Titles to Land.

In the middle of 1883, a system of Courts of Law was established.<sup>96</sup> However, the system adopted differed slightly from the one suggested by the Court of Directors in their Memorandum of August 1882, and to a large extent portrayed the realities of the situation in Sabah. No "Supreme Courts" were established as instructed by the Directors. Instead, Magistrate's Courts of the first, second and third class were established at the various stations. At Kudat there was a Magistrate's Court of the third class, while Sandakan, Silam and Gaya had Magistrates Courts of the second class. At a higher stage, Residents Courts, corresponding to the Courts of Session of the Indian Criminal Procedure Code were set up at the major stations, such as Sandakan, Kudat and Gaya. At the apex was the Governor's Court which corresponded to the Indian High Court. The courts had jurisdiction over both criminal and civil cases. Appeals from the lower courts could be made to the Governor's Court. All sentences of death had to be referred to the Governor's Court for confirmation. As the Judicial Department had not come into existence and trained legal officers were not immediately available, judicial work was left completely in the hands of administrative officers. In many instances, the Company borrowed the Indian model, where at the district level, the Magistrate-cum-collector was put in charge. At

a higher level, Assistant Residents and Residents manned both Magistrate's and Session's Courts.

### The Legislative Council

On 21 June 1883, Treacher formed what was called the Council of the East Coast.<sup>97</sup> His reasons for forming such a body was that the East Coast Residency was rapidly progressing and he wished to be assisted in his responsibilities. In their Instructions and Memorandum of 1882, the Court of Directors had impressed upon the Governor the necessity of forming an Advisory Council which was to consist chiefly of native representation, the aim being to keep in touch with native opinion. The Governor however veered away from this policy and instead formed a legislative and executive council similar in format to the ones existing in Crown Colonies. Consequently and not surprisingly, the membership of the Council of the East Coast consisted chiefly of ex officio members. The Governor was Chairman of the Council, while the Resident of the East Coast (Pryer), the Sub-Resident (Bampfyld), the Commissioner of Lands and the Commissioner of Public Works were the main members. The Governor wanted western planting interests to be represented as well and suggested Morrison of the Chinese Sabah Land, Farming Company as an unofficial.<sup>98</sup> The Governor also hoped that Native and Chinese unofficals would be appointed in the future. He explained that a general council for the whole territory could not be established at the moment because of the difficulty of communications.

This Council, which was a far cry from the envisaged Advisory Council, met twice, once on 23 June 1883 and again on 22 October 1883.<sup>99</sup> In the second meeting a sole native representative, Datu Haji Anseruddin appeared in the Council for the first and last time. This was because, the Court of Directors disapproved of the Council of the East Coast not on the grounds that it conflicted with its earlier idea, but that such a body did not represent the whole territory.<sup>100</sup> Consequently, when the terri-

tory was better structured administratively, the Governor revived the experiment in 1885 by forming the Consultative Council for the whole state. The Consultative Council functioned irregularly, and consisted solely of Europeans, namely the Governor, the Residents, Heads of Department, and an unofficial, W. G. Darby, of the China Borneo Company.<sup>101</sup> In 1911, Sir Richard Dane proposed that a more permanent body called the Legislative Council be established in Sabah to frame laws for the state. Even, he, however did not suggest the inclusion of native representation in the new body.<sup>102</sup> In 1912 a Legislative Council consisting of six official and three European unofficial members was established and thereafter met regularly for the purposes of legislation.<sup>103</sup>

The first twenty years of Company rule was a period of great tribulation, uncertainty, and trial. In a sense the Company had to start from scratch. By the beginning of the twentieth century however, it may be said that the Company had established the basic foundations of a new state. The first two decades of its rule also represented the initial phase of contact between indigenous society, especially the coastal Malayo-Muslim communities, and the Company, bringing in its wake an intense interaction which saw a great deal of conflict, cooperation, adjustment and readjustment.

## NOTES

1. Alfred Dent to the Marquis of Salisbury, 2 December 1878 and inclosure, letter 137, *Papers Relating to the Affairs of Sulu and Borneo, (Spain No 1, 1882)*, London: Harrison and Sons, 1882, pp. 129-135.
2. Some of these personalities were Sir Rutherford Alcock, a former Minister, Admiral Sir Henry Keppel who had assisted James Brooke in destroying the "pirate" strongholds in northern Borneo; Admiral R. C. Mayne; W. H. Read, of the Straits Settlements; and R. B. Martin, Member of Parliament. See *Handbook of British North Borneo, Colonial and Indian Exhibition 1886*, London: William Clowes and Sons, 1866, pp. 17-18.
3. Sir R. Alcock to the Marquis of Salisbury, 31 March 1879 and inclosures, letter 141, *Papers Relating to the Affairs of Sulu and Borneo, (Spain No 1, 1882)*, pp. 137-147. Sir Rutherford Alcock was elected chairman of this meeting. Among the personalities who attended were Admiral Sir Henry Keppel, George Errington, M.P., Colonel Robson, Alfred Dent, Baron von Overbeck and Sir Richard Graves MacDonnell.
4. Lord Salisbury spoke favourably of Dent's concessions, but as the British government was engaged in delicate negotiations with Spain over the matter, Lord Salisbury was of the opinion that a public discussion of the matter was undesirable at that time. The Colonial Office was against the idea of a charter, but the Foreign Office was favourable, partially due to the influence of Sir Julian Pauncefote, the Permanent Under Secretary, who was a close family friend of the Dents. It is probable that the idea of a chartered company was actually suggested to Alfred Dent by him. T. V. Lister to Sir R. Alcock, 7 April 1879, letter 142, *Papers Relating to the Affairs of Sulu and Borneo, (Spain No 1, 1882)* p. 147. L.R. Wright, *The Origins of British Borneo*, Hong Kong: Hong Kong University Press, 1970, pp. 146-147, and 152-159; and K.G. Tregonning, *A History of Modern Sabah (North Borneo) 1881-1963*, Singapore: University of Malaya Press, 1985, pp. 21-26.
5. For more details see Wright, *The Origins of British Borneo*, pp. 162-164.



6. The decision to give a favourable consideration was communicated by Julian Pauncefote to Alfred Dent in a letter dated 16 December 1880. A. Dent to Sir J. Pauncifote, 18 December 1880, letter 191, *Papers Relating to the Affairs of Sulu and Borneo (Spain No 1, 1882)* p. 191.
7. C.O. 874/31; C.O. 874/170; and, "Report of the First Half-Yearly Meeting of the BNBC Held at the Cannon Street Hotel, 27 June 1883", p.1, *British North Borneo Company Reports 1882-94*, Vol. 1, Rhodes House, Handlist 916, S. 18; and *Handbook 1886*, pp. 113 and 120.
8. In May 1881, Alfred Dent sent letters with Powers of Attorney to Treacher, outlining his powers as Governor. Alfred Dent to W. H. Treacher, 31 May 1881, C.O. 874/117, f. 3.
9. See Chapter 5.
10. Treacher to Alfred Dent, 30 August 1881, Governor's despatch 20/1881 and enclosures, C.O. 874/228, 93-97 and Treacher to Alfred Dent, 29 September 1881, Governor's despatch 34/1881 and enclosures, C.O. 874/228, f. 193.
11. The territory acquired by the Overbeck-Dent syndicate and subsequently inherited by the Provincial Association was not in all cases conterminous. On the west coast of Sabah there still remained a number of independent rivers or dependencies which were *tulin* belonging to Brunei *pengiran*.
12. Treacher to Alfred Dent, August 1881, Governor's Despatch 19/1881, C.O. 874/228, ff. 80-92.
13. *Ibid.*, ff. 86 and 87.
14. Treacher to Alfred Dent, 16 November 1881, Governor's Despatch 49/1881 and enclosure, C.O. 874/228, ff. 285-291. For more details of E. P. Gueritz's career, see Chapter 9.
15. Treacher to Sir Rutherford Alcock, 10 Sept. 1882, Governor's despatch 265/1882, and enclosures, C.O. 874/232, f. 24.
16. Treacher to Sir Rutherford Alcock, 31 December 1882, Governor's despatch 366/1882, C.O. 874/232, f. 428.
17. Treacher to Alfred Dent, 26 October 1881, Governor's despatch 40/1881, C.O. 87228, ff. 214-222.
18. For a thorough treatment of the subject see C. C. Eldridge, *Victorian Imperialism*, London : Holder & Stoughton, 1978. For primary reading on some of the documents relating to this period see

- J. H. Wiener, *Greater Britain: Foreign Policy and the Span of Empire, 1689-1971, A Documentary History*, New York: Chelsea House Publications, 1972.
19. The Liberal government of Gladstone, though anti-imperialist outwardly, devised a method of extending British influence beyond the frontier of British sovereignty by using such concepts as the "informal empire". For a fuller discussion on this concept, the policies of Gladstone's government and its fate, see W. D. McIntyre, *The Imperial Frontier in the Tropics, 1865-1875*, London: Macmillan & Co., 1967. Also see Eldridge, *Victorian Imperialism*, pp. 74-119.
  20. See D. Thomson, *Europe Since Napoleon*, London: Longmans Green & Co., 1958, pp. 221-312 and 423-500.
  21. See J. A. Hobson, *Imperialism, A Study*, London: G. Allen & Unwin, 1954, (3rd. ed.); C. J. H. Hayes, *A Generation of Materialism, 1871-1900*, New York: Harper, 1941; and D. K. Fieldhouse, *The Theory of Capitalist Imperialism*, London: Longmans, 1967.
  22. Eldridge, *Victorian Imperialism*, p. 19.
  23. For official correspondence relating to the claims of Spain and the Netherlands, see *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)*, pp.1-229; and *Papers Relating to the Affairs of Sulu and Borneo (Netherlands No. 1, 1882)* pp. 1-54 (also in F.O. 12/86, ff. 326-354). For authoritative works on the subject see Wright, *The Origins of British Borneo*, pp. 126-0172; and G. Irwin, *Nineteenth Century Borneo: A Study in Diplomatic Rivalry*, Singapore: Donald Moore Books, 1965, pp. 191-214. For the views of the British government concerning its interest in the Sabah region, see *Report of the Debates in the House of Lords and House of Commons, On the British North Borneo Company's Charter, March 13th and 17th 1882*, pp. 1-75. Extracted from *Hansard's Parliamentary Debates*, Vol. CCI.XVII (Copy in SSA).
  24. The Charter was passed by an Order in Council on 26 August 1881 and was subsequently issued under the Great Seal in a letter to Alfred Dent on 1 November 1881. See C. L. Peel to Sir J. Pauncelote, 3 September 1881 and inclosure, letter 192; and Lord Tenterden to Dent, 1 November 1881, and inclosure, letter 193, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)* pp. 191-199.
  25. See Deed of Settlement of the BNBC, 4 April 1882, C.O. 874/33.

26. See Agreement of Transfer from BNBPA to BNBC, dated 19 April 1882, C.O. 874/172; and "Report of the First Half-Yearly Meeting of the BNBC Held at the Cannon Street Hotel, 27 June 1883", p.1, British North Borneo Company Reports 1882-94, Vol. 1., Rhodes House, Handlist 916, S. 18.
27. *Handbook 1886* p. 151. At its first general meeting in London held on 3 October 1882, and attended by eighty-eight members, Sir Rutherford informed those present that the company had over six hundred shareholders. See "Report of the First Meeting of the British North Borneo Company, Held at the Cannon Street Hotel, 3 October 1882", p. 1, British North Borneo Company Reports, 1882-94, Vol. 1, Rhodes House, Handlist 916.4, S18.
28. For a good account of the Victorian philosophy, see R. Robinson and J. Gallagher, *Africa and the Victorians: The Official Mind of Imperialism*, London : Macmillan & Co., 1965, pp. 1-26. Current views of the British government on following this kind of policy are reflected in the spirited support for the granting of the charter in the debates in Parliament. See *Report of the Debates in the House of Lords and House of Commons*, pp. 1-75.
29. The northern region of Borneo was important for Britain because it controlled the southeastern flank of the route between Singapore and China through which a substantial amount of British trade with China was conducted. Moreover, Labuan acted as an important entreport for the Sulu - north Borneo region, but the Spanish blockade of Sulu in 1871 began to hurt its commerce severely. The British government was, therefore, desirous of obtaining a stronger footing in Sabah to protect British commercial interests in the region. Sabah's potential for becoming a focal point of commerce as a result of the growing trade between Australia and China was also a major consideration. *Report of the Debates in the House of Lords and House of Commons*, p. 6; J.F. Warren, *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a Southeast Asian Maritime State*, pp. 116-120, 131 and 134-136.
30. Sir R. Alcock to the Marquis of Salisbury, 31 March 1879 n.d. inclosure (1), letter 141, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)* pp. 137-146.

31. See "Report of the First Half-Yearly Meeting of the BNBC, 27 June 1883", p. 3. The Chairman, Sir Rutherford Alcock, addressing the meeting made the following remarks:  
 "They had the option of becoming traders as well as rulers; but after consultation with the governor and others ... the Directors came to the conclusion that it was unadvisable in the best interests of the company and our Colony ... to enter into any rivalry, or otherwise interfere with the trade in process of rapid development. They were convinced that greater results would accrue with less risk, by the company confining itself to the administration of the country ..."
32. Treacher to Alcock, 14 September 1881, Governor's despatch 29/1881, C.O. 874/228; and Alcock to Treacher, 6 October 1882, Court's despatch 59/1882, C.O. 874/292.
33. Dent to the Marquis of Salisbury, 2 December 1878, and inclosure, letter 137, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)* pp.129-135.
34. Sir R. Alcock to the Marquis of Salisbury, 31 March 1879 and enclosure (1), letter 141, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)* p. 145.
35. See clauses 7, 8, 9 and 10, of the Royal Charter, inclosure Lord Tenterden to Dent, 1 November 1881, letter 193, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)* pp. 196-197.
36. See *Report of the Debates in the House of Lords and House of Commons*, pp. 38-54.
37. Speech by Alfred Dent, *Ibid.*, 207.
38. See Chapters 7, 8 and 10.
39. See the heading "General Powers of Company" in the Charter, inclosure, Lord Tenterden to Dent, 1 November 1881, letter 193, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)* pp. 197-198.
40. See I.D. Black, *A Gambling Style of Government: The Establishment of Chartered Company's Rule in Sabah, 1878-1915*, Kuala Lumpur: Oxford University press, 1983.
41. Alfred Dent to Treacher, 3 August 1882, Court's despatch 38/1882, C.O. 874/292. A copy of the Instructions and the Memorandum dated 2 August 1882 can be found in Borneo Papers, Vol. II, (bound copy of documents) pp. 11-17, SSA.

42. Tenterdon to Sir Rutherford Alcock, 15 August 1882, enclosure, Secretary BNBC to Treacher, 18 August 1882, Court's despatch 44/1882, C.O. 874/292.
43. Borneo Papers, Vol. II, p. 15.
44. See Chapter VII.
45. "Report of the First Half-Yearly Meeting of the BNBC, 27 June 1883", pp. 2-3.
46. Sir Rutherford Alcock to Treacher, 6 July 1882, C.O. 874/292 ff. 67-69; *Handbook 1886*, pp. 129-133.
47. Treacher to Alcock, 6 February 1883, Governor's despatch 48/1883, C.O. 874/233, f. 215. *The Official Gazette* was at first published as part of the *Herald*, but from 1892 it was published separately.
48. Treacher to Dent, 26 October 1881, Governor's despatch 40/1881, C.O. 874/228, f. 217; and W. H. Medhurst, "British North Borneo", P. H. Kratoska (ed.), *Honourable Intentions: Talks on the British Empire in South-East Asia Delivered at the Royal Colonial Institute 1874-1928*, Singapore: Oxford University Press, 1983, pp. 93-94.
49. Treacher to Alcock, 27 September 1882, Governor's despatch 281/1882, C.O. 874/232.
50. Treacher to Alcock, 15 November 1882, Governor's despatch 324/1882, C.O. 874/232; Alcock to Treacher, 23 November 1882, Court's despatch 95/1882, C.O. 874/292.
51. Medhurst, "British North Borneo", p. 101.
52. Alcock to Treacher, 18 May 1882, C.O. 874/292; Alfred Dent to Treacher, 19 October 1882, Court's despatch 73/1882, CO. 874/292; Alcock to Treacher, 8 December 1882, Court's despatch 106/1882, C.O. 874/292. In 1884, the imports for Sabah amounted to \$485,895 and exports to \$367,240. The major export earners were birds' nests, gutta-percha, Indian rubber, rattan and sago. See "Report by Acting Consul-General Treacher on the Commerce and Navigation of the Sultanate of Brunei, the Territory of Sarawak and the Territory of British North Borneo for the year 1884", enclosure, Treacher to Alcock, 19 June 1885, Governor's despatch 82/1885, C.O. 874/239, ff. 325-366.
53. Treacher to Alcock and enclosures, 27 July 1882, Governor's despatch 192/1882, C.O. 874/231, C.O. 874/231; Alcock to Treacher,

- 16 November 1882, Court's despatch 84/1882, C.O. 874/292. See Chapter 7 for the eventual takeover of the caves.
54. For a good account of the tobacco industry in Sabah see David W. John and James C. Jackson "The Tobacco Industry of North Borneo: A Distinctive Form of Plantation Agriculture", *Journal of Southeast Asian Studies*, IV, i, March 1973, pp. 88-106.
  55. "Report of the First Meeting of the British North Borneo Company, 3 October 1882", pp. 2-3.
  56. Treacher to Sir Rutherford Alcock, 9 January 1884 and enclosure, Governor's despatch 10/1884, C.O. 874/236, ff. 34-36.
  57. Pryer to Treacher, 5 October 1881, enclosure (p. 8), Treacher to Chairman BNBC, 8 February 1882, Governor's despatch 33/1882, C.O. 874/229.
  58. Treacher to the Chairman BNBC, 29 April 1882, and enclosures, Governor's despatch 131/1882, C.O. 874/230.
  59. "Report of the First Half-Yearly Meeting of the BNBC, 27 June 1883", pp. 3-7.
  60. Treacher to Sir Walter Medhurst, Commissioner of Immigration, Hong Kong, 23 July 1882 and 26 July 1882, enclosures, Treacher to Alcock, 27 July 1882, Governor's despatch 191/1882, C.O. 874/231.
  61. K. G. Tregonning, "William Pryer, The Founder of Sandakan", *JMBRAS*, XXVII, i, 1954, pp. 46-48.
  62. J. H. Walker, "Census of British North Borneo and Labuan 1891", *BNBOG*, 1 February 1892, pp. 19-34; and *Statistical Handbook, Sabah 1971*, Kota Kinabalu: Department of Statistics, Malaysia, 1972, p. 29. For a very important source on Chinese immigration into Sabah see "Memorandum Regarding Labour in North Borneo and the Immigration of Chinese Settlers into that Territory" (30 October 1918), enclosure, Secretary, Court of Directors to A.C. Pearson, Governor, 5 December 1918, Court's Despatch 898/1918, pp. 23-79, Despatches : Court to Governor 1918 (SSA).
  63. Treacher to W. B. Pryer, 24 January 1883, enclosure, Treacher to Alcock, 24 January 1883, Governor's despatch 29/1883, C.O. 874/233.
  64. State of North Borneo, Administration Report 1931, by Arthur Frederick Richards, Governor, enclosure, Arthur F. Richards to the President BNBC, 9 May 1932, Governor's despatch 223/1932, p. 4., Despatches: Governor to President 1932 (SSA).

65. Treacher to Alfred Dent, Governor's despatch 19/1881, C.O. 874/228.
66. S. E. Dalrymple to the Colonial Secretary [Secretary to the Sabah government], 1 January 1886, enclosure, Treacher to Alcock, 29 April 1886, Governor's despatch 78/1886, C.O. 874/241, f. 345. By 1886 both Putatan and Tuaran had been acquired by the Company, but Inanam was still under the control of a Brunei *pengiran*.
67. A. H. Everett to Treacher, 4 March 1882, enclosure, Treacher to the Chairman BNBC, 24 March 1882, Governor's despatch 81/1882, C.O. 874/230; Treacher to the Chairman BNBC, 29 April 1882 and enclosure, Governor's despatch 131/1882, C.O. 874/230. For earlier activities of Datuk Amir Bahar, see Chapters 3 and 5.
68. Treacher to Sir Rutherford Alcock, 5 January 1883, and enclosure, Governor's despatch 8/1883, C.O. 874/233.
69. Copy of A. H. Everett's lease, enclosure 2 in Treacher to Alcock, 31 August 1883, Governor's despatch 262/1883, C.O. 874/235, ff. 324-329.
70. Tan Kim Swee, Sabah government agent at Brunei, to Treacher, 19 May 1882, enclosure, Treacher to Alcock, 10 September 1882, Governor's despatch 265/1882, C.O. 874/232.
71. Treacher to Alcock, 15 July 1883 and enclosures, Governor's despatch 199/1883, C.O. 874/235.
72. D.S. Ranjit Singh, *Brunei 1839-1938: The Problems of Political Survival*, Singapore: Oxford University Press, 1984, pp. 47-56.
73. See Chapter II, for the Pengiran Temenggung's rights in the Putatan.
74. Treacher to Alcock, 21 March 1884, and enclosure, Governor's despatch 82/1884, C.O. 874/236.
75. Treacher to Alcock, 5 May 1884, and enclosures, Governor's despatch 113/1884, C.O. 874/236.
76. Treacher to Alcock, 20 November 1884, Governor's despatch 250/1884, C.O. 874/237; Treacher to Alcock, 6 October 1885, and enclosures, Governor's despatch 133/1885, C.O. 874/240.
77. C. V. Creagh, Governor, North Borneo, to Alcock, 6 January 1891 and enclosures, Governor's despatch 6/1891, C.O. 874/250.
78. L. P. Beaufort, Acting Governor, North Borneo, to R.B. Martin, Chairman BNBC, 12 January 1892 and enclosures, Governor's despatch, 10/1892, C.O. 874/252, ff. 341-362; and Black, "The Ending of Brunei Rule in Sabah", pp. 176-192.

79. Treacher to Alcock, 31 December 1882, Governor's despatch 366/1882, C.O. 874/232. The European officer from Pinangah was withdrawn in 1883 due to the cut-back in expenditure. For more details on Gueritz career, see chapter 8.
80. The West Coast Residency was divided into three Provinces in 1885, each under an Assistant Resident. The division was initiated by the Governor because of the addition of new territory. These three Provinces were Province Alcock (Kudat as administrative centre), Province Keppel (with Papar as administrative centre) and Province Dent (Padas Klias). Treacher to G. L. Davies, 1 January 1885, enclosure, Treacher to Alcock, 2 January 1885 Governor's despatch 6/1885, C.O. 874/238, ff. 62-65.
81. The other Provinces were Province Myburgh (Sandakan, Labuk), Province Mayne (Silam, Tawau), Province Dewhurst (Sugut), Province Martin (interior region of Kinabatangan around Pinangah) and Province Clarke (from Sipitang River to the Trusan). E. W. Birch, *A Report Upon British North Borneo*, Sandakan : Government Printer, 1903, p. 9; *BNBOG*, 1896, p. 20.
82. Sir Richard Dane, *Report on the Administration of British North Borneo, 1911*, London : William Brown & Co., c.1911, pp. 4-6.
83. Copy of the Proclamation appears in the *BNBH*, IX, iii (1891), pp. 85-88.
84. The amendment appears in the *BNBOG*, 1893, p. 93.
85. Treacher to Alfred Dent, 20 January 1882, Governor's despatch 20/1882, C.O. 874/229.
86. Treacher to Alfred Dent, 16 November 1881 and enclosures, Governor's despatch 49/1881, C.O. 874/228.
87. Alcock to Treacher, 6 October 1882, Court's despatch 67/1882, C.O. 874/292.
88. Treacher to Alcock, 31 December 1882, Governor's despatch 366/1882, C.O. 874/232; Treacher to Alcock, 27 January 1883, Governor's despatch 32/1883, C.O. 874/233.
89. Alcock to Treacher, 5 January 1883, Court's despatch 121/1883, C.O. 874/292.
90. Treacher to Alcock, 24 September 1883 and enclosure, Governor's despatch 279/1883, C.O. 874/235, ff. 401-409.
91. Treacher to Alcock, 5 January 1883 and enclosure, 5 January 1883, Governor's despatch 8/1883, C.O. 874/233, ff. 44-47.



92. Treacher to Alcock, 24 January 1884, Governor's despatch 25/1884, C.O. 874/236, f. 139.
93. Treacher to Alcock, 30 December 1882 and enclosures, Governor's despatch 365/1882, C.O. 874/232, f. 418; Treacher to Alcock, 31 July 1883 and enclosures, Governor's despatch 214/1883, C.O. 874/235, f. 147.
94. Treacher to Alcock, 15 December 1882 and enclosures, Governor's despatch 356/1882, C.O. 874/232, f. 358.
95. *BNBH & OG*, March 1884, pp. 1-2.
96. Treacher to Alcock, 2 August 1883, Governor's despatch 217/1883, C.O. 874/235, ff. 154-156.
97. Treacher to Alcock, 5 July 1883 and enclosures, Governor's despatch 194/1883, C.O. 874/234, ff. 659-668.
98. The Chinese Sabah Land Farming Company, formed in Shanghai, acquired a lease of 40,000 acres in North Borneo in 1882 for planting sugar. John and Jackson, "The Tobacco Industry," p. 89.
99. Treacher to Alcock, 26 October 1883 and enclosures, Governor's despatch 309/1883, C.O. 874/235, ff. 513-522.
100. Treacher to Alcock, 19 November 1883, Governor's despatch 326/1888, C.O. 874/235, ff. 598-599.
101. Treacher to G. L. Davies 1 January 1885, enclosure, Treacher to Alcock, 2 January 1885, Governor's despatch 6/1885, C.O. 874/238, ff. 61-65.
102. Dane, *Report on the Administration of British North Borneo*, p. 7.
103. *The Ordinances of the State of North Borneo, 1881-1926*, Singapore: The Malaya Publishing House, u.d., pp. 195-201.





**Plate 1: A Signpost Leading to the Site of Syarif Usman's Fort and Grave  
near Kota Marudu 1980**

Source: Personal Collection



**Plate 2: Memorial Stone At Kampung Tebar, Tambunan**  
**In Honour of Mat Salleh**  
Source: Personal Collection



**Plate 3: O. K. K. Haji Mohamad Arshad and Others, 22.6.1911**  
Courtesy: Sabah State Museum.

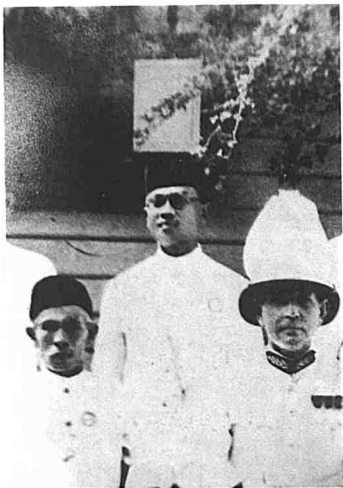


**Plate 4: O. K. K. Haji Mohamad Arshad, 22.6.1911**  
Courtesy: Sabah State Museum.



**Plate 5: O. K. K. Datu Agasi 1937 (Standing)**

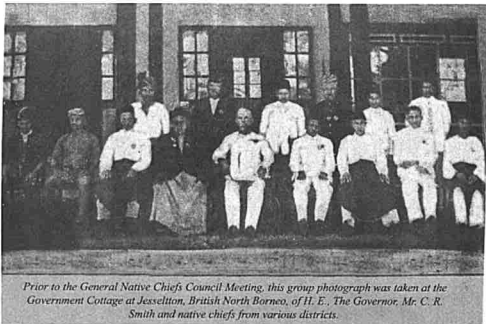
Courtesy: Datu Haji Sibi bin Datu Agasi 1991.



**Plate 6: O. K. K. Panglima Abdullah bin Panglima Undang  
1937 (Standing)**

Courtesy: Datu Haji Sibi bin Datu Agasi 1991.





**Plate 7: Group Photo of the Native Chiefs' Advisory Council with Governor C. R. Smith at Government Cottage Jesselton, 8 June 1938.**  
Courtesy: Sabah State Archives.



**Plate 8: O. K. K. Datu Harun 1937 (Standing)**  
Courtesy: Datu Haji Sibi bin Datu Agasi 1991.

## INDIGENOUS REACTION TO COMPANY RULE AND THE MAT SALLEH UPRISINGS, 1882-1903

Although the Company gave priority attention to opening up Sabah to western capitalist enterprise, it had to face the reality of establishing some sort of control over the vast areas it had acquired and to come to terms with the communities which inhabited the land. As mentioned before, the Company was not in a strong position politically, in terms of manpower, and financially to establish effective jurisdiction over the whole of Sabah at one go. Thus in the initial phase, a piecemeal policy was followed with the aim of establishing a foothold in the coastal areas.

### Indigenous Reaction, 1882-1900

As noted earlier, Treacher, in trying to consolidate the government's position on the West Coast, had opened more stations, made Kudat the new headquarters, and moved Everett, the Resident of the West Coast, from Papar to Kudat. Everett's place at Papar was taken up by G. L. Davies as Assistant Resident in 1881.<sup>1</sup>

The appointment of Davies at Papar brought about a fresh confrontation with the Bajau under the leadership of Datuk Amir Bahar who was still residing at Pangalat Damit, an independent river adjoining Papar District belonging to the Sultan of Brunei as his *tulin*. When Everett was administrator of the district, Datuk Amir Bahar had renounced hostilities and Everett had in fact reported that he was willing to make peace with the government.<sup>2</sup>

In 1882 events took a reversal as Davies proved tactless in the course of his administrative zealotry. He antagonised the local populace by his relentless and uncompromising drive in curbing crime, in the process of which he imprisoned criminals freely, and confiscated goods when fines were not paid promptly. He considered the Pangalat Damit Bajau as troublemakers and behaved harshly towards them by barring them from trading at the *tamu* in upper Papar. Davies even intended arresting Datuk Amir Bahar. Infuriated by his offensive behaviour, the Pangalat Bajau took advantage of the general discontent in the Papar district to incite revolt with the intention of attacking Papar station, hoping to kill Davies in the process. The highly explosive situation was diffused when Witt<sup>3</sup> was ordered to march to the Datuk's house with a strong force. Witt then pacified the Datuk by allaying his fears of being arrested.<sup>4</sup> Though the tense situation was contained temporarily, the Bajau of Pangalat Damit continued to give the Company's government trouble by constantly stealing cattle from across the border. The Governor threatened to sue the Sultan of Brunei for damages upon which the latter ceded the district outright to the Company in 1882. Datuk Amir Bahar requested for a position in the Company's establishment and was promptly appointed Government Chief of the Pangalat Damit on a monthly salary of twelve dollars. Thus ended the long hostility between the Company and the old chief who henceforth kept the Bajau in order.<sup>5</sup>

In the newly acquired district of Putatan (1884), the Company faced little problem. S. E. Dalrymple, who had been acting as Magistrate-in-charge of Kimanis since 1882, was appointed in a similar capacity at Putatan in 1884. A Native Court, on the lines of the traditional courts but constituting Company appointed chiefs, was inaugurated in the same year. It functioned so well that very few cases of appeal were ever made to the European Magistrate, Dalrymple.<sup>6</sup>

As the Company acquired more and more Brunei *tulin*, rivers some of the upland communities resented the regulations and taxes imposed on trade which they had traditionally conducted

unrestricted with the lowland communities. One such group was the Taga which inhabited the hilly regions of upper Papar and Putatan districts. The Taga had traditionally brought down jungle produce and also locally grown tobacco which was widely consumed by the lowland Kadazandusun and coastal Bajau. With the acquisition of Papar and Putatan by the Company, the Taga, under their powerful leader Kandurong, diverted their trade to the independent *jajahan* of Kawang.<sup>7</sup>

Kawang was the *tulin* of Syarif Jahir. The said river had been granted by Pengiran Raja Muda Hassim to Syarif Jahir's father. The Kawang was inhabited both by the Kadazandusun and Bajau. Most of the Bajau however appear to have moved to Kawang from Pengiran Rauf's *tulin* rivers, and as such the Pengiran had rights to collect poll-tax from them. Treacher, reviewing the situation in Kawang wrote that the Bajau;<sup>8</sup>

look upon Pangeran Roup as their chief, as most of the Bajaws on the West Coast do. But they are merely settlers in Kawang and themselves confess that they purchased the padi lands they now own from Shariff Jahir's Dusuns ...

Pengiran Rauf's traditional claims over his Bajau in Kawang thus caused some conflict with Syarif Jahir's rights over the river. The Company felt that Kawang was the "last resort" for cattle thieves. Kandurong, the Company felt, found a ready market in Kawang for the spoils of his raids, especially cattle stolen from the Company's territories. The Taga leader was also able to procure gunpowder from the Kawang Bajau who were able to obtain it freely from Labuan. The Company viewed Kandurong's activities and the status of Kawang as an independent river as causing serious damage to its trade, and was therefore anxious to acquire the river as well as apprehend Kandurong. Several expeditions were organised without success.<sup>9</sup> One such expedition which also coincided with the acquisition of Kawang, proved a costly affair.

