SOCIAL RELATIONS OF DEPENDENCE IN A MALAY STATE: NINETEENTH CENTURY PERAK

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SOCIAL RELATIONS OF DEPENDENCE IN A MALAY STATE: NINETEENTH CENTURY PERAK

by
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A Malay village on the bank of the Perak river

Reproduced from 'Perak and the Malays' by Major J.F.A. McNair; published by Tinsley Bros., London, 1878.

This system of debtor-bondage influences then the whole population, not slightly but deeply, in ways, it is hardly possible to credit except when seen in a constant intercourse with all classes of Malay society.

Frank Swettenham, 1875

Contents

List of maps, tables, and diagrams

Abbreviations

C.	British Parliamentary Command Paper. Citations follow the pagination sequence of the volume, not the individual papers.
CO273	Colonial Office Records, CO273 series. The following number refers to the volume. Unpaginated.
JMBRAS	Journal of the Malayan Branch of the Royal Asiatic Society.
JSBRAS	Journal of the Straits Branch of the Royal Asiatic Society.

Because of the rapid changes in Perak's economy and social organisation between 1877 and 1883, in the notes on Chapter Two the date of the information recorded appears in brackets after the citation. This is not the publication date; that can be found in the Bibliography.

Glossary

Adat	Custom, customary law
Bahara	Measure of weight
Gantang	6 2/3 lbs.
Imam	Islamic religious leader
Kampung	Village, grove of fruit trees.
Kongsi	Partnership, association, company
Ladang	Jungle clearing for dry-rice cultivation
Nakhoda	Captain of a ship
Orang Besar	'Great person', district chief
Orlong	About 1 1/3 acres
Pawang	Practitioner of magic
Penghulu	Headman of a locality
Sawah	Land used for wet-rice cultivation
Swidden	Slash-and-burn agriculture
Ulu	Headwaters of a river
Waris	Heir, anyone eligible to inherit under any circumstances; kin

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Foreword

by Tun Mohamed Suffian

There was a time when the historian was duty bound only to tell his story faithfully and in the most interesting manner possible. History was also sometimes regarded simply as a form of intellectual exercise; there were not few historians therefore who wrote irrespective of whether they had a large or limited readership. History then was concerned with personalities, wars and diplomacy; in general, with all that was extraordinary or dramatic.

But over the last 25 years more and more questions have been raised about the content and methodology of history. Malaysian historiography too has been subjected to the same critical examination. It drew the attention of an increasingly wider group of scholars. Anthropologists, sociologists and political scientists have taken a serious look into the past for a better understanding of the present. Dissatisfied with the works of conventional historians some have ventured to rewrite Malaysian history from a new perspective and using their own analytical tools.

Patrick Sullivan's monograph belongs to this new *genre*. He says, however, that his "is not a work of history." He "is more concerned with social relations than sovereignty, diplomacy, trade and warfare." Nonetheless he is looking at Malaysia's (more specifically Perak's) past. But his perspective is new and he is consciously making an attempt to present Perak society "in such a way that the specific and the incidental is transformed to the level of abstraction necessary for comparative studies."

The special merit of this work, of course, is that the author's approach is novel. He has boldly challenged existing historiography and offers an alternative approach which he feels is more capable of dealing with social change. It must be evident at once that this work will provoke discussions and debates.

Patrick Sullivan, I am sure, realises that he has not said the last word on the subject. But the bold thesis which he presents could well lead to more vigorous activity and more intensive research on Malay society. Historians, it is hoped, will take up the challenge and attempt to answer new questions about Malay society. If this monograph succeeds in widening the perspective of and enriching Malaysian historiography, MBRAS will feel content that it has, in selecting Patrick Sullivan's manuscript for publication, made a constructive contribution to scholarship on Malaysia.

22 March 1982

M. Suffian

Introduction

This is not a work of history, at least in the sense that many historians of Malaya would interpret that term. It is more concerned with social relations than sovereignty, diplomacy, trade and warfare. Nor is it entirely a work of anthropology or sociology. On the contrary, it attempts to fulfill the demand for theoretically informed studies transcending the boundaries between disciplines, boundaries based on untenable distinctions between past and present, primitive and complex, theory and empiricism.[1] The primary aim of this work is to describe 'dependent' social relations (slavery and debt-bondage) in Perak, a west coast Malay state, in the period just prior to their abolition by British fiat in 1883. This description is intented as a contribution both to the comparative study of societies, in particular their servile systems, and to the history of Malaya. It is necessary for both purposes that the social and historical context of relations labelled 'slavery' and 'debt-bondage' be uncovered.

The monograph, then, goes well beyond its primary aim, attempting to reconstruct Perak society in the nineteenth century and to indicate the course of its development.[2] In this respect the entire work is a definition of the terms 'slavery' and 'debt-bondage' in a Malayan state, and I have avoided offering formal and restrictive definitions prior to the discussion.[3] Theoretical imperatives

[1]See Seddon, D., and Copans, J., "Marxism and Anothropology", pp. 1–2; Hobsbawn, E.J., "From Social History to the History of Society", pp. 24–25; Meillassoux, C., "From Reproduction to Production", p. 103.

[2]Unfortunately, the late nineteenth century is the only period for which there is substantial information on slavery in Perak and in Malaya. The discussion necessarily concentrates on this period, although hypotheses concerning the historical development of slave relations are offered in Chapter Three and the Conclusion. In order not to pursue unwarranted assumptions of correspondence between the Malayan states, I felt it wisest to confine the study to one society; whether the situation in Perak is paralleled in other states is a subject for further research.

[3]The term 'slavery' is an ideological one; its principal function in common discourse is to make more concrete its opposite, 'freedom' (see Miers, S., and Kopytoff, I., "African 'Slavery", p. 17). It is not necessarily transformed into a scientific category by restricting its application. This work is concerned with a particular form of social relations which, as with all relations in society, are best understood as intimately connected to relationships formed in the process of production. Whether we label these relations 'slavery' is almost immaterial. Certainly, categorisation and definition should come after analysis.

dictate this approach. It is not possible to analyse in isolation a particular form of social relations simply on the grounds that they constitute a preconceived category, such as slavery. Nor is it a complete procedure to isolate relationships synchronically, devoid of their historical and cultural background. Since the theoretical perspective that offers these imperatives results also in a fundamentally different construction of social reality than is commonly accepted as true of the Malay states, it is necessary here to outline the theoretical and epistemological basis of this work, and the kind of approach it is formulated against.

Malayan Historiography: Theory and Empiricism

The facts of Malayan history do not speak for themselves; a two-fold distortion renders the historical work something completely other than the historical process itself. The first aspect, which most historians are aware of and have developed techniques to combat, is the limitations of the sources themselves.[4] The distortions introduced by the availability and original purpose of source material are an ever-present danger in this work, relying as it does almost exclusively on the reports and histories of imperialist administrators.[5] The second level of distortion goes unrecognised by empiricist historians, and this is the aspect I wish to deal with here.[6]

There is no such thing as purely empirical research. The perception, selection and ordering of data requires, on the one hand an epistemology, an assumption of how the object can be known, and on the other hand implies a theory of the relationship of objects of knowledge. Natural facts, whether historical or otherwise, do not surrender up their meaning in the moment of perception. Rather, their meaning is constructed by the historian and is dependent on conceptions of the natural world and the structure of human societies in it.[7] If these conceptions are not made explicit and developed, then they are necessarily implicit and undeveloped, and perhaps are components of an ideology rather than a rational theory.[8] The virtue of an explicit theory is that it can be refined by criticism so that inconsistencies and inadequacies become apparent. Nor can hypotheses concerning sub-systems (sovereignty, the state, servile systems, etc.)

[4]See e.g., Andaya, B., *Perak: The Abode of Grace*, p. 9.

[5]See "Note on Sources" below, p. 76; see also Chesneaux, J., *Pasts and Futures*, pp. 18–19.

[6]The criticism of empiricism owes much to Sir Karl Popper (see Magee, B., *Popper*, pp. 33–34). A similar critique on which my argument draws can be found in Hindess, B., and Hirst, P., *Pre-Capitalist Modes of Production*, pp.1–5.

[7]E.P. Thompson points out that even the simple statement of fact, "King Zed died in 1100AD" embodies a concept of kingship which cannot exist without a set of related concepts. Thompson, E.P., *Poverty of Theory*, pp.210–211.

[8]The term 'ideology' is here not used in the strict Marxist sense of an internally coherent system of ideas arising out of, and often misrepresenting, the material conditions of existence. The kind of ideology I am discussing in history writing, rather than social research in general, may have some or all of its premises unstated and its concepts need not be logically related because it is not always the subject of the historian's rational scrutiny.

exist without a theory of the total system either stated or implied. An hypothesis about slave systems, for instance, will assume the theory of social systems of which slavery is a part, and this necessarily implies a theory of social systems where slavery is absent.

By this I do not mean to argue that a fully refined theory of society has been developed, or that one needs to be before factual research can proceed. Certainly the 'totalising' theories available to us are few and problematic, and the school that argues for the construction of logically related concepts prior to, or as a substitute for, the investigation of the material world ignores the dialectical interdependence of reality, perception and thought.[9] My point is simply this: much Malayan historial writing unself-consciously assumes a theory of society which can be rigorously criticised—criticised not simply for its political conservatism, which arises from the legacy of court chroniclers and colonial scholar/administrations, but also for its inadequacy as an explanatory tool for social analysis.[10] The sociological theory implicit in historical works on the Malay Peninsula takes the manifestations of society, its social institutions, for the whole substance. Institutions, such as law, sovereignty, state administration and so on, are seen as having an ideal, natural and traditional mode of functioning, and implicit in this view is the assumption that their purpose is the perpetuation of these very institutions. Necessary also is the antithesis of ideal functioning—deviance.[11] The origin of this approach is two-fold: firstly, the sources themselves direct the historian's attention to institutional aspects of society. Secondly, the social position of the historian, whether court chronicler, imperialist administrator, or modern intellectual, demands (to a greater or lesser extent in each case) a politically conservative viewpoint, one that places great importance on constituted authority.[12] Because this view of society offers a static morphology

[9]Thompson criticises Althusserian theorists, Hindess and Hirst among them, on these grounds. Thompson, E.P., *Poverty of Theory*, pp. 194, 201–205.

[10]See Sullivan, P.J., "Critical Appraisal", passim.

[11]This is a structural-functionalist approach. There are numerous criticisms of this perspective in anthropological and sociological studies, but a systematic critique of Structural-Functionalist assumptions among historians has yet to be developed. Lasch has contributed to such a critique by identifying the "...tyranny exercised by these [structural functional] conceptions over historical and sociological studies of the family..." (*Haven in a Heartless World*, pp. xvi–xvii). For other criticisms of this perspective in anthropology and sociology, see Harris, M., *Rise of Anthropological Theory*, ch. 19; Banaji, V., "Crisis of British Anthropology", pp. 71–74. Barbara Andaya is one historian whose work is premeated by the assumptions of this school. She has accepted the ideology of a 'Golden Age' when all power is appropriated by the Sultan, and anything less is seen as a danger to the political system itself. "Nature of the State", pp. 29, 35. See also my paper, "A Critical Appriasal of Malayan Historians; the Theory of Society Implicit in their Work", where these criticisms are developed more fully.

[12]This should not be as controversial a statement as it evidently is. Historians are aware of the bias of imperialist administrators and can relate this to the requirements of their position, yet they are apparently unable to accept the possibility that their own work is conditioned to some extent by the structures they work within. "The real issue" Said suggests, "is whether indeed there can be a true representation of anything, or whether any and all representations, because they are representations, are embedded first in the language and then in the culture, institutions, and

instead of a description of a system or an underlying structure, it is singulary incapable of dealing with social change. Change, which should be the stock-in-trade of the historian, must be explained by factors extrinsic to the social system such as accident or personality.

Functionalist social theory can deal with history only as an atheoretical appendage tacked on to the analysis, and yet it exists in a complex relationship to the process of writing history, both drawing on it and informing it. The overwhelming concern of many historians with aristocratic relations, affairs of state, and institutions for the regulation of conflict leads to the 'commonsense' assumption that social institutions are society. The functionalist bases his/her method on this 'commom-sense' assumption. The method is to present a description of the most readily observed mechanisms of control of human beings and their products, and it is by these mechanisms that a society is said to function. The concept 'function' implies a purpose. Since functionalist methodology is necessarily synchronic, the only purpose that can be ascribed to the social structure is its own perpetuation. This approach, then, celebrates the given social order, however much that order may adversely affect certain social groups. Gullick's Indigenous Political Systems and Andaya's "Nature of the State" are examples of sociological studies of Malaya based on historical research.[13] As a consequence of writing ruling class history as if it were the only history possible, when they are called upon to make generalisations from their data, they do so in terms of an explicit functionalist methodology.

The implicit adoption of a functionalist posture by historians of Malay culture has had two unfortunate consequences. Firstly, there is the reinforcement of the colonial myth of anarchy and decay in the Malay states prior to British 'salvation'.[14] Since these states manifestly did not function as ideal-typical monarchies they were assumed to be aberrant. Endemic ruling class rivalry,

political ambience of the representer." *Orientalism*, p. 272. The effect of the institution and the political ambience of the university on the kind of work historians produce is scathingly documented by Chesneaux who concludes it is "...a system that has no tolerance for dissidence, criticism, or nay-saying. Nobody...can escape its complex network of compromise and complicity". The finality of these words is contradicted in the act of writing them, but his penetrating critique is unfortunately true in many cases. *Pasts and Futures*, pp. 51–62.

[13]Gullick, J., *Indigenous Political Systems of Western Malaya*, London, Athlone Press, 1969 (1958). Andaya, B., "The Nature of the State in Eighteenth Century Perak", Kuala Lumpur, MBRAS, 1975.

[14]A despatch from the Colonial Office to the Governor of the Straits Settlements in 1873 proposed that the British attempt to "...rescue, if possible, these fertile and productive countries from the ruin which must befall them if the present disorders continue unchecked." Winstedt echoed this sentiment 61 years later, prefacing his "History of Perak" with the words, "the most convinced supporter of the rights and customs of small people, must admire the *pax Britannica* in Perak and bless the work of British protection in bringing out of centuries of great tribulation this rich and beautiful country and her ancient line." (pp. 2,96). Malaya could benefit from the same revisionist efforts that have been expended on Burma, both in a re-examination of its history (see Adas, M., "Imperialist Rhetoric and Modern Historiography") and its historians (see Sarkisyanz, M., "Peacocks, Pagodas and Professor Hall").

coupled with considerable local autonomy, was taken as symptomatic of the Malays' inability to govern themselves.[15] It is this assumption of the ideal mode of functioning that leads Andaya to state that, because of the "potential or actual oppostion of the *orang besar* [territorial chiefs], the Perak political system was constantly endangered".[16] It was, in fact, the Sultan's power that was endangered, and this can only be equated with 'the political system' in an ideal (and non-existent) monarchic state.

The second consequence of the implicit adoption of functionalist methodology is the construction of the Malay World as an object of orientalist discourse.[17] It is precisely in the field of social institutions that the various *negri* of the Peninsula and Sumatra show some superficial homogeneity. Each apparently has a common origin, common laws, culture, and similar ruling structure. This construction tends to ignore the possibility of unique historical development, putting the commercial city-state of fourteenth century Malacca on a par with geographically diffuse and commodity producing-nineteenth century Perak, for instance. It also ignores the possibility that a common apparatus of court nomenclature and state ritual disguises fundamentally different social relations. Only a careful examination of the relations people entered into in particular historical instances can reveal whether, for example, the manufacturing emporium of Trengganu, which apparently had few debt-slaves,[18] did in fact have a similar social structure to rice-exporting, slave-owning Kedah,[19] irrespective of the similarity in administrative systems. While most Malay states had similar institutions, they were nowhere precisely the same. The corollary of being concerned only with the most superficial aspect of society is that comparative functionalist studies are compelled to reduce all phenomena to approximate representations in order to describe regularities.[20]

Human societies will always differ in their most readily apparent aspects; the wider the functionalist researcher ranges for material to draw general conclusions about society, the more general must those conclusions become. It is for this reason that social theorists in recent decades have turned to theories that uncover, beneath the disparate manifestations of particular societies, an underlying

[15]Swettenham tells us, for instance, that Raja Muda Abdullah invited the British to "teach him how to rule this unruly country", but "the circumstances alone made that interference the duty of the paramount power". *About Perak*, pp. 9,5.

[16]Andaya, B., *Abode of Grace*, p. 31.

[17]Edward Said, in his critique of orientalism, suggests, "It remains the professional orientalist's job to piece together a portrait, a restored picture as it were, of the Orient or the Oriental; fragments...supply the material, but the narrative shape, continuity, and figures are constructed by the scholar, for whom scholarship consists of circumventing the unruly (un-occidental) nonhistory of the Orient with orderly chronicle, portraits, and plots," *Orientalism* p. 151.

[18]Hill, R.D., *Rice in Malaya*, p. 68.

[19]Bonney, R., *Kedah 1771–1821*, p. 6; Gullick, J., *Political Systems*, p. 100 fn. 6.

[20]For instance, Gullick is forced to distort the facts in Perak's case to fit his generalisation (pp. 27–28 fn 5,29) and to present Negeri Sembilan as an exception to his general rule (pp. 9,22,26,37,43,45 and passim). See Sullivan, P.J., "Critical Appraisal", pp. 29–32.

structure which is truly comparable with the invisible structure of other societies. The historian is necessarily involved in this task, not simply as a passive provider of raw material—we have seen that is impossible—but as an active participant in the complex dialectic of empirical and theoretical research, and of intellectual and social practice.

An alternative approach is both possible and necessary, an approach based not on social institutions, epiphenomena arising out of the substance of social life, but on the actual social relations men and women enter into in the course of their daily lives. People in society are, of course, related in a number of ways—biological, spatial, symbolic, etc. The relationship found to be most useful for comparative social analysis is one which is mediated by the appropriation of labour, whether it is embodied in goods, services, or symbols. When societies are analysed in terms of the transfer of labour, a number of systems of labour exploitation can be uncovered, each with its own reproductive structures. Such an analysis can reveal classes of people whose interests, according to their positon in a mode of production and its regulatory mechanisms, often fundamentally differ. The systems of labour use operating in a society may also have conflicting requirements for their reproduction. Thus, contradictions occur within a society as contradictions between classes, and within and between modes of production.[21] In this way societies can be seen as in a state of equilibrium but not static, in a state of conflict but not aberrant. A concept of social dynamic is introduced which is absent from other theories.

This methodology adheres to the fundamentals of historical materialism and necessarily entails an examination of the process of production of social necessities. It cannot, however, be confined to production for the following reasons. The process of production invariably has two interdependent aspects: a specific technical organisation of work and a consistent relationship between those involved in work. Yet neither of these processes (forces and relations of production) are produced in mindless reaction to material constraints; on the contrary, they develop within a specific cultural and historical context.[22]

> *Any material productive force contains in it, right from the outset, a complex* idéel *element which is not a passive,* a posteriori, *representation of this productive force in the mind, but, from the very beginning, an active ingredient, an internal condition of its very emergence.*[23]

The same is true of relations of production. The "internal conditions" of modes of production and the social formations in which they operate are both material and immaterial, both historical and contemporaneous, both human and technical. The question, then, of the determining factor in the structure and

[21]See Godelier, M., "Anthropology and Ecology", p. 55.
[22]See Sahlins, M., *Culture and Practical Reason*, p. 132.
[23]Godelier, M., "Infrastructures, Societies, and History", p. 766.

development of societies remains problematic, and cannot be resolved by recourse to a hypothetical 'last instance' in which the economy is dominant.[24] It is precisely in grappling with such problems that historical investigation is vital. But it must be an investigation that proceeds from the theory it attempts to elucidate, and it must investigate actual social relationships, not the institutions that perpetuate and at the same time disguise them.

The Structure of the Monograph

The rudiments of the theory that informs this monograph have been indicated, and its content follows from this. I have felt it necessary to describe the history of Perak, its productive base, and the particular form of dependent relations that developed in the context of both. I hope that the information presented here can be used to supplement current theoretical work, although the thesis itself is principally descriptive. Where necessary, hypotheses concerning the theoretical description of nineteenth century Perak have been made, but the data have not been used to elucidate theoretical problems. The first chapter attempts to situate Perak in regional history. Using conventional sources, myths and legends that are almost exclusively concerned with the deeds and pedigrees of rulers, I have attempted to draw from them a history of the cultural influences that contributed to the structure of the State. The historical contingencies that influenced the State's development are introduced in this chapter, while the corresponding economic forces are dealt with later. The purpose of this chapter is principally to convince the reader that Perak did not develop in isolation, and to provide the groundwork for later sections on the origins, intensification, and the abolition of slavery and debt-slavery.

Chapter Two approaches the economic basis of nineteenth century Perak, with a description of its two most important occupations, rice growing and tin mining and their relationship to the political structure. This chapter presents information that, while readily available, has not been brought together before, to describe the activities of the mass of the population. The purpose of this chapter is to show the level of productive techniques, and the cycle of economic reproduction, within which dependent labour was used. It is therefore mainly concerned with Malays; Chinese labour was differently organised, and Chinese production is only described to the extent that it had repercussions in the Malay economy. In this chapter some hypotheses are made concerning the modes within which rice and tin production was carried out. At least two modes of production were in operation in Perak. The independent mode was based on the autonomous family who rendered produce to the local ruler only in the form of taxes and occasional

[24]Balibar's contention that "the economy is determinant in that it determines which of the instances of the social structure occupies the determinant place" is, indeed, the nonsense it appears to be (Althusser, L., and Balibar, E., *Reading Capital*, p. 224). Determination cannot be thought of as an Ultimate Cause, but needs to be understood dialectically, an approach Balibar rejects (ibid, p. 274).

corvée labour. In the dependent mode the person and the entire services of the labourer were appropriated by another. Exploitation occurred by direct command over people rather than productive property (although there was a tendency in this direction), and this command was mediated by the *orang besar's* control of the flow of produce in and out of the State. The revenue from tin mined by dependent labour was used to secure more dependants by contracting debts among the 'free' population.

In Chapter Three dependent social relations, slavery and debt-slavery, are described in detail. To make the material approachable for researchers of servile systems elsewhere, slaves are distinguished according to their ethnicity, method of recruitment, occupation, and legal status, although these were not distinctions that Malays themselves made. The chapter is principally concerned with the situation in the nineteenth century, but an attempt is made to describe how this developed from a combination of several traditional practices under the impact of European commercial expansion. The abolition of slavery and the transformation of the State's social structure following the British invasion concludes the chapter.

In the Conclusion the information that has been presented is summarised in theoretical terms. Beginning at the level of productive relations the dynamics of the dominant mode of production are outlined, then, drawing on the work of anthropologists studying similar social formations in Africa, the forces that gave rise to it are examined. It is suggested that the Perak social formation was in a process of transition from kin-based to class-based, and that the prevalence of debt-slavery can be understood in these terms. The historical antecedent of the developed state in the Malayan region was the autonomous lineage, and the two coexisted in Perak (although the former was much weakened). The cycle of economic reproduction characteristic of segmentary lineages was similar in some respects to the dominant cycle in Perak, but differed in essentials. For this reason debt-slaves are conceived of as a social class exploited as quasi-kin. Since communal ownership of land was not applicable to slaves and debt-slaves, the relationship can be seen as an essential element in the development of a land-owning aristocracy, but the process of transition from a segmentary type of society, via the establishment of social classes, to a fully-fledged state social formation was not completed until the British conquest. The society is conceived of as transitional only in the sense that all social formations have within them the elements of prior and future dominant modes of production. No suggestion of *necessary* evolution is implied. Much of the information required to support these hypotheses is presented in the thesis. At times, however, the argument is clearly exploratory, and the method of enquiry differs distinctly from that of the thesis as a whole.

While the thesis is an integrated whole, it is not complete. In the course of the work many subjects of further study have presented themselves both within Malaya and in its relations with the world at large. The long-term intention

should be to discover the indigenous social relations in the Malay states, to examine their transformation under British control, and to use this as the foundation of an analysis of contemporary Malaysian society. In the course of this work, theoretical analysis will contribute to an understanding of society in general. Evidently this is not a project that can be realised alone, nor can it be restricted to the exponents of a single discipline. In this respect it is appropriate to adopt Meillassoux's words:

> *For this purpose, anthropology must develop into an historical science... brand as unscientific the attempts to restrict research to assumed timeless structures and open the way, by so doing, to the understanding of present history.*[25]

Summary

The writing of history necessarily embodies a view of society and its developement, whether or not this view is explicit and can be dignified with the term 'theory'. Malayan history has been, and remains, ruling-class history and embodies a perspective that is elitist, hierarchical, and static. When made explicit, it most closely resembles the sociological theory of structural-functionalism, an approach that has been justifiably criticised by social theorists. A necessary alternative is social history, history proceeding from a theory of actual social relations, particularly those forged in the process of daily work. This essay has been constructed according to the requirements of such a theory and as a contribution to the collective project of its elucidation.

[25]Meillassoux, C., "From Reproduction to Production", p. 103.

CHAPTER ONE

The historical and cultural background

Myth and Event: The Origins of the Perak State

According to legend, shortly after the Portuguese took Malacca (AD 1511), a trader, Nakhoda Kasim, was despatched from Johor Lama to look for new lands for the Malacca people in exile. He settled at Tumung in the northern reaches of the Perak River and married a Semang (aborigine) in whose veins white blood flowed. The couple had no children of their own but adopted a girl discovered in a mound of foam by the river bank, and a boy sprung from the stem of a bamboo. These two married, the woman, Tan Puteh, assuming the government of the country until Nakhoda Kasim, on this deathbed, persuaded her to invite a Raja from Johor to come and rule Perak. This Raja, afterwards known as Sultan Ahamad Taj-Uddin Syah, traced his descent from the god-kings of Minangkabau, and it was his successor who fixed the boundaries of Perak and gave the state its name.[1]

It is difficult to describe and examine the history of Perak without becoming embroiled in the ramifications of its ruling family; indeed the Malays had no word for 'history' that did not also mean 'genealogy',[2] but this myth of Perak's origin will help us to pursue a different approach. Underlying the record of ruling class affiliations, diplomacy, and warfare that court chroniclers and colonial scholars have bequeathed us is another history, the history of distinctly different cultures that have combined and conflicted in Perak; out of their interaction the social relations that are the subject of this work evolved. Pursuing the theme of cultural interaction will situate Perak in regional history, indicating the links between societies while not assuming the homogeneity that a purely political description of Malay states often entails. The legend of the White Semang, which is not the only

[1]Maxwell, W.E., "Native Sources", pp. 89–95. This Sultan was deemed to be the first ruler of Perak until early in the twentieth century when the official genealogy was revised. The first ruler was then decreed to be Sultan Muzafar (Wilkinson, R.J., "Peninsular Malays", pp. 148–150). For an "orderly chronicle, portrait, and plot" from which Ahamad Taj-Uddin Syah is expunged, see Andaya, B., *Abode of Grace*, pp. 18–20.

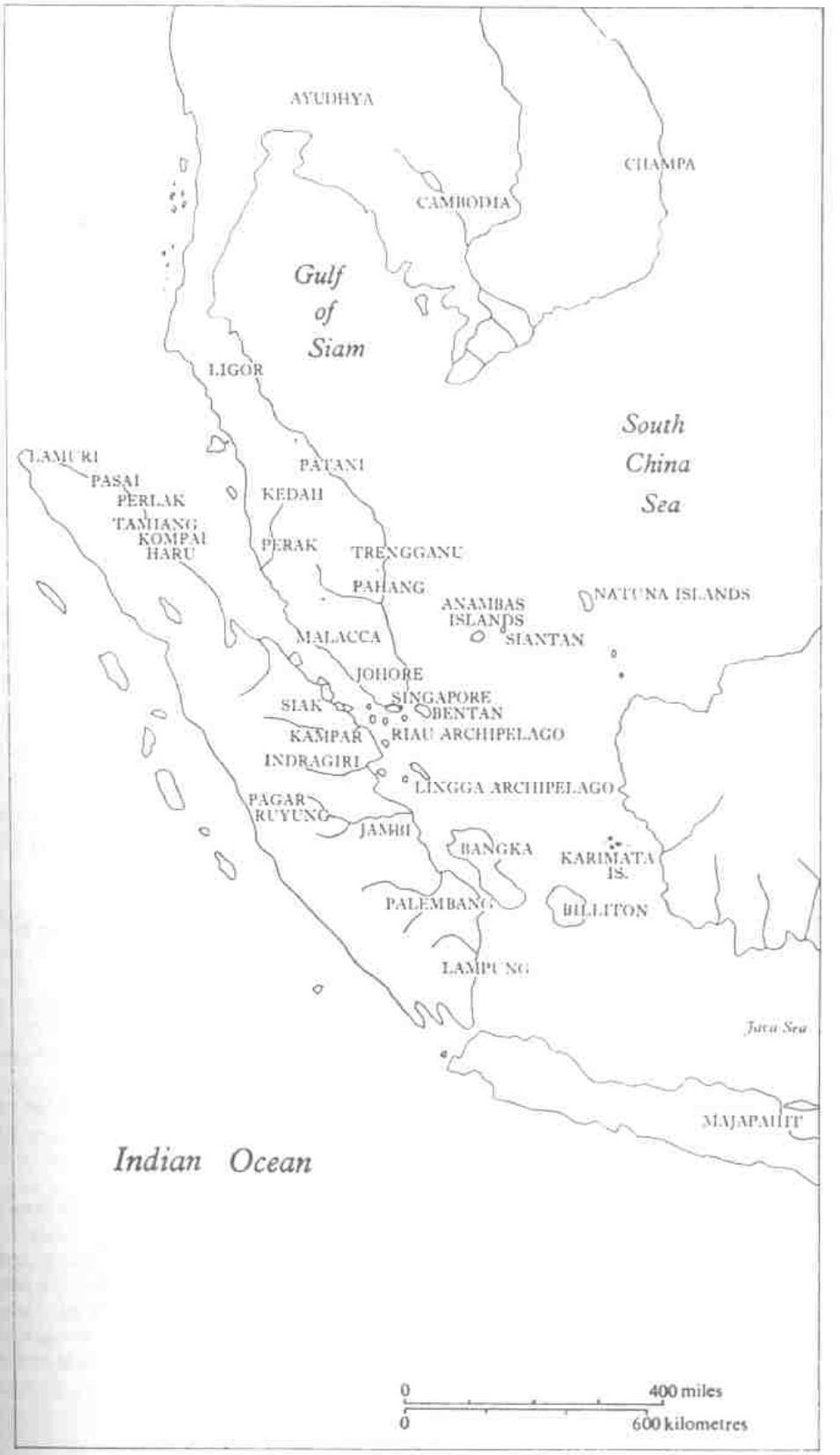
[2]See Brown, C.C. (ed.), *Malay Annals*, p. x.

account of the state's inception, is useful for this task.[3] One of the principal purposes of the legend is to link the ruling family to the aboriginal population, a common Minangkabau legitimating device.[4] It also gives us the foundation of a patriarchical state consequent on the voluntary abdication of a supernatural female, a reminder of the tension between matrilineal village custom and patrilineal state law.[5] Two lasting elements of Perak society emerge here, Malay/Aboriginal relations and the Minangkabau/Islam dichotomy. Let us begin with the aborigines.

