

Sarawak and North Borneo in...

GREATER MALAYSIA

By Lord Cobbold, p.c.

speaking at the Society's Headquarters on October 18th



TUNKU ABDUL RAHMAN
Prime Minister of Malaya

THE idea of some political association between Malaya, Singapore, Sarawak, North Borneo and Brunei has been in many peoples minds, and often discussed, for many years. I remember discussing it with Mr. Malcolm MacDonald, when he was Commissioner General for South-East Asia, as long ago as 1951, I think, and he spoke of it with great enthusiasm. I did not know at that time how closely I should later be associated with it.

For quite a long time after it became independent the Malayan Government had very considerable reservations on a link-up with Singapore, obviously because of the different racial majorities in the two territories. I think it was in May, 1961, that things took a different turn, when Tunku Abdul Rahman made a speech showing a very favourable attitude towards the proposition. That was followed in August, 1961, by a broad agreement between the Malayan and Singapore Governments about a Malaya-Singapore merger, subject always to the question of a wider federation to include the other terri-

tries. In November, 1961, there were discussions between the British and Malayan Governments, who issued a statement at the end of their talks saying that in their joint views Malaysia was a desirable aim, but that it was first necessary to ascertain the views of the people of Sarawak and North Borneo. It was then decided to set up a Commission to ascertain the views of the people of North Borneo and Sarawak and to make recommendations.

II

The Commission at Work

The Commission was formed in January, 1962, and we left for Borneo in February. We spent, in all, a month in each territory. On a first trip we went to Kuching, the capital of Sarawak, and then to Jesselton, the present capital, and to Sandakan, the former capital, of North Borneo. I then went to Kuala Lumpur in Malaya for a day or two, and we returned to Sarawak and North Borneo for a second visit, when we went very nearly all round the territories. We did in fact, I think, go to every

Can We Save Our Common Law? (concluded)

community. I hope that they will be considered and approved. If approval in reasonable measure be forthcoming, I hope that this great Commonwealth Society might be able to set the ball rolling.

Let me remind you that there is already a Federation of Chambers of Commerce extending to many countries of the Commonwealth, in whose work this Society takes a great and ever-growing interest. A Commonwealth Law Society or a Federation of Law Societies existing or to be formed throughout the Commonwealth, with the objects suggested

above, might not only go a long way to prevent conflicts of law in the Commonwealth but would also preserve or prevent the disruption of the legal links that have existed so long and so closely between this country and the countries of the Commonwealth. It may be that lawyers often lead the movements for independence, but it is amazing how quickly, once independence is gained, legal links and legal friendships are restored.

We have given the Commonwealth our basic ideas of the Rule of Law. Let us do all we can to preserve it.

15715
106

- 91311

15 SEP 1978
Perpustakaan Negara
Malaysia

district except one, in both territories. We had 50 hearings at 35 different centres—twenty in Sarawak and fifteen in North Borneo. We saw over 4,000 people appear to give evidence before us, in seven hundred groups, and we received some 2,200 letters and memoranda. I think that in many ways those two months were the most fascinating time I have ever spent in such concentrated form.

The Report was submitted towards the end of June, and published early in August, together with statements by the British and Malayan Governments setting up a joint committee representative of the five Governments, and this committee is at work now on details of federation.

Coming to our Report, we were able—and I think this was extremely important—to reach a unanimous agreement on the findings of the Commission in the two territories and on the assessment of evidence. Above all, we were able to make a unanimous recommendation, to go forward with Malaysia on appropriate terms. We were not able to achieve complete unanimity on the more detailed recommendations, although there was a great deal of common ground throughout. The main difference between the various members of the Commission was on the question of timing, or perhaps more accurately phasing, and I will say a word or so about that later on.

III

A Diversity of Peoples and Beliefs

Now a word or so about the background of the territories.

It is, I think, necessary to consider three aspects: the very different stages of development in the four territories concerned, the racial division of population, and thirdly—largely following the racial division—the religious divisions. I do not want to weary you with a lot of statistics, but this is fundamental to the problem.

Taking first the racial divisions, you know of course that MALAYA is predominantly Malay, and that in SINGAPORE the Chinese form the greater and increasing proportion.