Negotiations were started with Syarif Jahir to buy the river. As Syarif Jahir had little control over his *jajahan*, and as the Bajau

were more loyal to Pengiran Rauf and paid poll-tax to him, Jahir was willing to dispose off the river. On 8 May 1885 he sold the Kawang to the Company for the sum of \$1,300.<sup>10</sup>

It was in these very unsettled conditions, during a phase of transition, when the Company had not yet established a firm hold over Kawang and when the transfer of the river was still fresh in the minds of the Bajau, that the government organised an expedition to apprehend Kandurong. The expedition, organised on 10 May 1885, hardly two days after the transfer of Kawang, and consisting of a strong police detachment under Captain de Fontain,<sup>11</sup> had to go through Kawang to reach the Taga country. Company officials completely misunderstood the feelings of the Bajau who naturally opposed the loss of yet another independent river. To compound the situation, the expedition was accompanied by the haughty Davies whose hostility towards the Bajau and the high-handed manner in which he treated them was well known since the Papar troubles. Showing complete disregard for their customs, sentiments and sensitivities, he humiliated the Kawang Bajau by forcefully attempting to recruit 50 to 60 of them as luggage carriers, a job considered degrading amongst the Muslim communities. He wrote of his attempt in exuberance:<sup>12</sup>

I had to say I would fine each man who would not go with us one pikul [brass] but it did not seem to have much effect. We therefore took one brass gun and a few fowls and told the women to tell the men that if they had not run away they would not have been fined.

The Bajau men, who had deserted their village upon hearing of Davies' demands, suddenly and fiercely attacked the Company's forces, killing four men on the spot and severely wounding de Fontaine who later succumbed to his injuries.<sup>13</sup> The 'amok' as it was called was led by one of the village chiefs, Orang Kaya Ular and two other leaders, Sahat and Bagul Putih, all three of whom perished in the encounter. Another chief of Kawang village, Datuk Abdullah refrained from taking part in the attack.

The disaster at Kawang proved the first major blow to Company prestige and a general uprising on the west coast was anticipated. The Governor frantically sought the help of powerful local Bajau chiefs in government service such as Haji Drahim, the head of the Marudu Bay Bajau and Datuk Amir Bahar to use their good offices in bringing about peace at Kawang. These two chiefs with their followers descended on Kawang where they successfully impressed upon the moderate Bajau chief, Datuk Abdullah, the benefits of accepting Company rule. Datuk Abdullah and about thirty-five Kawang Bajau acceded to the pressure and took an oath of allegiance to the Company.<sup>14</sup> Kandurong continued in his independent ways until he submitted to the Company in 1892 whereupon he was appointed as Government Chief of Papar at a monthly salary of ten dollars.<sup>15</sup>

In the vast Padas-Klias region, Assistant Resident D. D. Daly relied heavily on the police, native clerks and Native Chiefs to establish a rudimentary administration. In 1885 police stations were opened up at Batu Batu, Gadong, Mempakul and Tenom to keep the peace and to help in the collection of poll-tax. To administer justice, Daly inaugurated Native Courts at Kota and Klias under the chairmanship of Pengiran Mohamad Abbas, the former *jajahan* head chief of the district. The experiment proved a great success as Pengiran Abbas was not only a fair judge, but was generally very competent and well respected. The Assistant Resident's greatest worry was the upper Padas which was inhabited by the Murut who were not only involved in "internecine blood-feuds", but had also disrupted upland-lowland trade and were not used to the idea of being under the jurisdiction of an outside power. In 1885, Daly visited the region and established a police station at Tenom. The efforts of Daly to extend Company rule into the area, surprisingly, were welcomed by the feuding *suku*, the Timogun and the Peluan who took an oath to cease fighting and head-hunting. The idea of the poll-tax was also accepted by them, though the rate was half that collected on the coast, and was to be paid in kind in the form of rattan, gutta-percha and beeswax in view of the unfamiliarity of the interior people with

the money economy. Three policemen were stationed at Tenom to collect the poll-tax, to supervise the area, and to safeguard the *tamu* which Daly instituted there in an attempt to revive trade.<sup>16</sup>

In the Marudu Bay region, the home of powerful slave-dealing *syarif* such as Syarif Yassin, Syarif Shih and Syarif Alam, the Company managed to diffuse a potentially explosive situation by following a judicious policy of moderation and by winning over some of these personalities to its side. The problem arose from the Company's commitment to the abolition of slavery and slave trade. In line with this policy, in 1882, Governor Treacher issued the Slavery Proclamation and Notification which banned the slave trade and aimed at eradicating domestic slavery gradually. This dealt a severe blow to the trade of the Marudu *syarif* who were the principal dealers in the region.

In 1882 Syarif Alam declared that he would not recognise the Company and left for Cagayan de Sulu to marshal arms and men in an attempt to organise resistance.<sup>17</sup> A. H. Everett, the Resident of the West Coast at the time, saw the implications of Alam's action in the correct perspective. In his view Alam's case was not an isolated issue, and was similar to the opposition put up by the rest of the *syarif* in Marudu. He warned that Alam would have,<sup>18</sup>

... the tacit support, if not the open assistance of the Serib party generally in Marudu Bay, to whom the advent of the Company is an abomination ... on account of the slave question ... which at any moment might reach an acute stage.

It was felt that some chiefs like Syarif Yassin, even though hitherto friendly towards the Company, would support Alam's cause for whom,<sup>19</sup>

... the advent of the Company means the downfall of his consequence and it had the same meaning in a less degree for all the Seribs.



Conflict was avoided only because the Company was in too weak a position to take on the *syarif* at one go, and because Everett advised caution. He allowed the Slavery Proclamation and Notification to be, for the time being, a dead letter in the area. Syarif Alam returned from Cagayan de Sulu peacefully, and a show-down was averted.<sup>20</sup> To consolidate its position in the region the Company reaffirmed Syarif Shih as Government Chief at Bongon, and appointed Haji Drahim, the head of the Marudu Bay, as Imam at Bengkoka.<sup>21</sup>

The East Coast, which consisted of the Darvel Bay region, Sandakan, the Kinabatangan, the Labuk, the Sugut and the Paitan, was particularly neglected by the Company's government as the region was simply too vast, sparsely populated, and unprofitable. Since 1879, when Pryer moved his headquarters from Kampung German to the mainland, the new Sandakan or Elopura as he called it, had progressed steadily into an important port. Pryer had also established some semblance of control over the vast Kinabatangan. In 1881, Datu Haji Anseruddin was appointed as Native Magistrate at Malapi and the administration of the river put under the charge of an Assistant Resident, Hewett.<sup>22</sup> In 1881 as noted earlier, Silam was opened as an experimental station and put under the charge of the Superintendent of Agriculture, Donop. Subsequently in 1882, an Assistant Resident named Lampriere was appointed to take care of the administration at Silam.<sup>23</sup>

In May 1882, Treacher appointed Sheik Abdul Rahman as *Imam* and Malay Schoolmaster at Elopura. The government offered a site for the construction of a mosque at Elopura. The *Imam* was to conduct services in the new mosque. In addition he was appointed Native Magistrate to deal with cases involving Muslim law.<sup>24</sup> With the exception of Datu Haji Anseruddin and Sheik Abdul Rahman, the rest of the numerous chiefs in the huge regions of the East Coast were neither recognised nor dismissed and, in the absence of any legislation or replacement, continued in their old ways.

In 1883, Treacher moved the government headquarters from Kudat to Sandakan as Kudat did not develop into a great com-

mercial port as earlier visualised.<sup>25</sup> Even this move however did not bring about a perceptible change of policy on the East Coast. Partially as a consequence of the austerity drive and the lack of sufficient manpower, the Company was extremely selective in establishing direct control over areas and in stationing its administrative officers. As a result, the Company attempted to bring under its jurisdiction only those areas which were deemed potentially important as sources of revenue.

One such region that the Company was keen in taking over was the valuable birds' nests caves at Gomantong which in the 1880s was yielding \$25,000 worth of birds' nests annually. Pengiran Samah, who had been appointed by the Sultan of Sulu, had practically become the owner of these caves as Sulu authority waned. The Company's keen interest in acquiring control over these caves was reflected in the appointment in 1882 of C. A. Bampfylde as Special Commissioner charged with this specific task.<sup>26</sup>

Pengiran Samah resolutely opposed Company attempts to reduce his authority at Malapi and its efforts to take over the caves at Gomantong. Under the circumstances, he was able to organise Buludupi opposition to the appointment of Datu Anseruddin as Native Magistrate at Malapi. Under his instigation, the Buludupi complained to the Governor that Anseruddin's appointment was undermining the traditional authority of their own local chiefs as he had been given jurisdiction over all court cases which were formerly tried by them. The Governor decided that the former system be reverted to, leaving Anseruddin without much judicial work, though he continued to represent the government there, taking care of the general affairs of the region.<sup>27</sup> Efforts were made to win over Pengiran Samah to the government's side, but the administration wanted to destroy the chief's traditional basis of economic and political power in the process, and reduce him to the status of a government agent. The Pengiran refused to accept this compromise and began to challenge Company rule on the Kinabatangan. A serious conflict developed over the control of the valuable Gomantong birds' nests caves. The Pengiran felt that the Company had no right to interfere in the

working of the caves, which he had traditionally undertaken, so long as he paid the government's share. The Company on the other hand alleged that the Pengiran had not been paying the rightful dues. It then used the existence of rival claims to the ownership of some of the caves as a convenient excuse to take over the working of the caves and to appoint its own contractors. It proposed to relieve the Pengiran of his former responsibilities but to pay him the same amount as previously received by him from the Sultan of Sulu for superintending the work.<sup>28</sup> His being "relieved from such responsibility" was exactly the sore point with him. For, it was the work of supervision which brought him additional rewards: power and influence over the inhabitants and collectors, economic gains by functioning as a middleman between collectors and traders, and the chance to "cheat a little" on the actual output. The Pengiran swore to resist the Company's attempt to take over the caves. In February 1884, the Governor personally led a military expedition against Samah. It consisted of the Chief Inspector, W. R. Flint and 31 men of the constabulary. Treacher testified that Samah had not made any preparation for an attack. Samah in fact told Treacher that he had no quarrel with the government and the latter could do what it wanted with the caves. Treacher however felt that to have left the Pengiran like that:<sup>29</sup>

would have been interpreted as an act of timidity on the part of the Government and the peace of the District would have been jeopardised by such a course.

It was obvious that Treacher and his force wanted a showdown so as to eliminate the Pengiran. The Company's forces attacked the Pengiran without provocation, killing him and some of his men in the process. His goods and canoes were confiscated. The Gomantong caves were acquired and farmed out to government contractors.<sup>30</sup>

Another area which was considered worth bringing under control was the birds' nests caves at Madai and Sigalong in the

Darvel Bay region. These caves reportedly produced about \$20,000 worth of nests a year. A station under an European Magistrate had been established at Silam in an attempt to control the region, but the venture was so ineffective that even the slave regulations could not be enforced. The "piratical" communities here refused to accept the Company's regulations on slavery and saw its advent as a blow to trade which was their livelihood. They calculated that if the Company successfully extended its jurisdiction in Darvel Bay, the subsequent diversion of the region's trade to Company ports, such as Sandakan, where duties would have to be paid, would be detrimental to their interests. They also feared that their slave crew visiting Sandakan and other Company ports would be freed. In addition to losing this vital source of manpower, they would be cut off from their supplies of arms and gunpowder through trade with Sulu. This, in turn, would undermine their slave raiding operations.<sup>31</sup> Unlike the Marudu area, the Company could not enlist the services of any of the stronger chiefs as all were opposed to Company intervention. The Company felt that sterner measures were likely to produce a general uprising which would be difficult to contain. Rather than reduce its credibility further in the eyes of the local populace, the Governor decided to recall the European Magistrate from Silam and replace him with a local chief called Nakhoda Gumbah, so that the Company's "action or inaction" would be rendered "less liable to criticism by the natives".<sup>32</sup> In view of the Company's austerity drive, Treacher justified his policy in Darvel Bay as follows:<sup>33</sup>

I feel confident that the Court would be averse to sanctioning ... an increased expenditure at present ... there appears to be no alternative but to give up temporarily the idea of placing a Resident in Darvel Bay and taking the District thoroughly in hand, and in lieu thereof simply to retain Silam in charge of a native as at present with the object of showing our flag.

Reports of the possibility of gold being discovered on the Segama, however, led to the Company restoring F. G. Callaghan<sup>34</sup> as European Officer at Silam but, after great speculation and search, no gold was discovered. The Company had meanwhile been attempting to negotiate with local chiefs such as Sri Paduka, Datu Yahya, Raja Tuah, Pengiran Amas and Sri Raja for taking over control over the birds' nests caves in Darvel Bay.<sup>35</sup> In 1886, the matter was finally settled when the government leased the working of the caves, which it had managed to acquire, to Pengiran Amas, Raja Tuah and Sri Raja for the sum of one thousand and five hundred dollars per year, with the stipulation that the nests were to be sold at Sandakan or Silam where a twenty per cent duty was to be charged.<sup>36</sup>

The Company's attention was again drawn in 1886 to the problem of "piracy" and kidnapping in Darvel Bay when about six collectors at the Sigalong caves were kidnapped by Imam Si Balang. He refused to release them and instead combined forces with other powerful personalities in the region, including Maharaja Alam and Maharaja Lambi to resist government. Treacher called for naval help from the Singapore and Labuan authorities who dispatched the HMS *Zephyr* under Captain R. N. Hope. With a strong police force of his own, Treacher boarded the *Zephyr* and subsequently destroyed Imam Si Balang's Village of Pantow-Pantow and Maharaja Alam's village of Musan Mulantah. About thirty-three boats belonging to these men were also destroyed. After the severe action, the chiefs of Darvel Bay, mostly Bajau, sailed to Silam to offer submission to the Company's government.<sup>37</sup>

In the Labuk, the customary feuds continued between the interior Kadazandusun, the midstream Dumpas and the downstream traders. Pryer had sent eight men, under one of his assistants named Banjer from Sandakan to manage the river. Banjer managed to keep the peace for a while, but it was short-lived. A local chief, Datu Sakya, of the strategic village of Tanduk Batu on the river was subsequently appointed Government Chief, but though he was an able man, he died in 1883. The government had difficulty in finding a suitable candidate to replace him. The

problem was too large for a single traditional chief to handle without the support of a police contingent from the government. In the face of the Court's stringent ruling on expenditure, senior officers could only suggest slipshod measures. Pryer, bearing in mind the Court's directives, felt unable to send a substantial administrative and police force to the area and contended himself by placing the administration of the river in the hands of an inferior local native chief, Nakhoda Utu. He justified his action as follows:<sup>38</sup>

Nakoda Utu at Tandoo Batu will, in all probability, do all that is requisite ... As regards prospects of revenue, I am of opinion that not much can be looked for from the Labuk .. and I cannot recommend any expenditure on the river.

By 1886 it was clear that these half-hearted measures had failed in the Labuk. The Dumpas were active under Datu Pengiran who was doing what he wished, collecting taxes and intimidating traders. The Resident of the East Coast suggested that the government should check the Pengiran's activities and extend its influence in the river by establishing a strong station, but the Governor decided to leave things as they were for the time being.<sup>39</sup> The Sugut remained in the good hands of Government Chief Syarif Hussin until his death in 1886, after which this river and also the Paitan remained almost unattended by the government.<sup>40</sup>

While the Company was able to establish some measure of authority along the coastal areas, especially the west coast and at Sandakan, on the east, through opening up stations at strategic locations and the employment of Native Chiefs, it was less successful in providing effective government in the interior. It tried to extend its influence into the interior regions by a policy of ruling through "local clients" by which small detachments of Iban police and some local chiefs were given immense powers to implement government policies.<sup>41</sup> Black is of the view that these local clients, protected and propped-up by Company patronage, but lacking adequate European supervision, "could only govern -

or misgovern - according to familiar standards". In the process they created "petty tyranny" which led to severe social unrest amongst the interior communities.<sup>42</sup> The problem was further aggravated by the overt support given by the Company to "outside" traders, the Brunei Malays, Chinese and Iban, who began to penetrate the interior regions, upsetting traditional economic and commercial patterns. By their unscrupulous practices they brought the interior natives into severe indebtedness. From 1883 to 1892 the interior peoples from the upper Padas valley, Ranau, Tambunan and *ulu* Kinabatangan reacted and retaliated by launching a series of revolts, attacking traders, indulging in head-hunting and seeking refuge in messianic cults.

The initial trouble began with the *Taga suku* of the Crocker-Range who, under Kandurong, defied the Company for many years. In 1886 the Murut of lower Padas revolted against the depredations of Brunei traders and burned the government station at Batu Batu. In the same year there were regular clashes between the Peluan of upper Padas and Iban traders and, in 1890 and 1891, similar events occurred in Ranau and at Pinangah in upper Kinabatangan. The government's answer to this "lawlessness" was to send one punitive expedition after another, usually with the support of Iban auxiliary troops recruited from amongst the Iban traders. The measures meted out were usually very severe: whole villages were burned, food stocks destroyed, offenders hanged or imprisoned while, in some cases, these reprisals amounted to whole-scale massacres.<sup>43</sup> Unable to cope with the ferocity of the punitive expeditions and the cultural shock brought by the rapid changes taking place, the interior Murut sought deliverance in cults. In 1891 a "prophet" named Tahang of the Sipulut region began to spread a cult named "Malingkote" and was able to influence a wide region stretching from Kutipah to Libawan. Upon his promise of deliverance, the Murut of these areas neglected their crops, killed their livestock and took to drinking and general "indulgence", thus impoverishing the country for some years to come.<sup>44</sup>

Even before the advent of the Company, traders were unscrupulous in their ways and interior tribes on the Kinabatangan, the Sugut, Labuk and the Paitan are known to have retaliated by taking heads and devastating and depopulating the coastal areas in much the same way as the "Sagai" did on the east coast before Pryer's time.<sup>45</sup> Furthermore, some chiefs who like Pengiran Samah reacted against the abusive practices of traders, were themselves given to oppressiveness in the form of arbitrary taxation. There were, however, two major differences pertaining to the unrest caused among the interior communities under Company control between 1883 and 1892. One was that intrusions by outsiders took place in hitherto little visited areas, such as the upper Padas, Tambunan and Ranau valleys, whereas such developments had been a common features on the east coast rivers where outsiders had encroached much earlier.<sup>46</sup> Secondly, in the past, harassed interior tribes had been able to hold their own against outside forces but such an opportunity was denied them when faced with superior Company forces and this may, to some extent, explain their turning to messianic cults in a state of disillusionment. The Company however was to face its greatest challenge from another quarter, Mohamad Salleh or Mat Salleh as he was popularly known.

### The Mat Salleh Uprisings, 1895-1903

"At any rate, you will admit that your Company cannot prevent us from dying for what we think are our rights".<sup>47</sup>

These words were uttered with some emotion by Mohamad Salleh the famous Sabah fighter in 1898 to William C. Cowie, the Managing Director of the BNBC who had personally come from London on a special mission to arrange peace talks with him. Cowie was convinced of his own cause, though the senior Company officials in Sabah strongly disapproved of Cowie's line of action. Cowie also had great regard for, and tremendous faith in Mat



Salleh, so that despite forebodings by the Company officials, he was prepared to meet Mat Salleh alone, unarmed. This personal meeting to persuade Mat Salleh to lay down his arms was held on 19 April 1898 at Kampung Palatan in Ulu Menggatal. During the discourse, Mat Salleh aired his grievances, but Cowie replied that they were not just ones. It was in reply to Cowie's remarks that Mat Salleh uttered the words quoted above. These words succinctly and appropriately capture the philosophical tenor of the armed resistance he had been leading against Company rule since 1895. Mat Salleh raised the banner of revolt to fight for rights which he believed belonged inalienably to the indigenous people and which the Company, as an intruder, had either taken away, or destroyed.

A number of researchers have written on the subject,<sup>44</sup> but Mat Salleh's struggle continues to evoke the greatest emotions and awe, at least locally in Sabah, and at the same time defy a thorough and conclusive explanation. This is particularly so because Mat Salleh's armed struggle was a series of campaigns, spread over a long period of time, comprising different stages and involving different settings and different groups of people. The uprisings shook the foundations of Company rule, affected an area from Sandakan right across to Gaya Island, including the interior, especially Tambunan, and involved almost all the major communities of Sabah at one time or another with the exception perhaps of the Murut. It is difficult to comprehend, let alone explain, such wide-spread support, given the heterogeneous nature of the population in terms of ethnicity, religious belief systems, political systems, economic pursuits and the absence of a common political identity. Paradoxically however, the answer may well lie in the nature, structure and the workings of traditional society itself.

### Chronology of Mat Salleh's Campaigns

Mohammad Salleh was of a mixed parentage. His father, Datu Balu, was of Suluk origin and formerly the Sulu Chief of part of

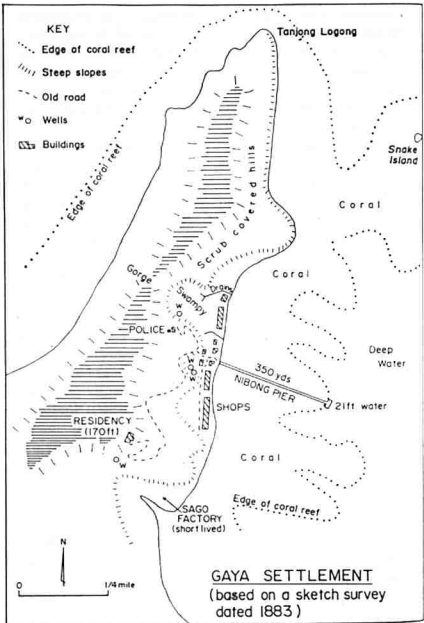
the Sugut River. His mother was a Bajau. He was born in Kampung Inanam<sup>49</sup> and later married a relative of the Sultan of Sulu named Dayang Bandang. Mat Salleh seems to have inherited his father's position and was acting in the manner of a traditional Sulu *datu* in the Sugut river in 1894, though it is unclear whether he had the sanction of the Sultan of Sulu. He also did not have the Company's authority to his position. He had a number of houses on the Sugut River and one on Jambangan Island.<sup>50</sup> As noted earlier, Company presence in the Sugut, Paitan and Labuk was minimal. Like the old days when central authority was weak, local chiefs who had influence and power regulated trade and protected the local inhabitants from excessive exploitation by outside traders. Mat Salleh was doing just that in the Sugut River. Another problem arose when the government imposed poll-tax and passes for boats on local communities. These new taxes were considered as an infringement of native rights. The 1891 Village Ordinance also alienated a large number of local chiefs who were not recognised as Government Chiefs. In 1894 the Company established a customs station on Jambangan Island under a native clerk, not so much as to provide any semblance of administration, but mainly to have greater control over the taxation of commerce in the region.<sup>51</sup> These developments came into direct conflict with Mat Salleh's perceived role.

### The Sandakan and Jambangan Affair, 1895

In exercising his traditional role, especially protecting the local population against the undue demands of outside traders, Mat Salleh and his followers were purported to have killed two Iban traders on the Sugut River in 1894. The Company gave orders for his arrest, but Mat Salleh submitted to government and promised to follow the law whereby he was let off lightly.<sup>52</sup> On 17 August 1895 however, Mat Salleh visited Sandakan with a large body of armed men together with a number of dissatisfied traditional chiefs from the Sugut with the aim of bringing before the

government a series of grouses and obtaining redress. These chiefs petitioned against the collection of poll-tax and the imposition of passes on boats by Government Chiefs. Mat Salleh and his men waited in the harbour for two days for an audience with the Governor or his representatives. However, the principal officers of the government at Sandakan, including Governor L. P. Beaufort, were away on another expedition. The only senior officer available was Alexander Cook, the Treasurer-General, who made no attempt to receive the delegation. There was a general fear amongst the residents that Mat Salleh would sack Sandakan. Contrary to their beliefs, Mat Salleh sailed away after two days of waiting, feeling slighted and snubbed.<sup>53</sup> He also seems to have formed the opinion that the Company was irresponsible and did not have the interest of the inhabitants at heart. He had come looking for redress and this was denied. He felt a deep sense of injustice which left a lasting mark on him.

These impressions were reinforced when the Company sent a strong force on 29 August 1895 to his house in Jambongan to apprehend him and four of his followers on the grounds that they had disturbed the peace in Sandakan and that four of his followers were implicated in the murder of the two Ibans in 1894. Mat Salleh promised to deliver the four men personally at Sandakan, but the Company's officers were adamant and issued an ultimatum to him. Upon Mat Salleh's refusal to comply, his house and village were attacked, burned and looted by the Company's forces. Some of his personal belongings, including his expensive boat, were confiscated. Mat Salleh made his escape, but became a hunted man as the Government issued a reward of \$500 for his capture.<sup>54</sup> This high-handed action of the Company caused Mat Salleh to lose complete faith in the Company. It was a turning point in his career; from that instant he declared war on the intruder.



Map 7 Gaya Settlement 1883

Source: *Borneo Society Journal*, no.3, July 1962, p. 28.

### The Ulu Sugut, Labuk and Paitan Episodes, 1895-1897

Within a month, Mat Salleh had consolidated his position at Lingkabau, some fifty miles up the Sugut River. With the support of the Kadazandusun community there, he had built a strong fort for himself. The Company sent another expedition in October 1895, which again failed to capture Mat Salleh, though the fort was destroyed and about sixty Kadazandusun arrested for helping in the construction of the fort.

Having been displaced from the Sugut, Mat Salleh soon established himself on the Labuk with his headquarters at Limbawan. The people of the Labuk rallied behind him, accepting him as their chief. They built a substantial fort for him and refused to pay poll-tax to the Company. In September 1896, Government forces planned a massive operation in an effort to surround Limbawan and cut off all escape routes for Mat Salleh. Consequently, Company forces approached Limbawan from three directions, that is, from the Sugut, the Paitan and Kudat. The expedition however was a costly failure. On 25 September 1896, the fort was captured and destroyed, but Mat Salleh and his followers could not be apprehended. By March 1897 he had built another fort at Padang on the Ulu Sugut.<sup>55</sup>

### The Gaya Raid, 1897

From Padang, Mat Salleh quietly moved to Inanam, his birthplace, on the West Coast and from there planned to give the Company a taste of its own medicine. On 9 July 1897 he made a lightning attack on the Company's principal trading station on the West Coast on Gaya Island, and razed it to the ground.<sup>56</sup>

The Company's government was visibly shaken. On the other hand, Mat Salleh's reputation increased in the eyes of the local people who now saw him as a hero and a liberator. With the immense support that he enjoyed, he was able to move with ease and establish forts at different points within short periods of

time. After the attack on Gaya, he moved to a fort on the Soan on the Labuk, and then to another in the neighbourhood of Paranchangan on the Sugut. Repeated attempts to capture him failed. Mat Salleh was making the government look hopeless and helpless.

In November 1897, Mat Salleh took the offensive again and made another surprise attack on the West Coast, this time burning the Government Residency at Ambong in the process. He then retired to his new impregnable fort at Ranau.

### The Ranau Encounter, 1897

The Government was in a flurry and made hurried preparations to attack the Ranau fort.<sup>57</sup> A concerted attempt was made to siege the fort on 13 December 1897. A force of 250 Ibans and Kadazandusun surrounded the fort while 38 Sikhs and Pathans waited for the final attack. The fort was shelled continuously by a seven-pounder gun in the morning. At noon the Sikhs and Pathans were given the order to storm the structure. The attacking party however could not penetrate the defenses and lost five men, including the Police Adjutant, Jones and four Sikhs. Where upon the expedition was withdrawn and returned to Sandakan.

A fresh attempt was made on 5 January 1898 and achieved success on 9 January, but by then Mat Salleh and his men had deserted the fort. In the months that followed, they established their new headquarters at Tambunan in the interior.

### The Palatan Peace Pact, 1898

It was in these circumstances, when the West Coast was in turmoil, and the Company's administration in a precarious position, that Cowie decided to come down from London to make peace with Mat Salleh. In his attempt to bring Mat Salleh over to the Company's side, Cowie made use of his long-standing friend-

ship with the Sulu royal house. Upon Cowie's request, the Sultan of Sulu wrote a letter dated 17 January 1898 to Dayang Bandang urging for a peaceful settlement with Cowie.<sup>58</sup> This culminated in the historic April 19th meeting between Cowie and Mat Salleh at Palatan in Ulu Menggatal.

During the talks, Cowie appealed to Mat Salleh to submit to the government with the offer that Mat Salleh and his followers would be given free pardon. Mat Salleh said he would accept the offer on two conditions : that his men who were in goal were released, and that he be allowed to stay at Inanam. Cowie turned down both these requests but instead offered to allow him to stay in Tambunan or any part of the interior, except the *ulu* Sugut and *ulu* Labuk, his former strongholds. After some deliberation with his group, Mat Salleh agreed to Cowie's terms. As a gesture of goodwill, Cowie made an additional promise to the effect that,<sup>59</sup>

If he kept the peace for twelve months and otherwise showed himself friendly to the Government, I would send him a present and recommend him to the Court of Directors for an appointment as Chief or headman of a district

With this, the meeting ended in a most cordial manner. In the evening Mat Salleh sent Cowie his spear and *kris* (Malay sword) as a mark of submission, but Cowie in high diplomatic tradition returned them. On 20 April 1898, Cowie, Governor L. P. Beaufort, and two officers, P. Wise and A. C. Pearson met the warrior again at the former's village. Terms were discussed again, and this time the Company's representatives offered to "allow [Mat Salleh] to live in the Interior and take charge of the Tambunan district".<sup>60</sup>

After this second meeting, messages were sent to Mat Salleh requesting him to give his final answer by 22 April when a ceremony was to be held to take official possession of the Menggatal River.<sup>61</sup> On the appointed date, as the take-over ceremony was being concluded, Mat Salleh appeared and offered his submission, telling his own countrymen present that "from this time on

he was on the side of government." He then took an oath of allegiance before the Holy Koran.

On 23 April 1898 a document was drawn up and sent to Mat Salleh for signature. The principal terms were as follows:<sup>62</sup>

1. Mat Salleh and his men were pardoned, except those still in prison, or those who had escaped from goal.
2. Mat Salleh was to be allowed to stay in Tambunan or elsewhere in the interior, except the Sugut and Labuk Rivers.
3. He had to report to the District Officer concerned if he visited the coast

Mat Salleh signed the document though he expressed apprehension and dissatisfaction with the written terms which he felt were not totally in accord with the verbal promises given to him. The document for example made no mention of Cowie's promise of an appointment after twelve months of good behaviour or the one which placed him in charge of the Tambunan District. There was also no mention of him being allowed to eventually return to Inanam, a promise made probably during the second meeting, but not recorded by Cowie then, though reference to such an offer is subsequently made in Cowie's diary and the Company's correspondence.<sup>63</sup>

### The Last Stand At Tambunan, January 1900

Though rumours began to filter-in indicating that Mat Salleh was abrogating his agreement with the Company, it is fair to say that he was willing to give the peace accord a trial and a grace period of at least twelve months. In the following few months, Mat Salleh was busy consolidating his position in Tambunan. He had the support of one section of the inhabitants there, the Tagas Dusun, while another community, the Tiawan Dusun, opposed him. It



was only a matter of time before Mat Salleh and his allies, the Tagas were thrown into a state of warfare with the Tiawan, a situation the Company's government felt was good enough reason to bring Mat Salleh to book.

It was obvious from the beginning moreover that the peace pact was doomed to failure. Cowie had been most unrealistic and to an extent insincere in offering Mat Salleh the Tambunan District. At the second meeting, it was clear that Mat Salleh was given charge of the said district. Mat Salleh rightfully interpreted this to mean that he had complete jurisdiction over Tambunan and that the Company would not interfere in anyway with the affairs of the place. Cowie cannot be absolved from having lent his promises open to such an interpretation. He himself must have been aware of the implications, and that being the case, he was being untruthful as such a course was diametrically opposed to Company objectives. It was clear that it was only a matter of time before the Company extended its jurisdiction over Tambunan and the rest of the interior. In fact in the 1890s, Cowie himself had drawn up grand designs for opening the interior to capitalist enterprise. Under his direction the Company embarked upon an ambitious plan to build a system of bridle-paths and a railway line linking the West Coast with the interior. A telegraph line spanning the country and connecting Labuan with Sandakan was also agreed upon.<sup>64</sup> Under the circumstances it would be naive to assume that the Company would not extend its jurisdiction over Tambunan, a process which would surely be interpreted by Mat Salleh as a breach of faith. It was inconceivable how Mat Salleh could retain his semi-independent position at Tambunan in the face of this forward policy. From the beginning therefore it was evident that Mat Salleh's position at Tambunan was untenable, based on a false premise, and bound to lead, eventually to a serious confrontation with the Company.

In the process of building the telegraph line, two new stations were established in the interior: one at Sapong in 1895 and another at Keningau in 1896, each under a European Officer. The appointment of F. W. Fraser as District Offices at Keningau

in 1898 signaled the extension of Company rule to Tambunan.<sup>45</sup> Meanwhile in Tambunan the attempt by Mat Salleh and the Tagas to subdue the Tiawan led to urgent appeals by the latter for Company intervention. On 15 January 1899 the Governor, Beaufort, and Fraser visited the Tiawan villages and obtained an oath of allegiance from the inhabitants.<sup>46</sup> The government also made plans to establish an administrative centre at Tambunan. Mat Salleh considered these acts as violations of the promises given to him and prepared for war.