They originally lived much nearer the coast, possibly trading with an early Indic civilisation in Perak or with visiting Indian traders themselves.[6] Nakhoda Kasim was apparently attracted to Perak by "... a brisk trade... carried on between the coast and the interior, imported goods being despatched up the country and native produce brought down from inland districts".[7] This native produce, rattans, gutta, wax, ivory, and other jungle products, is a consistent feature of Perak's external trade. Tomé Pires records that jungle produce as well as tin was shipped from Perak to Malacca in the early sixteenth century,[8] and this trade was still functioning in the nineteenth century.[9] The Sakais may also have mined tin in the same way as the aboriginal population of Banka.[10] There were legends of fabulous Sakai mines in the interior, hidden from Malay eyes.[11] In the nineteenth century they certainly mined tin to exchange for cloth and tools.[12] In this period the aboriginal inhabitants contributed manpower as well as produce to the Malay economy as slaves and coolies.[13] It is possible that at the time of Perak's inception the original occupants were accorded greater respect than when the growth of Malay population had driven them to the hills and jungle of the interior. Treated with contempt by nineteenth century Malays,[14] the legend of the White Semang perhaps indicates more intimate relations at an earlier period. They were much valued for their knowledge of jungle lore and medicinal herbs,[15] and their permanent contribution to Perak culture endured in the ritual vocabulary of the Malay *Pawang*, which was a Sakai dialect.[16]

Reference has been made to an Indic civilisation in this part of the Malay

[3]See Wilkinson, R.J. (ed), "Peninsular Malays", pp. 78, 148–151.
[4]Hooker, M.B., *Concise Legal History*, p. 58.
[5]Hooker, M.B., *Concise Legal History*, p. 112; see also Maxwell, W.E., "Tenure of Land", pp. 125,127.
[6]Winstedt, R.O., and Wilkinson, R.J. "History of Perak", pp. 4–5.
[7]Maxwell, W.E., "Native Sources", p. 89.
[8]Andaya, B., *Abode of Grace*, p. 18.
[9]Low, Lieut. Col. J., "Semang and Sakai Tribes", pp. 425–426.
[10]Lewis, D., "Tin Trade", p. 54.
[11]Maxwell, W.E., "Journey on Foot", p. 22.
[12]Hale, A., "Mines and Miners", p. 304.
[13]Leech, H.W.C., "About Slim and Bernam", p. 41; Lasker, B., *Human Bondage*, p. 147.
[14]Maxwell, W.E., "Aboriginal Tribes", p. 50.
[15]Low, J., "Semang and Sakai Tribes", pp. 426–427.
[16]Maxwell, W.E., "Shamanism in Perak", p. 228.



Perak in relation to Peninsula and Sumatran States.

peninsula. No written records exist concerning this stage of the area's history, not even Arab and Chinese sources that took note of tin mining to the north in the tenth and thirteenth centuries.[17] A Hindu sculpture of Srivijayan origin or influence has been unearthed at Bidor and other Indian-influenced remains at Kuala Selinsing in Larut.[18] These settlements possibly came under the influence of the Sumatran kingdom of Srivijaya (as Kedah, Trengganu and Kelantan did) between AD 846 and AD 1225.[19] However, this early period contributed nothing to later Perak culture; only three settlements are recorded at the time the name Perak referred to a river and not a kingdom. These were at Beruas, Manjung, and Kuala Perak.[20] The first two soon disappeared, leaving only legend as their legacy.[21] Srivijaya was to exert a much less direct influence on the new state of Perak; it was from this fifth century trading empire that the ruling dynasty traced its descent. Another origin myth serves to link the people of Perak with those of other Peninsular and Sumatran states.

One morning in non-historical time Wan Empok and Wan Malini, two windows cultivating a *ladang* on Bukit Siguntang in south east Sumatra, woke to find their rice "...had golden grain, leaves of silver and stems of gold alloy".[22] The cause was soon apparent. On the crest of the hill stood three elephants bearing three youths of "great beauty" dressed like kings and wearing crowns encrusted with precious stones.[23] One of them, the eldest, was taken by the people of Minangkabau to rule over them and given the title Sang Sapurba. The second, Sang Maniaka, was taken to rule over Tanjong Pura, and the third, Sang Utama was made Raja of Palembang, which was the first capital of Srivijaya.[24] It was this last who journeyed, via Bentan where he was adopted as heir apparent by the female ruler, to Temasek (Singapore).[25] He died there, as did his son and heir who reigned for thirteen years and his grandson who reigned for twelve and a half

[17]Andaya, B., *Abode of Grace*, p. 17.

[18]Wales, H.G.Q., *Hindu Times*, pp. 113–114, 117–119, see plate 11. This settlement has proved impossible to date. Estimates range from the sixth century AD to the twelfth. Wheatley, P., *Golden Khersonese*, p. 197.

[19]Wilkinson, R.J., "Peninsular Malays", p. 32; see also Wheatley, P., *Golden Khersonese*, pp. 298–299.

[20]Andaya, B., *Abode of Grace*, p. 17. Beruas was situated at the mouth of the Beruas River; the site of Manjung is unknown, possibly it was at the mouth of the Dinding. Ibid, fn. 13.

[21]It was said that Beruas was so large it would take a cat three months to do a circuit of the roofs. Wilkinson, R.J., "Peninsular Malays", p. 77.

[22]Brown, C.C., *Malay Annals*, pp. 13–14.

[23]Ibid, p. 14.

[24]Ibid, p. 15. Wilkinson offers a variant version of this part of the legend. Sang Sapurba first rules Palembang, then slays a dragon at Minangkabau and rules there also ("Peninsular Malays", p. 27). At the end of the eleventh century the capital of Srivijaya changed from Palembang to Jambi, and later to the Minangkabau hinterland (Walters, O.W., *Fall of Srivijaya*, p. 2). Little is known with certainty about this period, but it apears that the "empire" of Srivijaya consisted of largely autonomous territories whose political allegiance was secured by the redistribution of wealth derived from the capital's trade (Ibid, pp. 9,13–14). The agricultural population paid no taxes, and rice for the city was imported (Ibid, p. 8).

[25]Brown, C.C., *Malay Annals*, pp. 18–19.

years. According to legend it was Sang Utama's great grandson, Sultan Iskandar Syah who, driven from Singapore by the Javanese of Majapahit, founded Malacca.[26] More than one hundered years later his now Islamicised descendants fled Malacca under the onslaught of the Portuguese and from Johor despatched their envoy to prepare the way for colonisation of Perak.[27]

Minangkabau, Malacca, Aceh: A Melange of Cultures

The dynastic details of this story are its least accurate aspect, and surely of value only to the rulers themselves.[28] For our purpose it has within it the story of the rise and fall of Srivijaya and its link with the territory of Minangkabau, the diaspora of Malays carrying this common tradition and their consequent Islamicisation in the trade-based city-state of Malacca.[29] Minangkabau culture is the alternative tradition in Malay history; it was a form of social organisation based on kinship and was often in conflict with Islam and the patriarchal state. Matrilineal inheritance, common ownership of land, village-based rule by a council of elders having recourse to unwritten custom, these elements which characterise the social organisation of the South Sumatran Malays[30] survived in both Peninsular and Sumatran states into the nineteenth century.[31] Although the power of Srivijaya declined no later than 1365 AD,[32] Minangkabau Malays were still given the respect accorded the descendants of royalty in the late 1700's,[33] while as late as 1878 in Perak "... a stranger coming among them from Menang Kabau brings with him, so to speak, a pass which ensures him the respect and veneration of all Malays".[34]

Yet it is to Malacca that most historians trace the origin of Perak social organisation. Malacca bequeathed Perak an Islamicised ruling house, a court nomenclature, a code of laws in conflict with village tradition,[35] and a history of ruling class control of trade. Here the similarities end. Malacca was a city-state, a hill near the river mouth where the Sultan lived with his nobles, surrounded by

[26]Ibid, pp. 21,29,41,42.
[27]Wilkinson, R.J., "Peninsular Malays", pp. 50–53.
[28]See Wilkinson, "Peninsular Malays", pp. 33,78,80.
[29]Ibid, pp. 30–34.
[30]Maxwell, W.E., "Tenure of Land", passim; see also Marsden's chapter on the laws and customs of the South Sumatran Malays, *History of Sumatra*, pp.217–237; and De Josselin De Jong, P.E., *Minangkabau and Negri Sembilan*.
[31]Minangkabau Malays began emigrating to Perak in significant numbers in the mid-seventeenth century (Hooker, M.B., *Concise Legal History*, p. 58). I suggest, however, that their influence was present in the earliest years of the State's history. It is true that "...the son of the last ruler of Melaka did not come to Perak without followers or without a tradition" (Andaya, B., *Abode of Grace*, p. 19), but of necessity he was accompanied also by peasant farmers. These commoners, whether of Minangkabau stock or Rawas and Mandelings, carried with them a tradition of social organisation quite distinct from the Malacca-derived culture of the aristocracy.
[32]Wilkinson, R.J., "Peninsular Malays", p. 32; see also Walters, O.W., *Fall of Srivijaya*, p. 78.
[33]Marsden, W., *History of Sumatra*, pp. 336–337.
[34]McNair, J.F.A., *Perak and the Malays*, p. 135.
[35]Hooker, M.B., *Concise Legal History*, p. 112; see also Maxwell, W.E., "Tenure of Land", p. 127.

foreign merchants' quarters,[36] surrounded again by forest. *Padi* fields were not extensive, apart from occasional groves of fruit trees. the territory early in the sixteenth century comprised "a great deal of wood, most of it growing straight up to the sky,"[37] and its area was only about thirty miles by ten in 1726.[38] Its political influence, the regions from which it could draw trade and tribute, extended a good deal further to Siak, Deli, Kampar and Indragiri in Sumatra and as far north as Trengganu on the Peninsula.[39] Perak, in contrast, had no great entrepot trade,[40] its wealth was founded on the production of tin, not the passage of merchants' goods (consequently the capital was never sited at the river-mouth).[41] Its rulers, both royal and non-royal, some of them retaining Malacca titles, were scattered the length and breadth of the State, and Perak's influence was confined to its territory (some 8,000 square miles).[42] Whatever the similarities of constitution between the two states, the country was in fact governed very differently in each case. This at least was the situation by the mid-eighteenth century. Although records for the intervening period are scarce,[43] we can attempt to reconstruct the influences that broadened the meaning of the Malay '*negeri*', in Perak's case, from 'settlement' to 'state'.

Of all the influences on Perak in the two hundred years of its growth from independent settlements to the fully fledged state of Dutch records, only one was devastating — that of Aceh. The Portuguese seizure of Malacca resulted both in the weakening of its ruling house in refuge at Johor and in the rise of Aceh as an alternative trading centre.[44] From the end of the sixteenth century to the mid-seventeenth, Aceh launched a series of raids on the Peninsular states. In 1575 Perak was attacked and its ruling family taken captive to Aceh as 'honoured guests'.[45] Again in 1620 an Acehnese raid secured five thousand prisoners from Perak, and they became part of the twenty-two thousand from various Malay states reported, by a contemporary French observer, to have been left to die in the streets.[46] After the first conquest, the ruling families of Perak and Aceh allied themselves by marriage. The late Sultan's heir remained at Aceh, and his younger brother was chosen to rule in Perak.[47] The second time both Aceh and

[36]Wilkinson, R.J., "Peninsular Malays", p. 38.
[37]Tomé Pires cited in Wheatley, P., *Golden Khersonese*, p. 317.
[38]Harvey, D.F.A. (ed, trans), "Valentyn's Description of Malacca", p. 50.
[39]Winstedt, R.O., and Wilkinson, R.J., "A History of Perak", p. 6. See map in Wheatley, P., *Ancient Times*, p. 164.
[40]Andaya, B., *Abode of Grace*, p. 25.
[41]Ibid, p. 24.
[42]Ibid, p. 23.
[43]Ibid, p. 41.
[44]Ibid.
[45]Ibid.
[46]Ibid, pp. 42–43. Andaya's figures, which possibly derive from Winstedt ("A History of Perak", p. 20), are surprisingly large, the more so because a Dutch estimate puts the entire population of Perak at about 5,000 in 1621, and an estimate of 10,000 in 1818 was considered to be exaggerated (Andaya, B., *Abode of Grace*, pp. 22–23).
[47]Ibid, p. 41.

A Malay map representing Perak as a ship, 1876
Source: Andaya, B., *Abode of Grace*, p. xiii

Johor attempted to supply a Sultan for Perak, but it was Aceh's nominee, the Perak-born Raja Bongsu, who assumed office, backed by an Acehnese army.[48] A Malay chronicle of this event, typically ignoring the commoner population, tells us "in Perak were left only Maharaja Lela and Paduka Raja",[49] and this has been interpreted to mean "the country was left completely without government".[50] We must assume, though, that government in its broadest sense continued much as it always had at the village level, but that the country experienced a constitutional hiatus. It is to this hiatus, and to the continuing suzerainty of Aceh over Perak, that the two distinct types of government embodied in the Perak constitution can, in part, be traced.[51]

In contrast to the Malacca system in which a Sultan ruled through the intermediary of his court officials *(Orang di Balai)*, in Aceh power was shared between the Sultan and his territorial chiefs *(Hulubalang)* who in turn had minor district leaders subordinate to them. This latter system was well suited to Perak as tin and rice were produced throughout the State, and communication between centres of population was difficult.[52] Numerous rivers linked by jungle tracks also made it difficult for centralised authority to control the flow of produce.[53] The ancient conception of Perak was of a ship "...with the Sadika Raja at its stern, the *Laksamana* at its prow, the *Penglimas* of Kinta and Bukit Gantang to its left and right, and the Dato' Sagur in the centre".[54] It is surmised that these were the *Hulubalang* of the Acehnese period. The Sultan has no place in this conception,[55] nor do his non-territorial officials. In time these officials, and the Sultan himself, aware that power lay in territory, not office, also took control of various districts while retaining their court titles.[56] In the reign of Sultan Iskandar Syah (1752–1765) the conflicting Acehnese and Malacca constitutions were systematised.[57] Territorial chiefs were ranked in groups of four, eight, sixteen, and thirty-two. The first four were given the position of *Orang di Balai*, the next eight the Acehnese appelation *Hulubalang*. The princes of the royal line, or *Waris Negeri*, were ranked separately.[58]

[48]Wilkinson, R.J., and Winstedt, R.O., "A History of Perak", p. 21.
[49]Ibid.
[50]Andaya, B., *Abode of Grace*, p. 43.
[51]The following conjectural analysis of the evolution of Perak's political system draws on Wilkinson's appendix to his "History of the Peninsula Malays" (p.142). Wilkinson's hypothesis has not received the attention of historians of Perak, possibly because greater glory attaches to the Malaccan legacy.
[52]Andaya, B., *Abode of Grace*, p. 25.
[53]Ibid.
[54]Wilkinson, R.J., "Peninsular Malays", p. 142.
[55]See map, p. 7. In this 1876 representation, the Sultan has taken the captain's position amidships, which was the Dato' Sagur's in the more ancient conception.
[56]Wilkinson, R.J., "Peninsular Malays", p. 143. At no time did the chiefs own their territory; they simply exercised a right over the people and their produce (see below p. 27).
[57]Ibid, p. 82.
[58]Ibid, pp.131–144.

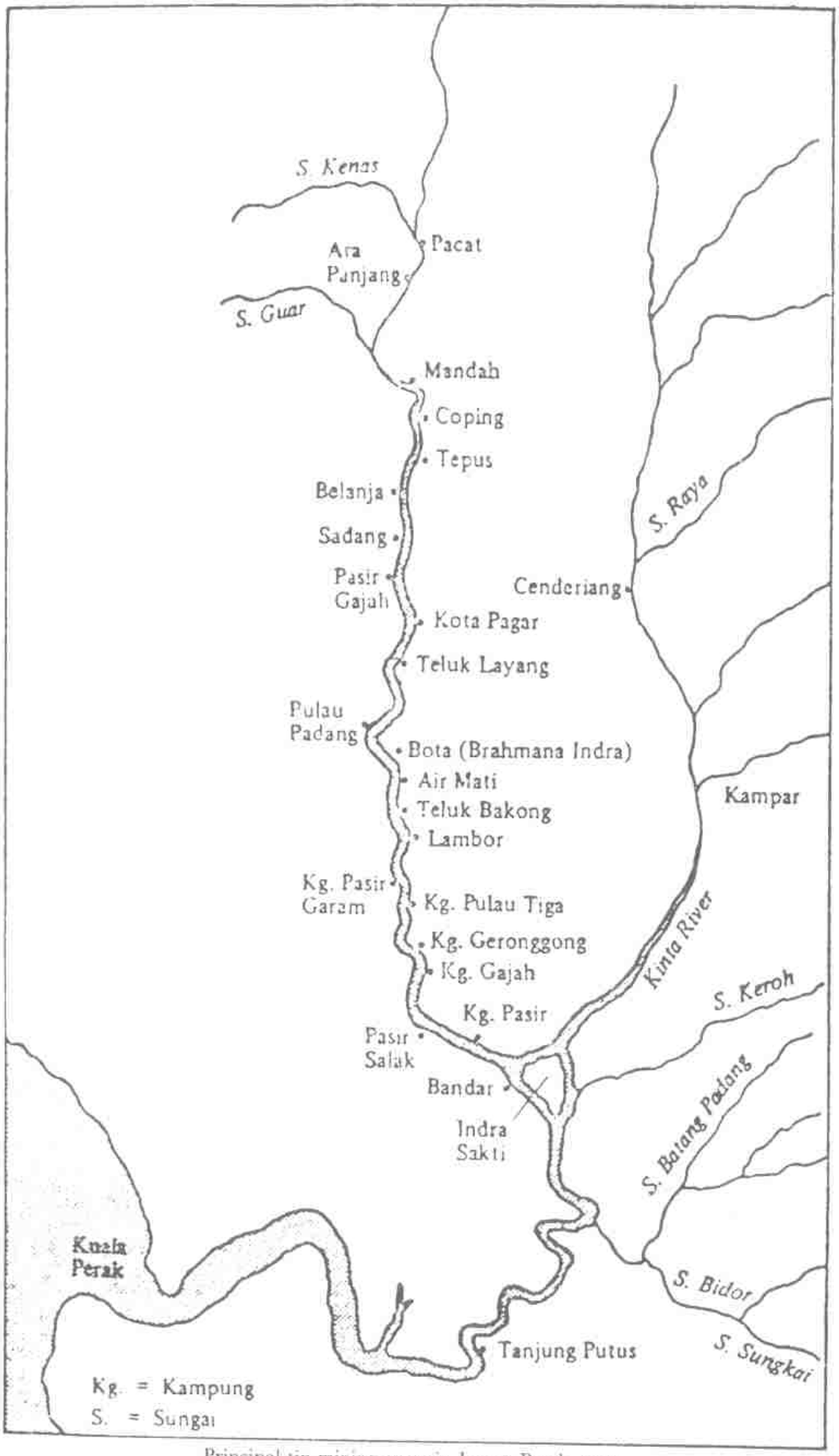
The Advent of the Dutch and the Tyranny of Tin

When the power of Aceh waned in the mid-seventeenth century, and the Dutch assumed its place as Perak's favoured trading partner, three forms of government can be discerned: the village-based autonomous community (Minangkabau), the federation of territories under the nominal leadership of a monarch (Acehnese), and the centralised court-based administration (Malacca). The historical basis of this conjuncture, which was to endure with minor fluctuations in favour of one or other of the state systems until the British invaded the country in 1875, has been indicated here; its economic foundation and its theoretical description will be dealt with in more detail below.[59] After the decline of Acehnese hegemony, developments in Perak were principally in reaction to the requirements of external trade.

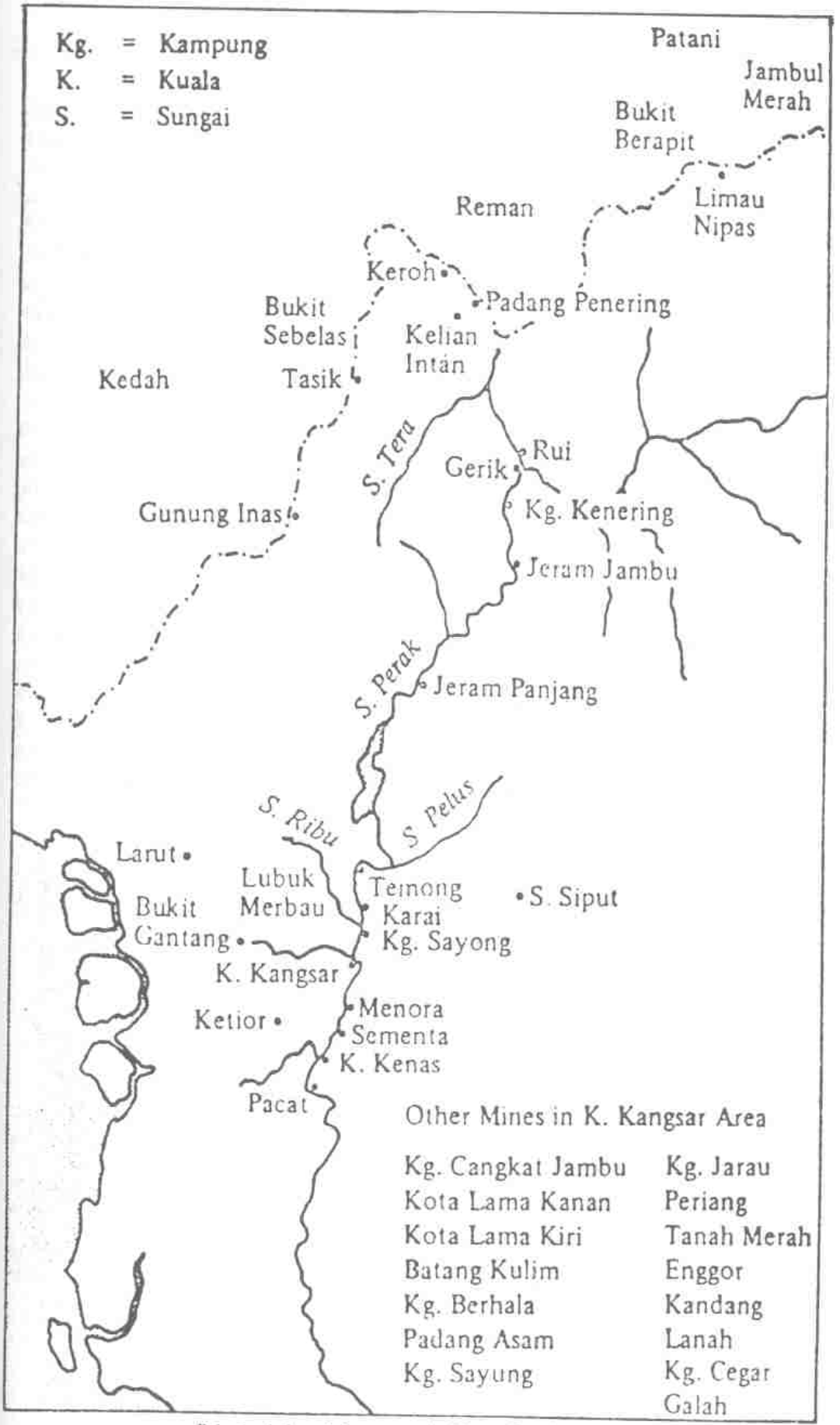
Perak tin was required by the Europeans for two trading circuits. In the first it was shipped to Europe as ballast in ships carrying light cargoes of cloth and spices, for use in making pewter.[60] This was mainly a Dutch enterprise; the British were constrained by the high tariffs protecting Cornish tin from exporting it to England, though they occasionally shipped it to England for re-export elsewhere.[61] The second, and perhaps more important circuit, was the use of tin as a substitute for bullion in the intra-Asian trade. Tin was one of the few items the Indians would accept for the cloth and piece goods which the Dutch relied on to trade for spices in the Moluccas.[62] Similarly, the Chinese wanted little from Europeans but tin and other metals in exchange for tea, for which the demand in Europe was almost insatiable.[63] Since the fifteenth century, Perak had supplied its tin to traders from Coromandel, Java, China, Cambodia, and many other regions[64] on a free-trade basis. The Indian *Culias* in particular had established themselves on intimate terms throughout the Malay states.[65] To be useful for European purposes, however, it was necessary not only to secure increasing amounts of tin but to deny it to other Asian traders.

The Dutch found it difficult to attract enough tin for both European and Asian trade[66] and, after their seizure of Malacca from the Portuguese in 1614, attempted to enforce monopoly rights said to have been enjoyed by their predecessors.[67] Following an agreement with Aceh in 1650 a factory was established on the Perak River. This was destroyed and twenty-seven Dutchmen

[59]In Chapter Two and the Conclusion.
[60]Lewis, D., "Tin Trade", p. 56.
[61]Wong Lin Ken, "Tin Industry", pp. 23–30.
[62]Lewis, D., "Tin Trade", p. 55; Wong Lin Ken, "Tin Industry", p. 12.
[63]Andaya, B., *Abode of Grace*, p. 69.
[64]See e.g. Wilkinson, R.J. and Winstedt, R.O., "A History Perak", pp. 25,26,37.
[65]Indians assumed important positions in the governments of Aceh, Kedah, and Perak in the eighteenth century (Forrest, T., *Voyage to the Mergui Archipelago*, pp. 42–43,48; Andaya, B., *Abode of Grace*, p. 85). In Perak at this time there was an influential community of Indian Muslims who had married local women (Ibid, p. 84).
[66]Ibid, p. 69.
[67]Ibid, p. 45.



Principal tin mining areas in Lower Perak, 1770
Source: Andaya, B., *Abode of Grace*, p. xv



Principal tin mining areas in Upper Perak, 1770
Source: Andaya, B., *Abode of Grace*, p. xvi

killed.[68] The subsequent settlement on Pulau Dinding off the Perak coast was also razed in 1690.[69] It was not until 1746 that the Dutch managed to establish a viable outpost in Perak,[70] yet even then much tin from Ulu Perak was shipped overland to the Larut River from whence it was carried to Kedah and, later, to the British at Penang.[71] In 1781, as a consequence of the war in Europe between Britian and Holland, a British ship entered the Perak River and threatened the fort. The Dutch commander surrendered immediately, expressing his "great pleasure" at leaving a place "of which I have been weary for many years".[72] The fort was re-established, but when the treaty between the Dutch and Perak expired, it was not renewed. British Penang, conveniently situated off the Perak coast, began to attract the State's trade.[73]

During the period of the Dutch alliance there was little intercourse between them and the Malays; they were forbidden to marry local women,[74] and lived in some fear of attack.[75] The Malays for their part immortalised this period in the proverb, still current on hundred years later, "*oh lagi lagi, bagai Belanda minta tanah*".[76] Yet it may be supposed that the secondary effects of Dutch presence struck deep. The Dutch demand for tin would have placed great burdens on the population required to mine it,[77] while at the same time strengthening the power of the rulers. It is no accident that one hundred years later this period was seen as a 'golden age' when "...power is concentrated in the hands of one who then shares it with his faithful ministers and chiefs. Through them the ruler is linked with his subjects in an unbroken chain of loyalty."[78] Yet his subjects may not have viewed the situation with such equanimity; during this period the Dutch commander was ordered "...to give diligent heed to prevent any malicious or discontented persons from contriving to hide on... [European] ...ships and so get away".[79]

British Conquest: The Transformation of Traditional Social Organisation

After the Dutch withdrawal, Perak attracted the malevolent interest of Kedah,

[68]Ibid, p. 46.
[69]Ibid, p. 45.
[70]Ibid, p. 78.
[71]Ibid, p. 112; see also Anderson, J., *Political and Commercial Considerations Relative to the Malayan Peninsula, etc.*, pp. 187–188.
[72]Andaya, B., *Abode of Grace*, pp.343–345.
[73]Lewis, D., "Tin Trade", pp. 67–68.
[74]Andaya, B., *Abode of Grace*, p. 90.
[75]Maxwell, W.E., "The Dutch in Perak", p. 266.
[76]"Oh more, more, like the Dutch asking for land." Maxwell, W.E., "Malay Proverbs", *JSBRAS*, 3 July 1879, p. 20.
[77]The population was estimated at at least 5,000 in 1621 (Andaya, B., *Abode of Grace*, p. 22). The sheer extent of mining can be gauged from the maps of mining areas on pp. 10 and 11. 450,000 lbs were exported annually in this period (Lewis, D., "Tin Trade", p. 57). Using De Morgan's estimate of labour productivity as a rough guide (see below, Ch. Two, fn. 99), about 17 percent of the population would have been engaged in tin mining. But population estimates are so unreliable as to make this information of dubious value (see fn. 46).
[78]Andaya, B., "Nature of the State", p. 35.
[79]Cited by Wilkinson, R.J., and Winstedt, R.O., "A History of Perak", p. 44.

Siam, and the Bugis rulers of Selangor in successive invasions until, in 1825, treaties were established with the British that guaranteed Perak's independence.[80] Only information from colonial historians is available for this period; it is reported that the country was in a state of famine,[81] tin production had drastically declined,[82] and much of the population had dispersed.[83] Sultan Abdullah Muadzam Syah requested the British to take control of Perak, but was denied.[84] The British at this time appear to have been content to contract favourable trading terms and to secure peace to allow this trade to proceed. This was in keeping with the nature of tin which was still a trading commodity in Asia and mainly a craft commodity in Europe, though the opinions of the colonial government and the Straits entrepreneurs differed on the desirability of annexing Perak.[85] When tin became an important industrial commodity in the mid-nineteenth century, vast and rapid changes were wrought in Perak.

In Britain by 1800 a small tin plate industry was firmly established.[86] By the 1820's the technique of preserving food in tin cans had been developed, and by 1860 the canning industry had caused the expansion of tin plate manufacture.[87] In 1853 the protective tariffs on foreign tin were repealed in Britain.[88] The quantity of tin imported into Britain from its Eastern Possessions (principally the Straits Settlements) rose from 663 tons in 1816–1820 to 4,046 tons by mid-century, 29,257 by 1871–1875.[89] Concurrent with these developments, large numbers of Chinese immigrants began to arrive in the Peninsula. The first mention of Chinese tin miners appears in 1777,[90] but they first appeared in Perak around 1830.[91] At this time new mines were discovered in the Larut province of Perak

[80]Ibid, pp. 64–69; see also Wilkinson, R.J., "Peninsular Malays", pp. 86–88. For details of the Kedah invasion, see Bonney, R., *Kedah, 1771–1821*, pp. 128–155. The Bugis, a maritime people of Sulawesi, began to gain political power in the Peninsula at the end of the seventeenth century (Rubin, A.P., *International Personality*, p. 104). They attacked Perak several times in the first half of the eighteenth century in alliance with aristocratic factions within the State, and their threat contributed to the Sultan's willingness to enter into alliance with the Dutch (Andaya, B., *Abode of Grace*, pp. 72–74, 109–111). They appear to have gained some control over the administration of the State in this period (ibid, p. 73–74), but they failed to establish themselves as they did in Selangor, Pahang and Johor. In the nineteenth century the village of Kota Lama was peopled by descendants of Bugis immigrants, and the *Temenggong* was appointed from among them. Burns, P. (ed.), *Journals*, p. 71 fn. 2.

[81]Wilkinson, R.J., and Winstedt, R.O., "A History of Perak", p. 68.

[82]Wilkinson, R.J., "Peninsular Malays", p. 86.

[83]Wilkinson, R.J., and Winstedt, R.O., "History of Perak", p. 70.

[84]Ibid, p. 71. The Straits Settlements were at this time administered by the East India Company from Bengal. The Company's attention was focused on Burma and Siam, and it is possible that it did not wish to come into conflict with the latter by outright annexation of Perak immediately after the Siamese withdrawal. See Bonney, R., *Kedah, 1771–1821*, pp. 128–155, passim.

[85]See Ibid, pp.77-91.

[86]Wong Lin Ken, "Tin Industry", p. 17.

[87]Ibid, p. 18.

[88]Ibid, p. 29.

[89]Wong Lin Ken, *Malayan Tin Industry*, p. 16.

[90]Lewis, D., "Tin Trade", p. 53.

[91]Wilkinson, R.J., "Peninsular Malays", pp. 87–88; Crawfurd, J., *Descriptive Dictionary*, p. 336.

within easy reach of Penang.[92] The Chinese population rose to 26,000 by 1874.[93] The mines were financed by Straits Chinese, often in partnership with Europeans, and usually involved the local Malay authority who provided political sanction and acted as an intermediary with the Malay population.[94] In 1862 the first outbreak of fighting between rival Chinese factions signalled the arrival of Britain's opportunity to intervene and to take control of the State.

The story of British intervention in Perak has yet to be told in all its detail, stripped of British apologetics.[95] This historical survey is not the place to do so, yet it would be well to point out three invariable features of current versions. Firstly, the Chinese fighting in Larut is taken as symptomatic of an anarchic state of affairs throughout the state of Perak. Birch's description of the country in 1874 belies this.[96] Secondly, the disputed succession to the Sultanate is linked to the Chinese fighting and used for the same purposes. In fact, the succession dispute bore only incidentally on the Larut disturbances and occasioned no disturbance in Perak Besar. It loomed large in British eyes because of the involvement of Straits financiers who were largerly reponsible for fostering the dispute.[97] Thirdly, British control of Perak is invariably presented simply as a diplomatic and political development. Yet the treaty of 1874 (probably misunderstood by the Malay signatories)[98] that resolved both the Perak succession and the Larut disturbances, gave Britain no effective power in the State. This was only achieved after the military conquest of 1876.

