

Council for 1983/1984

**TRADITION AND CHANGE
IN A MALAY STATE:
A STUDY OF THE ECONOMIC AND
POLITICAL DEVELOPMENT OF KEDAH
1878-1923**

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The Malaysian Branch of the Royal Asiatic Society

Monograph No. 12

TRADITION AND CHANGE
IN A MALAY STATE:
A STUDY OF THE ECONOMIC AND
POLITICAL DEVELOPMENT OF KEDAH
1878-1923

by

Sharom Ahmat

Printed for the Council of the M.B.R.A.S.

by

Art Printing Works Sdn. Bhd.

Kuala Lumpur

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The President and Council gratefully acknowledge a contribution towards the cost of publishing this Monograph from the State Government of Kedah.

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Edited for the Council of the Society
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Tan Sri Dato Mubin Sheppard

APR. 1992
Perpustakaan Negara

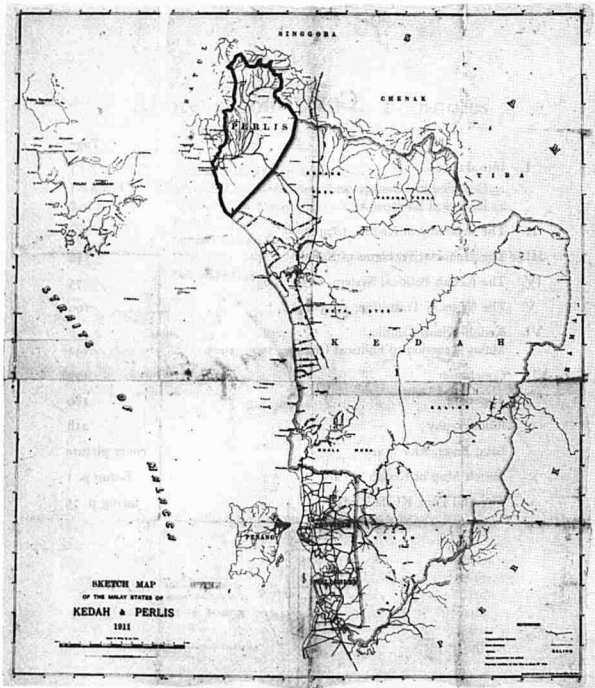
TO FAKHITAH, AZMI, AZLAN
AND THE MEMORY OF
MY MOTHER AND FATHER.

Abbreviation Used in Footnotes

J.I.A.	Journal of the Indian Archipelago
J.S.B.R.A.S.	Journal of the Straits Branch of the Royal Asiatic Society
J.M.B.R.A.S.	Journal of the Malayan Branch of the Royal Asiatic Society
K.A.R.	Kedah Annual Report
SC	Sultan's Correspondence
CO	Despatches and Telegrams from the Straits Settlements to the Colonial Office

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SINGORA

CHENAK

PERLIS

TIBA

K E D A H

PERANG

SKETCH MAP
OF THE MALAY STATES OF
KEDAH & PERLIS
1911



CHAPTER I

Introduction

I. *The Geographical Background*

Kedah, with an area of 5,870 square kilometers is one of the smaller states situated in the north-west of the Malay Peninsular. It is basically very flat country, ideal for wet rice cultivation. From the Perlis boundary right down to Kedah Peak, an expanse of 64 kilometers by 19 kilometers, is one long stretch of rice fields. It is only in the southern region of the state that there is higher land on which tapioca and rubber are grown. The only mountainous region is in west-central Kedah which is really a part of the Western Range of Malaya—a mountain range which begins at Singgora (Songkhla) and ends on the western border of Province Wellesley. From this range originates the two major river systems of Kedah, the Sungei Muda and the Sungei Kedah, which flow westwards into the Straits of Malacca. These rivers are, however, navigable only to a limited extent. In his description of Kedah in 1791, Michael Topping mentioned that the Sungei Kedah was navigable to vessels of 300 tons but only up to Alor Star, seven miles upriver. A short distance beyond Alor Star, the ground rises and the river becomes more rapid and is not fit for any kind of navigation except for small *prahus* (boats).¹

The human geography of Kedah, like that of other Malay States before the advent of the forces of modernization, was principally determined by its physical geography. In this relationship between Man and Nature, the most important factor was the river. This in turn largely explains the fact that the Kedah Malays were primarily self-supporting rice farmers settling on riverine and coastal areas. Consequently, it is also true that the siting of the largest political unit—the *negeri*—was normally in the basin of a large river or in a few cases, in the basin of a group of adjacent rivers, with the capital at the point where the river enters the sea². Likewise, the *daerah* or district and the *mukim* or sub-district were also closely related to the river system of the country³. In Kedah, the three coastal districts of

¹M. Topping, *Some Account of Kedah*, *J.I.A.* vol.4 (1850) p.43.

²J.N. Gullick, *Indigenous Political Systems of Western Malaya* (London 1965) p.21.

³It is relevant to note that in the boundary dispute between Kedah and Perak in the early decades of

Kota Star, Kuala Muda and Yan are all located in the basins of the three major rivers. Kota Star is in the valley of the main river, Sungei Kedah; Kuala Muda is in the valley of Sungei Muda; and Yan is in the valley of Sungei Yan. The other districts, which are inland, are located either in the upper valleys of these main rivers or in their tributary valleys. The districts of Baling and Sik are in the upper valleys of the Sungei Muda; Kubang Pasu and Padang Terap are in the two large tributary valleys of the Sungei Kedah. Finally, the other two districts of Kulim and Bandar Bahru are found in the northern basin of the Sungei Krian.

This characteristic settlement feature applies equally well to the *kampung* or village, the smallest Malay political unit. Riverine locations have always been the preferred locations where the Malays group together in *kampongs* either along the river bank or close to it, and the size and frequency of these settlements decrease as one goes upstream. J.R. Logan who visited Kedah in 1850 made a trip up the Sungei Kedah, and made a record of all the *kampongs* he encountered on the way. He mentions coming across 27 *kampongs* on the left bank, and 23 on the right bank. In his brief descriptions of these settlements, he noticed that the first village he saw, called Seberang Nyonya had 15 houses. As he went further up river, he observed a settlement of 6 houses near Gunung Keriang, 11 miles from the river mouth. By the time he reached the tributary of Kubang Rotan, he saw a *kampung* "with a few houses only".⁴

This characteristic of the settlement geography of Kedah persisted till the end of the 19th century when new forces of change, such as the intrusion of immigrant population, and the development of communications, brought about various modifications in this traditional pattern. But in the more remote parts of Kedah, this pattern has remained till today. The rise of river-centric Malay settlements is the result of circumstances which can be readily explained. From the point of view of the *raayat* or common people, rivers acted as the most convenient and in most cases, the only means of transport. Also, they provide a constant and unlimited supply of water both for domestic as well as agricultural use. Coupled with the fact that river basins meant the existence of alluvial soil for the cultivation of wet rice, one can easily understand the growth of such settlements. On the other hand, Malay rulers and administrators see in the river, both economic and political advantages. Traditional Malay rulers depended very heavily on their ability to impose taxes on imports and exports as this capacity was the main basis of their political power. In this context, rivers offered the most efficient means of collecting duty as the movement of goods depended on water

the 19th century, the Kedah authorities claimed the whole of the Krian basin, and not only its northern portion as belonging to Kedah. In 1843, the Sultan of Kedah seized the Krian district whereupon Perak prepared for war and demanded British aid under the terms of Low's Treaty of 1826. The British recognized the validity of Perak's case, because on the basis of European concept of territorial extent, they considered the river and not the whole valley as the boundary between the two states.

⁴J.R. Logan, Notes at Pinang, Kedah etc. J.I.A. vol.5 (1851) pp 60-61.

transport. Besides this paramount objective, rivers also provided an effective control on the movement of people within a particular territory. In addition, the concentration of population around and near rivers facilitated the work of the territorial chiefs and village headmen. Finally, river-centric settlements simplified the problem of defence in times of political instability, either as a result of internal problems or external aggression. The end result of this feature was that the settlement geography of Kedah in the 19th century was characterised by its homogeneity. This predominantly riverine characteristic, together with the cultivation of wet rice as the major economic activity of the population added up to a stable geographical picture.

Data on the population of Kedah, even for the 19th century, are difficult to come by. Under normal circumstances, the various territorial chiefs did have an idea of the numbers of inhabitants within their own jurisdiction. But there was no attempt to coordinate such information, and it was only at the beginning of the 20th century that the Kedah authorities saw a need for some form of census. Generally speaking, it is known that Kedah in the 19th century had a small population, and vast areas of the country were uninhabited. Even the populated areas were often undersettled. From some of the contemporary English writings, we are able to get a rough idea of the total population of Kedah during the last century. Anderson, quoting Captain Glass, the Commanding Officer of the English troops in Penang, estimated that the population of Kedah in the 1790's exceeded 40,000.⁵ Newbold tells us that Kedah before the Siamese invasion of 1821 was divided into 128 mukims each with at least 44 families. His estimate of the population at this time was about 100,000.⁶ Logan, writing about Kedah in 1850 regretted the fact "that this magnificent plain which is capable of supporting a large population, and at no distant date numbered 100,000 inhabitants should remain in its present condition, more a great wild than a cultivated land."⁷ What also appears clearly from these accounts is the fact that the population of Kedah was greatly reduced as a consequence of the Siamese invasion. Writing in 1837, James Low, the administrator of Province Wellesley, estimated that no less than 70,000 Malays had left Kedah to settle in the adjacent British territories, leaving only 20,000 inhabitants in the state.⁸ Some idea of the population decrease in Kedah can be inferred from an observation of the figures in the growth of the Malay population in Province Wellesley between 1812 and 1860. This is because it is known that many of the Kedah Malays who fled from their homes between 1821 and 1840 congregated in Province Wellesley. Thus, it

⁵J. Anderson, *Political and Commercial Considerations Relative to the Malay Peninsula and the British Settlements in the Straits of Malacca*. *J.M.B.R.A.S.* vol.33 Pt.4 (1962) p.51.