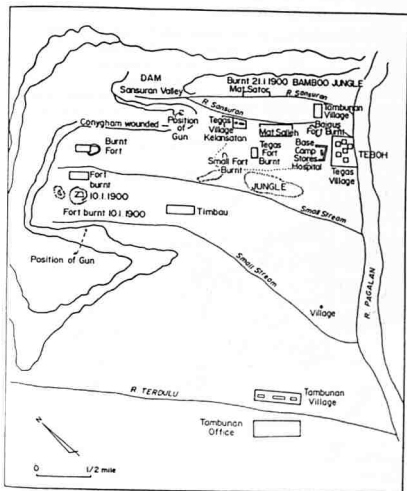
The Court of Directors, especially Cowie, belatedly realised that the Company had gone back on its word. In a letter dated 3 December 1899, he wrote to the authorities in North Borneo advising caution in establishing a government station in Tambunan and recommended that Mat Salleh be appointed Government Chief at Tambunan on a salary of \$30 per month as the twelve-month bond on good behaviour on the part of Mat Salleh had long passed. Cowie admitted that the Company was largely to blame for Mat Salleh's reaction. He wrote:<sup>47</sup>

... the fact that the Company have so far failed to fulfill my promise, it is not difficult to conceive that his movements were dictated by a dread that a treacherous combination against him was on foot. We have unfortunately been guilty of an oversight, and some explanation is due to Mat Salleh.

Cowie's attempts to redress the situation had come too late. Mat Salleh had become thoroughly disillusioned with, and mistrustful of the Company and was in no mood for a compromise. In December 1899, R.M. Little, the Resident of Labuan, was instructed to initiate negotiations, but Mat Salleh demanded the withdrawal of the government establishment in Tambunan as a precondition. The government was unwilling to budge, as a result of which both sides prepared for hostilities.<sup>48</sup>

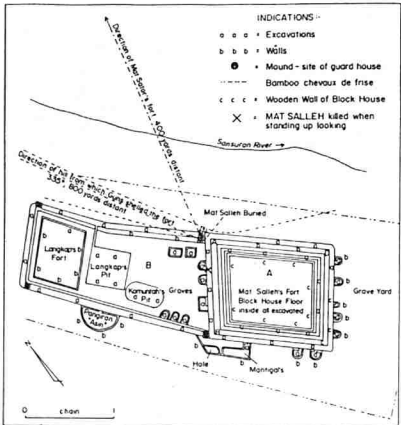
Immediately, Mat Salleh's forces began conducting sporadic attacks on government stations on the West Coast. The Company on its part organised a force of 140 men equipped with a

Indigenous Reaction to company Rule and The Mat Salleh Uprisings, 1882-1903



Map 8 Mat Salleh's Defences At Tambunan As of January 1900

Source: *British North Borneo Herald and Fortnightly Record* 1915, pp. 96-99.



Map 9 Map And Design of Mat Salleh's Fort At Tambunan  
As of January/February 1900

Source: *British North Borneo Herald and Fortnightly Record*  
1915, pp. 96-99.

seven-pounder gun led by Captain C. H. Harrington. The force reached Tambunan on 31 December 1899 and fighting commenced on 1 January 1900. On the 10th, the village of Laland was taken by government forces in a fierce encounter. Mat Salleh lost sixty men and the Company one. On 15 January 1900, the Taga village of Teboh capitulated upon which most other Taga villages surrendered. Government forces scored a major victory subsequently when the fort of one of Mat Salleh's chief lieutenants, Mat Sator, was burned by shell-fire. Mat Salleh suffered a further serious setback when the Company's police cut off water supply to his fort by diverting the Pengkalan River to the Sensuran. On 27 January, his fort was sieged and shelled continuously for the next four days. It was later confirmed that Mat Salleh was killed by shell-fire at mid-day on 31 January 1900. The fort was occupied the following day, but it was mostly deserted except for some women and children. Mat Salleh's wife, Dayang Bandang and his son and two daughters also survived and were later sent back to Sulu. So ended the Mat Salleh saga. A memorial stone erected in his honour still stands at Kampung Tebabar, Tambunan and reads as follows:<sup>69</sup>

This plaque marks the site of Mat Salleh's fort, which was captured by the North Borneo Armed Constabulary on the 1st February, 1900.

During this engagement Mat Salleh, who for 6 years had led a rebellion, met his death.

Though Mat Salleh's stronghold at Tambunan was taken and Mat Salleh himself perished in the encounter, some of his lieutenants and men managed to escape and carried on the struggle. On 28 April 1900, two of his comrades, Mat Sator and Mat Daud, attacked Kudat with a force of more than three hundred Bajau. Substantial damage was done to Kudat before Company forces were able to dislodge the attackers. Mat Sator and Mat Daud however died in the counter-attack mounted by the Company's police.<sup>70</sup>

The fight against the Company was taken up by other leaders, such as Komunta and Si Langkap and throughout 1901, the Tempasuk, Tuaran and Menggatal area experienced sporadic attacks. The Company's forces were kept busy for the next two years during which concerted counter-attacks and repeated expeditions finally led to the surrender of most of the remaining leaders and men. Thus the uprisings started by Mat Salleh in 1895 ended after a long guerrelling struggle in 1903, almost three years after his death. In 1901, the new Governor of North Borneo, E. W. Birch, sensing that Bajau resistance was nearing its end, recorded:<sup>71</sup>

I told them [the Bajau] in homely language that their day was over and that now they would learn that the Government was the Raja of Borneo and that they must keep their promises so often broken in the past and obey the Raja's rule.

### Dimensions of Mat Salleh's Struggle

Before attempting an explanation of Mat Salleh's struggle, it may be worthwhile noting some of the characteristics of his battle campaigns against the Company. Two important dimensions are the nature of the support for his cause and the military and strategic element. It may be said that the core of his supporters and fighting force was composed of the Bajau-Suluk element. This is understandable in the sense that Mat Salleh was operating basically as a traditional Bajau-Suluk chief. In such a system, the Bajau-Suluk Muslim coastal communities had always played such a role. Mat Salleh was able to marshal followers from both communities, especially the Bajau due to his mixed parentage and also his links with the Sulu royal house through his marriage.

However, the more-important aspect of Mat Salleh's success was due to the fact that he was able to garner support from Kadazandusun communities spread over a wide area, a feat sel-

dom achieved by Suluk or Bajau chiefs in the past. These Kadazandusun communities were instrumental in providing him with a number of power bases, for the supply of food necessities, and for the construction of impregnable forts. The Lingkabau fort for example had been constructed by the Kadazandusun community of Sungai-Sungai, sixty of whom were arrested by the Company after the fort had fallen. The Ranau fort received its food supplies from the surrounding Kadazandusun population even when the fort was in the midst of Company attack, thus indicating their willingness in exposing themselves to great risks and possibly inviting government retaliation. At Tambunan Mat Salleh was able to entrench his position with the support of his Taga allies, though the Tiawan refused to submit to his jurisdiction.

In terms of military strategy, such widespread support gave Mat Salleh two advantages. One was that he was able to have at his disposal a number of well-constructed forts from which he could defend his position and the second, the greatest amount of mobility. The Tambunan case was an exception. Many of the forts were constructed with great speed but with the greatest of intricacy and military sense. Within a space of three years, from 1895 to 1897, Mat Salleh had at his disposal at least six forts, which in itself was a testimony to the resources and manpower he could mobilise at short notice. These forts, at Lingkabau, Padang and Paranchangan on the Labuk; at Limbawan and Soan on the Sugut, and one at Ranau, not only gave Mat Salleh complete control of the vast Sugut-Labuk-Paitan region, but made it practically impossible for Company forces to apprehend him. Mat Salleh was a brilliant military strategist; the structure of the forts afforded him security; the availability of others, mobility. A picture of how carefully these forts were designed may be gleaned from the description of the Ranau fort:<sup>22</sup>

The fort was a most extra-ordinary place and without the guns [the Company's seven-pounders] would have been absolutely impregnable. The buildings covered three sides of a square, the fourth side being closed by a stone wall. The

whole square was 22 yards by 20 and the fact that over 200 shells burst inside will give some idea of its strength, the enemy still remaining in possession. The walls of the building were of stone, 8 feet thick with numerous large bamboos built into them for loopholes. The whole fort was surrounded with three bamboo fences ... and the ground between was simply covered with '*sudab*' (bamboo spikes) ... On the inside of the square the loopholes were also very cunningly arranged to repel internal attack. There was neither exit nor entrance to the buildings and had an attacking force, no matter how strong, succeeded in reaching the middle of the square they would have been no nearer capturing the place than if they had stayed away, and they would have been shot down like sheep by an invisible foe without the possibility of returning the fire.

As has been noted, the capture of these forts by the Company's forces did not have a devastating effect on Mat Salleh. He was always able to make his escape, and find another fort awaiting him. It was the Company which was faced with a dilemma, not Mat Salleh. The circumstances of the Tambunan case were quite different as they related to another stage of the struggle.

### An Assessment

Having laid the facts of the case it now becomes imperative to make some sense of this immense upheaval. What was Mat Salleh fighting for? How was he able to garner support from a vast area, over a prolonged period of time from different settings and communal bases? Was there a unity of purpose, affinity-of interests and objectives? From the onset it may be said that Mat Salleh was not fighting a nationalist war. There was no nationalist sentiment in the modern sense of the word at that time in Sabah. Neither was he fighting to establish an independent Sultanate or a Malay Negeri with its paraphernalia of a Royal Court and attendant administrative apparatus. Another point to note is that



Mat Salleh fought mainly a defensive war and took the offensive only in extreme circumstances. He was a man of high honour and integrity in many ways; he could have attacked Sandakan in 1895 when it was extremely vulnerable, but he withdrew as a gentleman; he burned the Gaya settlement and the Ambong Residency in 1897 as retaliation for the hard time the Company had been giving him, chasing him from one fort to another in the Sugut-Labuk-Paitan hinterland; and he made his last stand at Tambunan in face of broken promises on the Company's part.

There were many reasons why Mat Salleh fought the Company and these were not quite the same at different stages of the struggle. The various communities who gave their support had their own reasons, except that Mat Salleh was able to mobilise these for his own purposes. Mat Salleh's fight with the Company may be divided into three stages: the initial confrontation pertaining to the Sandakan affair until the destruction of his residence on Jambongan Island was in the nature of protests against Company impositions; the period from Jambongan to the Palatan Peace Pact, 1895 to 1897 was in the nature of total rejection of Company rule characterised by total war; and the Tambunan episode, in defence of a compromise position which he had accepted but which the Company did not honour.

The cause that Mat Salleh was fighting for throughout his six years of struggle, in addition to his personal grievances, was what he called the preservation of "our rights". These rights pertained to the preservation of the traditional socio-cultural fabric, the pre-Company system of commerce and administration, and freedom from such taxation as boat licences. When he could not obtain redress through diplomatic means, and especially when the Company turned him into an outlaw after the Jambongan episode in 1895, Mat Salleh had one objective in mind - the reinstatement of the Suluk *datuk* system in place of Company rule. He saw his vision, notwithstanding its own defects, as a panacea for the excesses of Company rule which to his mind was destroying the fabric of the traditional socio-economic structure and its attendant values and "rights". In addition to the Company's

'destructive' nature and its ineffective control over large areas of Sabah, Mat Salleh was aided in his mission by a host of other factors. He himself was born of the system and had claims to the Sulu type *datu*ship through his family background and his marriage to Dayang Bandang. His partial Bajau ancessestory gave him almost undivided loyalty from that group. Moreover, the Bajau were known for their fierce independence; they had served as allies in the Sulu system, but had seldom accepted the authority of the Brunei *jajahan* system on the West coast of Sabah. For the Bajau, the Company was alien; Mat Salleh was their chief, and not unlike Syarif Usman in the mid-nineteenth century, he would afford them protection and preserve their way of life.

Unlike Syarif Usman however, Mat Salleh's theatre of operation was much wider and his greatest achievement was the mobilization of Kadazandusun support in the Sugut-Paitan-Labuk area, Ranau and to some extent in Tambunan. It is this support, away from the traditional bases of Suluk-Bajau concentrations as in the *datu* system, that gave Mat Salleh and his struggle almost a national character. The Kadazandusun communities however had their own reasons for supporting Mat Salleh's cause. In the Sugut-Paitan-Labuk region many of these communities were willing to accept Mat Salleh as their chief. This was partly due to the non-presence of the Company, partly due to the new taxes imposed on them and partly to obtain protection against external traders. In the Ranau region, Kadazandusun communities did not seem to have accepted Mat Salleh's jurisdiction, but were willing to furnish supplies in view of maintaining traditional trading relations with the Bajau on the plains and coasts of western Sabah.

To what extent was Mat Salleh's scheme relevant pertaining to his position in Tambunan? As has been mentioned earlier, it was a modified version of his vision. At the peace talks at Palatan and in subsequent events and correspondence, Mat Salleh recognised the legitimacy of Company's authority, but it was only a partial recognition; - he was to enjoy a semi-autonomous position in Tambunan commensurate with the Suluk-*datu* system. This understanding was explicitly given to him, pending his ab-

sorption into Company service. As events were to show, the Company honoured neither one. Thus when final efforts were made to have peace talks with him in Tambunan, Mat Salleh insisted that Tambunan was his area of jurisdiction, that the establishment of a government station in the district was tantamount to interference on the Company's part, and that as a precondition, the Company must withdraw its establishment. When the Company refused, Mat Salleh died fighting for what he believed was the right political solution for Sabah which alone to his mind would safeguard and preserve "our rights".

It might be argued that Mat Salleh was a "dreamer" for he was unable to see the reality of the situation. The old Sulu-Brunei structure was crumbling in Sabah, and the power of the two Sultanates was waning. The Company, unlike earlier syndicates, was also more determined to extend its jurisdiction over the whole of Sabah in the long-run. In such a state of affairs, the reinstatement of the *datu* system, even in a highly reduced semi-autonomous fashion vis a vis the authority of the Company, was unviable. However such an analysis looks sound only with the advantage of hindsight. At the time of Mat Salleh the proposition of the *datu* system was inviting for various reasons: the Company was not as effective as it wished to be; it was weak; it was disruptive; and it was exploitative. Many of the local communities probably entertained the view that its presence was temporary, just like some of the earlier syndicates. Moreover, its rule was reminiscent of the earlier state of affairs pertaining to the old order under the Sultanates in the 1860s and 1870s. It is precisely in these types of conditions when central authority was weak that many Bajau and Suluk chieftains would aspire to carve out semi-autonomous positions of their own. Moreover Mat Salleh believed that the system was far from dead and questioned the Company's title over certain areas, especially the Ulu Sugut and Ulu Tuaran, saying "they belonged to him and his people, having been made over to them by the Sultans of Sulu and Brunei."<sup>73</sup> Thus while the environment was ripe for Mat Salleh to pursue such a course of action, the presence of the Company provided him with an

additional and powerful dimension. Unlike the Sulu and Brunei Sultanates, the Company was alien, it was infidel and it was seen as destroying the fabric and values of indigenous society. Mat Salleh's vision and mission was therefore to annihilate the Company if possible and preserve the traditional social structure through the reinstatement of the *datu* system. He saw in his scheme the only means of salvation for the indigenous communities and he and his men were therefore willing to sacrifice their lives for the cause they believed in, however defective and oppressive that system might in itself have been.

## NOTES

1. Treacher to Alfred Dent, August 1881, Governor's despatch 19/1881, C.O. 874/228, ff. 80-92; Treacher to Alfred Dent, 16 November 1881, and enclosure, Governor's despatch 49/881, C.O. 874/228, ff. 285-291; Treacher to Alcock, 31 December 1882, Governor's despatch 366/1882, C.O. 874/232, ff. 426-444.
2. Government Secretary, British North Borneo, to Alfred Dent, 26 September 1881, and enclosures, C.O. 874/228, ff. 179-181. Also see Chapter 5.
3. Francis X. Wittl was killed in 1882 by some interior people while on an exploratory mission. Treacher to Alcock 24 August 1882 and enclosures, Governor's despatch 252/1882, C.O. 874/231, ff. 246-261.
4. Treacher to the Chairman, BNBC, 7 March 1882, Governor's despatch 72/1882, C.O. 874/229, ff. 485-486; Treacher to the Chairman, BNBC, 24 March 1882 and enclosures, Governor's despatch 81/1882, C.O. 874/230, ff. 30-40.
5. Treacher to the Chairman, BNBC, 29 April 1882, Governor's despatch 131/1882, C.O. 874/230, f. 272; Treacher to Alcock, 10 September 1882, Governor's despatch 265/1882, C.O. 874/232, f. 22.
6. Treacher to Alcock, 10 September 1882, Governor's despatch 265, C.O. 874/232, f. 23; Treacher to G. L. Davies, 10 May 1884, enclosure, Treacher to Alcock, 14 May 1884, Governor's despatch 121/1884, C.O. 874/236, ff. 541-554.
7. Treacher to Alcock, 11 September 1884, Governor's despatch 200/1884, C.O. 874/237, ff. 309-311.
8. Treacher to Alcock, 25 May 1885, Governors despatch 76/1885, C.O. 874/239, ff. 68-84. Quotation from f. 71.
9. Treacher to Alcock, 11 September 1884, Govenor's despatch 200/1884, C.O. 874/237, ff. 309-311; and C. V. Creagh, Governor North Borneo, to Alcock, 6 January 1891, and enclosures, Governor's despatch 6/1891, C.O. 874/250, ff. 398-416.
10. J. D. Black, "The Ending of Brunei Rule in Sabah, 1818-1902", *JMBRAS*, XLI, ii, 1968, p. 186.
11. Captain de Fontain was a former police inspector in the Straits Settlements Police. For more details of his career see Treacher to

- Alcock 25 May 1885, Governor's despatch 75/1885, C.O. 874/239, ff. 57-68.
12. G. L. Davies to the Government Secretary, 12 May 1885, enclosure, Treacher to Alcock, 15 May 1885, Governor's despatch 73/1885, C.O. 874/239, ff. 50-52.
  13. Treacher to Alcock, 15 May 1885, and enclosures, Governor's despatch 73/1885, C.O. 874/239, f. 45; and Treacher to Alcock, 25 May 1885, Governor's despatch 75/1885, C.O. 874/239, ff. 57-68.
  14. Treacher to Alcock, 25 May 1885, Governor's despatch 76/1885, C.O. 874/239, ff. 68-84; Treacher to Alcock, 30 May 1885, Governor's despatch 77/1885, C.O. 874/239, ff. 137-140; and Treacher to the Principal Secretary of State for Foreign Affairs, 26 May 1885, C.O. 874/239, ff. 86-95.
  15. I. B. Black, *A Gambling Style of Government: The Establishment of Chartered Company's Rule in Sabah, 1878-1915*, Kuala Lumpur: Oxford University Press, 1985, p. 93.
  16. D. D. Daly, Assistant Resident Province Dent [Padas-Klias], to Resident West Coast, 30 June 1885, enclosure 2, Treacher to Alcock, 9 December 1885, Governor's despatch 150/1885, C.O. 874/240, ff. 323-26; Treacher to Alcock, 7 April 1886, Governor's despatch 58/1886, C.O. 874/241, ff. 67-71; and Daly to the Government Secretary, 1 April 1886, enclosure, Treacher to Alcock, 30 April 1886, Governor's despatch 77/1886, C.O. 874/241, ff. 332-339.
  17. Treacher to Alcock, 1 August 1882, Governor's despatch 217/1882, C.O. 874/231, ff. 150-151.
  18. Everett to Treacher, 19 July 1882, enclosure, Treacher to Alcock, 15 August 1882, Governor's despatch 235/1882, C.O. 874/231, ff. 199.
  19. *Ibid.*, f. 200.
  20. Alcock to Treacher, 5 October 1882, Court's despatch 65/1882, C.O. 874/292, f. 217.
  21. Syarif Shih had been recognised as Government Chief since Mr. Pretyman's time. Everett to Treacher, 19 July 1882, enclosure, Treacher to Alcock, 15 August 1882, Governor's despatch 235/1882, C.O. 874/231, f. 198. Haji Drahim was the right-hand man of Syarif Yassin who passed away in 1883. He was given the post of Imam with a monthly salary of \$30. Treacher to Chairman, 10

- May 1883, and enclosure, Governor's despatch 147A/1883, C.O. 874/234, f.394.
22. Treacher to Alfred Dent, 29 September 1881, and enclosures, Governor's despatch 34/1881, C.O. 874/228, f. ; and Treacher to Alcock, 31 December 1882, Governor's despatch 366, C.O. 874/232, ff. 430-431.
  23. Treacher to Alfred Dent, 26 October 1881, Governor's despatch 40/1881, C.O. 874/228, ff. 214-222; and Treacher to Alcock, 31 December 1882, Governor's despatch 366/1882, C.O. 874/232, ff. 430-431.
  24. Treacher to Alcock, 12 May 1882, and enclosure, Governor's despatch 145/1882, C.O. 874/230, ff. 318-321. Sheik Abdul Rahman formerly held the post of *Imam* in the service of the Sultan of Kelantan.
  25. Treacher to Alcock, 31 December 1882, Governor's despatch 366/1882, C.O. 874/232, f. 428; and K.G. Tregonning, *A History of Modern Sabah (North Borneo) 1881-1963*, Singapore: University of Malaya Press, 1965, p. 49.
  26. See Chapters 4 and 6.
  27. Treacher to Alfred Dent, 29 September 1881, and enclosures, Governor's despatch 34/1881, C.O. 874/228.
  28. Bampfylde's Journal relating to a Visit to the Gomantong Caves, 22 February 1883, enclosures, Treacher to Alcock, 27 February 1883, Governor's despatch 71/1883, C.O. 874/233, ff. 338-354.
  29. Treacher to Alcock, 20 February 1884, Governor's despatch 51/1884, C.O. 874/236, f. 253.
  30. *Ibid.*, ff. 251-255.
  31. Treacher to Alcock, 3 July 1884, Governor's despatch 147/1884, Governor's despatch 147/1884, C.O. 874/237, ff. 42-50.
  32. Treacher to Pryer, 16 February 1883, enclosure, Treacher to Alcock, 20 February 1884, Governor's despatch 52/1884, C.O. 874/236, f. 281.
  33. Treacher to Alcock, 3 July 1884, Governor's despatch 147/1884, C.O. 874/237, f. 49.
  34. F.G. Callaghan had been appointed to assist Donop in 1881 at the Silam experimental gardens. Black, *A Gambling Style of Government*, p. 67.

35. Treacher to Alcock, 20 February 1884 and enclosures, Governor's despatch 52/1884, C.O. 874/236, ff. 281-282; Treacher to Alcock 9 September 1884, and enclosures, Governor's despatch 196/1884, C.O. 874/237, ff. 292-299.
36. Treacher to Alcock, 3 March 1886, Governor's despatch 37/1886, C.O. 874/240, f. 684.
37. Treacher to Alcock, 20 May 1886, Governor's despatch F (despatches from SS Paknam at sea), C.O. 874/241, ff. 427-431; and Treacher to Alcock, 16 July 1886 and enclosures, Governor's despatch Z(c), C.O. 874/241, ff. 667-676.
38. Pryer to Treacher, August 1883, enclosure, Treacher to Alcock, 31. August 1883, Governor's despatch 262/1883, C.O. 874/235, ff. 304-322.
39. Pryer to Malcolm J. Brown, 15 January 1886, enclosure, Treacher to Alcock, 5 March 1886, Governor's despatch 38/1886, C.O. 874/240, ff. 716-721.
40. Treacher to Alcock, 3 March 1886, Governor's despatch 37/1886, C.O. 874/240, f. 699. I. D. Black, "Inter-ethnic Relations and Culture Change under Colonial Rule: A Study of Sabah", G. N. Appell, (ed.), *Studies in Borneo Societies: Social Process and Anthropological Explanation*, Illinois: Center for Southeast Asian Studies, Northern Illinois University, 1976, pp. 27 and 43.
41. Black, *A Gambling Style of Government*, p. 48.
42. For a very good study of the interior uprisings and subsequent government action, see Black, *Ibid.*, pp. 81-107.
43. L. P. Beaufort, Acting Governor, to Alcock, 2 July 1891, and enclosure, Governor's despatch 192/1891, C.O. 874/251, ff. 515-519.
44. Pryer to Treacher, 13 September 1883, enclosure 1, Treacher to Alcock, 13 September 1883, Governor's despatch 266/1883, C.O. 874/235, f. 366; and Treacher to Alcock, 24 November 1883, Governor's despatch 351/1883, C.O. 874/235, f. 668.
45. See Chapter 4.
46. *Brief Daily Record by W. C. Cowie, (Managing Director of the British North Borneo Company) Of Matters In Connection With His Recent Mission To Borneo 1898*, London: William Brown and Co. N.D., p. 32, Handlist 916. 14 & S. 19, Rhodes House Library, Oxford.
47. A detailed account of Mat Salleh's struggle against the Company has been compiled by W. K. C. Wookey in his article entitled "The Mat Salleh Rebellion", *SMJ*, VII, December 1956, pp. 405-



450. The account here relies mainly on this compilation. Other writers include: K.G. Tregonning, "The Mat Salleh Revolt (1894-1905)", *JMBRAS*, XXIX, Pt. 1, 1956, pp. 20-36; C. N. Criswell, "The Mat Salleh Rebellion Reconsidered", *SMJ*, XIX, 1971, pp. 155-165, and Ian Black, *A Gambling Style of Government*, pp. 128-176.
48. The Inanam River was transferred to the Company by Sultan Hashim of Brunei and The Pengiran Bendahara on 5 August 1896. C.O. 874/54 Documents 13 and 14.
49. Wookey, "The Mat Salleh Rebellion", pp. 405-406.
50. Black, *A Gambling Style of Government*, p. 141.
51. Wookey, "The Mat Salleh Rebellion", pp. 406.
52. Tregonning, "The Mat Salleh Revolt (1894-1905)", p. 22.
53. Wookey, "The Mat Salleh Rebellion", p. 407. L. P. Beaufort served as governor of North Borneo from 1895 to 1900.
54. Wookey, "The Mat Salleh Rebellion", pp. 407-410.
55. For a sketch map of the Gaya Settlement before it was burned down by Mat Salleh, see page 192.
56. For a detailed account of the attack see Wookey, "The Mat Salleh Rebellion", pp. 413-418.
57. For a translation of the letter see *ibid.*, pp. 420-421.
58. *Brief Daily Record by W.C. Cowie*, p. 33.
59. *Ibid.*, p. 34.
60. The dependencies of Menggatal, Mengkabong, Api-Api, Simbulan, Napas, and Tembalang were the *tulin* of Pengiran Jalaluddin, son of Pengiran Rauf. Pengiran Jalaluddin transferred the said Rivers to the Company in an agreement signed on 23 March 1898. Sultan Hashim transferred his sovereign rights over this River to the Company on 30 March 1898. See C.O. 874/54 Documents 17 and 18.
61. *Brief Daily Record by W. C. Cowie*, p. 36.
62. Wookey, "The Mat Salleh Rebellion", p. 430.
63. Tregonning, "The Mat Salleh Revolt," pp. 20-21; Black, *A Gambling Style of Government*, pp. 128-130; Amarjit Kaur, "Hantu' and Highway : Transport in Sabah 1881-1963", *Modern Asian Studies*, 28, 1, 1994, pp. 17-33.
64. Black, *A Gambling Style of Government*, pp. 133-139.
65. Wookley, "The Mat Salleh Rebellion", pp. 431-432.
66. *Ibid.*, p. 439.

### The Making Of Sabah

67. For the final encounter at Tambunan see *Ibid.*, pp. 442-450.
68. *The Borneo Bulletin*, 11 March, 1978.
69. Tregonning, "The Mat Salleh Revolt", pp. 33-36.
70. E. W. Birch, *A Report Upon British North Borneo*, Sandakan: Government Printer, 1903, p. 6.
71. Wookey, "The Mat Salleh Rebellion", p. 416.
72. *Brief Daily Record by W. C. Cowie*, p. 34.

## ADMINISTRATIVE CONSOLIDATION AND THE RUNDUM REBELLION, 1900-1915

### Land Settlement, Taxation and Expansion Into The Interior

The beginning of the twentieth century represented a watershed in the history of Sabah. The death of Mohamad Salleh ended an era of armed resistance from the indigenous communities. The Company on its part, began consolidating its administration on a variety of fronts. It began expansion into the interior; formulated fundamental socio-economic policies in the field of land reform, taxation, legislation and education; and revitalized native administration.

The impetus for administrative consolidation came from the new Governor, E. W. Birch, who served for a short period, 1901-1903, but who left an indelible mark.<sup>1</sup> Birch felt that the pioneering stage was over and that the time had come for the government to review its whole policy of taxation so that both indigenes and foreigners were made to pay their rightful share in the maintenance of the state apparatus. He initiated a series of basic reforms which were to have a profound effect on indigenous society and administration.

The bases of indigenous wealth derived from fisheries, the collection of jungle produce, the ownership of boats, and land, came under government scrutiny as potential sources for taxation. Birch's basic philosophy was that the system of poll-tax hitherto imposed, based on a head count, was an unsatisfactory

method of taxation and advocated its substitution by a sounder one based on the modes of production.<sup>2</sup> In preparation for the new system a number of laws were passed whereby permits were required for the collection and purchase of jungle produce, all fishing stakes were licensed and all boats exceeding a length of eighteen feet were required by law to be registered.<sup>3</sup> Apart from the increased revenue anticipated, Birch had other reasons for instituting licences for boats. According to him:<sup>4</sup>

With a sea-roving population of piratical habits this system of numbering boats has proved invaluable quite apart from the fact that it imposes upon the natives of Borneo the duty of contributing towards the Government of the state.

As anticipated, the new licences increased the revenue of the state by over \$22,000.

The question of land rent, however, posed a major problem. Previous Governors, desirous of attracting planters, had sold large tracts of land outright at nominal prices without imposing any quit rent. Birch noted that neither Europeans nor locals were paying any land rent and commented on this exemption disapprovingly:<sup>5</sup>

While on the one hand hundreds of thousands of acres have been alienated without rent and are mostly in the hands of absentee Europeans, the natives have been allowed ever since the Charter to occupy as much land as they require without the payment of any rent or tax whatever.

As early as 1891, the Acting Commissioner of Lands, H. B. Talbot had in fact taken up the matter seriously. He wrote that the government had lost revenue by failing to impose quit rent generally on the inhabitants and planters and drew the government's attention to land settlement undertaken by Governor-General Cornwallis in Bengal and how such a scheme, if introduced in Sabah, would become the "bugbear", of the colony.<sup>6</sup> At the same time, he proposed the substitution of poll-tax, hith-

erto collected from the indigenous inhabitants, with quit rent. Governor C.V. Creagh replied that he himself was in favour of the proposals, but on encountering strong opposition from planters, the scheme was dropped in the interests of attracting capital to "a new and unpromising country".<sup>7</sup> Likewise, Birch came under similar pressure from the planting interests. Therefore, despite his concern about the large areas of non-rent paying land held by Europeans, Birch decided to introduce a land settlement scheme for the local people only. In 1902 a legislation called the "Abolition of Poll-Tax Ordinance" was passed which envisaged the gradual introduction of a system of land tenure among the local people in place of the prevailing system of poll-tax. It was hoped that the land tenure principle would enhance their attachment to the land and create greater industriousness among them.<sup>8</sup>

Birch felt that the new system of land taxation should be introduced gradually and diplomatically so as to avoid opposition. Published as Proclamation IX of 1902, the new law encouraged land-owners to take out titles, purportedly for their own benefit and without compulsion. However, it did not cover all aspects of native rights to land, although Notification 76 of 1888 and Proclamation XXIII of 1903 defined quite clearly what these rights were. They consisted of lands and trees owned individually or communally of the following descriptions: cultivated land, orchard land, grazing land, land on which the houses and shrines were standing, land used for burial purposes, isolated trees if they were fenced and a reserve of waste or unoccupied land adjoining their villages. In alienating land to European companies or Chinese settlers, the District Officer had been instructed to ensure that such reserve land was at least three times the area actually occupied or used by each village to allow for future expansion.<sup>9</sup> However, Birch's reforms only pertained to cultivated land and no provision was made concerning grazing and reserve lands. Moreover, in addition to a maximum quit rent of fifty cents an acre for cultivated land, a fee of two dollars was to be charged for every title taken out on each holding, irrespective of the number of holdings a peasant held. Exemption from poll-tax was granted

only to those whose quit rent and taxes (not duties) exceeded three dollars a year.