In SARAWAK—these are 1960 Census figures—with a population of three-quarters of a million, about a third are Sea Dyaks, about a third are Chinese, and about a quarter are Malays and Melinaus. The remainder are a great variety of indigenous populations, with a great variety of customs and languages, and a few Europeans, Indians and other Asians. I stress this great mixture of population, because we immediately discovered that that was at the heart of the problem with which we had to deal, and it is very much accentuated by the long distances to be covered and the complete absence of any communication except by river, and more recently by air (but air transport serves only a limited number of people).

Lord Cobbold, formerly Governor of the Bank of England, was Chairman of the Commission whose work, findings and recommendations were the subject of this talk. The



LORD COBBOLD

Commission's task was to ascertain the views of the peoples of North Borneo and Sarawak on their possible inclusion in a Federation of Malaysia, and to make recommendations in the light of its assessment of those views.

The Commission's other members were Dato Wong Pow Nee, Chief Minister of Penang; Enche Muhammad Ghazali bin Shafie, Permanent Secretary to the Ministry of External Affairs in the Federal Government of Malaya; Sir Anthony Abell, former Governor of Sarawak; and Sir David Watherston, formerly Chief Secretary to the Federation of Malaya.

In NORTH BORNEO it is rather the same story. Communications are a little less difficult but the number of races and the number and spread of languages is probably a bit wider. There is a population of near half a million, of whom one-third are Dusuns, a quarter are Chinese, and the remainder are other indigenous peoples, Europeans, other Asians, and so on. The Asians include 25,000 Indonesians, largely working on the east coast; these are mainly temporary immigrants, going in and out, but were counted in the 1960 census.

The religions, as I say, obviously follow to some extent the racial split-up. The Muslims are one-third in Sarawak and one quarter in North Borneo; Christians form one-sixth in each territory. The remainder—other religious and a large pagan component—accounts for nearly half the total population in Sarawak and well over half the total population in North Borneo. That obviously makes the whole religious question one of the extremely difficult points in the whole problem.

There are two other highly relevant points. The Chinese have far higher educational standards and



are increasing very rapidly indeed. In the 1960 Census, 50 per cent of the Chinese population in Sarawak and 40 per cent of the Chinese population in North Borneo were under 15 years of age. Those are very remarkable figures.

As for the differing levels of development, I think one has to recognize that a merger of these territories does offer some of the problems—if I may put it like this—of merging a university, a secondary school and a primary school together. Malaya, as you well know, is a rich country which has made tremendous strides in the last few years in industrial and agricultural development. Singapore is a sophisticated, international city and port. Sarawak and North Borneo, for all their potential development possibilities, have obviously a long way to go in the matter of material development if they are to hold their own with the other two.

Politically, the story is the same. Although the Borneo territories are working their way towards parliamentary and ministerial systems, they are still at an early stage. There had been elections in Sarawak shortly before our Commission went out there, but as yet there have been no elections at all in North Borneo, except for some minor local government elections, so that obviously, in the political and parliamentary field, they have a long way to go to catch up with the other territories in the proposed Federation.

In these circumstances, it is not surprising that a great number of people who appeared to give evidence before the Commission said that what they would like best would be for things to go on quite a long time with very little change. They would like to see the British officials stay on,

political and economic development continue, education and medical services be further improved. Naturally, it gave immense satisfaction to my two British colleagues—both of them distinguished ex-public servants in that area—and to myself, to hear so much praise for the British colonial administrations, and the officers of those administrations, and so much very genuine regret that Her Majesty's Government felt that the time was coming for a change. There is no doubt whatever of the very widespread (I think I could practically say unanimous) feeling that the expatriate officers in those territories have held the ring magnificently, with complete impartiality, and there is no doubt that large sections of the population are a little scared of what might happen when or if this authority, and the people they knew and regarded as such impartial authorities, were too quickly withdrawn.



A woman of Sarawak drying rice.