⁶T.J. Newbold, *Political and Statistical Account of the British Settlements in the Straits of Malacca*. vol.2 (London 1839) p.3.

⁷Logan, *op.cit.* J.I.A. vol.5 (1851) p.56.

⁸J. Low, *Origin and Progress of the British Colonies in the Straits of Malacca*. *J.I.A.* vol. 4(1850) p.366.

was in all probability, this movement of people that accounted for the Malay population of Province Wellesley to increase from 5,399 in 1820 to 41,702 in 1833.⁹

Growth of the Malay Population of Province Wellesley, 1812-60

1812	3,350
1820	5,399
1827	17,805
1833	41,702
1844	44,271
1851	53,010
1860	52,836

After the Sultan of Kedah was restored to his throne in 1842, Kedah Malays began to return to their state, although the actual numbers are not known. But from the above table, it will be seen that between 1833 and 1844 there was only an increase of 2,569 persons. Since it is reasonable to assume that natural increase alone, over a base population of 41,702 persons over a period of 12 years should have been greater, this can only be accounted for by the fact that many of the Province Malays had returned to Kedah. However, not all the Malays who left Kedah returned after 1842 because "a large population of the Malays who have obtained lands in Province Wellesley or emigrated elsewhere to more distant places and those who had grown to manhood since the Siamese invasion preferred to remain in their adopted homes."¹⁰

With regards to the distribution of population in Kedah, the centres of settlement in the 19th century were the valleys of the Sungei Kedah, Sungei Muda and Sungei Merbok. Apart from these, there were Malay settlements in the valley of Sungei Yan and in the northern basin of Sungei Krian. To a much smaller extent, settlements were also found in the interior of the state, such as the area which lay between the Muda valley in the north and the Krian valley in the south. But this was the least inhabited area of Kedah because it lacked a well defined river basin, and hence, there was little alluvial lowlands for rice cultivation which would attract the traditional Malay settlers. This situation was also true of the inland districts of Baling, Bandar Bahru and Kulim. We can get some idea of the population pattern of Kedah in the 19th century by looking at the population figures, by districts, for 1911, as it is fairly safe to assume that the 1911 picture was to a large extent, the continuation of the situation in the previous century.¹¹

⁹Zaharah bt. Mahmud, *Change in a Malay Sultanate: A Historical Geography of Kedah before 1939*, M.A. Thesis (University of Malaya 1966) pp 14-15.

¹⁰Logan, *op.cit.* J.I.A. vo.5 p.58.

¹¹Zaharah, *op.cit.* p. 150.

Population of Kedah by District, 1911

Kota Star	99,640
Kuala Muda	33,331
Kubang Pasu	23,394
Kulim	19,937
Yan	14,061
Bandar Bahru	9,507
Pulau Langkawi	8,746
Padang Terap	7,721
Baling	2,552
Total	245,986

In the context of later discussion, particularly with regards to the political structure and control of the state, the population composition of Kedah proved to be of great significance. Of particular note was the fact that the population of the state in the 19th century, and indeed even in the 20th was, to a very high degree homogeneous. The first yearly report of the administration of Kedah stated that the total population of the country was 219,000, out of which 195,411 were Malays.¹² The non-Malay minority population was not only small in number, but that they intergrated very well with the local Malays. The most notable of these groups were the *Jawi Pekan* or *Orang Peranakan*. These people were the outcome of inter-marriage between Indian Muslims, who had settled in Kedah, and the local Malays. Although small in number they were, nonetheless, very influential because they were a very successful commercial community. It is interesting to note that the *Jawi Pekan* did not suffer from social prejudice; in fact they formed a rather privileged class as the local aristocracy found it advantageous to treat them as social equals.¹³ Another minority group was the *Sam Sam*.¹⁴ They were principally agriculturalists and were found in the upper valleys of Kubang Pasu, Padang Terap, Baling and Sik. The *Sam Sam* population of Kedah was greatly reduced in 1842 when in the restoration of the ex-Sultan, Siam withdrew the state's northern provinces from the restored kingdom.

The fact that these people were agriculturalists living in the outer fringes of population centres meant also that they did not conflict with the majority of the

¹²Yearly Report on the Administration of the State of Kedah, Sept. 1905–Aug. 1906 p.5.

¹³Zaharah, *op.cit* p.28.

¹⁴The origin and meaning of the term *Sam-Sam* is not very clear. It could be a corruption of the Hokkien word "tcham-tcham" meaning mixture, or it could be derived from the Malay word "sama-sama" which means together. To the people themselves, the term is defined as *Sam Sam Siam* (Siamese Sam Sam) or *Sam Sam Melayu* (Malay Sam Sam) or *Sam Sam Masok Islam* (Sam Sam who embraced Islam). Hence, there were Sam Sam who were Buddhists, and others who were Muslims. In any case, they are a product of the mixture of Malays and Siamese, or Malays, Chinese and Siamese.

See, C. Archambault, A Preliminary Investigation of the *Sam Sam* of Kedah and Perlis, *J.M.B.R.A.S.* Vol.30 pt.1 (1957).

population. Finally, coming into Kedah as immigrants in the late 19th century were various groups of Indonesians. The west coast states of Malaya as a whole, during this period, experienced an influx of Indonesian immigrants from Minangkabau, Jambi, Palembang, Java, Bawoan, Banjarmasin and Celebes. In the case of Kedah, Province Wellesley and northern Perak, one Indonesian group featured prominently—the Achense. The most significant period of Achense migration was between 1860 and 1900, a period which coincided with the years of Dutch military campaigns in Aceh. As far as Kedah was concerned, the Indonesian population was very small indeed. The census figures for 1911 showed that there were only 1,790 Indonesians in the state.¹⁵

The significant fact which arises out of these three minority groups in Kedah is that they did not upset the traditional pattern of population composition. Unlike the Chinese and Indian immigrants, they did not differ greatly from the local inhabitants; neither did they upset the local populace because their settlement and occupational habits were similar. It is true that during the initial period of their immigration, the Achense exhibited tendencies towards developing along different lines mainly because of certain geographical and historical circumstances. Firstly, the Achense settled in several coastal areas in the districts of Yan and Kuala Muda, and hence they were separated by stretches of secondary jungle from the centres of Malay population. Furthermore, in the earlier stages of their settlement, the Achense were also separated from the indigenous population by differences in economic activity. These immigrants were basically pepper planters. On the other hand, the Malays, who were self-contained and self-sufficient in their padi economy, saw no reason to have contact with the Achense. This gap, however, slowly broke down once communications improved, and once pepper cultivation proved inadequate and unsuitable in Kedah. Perhaps, the most important single factor which very quickly breached the gap between the local Malays and these minority groups, was religion. Being Muslims, inter-marriage between the Muslim *Sam Sam*, Indonesians and local Malays was easy. The ready acceptance of Indian Muslims also reflected the importance of religion in breaking down racial barriers. Finally, the first generation of mixed marriages normally regarded themselves as Malays, and in practically all cases, were accepted as such.

Very different in nature and consequence was the immigration of Chinese, and to a lesser degree of Indian Tamils into the state. Because of differences in racial and religious backgrounds, and because these immigrants were engaged in completely different economic activities, they formed a very distinct and separate group within the population. The Chinese in particular, as will be discussed

¹⁵The breakdown of this total shows that there were 908 Achense, 716 Javanese, 117 Banjerese, 33 Boyanese and 16 Bugis. It is pertinent to note that these figures may well have been inaccurate. For one thing the problems of census taking in a country like Kedah in 1911 where communications were difficult could at best have been only estimates. As for the Indonesian population, the figures probably represented only those people who admitted that they were Indonesians.

subsequently, was the one element that gave the state quite a great deal of trouble. There are no figures of the Chinese population in Kedah in the 19th century, but it is known that Chinese immigration into the state began after 1850. In the 1850's, "it is believed that about 2,500 to 3,000 Chinese land(ed) annually at Penang and spread from there to Province Wellesley and the Siamese Malay territories".¹⁶ Some Chinese had of course been in Kedah well before this time. Captain Light for instance reported that a few days after his arrival in Penang, some Chinese led by the Kapitan China came from Kedah with a present of fishing nets. Around this period, there also existed a small settlement of Chinese on the coast of Kedah at a place called Batu Karam where they were engaged in sugar planting.¹⁷ But the greatest single factor which brought Chinese immigrants into Malaya was of course the existence of tin deposits. This was equally true of Kedah where the presence of tin in Kulim, Kuala Muda and Krian led to concentrations of Chinese settling in these areas. By the late 1860's they must have been fairly substantial in numbers to be able to go to Penang and participate in the riots of 1867.¹⁸ The Kedah Malay records of the 1880's make frequent references to the Chinese problem, and particularly those in the district of Kulim where the Malay authorities estimated the number of Chinese to be around 6,000. The administrative report of 1905-06 referred to "considerable Chinese elements in the mining districts" but it was not until the census of 1911 that a more definite idea of the number of Chinese in Kedah was known—33,746. As can be expected, the pattern of distribution of the total Chinese population corresponded with tin mining activities as the following tables show.