In 1871 Sultan Ali died at Sayong and, after some delay, the Raja Bendahara Ismail was appointed Sultan. The Raja Muda Abdullah, who would normally have been expected to accede to the throne, had failed to present himself.[99] The British Governor in Penang acknowledged Ismail's investiture,[100] and Abdullah himself conceded Ismail's right in 1872.[101] "It was only at a later date when Raja Abdullah's financial difficulties led him to sell concessions as 'Sultan', that concessionaries, their counsel, and other interested parties began to cast doubts on the validity of Ismail's Sultanate."[102] The new Governor of the Straits Settlements, Sir Andrew Clarke, arrived in Singapore in November 1873 and, improvising on his instructions from London, signed an agreement to install

[92]Wilkinson, R.J., "Peninsula Malays", p. 89.
[93]Asst. Resident's Report C1320, p. 132.
[94]Khoo Kay Kim, *The Western Malay States*, pp. 58–67.
[95]Two balanced versions of the events are to be found in Sadka's introduction to Sir Hugh Low's journal and, in more detail, Burns' introduction to the journals of J.W.W. Birch. They are, however, subject to the limitations mentioned below.
[96]See below, pp. 22–23.
[97]See Burns, P. (ed), *Journals*, pp. 21–22; Wilkinson, R.J., "Peninsular Malays", p. 101.
[98]Burns, P., (ed), *Journals*, p. 106 and fn. 5.
[99]Wilkinson, R.J., "Peninsular Malays", pp. 199–101. Various reasons have been put forward for Abdullah's failure to attend the ceremony; see Burns, P. (ed), *Journals*, p. 12, fn. 5.
[100]Ibid, p. 11, fn. 4.
[101]See Abdullah's letter to Ismail inWilkinson, R.J., "Peninsula Malays", p. 144.
[102]Ibid, p. 101.

Abdullah as Sultan in January 1874.[103] A commission was appointed to resolve the question of Chinese mine ownership in Larut under the same agreement. Clarke's successor, Sir William Jervois, described the event thus:

> *In a British vessel, with a British man-of-war alongside, we collected together some Perak chiefs, to 'elect' a Sultan, when we just put down one who was absent and set up another who was present, that other being the wretched individual I have now described* [i.e. Abdullah].[104]

Article Six of the Pangkor Engagement provided that a British officer be appointed as Resident "...whose advice must be asked and acted upon all questions other than those touching Malay Religion and Custom". James Birch was provisionally appointed Resident in October 1874 and confirmed in this position in December.[105] He was killed by the Maharaja Lela's men at Pasir Salak in November 1875.[106] The intervening period cannot be said to be a time of British control of Perak. Birch exercised little authority over Abdullah,[107] through whom he attempted to reorganise the country, and Abdullah himself had no great control over the Malay population.[108] Speaking no Malay and often confused and frustrated by his ignorance of the political structure of the State[109] "...everything was done to keep him in the dark and misrepresent the state of affairs, the position of places, the resources of the country, and the real views and intentions of its people".[110] Birch made many serious mistakes, insulting Malay rulers in front of their followers, interfering with the collection of tolls without compensating local chiefs for the loss of their hereditary rights, and harbouring runaway slaves.[111] His one achievement was to unite the contending factions in their determination to be rid of him.

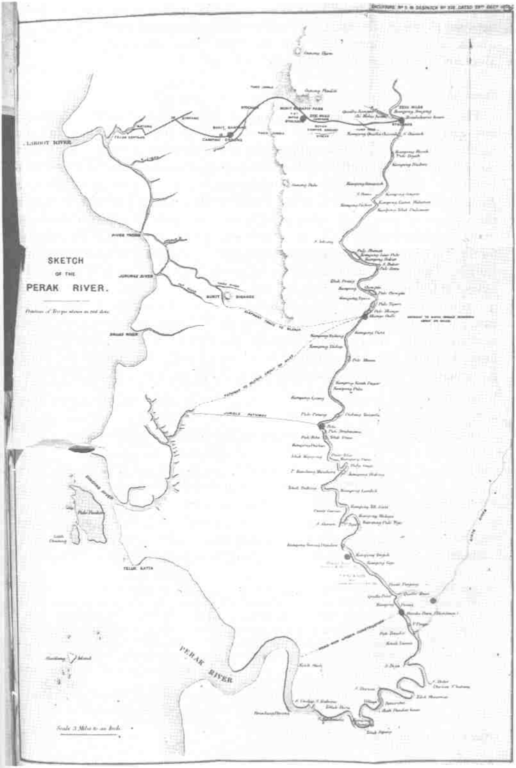
Two weeks after Birch was killed, three companies of the 80th Regiment arrived from Hongkong followed two weeks later by 1000 British and Gurkha infantry from India.[112] Pasir Salak, captured before their arrival, was burnt, as were Kampong Gajah, Kota Lama, Enggar, and Prek.[113] When the last of the

[103]The Pangkor Engagement is reproduced in Burns, P. (ed), *Journals*, p. 375.
[104]Cited in Sadka, E. (ed), "Journal", p. 11.
[105]Burns, P. (ed), *Journals*, p. 22, fn. 3.
[106]Eye-witness accounts of this event are available in CO273/88. These are part of the unpublished "Perak Enquiry Papers", see Burns, P. (ed), *Journals*, pp. 406–407.
[107]See e.g. Burns, P. (ed), *Journal*, pp. 159, 162–164.
[108]For instance, Abdullah had no male followers. Ibid, p. 98.
[109]Birch wrote in his journal, "I do not understand how Toh Nara could get a district or give it away.... The whole thing here seems a vast Rosamond's bower, we get in and can't find your way out." He also complained that "this is the most beastly place to live in that I was ever in, and I feel sure it would soon make me ill." (pp. 116,161); see also Burns' comment, *Journals* p. 106, fn. 4.
[110]Swettenham, F.A., *About Perak*, p. 10. Swettenham, who was despatched to assist Birch in Perak in April 1874 may be overstating the case somewhat. He neglects to mention also that he was himself frequently bamboozled by the Malays. See Burns and Cowan (eds), *Swettenham's Malayan Journals*, p. 20 and passim.
[111]See Burns, P.(ed), *Journals*, pp. 66, 151.
[112]Sadka, E. (ed), "Journal", p. 15. Correspondence concerning these events is published in C1505.
[113]Sadka, E. (ed), "Journal", p. 16.

British troops left in 1877, only one of the four chiefs of the first rank, and one of the eight chiefs of the second rank, still held office. Raja Muda Abdullah, the *Mentri* Ngah Ibrahim, the *Laksamana* and the *Syahbandar* were awaiting exile to the Seychelles, Sultan Ismail exile to Johor. The Maharaja Lela and Dato' Sagur had been hanged[114] and the S'adika Raja killed by Malay auxillaries at Batu Berdinding.[115] The second British Resident, Hugh Low, stepped into this political vacuum in April 1877, and it was only then that effective British administration of Perak began.[116] The Resident still governed by 'advice' to the Malay ruler, but the British military presence had given the Resident "...that material support which was necessary to enforce respect for their advice in trying to introduce a better form of government".[117] Although it is said that the Malays welcomed the appointment of Low,[118] he recorded in his journal in 1877 "an old woman at the 17th milestone cursed and reviled the White man as I passed, the same thing occurred at Bukit Gantang when Governor Anson passed on his visit here".[119] The country was vanquished.

One of Low's first acts after his initial tour of the country was to set up a state council under the nominal Presidency of the Raja Muda.[120] This council's first priority was to regulate taxes and duties and to impose land rents.[121] Revenue was now collected on behalf of the State, although in some cases *Penghulus* charged with collection were entitled to a commission.[122] District Chiefs were pensioned in recognition of their hereditary claims,[123] but unless they were commissioned as village *Penghulus* or Native Magistrates, they retained no official authority[124]. Regulations governing the treatment of slaves and debt-slaves were introduced,[125] and in 1883 the practice was abolished and all remaining slaves redeemed by the State.[126] Large tracts of land were leased on "...very liberal terms to capitalists with bona fide intentions of cultivation..."[127] and

[114]Sadka, E., "State Councils in Perak and Selangor", pp. 96–97, fn. 16.
[115]Maxwell, W.E., "Journey on Foot", p. 17.
[116]The province of Larut is no exception to this statement. Tristram Speedy was hired by the *Mentri* of Larut in 1873 to recruit and command Indian troops during the Chinese factional fighting. He was later appointed as Birch's Assistant Resident, but, if Birch's opinion is correct, his small European staff was corrupt and inefficient (Burns, P. (ed), *Journals*, pp. 6 fn. 5, 125, 213–214). It appears that both the Chinese and Malays of Larut were largely autonomous in their administration.
[117]Swettenham, Sir Frank, *The Real Malay*, p. 13.
[118]Bird, I., *Golden Chersonese*, p. 347.
[119]Sadka, E. (ed), "Journal", p. 96.
[120]Raja Muda Yusuf, twice passed over for appointment to the Sultanate under Malay rule, was appointed by the British as Regent in 1877. Sadka, E., "State Councils", p. 94, fn. 8.
[121]Harrison, C.W. (ed), "Perak Council Minutes", pp. 158–159.
[122]Ibid, p. 174.
[123]Sadka, E., "State Councils", p. 169.
[124]Ibid, pp. 164–165 fn. 1.
[125]Resident's Report C3285, pp. 4–5.
[126]Extract from Perak Council Minute, C4192, pp. 423–427.
[127]Harrison, C.W. (ed), "Perak Council Minutes", p. 160.


SKETCH
OF THE
PERAK RIVER.
PERAK RIVER

communities of indentured labourers were introduced to work them. In short, between 1877 and 1883 the entire structure of the State was altered, remaining a Malay state in name, but one governed "...as absolutely—nay, more absolutely—than any Crown Colony".[128]

Summary

The state of Perak was founded not only by aristocrats from defeated Malacca but, more importantly, by men and women who grew rice, mined tin and paddled river craft. Their social organisation, derived from Minangkabau and other South Sumatran ethnic groups, was a distinct counterpoint to aristocratic traditions. While there may be historic truth in the aristocratic claim to a Malacca heritage, it was of little but symbolic importance. The organisation of the State owed more to the influence of Aceh. These cultural influences were the materials of the State's fabric; the pattern was woven in response to the demand for tin. Tin linked Perak to the intra-Asian trading network and to industrialising Europe. The increasing demand for tin as an industrial commodity, and the advent of Chinese enterpreneurs and miners capable of producing it in sufficient quantities, was a decisive factor in Britain's moves to control the State. These external forces acted upon the structure of the State throughout its history and, mediated by the Malays themselves and their cultural heritage, determined its form. Heritage has been the subject of this chapter; the form of the State, particularly its basis in the production of rice and tin, is the subject of the next.

[128]Sir P Benson Maxwell, C3429, p. 704.

CHAPTER TWO

An economic and political description of Perak in the nineteenth century

The description of a typical nineteenth century Malay State has been so often repeated that it has now achieved a classic form.[1] This representation gives us an exclusively riverine pattern of settlement, rivers being the only convenient means of communication and transport of goods.[2] The Sultan exercised his power by taxing the flow of goods, and for this reason his capital was sited at the principal rivermouth.[3] District Chiefs tried to usurp the Sultan's prerogative by controlling the mouths of upstream tributaries. This struggle to control trade was a source of perpetual instability in the State, degenerating into complete anarchy in the nineteenth century when the demand for tin encouraged District Chiefs to circumvent the control of the ruler and rewarded them highly for doing so.[4] The Western Malay States are said to have relied on trade for the import of their staple food, rice.[5] The society is represented as a two-class society, the rulers and the ruled, the latter being completely subservient to their despotic overlords.[6] Their only response to oppression, frequently resorted to, was flight.[7]

This generalisation refers to no actual Malay State. In the case of Perak it is particularly inapplicable. The underlying structure of the State is ignored, and the most readily observed phenomena so simplified as to be untrue. The political and economic description of nineteenth century Perak offered here is formulated

[1]John Gullick, one of the last of the colonial scholar/administrators, is the author of the only exclusively sociological work on traditional Malay states. His *Indigenous Political Systems of Western Malaya* is based on Radcliffe-Brown's functionalist anthropology (see e.g. pp. 18–19) and has been frequently resorted to by specialist scholars requiring a general political survey to introduce their particularist study. For this reason it is uniquely influential in Malay studies, although, as this chapter shows, it is seriously flawed in its presentation of data as well as its theoretical perspective.

[2]Gullick, J., *Political Systems*, p. 28.

[3]Ibid, p. 21.

[4]Ibid, pp. 97, 133. See also Andaya, B., *Abode of Grace*, pp. 27–28.

[5]Gullick, J., *Political Systems*, p. 29.

[6]Ibid, p. 65.

[7]Ibid, p. 29.

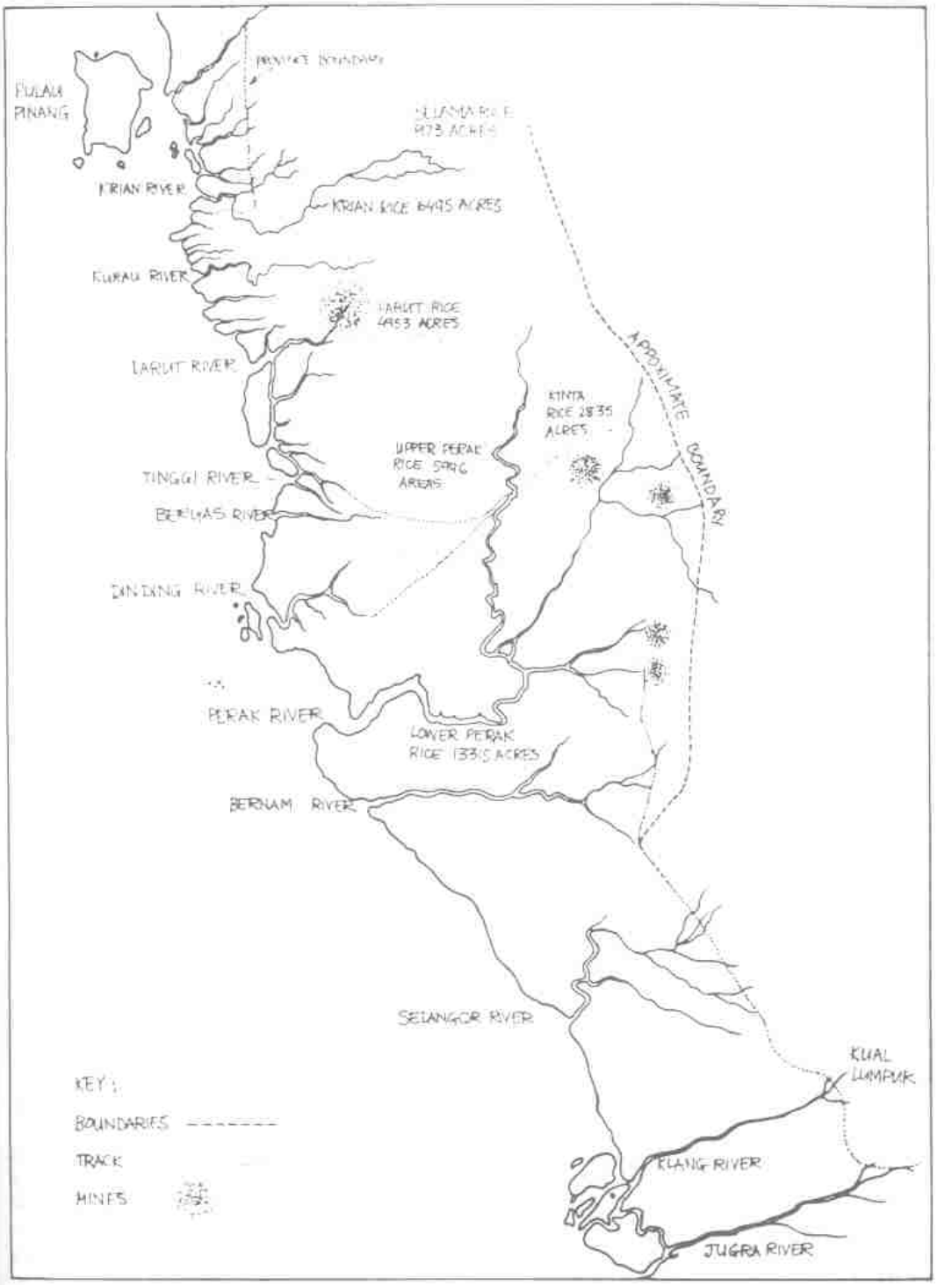
in reaction against the ideal-typic representation of the Malay State, both in its empirical description and its theoretical under-pinnings. The most important fact of Malay economic life in Perak was rice-growing; without rice, tin could not be mined. The power of the ruling class rested not so much on the control of trade as on the control of production, both rice and tin. Trade was a means of realising the results of this control. The political system was not 'constantly endangered' by the power of the District Chiefs; their power was an essential fact of the political system and had its origin in the articulation of the modes of production in operation in the State, modes which relied more on personal control of producers than on the exercise of centralised authority.

The idea of control of a specifically bounded territory, a state rather than a river valley, may have been present since the coming of the first Malacca Malays. One tradition tells us that Sultan Malik Syah, the second Sultan of Perak, journeyed to the headwaters of the Perak River and decreed the boundaries of the State, before settling at Kota Lama some ninety miles from the river mouth.[8] These boundaries were the Krian River in the north and the Bernam in the south, on the west the coast, and to the east the Perak River and the central range of mountains. Explaining this undefined eastern boundary, Maxwell tells us,

> *In all the Native States of the Peninsula, the interior of the country is under forest, roads are almost unknown, and communication by land difficult. The rivers are the main arteries by which trade is carried on, and it is on the banks of rivers and on the sea coast that the bulk of the Malay inhabitants are to be found.*[9]

Yet this statement occurs in an account of a journey Maxwell made on foot through the northern region of Perak, during which he passed through extensive inland padi fields and jungle clearings.[10] Certainly the riverbanks harboured the greater proportion of the Malay population, and the rivers carried the greater proportion of traffic; still, a significant number of Malays living in the interior and linked to river settlements by jungle tracks tended to be ignored simply because colonial observers found access to inland areas difficult,[11] and the population of these areas of relatively little interest.[12] Mention of jungle settlements occurs in law texts[13] and Malay testimony,[14] and McNair also records "...many Malays

[8]Maxwell, W.E., "Native Sources", pp. 94–96. This Sultan has no existence in the official genealogy of the Sultans of Perak. Wilkinson, R.J., "Peninsular Malays", pp. 148–149.
[9]Maxwell, W.E., "Journey on Foot" (1876), p. 36.
[10]Ibid, see e.g. pp. 13, 14, 18, 32.
[11]Isabella Bird describes the hazards of riding an elephant along jungle tracks. *Golden Chersonese*, pp. 298–299. See also Adas, M., "Imperialist Rhetoric and Modern Historiography", p. 184.
[12]Maxwell says of one such settlement, "Wondering what induced people to settle in this remote place, we went on again along the forest track..." (Maxwell, W.E., "Journey on Foot", p. 54 (1876)). This sentiment is echoed by Sir Hugh Low in the same area one year later, who "cannot see what makes it worth their while to live here". Sadka, E. (ed), "Journal", p. 49 (1877).
[13]Maxwell, W.E., "Slavery Law", p. 270.
[14]See e.g. Abboo's testimony, CO273/88 (1876).



Rivers, Tracks, and Mines in Perak, 1875
RICE CULTIVATION, 1879
Sources: CT5051, Enc. 67 Hill, R.D., *Rice in Malaya*, p. 96

reside in the interior, and on the pathways and tracks through the jungle.[15]

These jungle tracks (which Birch after a few months alone in the State came to call roads[16]) were an important adjunct to river travel. *Ulu* Perak, the traditional site of the Sultan's settlement, was unnavigable during the dry season. Mangroves, rapids and strong currents on other rivers made journeying by water almost as slow as overland.[17] Inland tracks also made it possible to avoid particularly onerous toll stations, and prevented rival chiefs confronting one another over the export of tin from their mines.[18] Important overland routes ran from Blanja to the Beruas River, and from Blanja to the Tinggi; these took about four hours to traverse.[19] A principle route connected Larut to Kuala Kangsar via the long-established inland settlement of Bukit Gantang. Perhaps the longest overland route ran from the mines at Bidor via the headwaters of the Slim and Bernam Rivers into Selangor, passing through Kuala Lumpur to Ulu Langat.[20] Another interstate route, along which "trade in opium has always existed", and also gold and ivory, was from Kuala Bernam over the mountains to Pahang.[21] Another linked Kedah, Northern Perak, and Patani.[22] The importance of these inland routes and settlements, however numerically small, lay in their potential for evading the control of the district rulers. Their existence acted as a constraint on the ruler's power to control the population by material means,and will be seen to be an important factor in the development of social control such as debt-slavery.

Rice Production: Its Extent and Methods

The trade that passed along Perak rivers and jungle pathways is the most readily observable feature of Perak economic life. Exchange, however, cannot exist without some kind of production, and the production of exchange commmodities is similarly dependent on the production of subsistence goods.

> *In pre-colonial and early colonial times in Malaya rice was of overwhelming importance as a crop... Occupied land was largely rice land. Permanently-developed land was rice land and land development meant development for the growing of rice.*[23]

[15]McNair, F., *Perak and the Malays*, p. 157 (1878).
[16]Burns, P. (ed), *Journals*, p. 116 and passim (1874).
[17]Andaya, B., *Abode of Grace*, pp. 24–25 (18th century). For instance, Jambi (which I have been unable to locate) was 20 days overland and 14 days by water from the confluence of the Perak and Kinta Rivers.
[18]Ismail transferred his tin by elephant from Kuala Kangsar to the Beruas River, avoiding Abdullah and Birch ensconced lower down on the Perak (Burns, P. (ed), *Journals*, p. 212 fn. 2 (1874)). Similarly, in the eighteenth century *Ulu* tin was taken overland to the Larut River to avoid the Dutch toll station in Lower Perak. Andaya, B., *Abode of Grace*, p. 112.
[19]Burns, P. (ed), *Journals*, p. 212 fn. 2 (1874).
[20]See Map, p. 21.
[21]Raja Muda Yusuf in Harrison, C.W. (ed), "Perak Council Minutes", p. 178 (1872); Leech, H.W.C., "About Slim and Bernam", p. 41.
[22]Maxwell, W.E., "Journey on foot", pp. 54–63.
[23]Hill, R.D., *Rice in Malaya*, p. xv.

Perak as a whole was not dependent on the export of tin for the fulfillment of its rice requirements. Except in times of war (such as after the Siamese invasion) or in Larut which had a very large immigrant mining population, the State was self-sufficient in rice.[24] It is certain that in the 1870's rice and other subsistence goods were abundant. In Kota Lama, for instance:

> *Every house had bags of rice in it, and some were regular granaries. Flocks of goats and fowls were seen everywhere, and there was a considerable amount of paddy-ground... Plantain groves...there were in great abundance; and the number of boats and nets showed that fishing was not neglected.*[25]

Throughout the journals and travel accounts of early colonial observers, similar scenes are recorded. Looking down from the pass at Bukit Gantang towards Kuala Kangsar Birch saw "...apparently villages and *padi* fields, stretching away for twenty miles or even more";[26] at Bota one thousand *orlongs* of *padi*,[27] at Padang Kaun "very fine paddy", Tipius "very fine paddy crop coming on", near Pachat Island enough *padi* for one thousand people to live on,[28] and "...we have not seen a bad bit of land yet".[29] In the north of the State "all the inhabitants were in the fields busy with the *padi* harvest, and the houses stood empty...",[30] while in the south there were "...a number of very flourishing kampongs...surrounded by wet padi land", and "...padi was procurable apparently in any reasonable quantity...".[31]

The Malays of Perak had two methods of growing rice. One, which they shared with some aboriginal tribes, was the shifting cultivation of dry rice. This was practiced in inland areas such as pioneering settlements at the base of the eastern mountains,[32] Kinta and Upper Perak,[33] and possibly the sand ridges of the deltaic tracks along the coast.[34] The second method, wet-rice cultivation, was practised mainly at Bandar and Rantau Panjang in Lower Perak, Kuala Kangsar in the *Ulu*, by transhumant farmers from Province Wellesley on the Krian, Selama in the north and Slim and Bernam in the south.[35] Some inland cultivation

[24]Lim Teck Ghee, *Colonial Economy*, p. 48 (1874). Birch wrote: "Paddy is grown in sufficient quantities to meet the requirements of the population." (cited in Hill, R.D., *Rice in Malaya*, p. 93 (1878)). Gullick is wrong in suggesting that Perak farmers could not grow enough rice because of the ravages of war and the oppression of their rulers (Gullick, J., *Political Systems*, p. 29). Rice was only imported into Perak to meet the needs of Chinese miners.
[25]D'Almeida cited in Hill, R.D., *Rice in Malaya*, p. 97 (1876).
[26]Burns, P. (ed), *Journals*, p. 65 (1874).
[27]Ibid, p. 116. an *orlong* is equivalent to 1 1/3 acres.
[28]Ibid, p. 119.
[29]Ibid, p. 238.
[30]Maxwell, W.E., "Journey on Foot", p. 32 (1876).
[31]Leech, H.W.C., "About Slim and Bernam", p. 36 (1879).
[32]Hill, R.D., *Rice in Malaya*, p. 140.
[33]Ibid, p. 94.
[34]Ibid, p. 93.
[35]Ibid, p. 93–94.

of wet rice in swampy areas went unnoticed by European observers,[36] while their frequent mention of patches of *lalang* grass indicates intensive dry-rice (swidden) cultivation in earlier times.[37]

Wet-rice fields were irrigated either by channeling small tributary streams of the main river,[38] or by bunding the fields to trap rainfall and draining them as the crop ripened.[39] A nursery was established in a corner of the field, which was ploughed and harrowed prior to trans-planting. For this a hexagonal log was drawn over the ground, then a log with iron spikes driven into it.[40] Preparing the ground was the men's work; they used buffaloes for traction, and buffaloes were sometimes also used for trampling the ground instead of ploughing it.[41] Women did all the cultivation apart from the preparation of the land.[42] When the *padi* reached six inches in height it was trans-planted in bunches of six or seven two feet apart, in rows also about two feet apart. It was ready for harvest in about four months, the ears cut off and the stalks left for the buffaloes.[43] In fertile areas the land could produce between 700 and 1000 *gantangs* per *orlong*.[44] An average family of five could cultivate five *orlongs* and required about 600 *gantangs* for its own consumption.[45] About one percent of the crop was required for seed.[46] There was a potential surplus, then, of about 3,600 *gantangs* per family. This was the amount that it was calculated could be squeezed from tenant farmers, but it is unlikely that in practice a family produced much more than it required.[47] Rice

[36]Isabella Bird's remarks prompt this observation; she says: "...we got through the timber belt near Kuala Kangsar into a forlorn swamp of wet padi...looked as if the padi was coming up by accident among the reeds and weeds. Indeed, I should have thought that it was a rice fallow, but for a number of grotesque scarecrows...attached by long strings to a little grass hut raised on poles, in which a girl or boy sat 'bird-scaring'." Bird, I., *The Golden Chersonese*, p. 341 (1879).

[37]See e.g. Burns, P. (ed), *Journals*, p. 229.

[38]Leech, H.W.C., "About Slim and Bernam", p. 36. This possibly indicates another reason for substantially riverine settlement apart from the use of rivers for transportation.

[39]Hill, R.D., *Rice in Malaya*, p. 92. A bund is an embankment.

[40]Asst. Resident's Report, Larut, C1320, p. 133 (1874).

[41]Hill, R.D., *Rice in Malaya*, p. 98 (1876); Asst. Resident's Report, C1320, p. 142 (1874).

[42]Low, H. in Harrison, C.W. (ed), "Perak council Minutes", p. 206 (1879); Maxwell, W.E., "Tenure of Land", p. 125.

[43]Asst. Resident's Report, C1320, p. 133. This period would depend on the type of rice cultivated. Hill, citing a Monthly Report for 1894, tells us of three kinds of *padi*: *Semai Tuah*–heavy yielding and slow growing, *Semai Penegah*–medium yielding and medium growing, *Semai Mudah*–light yielding and rapid growing. This was possibly European-influenced nomenclature. Speedy, in 1875, also gives us three kinds of rice: *Padi sawah*–wet rice, *padi pulot*–glutinous rice, *padi unrah*–mountain rice (C1320, p. 133 (1874)).

[44]1 *gantang* = 6 2/3 lbs. 1 *orlong* = 1 1/3 acres.

[45]Lewis, W.T. cited in Hill, R.J., *Rice in Malaya*, p. 95 (1861).

[46]Burns, P. (ed), *Journals*, p. 116 (1874); Sadka, E. (ed), "Journal", p. 50 (1877).

[47]According to Birch's information, one man usually cultivated about 1/3 of an acre (10 *depas* by 70, a *depa* is about 6 ft.). This is substantially less than Lewis' estimate of 1 1/3 acres (1 *orlong*) per family member, but it is in keeping with his estimate of their consumption requirements. Burns, P. (ed), *Journals*, p. 172 (1875). Birch's information was taken from local dignitaries at Pulau Tiga who, it appears, cultivated their own land. It is likely that bondsmen produced some surplus to support those engaged in mining and non-productive pursuits. See below, pp. 30–32.

rarely entered into the local market economy.[48] It has been suggested that the Malays "had only very limited technical ability for constructing irrigation works",[49] and had no technique for raising river water over high banks to the fields.[50] This is almost certainly mistaken. Perak Malays were capable of cutting canals to circumnavigate troublesome loops in the course of a river,[51] and had also bucket and pivot arrangements for raising water from the bottom of mining pits (see Figure, p. 31).[52] If these techniques were not used for rice growing, and it seems they were not,[53] the reasons were not purely technical. One hypothesis proposes that *sawah* cultivators were wary of investing a great deal of labour in a method of cultivation that would inhibit them from abandoning their fields if oppressed too much, especially since the benefits of increased yields would not accrue to themselves, but to the *Orang Besar*.[54] Yet if an *Orang Besar* was capable of coercing produce, he was equally capable of mobilising labour for capital works. It is more likely that surplus labour power was required immediately for tin mining, and that allocating it to increase future rice yields was not an urgent priority. Both *sawah* and *ladang* (swidden cultivation of rice) could be quickly brought into cultivation and produced more than the subsistence needs of the cultivators. Extensive irrigation could have enabled the people to carry on *sawah* cultivation in times of low rainfall, but an easy alternative was the temporary cultivation of *ladang*.[55] Since land was abundant, the people had no need to intensify their use of it, and chose not to employ methods that technically they were capable of.

Shifting cultivation of rice was the more ancient Malay method of agriculture. It was a *ladang* that Wan Empok and Wan Malini were cultivating on Bukit Siguntang when Sang Sapurba and his cohorts magically appeared. The method observed in Perak in the nineteenth century was the same as that recorded in Sumatra a century earlier, and indeed was the basis of the ancient empire of Srivijaya.[56] Many Malays preferred the *ladang* system because vegetables could be inter-cropped with the rice.[57] When a person had no *sawah*, or could not cultivate it because of low rainfall, pests, or lack of buffalo,[58] he and his

[48]Hill, R.J., *Rice in Malaya*, p. 97.
[49]Gullick, J., *Political Systems*, p. 28.
[50]Hill, R.D., *Rice in Malaya*, p. 105.
[51]Knaggs, W., "Visit to Perak", p. 28 (1874).
[52]Jackson, J., "Malay Mining Methods in Kinta in 1884", p. 15.
[53]Hill, R.D., *Rice in Malaya*, p. 98.
[54]Gullick, J., *Political Systems*, p. 30. Gullick is here relying on his principal informant, Sir Frank Swettenham (*Political Systems*, p. 145), an administrator not known for his objective assessment of the facts. While oppression did of course exist in the Malay states, it was rarely such blatant misappropriation as British apologists wished to make it appear (see below, pp. 39–40).
[55]Harrison, C.W. (ed), "Perak Council Minutes", p. 206 (1879).
[56]Maxwell, W.E., "Tenure of Land", p. 82; Wertheim, W.F., "Southeast Asia", (Asian Society) International Encyclopaedia of the Social Sciences, p. 425.
[57]Maxwell, W.E., "Tenure of Land", p. 81.
[58]See Harrison, C.W. (ed), "Perak Council Minutes", p. 206 (1879).

dependants would select a suitable hillside for a *ladang*. The undergrowth was cleared and the trees felled, then, taking advantage of the wind, the clearing was set on fire and all but the tree stumps consumed. Seed was then dropped into holes made with a dibbling stick,[59] or scattered broadcast.[60] A *ladang* was capable of producing for two years before the soil showed signs of exhaustion, but usually it was cultivated for one year only, more forest being cleared the next year.[61] I have not found statistics on the productivity of *ladang* cultivation, but there is no reason to believe it was less productive per unit of labour than *sawah* cultivation.[62]

It is tempting to see in these two methods of rice cultivation the basis of two distinct productive modes. However true this may have been in the past, it was not the case in the nineteenth century. There were indeed at least two distinct modes of production in nineteenth century Perak, but both *sawah* and *ladang* cultivation could be carried out in either mode.[63] The conceptually prior mode may be called the independent mode; a family produces enough for its own subsistence, perhaps a few items for local trade, and a certain amount of surplus for the local ruler, who is not, in this case, an agent in the production process. In the second mode a family *and their slaves and debt-slaves* clear and cultivate the land, the produce of the slaves being reserved for their owner's use.[64] Totally different relations of production are in operation here.[65] In its more developed form the owning family does no work, extracts the total surplus from dependent families and, as *Orang Besar*, a proportion of the surplus from 'free' families. The independent mode is inextricably related to the dependent mode; it provides the

[59]Maxwell, W.E., "Tenure of Land", p. 81.