The new regulation imposed a heavy demand on the local people because their holdings were usually fragmented and each farmer had to pay a relatively substantial sum if he were to take out separate titles for each of them. What resulted was a haphazard implementation of the the scheme. Some natives took out titles paying quit rent, while others refused to do so and kept on paying poll-tax. The matter was compounded by an inadequately staffed Survey Department which surveyed the more accessible areas where the natives proved more cooperative and were more ready to apply for titles, while other areas did not claim their attention.<sup>10</sup> In many cases the responsibility of surveying fell on the District Officer who carried on such work with the help of his Native Clerk.<sup>11</sup>

By 1911 land settlement had been implemented only in the west coast districts of Putatan and Tuaran. Despite some initial opposition by the people, the scheme was successfully implemented here mainly because of wet rice cultivation in the area which meant that land was held more permanently. It was furthermore easier to survey such areas which were generally flat and the rice fields contiguous. The peasant could not frustrate government policy by reverting to shifting cultivation as there was little land left around them to permit such activity.<sup>12</sup>

With the exception of these two districts, no other district had been properly surveyed. In 1911 "the floundering land settlement" as the scheme came to be called, was taken up by Governor F. R. Ellis (1911-1912).<sup>13</sup> The Governor was disturbed by the inconsistent manner in which Birch's scheme had been implemented.<sup>14</sup> To remedy the situation he directed Residents and District Officers to start compiling registers of *padi* land so that the quit rent of fifty cents an acre could be extended to all such land. These instructions were conveyed by circular 1730/1912.

In the Kudat and East Coast Residencies, government officers reported serious problems in trying to implement Ellis' orders. The inhabitants of these regions were unable to compre-

hend the idea of individual titles. This was especially so where shifting cultivation prevailed. As the District Officer of Marudu observed in 1912:<sup>15</sup>

[There is] total lack of recognised private ownership in the padi lands: the village community is regarded as the owner: any sub-division made this year will not be recognised next year.

This was because each village owned six or seven blocks of land, one being used each year in rotation, the cycle being of seven years' duration in most cases. Moreover, villages were so scattered that locating *padi* land for purposes of compiling a register became physically difficult.<sup>16</sup>

In 1911 the government tried, for the first time, to introduce the land settlement scheme in the interior in the districts of Tambunan, Keningau, Tenom, Rundum and Pensiangan, where it encountered problems of a different nature. In addition to the difficulties described above, the company encountered universal opposition by the people. There was a severe drought in the interior in 1911 and 1912 which aggravated their stand. In Keningau, the opposition was led by one of the most influential traditional chiefs in the interior, Gunsanad. He organised the various chiefs in his district to send a petition to the government opposing the implementation of the land settlement scheme. The government acted against him by fining him.<sup>17</sup> In Tambunan, the agitation was led by another chief, Sebayai. Once again the government reacted harshly. Sebayai was removed from his appointment as a paid chief, fined and imprisoned.<sup>18</sup>

In the Rundum and Pensiangan districts, the heartland of the Murut, headmen actually started moving away with their village folk to Dutch territory. The District Officer of Rundum expressing fear that a general exodus over the border was likely to ensue, applied for the Murut country to be exempted from the tax regulation. A strong argument advanced by him for justifying the exemption was that the Murut, handicapped by his primitive

farming methods and geographical conditions, was hardly able to produce sufficient rice for subsistence. Furthermore, since *padi* cultivation represented the principal source of his livelihood, he could ill-afford to pay the land tax demanded by the authorities.<sup>19</sup>

Despite the pleas of the people and the District Officers more intimately acquainted with local affairs, the government chose to be adamant and continued to push the implementation. The Governor reiterated his stand and, in a minute dated 29 March 1913, he instructed his officers to order all native chiefs in the interior to register their villagers' claims to land within a specific period. Land not claimed would become state land and any person found occupying it was liable to be prosecuted.<sup>20</sup> The Resident of the Interior Residency aggravated the issue by imposing a three acre limit on the amount of land which could legitimately be cleared and claimed by each adult male.<sup>21</sup>

The Governor's orders created a furore among the people who cleared as much jungle as possible in a desperate attempt to lay claim to large holdings before all vacant land became technically gazetted as state land. In the process, the Resident's order on the limitation of land was totally disregarded as they were not used to the idea of land being limited. According to R. M. O. Cook, the Assistant District Officer of Melalap, the indigenous mind pertaining to land acquisition worked as follows:<sup>22</sup>

[A] man requires so much land for himself, so much for his son ... and so much for his son's son and so on 'ad infinitum'.

Villagers as a body began feverishly clearing jungle land. One Assistant District Officer, while on his rounds with the demarcator, found whole villages deserted. At the village of Mansilima he ordered a search to be made of the surrounding jungle.

He wrote:<sup>23</sup>



The head man deigned to put in an appearance. His non-appearance earlier he excused on the ground of 'oh sahaya potong-rentas *lagi* tuan' [sir I have been clearing *more* land]. I have underlined the word '*lagi*' on purpose as there were - I am alluding to kampong Mansilima - already apparently over 100 acres rentased [cleared], whereas 50 acres should have been the maximum. Hereupon commenced lengthy discussion. I tried the arts of persuasion but without success; I mentioned possible penalties only to be met with stony silence. I have emphasised the point that the Government's 'hukum-an' [orders] would, in spite of opposition, be carried out, only to receive such replies as 'Baik la tuan, jikalau Prentah kasi masok jail tidapa, kalau mati, tidapa juga'. [Alright sir, if the government puts us in prison never mind, and if we die, it is alright too].

The remarks of the headman of Mansilima village summed up the general feelings of the people in the districts of Tenom, Tambunan and Keningau. The people continued to defy government restrictions on the size of land ownership even at the risk of punishment. They were supported and led in their actions by the majority of the chiefs. Though the latter were almost all Government Chiefs, the administration had done little to cultivate their cooperation or to increase their authority among the people by creating the position of a paramount chief amongst them. Instead, the authorities felt more confident in enlisting the services of proven chiefs from among the coastal communities. Haji Jamaludin from the coastal areas of the west coast, for example, was appointed District Chief of Tenom. Though loyal and reliable, Haji Jamaluddin, not surprisingly, was unable to exercise the same influence among the interior tribes as amongst his own people.

Government opposition to unrestricted appropriation of land led the local chiefs of Tenom to confer with their counter-parts in Keningau where the most influential chief, Gunsanad, presided over the matter. On deliberation, the chiefs decided to broaden the base of passive resistance which Gunsanad had al-

ready started in 1911.<sup>24</sup> They decided not to cooperate with the government in putting forward claims, registration of titles and providing assistance to the demarcator. Without the help of the local chiefs, no work concerning land settlement could be carried out. The villagers followed suit and refused to indicate to government officials their lots of land. They very determinedly indicated that they would relinquish wet rice cultivation if the government persisted with its policy. The officer-in-charge of Keningau district thought the people would probably make hill clearings in the jungle to get just enough rice for survival, and this he felt would be detrimental to the development of the region.<sup>25</sup>

In August 1913, the new Governor, C. W. W. Parr (1913-1915) tried to win over the chiefs of the Tambunan and Keningau districts by personally meeting them at Tenom. The response was lukewarm and the Governor felt that passive resistance would continue for some time.<sup>26</sup> Parr himself was in favour of pushing the land settlement scheme more vigorously and went about organising its implementation in a more systematic manner. In 1913 he established a new department called the Land Settlement Department under a Settlement Officer with the purpose of specifically undertaking land settlement work.<sup>27</sup>

At this time the government was also speeding up the opening of the interior by the building of bridle paths, which were eventually to link the interior stations of Rundum, Pensiangan, Tenom, Tambunan and Ranau with the West Coast via the rail-head at Melalap. The aim was to open up the interior for prospective planters and Chinese settlers who were expected to start rubber and other cash crop small-holdings.<sup>28</sup> The demand for rice was expected to increase to the benefit of the interior natives who cultivated it. In furtherance of this policy the Village Administration Ordinance 1913 provided that natives were liable to be called upon to help in the construction of the bridle paths for a small fee.<sup>29</sup> The ordinance was applied to the fullest extent and a large number of the interior people were forced to work on the paths and telegraph lines in lieu of tax on *padi* land. Most people re-

sented the forced labour and even officers of the government were of the opinion that the work required of the people was totally disproportionate to the land tax payable.<sup>30</sup>

This was not the end of the woes of the interior people. The government decided to introduce an additional tax on *tapai* or rice beer which was manufactured by the Kadazandusun and Murut using rice and tapioca, and consumed in large quantities both individually and communally, in the latter case, usually during ceremonial feasts.<sup>31</sup> The idea of a tax on *tapai* was first mooted in 1911 by Sir Richard Dane. In his report he pointed out the extra revenue earnings to be accrued from a tax on *tapai* and the good effects it would bring through regulating drinking amongst the people. In addition to improving their health it was envisaged that the new regulation would help in the conservation of rice which could then be sold to the estates to reduce imports from abroad.<sup>32</sup> The government's intention was also to ensure that the liquors of the Excise Department were used more instead of the ones manufactured by the local people.<sup>33</sup> These remained the basic objectives of the government, though the question of revenue was predominant. In 1912 Governor Ellis began to pursue the question seriously and sought the comments of the Residents on the proposed regulation. Even at this stage, two of the Residents, A. B. C. Francis and F. J. Moysey, anticipated difficulties with the collection of the tax on *tapai*, particularly in the Interior Residency which would be most affected by the ruling. Ellis nevertheless submitted his proposal to the Court of Directors but he himself retired shortly after, leaving the matter to his successor, Parr.<sup>34</sup>

In 1913 Parr imposed a *tapai* tax on the ingredients, primarily rice and tapioca, which went into the manufacture of *tapai* instead of a tax on the product itself which was often manufactured secretly. As an incentive to implement the regulation, Native Chiefs and Headmen who were expected to collect the tax were allowed to retain ten per cent of it as commission as in the case of poll-tax. Although only limited earnings were expected initially from the scheme, he believed the system could be per-

fected and, in the long run, was expected to yield a substantial income for the government.<sup>35</sup>

The scheme was implemented on 1 January 1914 and administrative officers of the various residencies noted a marked variation in the local response between the coastal and interior people, and between Muslims and non-Muslims. Among the Muslims, who were mainly settled along the coasts, there was little reaction as the tax on liquor would not have affected them. Only in those coastal areas where there was a substantial Kadazandusun population, as in the districts of Tuaran and Papar, was there any opposition. In the interior, where the population was mainly of the non-Muslim Kadazandusun and Murut stock, the new tax provoked violent hostility everywhere. It became clear too that just as in the case of the land tax, the Native Chiefs and Headmen themselves were opposed to the imposition of taxes on native liquor, despite a ten per cent commission allowed them. Governor Parr, bearing in mind that no policy could be effectively carried out without the cooperation of the interior chiefs, tried to win over the most influential of them, Gunsanad of Keningau. He was promised a raise in salary on condition he assisted with the land settlement work and in the collection of the tax on native liquor. The Governor also offered a remission of quit rent on anything up to five acres of land to other chiefs who cooperated in implementing the land settlement scheme.<sup>36</sup>

The bribe did not have the desired result. Not only Gunsanad, but other prominent Chiefs and Headmen, including Pawan of Keningau and Duaun of Papar remained adamant and were either reluctant or unwilling to collect the tax. Field officers further reported the general hostility of the people and the lack of any apparent effect of the tax on promoting the conservation of food. A further exodus of the population to the border was expected and there was a hint of trouble. A report predicted:<sup>37</sup>

It [the *tapai* tax] would almost certainly be a real or alleged excuse for any native unrest or trouble in the future.

Yet, the higher ranking officials such as E. H. Barraut, Resident West Coast and H. W. L. Bunbury, Resident of the Interior, urged for the retention of the new tax. It was in the Interior Residency where the new tax was most pertinent that it was most rigidly imposed and an alarming number of evaders were prosecuted.<sup>38</sup>

The government was relentless in passing new legislation which drastically affected the livelihood of the people, especially those of the interior regions. In October 1913 the "Ladang Ordinance" was passed with the aim of preventing the destruction of "valuable timber and forest" in the state and encouraging permanent forms of agriculture among the indigenous people. With the exception of secondary forest of five to six years of age, the people were forbidden from felling primary forest, even for the purpose of growing dry or hill *padi*. For every new clearing that the native wished to make in primary forest, he was required to obtain a permit and pay a fee of at least fifty cents on every acre cleared. A breach of the law entailed a fine of twenty-five dollars and Chiefs and Headmen who condoned such practices would be similarly fined.<sup>39</sup>

The ordinance was a serious blow to the shifting cultivator who depended on primary forest land for fresh and fertile clearings after having worked and exhausted one piece of land for a maximum period of six or seven years. The ordinance, in effect, limited his activities to the very piece of land which he no longer considered productive. In addition to the anger and resentment that such a policy created amongst the interior peoples who were mainly shifting cultivators, the repeated usage of such land over a period of time reduced it to waste land. In 1949, H. G. Keith wrote:<sup>40</sup>

If however Shifting Cultivation continues these areas of secondary forest are reduced to scrub which again may improve in time if not subjected to further clearing, but such areas if subjected to fire and further clearings, are rapidly reduced to coarse grass areas.

## The Rundum Rebellion

By 1914 events began to indicate that the new government policies were creating serious dislocation amongst the interior peoples. The inhabitants of Tambunan and Keningau districts had resorted to passive resistance, but the Murut people of Rundum District began to react violently. Both Governors Parr and A. C. Pearson (1915-1920) reported that the *tapai* tax and the *ladang* ordinance had not been enforced in the Rundum District, but W. J. Worth who compiled the "Memorandum on the Unrest in North Borneo" in 1915 wrote:<sup>41</sup>

It seems possible the agents entrusted with collection of this revenue either did not thoroughly understand their orders, or else overcharged and retained a proportion of the proceeds for themselves... supervision of agents in remote and scattered districts is extremely difficult.

The first sign of serious trouble came in June 1914 when Belayong, a Murut Headman rebelled against the government on being required to construct a stretch of the bridle path connecting Rundum and Pensiangan. He built a fort on the Tagul River, but this was quite easily destroyed by government forces, though Belayong was never captured.<sup>42</sup> This was followed in February 1915 by an incident in which local Murut recruited to work on the said bridle path were suddenly found missing. The Acting District Officer of Rundum N. B. Baboneau reported serious trouble in the district and wrote:<sup>43</sup>

The rising is universal and not a single village or even individual is loyal to Government.

Soon the government found itself faced by a full-scale rebellion led by the Murut, known as the Rundum rebellion. A similar, though less serious affair also erupted in the Kota Belud, Pandasan and Marudu regions.<sup>44</sup> In February 1915 the Murut attacked and

burnt Pensiangan station. On 6 March, a force, six to seven hundred strong, attacked Rundum but were repulsed with twelve of them killed. It was soon learnt that the Murut had rallied around a great leader Antanum who, not unlike the Mat Salleh of the 1890s, possessed charisma and proved a military genius. He had even built a fort on the Selangit River, in the style and structure of Mat Salleh's forts: well protected, fairly impregnable, with internal chambers interconnected and dug into a hill side. He was able to arouse the whole Murut population and received tribute, fighting men and moral support from chiefs and villagers from around Keningau, Tenom, Pensiangan and Rundum. In the fort itself he had gathered a resistance force about nine hundred strong.<sup>45</sup>

The government organised a strong military expedition under Bunbury and Baboneau which waited at Rundum while scouting parties surveyed the fort. By 26 March 1915, the party returned after locating the fort and reported that all along the way, rest houses, bridges, and telegraph posts had been destroyed and telephone wires and insulators for about fifteen miles south of Rundum had disappeared. Many Murut villagers were also reported to have been deserted. The government force at Rundum was strengthened with the arrival of additional police and a seven pounder gun. The fort was attacked on 14 March and shelled continuously. The rebels replied with rifle and cannon fire which used the telephone wire and insulators as shot. The government troops were also constantly harassed from the rear by Murut bands in the jungle. The seven pounder was unable to inflict much damage to the fort, but after three days of continuous bombardment the rebels put up white flags. Negotiations were carried out by emissaries sent by Bunbury, which led to the surrender of Antanum and two of his right-hand men, Kalur and Ansokul. They were, however, immediately shot after a summary trial. Incensed by this treatment of their leader, the rebels in the fort continued the struggle. The police eventually managed to set fire to some bamboo huts surrounding the fort which led to a rush for escape and in the melee which ensued some three hundred

and fifty to four hundred were shot dead by the police. The remaining three hundred or so refused to surrender or leave the fort and Bunbury decided that further slaughter was useless since the backbone of the rebellion had been broken, and ammunition was running out. Bunbury decided to leave with the attacking force after reminding the remaining rebels to come and submit to government at Rundum.<sup>46</sup>

Bands of Murut continued sporadic resistance for many months to come.<sup>47</sup> Conditions everywhere were unsettled and the country was practically deserted. Bunbury wrote:<sup>48</sup>

It was the general opinion that the people of this district would now scatter and that it would be unlikely that we should be able to get in touch with them at once.

The authorities made a concerted effort to call back the Murut from across the border. Jamaludin was sent for this purpose and succeeded in bringing a few of the chiefs, who seemed extremely suspicious of the government and appeared shaken and shocked at the misfortunes that had struck their community.<sup>49</sup>

It became obvious from the testimony of the rebels and those chiefs who returned from the border that the rebellion was caused by grievances pertaining to the *ladang* tax (the fee of fifty cents charged for every acre or primary forest cleared), the *tapai* tax, and the heavy demand for labour by the government for bridle path construction and transportation.<sup>50</sup> Moreover, the Murut had become economically destitute because of a long drought which had lasted for a few years and the fall in the demand for jungle produce as a result of the outbreak of the First World War.

There was also what Ian Black calls the "millenarian dimension" to the uprising.<sup>51</sup> The Murut discussed their misfortunes and attributed it to the coming of the government and its activities which were believed to have caused a disturbance in the cosmos. The curbing of head-hunting and the construction of paths and telegraph lines were thought to have upset the spirits of the ancestors symptomised by the drought.<sup>52</sup> The Murut were look-



ing for a messianic figure, when Antanum, till then an unknown personage, appeared on the scene. He claimed to have had a dream of his mission and purported to have supernatural powers to bring dead ancestors to life, produce food, and drive the Company's government out of Murut country. People, to whom hope for the future was gone and who felt that the whole fabric of social life was being gradually eroded by external forces, were easily influenced by such a messianic figure. All over the Murut country Chiefs and Headmen paid tribute to him and supplied him with fighting men. They destroyed their houses and livestock, burnt their crops, and either joined him or left the country.<sup>53</sup>

The uprisings had a devastating effect on the interior of Sabah for decades to come. The countryside remained unsettled and deserted. Despite the knowledge that the Murut population had dispersed, and that it was urgent to bring them back, the government was reluctant to adopt a conciliatory policy. The amnesty contained harsh provisions amongst which the Murut were required to complete the bridle path to Pensiangan, rebuild Pensiangan station, complete the telegraph line and pay for all the wire and insulators stolen.<sup>54</sup> On top of this the land settlement scheme was relentlessly pursued with the result that the remaining population, cowed and frightened, gradually submitted to government pressure. The work of demarcating *padi* lands was thus completed in Tambunan and Keningau in 1917<sup>55</sup> and, in 1918, the system of collecting *tapai* tax was revised. The new system benefited the government as it imposed a flat tax of fifty per cent of the total quit rent on *padi* lands of each village regardless of how much rice was actually used in the preparation of the drink or whether, in fact, every *padi* land owner prepared *tapai*.<sup>56</sup> In 1935 the Surveyor-General, T. J. H. Speedy, criticised the land settlement on the grounds that the demarcation was extremely inaccurate and called for a re-survey of native holdings on a more scientific basis.<sup>57</sup> The Commissioner of Lands W. Macaskie, however, defended the scheme. He wrote:<sup>58</sup>

The defunct Land Settlement Department needs no apologist. Its work was done at a minimum of cost and has proved a satisfactory basis for the administration and taxation of native padi lands for the past twenty years.

Despite serious opposition by the local inhabitants, the government had, in the long run, reaped good revenue. From an income of \$45,637 in quit rent on *padi* lands in 1915, the revenue increased to \$153,055 in 1924.<sup>59</sup>

In other than financial terms as well, the Murut paid heavily. The most devastating consequence was that their population began to decline significantly and there were even real fears in the 1930s of their eventual extinction. From a figure of 27,226 persons in 1911, the Murut population dropped to 24,444 in 1931.<sup>60</sup> There was a similar, though smaller drop in the Kadazandusun population of the interior as well. In addition to the 1915 uprisings which mainly contributed to this state of affairs, other socio-economic changes were also responsible. Even as early as 1909 it was noted that the exodus of young men to rubber estates for long periods had effected a low population growth amongst the interior peoples.<sup>61</sup> The problem was summed up by Dr. Alex J. Copeland, who had served as District Surgeon in the interior of Sabah for many years, in an article written by him in 1935 entitled "The Muruts of North Borneo: Malaria and Racial Extinction".<sup>62</sup> In a letter he wrote to the Colonial Office enclosing the article, he urged for concerted action to arrest the population decline amongst the Murut. He pointed out that an emergency was in existence in the interior of Sabah as the Murut population had declined to as low as 12,000. He attributed the problem to malaria and government taxation. He declared that the tax which was "imposed upon them (with the alternatives of imprisonment or forced labour) is a scandal and should be abolished."<sup>63</sup>

When the Colonial Office referred the matter to the Directors of the Company, they in turn, instructed the new Governor, D. J. Jardine (1935-1937), to give his attention to the matter. The Court also arranged for the services of Dr. J. O. Shircore, for-

merly director of Medical and Sanitary Services, Tanganyika, to compile a report suggesting remedial action.<sup>64</sup> The committee set up under him prepared a lengthy report which concluded that malnutrition and disease, among other factors were the causes of depopulation and suggested remedial measures.<sup>65</sup> Though the report did not explicitly suggest that the quit rent, *tapai* tax and forced labour were the main causes of malnutrition, it implied that government intervention had destroyed the basis of Murut life. The administration now had to approach the problem in a different way; through the improvement of health and agricultural facilities. The new approach began to bear fruit, but only gradually. The Murut population began to stabilize once more and in 1970 numbered 31,299 persons, showing an increase of about seven thousand over the 1931 count.<sup>66</sup>

NOTES

1. E. W. Birch was the Resident of Negeri Sembilan before his appointment as Governor of North Borneo. Tregonning, *A History of Modern Sabah (North Borneo) 1881-1963*, Singapore: University of Malaya Press, 1965, p. 59.
2. The poll-tax was only paid by natives, usually \$1 per adult male, annually. However, it was not uniformly imposed or collected. On the West Coast the tax was not collected in Province Dent as promised by Governor H.W. Treacher and stipulated by his Proclamation of 26 September 1886. On the East Coast, too, the population was exempted. This was because the majority of the inhabitants were sea-faring. The tax had to be waived to encourage them to take up land for cultivation and settle permanently. The tax had been collected in the absence of any legislation until the Proclamation of 1911 was passed. Sir Richard Dane, *Report on the Administration of North Borneo 1911*, London: William Brown & Co., C. 1911, pp. 27-30.
3. E.W. Birch, *A Report Upon British North Borneo*, Sandakan: Government Printer, 1903, pp. 21-22.
4. *Ibid.*, p. 22. Birch was referring to the East Coast natives. As they paid no poll-tax, the boat licensing fees was intended to affect them more than any other group of people.
5. *Ibid.*, p. 21.
6. H. B. Talbot, Acting Commissioner of Lands to the Government Secretary, 16 April 1891, enclosure F. L. P. Beaufort, Deputy Governor to Alcock, 25 April 1891, Governor's despatch 114/1891, C.O. 874/251, ff. 197-203.
7. Governor C. V. Creagh's minute, 18 April 1891, *Ibid.*, f. 204. C. V. Creagh was Governor from 1888 to 1895. L. P. Beaufort was Deputy Governor from 1891-1892, and Governor from 1895 to 1900.
8. *The Ordinances of the State of North Borneo, 1881-1926*, Singapore: The Malaya Publishing House, n.d., pp. 145-146.
9. Dane, *Report on the Administration of North Borneo*, pp. 27-28.
10. *Ibid.*, pp. 28-31.
11. J. Maxwell Hall, District Officer Marudu, to H. Hastings, Resident Kudat Residency, 24 September 1912, enclosure, Resident,

- Kudat Residency, to Government Secretary, 18 October 1912, Settlement of Native Lands, Sabah State Archives Secretariat File (SSASF) 02453, enclosure K.
12. Annual Report on the Land Office, West Coast, 1908, by A. R. Dunlop, Resident West Coast, enclosure, *Administration and Annual Reports 1908*, C.O. 648/1, ff. 25-26.
  13. F. R. Ellis was the former Auditor General in Ceylon. The Chartered Company wanted his services as he was thought to have a unique expertise in matters of taxation, labour and land, and wished him to deal specifically with the land settlement question and excise duties in Sabah. With the approval of the Colonial Office he was appointed Governor in December 1911. After a short stint he went on furlough in June 1912 and retired while in England. The Colonial Office did not think of him as a particularly able officer. Stubbs noted that Ellis was called Auditor General because he audited nothing in particular, remarking that "the only phrase that will describe him properly is 'silly old ass'!" Secretary BNBC, to the Under Secretary of State, Colonial Office 26 July 1911; and Stubbs' minute of 27 July 1911, C.O. 531/3, file 24541, ff. 140-141; and *Administration and Annual Reports 1912*, C.O. 648/5, f. 13.
  14. Governor F. R. Ellis' minute, 11 June 1912, Settlement of Native Lands, SSASF 02453, enclosure A.
  15. J. Maxwell Hall, District Officer, Marudu to H. Hastings, Resident, Kudat Residency, 24 September 1912, enclosure, Resident, Kudat Residency to Government Secretary, 18 October 1912, *Ibid.*, enclosure K.
  16. Resident, Kudat Residency to the Government Secretary, 8 August 1912; Acting Resident East Coast Residency to the Assistant Government Secretary, 30 August 1912, *Ibid.*, enclosures C and I.
  17. Annual Report on Tenom District and the Interior Residency 1912, by A. B. C. Francis, *Administration and Annual Reports 1912*, C.O. 648/5, ff. 100-101.
  18. Annual Report on Tambunan District 1913, by A. U. Gabb, Acting Assistant District Officer, *Administration and Annual Reports 1913*, C.O. 648/6, f. 155.
  19. Acting Resident Interior Residency to the Government Secretary, 5 September 1912, and enclosure, Settlement of Native Lands, SSASF 02453, enclosure J.

20. Governor's Minutes, 29 March 1913, *Ibid.*
21. Acting District Officer, Tenom, to the Government Secretary, 21 May 1913, *Ibid.*, enclosure P, 1.
22. R. M. O. Cook, Assistant District Officer, Melalap, to Resident Interior Residency, 30 April 1913, enclosure, Acting District Officer Tenom (for Resident Interior Residency) to the Government Secretary, 21 May 1913, *Ibid.*, enclosure P, 3.
23. *Ibid.*, enclosure P, 2.
24. Annual Report on Tenom District and the Interior Residency 1912 by A. B. C. Francis, *Administration and Annual Reports 1912*, C.O. 648/5, f. 101.
25. Acting District Officer Keningau to the Resident Interior Residency, 18 May 1913, enclosure, Resident Interior Residency to the Government Secretary, 21 May 1913, Settlement of Native Lands, SSASF 02453, enclosure Q, 4.
26. Extract from Governor's confidential letter to the Chairman, BNBC, 9 August 1913, C.O. 874/796, f. 6a. C. W. C. Parr was a member of the colonial service and the Company obtained his temporary services as its Principal Representative in Sabah in March 1913. Parr had had a long career in the Malay States. He began as a junior administrative officer in Perak in 1889 and held various posts until September 1911 when he became Acting British Resident of Negeri Sembilan. For a detailed record of his services see Secretary BNBC to Chairman BNBC, 6 January 1913 and enclosure; and, letter from Henry Lambert, for the Under Secretary of State, Colonial Office to the Secretary BNBC, 15 February 1913, C.O. 874/750 ff. 1,2, and 24.
27. Extract from Governor's confidential letter to Sir West Ridgeway, Chairman, BNBC, 13 May 1913, C.O. 874/796, f. 2; and A. C. Pearson, Governor, to President, BNBC, 22 March 1921, Governor's despatch 240/1921, C.O. 874/797, ff. 74-76.
28. Administration Report 1911, *Administration and Annual Reports 1911*, C.O. 648/4, f. 15.
29. For more details on this ordinance see Chapter 9.
30. Acting District Officer Keningau to the Resident Interior Residency, 18 May 1913, enclosure, Resident Interior Residency to the Government Secretary, 21 May 1913, Settlement of Native Lands, SSASFD 02453, enclosure R, 1.

31. A comprehensive document on the *tapai* tax is *Memorandum on Taxation of Native Liquors*, Sandakan: Government Printer, 1914, pp. 1-9.
32. Dane, *Report on the Administration of North Borneo*, pp. 40-41.
33. Mr. Penney (the Excise Commissioner) to Residents, 1912, extract in Chairman to Governor, 28 November 1913, Court's despatch 799/1913, C.O. 874/338.
34. *Memorandum on Taxation of Native Liquors*, p. 1.
35. Parr to Chairman, BNBC, 29 September 1913, Governor's despatch 673/1913, C.O. 874/289.
36. *Memorandum on Taxation of Native Liquors*, p. 3; and Parr to Ridgeway, 25 November 1913, C.O. 874/796, f. 15 b.
37. *Memorandum on Taxation of Native Liquors*, p. 8.
38. *Ibid.*, pp. 5 and 7.
39. *The Ordinances of the State of North Borneo 1881-1926*, p. 212; "Memorandum on the Unrest in North Borneo" by W. J. Worth, enclosure, Ridgeway to A. C. Pearson, Governor, 29 July 1915, C.O. 874/834, Court's despatch 370/1915, ff. 119-120.
40. H.G. Keith, *Shifting Cultivation in North Borneo 1949*, Sandakan: Government Printer, 1949, p. 11.
41. "Memorandum on the Unrest in North Borneo" by W. J. Worth, enclosure, Ridgeway to Pearson, 29 July 1915, Court's despatch 370/1915, C.O. 874/834, f. 119; Court's despatch and Parr to the Chairman, BNBC, and enclosures, 11 April 1915, C.O. 874/834, f. 86 a.
42. Extract from Governor's letter to the Chairman, BNBC, 20 June 1914, Parr to Chairman, BNBC, 27 June 1914, and enclosure. Governor's despatch 480/1914, C.O. 874/834, ff. 67-68.
43. N. B. Baboneau to Resident, Interior Residency, 19 February 1915 and 27 February 1915, C.O. 874/834, f. 8a. Also see Ian Black, "The Rundum Rebellion of 1915 in Sabah: Millenarianism and Social Protest", Paper presented at Seminar Sejarah dan Masyarakat Sabah, Kota Kinabalu, 12-16 August 1981, pp. 1-31.
44. The uprising on the north west coast of Sabah had its origins in Marudu Bay where a local chief, Kulindad, had tried to incite a revolt. There was little support in Marudu Bay, so that the focus shifted to Pandasan and Kota Belud, where the Bajau were unhappy about the land settlement scheme. Hearing that a party of about one hundred and fifty rebels were gathered at Pandasan and

- were making preparations to attack the government station at Kota Belud, the Governor sent a strong force under Barraut. In the encounter, some rebels were killed, while others fled, and the uprising was soon over. Pearson to the Chairman, BNBC 27 April 1915 and 5 May 1915 and enclosures, Governor's despatches 237/1915 and 272 1915, C.O. 874/834, ff. 90a and 96.
45. Pearson to the Chairman, BNBC, 5 May 1915, and enclosures, Governor's despatch 273/1915, C.O. 874/291 and C.O. 874/834; F. W. F. Fraser, Officer Administering the government, to the Chairman, BNBC, 22 September 1915, Governor's despatch 706/1915, C.O. 874/291 and C.O. 874/834.
  46. H. W. L. Bunbury, Resident Interior Residency, to Government Secretary, 28 March 1915; 9 April 1915, and 24 April 1915, enclosures, Pearson to the Chairman, BNBC, 5 May 1915, Governor's despatch 273/1915, C.O. 874/834, f. 97.
  47. A band of Murut killed an overseer and seven telegraph coolies near Mesopo (near Keningau) in late April 1915 and probably took their heads. Pearson to the Chairman, BNBC, 5 May 1915, Governor's despatch 271/1915, C.O. 874/834, f. 95.
  48. Bunbury, Resident Interior Residency to the Government Secretary, 6 May 1915, enclosure, Pearson to the Chairman, BNBC, 16 June 1915, Governor's despatch 387/1915, C.O. 874/834, f. 112.
  49. Pearson to the Chairman, BNBC, 26 May 1915, Governor's despatch 320/1915, C.O. 874/834, f. 100.
  50. Pearson to the Chairman, BNBC, 5 May and 26 May 1915, Governor's despatches 273/1915 and 320/1915, C.O. 874/834, ff. 97 and 100.
  51. Black, "The Rundum Rebellion of 1915", pp. 21-22.
  52. Concerning the drought and the people's perception of it in 1914, the *British North Borneo Herald* reported: "As a result ... nearly all the padi crops are ruined and most natives are without food of any kind. By many this almost unprecedented drought is attributed to the new bridle path being constructed through their virgin jungles to Pensiangan and the Tagul", *BNBH*, 3 November 1914, extract in C.O. 874/834, f. 77.
  53. Fraser to the Chairman, BNBC, 8 September and 22 September 1915, Governor's despatches 657/1915 and 706/1915, C.O. 874/834.