Population of Kedah by Selected Communities in Selected Districts, 1911¹⁹

	Kota Star	K. Muda	Kulim	B. Bahru	K. Pasu	Yan
Malaysians	91,561	21,642	8,716	5,630	25,106	14,061
Chinese	8,744	9,134	8,761	3,174	840	744
Indians	999	1,779	1,981	611	423	53

Distribution of Chinese Mining Coolies in Kedah, 1911²⁰

P. Terap	Kota Star	K. Muda	Kulim	Baling	K. Pasu	Krian	Yan
0	0	642	652	171	37	417	0

¹⁶R.N. Jackson, *Immigrant Labour in the Development of Malaya, 1786-1920* (Kuala Lumpur 1961) p.43.

¹⁷V. Purcell, *The Chinese in Malaya* (Oxford 1948) pp 39, 51.

¹⁸C.D. Cowan, *Nineteenth Century Malaya* (London 1961) p.33.

¹⁹Zaharah, *op.cit.* pp.155, 158.

²⁰Kedah Annual Report, Jan-Dec. 1911.

The final immigrant group which provided a contrast with the local population were the Indians. These immigrants were very different from the early Indians of Kedah for while the latter were traders and mainly Muslims, the former came as a labouring force and were Tamil Hindus. Consequently, the new immigrants formed a distinctive feature in the human geography of Kedah. In 1911, it was estimated that the number of Indians were 6,074. This was, however, a rather late phenomenon as Indian immigration into the state was closely related with the establishment of British administration, and hence they had little impact on the traditional period.

The significant fact to note out of this discussion on the population of Kedah, is that the state, throughout the 19th century remained very largely a rural one with a population which was to a very great extent homogeneous. The increase of population from the 1860's as a result of immigration did little to alter the local demographic feature. This was primarily due to the fact that unlike other west coast Malay states, the immigration of non-indigenous communities into Kedah was shorter in duration and less intensified in numbers. Thus, even in 1911 although the population composition now included Chinese, Indians and Indonesians, Kedah still preserved the characteristics of the traditional period, and it was this feature which contributed significantly to the development of a stable political state after 1842.

Population of Kedah by Community. 1911²¹

Malaysians	195,411
Chinese	33,746
Indians	6,074
Siamese	5,749
Indonesians	2,386
Others	2,620
Total	245,986

II. *Historical Background*

Of all the states in Malaya, Kedah is the most ancient. Here, the discovery of ample archaeological evidence proves that Kedah has had a continuous settlement since the 4th century A.D.²² It was Kedah's favourable geographical

²¹Zaharah, *op.cit.* p.113.

²²The most detailed accounts of archaeological discoveries in Kedah are discussed by Dr. and Mrs. Quartich Wales in the Journal of the Malayan Branch of the Royal Asiatic Society. H.G. Quaritch Wales, Archaeological Researches on Ancient Indian Colonization in Malaya *J.M.B.R.A.S.* vol. 18 Pt. 1 (1939) pp 1-85 Dorothy C. and H.G. Quaritch Wales, Further work on Indian Sites in Malaya *J.M.B.R.A.S.* vol.20 Pt.1 (1941) pp 1-11. See also, J. Low, An Account of Several Inscriptions Found in Province Wellesley, *Miscellaneous Papers Relating to Indo-China* vol.1 (1st Series 1886) pp 223-6.

A. Lamb. The Temple on the River of Cut Stone, *Malaya in History* vol. 4 (1958) p.25.

location that first attracted the early traders and colonizers. The Malay Peninsula as a whole was important because it bordered the Straits of Malacca—the main sea route between the West and China. This whole stretch was therefore, a potential area for the establishment of ports and emporia. But it was Kedah, in the northwest of the Peninsula which provided the first sight of land for the Indian traders and colonists after crossing the Bay of Bengal. Besides this, the Indians discovered that the mouth of the Sungei Merbok provided a wide, deep and safe anchorage. Then, there was the distinctive landmark of Kedah Peak, 1215 meters high, visible from the sea as far as 48 kilometers away, and which the Indians considered to be the home of the Gods. Once on land, the Indians saw that the area around the Merbok river possessed excellent water supply, and there was ample land for food production and adequate rising ground on which to build a town. Finally, it was not long before the Indian colonizers learnt of the easy access by land from Kedah to Patani, Singgora (Songkhla) and Ligor which were all on the other side of the Peninsula.²³ This of course enhanced the value of Kedah as an important northern entrepot of the Malay Peninsula. All these factors resulted in the early colonization of Kedah, and by the 5th century A.D., it had become not only a fully Indianized state, but also a prosperous, thriving area with a settled government.²⁴

For six centuries (5th to 11th century A.D.) the economy of Kedah was based primarily on trade. As early as the 4th century, Kedah had become the collecting point for the products of the surrounding areas. By the 8th century this port-city had become a large and famous one. Arab traders had also begun to come here and commercial contacts were established with China. By the 11th century, however, Kedah as a prosperous entrepot began to decline. Being at this time a vassal of the Sri Vijayan Empire, Kedah was dragged into warfare with one of Sri Vijaya's enemies, the powerful naval empire of the Chulas which had grown up on the Coromandel coast. Thus by the end of that century, the zenith of Kedah's prosperity had passed, and although trade with the countries of the Indian Ocean and China continued, it was never to recapture the old fame of an entrepot-city.

The fading away of Kedah's entrepot trade made her turn attention to the land, and by the time the Portugese arrived, she was already an important producer of rice in the peninsula, a position which Kedah has held up till the present day. Kedah, however, still maintained her interest in trade, and her strategic location continued to make her commercially attractive. English pioneers and Dutch monopolists in the 17th century found in Kedah still a very worthwhile trading centre.²⁵ But this aspect of Kedah's economy became less and less important, and by the 1770's she was essentially a rice producing country.

²³R. Braddell, Most Ancient Kedah Part I, *Malaya in History* vol. 4 (1958) p. 25 A.W. Hamilton, The Old Kedah-Patani Trade Route, *J.S.B.R.A.S.* No. 86 (1922) p. 389.

²⁴P. Wheatley, *The Golden Khersonese, Studies in the Historical Geography of the Malay Peninsula before A.D. 1500* (Kuala Lumpur 1966) p. 275.

²⁵R.O. Winstedt, Notes on the History of Kedah, *J.M.B.R.A.S.* vol. 14 (1936) pp. 157-176.

English writers²⁶ in the late 18th and early 19th centuries were all impressed by the fact that Kedah had "a greater number of open plains and sawahs than any of the other Malay states" and that it was also the best cultivated part of the Malay Peninsula. Kedah in fact produced more rice than she required; the surplus was exported to neighbouring ports, and after 1786 Penang became the most important market.

An important watershed in Kedah's economy came after the cession of the island of Penang by the Sultan of Kedah to the British. Prior to this Kedah could still depend on trade with the British, native traders from the islands of the archipelago, and traders from Malabar, Coromandel and China. But with the establishment of Penang, trade was diverted from Kedah to this new settlement, causing a loss of some \$20,000 a year to the revenue of Kedah.²⁷ One significant result of this loss was to make the Kedah authorities work out alternative means of raising revenue. This was found in the system of farming out various revenue rights in the state to Chinese merchants, a system which became the backbone of Kedah's economy for the greater part of the 19th century. Details about the farming system in the early years of the 19th century are not available, and it featured only when difficulties cropped up. For instance, in October 1818 began a long drawn out correspondence between the Governor of Penang and the Sultan of Kedah. This was started by a demand for redress by the Governor for a cargo on a ship belonging to the East India Company which had been seized by a Straits born Chinese farmer at Kuala Muda. In addition the Governor was also complaining of the abnormally high duties imposed by the farmer on goods which were in transit to Kroh in Perak. From the second half of the 19th century, however, this method of raising revenue became much more widespread and at the same time there was also a great degree of cooperation with the British in Penang.

The political history of pre-1842 Kedah was dominated by two characteristic trends. Firstly, her internal political structure, particularly after the 16th century was subject to the problem of dynastic squabbles and the struggle for power. The second feature was that Kedah, at different periods of her history, had been under the orbit of some greater and more powerful country. Significantly, Kedah's long experience with external powers particularly with the Siamese and the British influenced her to alter her policies after 1842, and one of the most important outcome of this was the substitution of political uncertainties for a well ordered government.

The first mention of dynastic trouble in Kedah comes from a Dutch source which mentions that in August 1681, a Dato Padang Sri Jawa, a younger brother of the Sultan of Kedah, solicited Bugis help from Selangor in order to oust the

²⁶Topping, *op.cit.* p.42.

Anderson, *op.cit.* p.51.

Newbold, *op.cit.* p.3.

²⁷Anderson, *op.cit.* p.151.