IV

“An Attractive and Workable Project”

All of us on the Commission felt, however—and I think this is generally reflected in our report—that in present world conditions, it just would not make sense for the Colonial Administration, however competent and however much liked, to continue indefinitely. All of us felt that pressures would inevitably mount, both inside and outside the territories, and that the future of Sarawak and North Borneo would be much better assured if some more permanent arrangements could be made before those pressures mounted too far. And on appropriate terms, Malaysia seemed to all of us a solution which could strengthen not only those two territories, but *all* its component parts. It is, I think, perhaps useful in this connection to quote from a section of our Report which was under the names of the two British members of the Commission—an ex-Governor of Sarawak and an ex-Chief Secretary of Malaya. This was their considered statement at the time:

“We would make it clear at the outset that on the basis of the assessment of opinion in the territories, which is recorded in earlier chapters, we have reached the conclusion that on appropriate conditions Malaysia is an attractive and workable project and would be advantageous to all parties concerned. Before coming to this conclusion, we have felt it our duty to consider whether it offers to the Borneo territories a better

future than other possible solutions such as indefinite continuation of British rule, early independence on their own, or the creation of an independent federation of the Borneo territories by themselves. We are convinced that, provided it can be achieved with due regard to the special position of these two territories, to the racial complications, to the physical distance from Kuala Lumpur, and to their political immaturity as compared with Malaya and Singapore, the Malaysia project offers Sarawak and North Borneo better prospects of security and prosperity than any other solution in view.

"Opponents of Malaysia have often alleged to us that the project had been devised merely to help in dealing with the Malaya-Singapore situation, and that North Borneo and Sarawak were being treated as political pawns. That was a suggestion that we heard a great deal of in the course of our travels around. This view is particularly strong in some quarters in North Borneo, where traditional links of trade have been more with Hong Kong, Japan and Australia than with Singapore and Malaya. This argument goes on to say that the Borneo territories have been comparatively free of Communism and that a link-up with Malaya and Singapore would involve them unnecessarily in struggles between Communists and anti-Communists. This view seems to us to disregard the impact which a change of regime in Singapore would inevitably have on Sarawak immediately and on North Borneo very shortly thereafter. It does not lead us to modify our opinion that both on economic and on security grounds a successful realization of Malaysia would be to the advantage of the two territories."

That was the considered view of those two very distinguished public servants—a view with which I associated myself.

ASSESSING THE EVIDENCE

As I have said earlier, we did achieve unanimity on the assessment of evidence, and our assessment does not seem to have been seriously challenged, either by violent supporters or by violent opponents of Malaysia.

Here again, I think the most useful thing I can do is to quote a paragraph from the Report because in many ways this is the most important part of it, and what we said after surveying the evidence which was given to us, and trying to weigh it up—obviously very difficult in that sort of territory:

"Although in such circumstances individual judgment is bound to vary in emphasis, the Commission as a whole endorse as a general approximation not far side of the mark the following assessment:

"About one-third of the population in each territory strongly favours early realization of Malaysia without too much concern about terms and conditions.

"Another third, many of them favourable to the Malaysia project, ask with varying degrees of emphasis for conditions and safeguards varying in nature and extent. The warmth of support among this category would be markedly influenced by a firm expression of opinion by Governments that the detailed arrangements eventually agreed upon are in the best interests of the territories.

"The remaining third is divided between those who insist on independence before Malaysia is considered and those who would strongly prefer to see British rule continue for some years to come.



Porter, guide and guide's wife, photographed on a journey down a Borneo river bed by one of the many Voluntary Service Overseas workers who have undertaken duty in the two territories.

"If the conditions and reservations which they have put forward can be substantially met, the second category referred to above would generally support the proposals. Moreover, once a firm decision was taken, quite a number of the third category would be likely to abandon their opposition and decide to make the best of a doubtful job. There will remain a hard core, vocal and politically active, which will oppose Malaysia on any terms unless it is preceded by independence and self-government. This hard core might amount to something near 20 per cent of the population of Sarawak and somewhat less in North Borneo."

That was our assessment, and, as I say, though obviously some people don't entirely agree with it, it has not been very seriously challenged on either side.