[60]Hill, R.D., *Rice in Malaya*, p. 142.

[61]Maxwell, W.E., "Tenure of Land", p. 81.

[62]Indeed, it was probably more productive per unit of labour, though less per unit of land. Hanks' calculations reveal that a crop produced by shifting cultivation requires 245 units of labour input, while the same crop grown by transplanting would need 430 (exclusive of past labour invested in irrigation). Hanks, L.M., *Rice and Man*, pp. 62–63. See also Wolf, E., *Peasants*, p. 23.

[63]A mode of production cannot be understood as the use of particular techniques, but by the social relations of the people involved in the production process, social relations that are mediated by the distribution of the product (Terray, E., "Segmentary Societies", pp. 104–105). while these relations are governed to some extent by the technical requirements of production, especially during their evolution, there is no necessary and absolute correspondence between the two in a specific social formation. It is usually the case that wet-rice cultivation employs fundamentally different relations of production, and a correspondingly more complex superstructure, than swidden cultivation. In Perak, however, both forms could be employed and abandoned with relative ease because of the lack of sophisticated irrigation. While there is some evidence that swidden was more likely to be cultivated by a person acting independently (Uyong's testimony, C3429, p. 696), Maxwell's specific references to a person's family and slaves clearing land indicate that it was not always so. Maxwell, W.E., "Tenure of Land", p. 89.

[64]See Maxwell, W.E., "Tenure of Land", pp. 89, 104.

[65]The question of whether the exploitation of family members is different in kind from the exploitation of other dependants – in other words, whether kinship relations can be conceived of as class relations – has been discussed in detail by Terray ("Class and Class Consciousness" and "Segmentary Societies") and others. My own argument, elucidated elsewhere, is that kin do not perform the function of a class. While exploitation can occur, it does not give rise to potentially transformative contradictions; it is therefore a non-class form of exploitation.

necessity for it if the extraction of surplus is to be increased, it patterns its structure, and by its existence acts as a counterbalance to the dependent mode. Yet the dependent mode was dominant (i.e. essential for the reproduction of the social and political system) in nineteenth century Perak. The relationship of the dependent mode to prior and potential modes needs further analysis, but a more complete description of the Perak social formation is first required.

Land Tenure: The Transition from Communal to Private Ownership

The fundamental axiom of customary land tenure law was that, while proprietary rights existed in people, they did not exist in land. The right to land was 'usufruct' or the right to use, not to ownership as we understand the term.[66] However, this fundamental principle was so hedged about with supplementary rights over the produce and the producer as to be almost indistinguishable from propriety rights in land.[67] In principle uncleared land and land that had reverted to jungle was 'dead land' *(tanah mati)* and could not be owned.[68] Proprietary right was created by clearing and continuously occupying *tanah mati*. Cleared land *(tanah hidup)* was of three kinds: *kampong* land, planted with fruit trees, in which rights existed as long as the trees survived; *tanah bendang*, wet rice land, in which rights could be exercised during occupation and for three years after cultivation ceased; *tanah huma*, dry rice land or *ladang*, in which rights existed only while the land was occupied, usually one season. There was no common cultivation of land by any greater group than the family.[70]

These basic rights over occupied land were modified in settlements of long standing by the rights of the Sultan or his nominees. The Sultan and his *Orang Besar* claimed the right to dispose of waste land, to a share in the produce (usually fixed at one-tenth), and to collect taxes.[71] The disposal of waste land only occurred where previously cultivated land was abandoned, or when there were no heirs to a deceased estate.[72] It is doubtful how consistently the right to a tenth of the produce was exercised.[73] In some areas, such as Larut, the local rulers sent

[66]Maxwell, W.E., "Tenure of Land", pp. 77, 80, 106.

[67]In company with African historians and anthropologists, I have not found it necessary to fit Perak modes of production into a preconceived hierarchy of modes: Slave, Asiatic or Feudal. We are probably dealing here with a system in transformation from communal ownership, through socage, to individual (feudal) ownership. Maxwell presented this transformation in historical and evolutionary terms which make it readily understandable but may have little empirical validity. The ready availability of land and the limited possibility of physical coercion seems to have kept the conflicting claims of the people and their overlords in a state of uneasy equilibrium for many hundreds of years. The perpetual ruling class search for alliance with superior powers (Andaya, B., *Abode of Grace*, p. 35) must be seen as a result of class conflict, as well as the need for security from external threat.

[68]Maxwell, W.E., "Tenure of Land", p. 80.

[69]Ibid, p. 77.

[70]Ibid, p. 80.

[71]Ibid, p. 89.

[72]Ibid, p. 90.

[73]Ibid, p. 97. Krian, cultivated by transhumant farmers from Province Wellesley, was an area

their representatives to the village to estimate how much rice was being grown and the village *Penghulu* was charged with collecting the tenth, usually after some discussion and arbitration.[74] Taxes took the form of corvée labour or, where this was impractical, a poll tax levied on the heads of households *(hasil kelamin)*.[75] As the enjoyment of usufruct rights was conditional on the payment of taxes, the doctrine that 'absolute' right to the land lay with the Sultan gained some hold,[76] but this was a 'barren right' not important enough in practice to provoke any severe reaction from the population.[77] When this right was exercised by the *Orang Besar*, however, he tended to regard the subject population as tenants on 'his' land, while they struggled to assert their status as independent proprietors.[78]

Use-rights were further weakened by the practice of transferring them to sub-tenants. A person holding more land than he was able to cultivate could perform the duty of continuous occupation vicariously by bringing in another to work the land.[79] It is not known how far this system obtained in Perak,[80] sub-tenancy would seem to be unworkable where land is abundant. The system was almost certainly linked to the practice of slavery and debt-bondage. Just as the rights accruing from the clearing of land did not apply to slaves but to their owners,[81] so the rights exercised by continuous occupation accrued to the lessor, not the sub-tenant. The sub-tenant was required not only to render produce to the original occupier, but also to obey his wishes in other matters or to be liable to a fine.[82] Further, the necessity of cultivating another's land where free land is plentiful, and cultivated land is not invested with a great amount of past labour, can only be accounted for if the sub-tenant is deemed not able to exercise the rights of ordinary subjects. Maxwell warns of "...a danger of imbibing and conveying erroneous ideas on the subject of land tenure by the use of English technical terms",[83] and it is possible that the system described as sub-tenancy was in fact the

where it was easy to levy a tax both on the cultivators and the produce when they left the district. This poll-tax compensated for the fact that the cultivators were unavailable for corvee labour; it was not levied in the rest of Perak. Maxwell, W.E., "Tenure of Land", p. 98 (1874).

[74]Asst. Resident, C1320, p. 137 (1874).

[75]Maxwell, W.E., "Tenure of Land", p. 98. Taxes and corvee labour levied on the population at large were not the principal source of a local ruler or Sultan's power; it seems, in fact, that they were rarely resorted to. Taxes and duties on the passage of goods, rights to the labour of personal dependants, and direct involvement in production and trade were of far greater importance (see below, pp. 38–39.

[76]Maxwell, W.E., "Tenure of Land", p. 90.

[77]Ibid, p. 92. It became significant only when the British began to exercise their power in the name of the Sultan in 1877. Then an attempt was made to levy land rents on peasant cultivators and unused land, deemed to be at the disposal of the State, was leased for plantation agriculture and mining. See Harrison, C.W. (ed), "Perak Council Minutes", pp. 158–159 (1877).

[78]Maxwell, W.E., "Tenure of Land", pp. 105–106.

[79]Ibid, p. 104.

[80]Maxwell's information is here taken from the Malacca code. Malacca had little territory but a great demand for rice as a market commodity; this was not the case in Perak.

[81]Maxwell, W.E., "Tenure of Land", p. 104.

[82]Ibid, p. 104.

[83]Ibid, p. 76.

visible result of a less readily identified personal dependence.[84]

This account of land tenure cannot be concluded without a description of conflict and compromise between the Islamic and customary laws of inheritance in Perak. Traditionally, the Minangkabau people practised matrilineal inheritance; a man's property was distributed among his wife's sister's children and not his own. While this system obtained in areas of greater Minangkabau influence (Naning, Rembau, Sungai Ujong, and the Negeri Sembilan), it was not usually practiced in Perak. Religious leaders in Perak constantly struggled to have Islamic practise adopted, and the result was a mixture of matrilineal and patrilineal inheritance. One such Imam described the system in his region to Maxwell: If there were no children, the wife of the deceased received half the property and the *waris* the other half. Maxwell could not determine who these *waris* were, but it is likely they were the male relatives. If there were children, the *waris* still received half the property, but of the other half one part went to the wife and three to the children. The children's share was again divided, three parts to the males, one part to the females.

Maxwell's informant described the situation in other parts of Perak, which tended to favour the women more than in his own district. In this case a distinction was made between landed property (plantations, houses, and *padi* fields) and personal property (cattle, buffaloes, goats and elephants). The former was passed on in the female line and the latter in the male. A woman who died without children bequeathed her property to her own relatives, not her husband's; and if she had children, again it passed to them and not to her husband. Property acquired during marriage was deemed to be jointly owned and was divided equally between the survivor and the children. These systems of inheritance again illustrate that Perak was a society undergoing transformation. Practices varied from district to district, but on the whole the trading, and probably the aristocratic, class conformed to Islamic patrilineal law, while

> *the agricultural class cling with tenacity to their old customs, and insist that their lands at least, and often the whole of their property, shall descend in accordance with the old Malay law which has come down to them from their forefathers.*[85]

Tin Mining: Technology, Labour and the Local Economy

The code of Malay land tenure applied in much the same way to the ownership of tin mines. In principle, as long as taxes were paid, all but slaves and debt-slaves were free to mine for tin on their own account.[86] In practice those with a lien on

[84]The only difference appears to be that, while the produce of a slave or debt-slave was entirely the property of his/her owner, the sub-tenant was only required to render a portion of the product. When the slaves' subsistence needs are taken into account, this difference appears to be minimal.

[85]Maxwell, W.E., "Tenure of Land", pp. 125–128. Maxwell's use of the term 'forefathers' is somewhat anomalous; he is referring to inheritance in the female line.

[86]Andaya, B., *Abode of Grace*, p. 26. Andaya ignores the social restraints when she states "...the

human resources had the advantage over small independent producers. Although tin-mining had been carried out in Perak since at least the fifteenth century, little is known of either the technique or the social organisation of the mine prior to the nineteenth century.[87] By the 1870's Malay mines were run side by side with small Chinese mines in Bidor, Batang Padang and Kinta, while in Larut mining was exclusively Chinese and organised on a very large scale. Each of these types of mines, Malay, small-scale Chinese, and large-scale Chinese, varied in their technique, social organisation, and in their links with the local economy. Malay mining, as the earliest, will be considered first.[88]

Perak tin was exclusively alluvial; it had been washed down from the mountains by floods and rivers and deposited in the river valleys. The simplest method of extraction was to wash *(melanda)* the tin ore from the sand of the riverbed in a pan.[89] This method required no organisation and may have been a recourse of the destitute; it inspired the proverb "*rupa orang melanda, dia hendak makan hari itu juga*".[90] Tin was washed by Mandeling women at Kinta who earned about $1 a day in 1885,[91] while in an earlier period small amounts of tin could be directly exchanged for "cloth and other articles".[92] This form of extraction was of little importance to the economy of the State. The two other forms of extraction required first of all the services of the *pawang* to discover the tin and to perform the necessary rituals at the opening of the mine and throughout its life.[93] If the workable deposit of tin was found on a hillside, a trench was cut along the contour of the hill and the overburden, usually not more than a few feet deep, excavated

extent of tin deposits made it possible for almost everyone in the state...to engage in mining as a source of income".

[87]Lewis, D., "Tin Trade", pp. 53–54. I feel that Lewis' assumption that Malay mining methods were extremely simple in the eighteenth century, in the absence of data, is unwarranted.

[88]The information presented here comes from a slightly later period than that of this study, when Chinese mining methods had been in use for some time. The authors, however, point out that they are describing what they believe to be Malay techniques (Hale, A., "Mines and Miners", p. 303; De la Croix, J., "Mining Districts", pp. 6, 7; Jackson, J., "Mining Methods", pp. 12, 13). The descriptions tally with Eredia's brief observations on Perak mines in 1613. Cited in Andaya, B., *Abode of Grace*, p. 22.

[89]Hale, A., "Mines and Miners", p. 303 (1885); De la Croix, J. "Mining Districts", pp. 4–7 (1881).

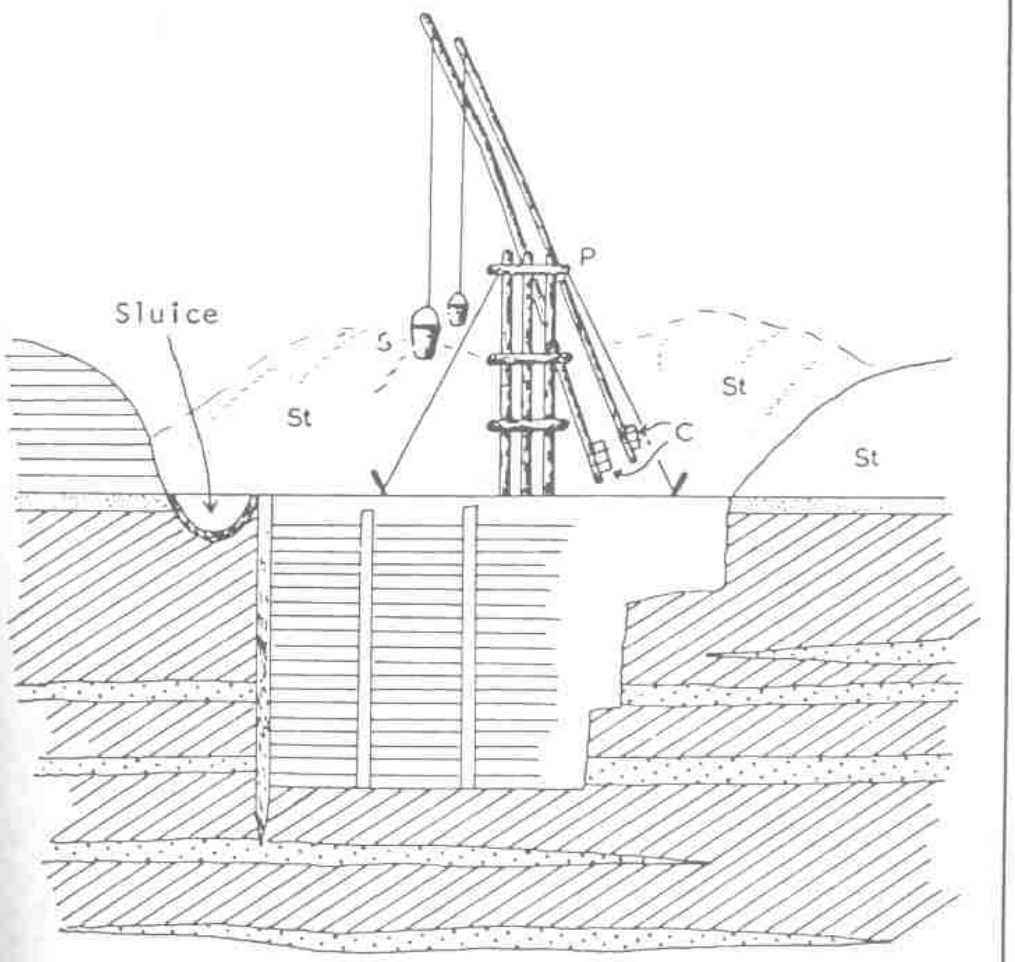
[90]"Like a person panning tin, he/she wants to eat (i.e., get paid) the same day." Hale, A., "Mines and Miners", p. 316.

[91]Hale, A., "Mines and Miners", p. 303 (1885).

[92]Low, Lieut. Col. J., "Observations on Perak", p. 499 fn. (1826).

[93]Swettenham, F.A., *About Perak*, p. 33. While this description of mining is principally technical, it is important to mention that to the Malays the economic and ritual aspects of mining were not separable, and their view of tin as a substance was very different from our own. The miners were governed not only by prescriptive ritual but by proscribed taboos. Hale's analysis of these seems to indicate that to the Malays (1) tin was under the influence of spirits to be propitiated, (2) it was alive and could move from one place to another of its own volition, (3) it could reproduce itself, and (4) it had specific affinities and antipathies for people and things. "Hence it is advisable...to conduct the business of mining in such a way that the tin ore may, as it were, be obtained without its own knowledge!" The *pawang* could levy fines for breaking taboos (usually $12.50, half the amount an *Orang Besar* could levy for minor offences) and operated part of his own mines free of tax. Hale, A., "Mines and Miners", pp. 304, 308–311 (1885).

CROSS-SECTION OF MALAY MINING PIT.



P = Levers
S = Buckets
C = Counterbalances
St = Spoil

Pile of rich ore
Humus
Alluvium
Beds of tin ore

and thrown into the valley. The miners then cut back into the hillside and took the mine down to within a few feet of the water level of the valley, if deposits extended that far.[94] If the ore was found in the valley, a pit was dug and shored up on three sides, the fourth being cut into steps. Excess water was removed by a bucket and pivot arrangement and used in washing the ore[95] (see Figure, p. 31).

When the seepage from the mine was not sufficient to wash the dirt from the tin, nearby watercourses were diverted for the purpose.[96] The tin was placed in a ditch of running water and agitated to loosen and wash away the clay and soil, battens obstructing the channel at intervals to catch the heavier ore.[97] The tin was repeatedly washed until it gained a concentration of about 55 to 65 percent metal.[98] By this method one miner could extract in thirty days an average of about 43½ kilos.[99] When washed to the desired strength, the tin ore was carried to the smelter,[100] a cone-shaped furnace of brick and clay with a hole at the top into which was shovelled a mixture of charcoal and tin ore. Charcoal, which was a reducing agent as well as fuel, was procured from the jungle nearby.[101] The fire was ventilated at the base by a bellows consisting of two upright bamboo tubes in which were pistons of cock's feathers. A single nozzle kept up a continuous stream of air as the piston in one cylinder was lowered while the other was raised. The molten metal poured out of the base of the furnace into a hollow in the ground from which it was scooped into molds.[102]

This description of mining methods shows that the primary requirement of tin mining was labour. Labour, moreover, that was neither specialised[103] nor requiring extensive organisation and supervision. The staple requirement for labour was, above all, rice. In Perak Besar especially, there was abundant rice and yet there was little or no internal market in it, and there is no indication of significant imports of rice anywhere but Larut.[104] It can be assumed that rice

[94]De Morgan, J. cited in Jackson, J., "Mining Methods" (1884).

[95]Ibid, pp. 13, 14 (1884).

[96]De la Croix, J., "Mining Districts", p. 6 (1881).

[97]Ooi Jin Bee in Jackson, J., "Mining Methods", p. 14 fn. 6. Compare Eredia's description (1613) in Andaya, B., *Abode of Grace*, p. 22.

[98]De Morgan cited in Jackson, J., "Mining Methods", p. 16 (1884).

[99]This is computed from De Morgan's estimate of the productivity of six mines in Kinta in 1884. The average output per man in 30 days ranged between 26.25 kg and 62.50 kg. Royalties on tin produced were adjusted according to the richness of the deposits; De Morgan seems not to have taken this into account when assessing the profitability of the mine (see De la Croix, J., "Mining Districts", p. 7 (1881); Hale, A., "Mines and Miners", p. 314 (1885)).

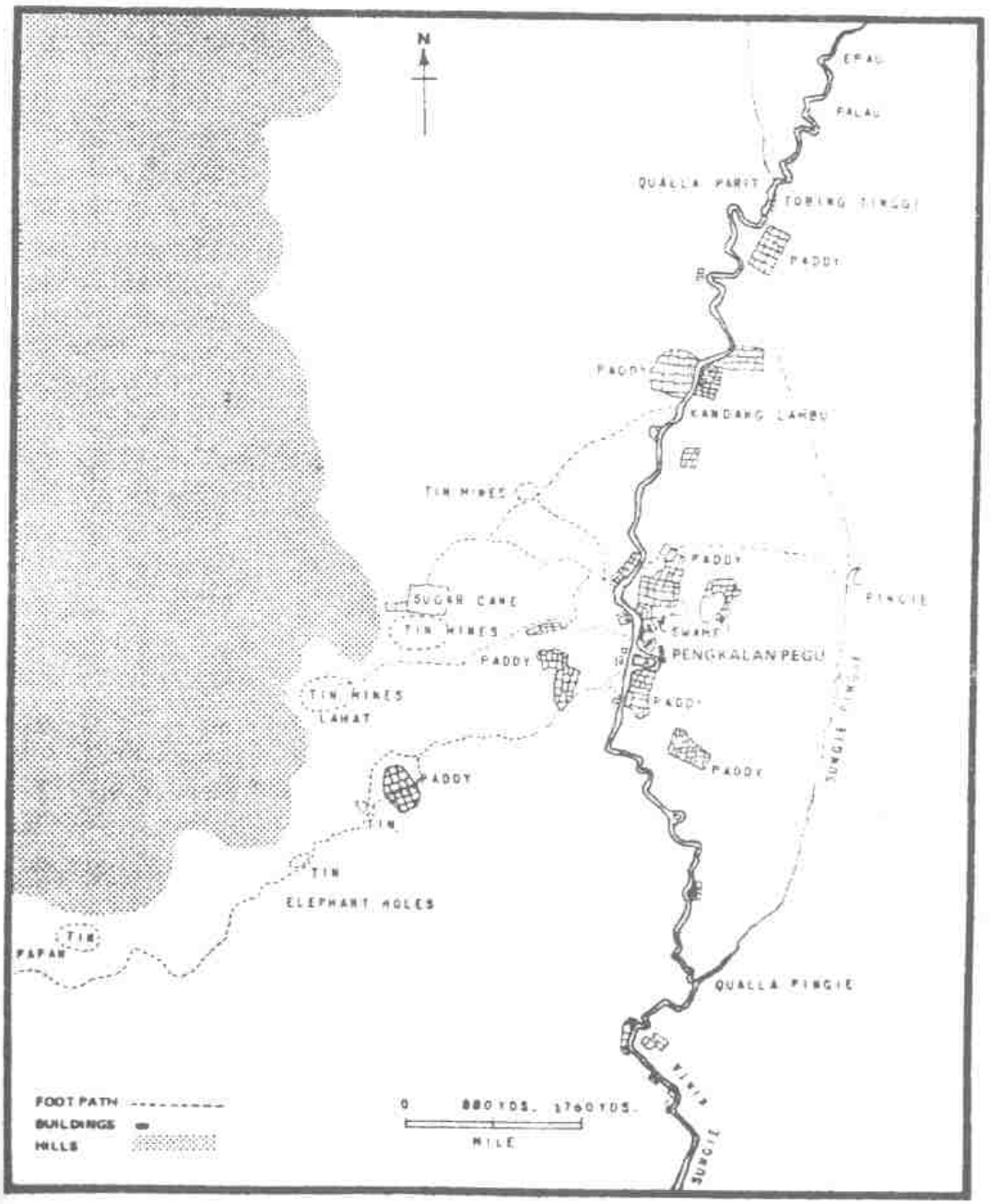
[100]Sometimes this was left until the rainy season when mining was impracticable (De Morgan, J. cited in Jackson, J., "Mining Methods", p. 18 (1884)). Smelting was always done at night, probably because of the heat (Maxwell, W.E., "Journey on Foot", p. 57 (1870)).

[101]With dire consequences for the local ecology in large mining areas like Larut. See Harrison, C.W. (ed), "Perak Council Minutes", p. 207 (1879).

[102]Maxwell, W.E., "Journey on Foot", p. 9 (1876); Hale, A., "Mines and Miners", p. 319 (1885).

[103]De Morgan, J. in Jackson, J., "Mining Methods", p. 17 (1884).

[104]Hill, R.D., *Rice in Malaya*, p. 97. The only mention of imported rice is the information that rice was taxed at $4 a *coyan* on entering the State and a further $16 at Kinta (Resident's Report, 1875,



Tin Mines in Relation to Ricefields, Rivers and Tracks in Sultan Ismail's Village, Pengkalan Pegu 1875

supplied to Malay mines was not a market commodity, and this is borne out by the frequent observation that Malays had an abhorrence of wage labour.[105] It is certain that many miners were slaves and debt-slaves of the mine owners, as were many agriculturalists.[106] The mines were always contiguous to agricultural settlements (see Map, p. 33 Table,). Dependent status, then, was one form of connection between subsistence and non-subsistence production. The existence also of independent producers of tin is attested to by the fact that tin could be bartered with Chinese traders for cloth, opium, salt-fish and so on, and that sometimes a mine was worked on a share principle or by contract with the owner.[107] Tin mining, then, was carried out in both the independent and dependent modes. It must be assumed that these miners relied mainly on their families for subsistence. Rice growing in Perak did not require the year-round

Perak: Area under cultivation (all types) and Malay population by District, 1879

	Area (orlongs)[1]	Malay Population	Density (Persons per orlong cultivated land)
Perak basin:			
Upper Perak	4,047	15,845	3·9
Lower Perak	9,986	19,533	1·9
Selama	730	1,918	2.6
North-west:			
Krian	4,871	3,718	0.8
Kurau	2,435	3,134	1·3
Tin areas:			
Larut	3,715	7,671	2.1
Kinta	2,126	7,863	3·7
	27,910	59,682	Mean: 2.1

Source: Singapore and Straits Directory 1881, 95, in Hill, R.D., Rice in Malaya, p. 96.
[1]An orlong probably equalled 1.33 acres.

C1320, p. 149). It is most unlikely that whatever rice was imported was destined for consumption by Malays.

[105]Bird, I., *Golden Chersonese*, pp. 342, 357 (1879); resident's Report, C1320, p. 151.

[106]Maxwell, W.E. "Slavery Law", pp. 249, 251–252 (1874).

[107]Low, J., "Observations on Perak", p. 498 (1826); De la Croix, J., "Mining Districts", p. 7 (1881).

attention of all the family. The growing season was only four months, the work being done mostly be women,[108] and even at harvest time the mines were not abandoned.[109] There is no evidence that slave and debt-slave miners had their subsistence provided by their owners.

By far the greater amount of tin was concentrated in the hands of local rulers, and it was mainly these that could allocate surplus produce and labour-power both for the mines and for non-productive pursuits such as policing the mine-sites and waterways.[110] These roving bands of armed men provided both the promise of and the need for local security, but their advantages were not enjoyed by Chinese mines in the Malay areas. Chinese miners were introduced originally by Malay rulers, yet the social and economic infrastructure was incapable of accommodating them. The advantages of Chinese mining methods, and corporate forms of social organisation, only reached their full potential in the semi-autonomous Chinese mining area of Larut.

Chinese mining methods were somewhat more intensive both in the organisation of labour and the use of techology. The Chinese also employed the *pawang* to find the ore (and observed the taboos he imposed), but their first act was to remove the entire overburden to gauge the extent of the find before proceeding.[111] A water wheel was used to drain the mines, permitting more extensive workings,[112] and it has been claimed that this greatly increased the efficiency of Chinese mines in comparison with Malay mines.[113] However, the extent of tin deposits and the ease with which the ore could be extracted meant that technical efficiency was not a prerequisite for profitable mining, and both types of mining methods were criticised for being inefficient.[114] It was in their ability to mobilise labour, and in their articulation with the local economy that Malay and Chinese mining methods most diverged.

In Batang Padang, Bidor, and Kinta, Chinese mines, usually employing between ten to forty but sometimes as many as three hundred and fifty workers, operated side by side with Malay mines.[115] Tin mining in this region had been opened up by Sultan Ja'afar (1850–1866) and a Malay merchant Haji Musa,[116] but by the 1870's Chinese had begun to predominate over Malays.[117] The mines

[108]Asst. Resident, C1320, p. 133 (1874); Harrison, C.W. (ed), "Perak Council Minutes", p. 206 (1879).

[109]Low, J., "Observations on Perak", p. 498 (women and children also worked in the mines. Loc. cit.).

[110]See e.g. Knaggs, W., "Visit to Perak", p. 31 (1875).

[111]Swetenham, F.A., *About Perak*, p. 33 (1893); Hale, A., "Mines and Miners", p. 307 (1885).

[112]This consisted of a long trough leading from the mine to a nearby water course. A wooden chain passed through the trough, around the wheel driven by the water course, and returned beneath the trough to its starting point. the chain consisted of upright slats that pushed the water up the trough to the water course. McNair, F., "Perak and the Malays", p. 32.

[113]Wong Lin Ken, *Malayan Tin Industry*, pp. 48–49; Lewis, D., "Tin Trade", p. 54.

[114]De la Croix, J., "Mining Districts", p. 10.

[115]Burns, P. (ed), *Journals*, pp. 261, 151 (1875).

[116]Ibid, p. 91 fn. 2.

[117]For example, at the Shahbandar's mines at Batang padang "there are about 20 or 30 Malays

were financed by Penang Chinese through the intermediary of the local ruler, and operated by a Chinese *towkay*. The Chinese were to a great extent dependent on the local economy for their rice supplies, and also greatly at risk from the followers of regional rulers.[119] Rice was not easily procurable in the Bidor/Batang Padang region,[120] and the Chinese miners complained, with some exaggeration, that they were charged $100 a *gantang* and sometimes as much as $200.[121] Many mines were operating substantially under their capacity,[122] and some had closed.[123] The Chinese ascribed this decline to want of capital,[124] but this in fact meant that capital was being chanelled elsewhere.[125] With the tin often of poor quality,[126] difficulties of provisioning, and lack of security, it is not surprising that the Bidor/Batang Padang region declined while Larut thrived.

The mines in Larut, as with Chinese mines elsewhere, were operated by *kongsis*, which were both a commercial enterprise and a system of local government.[127] All *kongsis* were members of one or other of the so-called secret societies which provided links with the Straits Settlements and China. Through this network indentured labourers were imported for the Larut mines.[128] These labourers received their supplies from the mine owners or related traders with a monopoly right in a particular commodity. Most of their wages were appropriated in this way leaving them with as little as 25 cents at the end of a year's work.[129] It was said that most successful mine owners made their money from these revenue farms.[130] The Chinese population of Larut in 1874 was 26,000 (compared with 7,000 Malays[131]), of which 5,200 were tradesmen (blacksmiths, carpenters,

working, and he is now beginning to engage Chinamen" (Ibid, p. 260). Birch estimated that there were about 2,000 Chinese at Kinta and 1,000 on the Batang Padang and Bidor Rivers. Resident's Report, C1320, p. 148.

[118]See e.g. Burns, P. (ed), *Journals*, p. 192 (1875).

[119]Rice was certainly procured by the Chinese miners from the local inhabitants on the Perak/Petani border (Maxwell, W.E., "Journey on Foot", p. 56 (1876)). As for security, Chuey Ah Kye complained to Birch, "The Malays at Gopen killed one Chinese, the Kinta Malays 7, and the Kampar Malays 11 last year, and three this year have been killed by Kampar Malays." He gave details of some of these incidents. Burns, P. (ed), *Journals*, p. 192 (1875). See also pp. 66 and 98. See also Burns, P., and Cowan, C. (eds), *Sir Frank Swettenham's Malayan Journals*, p. 35 (1874).

[120]Knaggs, W., "Visit to Perak", p. 29 (1875).

[121]Burns, P. (ed), *Journals*, p. 192. According to Lewis' estimate of 1861, the wholesale price of rice at Penang was 10 *gantangs* per $1. Lewis cited in Hill, R.D., *Rice in Malaya*, p. 95.