Sultan from power. No other details about this affair are known, but it is reasonable to assume that since Sultan Ziauddin Mukarram Shah continued to rule Kedah till his death in 1687, nothing came out of the attempted coup.²⁸ In the 18th century, this problem assumed much greater seriousness and consequences. Shortly after 1722, the eldest son of the late Sultan Abdullah Muazzam Shah, (1698–1706) Sultan Mohamed Jiwa Zainol Abidin Muazzam Shah, (1706–1760) invited the five sons of Upu Tenribong Daing of Lakkai in the Celebes to help him hold his throne against his younger brother. On the promise of fifteen bahara of gold, the five Bugis brothers came to Kedah, and after three months successfully secured the throne for their client. The Sultan's younger brother, however, turned to Raja Kechil, a Minangkabau pretender and enemy of the Bugis to put him on the throne. This brought the Bugis back to Kedah and it took them two years before they could defeat and drive out Raja Kechil.

The Bugis featured once again in Kedah's internal history in the 1770's. This time they were called in because of the discontent of certain numbers of the royal family against Sultan Mohamed Jiwa.²⁹ This was caused by the action of the Sultan who, since he had no children by his royal marriage, decided to nominate the son of his first cousin to succeed him. Later, however, the Sultan had a son, Tengku Abdullah, by one of his concubines, and subsequently decided to revoke his original decision in favour of his son. In 1754, Sultan Mohamed Jiwa had another son, Tengku Thiauddin by another concubine and in order to ensure that Tengku Abdullah would succeed to the throne, and at the same time to prevent rivalry between the two princes, the Sultan appointed the former to be Raja Muda and the latter as Sultan Muda. As Sultan Muda, Tengku Abdullah was able to control the whole of Kedah, south of, and including the Sungei Kedah basin while the Sultan retained authority over Setul, Perlis and Kubang Pasu. Because of these developments, the group of dissident relatives began to plan the overthrow of the Sultan so that they could prevent the accession of Tengku Abdullah. Hence, secret arrangements were made with Bugis mercenaries from Selangor and Perak who were promised "the plunder of all the Chooliahs and Chinese" in return for their help. The Bugis came and succeeded in taking the country by surprise, but this was short-lived because by April 1771 the loyalists had re-organised, and they regained control of the country. Sultan Mohamed Jiwa continued to reign till 1778 when Tengku Abdullah, as planned, succeeded to the throne.

One far reaching influence on the political history of Kedah, was her contacts with Muslim Malacca. In pre-Islamic Kedah, the country had been a vassal of Sri Vijaya and of Siam too.³⁰ Then in 1474, the ruler of Kedah, Phra Ong

²⁸Winstedt, *History of Kedah*, p.176.

²⁹J. Bastin, Problems of Personality in the Reinterpretation of Modern Malaysian History, in *Essays Presented to Sir Richard Winstedt*, pp. 147–48.
R. Bonney, The Lease of Kuala Kedah—Fact or Friction, *Journal of the Historical Society, University of Malaya*, vol.6 (1967–68).

³⁰The origin of the Siamese claim to suzerainty over Kedah is not clear but it is generally accepted

Mahawangsa was converted to Islam, and assumed the name Sultan Mudzaffah Shah.³¹ This was followed by his visit to Malacca to solicit the honour of the *nobat* (the royal band) which was a mark of the sovereignty of a Malay Muslim ruler. This request of Kedah could be interpreted as showing her readiness to be Malacca's liege, probably in the hope of getting help against Siamese aggression.³² Anyway, Kedah's relationship with Malacca was to have very long term effects on the development of the country. For one thing, various economic regulations and laws of Kedah were based on the Malacca model, the most famous being the Kedah Port Laws of 1651. Furthermore, the political structure and hierarchy of Kedah was essentially based on the Malacca code.

Of the various foreign powers with whom Kedah came into contact, that with Siam and the British proved to be the most significant to the future of the state. The nature of the Siamese overlordship over Kedah, and the significance of the *Bunga Mas* (The Golden Flowers) which was periodically sent to Bangkok have been differently interpreted by different people. But in practice, the history of Kedah-Siamese relationship bears out the accuracy of Newbold's comment that "... it seems after all that the Lord of the White Elephant (Siam) has as much original right as present power and ancient aggression can give him and no more"³³ Thus, there were times during this relationship when Siamese suzerainty was irrelevant. We have seen that when the Sultan of Kedah became a Muslim, he had gone to Malacca to obtain the royal insignia from a Malay sovereign rather than seek recognition from Siam. Likewise, the Siamese could do nothing when the Portugese attacked Kedah in 1611, or when Sultan Iskandar Muda of Aceh conquered the state in 1619, and took its ruler into captivity. Neither did Siamese suzerainty make any difference during the period when the Dutch signed a commercial agreement with Kedah, or when the Bugis were brought in to play the role of king maker in the country's politics. Finally, when the Sultan of Kedah ceded the island of Penang to the East India Company in 1786, he made no reference to Siam, and acted as a fully independent monarch. On the other hand, whenever Siam did make demands on Kedah such as for contributions in men, money and supplies for her war efforts, these demands were met in full. Thus the subjection of Kedah was effective so long as the suzerain had the power to enforce it; once this power waned, so too did submission on the part of the dependency.

The resurgence of Siamese control over Kedah began with the opening of the

that from the end of the 13th century, the Siamese started their conquests in the Malay Peninsula. When Kedah actually became a Siamese dependency, is not known. However, the Sanskrit-Siamese names of the last two pre-Islamic rulers of Kedah—Phra Ong Maha Podisat (c.1422-1452) and Phra Ong Mahawangsa (c.1452-1476)—may be an indication that Siamese control was established by 1422.

³¹1474 is the date which is given in an Achenese account regarding the ruler's conversion to Islam. This is confirmed in the *Sejarah Melayu* (The Malay Annals) which tells a story of the Kedah ruler's visit to Malacca to gain recognition from Sultan Mahmud Shah.

³²Windstedt, *op.cit.* p.156.

³³Newbold, *op.cit.* p.7.

19th century. In 1798, when Sultan Thiauddin Mukarram Shah came to the throne, the Siamese had already begun to reassert their authority over Kedah. One of the major things they did was to replace Sultan Thiauddin in 1804 and putting in his place, Tengku Pengeran, his nephew, who became Sultan Ahmad Tajuddin. By this time Siam had recovered from her wars with Burma, and so she could once again turn her attention to the Malay Peninsula. It was from this period that Sultan Ahmad Tajuddin constantly complained to the Penang government regarding Siamese demands and threats. Siam was not only demanding material help from Kedah, she also wanted her to subjugate Perak who had refused to send the Bunga Mas to Bangkok. The climax of the Kedah-Siam relations came in 1821, when in November of that year Siam invaded Kedah. The invasion was justified on the grounds that the Sultan had failed to send the *Bunga Mas*, that he had refused to comply with the Siamese demand for money and supplies, and that he was intriguing with the Burmese.

As a result of this conquest, Sultan Ahmad Taujuddin fled to Penang for asylum, and he was followed by thousands of refugees who escaped into the British territory. In Kedah itself, thousands were killed and many others abducted. The Sultan's favourite son Tengku Yaacob, who tried to escape, was captured and sent to Siam; the *Bendahara* (Prime Minister) was imprisoned and later poisoned. Besides the loss of lives, pillaging and the destruction of property took place on a large scale. The economy of Kedah was disastrously affected for the trade of the country was now diverted from Penang to Ligor. Captain Burney, who visited "almost every river in the territory of Kedah", in 1825 observed that the Raja of Ligor had made necessary arrangements for exploiting the resources of the state. And his son in Kedah made sure that the principal products of rice, timber and tin went to Ligor.³⁵ The Siamese Court in Bangkok also showed great interest in the Raja of Ligor's schemes regarding Kedah for they also received a share of the plunder. Besides guns and other articles, about 1000 Malays from Kedah were sent to Bangkok to become slaves to the King, the Wang-na (Second King) and almost every Siamese Minister.³⁶

The Siamese occupation of Kedah lasted for 21 years, during which time the Malays made several attempts to drive out the occupiers. In 1828 and 1829, two short-lived attempts were made by the Sultan's nephews, Tengku Mohamed Said and Tengku Kudin. Tengku Kudin tried again in January 1831, and this time succeeded in re-occupying Kedah for 10 months. In 1836, yet another Malay attack was launched but this was very swiftly beaten off. The final effort was made in 1838 under the leadership of Tengku Abdullah, the eldest son of the Sultan, and two of his cousins, Tengku Mohamed Said and Tengku Mohamed Taib. This was the most successful of the whole series of Malay counter-attacks, and they held on till February 1839 before the Siamese once again pushed them out.

³⁵*The Burney Papers* vol.2 Pt.4 (Bangkok 1910) p.17.

³⁶*Ibid.*, vol.1. Pt.1 p.176.

By this time it became clear to Sultan Ahmad Tajuddin that he could not possibly regain his kingdom by force especially when the British were not only unwilling to give Kedah any assistance, but that they aided the Siamese every time. The Sultan, therefore, decided to send his eldest son, Tengku Dai to Bangkok to beg for pardon and reinstatement. Governor Bonham gave Tengku Dai a letter for the *Phrahklang* (Minister of Foreign Affairs) in which the Siamese were asked to restore the Sultan because British help to maintain Siamese control in Kedah could not be continued. By this time too, the Siamese were more amenable to change. The King realized that all the years of Siamese control over Kedah had in fact produced more problems instead of getting any profit out of the occupation. The King therefore decided to send Phya Si Phiphat, the commander-in-chief of the Bangkok army, to Kedah for the purpose of taking all the necessary measures to ensure lasting peace in Siam's southern provinces.³⁷

In the case of Kedah, Phya Si Phiphat recommended a thorough reorganisation of the administration. The King was informed that as long as Siamese officials directly governed Kedah, there was bound to be trouble, and so it was recommended that the state should be entrusted to Malays, preferable relatives of the deposed Sultan who were at the same time acceptable to Siam. Furthermore, it was recommended that the potential strength of Kedah should be weakened by breaking up the state into three separate territories. All these recommendations were accepted and the country was then divided into a much reduced Kedah with Tengku Anum³⁸ as its Governor, Kubang Pasu under Tengku Hassan, and Perlis under Tengku Hussain. Finally, in 1842 the King of Siam restored Sultan Ahmad Tajuddin to the throne of the new Kedah.