V

Agreed Conclusions—and a Question of Time

When we came to making our recommendations we found a great deal of common ground. We were able to reach agreement on such important matters as citizenship, where we recommended broadly that Malaysia citizenship should be extended to anyone born, naturalized or having long residential qualification. This recommendation proved an important one in the whole complex, because in later discussions between the Singapore and Malayan authorities it has been provisionally agreed to make similar arrangements for Singapore citizens. In the earlier stage, that was one of the great difficulties in Singapore, where there was a great deal of complaint that a large section of the population were only going to be second-class citizens, as they called it, in Malaysia. I think that difficulty has now been largely removed.

Then again we were able to reach complete agreement on the question of the control of immigration. We had an absolutely unanimous view that it was necessary for the local State governments of the Borneo territories to control immigration into their territories from other parts of the Federation. There was a very definite fear that if that was left to Federal control, the result would be a swamping of the Sarawak and North Borneo territories by immigration from Singapore. We

SANDAKAN

Umbrage was taken locally when the right-hand picture of "Early-morning Chinese market in Sandakan, British North Borneo" (*British Official Photo: Crown copyright reserved*) appeared in *Commonwealth Journal*, March/April 1962, with Dr. Wang Gungwu's talk on "The Chinese in S.E. Asia." This, it was protested, is not Sandakan up-to-date; modern Sandakan looks as it does in the lower photograph of the new town and harbour.

+ Without pleading terribly guilty, we welcome this obvious opportunity for amends.



were also unanimously agreed on the weighting of representation in the Federal Parliament—that the representation of the territories should take account not only of the population but also of their size and potentialities. The population, actually, of Sarawak and North Borneo is under 20 per cent of the population of the present Federation of Malaya, whilst the area of the two territories is about one-and-a-half times the area of the Federation.

PROTECTING THE INDIGENOUS

We agreed, too, on the broad division of constitutional functions between Federation and States, on the crucial importance of development, and on the special position of the indigenous races. This last was a subject which came up at practically every hearing throughout our stay in the territories. The indigenous populations were clearly alarmed, and not without reason, that if a special position were not guaranteed to them, they could not, in open competition, compete for scholarships or for jobs in the civil and other public services with the Chinese population. And on the whole the Chinese population took a very reasonable attitude about this question, and quite agreed that there should be some special privileges for the indigenous populations. The big difference of opinion was that the indigenous populations—not all of them, but the majority of them—tended to want those privileges to go on for ever, whereas the Chinese said "Well, let them continue as an administrative matter for a number of years until they catch up, but it can't go on forever."

Then on finance, customs and tariffs, education and the judiciary, we made broad unanimous recommendations and suggested that working parties should be appointed to settle details. That is being done within the framework of the Joint Governmental Committee to which I have referred. We suggested a considerable amount of regional administration and planning, with common services for the Borneo territories wherever that could be reasonably arranged, always having in our minds the enormous distance between these territories and Kuala Lumpur and Malaya, and the very little come and go and knowledge of each other which they have had, at any rate up to date. On certain specific points—religion particularly, language and one or two others—we have to leave differences to be resolved by the Governments. I have already stressed the great difficulty, in my view, from many angles of conscience about religion.

The major point of difference was about timing or, as I have already said, more strictly about phasing. We all agreed that a very early decision and very early moves by Government were essential. On this there were no doubts at all among any

members of the Commission. But the Malayan members very understandably felt that the whole transfer of power should be made at once, and that new constitutional arrangements should be introduced at once, albeit with some temporary delegation of Federal powers to the States. The British members, and I myself, felt the need of a more definite transitional period. We thought that, if I may so put it, there was too much to swallow in one bite, and some risk of indigestion; and we always had very much in our mind the absolutely overriding necessity of the maintenance of law and order and of a continuity of administration.



Pengulu Nanta
Dyak Chief in Sarawak.

VI

What, then, are the prospects of a successful conclusion of the negotiations for a Malaysian Federation?

I think they are very good prospects. One of my concluding comments in the Report, under my own name, was:

"The British and Malayan members have both concluded that, on the lines of their respective approaches, a Federation of Malaysia is an attractive and workable project and is in the best interests of the Borneo territories. On the assumption that Singapore also joins in the Federation, I strongly endorse this view, adding that the inclusion of the Borneo territories would also be to the advantage of other participants in the Federation.