54. Fraser to the Chairman, BNBC, 8 September 1915, and enclosure, Governor's despatch 657/1915, C.O. 874/834, f. 125.
55. Annual Report on the Interior Residency for 1918 by H. W. L. Bunbury (Resident) *Annual Reports 1918, Supplement to the Official Gazette*, 1 November 1919, C.O. 648/8, f. 292.
56. Annual Report on Tambunan District by C. F. Skinner (D.O.), *Ibid.*, f. 303.
57. "Memorandum on the Re-survey of Native Holdings" by T. J. H. Speedy, enclosure, W. Macaskie, Commissioner of Lands, to Government Secretary, 26 April 1935, Settlement of Native Lands, SSASF 02453.
58. W. Macaskie's minutes of 27 May 1935, enclosure, *Ibid.*
59. *Administration and Annual Reports 1924*, C.O.648/10, f. 8.
60. See Chapter 1.
61. Agriculture Report 1909 by A. C. Pearson, Acting Commissioner of Lands, *Administration and Annual Reports 1909*, C.O. 648/2, f.31.
62. The article was published in *The Lancet* (25 May 1935, London).
63. Dr. Alex J. Copeland to Sir Thomas Station, Chief Medical Adviser to the Secretary of State, Colonial Office, 16 July 1935 and enclosure, C.O. 531/25/8, enclosure I, ff. 12-22.
64. Neill Malcolm to Sir John E. Shcukburg, 11 August 1935, C.O. 531/25,8, enclosure 3, ff. 7-10.
65. *The British North Borneo Herald and Financial Record*, LIII (1935) pp. 210 and 250-252; J.O. Shircore, *Report on Native Health with Special Reference to the Sociological and Economic Factors bearing on the Depopulation Problem of the Interior and West Coast, North Borneo*, Sandakan: Government Printer, 1937, pp. 1-44.
66. *Statistical Handbook Sabah 1971*, Kota Kinabalu: Department of Statistics, Malaysia, 1972, pp. 28-31. For further information on the problem of depopulation see L. W. Jones, "The Decline and Recovery of the Murut Tribes of Sabah", *Population Studies*, XXI, ii, 1967, pp. 133-157; L. T. Ride, "The Problems of Depopulation, with special reference to British North Borneo", *Population*, November, 1934; and I. Polunin, "Infertility and Depopulation: A Study of the Murut Tribes of North Borneo", *The Lancet*, November 1958.



## CAPITALIST ENTERPRISE AND INDIGENOUS SOCIETY, 1900-1941

### The Rubber Industry and Native Lands

In its efforts to encourage capitalist enterprise in the planting industry the Company initially made efforts to attract tobacco planters by adopting a liberal land policy and by encouraging Chinese immigration for labour. By the last decade of the nineteenth century, tobacco became one of the major exports of Sabah, but by the early years of the twentieth century the industry declined considerably.<sup>1</sup> Planters then turned to rubber which began to assume importance from about 1906.<sup>2</sup>

Unlike tobacco, the rubber industry had a great impact on indigenous society. The majority of the tobacco estates were opened up in remote areas such as the Kinabatangan, the Sugut and the Labuk on the east coast and the Marudu Bay region to the north. In the rush for land during the tobacco boom, the Company found it convenient to alienate large tracts of land in those areas where the population was sparse. Rubber companies on the other hand, began to concentrate their planting activities on the west coast, the most densely populated area in Sabah. Apart from the availability of suitable rubber land in this region, rubber companies had two other major considerations for concentrating on the west coast. One was that it was advantageous in terms of transportation to acquire land close to the railway line, which extended from Jesselton [Kota Kinabalu] to Tenom in the interior.<sup>3</sup> Labour requirements were another consideration.

Chinese labour was not only expensive but difficult to obtain, particularly in the case of rubber as they preferred to work on the tobacco estates and coal mines. Rubber companies, therefore, were obliged to depend on Javanese and indigenous labour and thus found it convenient to acquire land closer to the centres of indigenous population.<sup>4</sup> As a result of the rush for rubber land, European estates were quickly opened up on the west coast at Menggatal, Papar, Beaufort and Tenom. As early as 1909 seventeen such estates had emerged on the west coast.<sup>5</sup> In the process, the Company's government, blinded by the prospect of reaping large revenues from a prosperous rubber industry, alienated large tracts of prime native land to European companies. This amounted in 1911 to about a hundred thousand acres on the west coast.<sup>6</sup>

The indigenous communities of the west coast, especially the peasant Kadazandusun reacted sharply to the land alienation. Feeling threatened and outraged, they decided to protest against government action. In 1910, the Kadazandusun inhabitants of Papar, under the leadership of one Simon, sent a petition to the Governor of the Straits Settlements, Sir John Anderson. The crux of their complaints was that large tracts of their lands, which the government had chosen to designate as state land, had now been sold to foreign companies. They disputed the government's classification of these lands as state lands contending that these were traditional communal lands. They maintained that even though not all of these were *padi* lands, they constituted communal grazing and burial groups which the Company's government had in the past promised to treat as native reservations.<sup>7</sup> They contended that native rights had been flouted and, in the name of justice, demanded the return of these lands with suitable compensation for destruction brought by the rubber estates to fruit trees, straying domestic animals and desecration of graves.<sup>8</sup> Governor E. P. Gueritz (1903-1910) advised the British government not to intervene until the petitioners had submitted their case to the Judicial Commissioner's court in Sabah.<sup>9</sup>

The petition, in the meantime, prompted the government to send its officers to investigate the complaints at Papar. G. C.

Woolley, one of the officers sent to investigate, observed that the Kadazandusun did not customarily fence graveyards, a practice which made it extremely difficult to locate and identify them, especially those which had been abandoned. The lack of knowledge on the part of rubber estate owners concerning the existence of such graveyards had led to the accidental uprooting and removal of burial jars, which Woolley acknowledged contravened Kadazandusun *adat*.<sup>10</sup> The Papar Kadazandusun were unhappy over the investigation as they felt that the question of the identification of graveyards would not have arisen if the lands had not been alienated in the first place. They subsequently took the matter to court which made a biased ruling in the government's favour. The land was not to be returned, but a small compensation was to be paid for fruit trees destroyed and destruction caused to burial jars.<sup>11</sup> The government labeled this case as the "notorious Papar land case" and was jubilant at the outcome as it curbed the protest of the local populace. The dissatisfaction, on the other hand, spread to other areas and the government received petitions from the inhabitants of Membakut and Putatan on the issue of land alienation to foreign companies. In these two areas the authorities were more fortunate as compensation was readily accepted.<sup>12</sup>

In the meantime, the Colonial Office was unhappy over the events taking place in Sabah. Lewis Harcourt, the Under Secretary of State wrote to the Company's office in London stating that he could not "think that it is consistent with public policy to dispossess natives of their fruit gardens and even of their graveyards to make room for a rubber plantation". This prompted the Company's administration to introduce a new land proclamation which purported to further safeguard indigenous rights.<sup>13</sup> The Colonial Office was still not satisfied and wanted an outright ban on the alienation of indigenous lands on which graves existed.<sup>14</sup> These instructions were subsequently conveyed by the Company to all its officers in Sabah.<sup>15</sup>

By 1913, the agitation was spreading to other areas and concerned more issues. On 7 November 1913, the inhabitants of Membakut, Bongawan, Papar, Putatan, Kinarut and Kimanis sent

a joint petition addressed to the Colonial Office. It contained grievances of a similar nature to those expressed in the 1911 petition by the Papar Kadazandusun, but highlighted two additional issues. One concerned the introduction of a new licence for felling timber, and the other, the boat licence which had been imposed in 1902 by Governor Birch. The inhabitants argued that they did not have to take out a timber licence in the past. Further, they said, the imposition of licences for boats was also unfair as boats were a necessity for personal transportation. They urged the British government to take over the administration from the Company.<sup>16</sup> In response, the Colonial Office ordered the Company to conduct an investigation which was accordingly undertaken by Governor Parr.<sup>17</sup> Meanwhile, the Anti-Slavery and Aborigines Protection Society had also taken up the issue of the dissatisfaction of the indigenous people of Sabah and questioned the Company on the matter.<sup>18</sup> In his report Governor Parr took pains to explain that the complaints of the petitioners, with a few exceptions, were generally unfounded and that the Company had taken adequate measures to protect the interests of the indigenous people of Sabah.<sup>19</sup> The Colonial Office felt that Parr's report was unbiased and accordingly informed the petitioners through the High Commission for Borneo that there was no case for intervention by the British government.<sup>20</sup>

In fact, during the rush for rubber land concessions from 1909 to 1911, foreign companies had acquired sufficient land to last them for the next two decades. Out of about 150,000 acres of land sold to rubber companies in the whole state, only about 30,000 acres had been planted by 1914 and 72,000 by 1931.<sup>21</sup> After 1914, very little new land was actually sold to European rubber companies. The encroachment on indigenous lands after this period came from another source, the Chinese. The Chinese population in Sabah had increased from about 7,000 persons in 1891 to 26,000 in 1911 and 37,000 in 1921.<sup>22</sup> It consisted of two main categories, the labourers on the tobacco estates and coal mines, and the settlers, the latter concentrated mainly on the west coast. The settlers, seeing good money in the rubber industry, took to

small holdings from about 1915. Some of the indigenous communities, such as the Kadayan of Sipitang and the Kadazandusun of Papar and Kimanis, also ventured into the field but the Chinese remained the major owners of small holdings. The area under small holdings increased from scarcely 4,000 acres in 1918 to 44,000 acres in 1931, accounting for more than sixty per cent of the total area under rubber cultivation in the latter year.<sup>23</sup>

As the Chinese of the west coast ventured into rubber small holdings, they began to acquire increasingly more land from the indigenous people. The local inhabitants were willing to dispose some of their land to the Chinese for various reasons. Unlike acquisition of large tracts by rubber estates which involved a land containing graveyards and grazing grounds for which no compensation was paid, quick short-term profits could be made by the local inhabitants by selling selected pieces of land to the Chinese. Moreover, many young men were attracted by the wages offered by rubber estates. They preferred to abandon rice cultivation in favour of working for wages, in which case the rice lands were either left in the care of the women or else sold off or leased to the Chinese. In 1909, A. C. Pearson, the Acting Commissioner of Lands noted in his report on agriculture that *padi* cultivation on the west coast would decline in the future. One of the major reasons he sighted was as follows:<sup>24</sup>

The expansion of European planting enterprise is absorbing annually a larger proportion of the adults of the agricultural population. Many Dusun even now only return to their villages at harvest time. All the preliminary planting and tending of the *padi* is done by the women and as ready money becomes a more easily acquired commodity, and the husbands fall victims to the pernicious system of long contracts with big advances, so the people will cease to become purely country farmers and will tend to move towards the larger centres of activity.

The government was alive to the danger of the indigenous people slowly losing their lands to the Chinese and took preventive measures by passing the Land Regulation Proclamation of 1913 which prohibited the selling of indigenous holdings to non-indigenes. There were, nevertheless, certain clauses in the regulation which permitted sub-leasing for a maximum of five years with the Resident's permission. It was hoped that such a ruling would discourage the tendency among natives to part with their lands as it was "contrary to the wish of the Government that natives should sell to aliens their lands under native title."<sup>25</sup> There were, however, some weaknesses in the proclamation of 1913. Through some discrepancy, the inhabitants were able to register two categories of land on the Native Titles Register: customary lands and commercial land. The sale of commercial lands held by the indigenous people was not prohibited and in the process of time, most of it was sold to the Chinese. Even genuine customary land was leased off in many areas. In the 1916 meeting of the Native Chiefs Advisory Council the issue of the rapid alienation of native lands to non-indigenous people was brought up by the Native Chiefs and a resolution passed empowering the latter to discourage such practices amongst their villagers.<sup>26</sup>

The government on its part reacted by raising the quit rent on all lands acquired from indigenous holders to five dollars an acre per annum in contrast to a rate of three dollars charged on lands acquired directly from the Company.<sup>27</sup> There was opposition from commercial circles<sup>28</sup> and even from some government officers who felt that with the opening up of more roads, especially at Papar, large tracts of uncultivated land held under native title could be opened up. It was felt that these lands which were not cultivated by the local people, would be readily developed by the Chinese if the quit rent was sufficiently low.<sup>29</sup> The Government Secretary was not prepared even to present the request for the Governor's consideration as he felt that "it would do no good to the state to have a landless native population."<sup>30</sup> Pressure from commercial interests finally brought the change in 1928 when



the Governor recommended to the Court for a reduction of rates on native sub-leases.<sup>31</sup>

The result was the acceleration of the alienation of indigenous lands to the Chinese, especially along the west coast. The problem was acute enough for the Chairman of the 1937 Native Chiefs Advisory Council, Mohamad Saman, to voice the matter in strong terms. He attested that, since his appointment as a Government Chief in 1912, nearly every native land that he knew of had been sold or leased to the Chinese so that "... the Chinese had become natives and the natives foreigners..." He and some other members of the council urged the government for a total prohibition on further alienation. The members of the council as a whole could not, however, reach a unanimous decision on a total ban. A resolution for Native Chiefs to discourage further transfer was passed instead.<sup>32</sup> The Resident of the West Coast, R. F. Evans was disturbed by the large tracts of indigenous land passing into the hands of non-natives and he pressed for a total governmental ban on the transfer of *padi* lands. Other lands, he proposed, should only be sold with the approval of Native Chiefs based on valid reasons for the necessity of such a transaction.<sup>33</sup> Governor C. R. Smith supported the Resident's views and initiated a policy which put a brake on further alienation of indigenous *padi* lands at least.<sup>34</sup>

### Indigenous Labour

From the early days of the Company's advent, indigenous labour was employed on a small scale to clear jungle and to construct paths while the bulk of the labour force on the tobacco estates was Chinese.<sup>35</sup> However, when rubber began to supersede tobacco around 1908, European rubber interests found it imperative to import Javanese labour or employ the indigenous people as the Chinese were unsuited for work on the rubber estates and were too expensive to hire.<sup>36</sup> In the beginning most of the local labour for the rubber industry came from the surrounding villages on

the west coast where most of the rubber estates were concentrated. One of the major forces of attraction was the ready money which could be obtained from the large advances and high wages paid by the estates.<sup>37</sup> From 1911, young men from the interior districts of Tambunan and Keningau also began to descend to the coast to work on the estates because of the long drought in the interior which had resulted in bad harvests.<sup>38</sup> From 1914 the number of natives employed in the rubber industry began to increase significantly due to the outbreak of the First World War which resulted in a reduction in the demand for jungle produce, but an increase for rubber. Many local men, especially from the interior, who were deprived of their customary livelihood, took to wage labour. Moreover, estates found it cheaper to employ local labour in contrast to expensive foreign labour which was more difficult to obtain during war conditions. The disruption amongst interior communities caused by the land settlement scheme also contributed to this state of affairs. In his annual report of 1917, the Government Secretary noted that "under existing conditions *padi* growing is not remunerative in this country". He was referring to the high wages offered by estates in contrast to the poor gains obtained by growing *padi*.<sup>39</sup> While villages were gradually drained of their male population, within three years, from 1914 to 1917, the number of locals employed on estates had doubled. In 1917 they accounted for about five thousand workers out of a total work force of twenty-one thousand for the whole state. Moreover, the rubber boom during the war led to the emergence of the small holder who was able to offer good wages and was in competition with the large estates for labour.<sup>40</sup>

The government, however, became worried over the issue especially because the bulk of the new native labour was being recruited from the interior rice growing districts of Tambunan and Keningau. Tambunan was considered the granary of the interior and it was hoped it would supply its rice surpluses to the coast when communications were improved. Moreover in war conditions the food stocks for the state were running out because of reduced imports, and the government wished to prevent fur-

ther disruption to rice cultivation.<sup>41</sup> The Resident of the Interior also opposed the recruitment of natives by rubber estates on the west coast on the grounds that the exodus of young men reduced the available labour for government projects such as the construction of bridle paths thus seriously affecting the improvement in communications. Besides, he pointed out, it affected the cultivation of rice and contributed to the low birth-rate among the natives of the interior.<sup>42</sup> Large scale migration also affected the position of Native Chiefs who lost their bases of influence and suffered a reduction in income from their ten per cent commission on poll-tax. They were against recruitment of labour by estates and hoped the government would discourage it. One Native Chief summed up the situation in these words:<sup>43</sup>

What is the use of being a Government Chief of a kampong which contains only the old and sick and women folk. He points that he cannot undertake with any effect to collect Taxes such as quit rent and poll tax.

The Governor acted promptly and issued a regulation which required all future recruitment by estates, either directly or through recruiting agents, to be licensed, though the natives remained free to seek employment on the coast on their own initiative.<sup>44</sup> The Court of Directors too took a serious view of the matter and, in 1922, on their instructions, measures were taken to recall interior natives back to their villages. A notification was also published requiring estates to assist the government in discharging as many native workers as possible, and to reduce the monetary advances made to new recruits. In most instances, the native workers were reluctant to go back and in "very few cases indeed was the order to recall a welcome one."<sup>45</sup> The planters, too, were dissatisfied and a meeting was convened between the government and representatives of the North Borneo Chamber of Commerce, West Coast Branch in 1923. As the Governor feared that a strict adherence to the policy would "without any difficulty, bring about a situation serious in the extreme", it was decided that the new

policy should be interpreted more liberally. The government managed to obtain some measures of cooperation from estates and a trickle of native workers started returning to their villages.<sup>46</sup>

One of the major problems in getting the indigenous workers back to their villages other than opposition from the planting interests was that large advances had been given to the workers who had thus become bonded for long periods. In its desire not to hurt the rubber industry, but at the same time to make sure that village society was not unduly disrupted, the government reached a compromise in 1924. It issued regulations that estates could employ indigenous labour on condition that only monthly contracts were offered to the workers. Besides, every worker was also expected to return to his village for a minimum duration of three months annually. To facilitate the eradication of bondage or debts, the estates were empowered to recover a maximum of \$5 every four months from the wages of each worker.<sup>47</sup>

Because of the world trade depression from 1930 to 1933, there occurred a natural decrease in the total labour force, including natives. Rubber production was reduced and Chinese and Javanese labourers were repatriated. In 1931 the total work force fell to about ten thousand while the indigenous labourers numbered about two thousand.<sup>48</sup> The set-back in the rubber industry and the repatriation of foreign labour produced a new situation in 1934. The state's attempt to prepare for the future recruitment of Javanese labour encountered difficulties as the Netherlands East Indies Government imposed rigid regulations despite the Court's intervention. There was therefore a "growing tendency among employers to rely more on native labour", a trend which the Governor supported, being convinced that this course was "ultimately in the best interests of employers and native alike."<sup>49</sup> Thus, the concern for the well-being of village society gave way to capitalist needs. The government of course was content that the recruitment of indigenous labour was strictly regulated,<sup>50</sup> but modifications of policy contradicted the great pains undertaken in the 1920s to get the indigenous labourers back to their villages. By 1934, indigenous labour accounted for about fifty per cent of the

total work force and their ratio and numbers were increasing.<sup>51</sup> As the migration to the estates once more picked up momentum the old symptoms of disruption in indigenous society reappeared. Less attention was given to *padi* growing and the process of alienation of indigenous lands to the Chinese accelerated. Mohamad Saman, the chairman of the 1937 Native Chiefs Advisory Council, lamenting that the Chinese had become natives and the natives foreigners, explained that this was so because the indigenous people, "having no land, had to live on estates working for wages instead of living on their own land."<sup>52</sup>

NOTES

1. See Chapter 6.
2. Agriculture Report 1909 by A. C. Pearson, Acting Commissioner of Lands, *Administration and Annual Reports 1909*, C.O. 648/2, f. 33.
3. The railway line was started in 1897 and completed in 1905. K.G. Tregonning, *A History of Modern Sabah (North Borneo) 1881-1963*, Singapore: University of Malaya Press, 1965, pp. 56 and 62. For a more recent and detailed study of the development and significance of the railway in Sabah see Amarjit Kaur, "'Hantu' and Highway : Transport in Sabah 1881-1963", *Modern Asian Studies*, 28, 1, 1994, pp. 1-49.
4. Annual Report on the Immigration and Protectorate Department 1908 by W. H. Penny, *Administration and Annual Reports 1908*, C.O. 648/1, ff. 20-21.
5. *Administration and Annual Reports 1909*, C.O. 648/2, f. 2.
6. Annual Report on Agriculture 1911 by W.H. Penney, *Administration and Annual Reports 1911*, C.O. 648/4, f. 46.
7. During the tobacco boom in the 1890s, indigenous-owned land had in some cases been alienated to planters. This had resulted in isolated cases of ill-feeling between the planters and the local people. Governor C. V. Creagh (1888-1895) sought to bring about legislation to protect indigenous holdings and this resulted in Notification 76 of 1888. I. D. Black *A Gambling Style of Government: The Establishment of Chartered Company Rule in Sabah, 1878-1915*, Kuala Lumpur: Oxford University Press, 1983, pp. 107-112.
8. Simon to Sir John Anderson, Governor of the Straits Settlements and High Commissioner for British North Borneo, 20 July 1910, enclosure I, Anderson to the Earl of Crewe, Colonial Office, 4 October 1910, High Commissioner's despatch, Borneo No. 7, 1910, C.O. 531/2, File 33213, ff. 305-309.
9. E. P. Gueritz, Governor North Borneo, to Anderson, 13 September 1910, enclosure 2, *ibid.*, ff. 310-311. E. P. Gueritz had long service in the east. From 1874-1877 he was in the Sarawak Service, from 1882-1884 he was Assistant Resident of Kudat, Sabah; in 1884 he was appointed Collector, Sungai Ujong and in 1888 he rejoined Company service. From 1891 to 1903 he served as Sessions Judge

- and Judicial Commissioner, North Borneo, and from 1903 to 1910 he was Governor, North Borneo. For more details of his career, see Mr. E. P. Gueritz, SSASF, 03554.
10. A. C. Pearson, Governor, to Sir J. West Ridgeway, Chairman, BNBC, 10 May 1911 and enclosure, enclosure 2, Letter from Secretary BNBC, to the Under Secretary of State, 31 October 1912, C.O 531/4, File 34569, ff. 290-297.
  11. Civil Suit 7/11, in the Sessions Court of North Borneo, enclosure 3, *ibid.*, ff. 298-317.
  12. *Administration and Annual Reports 1911*, C.O. 648/4, ff. 5, and 14.
  13. Letter from Secretary, BNBC, to the Under Secretary of State, 2 December 1912, C.O. 31/4, File 38356, ff. 323-331.
  14. Draft of Letter from H. J. Reed, for the Under Secretary of State, to the Secretary, BNBC, 12 December 1912, *ibid.*, 331-332.
  15. Letter from Secretary, BNBC, to the Under Secretary of State, 16 December 1912, C.O. 531/4, File 39938, ff. 332-334.
  16. Arthur Young to Lewis Harcourt, 20 November 1913 and enclosures, C.O. 531/5, File 42954, ff. 210-221.
  17. Draft of Letter from H. J. Read for the Under Secretary of State, to the Secretary, BNBC, 24 December 1913, *ibid.*, ff. 220-221, Sir W. Ridgeway to Sir John Anderson, 6 January 1914, C.O., 531/5, File 33.
  18. For the 1914 correspondence between the Society and the Company on this matter, see C.O. 531/6, Vol. I, File 3191, ff. 230-238. For further correspondence between 1919 and 1926 see C.O. 531/2011, File CF22588, and *Correspondence on the Subject of Allegations Against the Administration of the British North Borneo Company 1920*, London: His Majesty's Stationary Office, 1920, pp. 1-25.
  19. Memorandum relating to an Enquiry into Grievances by Dusun Inhabitants by C.W.C. Parr, 19 May 1914, enclosure, Secretary, BNBC, to the Under Secretary of State, 25 June 1914, C.O. 531/6, Vol. I, File 23100, ff. 291-315.
  20. Draft of letter from Under Secretary of State to the Secretary, BNBC, 8 July 1914, *ibid.*, f. 317.
  21. *Annual Reports 1914, Supplement to the Official Gazette*, State of North Borneo, 3 January 1916, C.O. 6498/7, f. 40. State of North

- Borneo, Administration Report 1931, by Arthur Frederick Richards, enclosure, Arthur F. Richards to the President, BNBC, 9 May 1932, Governor's despatch 223/1932, p. 7, Despatches: Governor to President 1932 (SSA)
22. D. R. Maxwell, *State of North Borneo Census Report, 24 April 1921*, Jesselton: Government Printer circa 1922, p. 23.
  23. *Annual Reports 1918, Supplement to the Official Gazette*, 1 November 1919, C.O. 648/8, f. 225; *Administration and Annual Reports 1924*, C.O. 648/10, f. 121; and State of North Borneo, Administration Report 1931 by Arthur Frederick Richards, enclosure, Arthur Frederick Richards to President, BNBC, 9 May 1932, Governor's despatch 223/1932, p. 7, Despatches: Governor to President, 1932.
  24. Agriculture Report 1909 by A. C. Pearson, Acting Commissioner of Lands, *Administration and Annual Reports 1909*, C.O. 648/2, f. 31.
  25. Government circular 47/1914, dated 8 June 1914, Native Land and its Transfer to or Acquisition by Aliens, SSASF 04027, Vol. I, p. 5.
  26. Minutes of the State Advisory Council for Native Affairs, 20 June 1916, enclosure, A.C.Pearson, Governor, to Chairman, BNBC, 25 September 1916, Governor's despatch 808/1916, Native Chiefs Advisory Council 1915-1935, SSASF 01968, p. 21. For more details on the Advisory Council for Native Affairs and the Native Chiefs Advisory Council, see Chapter 11.
  27. Extract from Report by Commission upon Land Terms, 27 July 1923; and Extract from Court's despatch No. 733/1923, 8 October 1923, Native Land and its Transfer to or Acquisition by Aliens, SSASF 04027, Vol. I, p. 6.
  28. Extract from Minutes of Committee Meeting of the North Borneo Chamber of Commerce held on 26 April 1924, *Ibid.*, p. 6.
  29. E. G. Grant, District Officer Papar to District Officer, South Keppel, 13 May 1924, *Ibid.*, p. 11.
  30. Government Secretary's minute of 17 May 1924, *Ibid.*, p. 12.
  31. J. L. Humphreys, Governor, to President BNBC, 30 April 1928; Under Secretary BNBC to Humphreys, 14 June 1928, *Ibid.*, pp. 30-32.
  32. Minutes of the Native Chiefs Advisory Council Meeting 1937, Native Chiefs Advisory Council 1937, SSASF 01968.



33. R. F. Evans' minute of 16 June 1937, Native Land and its Transfer to or Acquisition by Aliens, SSASSF 04027, Vol. I, pp. 56-57.
34. C. R. Smith's minute of 19 July 1937, *Ibid.*, p. 61.
35. See above, p. 231.
36. Annual Report on the Immigration and Protectorate Department 1908, by W. H. Penney, *Administration and Annual Reports 1908*, C.O. 648/1, ff. 20-21.
37. Agriculture Report 1909 by A. C. Pearson, Acting Commissioner of Lands, *Administration and Annual Reports 1909*, C.O. 648/2, f. 31.
38. Annual Report on Agriculture 1911, by W. H. Penney, Acting Commissioner of Lands, *Administration and Annual Reports 1911*, C.O. 648/4, f. 45.
39. Governor to Chairman, 4 June 1917, and enclosure, Governor's despatch 453/1917, p. 2, Despatches: Governor to Chairman, 1917.
40. Governor to Chairman, 25 October 1917, Governor's despatch 860/1917, p.1, Despatches: Governor to Chairman 1917.
41. Assistant Secretary, BNBC, to A. C. Pearson, Governor, 15 August 1918, Court's despatch 596/1918, Despatches: Court to Governor 1918.
42. Bunbury, Resident Interior, to the Government Secretary, 4 June 1918, enclosure, Pearson to Chairman, 19 June 1918, Governor's despatch 344/1918, pp. 1-3, Despatches : Governor to Chairman 1918.
43. Extract from letter from the District Officer of Tambunan, D.R. Maxwell, enclosure in *Ibid.*, p. 2.
44. Governor to Chairman, 5 December 1918, Governor's despatch 663/1918, p. 1, Despatches : Governor to Chairman 1918.
45. The Protector of Labour to the Government Secretary, 31 July 1923, p. 3 inclosure in Governor to President, 26 September 1923, Governor's despatch 615/1923, Despatches: Governor to President 1923.
46. Governor to President, 26 September 1923 and enclosures, *Ibid.*, pp. 1-4; enclosure A, pp. 1-7, enclosure B, pp. 1-8, enclosure C, pp. 1-3. In 1923, only about 457 indigenous rubber estate workers returned to their villages.
47. Governor to President, 11 April 1924, and enclosures, Despatches: Governor to President 1924, Governor's despatch 272/1924, pp. 1-3.

48. Acting Secretary, BNBC, to A. F. Richards, Governor, 13 March 1930, Court's despatch 177/1930, Despatches: Court to Governor 1930; Governor to President, 6 October 1930, and 24 November 1930, Governor's despatches 584/1930 and 673/1930, pp. 1-3, Despatches: Governor to President 1930; Governor to President 5 March 1931, Governor's despatch 135/1931, pp. 1-2, Despatches: Governor to President 1931: and State of North Borneo, Administration Report 1931 by A. F. Richards, enclosure, Richards to President, 9 May 1932, Governor's despatch 223/1932, p. 41, Despatches: Governor to President 1932.
49. D. J. Jardine, Governor to President, 3 May 1935, Governor's despatch 219/1935, pp. 1-2, Despatches: Governor to President 1935.
50. Jardine to the President, 2 March 1935, Governor's despatch 91/1935, pp. 1-10, Despatches: Governor to President 1935.
51. Jardine to the President, 1 April 1935, Governor's despatch 159/1935, pp. 1-2 *Ibid.* Out of a total work force of twelve thousand, the indigenous labour force in 1934 was more than five thousand.
52. Minutes of the Native Chiefs Advisory Council Meeting 1937, Native Chiefs Advisory Council 1937, SSASF 01968.

## THE STRENGTHENING OF INDIGENOUS INSTITUTIONS OF AUTHORITY, 1900-1941

### Native Chiefs and the Native Court

In addition to initiating a policy of new socio-economic reforms, Governor Birch also began to consolidate indigenous institutions of authority. In the field of native administration, he saw the need for greater regulation as well as the sanction of law for the indigenous institutions of the Village Headmen, the Native Chiefs and the Native Court. Though the 1891 Village Administration Proclamation had given some legal standing to Native Chiefs and *Orang Tua Kampung*, the Native Courts had no legal sanction.<sup>1</sup> In the meantime, under the guidance of Birch, the Mohammadan Custom Proclamation 1902 and the Village Administration Proclamation 1903 were passed. The former had the effect of regulating and strengthening the role of *imam* and *kadi* of each district. Muslim marriage and divorce were also to be registered and the amount of dowry was limited by law. The tradition of large dowries was considered a major obstacle to more marriages which had resulted in a slow rate of increase amongst the Muslim population. Finally, the Village Administration Proclamation of 1903 created, for the first time, a new institution in the form of the Headman's Court, to function at village level.<sup>2</sup>

The position of Native Chiefs, especially of the large majority of junior ones, however, remained unsatisfactory. Though the 1891 Village Proclamation had given them official standing, they were lowly paid, usually three to five dollars a month, and

they remained in a subordinate position to the major chiefs. The Company's policy had been to elevate the status of the more powerful traditional chiefs to the position of district head chiefs so that, in reality, a marked stratification had been caused in the ranks of Native Chiefs. By 1912 a small corps of senior Native Chiefs had emerged. On the west coast, in Padas-Klias (Province Dent), Pengiran Mohamad Abbas, who was the leading Brunei chief when the district was taken over by the Company, was appointed Chairman of the Native Court of the district in 1886. By 1912 he had emerged as district head chief. He was reported to be a most loyal and influential chief whose knowledge of the district was unparalleled.<sup>3</sup> In 1915 he was appointed a member of the newly formed Advisory Council for Native Affairs (ACNA) but when the scheme for District Assistants was introduced in the same year, he failed to earn a promotion as he was considered too old by the Company. He retired in 1916 and, soon after, passed away in 1917.<sup>4</sup> He was succeeded in his post by another up-coming chief in the district, Mohamad Saman.<sup>5</sup>

In the Tempasuk district Orang Kaya Haji Mohamad Arshad rose to prominence. Beginning as a government clerk, he rendered valuable service to the Company during the Mat Salleh rebellion. By 1904 he had risen to the post of President of the Native Court of the district and also that of district head chief.<sup>6</sup> He sometimes administered the whole district when the European District Officer was absent.<sup>7</sup> In recognition of his ability and loyalty, he was promoted to the post of Deputy Assistant District Officer in 1915, which he retained till the late 1920s.<sup>8</sup> Similarly, Pengiran Haji Omar, the Brunei-Malay Chief of Sipitang, had become head chief of the district by 1911, having under his jurisdiction seven other minor Government Chiefs.<sup>9</sup> In 1912, he was made head chief of Province South Keppel (Putatan and Papar), and his place at Sipitang was taken over by his son Pengiran Osman, who also played an important role in the Company's administration later on.<sup>10</sup> In 1915, Pengiran Omar became one of the two indigenous chiefs to be promoted to the post of

Deputy Assistant District Officer, and at the same time earned a seat on the ACNA.<sup>11</sup>

At Kudat, Haji Salahudin bin Haji Abdul Rahim, a Suluk, became the government's principal Native Chief. He began service as a Native Clerk in Kudat in 1883 and served in that position at Terusan, Bandau and Jambongan till 1907, when he was promoted as Native Chief at Marudu. In 1911 he rose to district head chief of Kudat, and in 1915 became a member of the ACNA. He retired in 1929 after forty-six years of service.<sup>12</sup> Similarly, Haji Mohamad Noor of Kinabatangan,<sup>13</sup> Habib Syeik of Tawau, Pengiran Haji Pati of Labuk/Sugut, Datu Agasi of Lahad Datu and Duaun of Papar were the principal chiefs of the various districts.<sup>14</sup> This corps of senior chiefs controlled amongst themselves some one hundred and fifty minor chiefs.<sup>15</sup> While European officers in the Company's service reported of the excellent work and influence of most of these senior chiefs, they complained of the declining authority and initiative of the minor ones.<sup>16</sup>

One of the reasons for this state of affairs was the rapid socio-economic changes that were taking place on the coastal plains which left the minor chiefs demoralised. European capitalist enterprise had opened up many tobacco and rubber estates and labour, both Chinese and indigenous, was paid comparatively good wages.<sup>17</sup> Many coastal minor chiefs who had nominal salaries as compared to the better paid senior Native Chiefs found that their economic standing and, therefore, their social status had declined as a result of the comparative prosperity of the rest of the population. In 1912, the District Officer of Marudu, J. Maxwell Hall, gave an interesting insight into their plight by highlighting the case of one of them, Awang Damit of Bengkoka. He wrote:<sup>18</sup>

Awang Damit, of Bengkoka, I find active and willing ... It must be remembered that a man, such as Awang Damit is paid but \$10 a month: that he lives near an estate where hundreds of native coolies are earning about as much, and that he is expected to keep his end up under such conditions.