This whole experience taught both Siam and Kedah some very valuable lessons which to a large extent guided their policies for the rest of the 19th century. The Siamese learnt that direct involvement in the internal affairs of Kedah would only bring about Malay resistance and this would be too costly to put down unless they obtained help from the British. But the British had made it clear that they were not willing to continue playing this role, and in the context of European activity in the region in the late 19th century, Siam realized that she could not afford to alienate the British. The end result was the virtual independence of Kedah over the internal administration of the country. On the part of Kedah, they learnt the futility of resistance against a more powerful country, and the unhappy years of Siamese occupation made them decide that such an experience should not occur again. Hence, Kedah consciously strove to avoid any such

³⁷C. Skinner, A Kedah Letter of 1839 in *Essays Presented to Sir Richard Winstedt* ed. J. Bastin and R. Roolvink (Oxford 1964) pp 158-59.

³⁸Tengku Anum was a distant relative of Sultan Ahmad Tajuddin who had in the past shown that he could be relied upon to uphold Siamese interests. He had for instance attached himself to the Raja of Ligor, and in 1826 he led a delegation of Kedah chiefs who presented a petition to the Court of Siam, assuring the King that the Malay population were happy under Siamese rule, and that the deposed Sultan should not be restored.

recurrence, and the result was a very stable, organized government which made her a model Malay state.

Kedah's relations with the British during the resurgence of Siamese control over the state was an unhappy one for the Malays. Ever since the Siamese started demanding material help from Kedah, the Sultan had appealed to Penang for aid. But each time Penang gave the same reply; that the Supreme Government had forbidden all interference in the political affairs of neighbouring Malay states, and hence their hands were tied. Unable to get any favourable response from Penang, the Sultan on 24 December 1810 wrote to Lord Minto, the Governor-General of India, seeking a military alliance with the British.³⁹ This appeal brought no different result from the Sultan's earlier ones to Penang. Lord Minto merely repeated the decision of the Supreme Government not to involve the Company in "military operations against any of the Eastern Princes". From 1813, Siam was harrasing Kedah to subjugate Perak and most reluctantly, Kedah finally launched the attack in September 1818. Following this, Kedah was also forced to supply men, boats and provisions to Siam for an intended attack on the Burmese at Junk Ceylon. By this time the Sultan had enough and wrote to Governor Bannerman asking "to be entirely under the protection of the King of England".⁴⁰ This was referred to the Supreme Government in India which, as usual refused to be committed.

The next stage of this relationship was when Kedah was conquered by Siam, and the Sultan lived in exiled in Penang. From the very beginning of this period, Sultan Ahmad Tajuddin tried to persuade the government of Penang to help restore him to the throne. Each time, the British told him that they would try to do so through negotiations, but would on no account use force on his behalf. But when the British began negotiations with the Siamese, it became clear that the question of restoring the Sultan was only a subsidiary issue. British interest was primarily economic. To the Penang Council, they were worried that Siamese rule in Kedah would interrupt the normal flow of food supply to the island, and were therefore anxious that some agreement be reached on this matter. A wider economic objective was to get the Siamese to revise their commercial regulations which were a great obstacle to British trade. Thus, when the Crawford Mission was sent to Bangkok, the paramount objective was to obtain commercial concessions. Crawford had been instructed that the improvement of commercial relations was not to be jeopardized by the introduction of matters distasteful to the Siamese. Likewise, the Burney Mission showed the same priority, and the Burney Treaty of 1826 saw the British abandoning the cause of the Sultan of Kedah, and instead supporting the Siamese position.

British support for the Sultan was very real indeed. During the period of Siamese occupation, every time the Malays tried to recapture their country, the

³⁹Anderson, op. cit. pp. 75-81.

⁴⁰Tye Soh Sin, *Penang-Kedah-Siam Relations 1786-1826*, Unpublished Academic Exercise (University of Malaya, 1957) pp. 16-19.

Raja of Ligor religiously demanded the British to honour their pledge to prevent the Sultan's adherents from attacking Kedah. And every time the British responded by sending in warships to blockade Kedah. It was these blockades which were so effective, that enabled the Siamese to drive out the Malays, and continued their occupation. The British position viz-a-viz Kedah-Siamese relations, served as another valuable lesson to Kedah in subsequent years. The Kedah administration in the latter half of the 19th century was fully aware that they could not depend on British help against the Siamese. Hence, they evolved a very flexible policy, which as a result, kept both the Siamese and British out of her internal affairs.

CHAPTER II

The Economy of Kedah, 1879-1905

The basic agricultural activity of the people of Kedah during this period was rice cultivation. As we have seen in the introduction, the characteristics both of physical and the human geography of the country favoured this form of activity. The report on the census of population for Kedah and Perlis in 1911 showed that in the same year, there were 88,491 Kedah Malays engaged in agricultural occupations. Out of this number, 88,121 or 99.59% were padi planters.¹ If this was the situation in 1911, when various forces of change, such as the development of communications, the greater influx of immigrant population and the expansion of commercial agriculture had already altered the traditional patterns of Kedah life, then it is reasonable to assume that the proportion of Malays in the rice industry must have been at least the same during the earlier years. But although the Malays were so involved in rice cultivation, their activity was not organized on a commercial basis. On the contrary, most rice planters worked within a rather tightly knit subsistence framework. To supplement their diet, they engaged in a little fishing, the raising of poultry and the planting of various fruit trees in their *dusun* (orchard). But there were still certain other basic necessities which the peasants required but did not produce, such as cloth, salt and tobacco. In order to obtain these, the Malays collected jungle produce like bamboo, dammar and rattan, and some engaged in a very rudimentary form of tin mining; the commodities thus obtained were then exchanged for what they needed.

The extent of rice cultivation in Kedah never failed to impress foreign visitors to the state. F.A. Swettenham, then British Resident of Perak, when he visited Kedah in 1889 remarked that, "the padi fields are of greater extent than any that I have seen elsewhere in the Peninsula. The whole country up to Perlis for some distance from the coast is one vast padi plain..."² Yet, in spite of this, the objective of the rice cultivators was limited to the production of enough rice for their immediate needs. Consequently, the amount of rice produced by the *raayat*

¹Cavendish, *A. Report of the Census of Population of Kedah and Perlis, 1911* (Penang 1911).

²CO273/162 Visit of Swettenham to Kedah 23 Nov. 1889.

was just adequate to pay his landlord, to meet a few traditional obligations, and to leave enough over to feed his family until the next harvest. This absence of an incentive to produce a surplus can be explained by several factors. In the first place, the cultivator was greatly hampered by the limited labour which was available to him. More often than not, he did not have any draught animal to do the heavy work of ploughing, and hired labour was out of the question as the farmers could not afford it. A much greater deterrent was the operation of the system of *Hasil Kerah* (compulsory labour) which entitled a chief to call upon the peasant to work for him at any time. The consequent uncertainty as to the amount of time he might have available for his own fields, had the effect of discouraging a peasant from being ambitious, for if he planted too much, he might not be able to cope with the work at all.³ Then, there was always the fear that a large harvest might merely mean that the successful cultivator had to part with the excess on the demand of some chief, petty or otherwise.

This situation was changed, but not to the benefit of the *raayat*, when the Sultan decided to farm out to various Chinese, the sole right of collecting the export duty on padi and rice⁴ for the whole state. As for the Chinese revenue farmers, they obviously wanted to encourage production. Having agreed to a fixed annual rent on the farm, the more rice that was produced, the greater their profits would be. One way in which the Chinese revenue farmers ensured that a large and regular supply of padi was available for the export market, was to get the Malay peasants into debt. This was very cleverly done in the name of assisting the padi growers, and unfortunately the Sultan naively assisted in it. For example, the Sultan wrote to one such farmer, Phua Leong approving of his intention to "help" the Malay cultivators by giving them loans. The Sultan then issued instructions whereby the *raayat* who wished to take a loan from Phua Leong would have to enter into agreements with their land as surety.⁵ What normally happened of course, was that the *raayat* was unable to honour the loan on time, and this meant that he had either to hand over a more than proportionate share of the harvest or lose the land. As for the Sultan, he too wanted rice production to be good, for if the revenue farmer could not make ample profit, he normally asked for a reduction in the rent of the farm. Thus, Lim Lan Jak, one of the most important revenue farmers in Kedah, in 1893 wrote to the Sultan complaining that he had been losing \$1000 a month for 7 months on the rice and padi farm, and asked that his rent be substantially reduced. The Sultan finally agreed to reduce it by \$500 a month, but he was most unhappy that his income had been thus curtailed.⁶ In all this, the *raayat* remained the exploited party, and the only dubious advantage to

³*Hasil Kerah* is discussed in greater detail on pp. 39-42.

⁴The distinction between padi and rice is that the former is unmilled rice while the latter is milled. The export duty is therefore less for padi than for rice.