"It is a necessary condition that, from the outset, Malaysia should be regarded by all concerned as an association of partners combining in the common interest to create a new nation but retaining their own individualities. If any idea were to take root that Malaysia would involve a take-over of the Borneo territories by the Federation of Malaya and the submersion of the individualities of North Borneo and Sarawak, Malaysia would not, in my judgment, be generally acceptable or successful. This I believe is the kernel of the problem, and I am very hopeful that full weight will be given, in the negotiations which follow, to the very different problems and interests of Sarawak and North Borneo within the Federation."

The Borneo territories are very far away from Kuala Lumpur. Their stage of development and their racial make-up are very different. They are upstanding peoples, proud of their history and their identity; and in many parts of both territories, particularly Sarawak, there are memories of Brunei-Malay rule in the old days. That is

specially true among the Land Dyaks, and we encountered many fears, largely through ignorance and misunderstanding, that the new proposals might in some form or another (they didn't understand quite how or why) involve some return of that old regime.

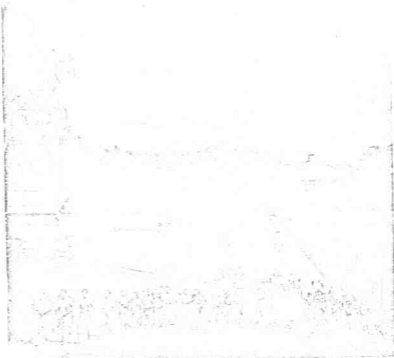
I have said nothing about Brunei. Brunei was of course included, and has always been included, in the thinking of this idea of a Federation of Malaysia, but it was specifically excluded from our terms of reference.

In my judgment the two great problems to be resolved by Governments are to reconcile the need for a strong central Government with the no less pressing needs of decentralization, and a reasonable measure of local autonomy, and secondly to ensure that a high proportion of expatriate officers stay on.

Once the Federation is achieved, as I hope it will be, a third problem will arise—to ensure that promises and hopes of social progress and economic development are fulfilled. This will mean Malaya putting money into Borneo, the United Kingdom continuing to make contributions, and also, I would guess, the attraction of financial support from outside the territories themselves and Malaya and the U.K. Any failure to fulfil hopes in these directions would be disastrous. The Federation is being "sold" to Borneo on an optimistic prospectus, and that optimistic prospectus must be lived up to.

If these challenges can be met, it is my own firm personal conviction that the creation of Malaysia, and its creation speedily, is not only in the best interests of the territories themselves but likely to make a really important contribution to stable conditions in this very vital area of the world. The remarkable success achieved by the Federation of Malaya in the last few years under the leadership of Tunku Abdul Rahman and his colleagues is the best augury for this ambitious and exciting project.

The photographs on pp. 291-293, 296 and 297 are British Official photos. Crown Copyright reserved.



Rural Secondary School (Church of England) at Betong, North Borneo.

DISCUSSION

MALAYSIA was the subject when the Discussion and Debating Circle at the Society's Headquarters held their first meeting after the Summer recess, on September 27th. Sir John Macpherson, who had been several years in the Malayan Civil Service, was in the Chair. The principal speakers were Mr. Zain Azraai, Information Secretary at Malaya House in London, and Mr. Anthony Greir, Administrative Officer from North Borneo.

Mr. Azraai dealt with the historical and political genesis of Malaysia and presented the case for it forcefully. Mr. Greir gave an account of Borneo's more cautious approach to the projected Federation, and explained the unofficial 20-point formula that had been suggested for the protection of Borneo's interests.

When the discussion was thrown open, a student member suggested that the British Government was hurrying the issue too fast and ought to wait until the Colonial territories embraced by the scheme had achieved independence and could then negotiate with elected Governments. Mr. Azraai thought that delay would do more harm than good, and that once the decision was made it should be carried out with all reasonable speed.

Sir Ralph Hone, a former Governor of North Borneo, sketched the territory's economic development and hoped that the interests of its more backward areas would be effectively safeguarded in the projected Federation.