It is not surprising that the native headmen are unwilling and show a lack of interest at times.

He recommended that the pay of such chiefs should be increased if the authorities wished to see better service.

In their concern about improving the administration of the territory the Court of Directors sent the Managing Director, Sir Richard Dane, to visit Sabah in 1911 as a result of which he prepared a lengthy report suggesting various reforms for improving the government machinery.<sup>19</sup> Endorsing some of the important recommendations of the report, the Court of Directors, for the first time, sanctioned a salary and pensions scheme for European officers and a classification scheme for clerical staff. The aim was generally to improve these services, and arrest frequent resignation of officers which had become the trend.<sup>20</sup> In 1912, the Chairman, Sir J. West Ridgeway, visited Sabah and instituted other reforms pertaining to native administration.<sup>21</sup> A classification scheme for Native Chiefs was introduced whereby the more active, influential and loyal chiefs were classified as Grade I and Grade II Chiefs with improved salaries. The lot of those who were not promoted to these grades, however, remained as before.<sup>22</sup>

The Village Administration Ordinance which came into effect in 1913 gave further legal sanction to the institution of Native Chiefs.<sup>23</sup> By the new regulation a clear distinction was made between 'Chiefs' and 'Headmen'. A 'Chief' was appointed directly by the Governor, while a 'Headman' was a village head appointed by the District Officer with the approval of the Resident. The powers of the Chiefs and their obligations towards the government were clearly defined. In terms of duties, they had to keep the peace in their district, report to the authorities of any danger, maintain records such as a register of births and deaths, aid in the collection of government revenue, and assist in expeditions. In return they were assured a position of power and influence in native society. They were given the power to search and arrest offenders, to allocate land for building and cultivation and to call upon the assistance of villagers in the execution of their

duties. The Village Headmen had similar duties and powers but at the village level only.

The 1913 Village Administration Ordinance also for the first time gave legal recognition to Native Courts which had been established earlier.<sup>24</sup> These courts had gradually been integrated into the Company's judicial system. In 1883, Governor Treacher had established a system of courts based on the system adopted in British India. At the bottom of the ladder were the Magistrates' Courts manned by Assistant Residents or District Officers. At the second level were the Residents or Sessions Courts, while the highest court in the territory was the Governor's Court or High Court, to which sentences of death were referred for confirmation. The courts had both civil and criminal jurisdiction.<sup>25</sup> For some time to come, these courts were under the jurisdiction of administrative officers till the Company had enough money to employ properly qualified legal personnel. In 1901, Governor E. W. Birch created the post of Judicial Commissioner and appointed E. P. Gueritz to this position. He also tried to remove the judicial power of Residents, but this appears to have been a failure as suitable qualified staff were not available amongst the Company's officers. The process of training new cadets in the realm of law only began with the issuing of the Official Regulations of 1911. Under the new regulations of 1911, cadets were required to pass various law examinations within two years of their appointment and by the Court's despatch of 17 February 1911, no officer was to be entrusted with magisterial powers until he had suitable law qualifications.<sup>26</sup>

The Native Court functioned below the Magistrates' Court. Judgements handed by the Native Court could be challenged and appeals made to the Magistrates' Court, but this rarely happened as most judgements made by the former were sound. Moreover, the institution helped to increase the power and prestige of the Native Chiefs and the *Orang Tua* to such an extent that "by 1910 the use of the police to fetch those accused ... to court had long fallen to disuse."<sup>27</sup>

The Village Administration Ordinance of 1913 also made it mandatory for the establishment of Native Courts in every district. There were no Headmen's Courts any more, and Headmen did not automatically enjoy a judicial role in Native Courts, unless empowered to do so by the Resident. The *imam* and *kadi* of a district could also be appointed as judges to deal specifically with cases involving Islamic law and in this capacity were given equal status with the Native Chiefs. Otherwise they continued to function in the religious spheres and to make regulations for Islamic observances.<sup>28</sup>

While the government had involved Native Chiefs at the district and village level of administration, there was no native representative on the Legislative Council; neither was there any apparatus whereby Native Chiefs of various districts and Residencies could meet jointly. It was the disturbances in the interior in 1915 which finally convinced the authorities of the merits of consulting senior Native Chiefs as a corporate body. Thus in 1915, Governor C. W. C. Parr inaugurated for the first time a statewide Advisory Council for Native Affairs.<sup>29</sup> The government saw in the council an effective instrument for legitimising policy for native affairs. When in 1916 Governor A. C. Pearson (1915-1922 and 1925-1926) was dissatisfied with the number of lowly paid chiefs, especially the minor ones in service, he availed himself of the services of the council in proposing a reduction in their numbers. Out of a total of one-hundred-and-fifty, there were about sixty chiefs who were receiving an allowance of \$5 or less a month. It was apparent that they were unable to provide efficient service as they were forced to supplement their income by undertaking extra-governmental work in agriculture or trade.<sup>30</sup> Though no retrenchment was proposed, it was decided that as vacancies arose the posts would be abolished. At the same time higher salaries were proposed for existing chiefs with a view to gradually developing a more efficient but small corps of "whole time" Native Chiefs.<sup>31</sup>

The Governor's proposals won the full support of the ACNA, partly because its members were all Grade I Chiefs who



had an obvious interest in the scheme.<sup>32</sup> Having sounded the view of the chiefs, Pearson then brought the matter up for discussion with the Conference of Residents which he had also innovated in 1916. The Governor inaugurated this body with the view that the Residents, meeting as a corporate body, would improve the quality of the Company's administration. Various matters such as the question of taxation of native liquor, the jurisdiction of Native Courts, the improvement of conditions pertaining to indigenous police and the classification scheme for Native Chiefs were discussed. The Residents' Conference accepted the new classification scheme in principle though it was generally felt that it could only be implemented gradually. With reference to the classification scheme for Native Chiefs, the following grading was recommended:

Grade I Chiefs	:	\$50-\$60 monthly
Grade II Chiefs	:	\$30-\$40 monthly
Grade III Chiefs	:	\$15-\$25 monthly

It was further agreed that the normal distribution of chiefs should be one Grade I Chief to each Residency, one Grade II Chief to each district and Grade III Chiefs to be distributed as necessary in districts and sub-districts.<sup>33</sup>

Most District Officers while welcoming the new classification scheme as far as it increased the pay of Native Chiefs viewed the proposed reduction in their number as possibly detrimental to administrative efficiency. They feared that their reduced numbers would result in some chiefs exercising jurisdiction over other ethnic groups in the same vicinity, but outside their own community where their authority would not be readily accepted. It was felt that the practice of appointing chiefs in their own areas had in the past produced good results. One District Officer was of the following view:<sup>34</sup>

Except for very special reasons, such as maintenance of order in an unsettled district, a chief should remain among his

own people, because given a chief who is loyal and strong, his hereditary influence is his greatest asset.

Moreover, at least two chiefs were necessary to constitute a Native Court as laid down by the 1913 Village Administration Ordinance, not to forget the practical consideration that different ethnic groups had slightly different *adat*, so that the desire to reduce the number of chiefs was not advisable.<sup>35</sup> The Residents when asked by the Governor to report on the possibilities of the actual implementation of the scheme, pointed out the impracticability of allocating only one Grade I Chief to each Residency. Residencies were large and the work of Grade I Chiefs was varied and responsible. The Resident of the East Coast Residency for instance argued that the existing three Grade I Chiefs were, in fact, necessary for his Residency. There was at the time one Grade I Chief, Habib Syeik at Tawau who served as Senior Native Magistrate, Sub-collector of land revenue for native titles, and Supervisor for the collection of boat licences in Cowie Harbour. Lahad Datu and Semporna had each one Grade I Chief in the persons of Datu Agasi and Panglima Udang who were doing similar work in addition to being the heads of the Suluk and Bajau communities respectively.<sup>36</sup> Similar views were expressed by other Residents and the scheme was temporarily left in abeyance.

### The Indigenous Civil Service

Since 1915 the government began to rely more and more on senior Native Chiefs to run native affairs. This was due partly to the experience of the interior rebellion, and partly to the contingencies of the war in Europe which had caused a shrinkage in the European staff. In 1915 an experiment was initiated whereby the most senior chiefs were appointed to a newly created administrative post called District Assistants. The post was later re-designated as Deputy Assistant District Officer and represented the highest position to which a native could aspire in the Company's

administrative service. The first to be appointed to this office were Pengiran Omar, the district head chief of Sipitang and Haji Arshad, the district head chief of Tempasuk and Kota Belud. They were expected, eventually, to replace the European Assistant District Officers.<sup>37</sup> In 1915 the government also introduced a salary scheme for Native Clerks to upgrade the service in an attempt to attract more indigenous men so that in the future there would be a ready pool of trained personnel to man the lower rungs of administration.<sup>38</sup>

The government was also planning for the future needs of the civil service and, with the aim of building up a pool of indigenous administrators, established a Government Training School for Sons of Native Chiefs in 1915. The school was at first temporarily attached to the Police School, also opened in 1915, where new recruits, especially from indigenous communities, were taught to read and write *Rumi* Malay, and simple arithmetic. The training had a recognisable effect on the Native Police force which was reported to be growing useful in the various districts where they were posted. The Government Training School for Sons of Native Chiefs started with an enrolment of five boys which increased to eight in 1916.<sup>39</sup> The pupils enrolled in the Government Training School for Sons of Native Chiefs in 1915 were: Abdul Rashid and Saneh, sons of O.K.K. Haji Arshad (District Assistant and district head chief, North Keppel); Abdullah and Peut, adopted sons of Mohamad Saman, Native Chief of Beaufort, and Ulang Hutan, son of Mohamad, Native Chief of Lahad Datu. In 1916 three more boys enrolled. They were: Abu Bakar, son of O. K. Abdullah, Native Chief of Tawau; Jimbun, son of O. K. Kassim, Native Chief of Tampias, Tambunan, and Awang, son of Haji Jamaludin, Native Chief of Rundum.

The school, however, did not make much progress as only elementary education in Malay up till standard three was offered. In 1922 the Governor suggested that the school be closed as in his view it did not justify the cost. Moreover by then, the government had embarked on a system of Malay vernacular schools to which most Muslim parents began to send their children so that the

Government Training School for sons of Native Chiefs was eventually closed in 1930.<sup>40</sup>

From 1881 to 1915, the Company had not taken direct responsibility for the provision of education in the state. Instead, it allowed Christian missions to establish schools, especially in areas of Chinese concentration. In 1883 the Roman Catholics opened the first modern school in Sabah, at Sandakan, called the St. Mary's Primary School.<sup>41</sup> The society for the Propagation of the Gospel and the Borneo Basel Mission also entered the field. By 1905, these three Missions had established schools at Sandakan, Jesselton, Papar, Putatan, Kudat and Labuan. The government gave annual capitation grants to these schools but exercised little control. The Chinese also opened up their own schools privately.<sup>42</sup>

Only in 1909 did the government establish the Education Department manned by two Inspectors of Schools whose main work was to report yearly on the progress of the various schools operating in the state.<sup>43</sup> In 1915, the government opened its first school, the Government Training School for Sons of Native Chiefs. For the benefit of Chinese settlers whom the government had brought in directly from China a school known as the Government Northern Chinese School, was set up near Jesselton in 1917. The limited commitment of the government in providing state sponsored education changed in 1921 when, for the first time, Government Vernacular Schools were opened at Kota Belud and Papar. In 1922 two other similar schools were opened at Keningau and Menumbok respectively.<sup>44</sup> Thereafter, such schools were opened at Tawau, Sipitang, Ranau, Sandakan, Penampang, Tambunan, Jesselton and Pensiangan. The education in these schools remained elementary in nature, as only reading and writing were taught in Malay and thus little progress was made until 1935. D. K. Ingle, the Inspector of Schools in 1940 wrote:<sup>45</sup>

It may be fairly stated that vernacular education up to 1935 remained static and that such schools as were in existence [were] little better than unprogressive village schools.

In 1935, Governor D. J. Jardine not only expanded the Malay vernacular school programme, but also raised the quality of teaching by introducing such subjects as Hygiene, History, Elementary Gardening and Geography. By 1939, twenty-one vernacular schools were in existence.<sup>46</sup>

The efforts of the government in building up an efficient corps of Native Chiefs, however, had been concentrated on the available talent amongst the Malay-Muslim communities along the coasts. This was partly because the earliest contacts were made with them and partly because their chiefs were more advanced than those of the interior communities. The traditional leaders of the local Brunei and Suluk communities were accustomed to holding authority, were familiar with sophisticated political systems, had held administrative and judicial positions under the Sultanates and, above all, were literate at least in *Jawi*. Once they became loyal Company servants, they were able to adapt to Company structure. It was not a coincidence, therefore, that in the 1915 ACNA eight out of nine members, all Grade I Chiefs, originated from the coastal Malay-Muslim communities, while only one by the name of Duaun, from the coastal district of Papar, was a Kadazandusun. Senior Muslim chiefs such as Pengiran Mohamad Abbas, Pengiran Haji Omar, Haji Mohamad Arshad, Haji Salahudin, Haji Mohamad Noor and Datu Agasi formed the backbone of the Company's native administration.

The government had greater difficulty in finding similar men of calibre in the interior. The Kadazandusun and Murut here were illiterate as they did not have a system of writing. The government had perhaps made a serious error in failing initially during 1901-1916 to groom the traditional leadership in the interior by providing education and training and the appointment of local district head chiefs amongst them. Instead, it used the services of the coastal Muslim chiefs such as Haji Jamaludin and Orang Kaya Kassim who were appointed district head chiefs in the interior at Tenom and Tambunan respectively. The coastal Muslim chiefs were viewed with suspicion by interior communities, particularly because administrative expansion into the interior

he was succeeded by another local man, Inspector Anik of the police force, also as Deputy District Assistant.<sup>57</sup> By 1935, the number of Native Chiefs from the interior who were members of the Native Chiefs' Advisory Council had also increased to three.<sup>58</sup>

By the 1920s and 1930s, the government also absorbed more natives into the administrative and departmental services, one major reason being the world-wide economic depression following the First World War. The measure was in consequence of the Company's effort to trim its European staff. At the same time also the great socio-economic developments of the past two decades had created a demand for natives to fill the lower rungs of the departmental service. The Company's European officers constantly reminded the State Secretariat about improving the service conditions of native officers if the government wished to give them more responsibility and attract the best into the service. In 1922 the Resident of the Interior Residency pointed out that native administrative officers were not enjoying a satisfactory salary scheme with regular increments and promotions and proposed redress.<sup>59</sup> In response the Governor introduced, as of 1 January 1924, an improved scheme for Native Chiefs, offering better pay with regular increments. It also provided for quicker promotions of Grade III Chiefs to Grade II. Promotion to Grade I, however, was only when there was a vacancy.<sup>60</sup>

At the 1923 Conference of Residents, the question of employing natives as Deputy Assistant District Officers was further discussed. The Residents were of the opinion that under careful European supervision, these native officers were capable of providing excellent service and that more such officers should be employed. The problem, however, was a shortage of suitable candidates and they recommended that educational opportunities should be increased to produce a larger pool of trained men. In connection with this, the conference proposed that the number of Government Vernacular Schools be rapidly increased and a Training School be founded at Jesselton to produce senior native administrative officers and a better "class of subordinates for Gov-

ernment departments such as native clerks, P.W.D. Overseers, Demarcators, Coconut Inspectors."<sup>61</sup> The Governor agreed with this suggestion remarking that with advanced education it was hoped "to increase gradually the number of natives entrusted with authority." In 1924 he was anxious to increase the number of DADOs and asked the Heads of the various departments, the Commandant of the Sabah Constabulary and the Residents to suggest suitable candidates.<sup>62</sup>

In 1925, M. W. Elphinstone, the Managing Director, visited Sabah with the aim of effecting financial reductions in the administration. In his report to the Court of Directors he disclosed that there were thirty-four European administrative officers filling twenty-six existing posts. The number of personnel exceeded the number of posts so as to make allowance for officers who went on leave. He suggested that the number of posts be reduced by four and the strength of the European establishment curtailed by five, as and when officers went on retirement. On the other hand, he urged that more native Deputy Assistant District Officers be employed by promotion from among the number of Grade I Clerks available in the various departments.<sup>63</sup>

The outcome of the new policy resulted in a number of natives being promoted in the 1920s and 1930s to the rank of Deputy Assistant District Officer. Pengiran Osman, the son of Pangeran Haji Omar, was appointed DADO of Labuk and Sugut districts in 1921. There was no European officer in these two districts and Pengiran Osman was reported to be doing a responsible job with the assistance of other Native Chiefs and clerks.<sup>64</sup> In recognition of his capability he was later, in 1925, transferred as DADO of the huge Kinabatangan district.<sup>65</sup> In 1925, Mohamad Saman who had been head chief and Chairman of the Native Court in Padas-Klias district since 1917, was made the DADO of South Keppel. He was given the responsible post of DADO to succeed Pangeran Haji Omar who passed away. Mohamad Saman, who had started as an *imam* in government service and had performed brilliantly as district head chief and Chairman of the Native Court, Province Dent, however, could not effectively carry

out the duties of a DADO as he was reported to be lacking the necessary education. In 1925 the government persuaded him to relinquish his post as DADO and to reaccept his former position as district head chief of Province Dent.<sup>66</sup> Mohamad Saman, however, was to make his mark later on when he emerged as the most influential Native Chief in the 1930s.<sup>67</sup> At Lahad Datu, Yakob Syah was appointed in the same year and relieved the European District Officer of much work.<sup>68</sup> In 1925 the Labuk and Sugut districts were placed under Haji Dahlan when Pengiran Osman was transferred to the Kinabatangan.<sup>69</sup> In the interior, Ambidau was DADO at Pensiangan. He was later replaced by Inspector Anik. At Kota Belud, Haji Arshad continued to serve in this position for many more years. In 1941 Pengiran Ahmad Raffaie, the Native Chief of Sipitang, was made DADO of Province Dent.<sup>70</sup>

Though some of the most outstanding natives were promoted to DADOs, the institution of Native Chiefs remained the backbone of the administration. This was especially so in the 1930s when the Native Chiefs' Advisory Council began to play a more prominent role in administration. DADOs, though of a higher rank in the administrative hierarchy than Native Chiefs, were not members of this Council. They wielded a far greater power than Native Chiefs but their actual functions in native administration *per se* were less.

As the older generation of the powerful traditional chiefs began to fade away due to old age, the Company found it harder to replace them with similar men of influence and calibre.<sup>71</sup> To some extent continuity was maintained by relying on surviving old-time chiefs such as Haji Salahudin of Kudat, Mohamad Saman of Beaufort, Datu Agasi of Lahad Datu, and Haji Mohamad Noor of Kinabatangan. In searching for new blood, the Company sometimes turned to the sons of past or existing chiefs, but the results were not always satisfactory. In 1933 the head chief of Kudat, Haji Salahudin, wished to retire and indicated to the government his desire that his son, Ahmad Moktar, who had been educated at the Government Training School for Sons of Native Chiefs, be



appointed to succeed him. Out of deference to the old chief, Ahmad was appointed Grade III chief in 1934 but proved to have neither the necessary aptitude nor influence and, up till the Japanese invasion in 1941, remained in the same post without further enhancement.<sup>72</sup> The same happened in the case of Pengiran Omar Ali Saifudin, the son of DADO Pangeran Osman. In 1935 Pengiran Osman, who was then the DADO of Tuaran, applied for a job for his son with the hope that he would eventually become a DADO. Pengiran Omar Ali Saifudin had had an English education at the All Saints School, Jesselton, till standard four. As a preparatory step for his future rise, he was appointed a trainee officer at various times at the Land Office, Treasury and the Courts. In 1936 he was appointed Grade III Chief upon the completion of his training, but he showed no qualities of a first class Native Chief and was not promoted. He resigned from government service in 1939.<sup>73</sup> There were instances, however, when the sons of Native Chiefs proved worthy officers and secured responsible positions. At Semporna, Abdullah, the son of the former district head chief, Panglima Udang, upon completion of an elementary education at the Government Training School for Sons of Native Chiefs, was appointed Native Clerk in 1924 and in 1927, succeeded Mohamad Salleh as Native Chief (Grade II) of Semporna. He proved very capable and influential and, in 1937, was promoted head chief of the district.<sup>74</sup> Abu Bakar, the son of a former Native Chief of Tawau, Abdullah, earned similar success. Also a product of the Government Training School for Sons of Native Chiefs, Abu Bakar was appointed as a learner in the Customs Department at Tawau in 1917. From 1918 to 1936 he served as Native Clerk at various places on the East Coast. In 1936 he was made Native Chief Grade II of Tawau and rose to head chief, Grade I, in 1938.<sup>75</sup> Where sons of Native Chiefs were either not available or proved unsuitable, the government looked to the clerical services of various departments or the constabulary for potential Native Chiefs. For instance, upon the retirement of Gunsanad, an ex-sergeant of the Sabah Constabulary in the

interior, Taliban, was appointed and emerged in the 1930s as the most influential senior chief of Tambunan.<sup>76</sup>

D. J. Jardine, who became Governor in 1935, initiated further changes in the field of native administration. Jardine who had served as Chief Secretary to the Tanganyika government where he had experience of indirect rule, wished to introduce some of the ideas in Sabah.<sup>77</sup> In 1935, therefore, he prepared a document entitled "Memorandum on Indirect Rule and the System of Administration of Natives of North Borneo" in which he advocated the delegation of more powers to Native Chiefs so as to increase and enhance their participation in the administration of the state.<sup>78</sup> In particular, Jardine proposed the setting up of "local native authorities", which in a sense was a system of local government administered solely by Native Chiefs. The idea of such a scheme was to decentralise power to the Native Chiefs as they became increasingly familiar with local government. It was proposed that they be given the power to settle cases through the Native Court, collect government taxes and control local finance and budgeting. The Governor brought these suggestions for discussion at the Administrative Officers' Conference which he had initiated in 1935. This body was in essence a revival of the earlier Conference of Residents which met between 1916 and 1923. Various Heads of departments, including the Judicial Commissioner, were also invited to communicate their views in writing.<sup>79</sup>

As a result of the consultations, Jardine was soon convinced that a great measure of indirect rule had, in fact, long been practised in Sabah. Native Chiefs had been exercising jurisdiction over Native Courts and collecting government taxes. There was only one sphere where his scheme remained to be implemented, and this was with regard to greater financial autonomy. However, one of the problems faced in creating native local government throughout Sabah was that the Chinese population had settled and mingled with the natives nearly everywhere, with the exception of a few small areas in the Interior Residency, where the government, till 1928, had forbidden the settlement of aliens.<sup>80</sup> This raised the technical and practical problems of dual administration if natives

functioned as local authorities throughout Sabah. It was decided, therefore, to implement the scheme in selected areas only where the population was wholly or predominantly native in composition.

In 1935, an embryo scheme for setting up such an "Native Authority" was started at Bingkor in the Keningau district under the able leadership of a local chief, Sedoman. As a beginning, a Native Court house, a rest house and a school building were constructed and a dispensary with quarters for dressers was also intended. Native Chiefs under the leadership of Sedoman were encouraged to administer the centre on their own with the guidance of the European District Officer.<sup>81</sup> In 1936, Governor Jardine in concurrence with the Resident of the Interior Residency, applied to the Court of Directors for permission to grant financial responsibility to the Bingkor Native Authority, not only because of the educational value of such a measure amongst the chiefs, but also because of the community spirit and pride that it generated among villagers concerning the development brought about by their own management and effort.<sup>82</sup> Within two years of the centre being set up, remarkable progress was made. A *tamu* had been initiated, being held twice monthly. With an average attendance of about two hundred natives, the *tamu* promoted trade as well as agriculture. The area under *padi* was greatly increased, and cinnamon and coffee planting were being experimented with. The school expanded tremendously, with an enrolment of one hundred and twenty children and a staff of three.<sup>83</sup> The success of the native administrative centre at Bingkor prompted the government to consider extending the experiment to other areas, and legislation was passed in 1937 defining the role and powers of Native Authorities.<sup>84</sup> The outbreak of the Second World War, however, arrested further development in this direction.

Jardine's other reforms, especially concerning the Native Chiefs' Advisory Council, led to a further increase in the role of Native Chiefs in administration.<sup>85</sup> In 1940, Governor C. R. Smith gained the Directors' approval for a revised pay scheme for Native Chiefs with improved salaries on the grounds that "the re-

sponsibilities and work of Native Chiefs have increased and they have responded well to the greater reliance placed upon them.<sup>46</sup> The Court of Directors approved the Governor's action.<sup>47</sup>

## NOTES

1. See above, Chapter 6.
2. E. W. Birch, *A Report Upon British North Borneo*, Sandakan: Government Printer, 1903, pp. 21-22.
3. Annual Report on the Beaufort District 1912, by H. Myddelton, District Officer, *Administration and Annual Reports 1912*, C.O. 648/5, f. 91.
4. Fraser, Officer Administering the Government, to the Chairman, BNBC, 19 January 1916, Governor's despatch 46/1916, Despatches: Governor to Court of Directors 1916; Secretary, BNBC, to Fraser, 2 March 1916, Court's despatch 182/1916, Despatches: Court to Governor 1916; and Pearson to the Chairman, BNBC, 18 May 1917, Governor's despatch 389/1917, Despatches: Governor to Chairman 1917. Concerning the scheme for District Assistants, see below, pp. 256-257.
5. Resident, West Coast, to Government Secretary, 26 February 1917, enclosure, Personal File on O. K. K. Mohamad Saman, Sabah State Archives Personal Files (SSAPF), 1320. For his later career, see Chapter 11.
6. Report on the Kota Belud District 1904, by A. B. C. Francis, District Officer, *BNBOG*, 1905, XVI, pp. 51-53; Governor to the Chairman, BNBC, 2 June 1915, Governor's despatch 341/1915, Despatches: Governor to Court of Directors 1915.
7. Report on the Kota Belud District 1905, by A. B. C. Francis, *BNBOG*, 1906, XVII, pp. 75-77.
8. In 1927, O. K. Mohamad Arshad was still the DADO at Kota Belud, but after this date, no record of him appears. Annual Report on the West Coast Residency 1927, by W. Smith, Resident, West Coast, *Administration and Annual Reports 1927*, C.O. 648/13, f. 85.
9. Annual Report on Province Clarke 1912, by N. B. Baboneau, Assistant District Officer, Sipitang, *Administration and Annual Reports 1911*, C.O. 648/4, ff. 113-114.
10. Annual Report on Province Clarke 1912, by N. B. Baboneau, Acting District Officer, *Administration and Annual Reports 1912*, C.O. 648/5, f. 195; District Officer, Papar, to Resident, West Coast, 13 June 1916, enclosure, District Assistants, SSASF 03235-1.
11. See Chapter 11 for more details.

12. Personal File on O. K. K. Haji Salahudin bin Haji Abdul Rahim, SSAPF 2985.
13. Mohamad Noor was appointed Native Clerk in 1905 and Native Chief in 1911. He represented the Kinabatangan district on the Native Chiefs' Advisory Council. He retired in 1928. Personal File on O. K. K. Mohamad Noor, SSAPF 02987.
14. See Native Chiefs' Classification Scheme, SSASF, 04565-1.
15. See below, p. 254.
16. Annual Report on the Marudu District, 1911, by E. O. Rutter, Assistant District Officer Marudu, *Administration and Annual Reports 1911*, C.O. 648, f. 101.
17. See Chapter 9.
18. Annual Report on Marudu Bay 1912, by J. Maxwell Hall, District Officer Marudu, *Administration and Annual Reports 1912*, C.O. 648/5, f. 82.
19. Sir Richard Dane, *Report on the Administration of British North Borneo, 1911*, London: Willliam Brown & Co., c.1911, pp. 1-78.
20. *Administration and Annual Reports 1911*, C.O. 648/4, ff. 1-15.
21. *Administration and Annual Reports 1912*, C.O. 648/5, f. 13.
22. K. G. Tregonning, *A History of Modern Sabah (North Borneo), 1881-1963*, Singapore: University of Malaya Press, 1965, p. 110.
23. See copy of this Ordinance in *The Ordinances of the State of North Borneo 1881-1926*, Singapore: The Malaya Publishing House, n.d., pp. 205-211.
24. See above, Chapter 6.
25. W. H. Treacher to Sir Rutherford Alcock, 2 August 1883, Governor's despatch 217/1883, C.O. 874/235, ff. 154-156.
26. Birch, *A Report Upon British North Borneo*, p. 22; Dane, *Report on the Administration of North Borneo*, pp. 8-13.
27. Tregonning, *A History of Modern Sabah*, pp. 116-117.
28. See copies of the Village Administration Ordinance 1913 and the Muhammadan Customs Ordinance 1914 in *The Ordinances of the State of North Borneo 1881-1926*, pp. 205-211, and 322.
29. For more information on the Legislative Council and the Advisory Council for Native Affairs, see Chapters 6 and 11.
30. Governor A. C. Pearson's minute of 13 June 1916, Native Chiefs' Classification Scheme, SSASF, 04565-1. A. C. Pearson was Governor of British North Borneo twice, from 1915-1922 and then from 1925-1926. See E. P. Gueritz, SSASF, 03554.