⁵S.C./2 Sultan to Phua Leong 5 Muharam 1312 (9 July 1894).

⁶S.C./2 Sultan to Lim Lan Jak 14 Shaaban, 18 Shaaban and 5 Shawal 1311 (20 Feb, 24 Feb, 11 April 1894).

him was that the Sultan now relaxed his obligations to perform *kerah*.

Figures for rice production and exports prior to 1909 are difficult to come by. But there are ample references which give a fairly satisfactory idea of the amount. For example, the Sultan told Swettenham in 1889 that Kedah exported 7000 tons of rice in the previous year.⁷ Mr. Meadows Frost, the British Consul for the Siamese Western States, in a report on the trade of these areas for 1906, stated that the amount of rice exported to the port of Penang, nearly all of which came from Kedah, was about 83,432 pikuls or about 5000 tons. This was valued at \$58,333 which was meant that a substantial quantity must have been exported directly to other areas.⁸ The value of the rice and padi farms of Kedah also indicates the extent of exports. The two farms for Kota Star District, the most important rice producing region, which were leased for 6 years each in 1899 and 1901 fetched an income of \$97,000 a year. Another two farms in Kuala Muda and Merbok brought in another \$5,500.⁹ In the lists containing information on the revenue derived from Kuala Muda and Merbok for the years 1301-1304 (1883-1886) the income from the rice and padi farms totalled \$6160 a year. All these of course do not include many small farms in the other districts of Kedah; neither do they include various *ampun kernia* (royal grants) which the Sultan bestowed on his subjects. Nevertheless, on the basis of the export duty which was \$5 per koyan (800 gantangs) on padi, and \$8 per koyan on rice, together with the revenue farmer's margin of profit, it can be seen that the exports were large. And this rice and padi exports were not only significant to Kedah, but also to the neighbouring areas because, "the other Malay states in the Peninsula are almost without exception compelled to import rice in order to meet their requirements."¹⁰

There is also other evidence to show how important rice was in Kedah's life. A look at the Kedah Laws will show that out of the four codes, two directly reflected the agricultural bias of the state. The second code in particular, the Laws of Dato Sri Paduka Tuan (dated 1667) deals with various aspects of agriculture, especially with the cultivation of wet rice.¹¹ A much more important evidence of the importance attached to rice cultivation is seen in the great emphasis which was laid on canal building in Kedah.¹² The construction of canals, known in

⁷CO 273/162 *op.cit.*

⁸K.A.R. 1905-06 p. 10.

⁹See Appendix I. Prior to the building of the Wan Mat Samad Canal in 1885 which converted about 100 square miles of swamp land into rice fields, the rice production of Kota Star was not so great.

¹⁰K.A.R. 1905-06 p. 6.

¹¹Winstedt, Kedah Laws J.M.B.R.A.S. vol.6 Pt.2 (1928) pp 8-9.

¹²The emphasis on canal building in Kedah presented an important contrast with that of other Malay States on the West Coast. In Perak and Selangor for example, irrigation works were left entirely to the peasants, and hence the canals that were built were simple and temporary in nature. This was primarily due to the political instability of these states which tended to make permanent settlement uncertain. In such circumstances, the peasants were unwilling to spend much time and effort on irrigation; likewise the land owners were also reluctant to invest in these projects. Gullick, *op.cit.* pp 28-29, 131.

Kedah as *Sungei Korok* had long been considered a very vital activity by all those who owned rice land. This was not only essential for successful rice growing but it also served as a magnet to attract new settlers. Thus, the flat low-lying strip of alluvial land, about 19 kilometers wide, on the Kota Star coast became the centre of the agricultural wealth of North Kedah not only because the soil was admirably suited for rice cultivation, but also because it was so well drained. The network of canals in this region enabled the draining away of excess rain water during the monsoon months of September and October, which would otherwise remain stagnant on the low expanse of land and drown the newly planted rice plants.¹³

The earliest major canal is believed to have been built during the reign of Sultan Thiauddin Mukarram Shah (1661–1687). This was the canal which ran from Kayang, in Perlis, to meet the main Kedah river at Anak Bukit in the district of Kota Star. This canal which ran parallel to the coast constituted the main drainage system for the rice lands north of the Kedah river. In 1738, a canal which came to be known as *Sungei Kechil Anak Bukit* was constructed to link the norther and southern curves of the *Sungei Anak Bukit*—a tributary of the Kedah river. Then in 1777 another canal was dug near the *Sungei Kubang Rotan*, yet another tributary of the Kedah river. At the beginning of the 19th century, two more canals were completed, the first one in 1815, in the mukim of Rambai and the next in 1818 which ran from *Sungei Simpor* to *Sungei Kuala Muda*. Prior to the 1880's, the region to the south of the Kedah was little utilized for agricultural purposes. Rice was planted only on a comparatively small scale, restricted to the coast near Kuala Kedah. The whole area between Alor Star and Kedah Peak was one vast expanse of swamp land full of gigantic reeds and rushes. This was, however, changed in 1885 when Wan Mohamed Saman, the Chief Minister, decided to construct a canal through this swamp land in a straight line from Alor Star to the foot of Kedah Peak. When this canal was completed, it measured 35 kilometers in length, 7 meters wide and 1.5 meters deep. The Wan Mat Saman canal, as it was appropriately named, proved a great benefit to the country. It transformed what was a useless swamp land into another vast area for rice cultivation and soon attracted a large number of settlers. The Wan Mat Saman Canal was a remarkable achievement. Wan Mat Saman had no engineer or surveyor to assist him, and he himself had no special training for the job. Hence the difficulties he faced were enormous. Not having any survey equipment, it is said that Wan Mat had to set out his line by lighting fires at night at regular intervals. Another problem was the lack of capital and on three occasions the Chinese coolies, when he could not pay them threatened his life. But when the project was completed Wan Mat Saman made a small fortune for himself. When he obtained the Sultan's permission to build the canal, he was also given the concession of the land on both sides of the canal for a width of 20 relongs (13 1/3

¹³K.A.R. 1909 pp 23–25.

acres). He was allowed to sell the land to intending settlers at a fixed rate of \$3 per relong, and he could also charge an annual rent of 50 cents per relong. This Wan Mat Saman did when the canal was completed. He sold strips of land with a relong's frontage on the canal and, full 20 relongs depth. Each strip earned him \$120, and it also represented an annual rent of \$20. On the other hand, the average cost of building a relong's length of canal was estimated at between \$50 and \$55.

This success encouraged Wan Mat Saman to undertake an even more ambitious project. This was to cut a canal at right angles to the one he had just completed, to connect the Pendang River at Tanah Merah (19 kilometers above Alor Star) and a small river, the Sungei Kangkong which flows into the sea. The ambitious aspect of this project was that the canal was to be built on two different levels. The upper level would run for 10.5 kilometers from Tanah Merah and would serve as an irrigation canal using the water pumped up from the Pendang River. The remaining 6.4 kilometers would be on a lower level, and would function as a drainage canal. Unfortunately, faulty levels prevented it from being used for irrigation but it did enable the opening up of some new rice land. Furthermore, the canal was also usefully utilized as a navigable waterway.

The success of the Wan Mat Saman Canal brought forth a number of people who sought concessions from the Sultan to enable them to build canals in the area between the great canal, and the group of small rivers, which drained into the sea. For example Wan Yunus, the Magistrate for the district of Kota Star, obtained a concession for the three small rivers, Daun, Limau and Sedaka; Tunku Minah (a member of the royal family) got the concession for Sungei Dulang, and Syed Osman (territorial chief of Yan district) was given the concession to the Sungei Yan Kechil. Of all these canals, the Sungei Limau Project was the largest, extending inland for 4 kilometers from the coast, and then running parallel to Wan Mat Saman's canal for 2.4 kilometers. In 1890, Tunku Yaacob, the adviser and uncle to the Sultan, was instructed to build a canal in the mukim of Jerlun, north of the Kedah river. This came to be known as the Alor Changlon Canal. Following this, Wan Yahya, the Secretary to the Government was given a concession to build a canal in the mukim of Sanglang linking two towns, Kodiang (near the Perlis border) and Kuala Sanglang.

In addition to rice cultivation, commercial agriculture in the form of plantation crops existed on a small scale, but did not contribute much to the economy of the country during this period. In the late 19th century, the most important plantation crop was tapioca. Tapioca planting was the monopoly of the Chinese, but for many of them this was not their major occupation. The plantation owners normally owned tin mines, and they took advantage of the fact that the land in the vicinity of their mines were extremely well suited for tapioca, especially the rolling hills in the district of Kulim. Later in the period, tapioca was planted in conjunction with rubber and coconuts. The predominance of tapioca growing is seen from the list of principal estates in Kedah at the beginning of

1906.¹⁴ Out of the 25 estates, 16 were devoted to tapioca, all in the southern districts of Kuala Muda, Kulim and Krian which were also mining areas with substantial Chinese population. Most of the tapioca was made into sago before being exported, and the right to collect duty on this product was farmed out to various Chinese towkays, except for one farm in Kulim and Karangan held by Wan Mat Saman. The five Tapioca Sago Export Duty Farms between them brought in a revenue of \$23,300 a year.¹⁵ This was not very much, and by the turn of the century, this crop had lost even its slim importance as a revenue earner. This was mainly due to two factors. In the first place the price of tapioca had dropped, and secondly the plantation owners brought its own decline. Tapioca is an extremely soil exhausting crop, and through indiscriminate planting large areas of land became useless. Finally, in 1905 the government insisted that tapioca could not be planted unless other crops were also planted in conjunction with it and in sufficient quantities to keep the soil fertile.