[122]Burns, P. (ed), *Journals*, p. 151.

[123]Knaggs, W., "Visit to Perak", p. 30; Burns, P. (ed), *Journals*, p. 140.

[124]Ibid.

[125]Knaggs ascribes the lack of activity at the mines to lazines rather than the miners' stated reason of lack of capital. Yet he himself chose to take up a concession at Larut in preference to Bidor. Knaggs, W., "Visit to Perak", p. 33; Burns, P. (ed), *Journals*, p. 163 fn. 2.

[126]Knaggs, W., "Visit to Perak", p. 30.

[127]Wang Tai Peng, "The Word *Kongsi*", p. 103.

[128]See Khoo Kay Kim, *The Western Malay States 1850–1873*, pp. 111–118.

[129]Burns, P. (ed), *Journals*, p. 251 (1875). Their wage was officially $42 p.a. Sadka, E. (ed), "Journal", p. 35 fn. 19.

[130]Swettenham, F.A., *About Perak*, p. 35 (1893).

[131]Asst. Resident's Report, C1320, p. 132.

gardeners, and shopkeepers) and the rest miners.[132] The Chinese community was almost completely independent of the local economy. Rice, cattle, pigs, poultry, opium, wines and spirits, were all imported from Penang,[133] while even such common items as palm-frond raincapes originated in China.[134] As for the Malays of Larut, "small and crowded villages, with a few acres of paddy land adjoining, and a few plantain trees suffice for their wants; of trade they have but little idea".[135] the two communities were linked only through the local ruler, Mentri Ngah Ibrahim, who granted mining concessions, collected taxes and duties,[136] and protected the agricultural interests of the Malay population.[137]

A pattern of development can be discerned in the social and economic organisation of mining in Perak in the latter half of the nineteenth century. The modes of producing tin employed by the Malays were incapable of intensive exploitation for social, not technical, reasons. Malays could not readily be coerced into producing more rice than they required in order to support a large population of miners. The non-productive manpower necessary to enforce debtors and slaves to render up their surplus and to prevent them absconding was itself a drain on the amount of resources that could be mobilised. The ruling class relied heavily on the sanction of tradition for the exercise of their rights, but tradition also decreed reciprocal duties towards their subjects.[138] To disregard the tenets of Malay *adat* would have undermined rather than strengthened their position. Slavery and debt-slavery was in keeping with *adat* and served to channel the entire surplus of some producers into ruling class hands, but there was no inherent mechanism for intensifying the rate of production of surplus. The introduction of Chinese labourers solved the difficulty of squeezing the Malay population, but for the local economy to provision mines on a large scale would have required a fundamental transformation from subsistence to market agriculture. The government was insufficiently centralised to ensure imports at stable prices and protection of the life and property of strangers. Only by effectively instituting an enclaved semi-autonomous mining region within easy reach of a great trading emporium, and by importing totally dependent labour, could the demand for tin in the latter half of the nineteenth century be met.

[132]Ibid, p. 139.

[133]Ibid, p. 137. Even rice from nearby Krian was exported unhusked to Penang and not to Larut. Hill, R.D., *Rice in Malaya*, p. 109 fn. 1 (1885).

[134]Bird, I., *Golden Chersonese*, p. 290 (1879).

[135]Asst. Resident, C1320, p. 139.

[136]The Mantri took a royalty of $13 per *bahara* of tin, and an export duty of $6 (C1320, p. 136). This, and the opium tax, gambling farms and road tolls earned him a revenue of $98,862 in 1874 (Asst. Resident cited in Gullick, J., "Captain Speedy of Larut" (table) p. 52). This is equivalent to £19,772 (a British upper class income, enjoyed by 0.1 percent of the population, was reckoned to be £5,000 and over in 1867. Cole and Postgate cited in Butcher, J., "Attitudes of British Colonial Officials Towards Malays 1888–1928", p. 21). Out of this amount the *Mentri* employed a small European administrative staff and an Indian guard. See Sadka, E. (ed), "Journal", p. 12 (1874).

[137]See e.g. Burns, P. (ed), *Journals*, p. 216.

[138]See Winstedt, Sir Richard, "Minangkabau Legal Digest", pp. 4, 11 and passim.

Political Power: State and District

The political structure of Perak should be made explicit to conclude this political and economic description.[139] The Sultan exercised all the functions of *Orang Besar* in his own district and also was expected to provide, not control, but leadership for the wider community. The Sultan was expected to be available in his audience hall to receive petitioners every day. Periodically an assembly would be held to discuss matters of general importance.[140] The assembly consisted of more than three hundred members, and it is probable that its membership was not precisely fixed. The assembly could overrule the Sultan, but decisions were taken according to the principle of *muafakat*—mutual consultation. The *Orang Besar* did not feel bound by decisions taken in their absence, and "the concept of collective government was an inalienable part of the Perak political system as it was actually practised".[141] Within the assembly was a council, of indeterminate membership, but always including the *Orang Besar Empat* (Four Great Chiefs) and the *Raja Muda*.[142]

In theory the Sultan delegated the authority to arbitrate in disputes and to collect taxes to the rulers of the various districts, who in turn ruled through their village *penghulus*. The importance of this fiction for early British control of Perak has obscured the substantive facts of the case.[143] In practice the Sultan offered his confirmation of the *de facto* exercise of power,[144] and even where a deceased *Orang*

[139]It has regrettably not proved possible to describe more than the main features of Perak society in this short chapter. Among the elements I have ignored here are the religious functionaries, who ran both schools and mosques and were represented in the government (see Bird, I., *Golden Chersonese*, pp. 313–314; Knaggs, W., "Visit to Perak", p. 36; Sadka, E. (ed), "Journal", p. 86; Wilkinson, R.J. (ed), "Peninsular Malays", p. 140). Side by side with Islam was a well-developed system of magic, practised by the *pawang* (Skeat, W.W., *Malay Magic*, passim). Among other economic activities, both Chinese and Malay, that I have ignored are coastal fishing, jungle produce collection, coral-burning for lime, timber felling, and the manufacture of weapons (see Asst. Resident, C1320, pp. 141–142; Burns, P. (ed), *Journals*, passim). An analysis of some of these activities may reveal a petty commodity mode of production in the State, but this is of little importance for this study.

[140]Here also there is a danger of conveying European notions of government in the use of European terms. This description comes from Andaya's analysis of eighteenth century Perak. There is reason to believe that it applied in the early years of the nineteenth century (Low, J., "Observations on Perak", p. 502) and also in 1874. In a conversation with Birch concerning Abdullah, the *Laksamana* "...asked very pertinently how a man can govern a country, if his Chiefs cannot see him, no matter how far they come till 2 or 3 of an afternoon" (Burns, P. (ed), *Journals*, p. 133). The British, who had very fixed ideas of how the State should operate, were convinced it was in a state of anarchy, but there is very little evidence to support this obvious prejudice.

[141]Andaya, B., "Nature of the State", p. 30.

[142]Ibid.

[143]See e.g. Burns, P. (ed), *Journals*, pp. 106 fn. 4, 116, 145, 242. Birch, whose only claim to legitimate power was Abdullah's authority, was convinced that all power was vested in the Sultan but had been usurped by brigands.

[144]For example, the *Mentri* of Perak, Ngah Ibrahim, whose father had been the son of a minor chief and a subject of the *Panglima* Bukit Gantang. In one generation this family had risen to one of the four great offices of state and was officially granted the control that they in fact exercised over the *Panglima's* territory. Wilkinson, R.J. (ed), "Peninsular Malays", pp. 89–90.

Besar's heir claimed a position (as was usually the case) the Sultan would withhold recognition until the new *Orang Besar* had shown himself capable of exercising the function.[145] Unless the Sultan's power was bolstered by outside forces, the Sultan relied greatly on the tacit consent of most of the district rulers, just as they relied on the support of local *penghulus* and ultimately the population at large.[146] The State had no standing army; all members of the population were armed,[147] and local rulers supported large retinues of fighting men, slaves and debt-slaves whose chief purpose is said to have been to terrorise the population, although according to Malay law, they were to report to the local ruler on the welfare of his subjects.[148]

It was at the district level that real power was exercised. The district ruler (and included in this term is the Sultan in his own district) arbitrated disputes and collected fines, levied taxes on the goods produced and passing through his district, and mobilised labour for communal projects (principally the building of stockades in time of war).[149] Taxes were not usually remitted to the Sultan, but neither did they accrue automatically to the *Orang Besar* who levied them. For instance, the *Laksamana*, whose seat was at Durian Sebatang in Lower Perak, also controlled mines at Bidor. He took $10 on a *bahara* of tin at his station on the Bidor River, of which $2.50 went to the Sultan and another $2.50 to Haji Musa (a previous Sultan had opened up the area in partnership with Haji Musa).[150] The *Toh Imam* took $1.25, the *Raja Makota* $1.25, and Panglima Prang Semaun, who controlled the mine sites, another $1.25. The *Laksamana* was left with $1.25.[151] This is an indication of the complexity of an *Orang Besar's* interests; it cannot be simplified to the mere control of a river mouth. It is true to say, though, that by levying fines, tolls and taxes, by allocating manpower and controlling access to women (see below, p. 53), the district ruler was at the centre of the economic reproduction of the community.

It was in the ruler's interest to retain, and if possible increase, the number of people under his control. Yet we are told it was frequently the ruler's practice to so oppress his subjects that they took to flight.[152] While in some cases this must be true,[153] equally in others it cannot be. Most of the villages along the Perak River

[145]See e.g. Burns, P. (ed), *Journals*, pp. 225 fn. 1, 226 fn. 2.

[146]It is significant that it was during the alliance with the Dutch that the Sultan was able to arrogate a great deal of the *Orang Besar's* power to himself and his lineage (Andaya, B., "Nature of the State", p. 31). It has been suggested that the search for powerful allies must be seen partly as a result of the tenuous balance of forces between Perak rulers and subjects (fn. 67); here it can also be seen to have a bearing on intraclass conflict.

[147]Swettenham, F.A., *About Perak*, p. 16; Burns, P. (ed), *Journals*, p. 69.

[148]Sadka, E. (ed), "Journal", p. 25; Swettenham, F.A., C3285, p. 675. See below, pp. 54–55 and Appendix II, p. 84.

[149]The liability to forced labour could be commuted for a payment of $5. Se Goudah's statement, Co273/88.

[150]Burns, P. (ed), *Journals*, p. 137, 91 fn. 2.

[151]Ibid, p. 137.

[152]Gullick, J., "Political Systems", p. 29.

[153]Knaggs has little reason to exaggerate when he says he was told "...that all the people were afraid

were of very long standing, some dating back to the days of the first Malacca Sultans.[154] Unless we visualise these villages being deserted by one group of oppressed inhabitants and resettled by another, we must assume that exploitation was kept within limits. The claim that Malay rulers crudely appropriated whatever a subject managed to accumulate[155] cannot be reconciled with the independent production of tin and the existence of Chinese traders.[156] It must be assumed that the ruler was more discriminating than colonial observers. Many of the ruler's subjects were also his debtors; the product of their labour was legitimately, however oppressively, his property. Those that complained most bitterly to Birch and Swettenham were probably of this status, a status that may have become increasingly common as the demand for tin grew (see below, pp. 63–66. However, it was precisely this category of persons that were prevented from absconding; their only hope was to run to another powerful person for protection.[157]

Another complication in the caricature of Malay rulers as outright robbers and extortionists is the ultimate destination of the surplus. While it is not possible to gauge the amount of money and goods flowing into the State as a result of the sale of tin, it must have been a truly vast quantity over the centuries.[158] Yet in matters of dress, ornament and habitation, Malay rulers lived in no great splendour. McNair, who is always alive to class distinctions, mentions some differences between commoners and nobility, but they are always differences of degree, not kind. An *Orang Besar's* house, for instance, received much attention in the building, but it had only "...thatching, matted windows, and elegantly woven sides,...irreverent Englishmen...make comparisons between these jungle palaces and the barns of their native land".[159] *Orang Besar* were frequently in debt to Straits financiers,[160] and when Low took control of the State in 1877, many ruling class families came to him asking for money, saying they had no rice to eat.[161]

to plant more than they could consume; as the headman came and borrowed anything they had–dollars, clothes, and food: and that they put up with this until it became too oppressive, when they abandoned their Campongs and removed to another place". Knaggs, W., "Visit to Perak", p. 35 (1875). This was in Bidor, a newly settled area with immigrant populations probably more likely to be persecuted and more inclined to move on. See Burns, P. (ed), *Journals*, p. 150.

[154]See map, p. 11; see also Maxwell, W.E., "Native Sources", passim.

[155]See e.g. Swettenham, C3285, p. 672; McNair, F., *Perak and the Malays*, p. 292.

[156]Low, J., "Observations on Perak", p. 500.

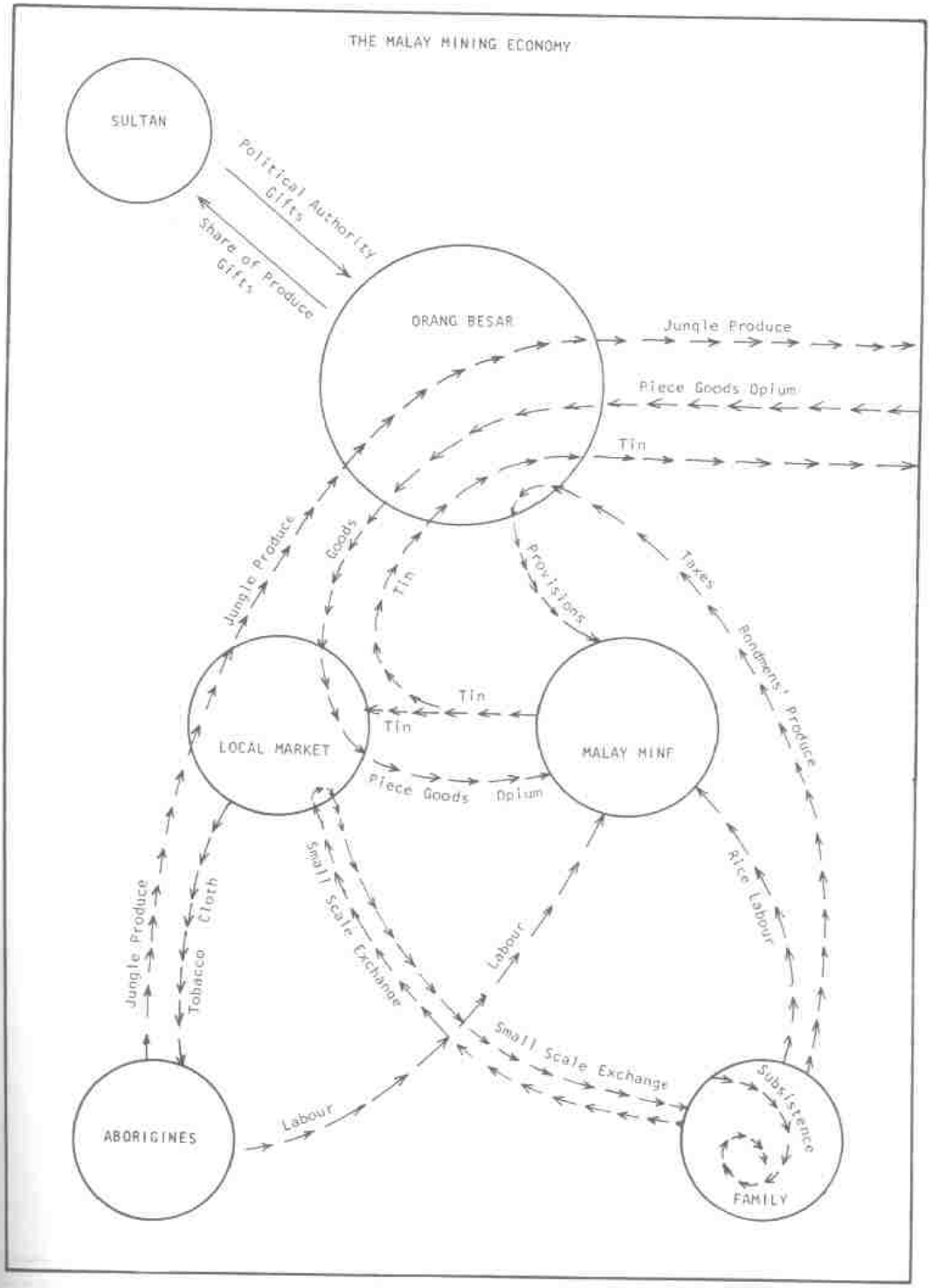
[157]See Swettenham, F.A., C3285, p. 674.

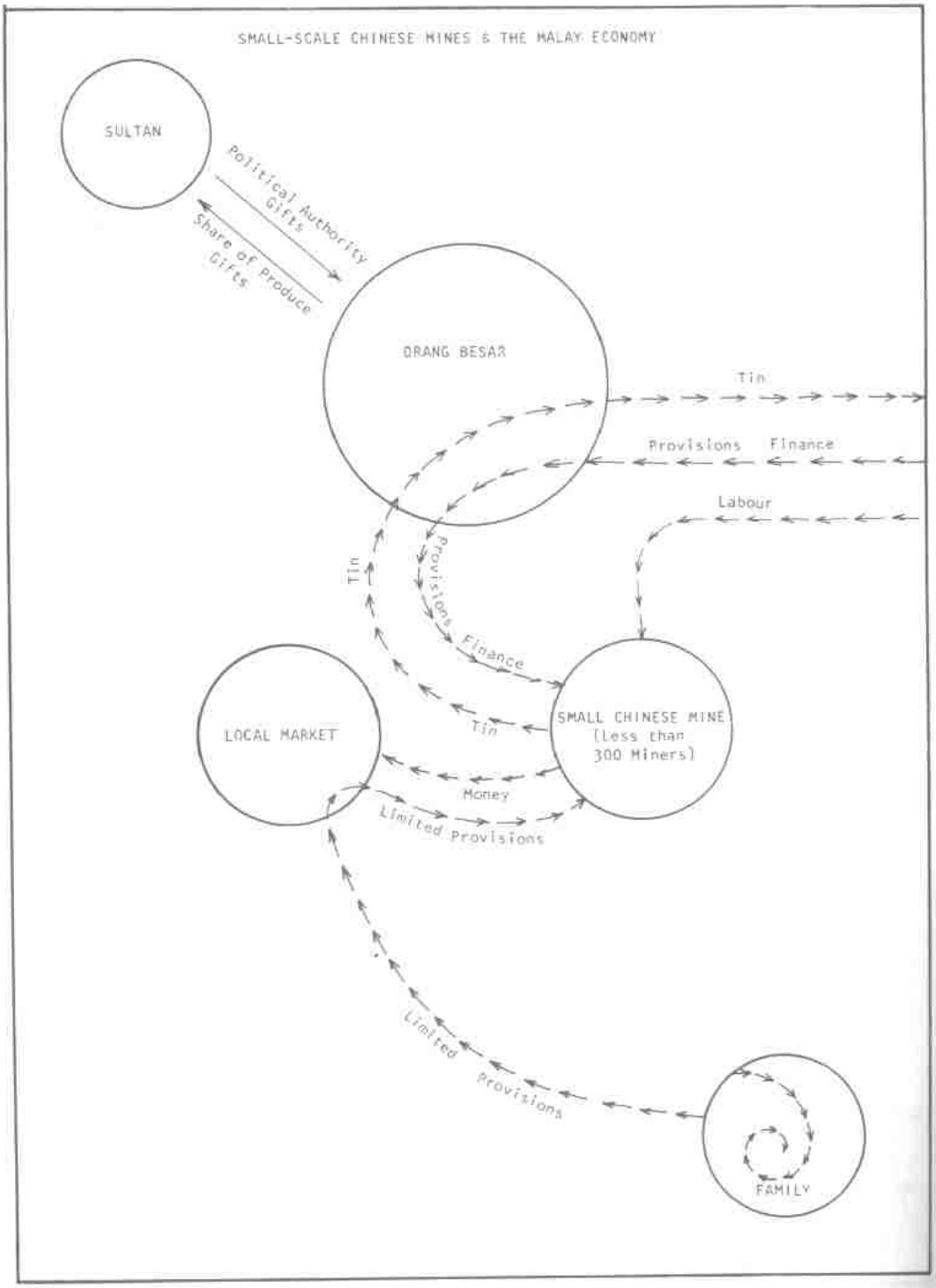
[158]For instance, Ismail's 600 *baharas* of tin, collected over two years, which he sent to Penang by the Beruas in 1874 (Burns, P. (ed), *Journals*, p. 55 fn. 4), paying no taxes, would have fetched (at approximately $60 per *bahara*. From Speedy, C1320, p. 145) about $36,000. This is an income of £3,750 p.a. (from Speedy's exchange rate, p. 132); equivalent to a contemporary British upper-middle class income enjoyed by 0.4 percent of the population (Cole and Postgate cited in Butcher, "Attitudes", p. 21). In contrast the salary of the Resident of Selangor was $6,000 p.a., and the Assistant Resident of Perak $4,800 p.a. C0273/115 (1882). See also fn. 136.

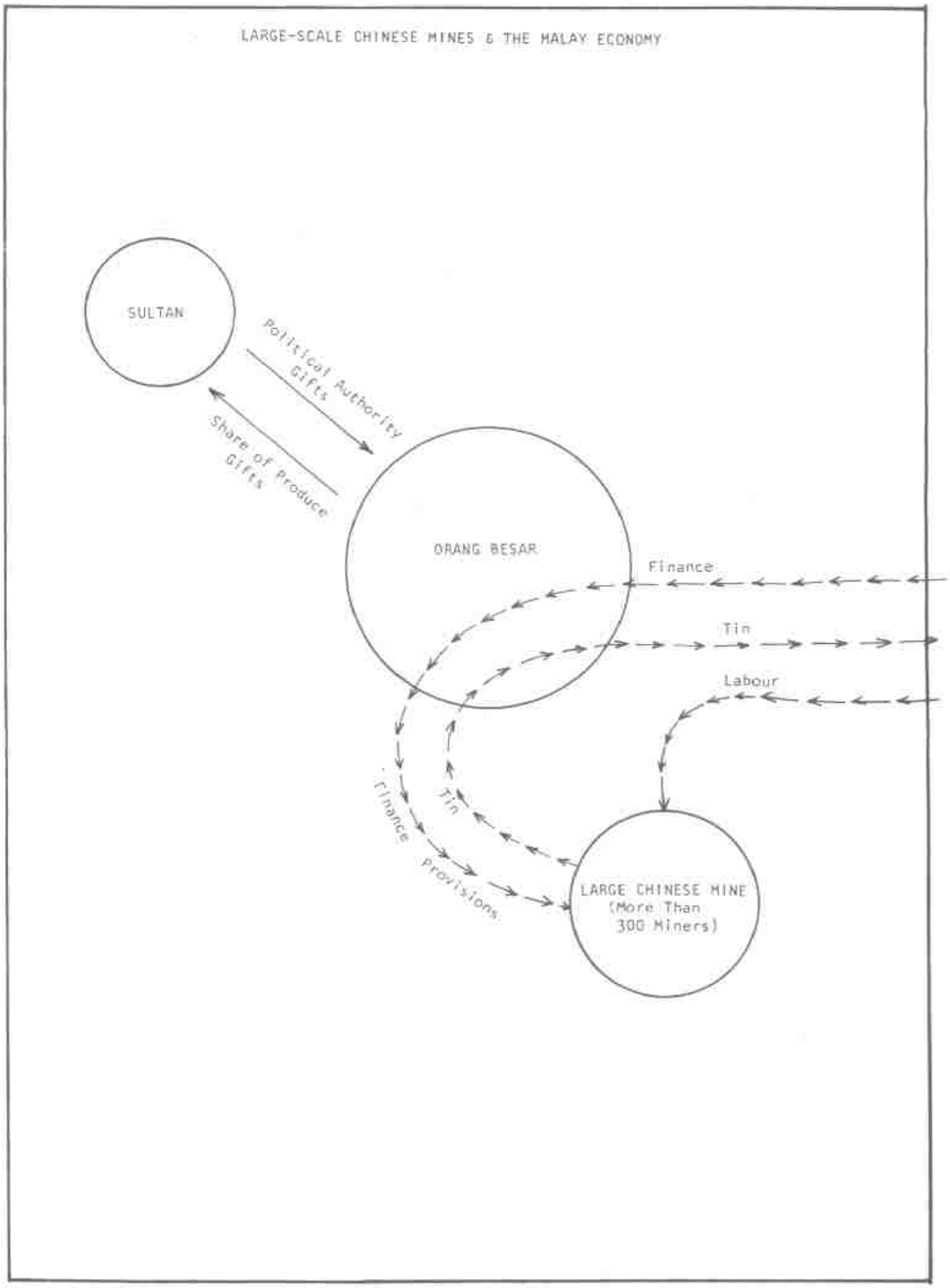
[159] McNair, F., *Perak and the Malays*, p. 167; see also pp. 144–145, 150–151, 152, 161, 163.

[160]Burns, P. (ed), *Journals*, p. 161.

[161]Sadka, E. (ed), "Journal", pp. 39, 42–43, 65, 75, 78, 89, 92, 97.


THE MALAY MINING ECONOMY
SULTAN
Political Authority
Gifts
Share of Produce
Gifts
ORANG BESAR
Jungle Produce
Piece Goods Opium
Tin
Jungle Produce
Goods
Tin
Provisions
Taxes
Foodstuffs, Produce
Tin
Tin
LOCAL MARKET
MALAY MINE
Piece Goods
Opium
Jungle Produce
Tobacco
Cloth
Small Scale Exchange
Labour
Rice Labour
Small Scale Exchange
Subsistence
ABORIGINES
Labour
FAMILY


SMALL-SCALE CHINESE MINES & THE MALAY ECONOMY
SULTAN
Political Authority
Gifts
Share of Produce
Gifts
ORANG BESAR
Tin
Provisions
Finance
Labour
Tin
Provisions
Finance
LOCAL MARKET
SMALL CHINESE MINE
(Less than
300 Miners)
Tin
Money
Limited Provisions
Limited
Provisions
FAMILY


LARGE-SCALE CHINESE MINES & THE MALAY ECONOMY
SULTAN
Political Authority
Gifts
Share of Produce
Gifts
ORANG BESAR
Finance
Tin
Labour
Finance
Provisions
Tin
LARGE CHINESE MINE
(More Than
300 Miners)

When Ismail surrendered at Penang, he was penniless.[162] We have seen that Malay mines did not require a great capital outlay. The only possible assumption is that the surplus product was in some way redistributed among the population. It was, in fact, used to contract debts and so bind the population more closely to the local ruler.

This was the "favourite form of security" before 1874,[163] and it was not uncommon for an *Orang Besar* and his wife and children to have several thousand dollars invested in their dependents.[164] Dependent status, then, is the key to an economic cycle which begins with involuntary labour, the proceeds of which are realised in trade, and ends again with an increased number of dependents. The forms of this relationship, analysed in the following chapter, indicate that it lay at the heart of the Perak social system.

Summary

The Malay population of Perak, living mainly along river banks, but also in the interior and along jungle tracks, had two principal economic activities: rice growing and tin mining. Tin production depended on the production of rice, and both were carried out in two distinct modes. The independent mode of production was based on the family, and surplus was appropriated in the form of taxes and corvée labour. The dependent mode, in which slaves and debt-slaves worked, required all but the worker's subsistence needs to be rendered to the owner. Neither rice nor tin required sophisticated technology and complex forms of labour organisation. Social control, then, was exercised directly over the producer and not mediated by control of the material means of production. Land was owned in common, but slaves and debt-slaves were denied autonomous use-rights. This, and the services 'free' peasants had to perform to enjoy their use-rights, produced a tendency towards aristocratic land ownership.

This tendency was not realised until the British conquest; until then direct control of a personal following patterned the State's structure. Power was effectively exercised at the district level. The Sultan's authority was greatest at times of alliance with foreign powers, but was never complete. The demand for tin, and the manpower required to mine it, led to the introduction of Chinese miners early in the nineteenth century, but the complex articulation of rice and tin production was incapable of being extended to Chinese mines. It was only in Larut, an autonomous mining enclave, that Chinese mining methods could be successfully used. In the rest of Perak, the relationship that dominated the political and economic structure, both in terms of its extent and its importance for the reproduction of the society, was slavery.

[162]McNair, F., *Perak and the Malays*, pp. 407–408.
[163]Low, H., C3285, p. 676.
[164]Maxwell, W.E., "Slavery Law", p. 249.

CHAPTER THREE

Slavery in nineteenth century Perak

In 1878 Hugh Low, British Resident in Perak, wrote:

> *I beg respectfully to submit that the former condition of persons in the position of slave debtors in Perak bore so close a resemblance to that of actual slaves that the remarks I propose to make on the subject will in most cases be applicable to each of these unfortunate conditions, and in my communications with the Government of Perak the two relationships have always been considered together.*[1]

The term *hamba* was applied by Malays indiscriminately to both chattel and debt-slaves, although the two classes could be distinguished by the separate terms *abdi* (Arabic, chattel slave) and *kawan* (companion) or *orang berhutang*[2] (person in debt).[3] Maxwell agrees that "...the two conditions are not always readily distinguishable", and there is some reason to believe that neither were they readily distinguishable from the condition of the rest of the subject population. Both Bird and McNair, visitors to Perak in the early days of British rule, relied on published reports for descriptions of slavery in the State, not their own observation which was detailed and acute in other matters.[4] Malay testimony supports this supposition.[5] This does not mean that the number of slaves was

[1]Low, H., C3285, p. 666.

[2]Maxwell, W.E., "Slavery Law", p. 248. The introduction to this article, published in 1890, was originally a minute written for Low in 1882 and published in C3429. The translation of the laws relating to slavery is from the *Undang-Undang Kerajaan* of Perak, Pahang and Johor, which is itself based on the Malacca code (Ibid, p. 256). Maxwell may be wrong in saying the term *hamba* was incorrectly applied to debtors by Perak Malays (p. 248). It is used in this sense in the sixteenth century *Hikayat Hang Tuah* (see below, p. 63).

[3]Marsden, in the second edition of his *History of Sumatra* (1784) warns: "The Malay terms, *orang berootang*, and *orang mengeering* [Lit. follower] can only be rendered by the English word *debtor*, though they apply to persons in very different circumstances: the epithets of *solvent*, and *insolvent*, would give some idea of the distinction." Ibid, p. 213. See also Maxwell, W.E., "Slavery Law", pp. 262–263.

[4]Bird, I., *Golden Chersonese*, pp. 358–360; McNair, F., *Perak and the Malays*, pp. 192–193,296.

[5]See e.g. Si Putum's statement; he was apparently a farmer, and not *hamba*, yet "under the orders" of the Maharaja Lela.Co273/88.

insignificant; on the contrary, it is possible that in some areas they comprised the bulk of the population. In 1882 the number of *abdi* and *orang berhutang* was about 3000, or about one-sixteenth of the Malay population.[6] However, this was at a time when great numbers were redeeming themselves with the encouragement of the Resident,[7] and many had gained their liberty during the interregnum following the British invasion.[8] It is probable, then, that the number of *hamba* was greater before 1877.[9] Speedy estimated in 1875 that three-quarters of the Malay population were in the condition of debt-servitude,[10] and Swettenham in the same year stated:

> *This system of debtor-bondage influences then the whole population, not slightly but deeply, in ways it is hardly possible to credit except when seen in a constant intercourse with all classes of Malay society.*[11]

Servile relationships were perhaps not readily observed in Perak because most debtors came from the same race, language community and usually the same locality as their creditors. Muslims could not be enslaved under Islamic law, so it is probable that few Malays were chattel slaves; but *abdi* were readily absorbed into Malay society,[12] adopting the Muslim religion,[13] and sometimes gaining positions of authority.[14] The two conditions were similar in other ways; debtors were frequently transferred from one master to another against their will,[15] it was almost impossible for them to redeem themselves even if they managed to accumulate the money,[16] and they worked in the same occupations as *abdi*.[17]

[6]Maxwell, W.E., "Slavery Law", p. 249. These figures are probably taken from the census of 1879 which shows that 1,670 were *abdi* and 1,380 *orang berhutang*. Raja Muda Yusuf and "one or two others with extensive claims" did not participate in the census. Low, H., C3285, p. 681.

[7]Paul, W.F.B., C3429, p. 692.

[8]Maxwell, W.E., "Slavery Law", p. 253.