31. Government Secretary to All Residents, 16 June 1916, Circular 1815/16, Native Chiefs' Classification Scheme, SSASF, 04565-1.
32. The second meeting of the ACNA was held on 20 June 1916. A. C. Pearson to the Chairman, BNBC, 21 June 1916, extract of Governor's despatch 497/1916, Native Chiefs' Advisory Council, 1915-1935, SSASF, 01968. Also see Minutes of the ACNA Meeting, 1916, *Ibid.*
33. Pearson to the Chairman BNBC, 22 November and 20 December 1916 and enclosures, Governor's despatches 953/1916 and 1017/1916, C.O. 874/888. These despatches contain the minutes of the Conference of Residents held on 8 and 9 December 1916. The Conference of Residents was held subsequently in 1917 and 1923. There was then a lapse till 1935 when Governor D. J. Jardine revived the body once more. For the deliberations of the 1916, 1917 and 1923 Conference of Residents, see C.O. 874/888. For Jardine's policy and the revival of the Conference of Residents see below, p. 266.
34. District Officer Tuaran, to Resident of the West Coast, 20 July 1916, enclosure in Resident West Coast to Government Secretary, 26 July 1916, Native Chief's Classification Scheme, SSASF 04565-1.
35. D. R. Maxwell, District Officer Papar to Resident West Coast, 30 June 1916, enclosure in Resident West Coast to Government Secretary, 26 July 1916, *Ibid.*
36. G. C. Irwing, Resident East Coast Residency, to Government Secretary, 22 January 1917, *Ibid.*
37. Governor to the Chairman, BNBC, 2 June 1915, Governor's despatch 341/1915, Despatches: Governor to Court of Directors 1915.
38. Scheme for Native Clerks proposed by Governor dated 15 May 1914; Parr to the Chairman, BNBC, 15 June 1914, Native Clerks, SSASF 03593.
39. Annual Report on Education 1915, by G. L. Horton, Inspector of Schools, *Supplement to the Official Gazette*, 2 November 1916; Annual Report on the Constabulary Department 1916 by C. H. C. Pearson, Acting Sub-Commandant, *Supplement to the Official Gazette*, 1 October 1917, C.O. 648/7, ff. 289-290, and 463-467.
40. Remarks by the Governor on the Annual Report for the Education Department 1922; Annual Report on the Education Depart-

- ment 1939 by D. K. Ingle, Acting Inspector of Schools, Education Department Annual Reports 1920-1926, 1934-1939, SSASF 03985.
41. K. M. George, "Historical Development of Education", Anwar Sullivan and Cecilia Leong (eds.), *Commemorative History of Sabah, 1881-1981*, Kota Kinabalu: Sabah State Government, 1981, p. 471.
  42. *Ibid.*, pp. 472-473.
  43. Annual Report on Education 1909, *Administration and Annual Reports 1909*, C.O. 648/2, f. 34.
  44. State of North Borneo Annual Report on Education for 1922 by C. F. C. Macaskie, Inspector of Schools, Education Department Annual Reports 1920-1926, 1934-1939, SSASF 03985.
  45. Annual Report on the Education Department for the year 1939 by D. K. Ingle, Acting Inspector of Schools. *Ibid.*
  46. *Ibid.*, pp. 130-146. For more information on the development of Education in Sabah see George, "Historical Development of Education", pp. 467-522; Sabihah Osman, "The Development of Native Education in Sabah, 1881-1941", Paper delivered in conjunction with Seminar Sejarah dan Masyarakat Sabah, Kota Kinabalu, 12-16 August 1981. For more discussion on the issue of English education in Government Vernacular Schools, the policy of the government and the attitude of the Native Chiefs, see the deliberations in the Native Chiefs' Advisory Council, Chapter 11.
  47. R. M. O. Cook, Assistant District Officer Malalap to Resident Interior Residency, 30 April 1913, enclosure, Acting District Officer Tenom (for Resident of Interior Residency) to Government Secretary, 21 May 1913, Settlement of Native Lands, SSASF 02453.
  48. Annual Report on the Interior residency 1918, by H. W. L. Bunbury, Resident, *Supplement to the Official Gazette*, 1 November 1919, C.O. 648/8, f. 290.
  49. Annual Report on Rundum District, 1911, by C. F. Skinner, Acting District Officer Rundum, enclosure, *Administration and Annual Reports, 1911*, C.O. 648/4, f. 122.
  50. In 1911, Tingai, a Government Chief at Sinsoran, Tambunan, was suspended for not being able to fulfil his duties in this respect. Annual Report on Tambunan District 1911, by C. F. C. Macaskie, Cadet in Charge, *Ibid.*, f. 120.



51. Annual Report on Keningau and Tambunan Districts 1912, by C. F. C. Macaskie, Acting District Officer, *Administration and Annual Reports 1912*, C.O. 648/5, f. 106.
52. Annual Report on Keningau District 1915, by Frank Newell, Acting Assistant District Officer, *Annual Report 1916, Supplement to the Official Gazette*, 2 November 1916, C.O. 648/7, f. 364.
53. Minutes of the ACNA Meeting 1916, Native Chiefs' Advisory Council 1915-1935, SSASF 01968.
54. In the early years of Company rule, the government felt that locals would not make good policemen. In 1891, for example there were only 16 "Malay" police in a force of 130 men. Slowly, however, more local men were recruited so that by 1916 the local component accounted for 364 men out of a total force of 811. Gradually the alien component, made up of mostly Sikhs and Punjabis, was reduced so that by 1932, the Sabah Constabulary consisted of 100 Indians and 400 Natives. "Annual Report on the North Borneo Police Force, and the state of crime for the year 1891", Constabulary Department Annual Reports, SSASF 03987; Annual Report on the Constabulary Department, 1916, by C. H. C. Pearson, Acting Sub-Commandant, *Annual Report 1916, Supplement to the Official Gazette*, 1 October 1917, C.O. 648/7, f. 463; D. J. Jardine, Governor, to the President BNBC, 8 March 1935, Governor's despatch 114/1935, Despatches: Governor to the President 1935.
55. Annual Report on the Interior Residency 1918, by H. W. L. Bunbury, Resident, *Annual Report 1918, Supplement to the Official Gazette*, 1 November 1919, C.O. 648/8, f. 291.
56. Annual Report on the Constabulary Department for 1916 by C. H. C. Pearson, Acting Sub-Commandant, *Annual Report 1916, Supplement to the Official Gazette*, 1 October 1917, C.O. 648/7, ff. 468/7, ff. 463-467.
57. State of North Borneo, Administration Report 1925, by Aylmer Cavendish Pearson, Governor, *Administration and Annual Reports 1925*, C.O. 648/11, ff. 1, and 19; Governor to the President, BNBC, 2 March 1925, District Assistants, SSASF 03235-1.
58. They were Native Chiefs Jarau, Taliban and Langitan from Keningau, Tambunan and Tenom respectively. Minutes of the

- NCAC Meeting 1935, Native Chiefs' Advisory Council, 1915-1935, SSASF 01968.
59. Resident Interior Residency to the Government Secretary, 4 May 1922, Native Chiefs Classification Scheme, SSASF 04565-1.
  60. Assistant Government Secretary to all Residents, 8 November 1922, and enclosures, *Ibid.*
  61. Minutes of the Conference of Residents 1923, enclosures, Major General Sir William Rycroft, Governor, to the President, BNBC, 7 November 1923, C.O. 874/888, ff. 49-59.
  62. Governor's minute, 5 November 1923, and 19 September 1924, District Assistants, SSASF 03235-1.
  63. Memorandum on the Administration of North Borneo, 1925 by M. W. Elphinstone, SSASF 846/25, pp. 1-24.
  64. Annual Report on the Sandakan Residency 1921, by H. A.W. S. Arrindell, and enclosures, *Annual Reports 1921*, C.O. 648/9, ff. 240-244.
  65. State of North Borneo, Administration Report 1925 by Aylmer Cavendish Pearson, Governor, *Administration and Annual Reports 1925*, C.O. 648/11, f. 16.
  66. Acting Resident West Coast, To Government Secretary, 3 March 1924; Government Secretary's minute, 23 May 1924; Court of Directors to Officer Administering the government, 3 July 1924; Government Secretary's minute, 17 December 1925; and Resident West Coast's minute, 22 December 1925, Personal File on O. K. K. Mohamad Saman, SSAPF 01320; Annual Report on Beaufort District (Province Keppel) by H. Myddelton, District Officer, *Annual Reports 1921*, C.O. 648/9, ff. 226-227; and Annual Report on the West Coast Residency 1924 by G.C. Irving, Resident West Coast, *Administration and Annual Reports 1924*, C.O. 648/10, f. 120.
  67. See Chapter 11.
  68. Annual Report on the East Coast, Residency 1924, by W. C. Moores Weedon, Resident East Coast, *Administration and Annual Reports 1924*, C.O. 648/10, f. 130.
  69. State of North Borneo, Administration and Report 1925, by A. C. Pearson, Governor, *Administration and Annual Reports 1925*, C.O. 648/11, f. 16.
  70. Pengiran Ahmad Raffaie was appointed Native Chief of Sipitang in 1930. Resident, West Coast, to Government Secretary, 19 Feb-

ruary 1941, Government Secretary to Resident, West Coast, 27 February 1941, District Assistants, SSASF 03235-1.

71. Pengiran Mohamad Abbas, the most influential chief in the Padas-Klias region, passed away in 1917. In 1924 Duaun, the district head chief of Papar, retired. Gunsanad of Keningau had also retired. Pangeran Haji Omar passed away in 1924. Governor to Chairman, 18 May 1917, Governor's despatch 389/1917; Despatches: Governor to Chairman 1917; and Annual Report on the West Coast residency 1924, by G. C. Irving, Resident, West Coast, *Administration and Annual Reports 1924*, C.O. 648/10, f. 120.
72. Personal File on Ahmad Moktar bin O. K. K. Haji Salahudin, SSAPF 02412; and State of North Borneo, Annual Report on Education 1922, by C. F. C. Macaskie, Inspector of Schools, Education Department Annual Reports, 1920-1926, 1934-1939, SSASF 03985.
73. Personal File on Pangiran Omar Ali Saifudin bin Pangiran Osman, SSAPF 01438.
74. Personal File on Abdullah bin Panglima Udang, SSAAPF 2415.
75. Personal File on Abu Bakar bin Abdullah, SSAPF 2039.
76. Personal File on Taliban, SSAPF 1027.
77. Telegram from Secretary of State for the Colonies to the Officer Administering the Government of the Straits Settlements, 4 January 1934, C.O. 531/24/18, f. 9.
78. *Memorandum on Indirect Rule and the System of Administration of the Natives of North Borneo*, Jesselton: Government Printer 1935, pp. 1-48.
79. Minutes of the Administrative Officers' Conference held on 5 January and 27 October 1935, Conference of Administrative Officers 1935, SSASF 01348. The views of the various Heads of Departments are contained in *Indirect Rule and the System of Administration of Natives of North Borneo*, SSASF 01314.
80. For a brief study of these problems see minutes of the Conference of Administrative Officers, 27 October 1935, Conference of Administrative Officers 1935, SSASF 01348. The policy of forbidding Chinese settlement in the Interior Residency was strictly maintained till 1928. In this year it was relaxed as the government wanted the Chinese to develop the Interior Residency. It was the opinion of the Company that economic progress could only be initiated by the Chinese. Despite this relaxation however, very few

Chinese had settled in the area by 1935. Development of the Interior Residency, SSASF 1768/28.

81. C. R. Smith, Resident West Coast to the Government Secretary, 23 April 1936, Native Administrative Centre Keningau, Establishment of, at Bingkor, SSASF 01787, Vol. I, p.2.
82. D. J. Jardine to the President, BNBC, 19 September 1937, Governor's despatch 449/1936, *Ibid.*, p. 24.
83. Acting Resident, West Coast to the Government Secretary, 1 September 1937, enclosure, *Ibid.*, pp. 70-71.
84. Native Administration Ordinance 1937, enclosure, C.R. Smith, Governor, to the Chief Justice, 17 December 1937, enclosure, Native Administration Legislation 2 of 1937, SSASF 02222, pp. 237-243.
85. See Chapter 11.
86. Smith to President, BNBC, 1 August 1940, Governor's despatch 435/1940, Native Chiefs Classification Scheme, SSASF 04565-1, p. 101.
87. Telegram from Court of Directors to Governor, 18 October 1940, *Ibid.*, p. 103.

## THE NATIVE CHIEFS' ADVISORY COUNCIL, 1915 - 1941

Through policy and practice, the Company's government gradually groomed the Native Chiefs and *Orang Tua Kampung* to be the pillars of indigenous administration. Till 1915, however, little attempt was made to get their participation or advice as a collective, corporate body at a regional or central level. This, despite the fact that as early as 1882, the Court of Directors, concerned about the advisability of obtaining indigenous advice at the highest level, had instructed the Governor to establish a body called the Advisory Council.<sup>1</sup> As noted earlier, in 1883 Governor Treacher established a body called the Council of the East Coast, not as a preliminary to setting up a native advisory council as proposed by his superiors, but simply to enlist the assistance of European officers in the administration.<sup>2</sup> The experiment, however, was short-lived due to the Directors disapproval of it on the grounds that it did not cover the whole state. In 1885 the Governor revived the experiment and instituted another body again consisting solely of European members, known as the Consultative Council which was a state-wide body, superseding the Council of the East Coast.<sup>3</sup> This in turn was replaced by the Legislative Council in 1912.<sup>4</sup>

In 1887 a half-hearted attempt was made to involve the leaders of the indigenous communities collectively in government. A general assembly of all the chiefs of the territory took the form of a *Durbar* in conjunction with the jubilee of Queen Victoria's reign.<sup>5</sup> In 1889 a similar gathering was held at Sandakan, in conjunction with the seventieth birthday celebrations of the Queen.

The *Durbar* acquainted the Native Chiefs with the pomp and ceremony of the European government and afforded them opportunity to gain the acquaintance of the Governor. Members listened attentively to the Governor's address and returned respectful replies, but no deliberative business was conducted<sup>6</sup> The ad hoc *Durbars* were a far cry from the consultative council that had been envisaged; they lacked the regularity and form of a modern deliberative body. After the 1889 convention even this unsatisfactory system of *Durbars* was abandoned.

The first serious step towards establishing a state-wide consultative body comprising indigenous chiefs was made by Governor C. W. C. Parr in April 1915 during the height of the interior rebellions. This new body was designated the Advisory Council for Native Affairs.<sup>7</sup> Besides the Governor as President, the Government Secretary and the Resident of the West Coast, the membership included all Grade I Native Chiefs who were designated *Orang Kaya Kaya* (O.K. K). In 1915, nine Native Chiefs were appointed to the ACNA. Of these, eight represented the Muslim communities and one the Kadazandusun community. In 1916, the native membership increased to ten when Gunsanad, the Kadazandusun chief of Keningau, was made a member.<sup>8</sup>

Figure 1  
List of Native Members of the ACNA in 1915.

Name	District
Pengiran Mohamad Abbas	Province Dent
Pengiran Haji Omar	South Keppel
Haji Mohamad Arshad	North Keppel
Habib Syeik	Tawau
Haji Salahudin bin Haji Abdul Rahim	Kudat
Pengiran Haji Pati	Labuk and Sugut
Datu Agasi	Lahad Datu
Haji Mohamad Noor	Kinabatangan
Duaun (Kadazandusun chief)	Papar

Source: Native Chiefs' Advisory Council, 1915-1941, SSASF 01968.

The membership of Native Chiefs appointed to the ACNA was permanent, unless in the case of resignation, or dismissal by the Governor. During the period 1915-1917 the ACNA convened annually at the capital and the procedure was kept as simple as possible. The meeting began with the Governor's official address, after which followed the main task of the council which included discussions, debates and the passing of resolutions. As no agenda was pre-circulated, discussion was spontaneous and was often initiated by the President himself. The European members of the council participated in the proceedings but the right to vote was reserved for the Native Chiefs. The ACNA, however, had no legislative powers and resolutions passed could be accepted or rejected by the government.

Despite its shortcomings, the meetings of the council became an important platform for the chiefs to air common problems as well as more specific ones pertaining to their particular districts. Though the concept of an advisory council was in an embryonic stage and was a complete novelty to the chiefs, they often initiated discussion on important problems such as health, drought and government relief, the sale of native land to aliens, and the translation of ordinances from English into Malay. The leading native elite of the 1915 ACNA were Pengiran Mohamad Abbas and Pengiran Haji Omar. Mohamad Abbas, the most influential chief in the Padas-Klias Peninsular, was a noted authority on native law. He became the unofficial leader and spokesman of the body.<sup>9</sup> Pengiran Haji Omar, the other outstanding personality, was an authority on Muslim Law. In 1912, he actually compiled a code of Muslim Law which was later revised in 1936 by Mohamad Saman and used officially in the Native Courts.<sup>10</sup> Much of the discussion in the council was initiated by these two personalities.

A very important feature of the ACNA was that it offered chiefs the opportunity for direct and immediate contact with the Governor who could confer with them on various matters and arrive at prompt decisions. For example, in the 1915 meeting, on being acquainted with the serious drought situation, the Gover-

nor promised immediate grants to the affected areas. Further, upon a unanimous resolution by the chiefs about the desirability of compulsory vaccination, he arranged for a draft ordinance which was implemented the following year. The chiefs' anxiety to be acquainted with all government ordinances also led to a decision to translate them into Malay.<sup>11</sup>

In addition to serving as a sounding board concerning native views and opinions, the council provided an opportunity for the Governor to muster support and cooperation on proposed legislation, particularly concerning issues of a controversial nature. He was able, for example, to convince members of the merits of the 1916 Classification Scheme which involved a reduction in their numbers.<sup>12</sup> The government could have implemented the scheme without consulting the advisory body but by getting its approval, opposition was minimised, and smoother implementation ensured.

In setting up the ACNA the government was, in fact, not merely concerned with locating and dealing with the possible sources of native dissatisfaction, but hoped to use it as an effective agent. Furthermore, it served to enhance the prestige of the Native Chiefs in the eyes of the local populace, thereby increasing their efficiency as government agents. In highlighting this aspect of the council's functions, Governor A. C. Pearson, in a 1916 despatch to the Chairman of the Company wrote:<sup>13</sup>

Apart from the fact that useful suggestions are often forthcoming during the discussions, this public recognition of the Chiefs gives them increased prestige with their followers, and inspires the Chiefs themselves with confidence.

This important venture, and apparently very fruitful exercise in consultation unfortunately was allowed to lapse during the period 1917-1935. The ACNA was formed in 1915 as an immediate response to the disturbances in the interior and in Marudu Bay, but once peaceful conditions were restored the government evidently saw no pressing need for maintaining political rapport



with the chiefs as a body. The Company's Directors and their representative in Sabah had, instead, become more involved with remedying the effects of the depression. In the light of the relative stability and progress brought in native administration through the reforms undertaken to train and upgrade its officials, the ACNA was perhaps viewed as superfluous and redundant.

It was Jardine's zeal for the realisation of a system of indirect rule that brought about a revival and reorganisation in 1935 of the ACNA. Re-designating it the Native Chiefs' Advisory Council (NCAC), Jardine expanded and revitalised it, increasing its representation and power. He waved the old ruling allowing only Grade I Chiefs to be members, and allowed one chief irrespective of his grade to represent each district.<sup>14</sup> Thus, when the council, now renamed as the NCAC, met in 1935 after a lapse of eighteen years, its membership increased from ten to fourteen and, by 1937, there were twenty representatives.<sup>15</sup> Greater formalisation was also effected through a number of innovations, one of which was the institution of a prepared agenda. Items for discussion were forwarded to the Government Secretary by the Residents after consultation with relevant district head chiefs.<sup>16</sup> The Government Secretary in turn, forwarded the list to the Governor who personally selected the items for the final discussion.<sup>17</sup> The agenda was also divided into two sections: Section A, for general discussion and Section B for discussion by Muslim members only and pertained specially to matters relating to the Islamic religion.<sup>18</sup>

Consistent with his desire for greater decentralisation, Jardine tried to increase the responsibilities of the NCAC such that it functioned primarily as an indigenous organization with minimum European participation. Though having no intention of making the NCAC a legislative body, he introduced two significant changes. The first allowed the chiefs the right to select a chairman from amongst themselves. The second change was that the European officers, including the Governor, with drew from the deliberations of the council.<sup>19</sup> Through these innovations the

indigenous chiefs were given the opportunity to undergo important training in modern administrative procedures.

The procedures laid down by Jardine in 1935 and 1936 became the permanent model for the structure and working of the NCAC. After the date for the meeting was fixed, the Native Chiefs assembled on the appointed date at the Government Cottage at the capital.<sup>20</sup> The Governor, the Government Secretary, the Residents, the Principal Medical Officer and the Government Under-Secretary, acting as adviser, usually attended the opening session. Once the Governor had delivered his opening address, he and all the European officers, except the Adviser-to-Council retired from the meeting leaving the Native Chiefs to commence deliberations under their own chairman. Since the Governor, however, took no part in the deliberations of the council, his communication with the body was limited to his opening address. He was obliged, therefore, to use his speech in the most effective way to explain government policy, reply to the previous year's resolutions of the council, and tender advice and direction.

Jardine's reforms thus produced certain paradoxes. While on the one hand, greater formalisation allowed for greater efficiency, this was, on the other hand, undermined by the loss of direct contact between the Governor and the Native Chiefs which had existed during the earlier phase during 1915-1917. No doubt the procedure of conducting the affairs of the NCAC under their own chairman, without the European element, purported to give greater freedom and power to the natives, but the rigid formalisation and the paternalistic addresses of the Governor tended to limit this freedom. Moreover, the resolutions of the council carried no legal significance and this was an obvious drawback.

Despite its shortcomings, members of the NCAC, with some exceptions, began to portray a remarkable degree of maturity and a deep concern for the improvement of the economic, educational and social conditions of their communities. Unlike the ACNA, members of the new body were better educated and well

exposed to the socio-economic changes taking place under the Company's administration. More enlightened and better informed, they were often more demanding, outspoken and vocal than their former counterparts. At times, there were no doubt, tendencies towards regionalism and polarisation, the latter between the Muslim members and their non-Muslim counterparts, but generally the chiefs were able to agree on major issues so that the NCAC became an effective instrument for voicing indigenous interests.

From 1935 to 1941, under "Agenda A" the council as a whole was preoccupied with two major categories of issues. One concerned the desire to improve the socio-economic conditions of the indigenous society and the other, the preservation of traditional rights. A burning issue in the first category was the desire to improve and expand educational facilities for natives. This was evident in the 1936 deliberations of the NCAC where a universal cry for the establishment for more Government Vernacular Schools was made. Nine members including the Chairman, Mohamad Saman, requested the government to open such schools in their respective districts. A resolution was unanimously passed calling on the government to establish such schools in as many districts as possible. In response, the government increased the number of Government Vernacular Schools which rose from eight in 1935 to twenty-one in 1939.<sup>21</sup>

A keen interest was also shown in English education. In the 1935 meeting the members, realising the rising value of English education for entry into government service, complained that English was not taught in Government Vernacular Schools. As the only schools where English was taught were mission schools and, as very few native children attended such schools, (attended largely by Chinese children), the latter were deprived of the opportunity of learning English. The council was of the unanimous opinion that English should be taught in Government Vernacular Schools and that the authorities take steps to provide more English teachers for the purpose.<sup>22</sup> This request was closely linked to another made by Pengiran Serudin of Bangawan that

Government Vernacular School boys be given preference for government clerkships.<sup>23</sup>

Jardine, however, was not in sympathy with these sentiments. To some extent he could have been influenced by the comments of the Inspector of Schools. The latter was of the opinion that since Malay was the *lingua franca* of the natives, instruction in Government Vernacular Schools should be in Malay. He also felt that if indigenous boys learned English, they would eventually exercise a preference for white-collared jobs. He argued that this would "almost certainly also have an adverse effect on the supply of indigenous labour for rubber estates."<sup>24</sup> The government subsequently made no provision for the teaching of English in government vernacular schools, though selected pupils, including sons of Native Chiefs, could obtain the facility at the Government Training School at Sandakan.<sup>25</sup> Concerning the request for preference for native boys for government clerkships, Jardine explained the government's stand in his opening address to the 1935 NCAC meeting as follows:<sup>26</sup>

The object of the vernacular schools is not to train Government clerks... the great majority of the boys will go back to the land as cultivators; and it is to train them for this and to teach them to be good citizens that the education at the vernacular schools is intended.

Jardine's decision was never changed by the Company's government despite further urgent requests made in 1938 by the NCAC.<sup>27</sup>

A similar interest was shown by the council for the improvement of indigenous agriculture. Heeding the government's call for the diversification of agriculture by the planting of more cash crops such as coffee and pepper, the Native Chiefs requested that more agricultural instructors be appointed to advise the people on the method of planting new crops. In response to the keen interest shown, the government appointed in 1937 an expert agricultural officer for the state.<sup>28</sup> Urgent requests were also made for the commencement of irrigation schemes to regulate the supply

of water to wet-*padi* growing areas. In the 1941 NCAC meeting, the Adviser-to-the-Council informed the body of the government's keen interest in the matter which had, accordingly, secured the services of an irrigation engineer from the Malay States.<sup>29</sup>

Another matter of great importance over which the members of the council showed concern was the damage caused by pests to *padi* due to irregular or casual planting. Lanjugah, the representative of Penampang District, a rich rice growing area, first raised the matter in 1936 and called for appropriate legislation for the simultaneous planting of *padi*. Most other members agreed with him, but felt that a rigid date or month for planting was difficult to determine as the planting season in the different districts varied considerably.<sup>30</sup> The problem was deliberated again in 1938 and a unanimous decision made that Native Chiefs be empowered to enforce simultaneous planting of *padi* in their respective districts, with each district following its own schedule. The government was also concerned about increasing the amount of food supplies, especially rice, so that the state would have sufficient reserves during the current war conditions, for, with the outbreak of war in 1939 in Europe, the Japanese invasion was anticipated. In 1938, a Food Control Department was established and in 1939 the Native Rice Cultivation Ordinance passed, giving Native Chiefs greater powers to undertake such measures as would ensure greater food production and conservation. In 1940 the government reported that these measures were producing good results.<sup>31</sup>

The deliberations of the NCAC in the 1935-41 phase showed another significant development amongst the indigenous communities and this pertained to the growing fear among the chiefs that native rights were being gradually eroded by government policies as well as Chinese economic and territorial encroachments. They fervently fought for legislation for the reinstatement and preservation of their rights. The chiefs wanted taxes on timber-boats, guns and *tapai* to be either reduced or completely waived, as they felt these taxes impinged on their natural rights. According to them, before the advent of the Company, there was no taxation on the use of items such as *prahu* and *tapai* as they were

integral to native life. The government, however, was lukewarm to these demands and rejected most of them.

The resentment against Chinese economic encroachments was particularly vocal. High on the list of grievances was the rapid alienation of native lands especially along the coasts to the Chinese. The Chairman, Mohamad Saman, voiced his concern in very strong terms, and the government took steps to arrest further alienation.<sup>32</sup> In addition to the issue of land, the chiefs wanted the government to restrict and regulate Chinese trading activities. They wanted the exclusion of the Chinese from the *tamu* and their prohibition from opening village shops, extending credit to natives, and transaction by barter with the natives.<sup>33</sup> The government was slow in reacting to these requests due to the exigencies of the war.

As far as agenda B was concerned, it reflected an awareness on the part of the Muslim elite concerning their role in the Company's administration and, on the Company's part, a recognition of the services rendered by Muslim Native Chiefs. Despite the increase in the number of non-Muslim Native Chiefs in the 1930s, the Company's government had always relied largely on the former, especially those in the coastal areas, due to their superior administrative acumen. Even in the 1930s the Muslim members of the council remained in the majority.<sup>34</sup>

Figure 2  
Composition of Membership of the ACNA and the NCAC  
1915-1938

Year	Muslim Members	Non-Muslim	Total
1915	8	1	9
1916	8	2	10
1935	9	5	14
1936	14	4	18
1937	15	5	20
1938	12	4	16

Source: Native Chiefs' Advisory Council, 1915-1941, SSASF 01968.

Discussion of agenda B regularly brought up a wide variety of issues and showed how politically conscious the Muslim Native Chiefs were as a group. In the main, this group was concerned with two broad issues. One concerned requests that the government give due and proper recognition to the Islamic faith in the state and the other an appeal for more powers to be given to them to enforce the laws of Islam on the indigenous Muslim community. With regard to the first category, requests were made in 1936 that the government should recognise the *kadi* and *imam* of each district by the payment of a monthly salary. Exemption from poll-tax for the five principal attendants of each mosque was also requested. These demands were turned down by the government.<sup>35</sup> In 1941 the Muslim members of the NCAC passed a resolution that the government should appoint a salaried head *imam* for the state from among the Muslims on the equivalent basis of the Bishops of the Christian Church. The government did not show any positive inclination to fulfil this request.<sup>36</sup>

In the second category, the Muslim Native Chiefs generally felt that Islamic practices should be better regulated and enforced and called for stricter punishments for adultery, incest, gambling, drinking and failure to attend Friday prayers. The general feeling was that legislation be passed to bring these matters under the jurisdiction of the Native Chiefs so that offenders could be brought to book. To enable the chiefs in the various districts to be systematic in their interpretation and execution of the law, Mohamad Saman, the Chairman of the NCAC meeting of 1936 proposed that a code of Muslim Laws be prepared and published by the government in Malay (*Jawi* and Romanised). He himself presented a draft, based on an earlier one used by Pengiran Haji Omar in 1912, which the members approved unanimously. As a result, the code, called the *Mahkamah Adat Orang Islam*, was published and circulated to all the Muslim chiefs for their use in the Native Courts.<sup>37</sup>

Mohamad Saman, the Chairman of the NCAC from 1935-1938 was the moving personality behind many of its achievements. He was well respected by both the native elite and the

Company's officers. He had begun his career as an *imam* in 1911 and was appointed Native Chief in 1916 to take the place of Pengiran Abbas who retired after thirty years of service. Mohamad Saman became so well known and influential that he enjoyed the unofficial status of a paramount chief of the west coast.<sup>38</sup>

The NCAC was indeed on the threshold to developing into an articulate organ for native affairs, but its life was cut short with the Japanese invasion of North Borneo in 1941. The establishment and history of the NCAC marked, nevertheless, a significant development from the point of view of the evolution of native leadership and institutions. Its greatest contribution to Sabah lay not just in the creation of a native elite group, but in helping to mould together the various fragmented societies into the framework of a Sabah identity.



## NOTES

1. See Chapter 6.
2. Treacher to Alcock, 5 July 1883, and enclosures, Governor's despatch 194/1883, C.O. 874/234, ff. 659-668.
3. Treacher to G. L. Davies, enclosure, Treacher to Alcock, 2 January 1885, Governor's despatch 6/1885, C.O. 874/238, ff. 62-65.
4. Sir Richard Dane, *Report on the Administration of British North Borneo 1911*, London: William Brown & Co., c. 1911, p. 7; and *The Ordinances of the State of Borneo, 1881-1926*, London: William, Brown & Co., c.1911, pp. 195-201.
5. K. G. Tregonning, *A History of Modern Sabah (North Borneo), 1881-1963*, Singapore: University of Malaya Press, 1965, p. 111.
6. *BNBH*, VII, 1889, pp. 181-182.
7. Parr to the Chairman, BNBC, 6 April 1915, Governor's despatch 165/1915, Native Chiefs' Advisory Council 1915-1935, SSASF 01968 and *State of North Borneo Official Gazette*, 15 March 1915, C.O. 874/834, p. 85. As a result of the interior disturbances, the Governor proclaimed Martial Law in the Rundum District on 9 March 1915. On 1 April 1915 he inaugurated the Advisory Council for Native Affairs.
8. Minutes of the Inaugural Meeting of the Advisory Council for Native Affairs, 1 April 1915, enclosure, Parr to the Chairman, BNBC, 6 April 1915, Governor's despatch 165/1915; Minutes of the State Advisory Council for Native Affairs, 20 June 1916, enclosure, Pearson to the Chairman, BNBC, 25 September 1916, Governor's despatch 808/1916, Native Chiefs' Advisory Council, 1915-1935, SSASF 01968. For the 1915 list of members see Figure I.
9. Tregonning, *A History of Modern Sabah*, pp. 115-117.
10. See below, p. 293.
11. Governor to the Chairman, BNBC, 25 September 1916, Native Chiefs' Advisory Council 1915-1935, SSASF 01968.
12. See above, Chapter 10.
13. A. C. Pearson, Governor, to Chairman, 21 June 1916, Native Chiefs' Advisory Council, 1915-1935, SSASF 01968.
14. Jardine's address to the Native Chiefs' Advisory Council in 1935, enclosure, Jardine to the President, BNBC, 27 May 1935, Gover-

- nor's despatch 256/1935, pp. 1-2. Despatches: Governor to President 1935.
15. Minutes of the NCAC Meeting 1935, enclosure, Jardine to President, BNBC, 27 May 1935, *Ibid.*, 1; Minutes of the Native Chiefs' Advisory Council Meeting 1937, Native Chiefs' Advisory Council 1937, SSASF 01968, p. 63.
  16. For a good example of how Residents compiled these lists and the type of comments they gave, see Resident East Coast to Government Secretary, 4 April 1936 and enclosures, Native Chiefs' Advisory Council 1936, SSASF 01968.
  17. For a good example see Jardine's minutes of 28 April 1936 on the Government Secretary's draft agenda of 25 April 1936, Native Chiefs' Advisory Council 1936, SSASF 01968, pp. 22-25.
  18. This procedure was only started in 1936. See copies of the Agenda (A and B), enclosures I and II, enclosures, A. N. M. Garry, Government Secretary to the Resident of the West Coast, 29 April 1936, *Ibid.*, pp. 26-29.
  19. Jardine to the President, BNBC, 27 May 1935, Governor's despatch 256/1936, Despatches: Governor to President 1935.
  20. Garry, Government Secretary, to the Resident West Coast, 29 April 1936, Native Chiefs' Advisory Council 1936, SSASF 01968, pp. 26-27.
  21. See Chapter 10.
  22. Minutes of the NCAC Meeting 1935, enclosure, Jardine to the President, BNBC, 27 May 1935, Governor's despatch 256/1935, 7, Despatches: Governor to President 1935.
  23. The suggestion, submitted by Pengiran Serudin for the 1936 agenda, was not permitted for discussion at the NCAC meeting by the Resident of the West Coast. Resident West Coast to Government Secretary, 6 April 1936, Native Chiefs' Advisory Council 1936, SSASF 01968.
  24. Inspector of Schools to Government Secretary, 6 June 1935, Vernacular Education, SSASF 01144.
  25. The Government Training School at Sandakan replaced the Government Training School for Sons of Native Chiefs which was closed in 1930. Selected native boys, not necessarily sons of Native Chiefs were sent to the new school for training.