Rubber which was introduced into Malaya in 1876 did not become significant even in the Federated Malay States until the beginning of the 20th century, when high prices caused by the demand in the industrialized western world resulted in a phenomenal expansion of rubber growing. In Kedah, rubber plantations came on the scene with some degree of success only after 1905, and it was not until the British took over Kedah in 1909 that sizeable well capitalized companies commenced operations. In the period before 1905 only the district of Kuala Muda obtained any significant income from rubber. This was from the rubber farm leased out to Beng Loon for \$2,210 a year.¹⁶

Other crops grown on a plantation basis were coffee and sugar, but these were isolated cases, and there is no evidence to show that they were successful. In 1870, it is known that Sultan Ahmad Tajuddin opened a coffee plantation at Bukit Pinang, and at the same time he also granted land to Chinese merchants to grow coffee, nutmegs and cloves.¹⁷ But nothing else is known about this coffee plantation or whether the Chinese merchants made use of the land they obtained. Another reference to coffee cultivation appears in 1892, when Lim Lan Jak, who had a tapioca and coffee plantation in Kulim, petitioned the Sultan for exemption from land tax until after his plantation bore fruit. The Sultan refused his permission because Lim had already been exempted from paying for the last three years.¹⁸ The only reference to a sugar plantation during this period was that a "Chinaman has opened up a sugar estate on the banks of the river below Alor Star."¹⁹ This was the estate started by a Chinese merchant, Lim Eow Hong, in

¹⁴See Appendix 3.

¹⁵See Appendix 1. The tax on tapioca and sago was fixed at the rate of \$3 per \$100.

¹⁶See Table II p. 48. The tax levied on rubber was fixed at 15 katies per pikul (100 katies).

¹⁷Che Hassan, *Salasilah Negeri Kedah* (Penang 1928) p. 330.

¹⁸SC/2 Sultan to Lim Lan Jak 29 Jamadil Awal 1310 (19 Dec. 1892).

¹⁹C.W.S. Kynnersley, Notes on a Tour through the Siamese States on the West Coast of the Malay Peninsula, 1900, *J.S.B.R.A.S.* July 1901 p. 65.

1900. Although this estate was still in existence in 1906, nothing else is known about it, and shortly afterwards Lim gave up his estate. Finally, there were a number of estates in South Kedah which planted coconuts together with rubber and tapioca. But again no details of its production or export are available. The fact that the list of revenue farms did not include any coconut or copra farm may indicate that this crop was not important.

Small holding agriculture was another feature of Kedah's economy, and like plantation agriculture, this too was essentially practised by the immigrant population. But in this sphere some Malays did participate as it was not too drastic a change for them to engage in the growing of some side crops, and they could still continue being primarily padi growers. However, it was the Chinese who predominated as the market gardeners and the small scale producers of tobacco, groundnuts, coffee and sireh (betel leaves). Of all the small-holding commercial crops, the most important was pepper. This activity was the monopoly of the Achenese community, who planted pepper on small plots in various areas in the districts of Yan, Kulim and Kuala Muda. It is said that the pepper harvests during its best years attracted an average of 2,000 Achenese from Sumatra who came as transient workers.²⁰

The only mining activity which contributed towards the economy of the country was tin. The presence of tin deposits in Kedah had attracted the Chinese from the mid-19th century, and they brought in men and capital into the hitherto unpopulated areas in Kulim, Krian and Kuala Muda. Prior to the opening of the Chinese tin mines, this industry existed on a very rudimentary level in the hands of the Malays although tin was an important article of export prior to the 18th century. After this period, the importance of tin declined. In 1791 M. Topping observed that "Qualla Muda is a shallow and rapid river, but convenient on account of its communications with the tin mines. The annual produce here is about 100 pikuls. This small quantity, however, is not owing to the scarcity of the ore, but to the want of hands..."²¹ By 1839, the production of tin had increased to 600 pikuls but this was still very small when compared with the other West Coast States.²² This small production was primarily due to the fact that the Malays who

²⁰Zaharah op.cit. pp.253-254

²¹M. Topping, *Some Account of Kedah* op.cit. p.44

²²Newbold, op.cit. vol.11 pp 424-425. The estimates of tin production in the west and east coasts of Malaya around this period is as follows:-

West Coast	Pikuls	East Coast	Pikuls
Sungei Ujong	7,000	Pahang	1,000
Perak	7,500	Kemaman & Trengganu	7,000
Kedah	600	Kelantan	3,000
Ujong Salang	1,500	Patani	1,000
Pungah	1,500		
Selangor	3,600		
Total	22,600	Total	12,000

did some mining considered this as a secondary activity so that it did not clash with their predominant activity, rice planting. Consequently, Malay mining methods which were primitive could not yield substantial results.

In Perak, Selangor and Sungei Ujong, the 1840's saw the beginning of a period of Chinese penetration into the tin bearing areas. This rise in mining enterprise continued throughout the 1850's, and by the 1870's tin mining had reached an unprecedented scale in the Malay Peninsula.²³ From the available references to tin mining in Kedah, it seems that the Chinese only began to open mines there in the 1870's. Data on tin mining in Kedah is very scarce indeed. Primarily, this is because the concentration was all on the other west coast states. In Kedah, the lack of communication into the interior made Chinese merchants from Penang reluctant to invest their capital there. Furthermore, the Kedah administration did not look upon tin mining as a very important source of revenue, and so unlike the British residents in the Protected Malay States, they made no serious attempts to encourage Chinese mining enterprises. For instance, the British authorities stimulated investment in mines by eliminating inland transit taxes on people and goods and some of the import duties. In Kedah, all such duties had been farmed out and such flexibility was not possible. Furthermore, the British adopted the policy of adjusting the rate of duty on tin in accordance with the state of the world market. But not so in Kedah. In 1897 for example, there was a complaint that Kedah was charging a transit duty of 16% on tin coming from Rawan. The authorities in the Straits Settlements objected to this and wanted the Sultan to reduce the duty to 10% which was the rate imposed by the states under British protection.²⁴

On the whole then, tin production in Kedah remained very small throughout this period, although tin mining potential of the State was good. As G.C. Hart, the Financial Adviser to Kedah commented, "the mineral wealth of the country has hardly been exploited yet, though in parts of Kulim and Kuala Muda Districts, tin mining had been flourishing for some years. Out on the eastern boundary amongst the hills towards Rawan there are said by some to be rich possibilities."²⁵ The Chinese mines seem to have been concentrated in the district of Kulim, and this appears very clearly in the Sultan's correspondence. There were constant references to the Chinese population in Kulim, particularly the various problems that they created. Tunku Mohamed Saad, the territorial chief of Kulim, was always writing to Alor Star on matters arising out of differences between the Chinese miners and revenue farmers, quarrels between miners over water rights, secret society problems, and a whole host of other issues, ranging from prostitution to petty thefts. There were in addition to Chinese mines, some European concerns. The Singkep Tin Maatchapij, a Dutch concern "had been

²³Wong Lin Ken, *The Malayan Tin Industry to 1914* (Tucson 1964) p.29.

²⁴CO273/224 W.J. Archer to Sir C. Mitchell 17 March 1897.

²⁵K.A.R. 1905-1906 p.6

working with success at the base of Kedah Peak."²⁶ Others included the Karang Hydraulic Tin Mining Company in Kulim, the CheroK Klian Company in Kuala Muda, and the mine owned by G.B. Cerruti in Baling. Figures for tin production are not available but some idea can be deduced from the income of the tin revenue farms. The four Kulim farms were worth \$25,250 to the State; the two farms in Krian brought in \$8,000, and the Kuala Muda farm was leased for about \$2,400 a year.²⁷ While revenue from tin was not very much, mining areas with their concentration of Chinese population did contribute to the state coffers in other ways. These were areas where the opium and chandu farms, gambling farms, spirits farm and pawn broking farms were most active. It would seem that the substantial revenues derived from Chinese activities in these fields were directly connected with Chinese mining population in those areas.

As can be seen from the preceding pages, the revenue from the major economic activities in Kedah were leased out to revenue farmers. Indeed, the revenue farm system was the whole basis from which the state received its revenue. In 1889 the British Consul for the Siamese Western Malay States observed that the revenue of Kedah was estimated at \$170,000 a year, almost all of which came from the income of revenue farms. The right of collecting duty on padi and rice was farmed out for \$17,000 a year; the opium and spirits farms were let for \$38,000, that of Kulim for \$26,000 and from the Kuala Muda district came another \$28,200.²⁸ These of course were only the revenues from the most lucrative farms in the State.

The origin of the revenue farm system in Kedah is not known, but this method of organizing revenue collection has a long history in Asia. This was the system which was extensively used in India during Hindu times and was also favoured by the Moghuls. In the East Indies, the Dutch took over this system from the native rulers, thus saving themselves the expense of building up a new financial administration.²⁹

In Kedah, revenue farms seem to have been fairly well established by the beginning of the 19th century. In the early years of that century a group of Hokkien merchants from Penang more or less monopolised all the revenue farms of Kedah. For example, Kota Kuala Muda was during this period still the main transit port of Kedah, and this was the main point at which fees and duties were levied on imports and exports. The Sultan decided to lease out these sources of revenue for five years to two Chinese merchants from Penang, Che Seong and Che Toah. By this lease they were given the monopoly of trade and navigation on the Muda River and they were also responsible for imposing and collecting duty on all merchandise which travelled up and down the river.³⁰ Various members of

²⁶*Ibid*

²⁷The tax on tin was \$9 per bahara. See Appendix 1.