[9]Low was unable to give an accurate estimate of slave numbers in 1878, but "...most well informed natives whom I have consulted...said that from $60 to $80,000 would be sufficient compensation to be paid to their owners" (Low, H., C3285, p. 667). He later felt this would not be enough (Ibid, p. 681). $80 would be a high price for a slave or debtor (they were ultimately redeemed for no more than $30 (C4192, p. 425), so their numbers would seem to be at least 10,000 at this time.

[10]Speedy, T., C1320, p. 138. Speedy had more experience of Perak under malay rule than any other European. There is no reason to doubt this statement, made in an Annual Report, except that the number does seem very large. The *Mentri's* wife was the largest holder of debt-bondsmen after his exile, so perhaps the proportions were greater in Speedy's province of Larut (see Low, H., C3285, p. 14). The *Mentri's* great revenue would have enabled him to contract a larger proportion of bondsmen than other *orang besar*.

[11]Swettenham, F.A., C3285, p. 675.

[12]Maxwell, W.E., "Journey on Foot", pp. 43,63.

[13]See Paul, W.F.B., C3429, p. 693.

[14]Si Tuah, a Batak slave of the Maharaja Lela, was rewarded with the title *Panglima* after killing Birch (Co273/88, Sika and Haji Mahmin's statements). *Hamba raja* generally enjoyed positions of authority over the free population. See below, pp. 61–62 and Appendix II.

[15]Swettenham, F.A., C3285, p. 673.

[16]Birch, J.W.W., C3285, p. 668; Swettenham, F.A., ibid, p. 672.

[17]Maxwell, W.E., "Slavery Law", p. 286.

Both *abdi* and *orang berhutang* were the subject of some contempt on the part of *orang merdeka*.[18] If we accept the first part of Finlay's definition of slavery as the *dominium* of one person over another (which term implies a property relationship), both *abdi* and *orang berhutang* may be called 'slaves'. If, on the other hand, we define slaves also as 'outsiders', debtors evidently are excluded from the category.[19] The description below will render a definition of servile relations in Perak that is far more useful than any *a priori* categorisation, and its interest for comparative studies lies precisely in the fact that in Perak 'insiders' were recruited into a relationship barely distinguishable from chattel slavery. The only factor that did distinguish them was that they were members of the same ethnolinguistic and religious community. In the following discussion the recruitment, occupations, legal status and treatment of slaves and debt-slaves is described, and an attempt made to analyse the development of the relationship of debt-slavery in Perak as a result of economic forces.

Recruitment of Slaves and Debt-Slaves

Abdi: Outsiders

In Perak in the nineteenth century there were Batak and Abyssinian slaves recruited from an international trading network,[20] and Sakai recruited from the indigenous aboriginal population by capture and barter.[21] Very little information is available on foreign slaves in Perak, though it is known that before the Dutch restricted the Sumatran slave trade, regular cargoes of Bataks arrived in Perak and were sold at auction, fetching $100 and $200 a head.[22] These were possibly sold originally by the Batak tribes themselves[23] and brought north on trading ships like the ones described by Abdullah in Singapore in the 1820's[24] The Malay boats, he says, carried great numbers of slaves from the hinterlands of Siak, while a Bugis ship had '...some who did not understand Malay, with frizzy hair and black faces. Only their teeth showed white. They had fat stomachs and thick lips."[25] These were probably of African descent and may have been related to

[18]Maxwell calls a freeman "Mardahika" *(merdeka)*, but Reid is probably correct in suggesting that this term properly indicated a person of noble birth ("Age of Commerce", p. 1). In the Malay text *'harr'* is applied to free persons.

[19]Finlay, M.I., "Slavery", pp. 307–308.

[20]Maxwell, W.E., "Salvery Law", p. 254; Swettenham, F.A., C3285, p. 673.

[21]Maxwell, W.E., "Aboriginal Tribes", pp. 46–47.

[22]Birch, J.W.W., C3285, p. 670.

[23]Reid, A., "Age of Commerce", p. 13. Batak males could sell their women and children; and warfare, possibly another source of Batak slaves, was rife among these tribes. Viner, A.C., "The Changing Batak", pp. 382,378.

[24]About 300 Bataks were exported each year from Asahan alone to the Strait Settlements in the 1820's. This may have risen to several thousand by the 1860's. Many were bought by Chinese, but the Straits Settlements, particularly Penang, may have been a stage on the route of Batak slaves in Perak. Anderson and Schadee cited in Reid, A., "The Slave Trade in North Sumatra" (outline), p. 2.

[25]Hill, A.H. (ed, trans), *Hikayat Abdullah*, p. 162.

those imported by the East India Company for their settlements at Bencoolen and Penang,[26] but possibly they were brought to the Archipelago by Arab traders.

It has been observed elsewhere in Southeast Asia that the restrictions on slave trading imposed by European powers in the nineteenth century resulted in increased raiding of the aboriginal population.[27] Birch reported that Sakai in Perak were hunted down, captured and sold, and that they subsequently had little chance of escape.[28] In early 1875 a raid from Perak into Selangor secured 14 Sakai and one Malay, but on returning to Perak, the Malay was liberated.[29] The object of these raids was usually women and children, though the practice was generally disapproved of by the Malays.[30] It is perhaps for this reason that the captives were described as debtors being beholden for their food and clothing.[31]

The capture of Sakai may have been more prevalent when an open slave trade operated, and they could be quickly removed from familiar territory, as:

> *The adult* Sakai *or* Semang *has no market value; he is untameable and is certain to escape to his native woods and mountains. Children of tender age are generally sought for; they grow up ignorant of the language of their tribe and of the wild freedom of the forest, and have, therefore, little inducement to attempt to escape.*[32]

Sakai children were usually bought or bartered from members of the same tribe. They were worth between $30 and $40 each. Sometimes a Malay would cultivate a trading relationship with a Sakai Jinak (lit. tame Sakai), one of those that congregated on the edges of Malay settlements. Having contracted a debt for a few articles of consumption, the Sakai would go into the jungle to procure a child.[33] This could take up to two months, and he could journey as far as *Ulu* Pahang or Kelantan.[34] It is usually presumed that these children were 'stolen' from their families,[35] but it must be remembered that the nomadic tribal economy of the Sakai did not place a premium on manpower; indeed, population growth could be a hazard.[36] In at least two cases children were known to have been sold to rid their tribe of evil influences,[37] so it is possible that the Sakai charged with recruitment contracted an exchange relationship both with the child's tribe and the Malay trader. The children grew up in Malay households, and there is no suggestion that they were distinguished from Malays by

[26]See Marsden, W., *History of Sumatra*, p. 254; Loh Fook Seng, p., *Malay States*, pp. 183,186.
[27]Ileto, R.C., "Maguindanao", p. 25; see also Warren, J., "Slave Markets and Exchange", p. 167.
[28]Birch, J.W.W., C3285, pp. 669–670.
[29]Swettwenham, F.A., C3285, p. 674.
[30]McNair, F., *Perak and the malays*, p. 194.
[31]Birch, J.W.W., C3285, p. 670.
[32]Maxwell, W.E.,"Aboriginal Tribes", p. 46.
[33]These articles were usually cloth, knives, and tobacco. The Sakai apparently did not use salt. Low, J., "Semang and Sakai Tribes", pp. 425–426,429.
[34]Maxwell, W.E., "Aboriginal Tribes", pp. 46–47.
[35]See ibid, p. 50.
[36]See Sahlins, M., *Tribesmen*, p. 31.
[37]Maxwell, W.E., "Aboriginal Tribes, p. 48.

occupation, manner or dress. Reports on the treatment of Sakai slaves vary according to the necessity for the British to justify their position in Perak. Thus in 1879 Maxwell tells us "they are not unkindly treated",[38] while in 1875 Birch stressed, "they are, however, as a rule, badly fed, badly clothed, and made to work hard".[39]

The Bataks, Abyssinians, and Sakai share two obvious characteristics that distinguish them from slave-debtors: their method of recruitment, and the fact that they were neither Malay nor Muslim in the first generation. It is easy to assume that these factors were causally related as it was forbidden to enslave fellow Muslims.[40] However, Islamic law also required leniency towards debtors,[41] and this was quite deliberately contravened.[42] Customary Malay law, when in favour of debtors, was also disregarded in nineteenth century Perak.[43] Whatever the case in the past, it cannot be said with justification that debt-slavery in Perak was a legal fiction to circumvent the law forbidding enslavement of Muslims, while Bataks and other were enslaved by capture and sale simply because they were infidels.[44] Recruitment by capture and sale was a means of attracting outsiders to the community (and, incidentally, to Islam)[45] while recruitment by debt was a means of binding closer the local population to the community's leaders. The two methods were a response to the exigencies of the problem of attracting manpower. The enforcement of debtor obligations is not practical with outsiders, while the capture of an already subject population is practical only on a restricted scale.[46] While the methods of recruitment by debt or by capture/purchase had different historical origins, and in theory conferred differing legal status, the factor that distinguished them in actual practice in the nineteenth century was that one recruited insiders, the other outsiders.

Orang Berhutang, Orang Hulur, Inang: Insiders

The most common (but not the only) means of recruiting Malay bondsmen was by debt, but the familiarity of the concept should not obscure its singular meaning in this pre-capitalist context.[47] The importance of foreign trade in the Malay

[38]Ibid, p. 46.
[39]Birch, J.W.W., C3285, p. 670.
[40]See Reid, A., "Age of Commerce", p. 12.
[41]Maxwell, W.E., "Slavery Law", p. 248.
[42]Swettenham, F.A., C3285, p. 674.
[43]See Maxwell, W.E., "Slavery Law", pp. 250–251.
[44]See Reid, A., "Age of Commerce", p. 12.
[45]Ibid, p. 14.
[46]See below, p. 71. The point here is that 'insiders' cannot be captured on a large scale. Finlay's contention that they cannot be reduced to the status of property would seem to be contradicted in the case of Malaya. Finaly, M.I., "Slavery", p. 308.
[47]It is true that Malays had a long tradition of commerce, but debt in this case cannot be seen as a contractual market-oriented relationship. As Lasker points out, the concept of labour as an exchange commodity separate from the person of the labourer is of relatively recent origin. Lasker, B., *Human Bondage*, p. 114.

social system merely lent the form to a non-commercial relationship. Debt was largely a symbolic transfer for *orang berhutang* and their masters. In the first place, no amount of work or produce rendered to the creditor lessened the debt.[48] This work was not 'interest', the rate was never determined, and the relationship was never calculated in terms of a cash return.[49] This is reflected in the terminology: the "more correct" term for a debtor in Perak was *kawan* (companion)[50] and in Sumatra *pengiring* (follower).[51] This latter term was not unknown in Perak also; Gandi, a woman whose children were claimed as *anak emas* (born slaves), says, "I formerly owed Haji Marsat $50, and Che Mila paid this, and I followed Che Mila".[52] Secondly, debtors were often not able to redeem themselves even if they acquired the funds to do so. Birch reports:

> *Nor has the debtor under this system any means of becoming free, unless some relative or friend comes forward to pay for him; and even in this case the creditor might if he so willed, and if he were a Rajah in all probability would, under some pretext, refuse the offer of payment.*[53]

Since it was a requirement of customary law to accept payment, the creditor might refuse, "...not absolutely, but would say 'wait', and the waiting might last for years".[54]

Debt was contracted in a variety of ways. We have seen how the local ruler acted as the focus for the resources of the community (see Diagram, pp. 41–43). An inevitable corollary of this was the lack of a contingency fund among ordinary members of the population. Both money and goods were borrowed from *orang besar*,[55] for instance for a dowry or a funeral, to purchase the services of the *pawang*, or for a trading venture.[56] It has been observed elsewhere that Malays very willingly contracted debts,[57] and Perak Malays were no exception.[58] In earlier times the relationship may have been one of mutual security, protected by

[48]Birch, J.W.W., C3285, p. 668.; Maxwell, W.E., "Slavery Law", p. 249.

[49]The only practice aproaching interest in Perak was to calculate a debt contracted in tin at Kinta at the local price, but to calculate its repayment after some time at the Penang price. If not paid, the calculation was repeated. Maxwell, W.E., "Slavery Law", pp. 251–252.

[50]Ibid, p. 248.

[51]Marsden, W., *History of Sumatra*, p. 252.

[52]Denison, N., C3429, p. 696. It is interesting that the claimant states, "I bought Gundi from Imaum Bugis" (p. 695). If Haji Marsat is this same Bugis Imam, the transfer of a debtor is seen in Malay eyes as a sale. See Reid, A., "Age of Commerce", p. 5.

[53]Birch, J.W.W., C3285, p. 668.

[54]Swettenham, F.A., ibid, p. 672.

[55]Ibid.

[56]Abdullah attracted followers in this way at no expense to himself. "A man who wants to make a little money and thinks he can get an advance from Abdullah goes to him and offers to trade.... Instead of giving him an advance and letting him go and get tin or take up cotton goods bought cheap at Penang...he says oh come and follow me. The unhappy man...lives in his boat, has to feed himself and his people...and in two or three days goes again to Abdullah gets new promises and waits." Burns, P. (ed), *Journal*, p. 203.

[57]Reid, A., "Age of Commerce", p. 16; Lasker, *Human Bondage*, p. 144.

[58]Swettenham, F.A., *About Perak*, p. 46.

customary rights and obligations, but there is a strong indication that external commercial pressures had strained customary law to the limit by the nineteenth century.[59] Fictitious debts sometimes resulted in people being abducted and forced to remain in an *orang besar's* compound.[60] More common was the levying of fines for trifling offences. This was the privilege of the local ruler and often resulted in a man and his family, unable to meet the fine at first, being taken as the ruler's bondsmen and so incapable of ever meeting it.[61] Although the customary maximum fine (the value of a free man) was $25, in practice it was adjusted to exceed the funds of the convicted.[62] The *pawang* also was capable of levying fines for breaches of taboos on mine sites, but this was usually fixed at exactly half the above amount.[63] Debts were also "...frequently increased by fines imposed for alleged misconduct, for losses of the master's property, or for breakages".[64]

Apart from debt, members of the local population could be recruited as *hamba* in at least three other ways: by abduction, kinship-ties (birth or marriage) and by surrender; kinship will be considered first.

Often whole families were held responsible for one member's debt, and all became bound to the creditor.[65] Any children born thereafter were *anak emas* (lit. children of gold) in the same way as those of bought slaves and were bound to the creditor even after their parent's death.[66] Sometimes the children were directly commandeered only at this time. Soodein states: "My father died about 18 months ago. He was a slave debtor to the Laxamana and when he died I was compelled, as well as my mother, to work under him as a slave."[67] Se Koombang's experience was similar: "My father died three years ago, and I was taken as a slave by Haji Hawah for a debt of $30."[68] A debt-slave's daughter was, in a sense, the property of the creditor; thus her dowry accrued to him and did not lessen the father's debt. If the dowry was not immediately paid, as was often the case, her husband entered into bondage with her.[69] In the case of a male slave-debtor, "the Raja will in all probability find him a wife,—then the debtor's wife, his children, his grandchildren, all become equally bound with himself..."[70] On the death of the creditor his or her bondsmen were transferred to the heirs.[71] While an *orang besar* could take the whole family into his house for one member's

[59]See below, p. 88.
[60]Maxwell, W.E., "Slavery Law", p. 249.
[61]Swettenham, F.A., C3285, p. 673.
[62]Maxwell, W.E., "Slavery Law", P. 249.
[63]Hale, A., "Mines and Miners", p. 309.
[64]Birch, J.W.W., C3285, p. 668.
[65]Swettenham, F.A., C3285, p. 672; Maxwell, W.E., "Slavery law", p. 251.
[66]Che Mila, C3429, pp. 695–6; Maxwell, W.E., "Slavery Law", p. 254.
[67]CO273/88, Soodein's statement.
[68]CO273/88, Se Koombang's statement.
[69]Maxwell, W.E., "Slavery Law", p. 251.
[70]Swettenham, F.A., C3285, p. 672.
[71]Ibid.

debt, it was also common to pawn only the children; if one died, it was replaced by another.[72]

Recruitment by the manipulation of fines has been mentioned; another practice, not as common, was for one convicted of a capital crime to throw himself on the mercy of a local ruler, this was termed *hulur*. The man then became *hamba raja*, one of the *orang besar's* followers.[73] These *hamba raja* enjoyed a privileged position in relation to the subject population which will be dealt with in a later section (pp. 61–62). One of their functions was to assist in the recruitment of women for the *orang besar's* household: "If any of them take a fancy to our wife they send and take her away and what can we do?" the Malays complained to Birch.[74] After a royal marriage or birth, messengers were sent to recruit all the girls and young married women of a selected district as maids *(dayang-dayang)* and nurses *(inang, pengasoh)*.[75] Abducting the female population of whole districts at the Sultan's command was only possible, however, where the women did not come under the protection of a powerful *orang besar* as ordinary subjects, for instance at Kampar, Sungkie, and Pulau Tiga.[76] These women were rarely permitted to marry. If already married, their husbands accompanied them into bondage. They remained slaves for life.[77] It was also customary for the Sultan simply to send a messenger with his sword to the house of a female he desired for his household, and it was said that Abdullah had acquired most of his women followers in this way.[78] Birch recorded in his journal:

> *I was very much surprised at the number of women this man Abdullah carries about with him. Every one of his attendants appears to be female... They are all young women and seem to be excellent servants...*[79]

It was only later that Birch became aware that these women, more than thirty of them, were slaves who gained their living by prostitution, few of them being fed by Abdullah and none clothed;[80] they could earn about 10 cents a day.[81]

The impression gained from scattered references is that all *orang besar* attached great importance to the number of women they controlled. These references include the following points, which are of little interest alone, but each reinforces the impression of a tenacious hold over women. Abdullah's following was entirely

[72]Swetteham, F.A., C3285, p. 674; see also Davidson, J.G., ibid, p. 671.
[73]Maxwell, W.E., "Slavery Law", pp. 248,254. Neither Swettenham nor Birch mention *hulur* in their reports in C3285, but it is specifically recognised in the legislation on the abolition of slavery in Perak. C4192, p. 427.
[74]Burns, P. (ed), *Journal*, p. 107.
[75]Maxwell, W.E., "Slavery Law", p. 252.
[76]Ibid.
[77]Ibid, p. 253.
[78]Birch, J.W.W., C3285, p. 669.
[79]Burns, P. (ed), *Journal*, p. 96.
[80]Ibid, p. 210.
[81]Birch, J.W.W., C3285, p. 669.

female, and, while promising to go with Birch on his tours of the State, "...he admits the difficulty is the number of women".[82] Ismail took his women with him throughout his long and arduous flight from the British.[83] When emancipation was discussed at the State Council in 1882, Raja Muda Yusuf concurred but asked to have exempted a few "attendants on his children".[84] The only slaves the Mantri's wife retained after his exile were women.[85] One of the "greatest causes of complaint" when Low took office was his predecessor's refusal to return runaway slaves,[86] and most of these were women.[87] What, then, was the importance of women to the *orang besar*? Ordinary slaves and debt-slaves obviously had economic importance to him, and male followers enforced his authority. Yet the *orang besar's* women, though we have seen their work would normally be in the fields and mines, had no economic role that would justify their accumulation on such a scale.[88] The role usually ascribed to these women is 'prestige', but prestige can be attached to any attribute, the question of its attachment to the possession of women in this case is not answered. Meillassoux's work will shed some light here. He has proposed that in agricultural self-sustaining communities, social control is exercised by the control of women.

> *Above all it is logical in an economy in which the product of labour can only be controlled through the direct control over the producer, to control also—and maybe even more so—the producer of the producer, ie the procreative woman....For it is not so much their function as workers which is considered but their procreative function.*[89]

By surrounding himself with women, the *orang besar* recruited and produced more dependants by marriage and birth, and to some extent denied the possibility of social reproduction to those who would not become bound to him.

The theoretical description of Perak society now becomes clearer. In some ways it was structured like agricultural self-sustaining communities except that lineages were not the locus of political and economic power. Later it will be suggested that debt relationships replaced lineages in Malay society. Perak class structure was proceeding at this time along two separate lines of development, towards rights in land of a 'feudal' type, and towards ever-intensifying rights over persons. The discussion of land tenure shows how these developments were complimentary, the cultivator's customary right to a piece of land was forfeited to those who claimed a right to his person. Rights-in-persons, which are a feature of

[82]Burns, P. (ed), *Journal*, p. 161.
[83]Maxwell, W.E., "Journey on Foot", p. 31; McNair, F., *Perak and the Malays*, p. 407.
[84]Harrison, C.W. (ed), "Perak Council Minutes", p. 250.
[85]Bird, I., *Golden Chersonese*, pp. 279,296; Low, H., C3285, p. 676.
[86]Low, H., C3285, p. 666.
[87]See CO273/88, Se Koombang's statement; Birch, J.W.W., C3285, pp. 668–669; see also cases of runaway slaves in C3429, p. 672.
[88]See above, p. 25, Ch. Two fn. 109.
[89]Meillassoux, C., "Self-Sustaining Societies", p. 139.

kinship as well as slavery,[90] governed the production of both rice and tin and also expressed the relationship between non-productive members of the society.

Occupations of Slaves and Debt-Slaves

Slaves freed influential persons from toil, "they served in his household, cultivated his fields, and worked in his mines".[91] Ruling-class activity, so well documented by Malayan historians, must be seen as a consequence of this basic economic fact, which has been equally rigorously ignored.[92] We hear from a Pahang aristocrat born during this period:

> *Having got slaves to attend to the agricultural drudgery and other household works, the master and members of his family were able to command a considerable degree of leisure which enabled them to indulge in various forms of amusement and idle pastime. Those with a romantic turn of mind would join the ranks of retainers under the Ruling Chief or some royal personage.*[93]

These retainers were of three kinds, those few like the above who "follow because they like it", debtors and their offspring, and Sumatran and Abyssinian slaves.[94] *Hamba raja*, as the last two types were called, were a distinct caste with their own rights and privileges. A Perak law code obtained from the *Bendahara* enjoins *hamba raja* to observe six obligations:[95] Firstly, they must be "diligent in their heart, eyes, and ears" to investigate any hardship among the ordinary subjects and must quickly report it, as this would bring dishonour to their lord. Secondly, they must not be envious of others. Thirdly, if they are angry with their lord, they must nevertheless be brave in submitting to him, because "it is the custom of *hamba* that not distressing one's lord brings honour to oneself". Fourth, they must not be aggressive in seeking their lord's bounty, and they must not be too ashamed to come forward and admit any misdeeds. Fifth, they must not reveal their lord's secrets.[96]

The impression is of a willful and troublesome clique, and the Perak law code found it necessary to allow them preferential treatment. It appears from the legal provisions they could deal with the subject population with impunity.[97] That they in fact harassed and oppressed, rather than protected, ordinary subjects is a

[90]Miers, S., and Kopytoff, I., "African Slavery", pp. 10–11.
[91]Maxwell, W.E., "Slavery Law", p. 249.
[92]Slaves are not considered in Andaya's *Perak: The Abode of Grace*.
[93]Dato Mahmud bin Mat, "Passing of Salvery", p. 9.
[94]Swettenham, F.A., C3285, p. 673.
[95]Kempe, J.E., and Winstedt, R.O., "Legal Digest (*Undang-Undang Kerajaan*)", pp. 4,28. The text only enumerates five provisions, but number four possibly contains two. Kempe and Winstedt abbreviate this passage in their English translation, and render '*hamba*' as 'subject'. Winstedt's dictionary does not support this use of the word, and, infact, *hamba* appears in the text in obvious opposition to *ra'ayat* (subject). See Appendix II.
[96]Ibid, p. 28.
[97]Maxwell, W.E., "Slavery Law", pp. 273,279.

constant theme of colonial writers,[98] and it is suggested that they were driven to this by the harsh treatment they themselves suffered. There is little evidence to support this view. On the one hand Swettenham reported that *orang besar* treated their *hamba* with a capricious severity and denied them food and clothes so that they were forced to prey upon ordinary subjects with the same harshness they themselves experienced.[99] Yet earlier in the same report he states, "...either food and clothes are found for them or not; they are usually found,—for the Raja's power and his pride consists in the number of arms-bearing followers he has at his beck and call."[100] It is probable that in exceptional circumstances an *orang besar* was temporarily unable to supply the wants of *hamba raja* and that, rather than a kind of blanket terrorism, the *hamba raja* practised intermittent oppression among those most estranged from the *orang besar*. The other occupational category that has been mentioned in connection with the *orang besar's* household is his dependent women, who described their work as "cooking, nursing, carrying water, splitting firewood, pounding rice, and at nights we are to prostitute ourselves...".[101] These domestic slaves were by no means confined to rulers' households; they were the prerogative of all influential persons. Anjang's story is said to be representative of many.[102] She was mortgaged to Che Amin, "a very reapectable old man" of Batu Berabit, by her mother and father when she was seventeen for about $60. The debt had since increased to $80.

> *She got her food for some time, but was told to go out, and prostitute herself, and clothe herself out of the proceeds. After a time—she is a good looking girl—they ordered her whenever she got money to provide curry for the whole house the next day, and then they order fowls, fish etc. At last she says it is more than she can bear. She has to draw water and cut firewood, and gets lots of beatings and she wants the $80 paid and she will stay with anyone who will get her free.*[103]

Haji Hawah, again an ordinary subject, had eight young girls and four women. They were neither fed nor clothed, and they had to divide their earnings with their mistress.[104] *Hamba* could earn about ten cents a day by prostitution,[105] but it

[98]See McNair, F., *Perak and the Malays*, pp. 292–293.
[99]Swettenham, F.A., C3285, p. 675.
[100]Ibid, p. 672.
[101]Perak Enquiry Papers, cited in Gullick, J., *Political Systems*, p. 103.
[102]"I believe the statement made by Anjang...to be literally true as regards the position of most of the girls thus situated..." Birch, J.W.W., C3285, p. 669.
[103]Ibid, pp. 668–669; Burns, P. (ed), *Journal*, pp. 209–210.
[104]CO273/88, Se Koombang's statement. This was usually the case; even the Sultan's concubines were said to take a cut from their maidservants' earnings (Birch, J.W.W., C3285, p. 669). Ruling class marriages usually took place between persons of the same status. The children, even those of secondary wives or concubines *(gundik)*, inherited the status of the father. There is a clear distinction between an *Orang Besar's* wives and his dependent women, whose children were *hamba*. Gullick, J., *Political Systems*, pp. 67,84–85.
[105]Birch, J.W.W., C3285, p. 669.

is not stated who their partners were.[106] It is probable that these women were used mainly by the Malay population, but not just the followers of *orang besar* as has been suggested;[107] we have seen the practice occurred among ordinary slave-holders. It was not necessary to follow an *orang besar* in order to have access to women who sold themselves openly. In this way an influential person could make available the sexual capacity of his or her women while retaining control over the progeny. This may have alleviated some of the dissatisfaction arising from limited access to free women. Since the practice was not sanctioned by law or custom, it can perhaps better be seen as symptomatic of the general tendency at this time to squeeze as much as possible from dependent labour.[108] Few details are available on other slave occupations. It is known that they worked in mining and in agriculture,[109] but specific references to slaves are few. Knaggs reports seeing a boy washing gold at Bidor, but found it impossible to buy it as "they told us a Malay woman supplied them with money, and they had to give her all the gold".[110] As for the agriculturalists, if the situation in Pahang was similar, they lived in their creditor's compound, and the land they worked was deemed to be his, but they produced little more than the family's and their own needs. They were supplied with food and clothes.[111] Soodein, a debt-slave who fled from the *Laksamana*, was employed as a boatman, but it is not certain that this was originally his occupation.[112] Buyong's case is interesting both as an example of a debtor engaged in trade and because it shows how a commercial arrangement could be transformed into one of personal dependence. Buyong was a native of Sumatra, and he contracted a debt of $31 in order to trade between Perak and Penang. His creditor's mother provided the boat, and they worked in partnership. "Coming back from Penang I wrecked the prow at Pangkore, but afterwards I managed to bring the prow back to Perak." Consequently, his partner "did not wish to have anything more to do with the trading", and he repaid $15 in cash and, by working a *ladang* for a while, $16 in *padi*. The creditor did not question his ability to work independently, but nevertheless claimed him for another alleged debt. The outcome of the case is not recorded.[113] In short,

[106]It is unlikely that they were Chinese as there were not many in this part of Perak (Birch, J.W.W., C1320, p. 148), and besides had their own women at the mine-sites (Burns, P. (ed), *Journal*, p. 140) and brothels, staffed by Chinese slaves, in Larut. The practice of keeping women in brothels against their will was outlawed, with some misgivings about the Chinese reaction, in 1880. Weld, F.A., C3285, p. 678.

[107]Gullick, J., *Political Systems*, p. 103.

[108]See below, pp. 65–66.

[109]Maxwell, W.E., "Slavery Law", p. 249. Some of the mining slaves were *Sakai*. Lasker, B., *Human Bondage*, p. 147. The details of these occupations have been described in Chapter Two.

[110]Knaggs, W., "Visit to Perak", p. 32.

[111]Dato Mahmud bin Mat, pp. 9–10. It is not clear to what extent debtors lived with their creditors and cultivated surrounding fields; i.e., whether Perak had a limited form of estate agriculture based on slavery. The *Mentri's* house at Larut had slave quarters (Bird, I., *Golden Chersonese*, p. 296), but these could only have accommodated a small proportion of his dependants.

[112]CO273/88, Soodein's statement.

[113]Uyong, C3429, p. 696.

slaves may have performed other duties, but they were preponderantly miners, agriculturalists, fighting men, and domestic labour.

Legal Status and Provisions

There are two major difficulties in the use of legal texts for a study such as this which is concerned with social conditions rather than jurisprudence. Firstly, the texts are not explicitly concerned with abstract conceptions such as 'status'; instead they lay down provisions for dealing with specific cases, probably on the basis of precedent. The intricacies of a person's status, such as *hamba* or *raja*, were presumed to be understood and were never specifically delineated. Although we can infer status from the legal provisions, we must be wary of doing so in view of the second difficulty, which is our uncertainty about the degree to which written law was observed at any particular place and time.[114] This uncertainty is compounded by the problem of dating the three Perak manuscripts available. The *Undang-Undang Kerajaan* (Laws of the Sovereignty) is based on the Malacca code,[115] and purports to have been compiled in Pahang between 1592 and 1614AD.[116] It was amended in Perak in the early eighteenth century, and this may be the date of its introduction in the State.[117] The uses of labour in entrepot Malacca in the sixteenth century, and Perak in the eighteenth could not have been the same given their differing economic structures, so it is possible that the possession of a Perak law code had little more than symbolic importance.

While the distinction between law and practice is problematic in the *Undang-Undang Kerajaan*, the Minangkabau code of Perak gives the impression of being formulated *against* prevailing practice.[118] This text is again difficult to date; Winstedt ascribes it to the early years of the eighteenth century, but on questionable grounds. The text itself purports to have been compiled in the reign of Ahmad Taju'd-din Syah, a Kedah Sultan who invaded Perak in 1816–18.[119] The date is important because it may indicate a period when local rulers were overriding customary village authority, but it remains obscure. The third text,

[114]Hooker does not give grounds for his contention that the legal ideas expressed in these texts "...truly reflect the historical reality of the Islamic legal word (sic) in South-East Asia". Hooker, M.B., *Concise Legal History*, p. 51. In Perak the law regarding slaves was certainly contravened in the nineteenth century (see below, p. 61). An interesting comparison can here be made with Sulu where slaves were dealt with harshly in law, but not always in practice. The reverse seems to be true of Perak. See Warren, J., "Trade, Raid, Slave", p. 352.

[115]Hooker, M.B., *Concise Legal History*, p. 62; Maxwell, W.E., "Slavery Law", p. 256.

[116]Kempe, J.E., and Winstedt, R.O., "Legal Digest", p. 1.

[117]Maxwell, W.E., "Slavery Law", p. 290.

[118]This manuscript was copied for Maxwell in 1875. It gets its name from the characteristic Minangkabau customary sayings that appear throughout, for instance "dead we are wrapped in earth, alive in custom...." Winstedt, R.O., "Minangkabau Digest", pp. 1,3.

[119]It is possible, also, that the Ahmad Taju'd-din Syah referred to is the Sultan commonly accepted as first ruler of Perak (see Wilkinson, R.J., "Peninsular Malays", p. 149). In this way the document may claim to be custom since the beginning of history. The "Ninety-Nine Laws" are also attributed to a ruler of the same name.

the Ninety-Nine Laws of Perak, was handed down in a family of Perak *Sayids;* it is based on Islamic law and was apparently brought to Perak in the reign of another Ahmad Taju'd-din Syah, first ruler of Perak.[120] Again the two difficulties, inferences concerning status which the Malays themselves may not have drawn and the distinction between law and practice at any one time, are present. Bearing in mind that we may be dealing, at worst, with "ideal reality" on the level of folklore or myth, and at best the practice of another place and time, the discussion can proceed.