The Strengthening of Indigenous Institutions of Authority, 1900-1941

26. Minutes of the NCAC Meeting 1936, Native Chiefs' Advisory Council 1936, SSASF 01968, p. 61.
27. The request came from the Native Chief of Papar, but Governor C. R. Smith refused to reconsider the matter. Smith's opening address to the NCAC Meeting 1938, Minutes of the NCAC Meeting 1938, Native Chiefs' Advisory Council 1938, SSASF 01968, p. 65.
28. Minutes of the NCAC 1937, Native Chiefs' Advisory Council Meeting 1937; and Governor C. R. Smith's address to the 1938 Council Meeting, Minutes of the NCAC Meeting 1938, Native Chiefs' Advisory Council 1938, SSASF 01968, pp. 83-84.
29. Minutes of the NCAC Meeting 1941, Native Chiefs' Advisory Council 1941, SSASF 01968, p. 3.
30. Minutes of the NCAC Meeting 1936, Native Chiefs' Advisory Council 1936, SSASF 01968, pp. 69-70.
31. State of North Borneo, Administration Report 1940, by C. R. Smith, C.O. 648/22, f. 308; and Minutes of the NCAC Meeting 1941, Native Chiefs' Advisory Council 1941, SSASF 01968, pp. 4-5.
32. See Chapter 9.
33. For a discussion of these issues see Resident East Coast to Government Secretary, 4 April 1936 and enclosures; and Minutes of the NCAC 1936 and 1941, Native Chiefs' Advisory Council 1936 and 1941, SSASF 01968.
34. See Figure 2.
35. Resident West Coast to Government Secretary, 6 April 1936 and enclosures, Native Chiefs' Advisory Council 1936, SSASF 01968.
36. Minutes of the NCAC Meeting 1941, Native Chiefs' Advisory Council 1941, SSASF 01968, pp. 12-13.
37. Minutes of the NCAC Meeting 1936 and enclosure, Native Chiefs' Advisory Council 1936, SSASF 01968, pp. 75, and 78-79. A copy of the Code is attached to the Minutes.
38. Personal file of O. K. K. Mohamad Saman, SSAPF 01320.

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1. Introduction

2. Experimental

3. Results and Discussion

4. Conclusions

5. Acknowledgments

6. References

7. Appendix

8. Author Biographies

9. Index

10. Subject Index

11. Author Index

12. Table of Contents

## RETROSPECT

The study of Sabah's history from 1865 to 1941 in general, and of the development of indigenous society in particular, is significant in many respects. It was during this period that historical processes set-in which integrated the diffused and heterogeneous character of Sabah's social, political, administrative and territorial systems into a unified modern state with its own identity. The scope of the study has thus allowed the writer to examine indigenous society both in the pre-Company setting and during the period of Company rule. In this context, it has been possible to discuss the nature of the region's local and international trade networks, the historical links of Sabah with regional powers, such as the Brunei and Sulu Sultanates and, finally, the issues of social and administrative change under Company rule.

The second half of the nineteenth century presented a unique setting for the study of pre-Company Sabah society in the context of its evolution as well as its complexity. In the 1870s and 1880s there existed in Sabah social systems of the interior *suku* communities which had undergone little change, as well as other more complex societies on the coastal plains which had experienced a gradual process of transformation as a result of the influence of the Brunei and Sulu Sultanates.

In contrast to many other parts of Southeast Asia, such as the Peninsula Malay States, Sabah by the nineteenth century had not even emerged as a *kerajaan* in its own right, though large sections of its coastal areas had become part and parcel of the expanding Brunei and Sulu Sultanates. The highest social system

that evolved within the indigenous framework of Sabah was the *suku* structure in which *adat* provided the metaphysical sanctions and philosophy for man's behaviour, and the institution of the longhouse headman as the agent for rudimentary administration.

The activities of the Brunei and Sulu Sultanates and the establishment of their political and commercial hegemony in Sabah produced some fundamental changes amongst the autochthonous communities which came under their respective influence. The region, as a whole, also changed character in the economic, commercial, demographic and political spheres. The most important single contribution of the Brunei Sultanate was the establishment of a corporate administrative structure, at the local level, that is, the *jajahan* system, on the west coast of Sabah.

Under the *jajahan* system introduced by Brunei, local Kadazandusun communities on the plains of the west coast became acquainted with the idea of relating to a territorial and administrative structure larger than the longhouse unit or the *suku*. They also, for the first time, became subjected to taxation and to a system of justice different from their own. The migration and settlement of substantial numbers of Brunei-Malay on the west coast introduced a new ethnic and economic component. Many of the Brunei-Malay came as administrators and chiefs in whom the Chartered Company later found a ready and efficient pool for its own purposes.

On the east coast, the Sulu Sultanate established a more loose type of *jajahan* due partly to the nature of geographical conditions and the sparse and scattered population. The extension of Sulu influence led to the establishment of Suluk, Bajau and Illanun settlements along the coasts. These included a slave component which became assimilated over the years. Another major change was the Islamisation of local communities. Unlike the inhabitants on the west coast, the local Kadazandusun communities on the east coast, except those which were settled in the remote interior, were too weak to resist external cultural influences and were gradually to emerge as Orang Sungai, Dumpas and Buludupi. With the rapid decline of Sulu in the late nineteenth century, as a result

of Spanish action, the east coast of Sabah became a region of turmoil, infested by slave raiding communities and strong local chieftains who began to assume a position of independence.

On the west coast, the coming of the Bajau and Illanun communities also led to significant changes. For a time, from the late eighteenth century to the middle of the nineteenth, these communities, with Sulu support, were able to destroy Brunei commercial and political hegemony completely from Kota Belud to Marudu. The commercial activities of the Bajau, also destroyed the virtual monopoly of the Brunei trading classes of the internal trade on Sabah's west coast, thus further contributing to the Sultanate's slow decline. In the realm of inter-ethnic relations, the Bajau created hostility with local communities so that in most areas they were involved in continuous feuds with the Kadazandusun and, in some cases, even with their former allies, the Illanun. On the positive side, the Bajau introduced the *tamu* or the system of periodic markets which on its own began to produce new social and commercial linkages.

It was in these conditions, when Sabah society was undergoing dynamic change that Western interests became involved in Sabah. Unlike British intervention in the Malay Peninsula in 1874, however, the extension of Western influence into Sabah was not motivated primarily by local disorder, but by the dynamics of free enterprise.<sup>1</sup> The activities of Western syndicates culminated in the acquisition of territories constituting the present state of Sabah by the British North Borneo Company which received its Charter in 1881. With this takeover, Sabah may be said to have entered a new phase in her history.

The incorporation of the BNBC itself was a novelty because the days of such companies had long passed. However, its formation reflected the current British colonial philosophy of the time which encouraged the extension of British imperial interests through the concept of the "informal empire". The Company's own philosophy was based on the Victorian ideals of free enterprise, colonization, expansion of commerce, and the bringing of "civilization" to non-Christian regions. To a certain

extent the Charter imposed regulations and restrictions on the purely capitalist outlook of the Company, by which it was obliged to protect the interests and rights of indigenous societies. The obligation to appoint its principal administrators in Sabah with the approval of the British government also led, in practice, to a certain amount of modification of its objectives and policies.

During the early phase of Company rule, from 1882 to 1900, the Company concentrated in opening up Sabah to capitalist enterprise and establishing a foothold on the coastal areas. Thus, during this period, it was the coastal and plain communities, the Bajau, the Suluk, the Brunei-Malay and the plain Kadazandusun, which underwent rapid change. This phase is also characterised by the peculiar nature of the problems that the Company had to face due to the legacy left behind by two different systems: the Brunei system on the west coast and the Sulu on the east coast.

On the west coast, the Company inherited a better administrative tradition in the form of the *jajahan* hierarchy from which it could draw a ready pool of local administrators and chiefs, largely of Brunei-Malay origin. However, the system of division of rivers according to the Brunei system, whereby certain rivers were still held by *tulin* holders of Brunei, presented immediate problems. The Company had to devote much time and money in acquiring these rivers, in the process of which it was also able to subdue the Bajau on the west coast.

In the former sphere of Sulu influence on the east coast, the Company inherited only a rudimentary administrative structure and, besides, was committed to the destruction of Bajau and Suluk commercial bases and the traditionally important institution of slavery. A piecemeal policy was therefore adopted whereby Company stations under European offices were established in areas which were considered vital to its interests, such as Sandakan and Silam but, in the rest of the vast region, the Company was content either with appointing indigenous chiefs as its representatives, or leaving things as they were.

During the initial phase of Company rule, 1882-1900, coastal indigenous society underwent radical transformation. While some



sections welcomed the prospect of more orderly conditions under the Company, others rejected its legitimacy and the authority on the grounds that it was alien, exploitative and destructive. Thus many coastal traditional chiefs who saw hope in the new order of things joined Company service. In these circumstances a system of indigenous administration began to evolve under Company auspices.

On the other hand, many local chiefs and communities rose up in arms against the Company. The most famous and also the most widespread and powerful of these uprisings were those led by Mat Salleh. From 1895 to 1900, Mat Salleh shook the foundations of the Company's presence in Sabah. Only after his defeat in 1900, was the Company able to reassert and expand its authority in Sabah.

The tobacco boom of the 1890s also saved the Company from bankruptcy, and provided the economic momentum from 1901 onwards for fundamental administrative reform and development of the interior. The primary objective of the new policies was to boost state revenues and provide more opportunities for capitalist enterprise, though they were often justified in terms of humanitarian philosophy. The reforms necessitated a degree of governmental uniformity which involved administrative reorganisation. The latter affected the traditional life and rights of the indigenous communities, especially the plain Kadazandusun and the interior Murut in particular. From 1901 to 1915 these communities reacted by opposing Company policy in an attempt to preserve their way of life. The Kadazandusun developed highly innovative strategies in the form of passive action or non-cooperation to back-up their demands. The Murut on the other hand, took to armed rebellion, which only further disrupted their society and caused a decline in their numbers. Only after 1915 was Sabah society consolidated into a unified state structure.

The upheaval of 1915 caused the Company to bolster native authority in an attempt to rule the indigenous communities more effectively and with greater local co-operation. The position of the Native Chiefs was regulated and strengthened, and the Na-

tive Court was recognised as an essential organ of administration throughout the Company's territories with clearly defined powers and functions. The Advisory Council for Native Chiefs, formed in 1915, the first of its kind for Sabah, constituted a state-wide consultative body for Native Chiefs. Facilities for the training and education of indigenous youths were expanded so that more locals would be able to occupy the lower rungs of administration. Thus, by the 1920s and 1930s more and more indigenes were employed in government service and, many of them, such as the Deputy Assistant District Officers, held positions of great responsibility and authority.

In formulating policies and structuring a suitable administrative system for Sabah, the Company benefited greatly through the experience of a substantial number of its Governors who had served earlier in other colonial territories. It is hardly surprising therefore, that some of them at least, like W. H. Treacher (1881-1887), E. W. Birch (1901-1903) and D. J. Jardine (1935-1937), contributed as much to Sabah's development as some of the better known colonial administrators in the Peninsula. Unlike the Peninsula however where the administrative structure and institutions of the Malay *kerajaan* and *negeri* provided an effective organ of administration under the Sultans, in the case of Sabah, with only rudimentary traditional institutions to rely on and the different structures left behind by the Brunei and Sulu Sultanates, the Company was obliged to create a more consolidated and systematic system of native administration for the first time. While using village heads at the base, the absence of larger administrative units beyond the village structure in the interior obliged the Company to widely utilise the existing coastal Muslim chiefs in the administration of the larger district units that were created. The resentment which some of these Muslim chiefs met, at least in the interior regions, led to a concerted effort as of 1915 to train and up-grade non-Muslim village heads to assume the responsible position of Native Chiefs and district head chiefs.

The administrative structure that ultimately took shape consisted of a European hierarchy at the top, composed of the Gover-

nor, the Legislative Council and the various Government Departments and, at the regional level, the Residents, the District Officers and Assistant District Officers. Below these were the Deputy Assistant District Officers composed of local men acting as government agents who mediated an important link between the government and the Native Chiefs. It was however the latter, as members of the Native Chiefs' Advisory Council who represented native interests. Apart from expressing indigenous opinions and view-points at the council, they were the true executors of government policy at the district level and thus made their cooperation indispensable.

Within the realm of justice, the Company also established a Western type of court system with the High Court at the helm and the Magistrates Courts below it. However, appreciating the importance of recognising the *adat* law and the native judiciary, the Native Courts were recognised and incorporated within the new judicial hierarchy. The Native Court as an institution developed into a vital organ for the dispensation of justice for indigenous society. The Native Magistrates were often imbued with new ideas to improve the system. *Adat* laws were codified with their assistance while outstanding Muslim Chiefs produced a compendium of *Syariah* laws for the Muslim communities. The Native Courts worked so well that appeals were seldom made to the higher courts.

The dynamism of indigenous society, however, was most outstandingly reflected in the deliberations of the Native Chiefs' Advisory Council. The members of this body did not merely represent government opinion, but contributed substantively and intellectually by providing a focus and giving direction to the future development of indigenous society. In bringing forth ideas and suggestions pertaining to the benefits to be accrued from the expanding role of education, better infrastructure, improvements in agriculture and the preservation of native lands, these members were not only providing new directions for native society, but were also creating in the process, an informed society which

could chart its own future. The effects of these processes became more evident after the Second World War.

The final outcome of the various changes that occurred between 1865 to 1941 in Sabah was that Sabah emerged as a unified political entity within which traditional elements were incorporated into a modern administrative system. Indigenous society went through various processes of adjustments and developments and, by the end of Company rule, the various fragmented and disparate societies, the different political systems, and the numerous territorial units were integrated within the administrative structure of a modern state in which indigenous institutions of authority and judicature, and the newly created Native Chiefs' Advisory Council not only produced a new native elite of administrators and leaders, but also helped to mould indigenous society into a framework of a Sabah identity.

NOTES

1. For various views concerning British intervention in the Peninsula Malay States, see C. D. Cowan, *Nineteenth Century Malaya*, London : Oxford University Press, reprinted 1962; C. N. Parkinson, *British Intervention in Malaya, 1867-1877*, Kuala Lumpur : University of Malaya Press, 1964; and E. Sadka, *The Protected Malay States, 1874-1895*, Kuala Lumpur : University of Malaya Press, 1968; and Khoo Kay Kim, *The Western Malay States*: Kuala Lumpur: Oxford University Press, 1979.

Appendix

The following table shows the results of the regression analysis. The dependent variable is the natural logarithm of the number of employees. The independent variables are the natural logarithm of the number of sales, the natural logarithm of the number of assets, and the natural logarithm of the number of liabilities. The results show that the number of sales is positively related to the number of employees, while the number of assets and liabilities are negatively related to the number of employees.

# APPENDIX

## Appendix A

### Brunei Dependencies in Sabah in the 1870s

Dependency	Owner	Type	Document
1. Putatan	Pengiran Muda Tajudin	Tulin	C.O.874/236
2. Membakut )	Pengiran Pemanca	Kuripan	C.O.874/73
3. Tuaran )			C.O.874/235
4. Mengkabong	Pengiran Rauf and Later his son Pengiran Jallaludin	Tulin	C.O.874/73
5. Menggatal			C.O.874/232
6. Inanam			C.O.874/235
7. Api Api			C.O.874/252
8. Simbulan			
9. Nafas Tambalang			
10. Kinarut			
11. Panglat Besar			
12. Papar	Sultan Abdul Mumin	Tulin	C.O.874/54
13. Gaya			C.O.874/232
14. Panglat Damit			C.O.874/237
15. Padas-Klias			
16. Bongawan			
17. Benoni	Sultan Abdul Mumin + Pengiran Temenggung	Tulin	C.O.874/54
18. Kismanis	Pangiran Temenggung	Tulin	C.O.874/54
19. Padas-Damit	Pengiran Syahbandar	Tulin	C.O.874/237 C.O.874/250
20. Kawang	Syarif Jahir	Tulin	C.O.874/239

## Appendix B

### List of Members of the ACNA and NCAC 1916-1941

#### List of Members of the ACNA 1916

Name	District
1. Pengiran Mohamad Abbas	Province Dent
2. Pengiran Haji Omar	South Keppel
3. Haji Mohamad Arshad	North Keppel
4. Habib Syeik	Tawau
5. Haji Salahudin bin Haji Abdul Rahim	Kudat
6. Pengiran Haji Pati	Labuk and Sugut
7. Datu Agasi	Lahad Datu
8. Haji Mohamad Noor	Kinabatangan
9. Gunsanad	Interior
10. Duaun	Papar

#### List of Members of the NCAC 1935

Name	District
1. O.K.K. Mohamad Saman	Beaufort
2. O.K.K. Kahar	Labuk
3. Pengiran Serudin	Bangawan
4. Yahaya	Mempakul
5. O.K.K. Lajungah	Penampang
6. Haji Mustapha	Tawau
7. Datu Agasi	Lahad Datu
8. Haji Abdul Sanat	Sandakan
9. Matjakir	Papar
10. Abdul Rashid bin O.K.K. Haji Mohamad Arshad	Kota Belud
11. Anggor	Tuaran
12. Jarau	Keningau
13. Taliban	Tambunan
14. Langitan	Tenom



## Appendix

## List of Members of the NCAC 1936

Name	District
1. O.K.K. Mohamad Saman	Beaufort
2. O.K.K. Kahar	Labuk
3. O.K.K. Pengiran Serudin	Bangawan
4. O.K.K. Yahaya	Mempakul
5. O.K.K. Lajungah	Penampang
6. Datu Harun	Kudat
7. Datu Agasi	Lahad Datu
8. Abdul Surah	Kinabatangan
9. Mohammad Hassan	Inanam
10. Abu Bakar bin Abdullah	Tawau
11. Panglima Abdullah bin Panglima Udang	Semporna
12. Jarau	Keningau
13. Taliban	Tambunan
14. Abdul Rashid	Kota Belud
15. Sahal	Papar
16. Enduat	Pensiangan
17. Pengiran Ahmad	Sipitang

## List of Members of the NCAC 1937

Name	District
1. O.K.K. Mohamad Saman	Beaufort
2. O.K.K. Kahar	Labuk
3. O.K.K. Yahaya	Mempakul
4. O.K.K. Lajungah	Penampang
5. O.K.K. Datu Agasi	Lahad Datu
6. Datu Harun	Kudat
7. Pengiran Serudin	Bangawan
8. Sedoman	Keningau
9. Pengiran Mohamd Salleh	Labuk
10. Panglima Abdullah bin Panglima Udang	Semporna
11. T. Osman	Langkon
12. Panglima Abdul Surah	Kinabatangan
13. Melakim	Papar
14. Mohammad Hassan	Jesselton
15. Abdul Rashid	Kota Belud
16. Taliban	Tambunan
17. Abu Bakar bin Abdullah	Tawau
18. Langitan	Tenom
19. Imam Haji Taki	Padas Damit

## Appendix

## List of Members of the NCAC 1938

Name	District
1. O.K.K. Mohamad Saman	Beaufort
2. O.K.K. Kahar	Labuk
3. O.K.K. Pengiran Serudin	Bangawan
4. O.K.K. Yahaya	Mempakul
5. O.K.K. Mohamd Salleh	Labuk
6. O.K.K. Lajungah	Penampang
7. O.K.K. Datu Harun	Kudat
8. O.K.K. Abdullah bin Panglima Undang	Semporna
9. O.K.K. T. Osman	Langkon
10. O.K.K. Sedoman	Keningau
11. O.K.K. Abu Bakar bin Abdullah	Tawau
12. Mohammad Hassan	Jesselton
13. Abdul Rashid	Kota Belud
14. Taliban	Tambunan
15. Enduat	Pensiangan
16. Abdul Surah	Sandakan

## List of Members of the NCAC 1941

Name	District
1. O.K.K. Kahar	Labuk
2. O.K.K. Pengiran Serudin	Bangawan
3. O.K.K. Yahaya	Mempakul
4. O.K.K. Lajungah	Penampang
5. O.K.K. Mohamd Salleh	Labuk
6. O.K.K. Datu Harun	Kudat
7. O.K.K. Abdullah bin Panglima Undang	Semporna
8. O.K.K. T. Osman	Langkon
9. O.K.K. Abu Bakar bin Abdullah	Tawau
10. O.K.K. Mohammad Hassan	Jesselton
11. O.K.K. Sedoman	Keningau
12. O.K.K. Asbollah bin O.K.K. Haji Arshad	Kota Belud
13. O.K.K. Datu Agasi	Lahad Datu
14. Panglima Abdul Surah	Sandakan

Source: Native chiefs' Advisory Council, 1915-1941, SSASF01968.

## THE HISTORY OF THE

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## GLOSSARY

### List of indigenous Sabah terms and words

<i>adat</i>	:	custom, tradition
<i>berian</i>	:	dowry, gift, bride-price
<i>bicara</i>	:	court-case, trial
<i>bilik</i>	:	room
<i>buis</i>	:	poll-tax
<i>cap</i>	:	edict, order, commission
<i>daerah taaluknya</i>	:	dependency
<i>jajahan</i>	:	dependency
<i>kampung</i>	:	village
<i>kebal</i>	:	invulnerable
<i>kerajaan</i>	:	government
<i>kutbah</i>	:	Muslim sermon
<i>ladang</i>	:	swidden rice cultivation
<i>nakhoda</i>	:	sea-captain
<i>negeri</i>	:	state
<i>orang tua</i>	:	village elder or village headman
<i>padi</i>	:	unhusked rice, rice plant
<i>pesaka</i>	:	inherited
<i>pesisir</i>	:	coastal
<i>pintu</i>	:	room, household
<i>prahu</i>	:	native boat
<i>sawah</i>	:	wet rice cultivation
<i>silsilah</i>	:	geneology

### The Making Of Sabah

<i>suku</i>	:	sub-group
<i>sungai</i>	:	river, dependency
<i>tamu</i>	:	<i>temu</i> (Malay) literally to meet, periodic market
<i>tapai</i>	:	rice beer
<i>tanah-tanah</i>	:	dependencies
<i>tebasan</i>	:	clearings, swidden cultivation
<i>tulin</i>	:	original, private

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# INDEX

## A

- Abdul Mubin 5  
A. C. Pearson 195, 225, 234, 236, 260, 276, 279, 286, 295  
*adat* 32, 34, 42-50, 53-56, 293, 126, 241, 262, 300, 305  
Advisory Council for Native Affairs 252, 256, 260, 276, 284, 295  
A. H. Everett 109, 137, 151, 153, 159, 169  
Alexander Dalrymple 100  
Alfred Dent 3, 4, 17-19, 83, 106, 108-109, 111, 115, 117, 130, 207,  
209-210  
Antanum 226-228  
Api-Api 65, 68, 213

## B

- Bajau 9, 12-15, 23-24, 27-28, 31, 36, 41, 67-69, 71-78, 85-86, 118-  
119, 121-124, 132, 175-179, 185, 189, 201-202, 205  
British North Borneo Company 3, 5, 17-18, 49, 52, 211, 301  
Burniputra 16

## C

- Captain Witt 125  
C. R. Smith 245, 273, 282, 296, 297  
C. W. C. Parr 233, 260, 284

- Chief 3, 22, 37, 46, 60-63, 68-78, 84, 88, 116, 118-119, 121-124,  
126-128, 176-179, 181, 183-186, 189, 191, 194, 197-108 209,  
219, 221, 236, 244, 247, 284-285, 287, 293, 296  
Colonial Office 136, 163, 230, 241-242, 250

## D

- D. D. Daly 77, 88, 179, 209  
D. J. Jardine 142, 230, 304  
DATU 91  
Datu 14, 62, 76, 91, 93-94, 96-97, 99, 101-102, 104, 106, 109, 117,  
119, 120, 123, 125, 181-182, 184-186, 189, 205-207, 284  
Datu Agasi 257, 262, 265, 270  
Datu Haji Anseruddin 119-120, 138, 161, 181  
Datu Harun Al-Rashid 101-102, 104  
Datu Kurunding 97, 120  
Datu Mohammad Ashgari 94, 101-102  
Datu Mohamad Israel 97, 101, 106  
Datu Sakya 185, 185  
Datu Yahya 97, 185  
Datuk Abdullah 78, 178-179  
Datuk Amir Bahar 68-69, 76, 78, 84, 126-128, 151, 169, 175-176,  
179  
Datuk Bahar 68, 126  
Datuk Digadong 68  
Datuk Linte 122, 124  
Datuk Pemanca 69  
Datuk Rumbangang 121-122  
Datuk Setia 68  
Datuk Temenggung 68-70, 85  
Duaun 224, 284

## E

- E. P. Gueritz 138, 153, 240, 250, 259, 276  
E. W. Birch 142, 170, 230, 259, 273, 304

## G

- G. L. Davies 153, 170-171, 175, 208-209, 294,  
 Gomantong 99, 106, 110, 182-183, 211  
 Governor 4, 18-19, 49, 52, 87, 92, 114, 128, 133, 136-138, 143-  
 148, 151, 153, 157-159, 161, 163, 169-170, 176, 178, 180, 182-  
 184, 186, 190, 195, 197, 201, 208, 211, 215-216, 218, 220, 222-  
 224, 230-232, 234, 240, 242, 244-245, 247-248, 250, 252, 255,  
 258-261, 263-264, 268, 271-273, 276, 278-279, 282, 283-288,  
 295-296, 304  
 governor 94, 101, 104, 106, 119, 144-145, 166, 212  
 Guntsanad 78, 88, 219, 221, 224, 266, 271, 279, 284  
 gutta-percha 45, 53, 55, 59, 63, 75, 92, 99

## H

- Haji Arshad 262-263, 269  
 Haji Basoh 97  
 Haji Dahlan 269  
 Haji Drahim 97, 109, 179, 181, 209  
 Haji Mohamad Noor 265, 270, 284  
 Haji Salahudin 256, 265, 270, 275, 284

## I

- Illanun 9, 13-15, 25, 31, 71-73, 76-77, 87, 94, 96, 102-103, 121-  
 122, 127  
 Imam Janjowi 120  
 Inanam 13, 61, 65, 72, 74-75, 88, 151, 153, 171  
 indigenous 1, 5, 6, 7, 9, 12, 13, 16, 19, 20, 23, 27, 28, 31, 34, 49, 59,  
 82-83, 86, 215, 239-245, 247, 283-284, 287-289, 290-292

## J

- jajahan* 5, 57, 63-65, 67-70, 76-78, 83-84, 100, 116, 121, 126, 150,  
 177, 179, 205, 300, 302

Jarau 278  
Joseph William Torrey 114

## K

Kadazandusun 8-9, 11-13, 15, 21-23, 31, 33, 36-37, 40, 42, 44, 48-51, 53-54, 57-59, 61, 68-70, 72-76, 78, 84-86, 177, 185, 191, 193, 202, 205, 222-224, 229, 240-242, 284  
Kimanis 3, 5, 111

## L

Langitan 278  
Longhouse 6, 11, 34, 37-43, 45-46, 48, 70, 76, 300  
L. P. Beaufort 170, 190, 195, 211-212

## M

Maharaja Alam 97, 104, 106, 120, 185  
Maharaja Lambi 104, 185  
Marudu 3, 6, 13-15, 71-72, 76, 80, 87, 94-95, 97-98, 100-101, 103-104, 114, 116, 125, 179-181, 184, 219, 226, 232-233, 235, 239, 257, 276, 286  
Mat Salleh 188-191, 193-198, 201-206, 211-212, 226, 256, 303, 188  
Mat Sator 198  
Malayo-Muslim 148, 155, 162  
Membakut 65, 68, 78, 83, 90, 153, 241  
Mohamad Saman 244, 248, 256, 263, 269-270, 273, 279, 285, 289, 291, 293, 297  
Murut 7-9, 11-12, 20-22, 27-28, 32, 37, 40, 42, 44, 48-54, 59, 74, 87, 179, 187, 189, 219, 222, 224-230, 236-237

## N

Nakhoda Ali 96  
Nakhoda Gumbah 184

- Nakhoda Meyer 96  
 Nakhoda Utu 186  
 Native Chiefs 118, 123, 125, 128, 220, 223-224, 244-246, 248, 252,  
 255-264, 266-273, 278, 282, 283-288, 290-293, 296, 303-305  
 Native Court 119, 153, 155-156, 176, 255-256, 259, 261, 269, 271-  
 272, 303, 305  
 Native Chief's Advisory Council (NCAC) 287-293, 295-297  
 Native Force 158-159  
 North Borneo 1, 3-5, 7, 17-25, 27, 135-136, 139-142, 146, 162-  
 163, 165-166, 168-171, 197-198, 201, 207, 210, 212, 230-232,  
 234, 236-237, 293-294, 296

## O

- Orang Dusun 7  
 Orang Kaya 68-70, 76, 85, 88, 69-71, 77, 86, 89, 127, 178, 256,  
 265, 284  
 Orang Kaya Dugassa 126  
 Orang Kaya Ungat 76-77  
 Orang Sungai 7-9, 13, 15, 36-37  
*Orang Tua* 153, 283  
 Overbeck-Dent Association 4-5, 19, 50, 94, 108, 140, 154

## P

- padi* 13-14, 24, 177, 218-220, 222, 225, 229-230, 236, 240, 243,  
 245-246, 249, 273  
 Padas Klias 65, 172  
 Panglima Abdul Rahman 96-97, 105-106  
 Panglima Buco 97  
 Panglima Udang 262, 270  
 Papar 2, 12-13, 15, 21, 57, 61-63, 65, 67-69, 72, 77, 79, 82-83, 85-  
 86, 88, 100, 116, 118, 125-128, 133, 137-138, 153, 172, 175-  
 179, 240-244, 252  
 Pawan 224, 266  
 Penampang 12, 21, 54, 56-57, 264, 291

- Pengiran Amas 184  
Pengiran Haji Pati 257, 284  
Pengiran Jallaludin 153  
Pengiran Mohamad Abbas 179, 256, 265, 279, 284-285  
Pengiran Muda Tajudin 67, 84, 151  
Pengiran Omar Ali Saifudin 270  
Pengiran Rauf 151-152, 177, 212  
Pengiran Samah 99, 105-106, 119  
Pengiran Sri Raja Muda 76, 121-122  
Pengiran Syahbandar 65, 67, 152  
Pengiran Temenggung 3, 63, 67-68, 70, 114-115, 150-151  
Putatan 2, 24, 54, 56, 57, 62, 65, 67-68, 74-75, 79-80, 83, 86-87, 90,  
176-177, 218, 241, 256, 264

## R

- Raja Muda Hassim 152  
Rajah Brooke 152  
Resident 34, 48, 52-53, 61, 77, 82-83, 86-88, 118, 121-128, 130,  
137-138, 153, 158-159, 161, 170, 175, 179-181, 184, 186, 198,  
209, 220, 224, 230, 232-234, 236, 245-246, 250, 258-259, 261,  
267, 272-276, 278-279, 282, 284, 295-297, 80  
Residency 50, 54, 121, 123-125, 144, 153-154, 159, 162, 172  
River  
    Kinabatangan 2, 8, 15-16, 33-34, 36, 39, 41, 45, 50, 52, 55,  
    91-93, 97-98, 100-102, 104-106, 108, 114, 119, 181-182,  
    187-188, 239, 257, 269-270, 276, 284  
    Labuk 2, 3, 15-16, 23, 91, 96-98, 100-102, 104-106, 138, 157,  
    172, 239, 257, 269-270, 284  
    Paitan 2-3, 15-16, 91, 97-98, 100, 104-105, 110, 138, 157  
    Segama 2, 16, 36, 45, 91, 185  
    Sugut 2, 15, 114, 36, 45, 50, 72, 114, 138, 157, 172, 186, 188,  
    190, 193-196, 203, 205-207, 257, 269-270  
Royal Charter 4, 135, 139-140, 168  
Rundum 50, 145, 215, 219, 222, 226-228, 235-236, 263, 266-267,  
278, 295

## S

- Sheikh Abdul Rahman 181, 210  
 Sikh Force 158-159  
 Sir Rutherford Alcock 4, 52, 79, 108, 275  
 Sir Thomas Cochrane 101  
 Sultan 60, 63, 65-66, 73, 76-77, 80-84, 87, 96, 99-102, 106, 113-117, 150-152  
 Sultan Abdul Mumin 66, 83, 114  
 Sultanates 6, 14-15, 31, 154, 206  
 Sultan Bolkiah 61  
 Suluk 92-94, 96-99, 101-102, 105, 110, 119-120, 9, 13, 15-16, 25, 27-28, 119-220, 159, 189, 202-203, 205-207  
 Syarif Alam 97, 180  
 Syarif Hussin 186  
 Syarif Jahir 177  
 Syarif Shih 97, 124, 148, 180-181, 209  
 Syarif Usman 14, 71, 85, 101, 205  
 Syarif Yassin 94, 97, 101-102, 109, 124

## T

- Taliban 271, 278  
 Tambunan 33, 176, 180, 187-189, 194-207, 214, 219, 246, 265-267, 272  
*Tamu* 45, 74-76, 79, 88, 124, 151, 273, 292, 301  
 Thomas B. Harris 114  
 Tuaran 1, 12, 49, 54-55, 151-152, 171, 218, 224  
*tulin* 65-67, 76-77, 84, 115-116, 137, 150-152, 164, 175-177, 212, 302

## V

- Village headmen 70, 153, 155-156, 255, 258  
 village headmen 63  
 von Overbeck 3, 115-116, 130, 162

W

W. B. Pryer 94, 101, 131

W. H. Treacher 4, 18-19, 79, 82, 92, 133, 142-143, 153, 163, 304

*Wazir* 63, 65-66, 68

William C. Cowie 188

William Pretzman 117, 121

Wong Hang 114