The law states that a person unable to pay a debt may be sent to work in the creditor's tin mines. No term was set, but it is noteworthy that only if the debtor absconded did he or she become a slave *(jadi hamba)*.[121] The Minangkabau code stipulates the debtor could only be seized after the headman had enquired into the facts of the case.[122] If the debtor died in service, it was not lawful to seize his wife or children or their property, and the wife was liable only to one-third of the debt.[123] The debtor did, however, on becoming *hamba*, become a species of property. "The loan of a slave *(hamba)* from his master is like the borrowing of a stick or anything else..."[124] and *hamba*, like other goods, could be returned if defective.[125] It is not clear whether *orang berhutang* could be bought and sold by law, certainly their children could not.[126] The Ninety-Nine Laws state that a *kafir* (infidel) could be sold for a fair price, and a *hamba berhutang* redeemed for one *tahil* one *paha* of gold[127] (a hefty one and two-thirds ounces).

The laws were often concerned with the rights of both owners and slaves. The Minangkabau code decreed that the debt was cancelled if the debtor had been swindled. It was cancelled also if the debtor was beaten, even if he or she had broken a promise to work for the creditor.[128] The *Undang-Undang Kerajaan* says that in this case the debtor may be beaten, but not so as to draw blood.[129] Whoever beat a slave *(hamba)* to death was guilty of an offence against the ruler.[130] If, however, the slave *(abdi)* had insulted a free person, he could be

[120]Rigby, J. (ed), "The Ninety-Nine Laws", p. 1.
[121]Maxwell, W.E., "Slavery Law", p. 286.
[122]Winstedt, R.O., "Minangkabau Digest", p. 7.
[123]Maxwell, W.E., "Slavery Law", p. 279.
[124]Ibid, p. 266.
[125]Ibid, p. 276.
[126]Ibid, p. 291.
[127]Rigby, J. (ed), "Ninety-Nine Laws", p. 68. This is the only use of the composite term *hamba berhutang* in any text. The word '*berjual*' is used for *abdi* and '*menebus*' for *hamba berhutang*. '*Menebus*' has been said to mean the redemption of a person's debt (Wilkinson in Reid, A., "Age of Commerce", p. 5). However, it can also be used for *abdi* (Maxwell, W.E., "Slavery Law", pp. 258–259). I suggest the context in which it occurs also supports an interpretation of 'transfer' after an initial instance of acquisition. The term is important because it is sometimes used to determine whether *hamba* refers to a slave or a debtor; in my opinion there is no possibility of distinction as the Malays themselves did not distinguish them.
[128]Winstedt, R.O., "Minangkabau Digest", p. 6.
[129]Maxwell, W.E., "Slavery Law", p. 286.
[130]Ibid, p. 279.

beaten, and killed if he resisted.[131] Yet in the opposite case, where a free person insulted a slave, if a fight resulted and the slave was killed, his price only had to be paid.[132] Women especially were protected by law, the Minangkabau code stipulates that a creditor violating a debtor must marry her, and that marriage cannot take place until she is freed.[133] The Ninety-Nine Laws also decree that a man committing fornication with a female slave *(abdi)* must offer to marry her or "be thrust out with force".[134] A woman who voluntarily entered someone's house as a servant could abscond only if she had been insulted or molested.[135] The *Undang-Undang Kerajaan* provided rewards for the return of runaway slaves *(orang lari)*,[136] and also regulated the borrowing and hiring of slaves *(hamba)* among freemen.[137] While the first kind of stipulation indicates that the slave's freedom of movement was restricted, this is in some ways contradicted by the second. For instance, it is said that "all slaves who go forth to seek a livelihood must be examined by their masters (as to their intentions)..."[138] and elsewhere the law is declared "...regarding those who hire the slaves of others without the knowledge of their master".[139] The master, then, must have been able to distinguish between the ordinary comings and going of his slaves, even on very long journeys, and their absconding.[140] It is likely that these sections were important only in Malacca where slaves were commonly hired out, rather than in Perak where only boatmen performed services for hire.[141] A person borrowing slaves without permission needed also to be distinguished from one harbouring runaways. The latter could be punished by having their ears flipped with a cane (if a man) or their head shaved (if a woman).[142] On the other hand, the return of runaways earned a reward either commensurate with the distance they had covered,[143] by prior agreement, or "according to the custom of the country".[144]

Hamba raja occupied a distinct legal category. The law states: "There are many kinds of men and many kinds of offences. This offence [one committed by *hamba raja*] only Rajas may punish."[145] A free person taking away a *hamba raja* himself became *hamba raja*,[146] or, according to other sections, must repay fourteen-fold or

[131]Ibid, p. 258.
[132]Ibid, p. 259.
[133]Winstedt, R.O., "Minangkabau Digest", p. 6.
[134]Rigby, J., (ed), Ninety-Nine Laws", p. 23.
[135]Maxwell, W.E. "Slavery Law", p. 284.
[136]Ibid, pp. 289–291.
[137]Ibid, p. 266.
[138]Ibid, p. 262.
[139]Ibid, p, 266.
[140]See ibid, p. 262.
[141]On the practice of hiring slaves, see Reid, A., "Age of Commerce", p. 10.
[142]Maxwell, W.E., "Slavery Law", p. 270.
[143]Ibid, pp. 289–291. The distance is calculated from Geronggong, seat of the Sultan in the early eighteenth century.
[144]Ibid, p. 277.
[145]Ibid, p. 279.
[146]Ibid,

be killed.[147] Anyone killing a *hamba raja* was required to surrender himself to the ruler, unless it was a slave *(abdi)* in which case he was, apparently, both strangled and beheaded, "Wherefore none of ye must resist the slave of a Raja on any occasion whatsoever."[148] It was forbidden even to strike this category of slave, the penalty being death if it was found that the *hamba raja* was not at fault.[149] However, "if the slave is very insulting, as for instance, towards females", he could be forcibly removed.[150] On the other hand, any ordinary slave insulting a free person was beaten, and killed if they resisted.[151] An ordinary slave *(abdi)* actually attacking a free person could have his hands nailed down while the other made use of the slave's wife until restitution had been effected.[152]

Pieced together from sources that perhaps should not be used in this way, the legal status of slaves in Perak is somewhat contradictory. They were clearly a species of property, but property enjoying certain rights whose use was regulated by law. It is not certain either that the term *hamba,* most commonly used in these texts, applied to both debtors and bought-slaves at all times in the State's history.[153] The term *abdi* is equated in one text with *kafir* and *orang berhutang* with Muslim.[154] The distinction between slaves and freepersons is marked throughout, but it loses its force in the case of *hamba raja.* Whether or not the law was intended to apply both to debtors and bought-slaves, there is a marked discrepancy between the legal provisions and the actual treatment of both kinds of dependants in the nineteenth century. The question of treatment, their day-to-day living conditions and conditions of work will be considered next.[155]

Treatment of Slaves in the Late Nineteenth Century

This subject also poses difficulties in crediting sources. At the time of British occupation, public sentiment had turned against slavery, and vivid descriptions

[147]Ibid, p. 280.

[148]Ibid, p. 273.

[149]Ibid, p. 279. It is important to note that *hamba raja* were not necessarily Malay. One of the Maharaja Lela's, for instance, was a Batak. See Sika's statement CO273/88.

[150]Ibid, p. 273.

[151]Ibid, p. 258.

[152]Ibid, p. 259.

[153]Ibid, p. 120. Occasionally all types of slaves are explicitly grouped together, as when the law is stipulated regarding freemen who take "the debtors [hutang hutangan], Sakai, biduanda [attendants] or slaves [hamba] without the knowledge of their *penghulus* or masters (ibid, pp. 260–261).

[154]When the question is asked, "What is the law relating to *abdi?*", the answer is "if he or she is of an infidel race, without scripture, they may be sold (not so *hamba berhutang)*...". Here *hamba berhutang* is both equated with and distinguished from *abdi.* Rigby, J. (ed), Ninety-Nine Laws", p. 68 (my translation).

[155]Genovese warns that, unless the meaning of 'treatment' is stipulated, "comparative analysis tends to obscure rather than illuminate". He gives three possible meanings: (1) day-to-day living and working conditions, which are dealt with here, (2) conditions of social and religious life that affect the mentality of slaves, which possibly varied little from those of ordinary subjects in Perak, and (3) access to freedom and citizenship, which has been dealt with. Genovese, E., "Treatment of Slaves", pp. 202–203.

of the horrors of slavery under native rule provided ample justification for the British presence.[156] When Low took charge in 1877 British control was a *fait accompli*, and after Birch's assassination it required no justification. Low's problem was to avoid provoking trouble by harbouring runaway slaves or legislating against their condition, and at the same time not be criticised for presiding over a slave state.[157] It was necessary for him, therefore, to play down the iniquities of the system, and indeed the situation could well have changed after the British invasion.[158] This gives rise to contradictory evidence. For instance, Birch and Swettenham harped on the evils of enforced prostitution, while Low states, "I have never known, since I have been in the state, of any Malay woman being hired out by her master or mistress, or forced to prostitute herself for their profit...", yet this was categorically stated to be the case by Innes, Low's Acting Superintendent of Lower Perak in 1878–79.[159] Whatever the relative degree of ill-treatment and oppression, it is clear that the stipulations of the law were ignored.

Widespread prostitution certainly contravenes the law concerning the violation of female debtors; indeed, that a slave might be a prostitute was cause for returning her to her original owner.[160] We have seen also that debt-slaves were not supposed to be beaten, at least so as to draw blood, and to kill one was an offense against the ruler.[161] Yet Soodein reports that he was struck on the chin by the *Laksamana* with a sword,[162] and domestic slaves complained they were beaten about the head and back with canes if they failed to get money by prostitution.[163] Of another woman it was said:

> *she was wretchedly emaciated, and when she tucked up her sarong to show me some marks of ill-treatment I could distinguish no difference in size between her thigh and her leg, she was simply a piece of skin and bone.*[164]

Raja Muda Yusuf is fairly reliably reported to have poured boiling water down the back of a recaptured female slave, and then covered it with a red ants nest.[165] Children, Birch reports, were "constantly beaten" for neglect of their work, and, if attempting to escape, made to work in chains or killed.[166] A Malay, he also says, would not hesitate to kill a Sakai slave and 'not the smallest notice would be taken

[156]Loh Fook Seng, P., *Malay States*, p. 183.
[157]He was criticised on these grounds in the *Pall Mall Gazette*, June 24, 1882 (CO273/188). At the same time he felt outright abolition would make it difficult for him to administer Perak without the backing of the military. C3285, p. 667. See Appendix III.
[158]See Maxwell, W.E., "Slavery Law", p. 253.
[159]Low, H., C3429, pp. 685–686.
[160]Maxwell, W.E., "Slavery Law", p. 276.
[161]Ibid.
[162]CO273/88, Soodein's statement.
[163]Perak Enquiry Papers cited in Gullick, J., *Political Systems*, p. 103.
[164]Paul, W.F.B., C3429, p. 629.
[165]Bird, I., *Golden Chersonese*, p. 330.
[166]Birch, J.W.W., C3285, p. 668.

of his doing so".[167] Swettenham also tells us "in different States this debtor-bondage is carried to greater or less extremities, but in Perak the cruelties exercised towards debtors are even exclaimed against by Malays in other States".[168]

Whether or not these were isolated instances it is impossible to know, but we must be highly suspicious of Birch and Swettenham's reasons for recounting them. Equally, later low-key reports should not be unhesitatingly credited. When Low took office in Perak in 1877, one of his first acts was to decree that the masters of slaves and debtors must "treat them with kindness, clothe them and feed them", or they would be entitled to immediate emancipation.[169] One or two were emancipated for this reason.[170] In this period there were few complaints of harsh treatment,[171] and European officials felt it their duty "to protect the unfortunate debt slaves" to the limits of their power.[172] Most slave-debtors lived with their families at some distance from their creditor's compound, retained the entire product of their labour, and very seldom were required to render any services to the creditor.[173] It was for this reason that Low declared himself in some sympathy with the creditors.[174] Governor Weld reported at this time that the voluntary manumission of slaves was proceeding rapidly, many owners setting them free without recompense, saying it was "for the glory of God". They told Weld, "how can we take money for our friends who have so long lived with us, many of them born in our houses. We can sell cattle, fruit, or rice, but not take money for our friends."[175] Low's officer in Lower Perak, on the other hand, charged that slave-debtors were reluctant to bring complaints against their masters since the British had confirmed their legal condition,[176] and that they were badly fed and clothed and could be tortured to death if they were caught escaping.[177] Consequently, English officials had paid out their own money to redeem escaped debtors, rather than return them as they were legally bound to do.[178] Whatever the condition of most slaves in Perak, it is clear that some received vicious treatment, but it must be assumed also that this kind of treatment could not have been widespread. The conditions for large-scale coercion were not present in Perak. With such a premium on manpower,routine violence may have resulted in a person's dependants seeking protection elsewhere, as many did with Birch.[179] The

[167]Ibid, p. 670.
[168]Swettenham, F.A., C3285, p. 672.
[169]Low, H., ibid, p. 666.
[170]Low, H., C3429, p. 687.
[171]Maxwell, W.E., "Slavery Law", p. 254.
[172]Denison, N., C3429, p. 692.
[173]Low, H., C3285, p. 677.
[174]Ibid.
[175]Weld, F.A., C4192, p. 431.
[176]Innes, J., C3429, p. 686.
[177]Ibid, p. 685.
[178]Ibid.
[179]See CO273/88, Soodein and Se Koombang's statement.

question of the origins, the intensification, and the abolition of debt-slavery is raised. While the sources do not permit us to outline the development of slavery in Perak with certainty, the question is of such importance that is must be considered.

The Historical Development of Debtor Slavery

The buying and selling of people was a feature of Malay trade since the earliest years of their recorded history.[180] But what interests us here is whether the practice of debtor-servitude was always indistinguishable from chattel slavery, and if it was not, we need to know how it became so in Perak. The available data does not permit a definitive answer. Information on the social organisation of Perak is lacking for periods prior to the nineteenth century,[181] so we cannot know for certain if and when it underwent structural change. The suggestions offered here are drawn from three other Southeast Asian regions, Malacca, South Sumatra, and Sulu. Two of these are strongly linked to Perak's history, the other hardly at all. Normally, to make use of information from other places and times would run the risk of drawing conclusions from social relations that had the same apparent form but may have radically differed in practice. However, this is precisely what we are looking for in this case. It does appear, from scattered information, that debtor-servitude in nineteenth century Perak owed its origins to the merging of several distinct traditional practices.

Throughout the Southeast Asian trading kingdoms in pre-colonial times, labour was performed on the basis of personal obligation; "at every level of society it appeared that comfort and security were to be sought through bondage relationships rather than through capital accumulation".[182] This was true of Malacca (one of the significant influences on Perak society) as the following passage from a Malay legend indicates. We are told that the father of Hang Tuah, Malaya's foremost folk hero, "...went in search of a living, presenting himself to the Datuk Bendahara, he made himself *hamba* to him". After this, whenever he wanted to go anywhere, he had to ask the Bendahara's permission, and "it was in this way that Hang Tuah learned the ways and manners of people".[183] Again, we are not concerned with the historical truth of this story; it is interesting in other respects. The author does not specifically mention the contracting of debt when Hang Mahmud "*berhambakan dirinya*". In fact, Hang Mahmud had an

[180]Wilkinson, R.J., "Peninsular Malays", p. 31. A Chinese account tells us that eleventh century Srivijaya made use of foreign slaves.

[181]"Only rarely is there a glimpse into the lives of the ordinary people" in Andaya's Dutch sources "or a hint of their attitudes towards their own rulers...". Andaya, B., *Abode of Grace*, p. 6.

[182]Reid, A., "Age of Commerce", p. 11.

[183]"*Maka bapanya pergi mencari makan, maka ia pergi mengadap Datuk Benaahara berhambakan dirinya. Jika ia hendak pergi barang ke mana-mana, maka ia bermohon kepada Datuk Bendahara dengan demikiannya itu Hang Tuah pun tahulah cara bahasa orang*. Shellabear, W.G. (ed), *Hikayat Hang Tuah*, p. 29). This incident was said to have happened at Bentan, But it can more accurately be taken to be the practice in Malacca where the *hikayat* was written at the end of the fifteenth century.

independent living, he had built a house near the Datuk Bendahara's compound where he had a food stall, and his work was also to gather firewood for sale.[184] It seems that his status as *hamba* was simply a matter of the "ways of etiquette *(cara bahasa)*" of people. It lacked the vital element of coercion that characterises slavery, and later debt-slavery.[185] The term *hamba* at this period may have represented a secure place in a hierarchy of dependence, where children referred to themselves as *hamba* before their parents,[186] minor leaders as *hamba* before their overlords,[187] and Sultans as *hamba* Allah.[188]

In Sumatra two means of dealing with debtors were prevalent, only one of which is equivalent to the peninsula status of *hamba*. Among the Rawas, many of whom were settled in Perak, debtors were required to work for a period not exceeding two years. After that, whatever remained of the debt was forfeited.[189] In other regions it was common for debtors to render only half their produce to the creditor.[190] Usually a debtor's closest relations were responsible for his debts, and it was only when there were no close relations that the debtor became *mengiring*, which "...implies the becoming a species of bondslaves to the creditor".[191] They lived with the creditor's family as equals, they could not be beaten, and could transfer to another at will if the debt was paid. Under certain conditions, however, a person *mengiring* could be reduced to the status of a chattel slave.[192] The Sumatran institution of *Mengiring* was a means of expanding the wealthier branches of a lineage, just as *hamba* was a means of expanding an influential family's following. In both cases the debtor could be reduced to slavery if they did not perform their duties.[193]

Originally, then, there was nothing necessarily ignoble in being *hamba*; on the contrary, it may have been a most respectable status. By the mid-eithteenth century in Perak this perception had radically changed. Raja Culan,

[184]Ibid, p. 28. Another version mentions Hang Mahmud's occupation as a food seller, and again makes no mention of debt: "*Ada pun apabila Hang Mahmud datang dari menchari menjual makan-makanan, maka ia pun pergi mengadap Bendahara berhamba akan dirinya.*" which means: "When Hang Mahmud returned from seeking to sell food, it was then that he went and presented himself to the Bendahara, becoming *hamba* for him." Kassim Ahmad (ed), *Hikayat Hang Tuah*, p. 19.

[185]Watson stipulates that coercion is a necessary condition of slavery. *Asian and African Systems*, p. 8.

[186]See Kassim Ahmad (ed), *Hikayat Hang Tuah*, p. 19.

[187]See letter from Raja Ngah to *Laksamana* in Burns, P. (ed). *Journal*, p. 135.

[188]Making such assumptions on the basis of the *Hikayat Hang Tuah* is undoubtedly to fall prey to ruling-class perceptions of the relationship. It is possible also that slaves were recruited by debt in Malacca, and that they were transferred at will. See Reid, A., "Age of Commerce", p. 5.

[189]Maxwell, W.E., Slavery Law", p. 250; see also Davidson, J.G., C3285, p. 671.

[190]Marsden, W., *History of Sumatra*, pp. 223,253.

[191]Ibid, p. 252.

[192]Ibid. It is interesting to note Marsden's information that"...few instances occur of the country poeple actually having slaves; though they are common enough in the Malayan, or sea-port town. Their domestics and labourers are either dependent relations, or the orang mengiring above described..." ibid, p. 253.

[193]It is worth repeating here that originally debtors in Perak were only reduced to slavery if they absconded. Maxwell, W.E., "Slavery Law", p. 286.

commissioned to write a *syair* for the Sultan, abases himself in a conventional manner in the introductory stanzas, referring to himself as "a useless *hamba*" and a "weak outcast *hamba*"; he continues:

> *Taking courage, I come and do homage, hoping that pardon will be given I, who am a hamba in a cesspool, my life like a piece of trash.*[194]

We can speculate about the forces that brought about such a change in attitudes by referring to another region that developed under similar pressure. This section of the Misa Melayu was written at a time of increasing European demand for tin, both for the home market and the China trade.[195] Andaya tells us, "the European market for tea was apparently insatiable, but tea could be obtained only from China, and...virtually the only items the Chinese would accept were spices and metals", mainly tin from the Malay Peninsula.[196] This passage almost echoes Warren's on Sulu, but he goes further, uncovering the effect of trade demands on the social relations of the State. He tells us:

> *Indirectly, it was the insatiable demand for tea that initiated European interest in Sulu's natural products.... These merchants were quick to recognise the potential of participation in the long-standing sino-Sulu trade as a means of redressing the one-way flow of silver from India.... Commercial and tributary activity became linked with long distance slave raiding and incorporation of captured peoples...*[197]

As the economy of this Sultanate became increasingly organised around the collection of marine and jungle trade-products, the demand for manpower increased, and "slaving activity developed to meet the accentuated demands of foreign trade".[198] Warren is here discussing slave raiding, but Perak did not have the military strength for such raids, and in fact did not initiate attacks on any other state in the four centuries of its history.[199] Under the same pressure as Sulu, Perak had to rely on trade for its slaves, and on increasing exploitation of the Malay population. The latter assumed great importance during the nineteenth century when both Holland and Britain attempted to curtail the regional trade in slaves,[200] and Bataks from Dutch Sumatra were no longer readily obtainable.[201]

[194]Raja Culan, *Misa Melayu*, p. 121. *"Patek nan hamba tiada berguna...Patek nan dza'if, hamba terbuang.... Maka berani berdatang sembah|harapkan ampun juga bertambah|patek nan hamba di-bawah limba|hidup umpama sa-helai sampah|."*

[195]Andaya, B., *Abode of Grace*, p. 9.

[196]Ibid, p. 69.

[197]Warren, J., "Impact of External Trade", p. 3.

[198]Ibid, p. 4.

[199]Andaya, B., *Abode of Grace*, p. 23.

[200]See Sutherland, H., "Slave Trade in Indonesia", pp. 7–13.

[201]Birch J.W.W., C3285, p. 670. The same was ture of Sulu in this period. The amount of tribute collected from clients and the fines in the legal code were increased when it was no longer possible to recruit slaves by raiding. Warren, J., "Trade, Raid, Slave", p. 350.

That the exploitation of Malay debtors had departed from traditional practice can be seen in the reports of colonial observers;[202] Maxwell for instance says, "by Perak Malays...the national customs, when favourable to the debtor, have been openly disregarded, and every kind of oppression has been practised".[203] Swettenham also states that *adat Melayu* was at one time a just and equitable code of law, but "successive Rajas in each Native State have so altered this code that the custom actually in force now bears but the vaguest resemblance to it". Those influential Malays that Swettenham considered to be "upright Chiefs" told him that *adat Melayu* had given way to *adat suka hati* (the custom of do as you like).[204] The Minangkabau code of Perak law appears to be an attempt to reassert customary law in the face of increasing oppression. It decrees, for example, that "no chief must be guilty of spite against his people", and exonerates those who disobey a chief if his decision conflicts with customary law.[205] It also attempts to protect the rights of debtors.[206]

Abolition

The use of debtors in the same way as bought slaves possibly arose out of a tradition of personal obligation that had different significance in differing circumstances. Whatever its origins, the evidence is that it had become intensified under the impact of European commerce. It was the development of this commerce that led Britain to take control of Perak, and one of their first concerns was to transform the indigenous systems of labour-exploitation. The reasons for this are partly to be found in the causes of the abolitionist movement in Europe,[207] and partly in the need to transform the basis of local rulers' power from their own following to the State. It seems clear also that Low originally intended some slaves and debtors to become 'free' wage labourers.[208] He had arrived in Perak with considerable experience of a Malay state, Sarawak, where slavery had been regulated by European powers and many of its iniquities lessened.[209] Soon after taking office he laid down terms for the treatment of slaves and debt-slaves. These included the provisions that no new bondsmen could be recruited, those that had escaped before his arrival should not be returned, and if those remaining were not

[202]It must be remembered that the Pangkore Treaty reserved matters of Malay custom for the Sultan; it was in the interest of British officials to assert that *adat Melayu* no longer had any force.

[203]Maxwell, W.E., "Slavery Law", p. 250.

[204]Swettenham, F.A., C3285, p. 672 fn. Swettenham later suggested that Malay rulers squeezed their bondsmen as a consequence of their debts to Straits financiers. Swettenham, F.A. cited in Lasker, B., *Human Bondage*, pp. 146–147.

[205]Winstedt, R.O., "Minangkabau Digest", pp. 4–5.

[206]Ibid, pp. 5–6.

[207]The question of the origins of this revulsion for slavery is extremely complex and lie outside the scope of this study. See Finlay's review of Davis's "The Problem of Slavery in Western Culture", in Foner, L., and Genovese, E. (ed), *Slavery in the New World*, pp. 256–261.

[208]Low often expressed frustration at the difficulty of getting Malays to work for wages, although Raja Idris assured him "people in Perak once thought it a disgrace to work for wages, but the feeling in rapidly dying out." Harrison, C.W. (ed), "Perak Council Minutes", pp. 231,249,158.

[209]Sadka, E. (ed), "Journal", p. 7; Denison, c3429, p. 692.

treated well, clothed and fed, they would be freed.[210] In this way Low hoped to lessen the value of dependants so that eventually they could be redeemed out of Perak's revenue on reasonable terms.[211] This was as far as he could go at this point; debt-slavery was, in Swettenham's words, one of the "pillars of the state",[212] outright abolition would have provoked such a reaction in the State that it was "...very doubtful whether we could have maintained our position in it without the aid of troops".[213] Matters rested there while other fundamental changes were put in train that made emancipation easier but not entirely smooth.

Initially Low made spot payments to Malay aristocrats who came to him with complaints of financial difficulties,[214] and this was systematised as regular pensions in September, 1878.[215] Many hereditary district leaders were confirmed as government officials,[216] and were given to understand that they could expect their position "...to improve with advancement of the country's revenue".[217] At the same time, land held under Malay tenure was registered with the government and, while there is little evidence to support the supposition, it may be presumed that local leaders laid claim to land worked by their dependants.[218] Land was freely made available for mines, plantations and model rice-growing communities, using immigrant labour.[219] Regulations for the introduction of Indian labour for plantations and public works were passed in 1882.[220] Two alternative means of power and wealth were thus offered to Perak's ruling class, bureaucratic office and land ownership. In the meantime, various forms of compensation for the loss of their bondsmen were discussed.

It was first suggested that the labour of dependants should be given a specific value, and they could work off their debt over a period of time. This scheme was impractical; Malays were not accustomed to working in this way, and the creditors complained that they had no employment for them in any case. They asked the government to advance them money for mines and gardens to employ their dependents, as the *orang besar* had done in former times. At this time (1878) the idea of compensating slave-owners and recouping the money by employing dependents on public works was first suggested.[221] Between 1878 and 1882, when

[210]Low, H., C3285, p. 666.
[211]Low, H., C3285, p. 666–677.
[212]Swettenham, F.A., C3285, p.675.
[213]Low, H., C3285, pp. 666–667; see also Innes, C3429, p. 689; Weld, F.A., C4192, pp. 431–432.
[214]Sadka, E. (ed), "Journal", pp. 39,42–43,65,75,78,89,92,97.
[215]Harrison, C.W. (ed), "Perak Council Minutes", p. 180. These minutes edited by C.W. Harrison, and published in Wilkinson's Papers on Malay Subjects series, have some unfortunate omissions. The reference on p. 180 is to a previous meeting, but the minutes of that meeting contain no mention of the subject. The same problem occurs with reference to a decision on *Sakai* Slaves, p. 226.
[216]Ibid, p. 165.
[217]Harrison, C.W. (ed), "Perak Council Minutes", p. 244.
[218]Ibid, pp. 183–187.
[219]Harrison, C.W. (ed), "Perak Council Minutes", pp. 174–175,179,241.
[220]Ibid, p. 249.
[221]Low, H., C3285, p. 676. Low's attempts to raise revence from the subject population, which he

the subject of manumission was first brought to the State Council, bondsmen contributed less and less to their owners, and in some cases may have been a drain on their resources. "Most owners of slaves and debtors," Maxwell reported, "have come to look upon them as a comparatively worthless kind of property," they could neither be compelled to work nor punished severely, and "mere nominal ownership is of limited practical value".[222] Nevertheless, the introduction of the subject of manumission to the Council in March, 1882, led to such disagreement that discussion was postponed until October.[223] At this meeting Low cut short the wrangles about proper means of compensation, declaring that "the question of economy is not as important to the State as the question of freeing it from the obloquy to which it is now exposed". He was evidently under some pressure from his superiors to conclude the matter.[224]

It was finally agreed that for the period between October 1882 and December 1883 when slavery was to be unconditionally abolished, the labour of bondsmen would constitute their purchase price. Those refusing to work would be punished according to the law governing indentured labour. If they wished, the government would advance up to $30 and recoup this by employing them in public works. Any person unable to pay or to work would be redeemed for $25.[225] On the first day of 1884 there were no longer any slaves or slave-debtors in the state of Perak. The political economy of the State was fundamentally altered, but the new form of class relations and how much it owed to the traditional class structure is a subject that is yet to receive the attention it deserves.

Summary

In the nineteenth century the uses, treatment and status of purchased or captured slaves were the same as for Malay debt-slaves. Both could accurately be termed chattel. If any distinction is to be made, it is between *hamba raja*, who were of both foreign and local origin, and other *hamba*. Slaves recruited by capture or

brought before the State Council every year from 1877 to 1882, met with little success, and finally it was decided to levy six days' labour from adult males in lieu of land taxes (Harrison, C.W. (ed), "Perak Council Minutes", p. 259. It was probably this impost that led to the revolt at Lombok in 1883. The people refused to pay the tax because of the manumission of slaves. The revolt was suppressed by Low with a considerable show of force, but without bloodshed. Weld, F.A., C4192. pp. 431–432.

[222]Maxwell, W.E., "Slavery Law", pp. 253–254.

[223]Harrison, C.W. (ed), "Perak Council Minutes", p. 247.

[224]Ibid, p. 251. The subject of slavery in Perak had been raised in Parliament in 1882, and had provoked an article in the *Pall Mall Gazette*, a letter to the *London and China Telegraph* (reprinted in the *Singapore Daily Times)* from Innes, and a letter to the Times from Sir Peter Benson Maxwell (C3429, pp. 685–686, 704; CO273/118). In March, 1882, Weld proposed that emancipation be postponed for one more year, and his superior agreed (CO273/155; C3429, p. 703). This was the suggestion of Raja Idris, Raja Mahkota and the Temenggong who wished to reap the benefits of one more harvest, but Low persuaded them to drop the proposal,and emancipation was once more fixed for December, 1883. Harrison, C.W. (ed), "Perak Council Minutes", p. 250–251.

[225]Ibid, pp. 250–255.

purchase were Abyssinians, Bataks or Sakai, and the latter were usually recruited as children. Malay slaves were obtained by debt, abduction, the manipulation of fines, pawning, and by voluntary surrender. Slaves were generally used as domestic labour (supporting themselves by prostitution), in agriculture and mining, and as fighting men. Legal codes and classical texts indicate that Malay dependents had not always been regarded as a species of slave. Evidence that this attitude changed appears precisely at the advent of European commercial interests.

The Dutch period is not well-documented, but by the latter half of the nineteenth century, when the demand for tin as an industrial commodity sharply accelerated, Malay debtors had been reduced to the status of chattel slaves. The extent of slavery in this period was great, in some areas as much as three-quarters of the Malay population, and the treatment of slaves in many instances was vicious. These instances were probably used to intimidate other slaves, whose importance to the State's economy may have precluded their being routinely harmed. It was not easy to abolish one of the "pillars of the state", even in the demoralised state of the country in 1877, and abolition occurred only when the State's political economy had been fundamentally altered. Further research may indicate in what proportions former slave-debtors became peasant freeholders, tenant farmers, and 'free' wage-labourers.

Conclusion

Social Relations in Perak: A Perspective from Economic Anthropology

In Perak the influences of history, culture, the level of technical ability, ecology, and the exigencies of foreign trade had combined to produce a form of social relations that can be labelled 'slavery'.[1] But this tells us little about the social formation and invites inappropriate comparisons with slave societies elsewhere. This conclusion analyses slavery in Perak in terms of a theory of social relations, and presents Perak society in such a way that the specific and incidental is transformed to the level of abstraction necessary for comparative studies. The dynamics of the dominant mode of production in Perak developed in a specific historical and cultural context which has been described; but this does not prevent us from isolating these dynamics for the purpose of analysis, and attempting to account for their development in terms of a theory of the evolution of state systems. Much of the supportive material for the hypotheses advanced here has been presented in the thesis. The question of Perak's transition from a kin-based type of social organisation to one based on social classes is, however, an exploratory assumption and requires further research.

Perak can be described as a society embracing at least two articulated modes of production, modes which determined the nature of the State. The Malay population of Perak was scattered throughout its 8,000 square miles of territory. Most of them lived close to river banks, but there were settlements in the jungle and along the tracks linking river systems. Their principle economic activities were rice-growing and tin-mining. Neither of these activities required sophisticated technology or a high degree of organisation of labour. Both tin-mining and rice-growing could be carried out by family members acting independently and remitting only a portion of their product to a district leader. The availability of commonly owned land, and the lack of elaborate technology and social organisation of labour, gave district leaders little material means of intensifying the extraction of surplus. For this reason, a second mode of production, the dependent mode, increasingly dominated the social formation. In this relationship the dependent had no right to autonomous use of the land,

[1]See Appendix I.

and the entire surplus product was the property of another. The surplus, either directly or indirectly, took the form of tin, which was exchanged with foreigners and the revenue used mainly for securing more dependants.

In the dependent mode the *amount* of produce appropriated was increased, but its *rate* could not be. Power, then, lay in increasing the number of people under a leader's personal, unmediated control. It was for this reason that political authority was exercised largely at the district level. District leaders also increased their control by taxing the flow of produce in and out of their territory. In this way they could effectively regulate the availability of goods and ensure themselves a favourable rate when buying or selling. The role of long-distance exchange as a means of realising the surplus of dependants has been analysed by Terray, who suggests that systematic exploitation of slaves on a large scale only occurs where their products can be realised in exchange. Long distance trade is therefore instrumental in the formation of the State; which in his view is simply a mechanism whereby one class, for all its internal rivalry, holds another class in subjection.[2] In Perak this process was aided by the expansion of European commerce. The successive Dutch agreements with Sultans of Perak, and their endeavours to restrict 'illicit' trade by the other members of the ruling class, countered to some extent the centripetal tendency inherent in a mode of production based on a large personal following.[3] It was also the decisive factor in the reduction of the Malay population to a status comparable to that of chattel slaves. The productivity of labour remained constant until the introduction of Chinese mining methods, and the steadily increasing demand for tin ensured not only that more slaves were recruited, but that their labour was exploited at maximum intensity by the nineteenth century.

An element in the definition of slavery is that slaves are always 'outsiders' in a community, if not in terms of ethnicity, then at least in a social sense.[4] This apparently universal characteristic is contradicted in the case of Perak, where members of the same ethnolinguistic community were treated in a manner indistinguishable from that of acquired outsiders. The development of debt-slavery has been described in Chapter Three, but this does not explain in theoretical terms its significance in Malay history. The exploitation of purchased or captured persons and their descendants is a common historical experience, as is the exploitation of a semi-autonomous peasantry. However, the recruitment of slaves *in situ* on such a scale is singular, and it is this that requires explanation.

I suggest that the use of social insiders as slaves in Perak can best be understood as part of a general process in Malay history, the transformation of Malay social organisation from kin-based to class-based. This is a process that must have occured at some time in all Malay states, although the details of this transformation must remain obscure. The hypothesis offered here is drawn from

[2]Terray, E., "Long-Distance Exchange", pp. 315,333.
[3]See Andaya, B., *Abode of Grace*, pp. 47–48.
[4]See Appendix I.

my understanding of the antecedents of Perak history reflected in the myths of Malaccan and Sumatran origins, although the transcendence of kinship organisation could just as well have been autochthonous in Perak and other Malay states. At some time in Malay history autonomous matrilineages declined and power became expressed through hereditary patrilineal claims to territory and control of the flow of produce within it. It was no longer possible to mobilise resources in the manner common to kinship (that is from the youths of a lineage to the elders), as all members of an aristocratic lineage partook of the same status. The recruitment of debt-slaves was a means of creating quasi-kin groups, with the advantage that its members were perpetual dependants and did not, as in kinship organisation, naturally assume senior positions in the course of time. Dependants, then, particularly those of the same ethnic group, bridged the gap between the exploitation of kin, and state systems based on the exploitation of classes. Perak was certainly a class society, but one whose origins in a prior kin-based form of society had not been completely transcended.

Much work needs to be done before it is certain whether this supposition can be supported, but the reasons for this hypothesis can be presented here. Meillassoux, from his observations of African societies, has described how the transformation from kin to class societies can proceed and, while his work often consists of sweeping generalisations, it is also peculiarly apt in its application to Malayan history. The transformation of lineage societies in Africa was accompanied by certain mythic representations that can also be observed in Malaya and Sumatra, and this suggests that this line of enquiry may be fruitful.

Matrilineages had some social importance at all times in the Malayan/Sumatran experience, as they do to this day, but they had ceased to be the locus of political and economic organisation in most Malay states long before the period of this study.[5] Meillassoux has suggested that the evolution of social classes begins with the dominance of one lineage over another. The senior's authority no longer attaches to an individual but is projected into the past, to an ancestor, and seniority then becomes a social concept, not a personal attribute.[6]

> *Through historical accidents, usually due to contacts with foreign formations, a group takes for all its members the quality of 'senior' in relation to other groups considered collectively as minor. All the economic and social prerogatives of the elder are transferred to the dominant class, usually an aristocratic lineage....Prestations due to the elder become tributes due to the lord who may also gain control over the matrimonial policy of the community, and eventually over the means of production—land.*[7]

Kinship is now no longer an accurate representation of social relations but an

[5]Negeri Sembilan is an exception (Gullick, J., *Political Syatems*, pp. 37–42), and it is significant that debt-slavery appears to have been of very little importance there. Loh Fook Seng, "The Problem of Involuntary Servitude", pp. 184–185.
[6]Meillassoux, C., "Self-Sustaining Societies", pp. 146–147.
[7]Meillassoux, C., "From Reproduction to Production", p. 101.

ideology disguising class domination. The sovereign is seen as fulfilling the functions of a senior at the level of the kingdom rather than the community, and "such relations are often supported by an ideology which relates people to a mythical single ancestor and to a common descent group".[8]

The Malay ruling class preoccupation with geneology and descent from Sumatran god-kings can now be understood, not simply as a matter of prestige, but as an expression of seniority. It is possible that the rise of aristocratic lineages occurred with the advent of the kingdom of Srivijaya. In Malay legends, midway on Sri Tri Buana's journey from Sumatra to the peninsula, the female ruler of Bentan appoints him as her successor.[9] It may tentatively be posited that here is an indication of the shift from female to male influence and descent. Similarly, the myth of Perak's origin tells us the first ruler was a woman of supernatural origin (adopted by a Johor trader and his aboriginal wife) who abdicates in favour of one of Sri Tri Buana's descendants (see below, p. 1).

There are several indications, then, that an aristocratic lineage developed among Malays, thereby transforming the basis of social organisation. Although these indications require much greater scrutiny than has been given here, the "historical accidents" referred to by Meillassoux by which "a group takes for all its members the quality of 'senior'" should also be given attention. The historical contingencies referred to by Meillassoux were, in the case of Malaya, contact with Islam, foreign trade, and local wars. Islam provided the conditions for patriarchal state-systems. It is essential for the development of aristocratic lineages that authority, and control of resources, pass from father to son. In this way wealth is concentrated in a single lineage, rather than distributed throughout several as when resources and authority pass between siblings.[10] Islam provided this requirement. Foreign trade made possible the concentration of surplus in the hands of the dominant class. The adoption of Islam with the advent of Arab traders meant that the surplus of dependants was both realised and retained within the lineage. Both local wars and foreign trade led to the dispersal of Malays throughout the Peninsula, further undermining kinship ties in favour of overarching racial identity.

Racial identity, however, was not a fully-developed concept in Malay life according to traditional Malay texts. Matheson's thorough analysis indicates that the concept *Melayu* principally expressed the identity of Malacca/Johor nobles who claimed descent from Sumatran god-kings, and only later extended to their subjects and to other states.[11] The term *bangsa* (now translated as race or ethnicity) also was often used in Malay texts only to indicate royal descent and is more accurately translated as 'lineage' in these texts.[12] As the usage of the term

[8]Meillassoux, C., "The Economic Basis of Kinship", p. 167.
[9]Brown, C.C., *Malay Annals*, p. 18.
[10]Meillassoux, C., "Self-Sustainin Societies", p. 147.
[11]Matheson, V., "Concepts of Malay Ethos", p. 370; see also p. 361 on the *Hikayat Patani*.
[12]Ibid, p. 358,366.

widened, it came to be used for such groups as 'Christians' and 'pirates' as well as what we would term races.[13] Matheson's analysis makes it clear that concepts of over-arching racial identity were not coherent and developed before the intervention of Europeans, and that they have their origin in concepts identifying an aristocratic lineage. Matheson is aware, though, that her sources are mainly classifiable as "a court-based text of ruler legitimation".[14] Yet attempts to find expressions of racial identity in Malay proverbs, popular stories, and legal texts are fruitless, their expression "seems to have been the preserve of the court".[15] How, then, did the ordinary Malays perceive their group identity, and at what level? I suggest that originally they saw themselves as members of a kin group, but as this form of social organisation was eroded by the rise of aristocratic lineages, quasi-kin ties were formed with powerful persons; ultimately this led to their identity as members of a village, district, and state.

In a state such as Perak, with a heterogenous population, nearly all of whom were immigrants over a period of four hundered years, the necessity of forming quasi-kinship ties was very great. These were formed at the state level by the myth of a common ancestor, and at the local level by the increasing use of a traditional practice—debtor servitude. The contracting of debt was a recognised means of expanding the lineage in Sumatra,[16] but in Perak its effect was to subvert village-based kinship organisation in favour of a more efficient means of mobilising resources. This means of increasing a family's dependants differed from kinship in that its basis was not biological, and there was no requirement for quasi-kin to assume senior positions. In other respects—the direct command over the labourer by control of his or her social reproduction, the forming of bonds of dependence by transforming surplus into luxury goods and controlling their distribution,[17] and the exercise of authority over the whole person rather than a single function—it resembled kinship more than class. This is the basis of my contention that debt-slavery in Perak was a transitional form of social relations; it exploited social classes by means appropriate to the exploitation of kin, and was the pivotal element in a process of development from kinship social organisation to the class-based state.

Summary

There is some indication in traditional texts that debt-slavery can best be understood as part of a general process in Malay history, the transition from kinship social organisation to the class-based state. While information supporting

[13]Ibid, p. 367.
[14]Ibid, pp. 352–355.
[15]Ibid, p. 357.
[16]Marsden, W., *History of Sumatra*, pp. 252–253.
[17]Andaya tells us that tin was exchanged for "much needed" commodities such as cloth, salt, tobacco, gambier, chinaware, tools (weapons), gold thread, opium and spices (Andaya, B., "Nature of the State", p. 26), yet few of these items are necessities except in a social sense.

this hypothesis is scarce, the situation at the time of British intervention is more easily understood. We have seen that the cycle of economic reproduction of the dominant mode in Perak was the conversion of the surplus of slaves and debtors, whether rice in the first instance or tin, into exchange commodities. This surplus, when realised, was used to increase the number of people under a person's control (see above, p. 44).[18] This relationship had within it the conditions of its own transformation; communal rights to land-use did not apply to slaves and slave-debtors, and a process of aristocratic land-ownership was underway. This may have been the 'natural' course of Perak's development towards a centralised state, but the expansion of Dutch, and later British, commercial interest put greater emphasis on the cycle of exchange, and consequently control over manpower. The increasing demand for tin, which accelerated sharply in the nineteenth century when it was required as an industrial commodity as well as for the intra-Asian trade, increased both the amount of slaves and the oppressive conditions of their existence. It was the impact of European expansion on the indigenous mode of production that, by the transformation of relatively benign traditional practice, reduced much of the Malay population to the status of chattel slaves.

Whether the ruling class could have sustained the intensity of labour use, given the limited means of coercion and the countervailing influence of village-based *adat*, is doubtful. Another historical conjuncture, British conquest, decisively altered the balance of forces, produced new classes compounded by racial divisions, and by grafting British capitalism onto traditional practice produced a colonial hybrid that has endured beyond formal independence.

[18]Here I must disagree with Terray that this relationship alone is enough to form a common interest among slave owners sufficient for them to form a class, and therefore a state apparatus (Terray, E., "Long-Distance Exchange", p. 333). The tendency was also in the opposite direction, producing a state composed of nearly autonomous districts where many persons, under the right circumstances, could attract enough dependents to exert some political authority. The possession of an immaculate genealogy probably followed from this and was not a prerequisite for it.

A note on sources

The introduction has criticised the perspective of recent historians of Malaya, yet their work has contributed little to this thesis, which principally relies on the reports and published monographs of colonial scholar/administrators. A direct line of descent can be traced from indigenous court-chroniclers through these colonial scholars to historians of the present day. Indigenous texts were commissioned, and often composed, by Malay rulers. They "do not seek any 'objective realism in history'.... What is important is reality as it concerns their own prince and as seen through the prince's eyes...",[1] and this reality was reshaped to match the Malay ideal of a ruler.[2] Only one such text exists for Perak, the *Misa Melayu*. Early colonial scholars, of whom W.E. Maxwell was probably the finest, had a practical concern with traditional texts. Exerting their control through Malay aristocrats, it was important for them to systematise matters of precedent and succession, and to crystalise the prior somewhat flexible perspective on the past into a rigid state ideology.[3]

Their second task, the collection of data on Malay affairs, was again a matter of practical politics. Many of the early monographs in *JSBRAS* were adapted from official reports,[4] and it was even felt necessary to justify Skeat's *Malay Magic* with the observation that "...an understanding of the ideas and modes of thought of an alien people in a relatively low stage of civilisation facilitates very considerably the task of governing them."[5] The problem for an historian of social relations is not only the political bias of these sources, but whether indeed Malaya's new governors were in a position to accurately collect their data. Low felt Maxwell's presence inhibited the people from speaking to him freely, and this may have been related to his part in the attack on Kota Lama and the execution of the Maharaja

[1]Situmorang, T.D., and Teeuw, A., cited in Bottoms, J.C., "Malay Sources", p. 39.
[2]Andaya, B., "Nature of the State", p. 24.
[3]See Cowan, C.D., "Ideas if History in *JMBRAS*", p. 282.
[4]For instance, Maxwell's introduction to his translation of Malay laws concerning slavery was originally written as a minute for Low when the subject of abolition was discussed in the State Council. Maxwell. W.E., "Slavery Law", p. 247; Harrison, C.W. (ed), "Perak Council Minutes", p. 250; C3429, p. 698.
[5]Blagden's preface to Skeat, W.W., *Malay Magic*, p. ix.

Lela and Datuk Sagur.[6] He was "a little rough and hasty in his ways with the natives, especially the inferior classes..."[7] and most of his informants were Malay aristocrats. This was true of the second generation of colonial scholars, chief among whom was Sir Richard Winstedt KBE, CMG, FBA, D LITT, HON LLD, Inspector of Schools and "the doyen of Malay studies".[8] Winstedt felt the need not only to institutionalise the Perak sultanate, but to justify British conquest.[9] This led him to preface his work with the paean to Britain's altruistic intervention already cited,[10] and to include in the body of the work such gratuitous passages as:

> *Though his very name has been forgotten at Kuala Kangsar, Captain James Low was the saviour of Perak...and along with the name of Low, Perak ought to enscribe in letters of gold the name Robert Fullerton, Governor of Prince of Wales' Island, Singapore and Malacca...*[11]

Something of the dilemma of contemporary historians drawing on these works is conveyed by Rubin, who feels forced to rely on Winstedt as a recognised authority, although some of his assertions are demonstrably misleading and others are unattributed and cannot be checked.[12] This is not the principal followed in this monograph. Nevertheless, the materials are impure, as possibly all historical sources are, and hardly any item of information can be unhesitatingly credited. Most of the material used in this thesis was originally collected for political purposes completely at variance with my own. Any attempt at reinterpreting colonial history must come to terms with partisan sources, accepting that while they may usually tell the truth, it is rarely the whole truth.

This said, I would like to point out a potentially invaluable source that I have unfortunately not had access to. This is the three-volume collection of statements taken at the inquiry into Birch's death and is held in the Singapore National Archive. Some of these statements were forwarded to London and are reproduced in CO273/88.[13] While many of the witnesses appear to have been prompted, and the papers are perhaps not an accurate guide to the events, incidental details of ordinary Malay life frequently occur. It is my hope that these statements may clear up some obscure points in this reconstruction of nineteenth century social relations in Perak.

[6]Sadka, E. (ed), "Journal", p. 63 and fn. 129.
[7]Ibid.
[8]Andaya, B., *Abode of Grace*, p. 3.
[9]See e.g. Winstedt, R.O., and Wilkinson, R.J., "History of Perak", p. 21. Winstedt draws on some of Wilkinson's work in this history, but the uses of it are peculiarly his own. Wilkinson was reluctant to bring his "History of the Peninsular Malays" up to the point of British conquest as he felt it was the subject of "bitter controversy". Cited in Burns, P., Introduction to Wilkinson, R.J. (ed), *Papers on Malay Subjects*, p. 7.
[10]See above, Introduction, fn. 14.
[11]Winstedt, R.O., and Wilkinson, R.J., "History of Perak", p. 73.
[12]Rubin, A.P., *International Personality*, p. 52 fn. 85.
[13]See Burns' bibliographic note in Burns, P. (ed) *Journals*, p. 406.

APPENDIX I

On the meaning of 'slavery' and its use as a term of comparative analysis

In recent years academic interest in servile systems has increased, and several compendiums of essays on slavery in various societies have been published.[1] Necessarily, attention has turned both to the definition of the term and to the construction of a framework for the comparative analysis of servile systems. Throughout this thesis the terms 'slave', 'debt-slave', 'bondsman', and 'dependant' have been used with little attention to their formal definition, and some scholars would question their use in the Malayan context, at least until the limits of the term had been made explicit. Even a brief discussion of recent literature on the definition of slavery requires such extented treatment that it has been relegated to this appendix. Here it is suggested that the term 'slavery' serves an ideological function in our vocabulary, and attempts to be rigorous in its definition and application, to transform the term into a scientific one, are fruitless. The comparison of societies on the basis of their use of slaves (defined according to the presence or absence of a number of characteristics) tells us little or nothing about the structure of the societies in question and how these societies can be related to each other. This brief discussion of the meaning of the term 'slave' serves to elucidate the question of whether debtor servitude in Perak was slavery. It is concluded that indeed it was, but within a specific social context. It is the social context that requires examination, and the concept 'slavery' is not a sufficent means of revealing its dynamics.

'Slave' is not a category of economic analysis on the level of 'proletarian', 'peasant', or even 'intellectual'; it can be an essential institution in a variety of economic systems embodying totally different relations of production.[2] Slavery is

[1]For instance, Miers, S., and Kopytoff, I. (eds), *Slavery in Africa;* Watson, J. (ed), *Asian and African Systems of Slavery;* Winks, R.W. (ed), *Slavery: A Comparative Perspective.*
[2]Finlay, M., "Peculiar Institution", p. 819 (col. 3).

"simply an English word, a label that we feel reasonably comfortable in applying to certain combinations of elements and feel we should not apply to other somewhat different combinations".[3] Two elements are usually stressed as distinguishing slavery from other forms of social domination. Firstly, a slave is a species of property, totally without rights except at the indulgence of his or her owner. Further, this denial of rights is extended over the whole personality, and for the term of the slave's life.[4] Miers and Kopytoff argue that this is not a useful definition in the case of indigenous African slavery; it can apply to all the members of a lineage and is actually part of the structure of kinship.[5] Miers and Kopytoff's alternative approach will be outlined shortly; here I would argue that while the rights of a slave (whether embodied in law as in Perak or prevailing practice as in the American South) may appear to be at the whim of the owner, they are actually demanded from him by the very nature of slaves as human beings capable of conscious action and reaction.[6] To regard slaves in terms of absolute 'rightlessness' is to adopt the viewpoint of the owner. Nevertheless, the combination of property, rightlessness and the indefinite duration of servitude does apply to slave-debtors in nineteenth century Perak.

The second element that is stressed when defining slaves, that they were always outsiders to a community, requires more discussion. "Slave recruits" Finlay states, "were torn away, uprooted, from family, tribe, community, even from their religion in its communal aspects."[7] Slaves are initially outsiders in Watson's definition also; he stipulates that slaves are always recruited by purchase or capture, and an element of coercion is inevitably present in the relationship.[8] The narrowness of this conception becomes evident when we consider the children of slaves. Persons born in captivity were certainly slaves in the eyes of the community, but they were not captives and not strictly outsiders. Finlay modifies his stand in the case of born slaves, and it becomes clear that outsider status is conceived in social terms, not ethnicity, place of origin, or psychological experience.[9]

This social aspect of slave status is developed in Miers and Kopytoff's work; they term it 'marginality', and offer it not as a definition of slavery but as a framework for analysis of servile systems.[10] By Finlay and Watson's criteria,

[3]Miers, S., and Kopytoff, I., "African 'Slavery'", p. 66.
[4]Finlay, M., "Peculiar Insitution", p. 819 (col. 2).
[5]In reply to which Watson simply adds the stipulation that slaves "...are never accepted into the kinship group of the master". If they are, then they are not slaves. This is indeed a "fruitless exercise in semantics" (Miers, S., and Kopytoff, I., "African 'Slavery;'", p. 7,11–12; Watson, J., "Slavery as an Institution", pp. 8–9). However, Watson's identification of open and closed systems of slavery, the former where land is abundant, seems to hold true for Perak, at least in the case of slaves acquired by purchase or capture. Ibid, p. 12.
[6]See Genovese, E., *Roll Jordan Roll, pp. 30–31.*
[7]Finlay, M., "Peculiar Institution", p. 819 (col. 5).
[8]Watson, J., "Slavery as an Institution", p. 8.
[9]Finlay, M., "Peculiar Institution", p. 820 (col. 1).
[10]Miers, S., and Kopytoff, I., "African 'Slavery'", p. 7.

debtors in Perak were not slaves as they were neither purchased nor captured, yet even these simple criteria are not easy to apply. Leaving aside the categorisation of women abducted for the Sultan's household, what distinction can be made between purchase and the transferral of debtors from one creditor to another against their will? Ultimately any discussion of definitions becomes somewhat sterile, and Miers and Kopytoff's offer of a framework of analysis is an attractive alternative.[11] The attempt to discover whether debt-bondsmen in Perak were truly slaves now resolves itself into the question of whether they were marginal in Perak society, and this requires a discussion of the concept 'marginality'.

Miers and Kopytoff's analysis begins at the level of the individual, the first isolated instance of acquisition of another person; this is its weakness. The acquired person is a "perfect stranger", but he or she cannot remain in this social limbo, a place has to be found in the existing social order. All societies employing servile relations can, then, be approached according to the marginality of the slave and the means of reducing it. "The problem for the host society is really that of *including* the stranger while continuing to treat him as a stranger,"[12] This initial isolated instance of acquisition is a conceptual device relating to no actual situation. Before the outsider is acquired, he or she already has a place in the society; in the Malayan context it is that of *hamba*. Moving from the individual level to the social, an interesting contradiction is evident: slaves are not marginal to the society as a whole, they are integral. In Malaya as in Africa, "strangers seeking patrons were welcomed; orphans or abandoned children were wanted; captives, unless dangerous or unmanageable, were eagerly sought. Kidnappers found a ready market for their victims."[13] Manpower was in demand and great importance was placed on the use of acquired persons, whether for production or social reproduction. If the term 'marginality' cannot be applied to the objective structural position of slaves, what does it apply to, and how useful is it as an approach to debt-slavery in Perak?

Marginality is an expression of the slave's "social identity", not what he or she does but what they are.[14] It is a measure of "social distance".[15] The indices of marginality are a slave's formal status, treatment, and access to whatever constitutes worldly success in a society;[16] nevertheless, social identity itself exists largely in the minds of people. Marginality is, then, a subjective and idealist conception and can only be useful if taken in conjunction with the actual material

[11]This does not imply that Finlay and Watson are solely concerned with definition. Watson offers a framework, drawn from Nieboer, which distinguishes servile systems according to whether they are open or closed. But it is difficult to apply this framework to Perak, where foreign slaves were assimilated into Malay society, but only to the same extent as Malay slaves. Whether the society was an open one, readily absorbing its slaves, or closed and rigorously excluding them, it is impossible to determine.

[12]Miers, S., and Kopytoff, I., "African 'Slavery'", p. 15; see also p. 40.

[13]Ibid, p. 14; see also p. 64.

[14]Ibid, p. 16.

[15]Ibid, p. 18.

[16]Ibid, p.19.

position of slaves in a particular society. Similarly, the assertion that an acquired person "must have his marginality resolved"[17] stands as self-evident and is never examined because, at the level of the individual, and the first act of acquisition, the stranger is an anomaly that the community has to contrive a means to deal with. Again, this abstraction has no objective counterpart. Only by dealing with slaves as social phenomena can we understand the contradiction between a slave's integral function and marginal status, and why it is that in some types of societies marginality must be resolved. I suggest that the marginality of a person in society is directly related to the importance of that class of person and may, in keeping with ideological constructions, express the exact opposite of the objective situation.[18] In order to uncover the meaning of slavery in any particular context, we need to have reference to the structure of social relations of which slavery forms a part.[19]

Miers and Kopytoff's essay is devoted to slavery "in societies dominated by corporate, autonomous kin groups".[20] The preferred form of mobilisation and distribution of surplus in such societies is through exploitation of kin.[21] Women in general perform services for men, and juniors for seniors.[22] Where state systems arise, they are not usually based on the dominance of one class within a lineage but take the form of aristocratic and commoner lineages.[23] Neither women nor juniors can be said to form a class in its Marxist sense as they are incapable of reproducing themselves over time and can expect in the normal course of events to change their position from a giver of services to a receiver.[24] They do not, then, possess the capability of conflict and transformation that the term 'class' implies. Slaves, on the other hand, are usually perpetual juniors.[25] They are therefore capable of forming social classes and, over a period of generations, a class-consciousness. The necessity of reducing a slave's marginality must be seen as an

[17]Ibid, pp. 18,22.

[18]An analogous situation in our society is that of the 'mere worker'.

[19]Finlay, M., "Slavery", p. 307.

[20]Miers, S., and Kopytoff, I., "African 'Slavery'", p. 65.

[21]Kinship is not simply a biological relationship; a woman may be 'husband' to another woman and have rights over her children, a man's slave wives may bear children for the husband's kin group while his 'free' wives bear children for their own. Miers, S., and Kopytoff, I., "African 'Slavery'", pp. 9, 30–31.

[22]Meillassoux, C., "Self-Sustaining Societies", pp. 134–135.

[23]Ibid, pp. 146–147.

[24]Terray, E., "Historical Materialism and Segmentary Societies", pp. 169–170. In this paper Terray concludes that women and junior do not constitute social classes, a verdict which he reverses in his "Classes and Class Consciousness in the Abron Kingdom of Gyaman" (p. 133). While I agree with him that this kind of debate is "sterile, because in the last analysis its outcome depends upon the definition which the debaters in question give to the term class..." (ibid, p. 101) as with the term 'slavery' I am concerned with the functional significance of the relationship in a particular society, not simply its definition. While exploitation of women and juniors does occur in segmentary societies, it does not give rise to antagonistic contradictions (as Terray is aware (ibid, p. 133)); to use the term 'class', then, is to rob it of operational value.

[25]Miers, S., and Kopytoff, I., "African 'Slavery'", p. 30; Terray , E., "Classes and Class Consciousness in the Abron Kingdom of Gyaman", p. 122.

attempt to mitigate the effects of social classes in societies lacking a structure to keep them in subjection, and to perpetuate a kin-based social system.

This argument is not contradicted by the fact that some marginal persons do not perform productive functions.[26] All persons in society bear some relationship to the economy, and their position can be understood, not necessarily as social classes, but in relation to existing class and kinship structure. *Hamba raja,* for instance, were not productive members of the community but were nevertheless essential for the reproduction of the economic system. The use of slaves in positions of authority and other non-productive functions helps to prevent classes forming around slave status, and again inhibits the formation of class-consciousness among born slaves.[27] The variety of uses of slaves shows us that the term 'slave' is no more useful for social analysis than the term 'wage-earner'. The *form* of exploitation is a subject for discussion only when the structural relationship of the participants has been discovered, and this can only be done by reference to a society's structure and to others with comparable structures. When we attempt to do this we discover that the concept of marginality is hardly useful for an analysis of debt-slavery in Perak.

In Perak debt-slaves were indeed marginal, according to Miers and Kopytoff's criteria. Their social status was the same as bought-slaves; they were subject to contempt and ill-treatment, and their social mobility was restricted. However, the problem of reducing their marginality never arose. On the contrary, the tendency was to increase it, since the debt-slave's 'social identity' was a reflection of their importance to the reproduction of the social system. In contrast to the societies examined by Miers and Kopytoff, Perak was a society based on the exploitation of social classes. This exploitation was still carried out by direct control of human beings as in kin-based societies, and control over the reproduction of the community had not completely given way to direct control of production. The social system was in a state of transition from the kind of organisation characteristic of agricultural self-sustaining communities,[28] to one in which social control centers on the control of productive property. If this is so, the concept of marginality, already shown to be one-sided, becomes even less appropriate. In a society where power does not lie with corporate autonomous kin-groups, what can debt-slaves be said to be marginal to? A social class cannot be marginal to 'society as a whole' since this embraces its constituent classes, and Perak society cannot be seen as a separate entity from its slave and debt-slave members.

[26]See Miers, S., and Kopytoff, I., "African 'Slavery'", p. 56; also Watson, J., "Slavery as an Institution", p. 8.

[27]Their marginality then confuses the issue of social class among 'free' persons. It is perhaps for this reason that "in the more complex societies —precisely those which had a political and economic basis for opression— the use of 'slaves' was so varied that they were dispersed throughout the social structure...". Miers, S., and Kopytoff, I., "African 'Slavery'", p. 48.

[28]Meillassoux, C., "Self-Sustaining Societies", pp. 133–146.

The definition of slavery, and its use as a tool of comparative analysis remains problematic. The difficulty arises from subsuming under a single category relationships that are functionally different. Whatever definition of slavery is decided on, very dissimilar relationships will often be classed together, while similar forms of labour use, such as debt-bondage, may be excluded. The primary focus of our attention should be the system as a whole, a particular structure of social relations, regardless of whether they meet the criteria of slavery in some instances. If societies are compared on this basis, rather than on their means of dealing with slaves, a fundamental division becomes apparent between kinship societies and class societies. The neglect of this obvious fact accounts for much of the confusion in finding a universal definition of slavery. In some cases slaves are a form of kin, in others the original social class; conceptually, and often historically, slavery exists at the juncture between the two. To reveal the precise significance of slavery in a particular instance requires a perspective that can reveal the structural dynamics of the society in question. Obviously, such a perspective cannot begin by assuming the relationships it seeks to uncover. The comparative study of servile systems can only be fruitful as part of the project of analysing and comparing societies as a whole; if this is neglected, no matter how many case studies are carried out, no useful conclusions can be drawn.

APPENDIX II

The duties of Hamba Raja

All *hamba raja* that are close [to their lord] should observe six stipulations. First, always to be diligent of heart, eye and ear to investigate whatever afflicts the subjects of his raja bringing dishonour to his lord. The raja should quickly be informed so that he knows about it. If it is known to the raja without being informed [by his *hamba*] his heart will harden towards him. Second, they should not be envious of their equals in Islam, because this envy is a discreditable attitude and an extremely painful sickness, because Allah (who is praised) certainly does not approve and it has no usefulness to the raja and will become an affliction to him. All debased attitudes like this should be cast out by the *hamba*. Third, he should be brave in doing homage at the proper time, even if he considers he has been angered by the raja, because it is the custom of *hamba* that not bringing distress to one's lord brings honour to oneself. Fourth, don't [look] for the raja's bounty and expect praise, because whoever vaunts himself is not praiseworthy. If any action of his is without consideration for his lord, if it is altogether finished but he has kept silent about it, he must not be ashamed about it in his thoughts concerning the raja. Because in a matter like this the raja needs to see his good character or is waiting for the moment [for him to come forward]. Fifth, he should carefully keep the raja's secrets, because that which is secret is something their lord entrusts to all his chosen *hamba*.

Translated from: Kempe, J.E., and Winstedt, R.O., "A Malay Legal Digest", p. 28.

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