²⁸CO273/160 Report of Consular Tour in the Malay States and Siamese Provinces north of Penang 17 May 1889.

²⁹Wong Lin Ken, "The Revenue Farms of Prince of Wales Island, 1805-1830", *Journal of the South Seas Society* Vol.19 (1964/5) p.2.

³⁰C.S. Wong, *A Gallery of Chinese Kapitans* (Singapore 1963) p.50.

the ruling class received from the Sultan what was known as *ampun kernia* (royal gifts)³¹ in lieu of salary. These gifts were normally the right to collect duty on some commodity or service, and the grantees in most cases preferred to farm them out to the Chinese. Amongst such farmers were the Lee brothers, Yok Siew and Yok Cheng (whom the Malays called Eh Ma and Eh Tok respectively). These two in fact commanded so much respect and confidence from the Malays, that the Sultan constantly showed his favour towards them. Yok Siew was even invested with the title of Dato Vijaya Besara, a rare honour for a non-Malay, which made him in effect a chief of the state. He later became treasurer to the Sultan.³² Another well known revenue farmer was the Kapitan China of Kulim, Chiu Ah Cheoh, who held a large share in the spirits, opium and gaming farms of Kulim. Chiu was really serving a dual purpose in Kulim which was the most violent district of Kedah because of secret society activities. As Kapitan China and also a leader of the Triad Society, he was able not only to collect revenue without being molested, but he was also useful as an enforcer of law and order.³³

Other than indirect references of this sort, our knowledge of the revenue farms during the first three decades of the 19th century is unsatisfactory. Fortunately, this situation is rectified during the reign of Sultan Abdul Hamid Halim Shah where the availability of some documentary sources enables us to get an idea of the workings and problems of the revenue farm system, and also to realize its importance in the context of the country's economy.³⁴ From the table showing the list of revenue farms in Kedah for the period 1897-1901, (see Appendix 1) it can be seen that there were 28 different types of farms. These were not necessarily all the farms that existed, but they certainly included all the major ones which accounted for more than 90% of the revenue of the country. Most of these farms, and certainly all the major ones were leased out to Chinese merchants in Penang and Kedah. There were quite a few revenue farms held by the Kedah Malays, from amongst the members of the royal family and various government officials. But these farms were generally low in value, indicating probably that they had been *ampun kernia* grants from the Sultan. In any case, the general practice of this category of farm holders was to let them out to the Chinese. In general, all these revenue farms were leased out to their respective farmers by the system of tendering which took place in Alor Star. The one exception, however, was the

³¹The system of *ampun kernia* is discussed in greater detail in p.70.

³²C.C. Wong *op.cit* pp 54-55.

³³*Ibid.* p.56.

³⁴This discussion on the Revenue Farms is based on the following sources:-

- a) Issue of Licenses for revenue farms in Kedah, 1897-1901. This source gives the most comprehensive picture of the range and value of the revenue farms to Kedah's economy. It also contains some information on the organization and problems relating to these farms.
- b) The Sultan's Letter books contain considerable correspondence between the Sultan's officer and the revenue farmers, the territorial chiefs, the British Resident Councillor in Penang, and the Siamese Consul in Penang regarding in the main, the problems of the revenue farms.
- c) Sultan's Account Books show the importance of income from the farms to the State.

opium and chandu farm which was tendered for in Penang. This was because after 1887, the Sultan of Kedah and the British authorities in Penang agreed that the Kedah and Penang opium farms should be let out simultaneously to the same revenue farmer or syndicate. The object of this, was to prevent the development of friction between two different sets of farmers who were in such close proximity to each other. Much more important, it was hoped that a joint farm would eradicate smuggling particularly in areas like Kuala Muda, and along the Province Wellesley border where smuggling would be easy and detection difficult. In practice, these farmers usually formed themselves into a large syndicate and, like the Singapore syndicate which held opium and chandu farms in the nearby Dutch islands, the one in Penang controlled those in Kedah, Langkawi Islands and Sumatra. This system, however, did not work in Kedah's favour. Firstly, the joint farm meant that only a large syndicate could bid for the farm, and this immediately reduced the number of tenderers. In addition the tenderers tended to bid high for the Penang farm to ensure that they secured both, while leaving an ample margin for profit on both farms in their tender for the Kedah sector.³⁵

The revenue farms in Kedah were leased out for a specific period of time. The average lease seems to have been 4 years but there were instances when a 10 or 12 year lease was given, and these gave additional problems to the work of financial reorganization in later years. The successful tenderer then had to sign a contract known as the *Surat Kechil* which incorporated certain conditions. One of these was the necessity to pay a deposit on the farm which normally amounted to six months rent, although there were many farmers who had to pay a whole year's rent, or even the total rent for the period of lease as deposit. This deposit was refundable by monthly instalments usually spread over the whole period of the lease. Another condition which the farmers had to observe was not to violate the established rates which were fixed when levying duties on goods and services. For example, the duty on tin was fixed at \$9 per bahara; that on rubber was 15 katies for every 100; for tapioca it was \$3 per \$100 and the charge on ferry passengers was 1 cent per passenger. Finally, there was the clause which required the farmers to pay their monthly rent regularly. Lapses for two consecutive months could lead to forfeiture of the deposit, and even confiscation of the farm which the Sultan could re-let to someone else.

The most important revenue farm in Kedah was the Opium and Chandu Farm which between 1895 and 1905 brought in an average income of a quarter of a million dollars.³⁶ This being such a considerable revenue earner, the rules and regulations which governed this farm appeared more rigorous than all the others. For one thing, the sale of opium had to be regulated and this was done by allowing

³⁵K.A.R. 1905-1906 p.10

³⁶The consumption of opium in Kedah was quite considerable as seen from the few lists of the amount of opium and chandu sold in the various districts, Kota Star in 1892 consumed 38 chests of opium, Kuala Muda, 39 chests and the Kulim mine and plantation workers alone consumed 28 chests a year.

only shopkeepers with licensed premises to do business.³⁷ The price at which opium could be sold was fixed and special concessions were given to plantations with more than 20 coolies, and mines which employed more than 50 workers.³⁸ Failure to observe these prices would result in a fine of \$2000. Likewise, only the farmer could import opium into Kedah and unauthorised importers, if caught would have to pay a fine equivalent to a month's rent which was to be shared between the Sultan who would get two-thirds, and the revenue farmer who would receive the remaining third. The illegal opium would be confiscated and the proceeds from its sale was also to be divided between the Sultan and the revenue farmer in the same proportion. One other provision was that which required prompt monthly payments of the rent. Failure could result in the loss of the deposit and confiscation of the farm which would be auctioned, and in the event of this happening, the farmer could not appeal for any losses incurred.

The lucrativeness of the opium and chandu farm was matched with its problems. And for the same reason the Kedah government was very prompt in making sure that the problems were quickly solved. In the Sultan's Letter Books, there are frequent references to complaints from the Resident Councillor in Penang regarding the problem of the mushrooming of small farms which were illegally established within two miles of the Kedah-Province Wellesley boundary.³⁹ In every case, the Sultan on receipt of such a complaint ordered the territorial chief of the affected region to investigate and take immediate action. In all known cases, the chief stopped all operations and the buildings demolished. A much more serious problem was smuggling which arose out of the lack of a uniform system of exporting opium from Penang. On 11 May 1889, the opium farmers of Penang complained about this to Mr. Kynnersley, the Acting Resident Councillor of Penang and British Consul for the Siamese Western States. In this complaint, it was stated that all applications for the export of opium from Penang to the states or provinces under Siamese rule, had to go through the Siamese Consul in Penang who then wrote to the Harbour Department for the permit. In this way, a proper record was kept regarding the quantity of opium exported to

³⁷Three types of licensed premises were allowed in Kedah:-

- a) Smoking rooms where prepared opium was sold for consumption on or off the premises.
- b) Retail shops which sold opium for consumption off premises only.
- c) Farm shops which were branches or depots for distribution where opium sold were for off-premises consumption only.

³⁸The prices of opium for sale were fixed as follows:- \$2.20 per tahil or 26 cents per chee. Plantation and mine owners after paying an annual license to the head of the revenue farm could obtain opium at reduced rates of \$1.80 per tahil or 22 cents per chee. In addition they could buy raw opium at \$28 per lump (*buku*).

³⁹In 1867, Sir Harry Ord complained about the unsatisfactory state of relations between Kedah and the Straits Settlements. Prominent amongst the complaints was the fact that the Sultan had allowed gambling houses, opium and spirits farms to open up along the frontier and this was detrimental to Straits revenue. Finally, by the Treaty of 6 May 1869, between Great Britain and Siam this situation was rectified when it was agreed that the Sultan of Kedah was to forbid the establishment of shops for the sale of opium, spirits or gambling houses in areas within two miles of the frontier.

the various areas. But in the case of Kedah, because the opium farmer resided in Penang, opium exports did not go through the Siamese Consulate, and hence no proper records were kept. Consequently, as often happened, opium intended for export to Kedah never reached its destination but was smuggled to some other port. Kynnersley, therefore wrote to the Sultan requesting that all applications for opium from Kedah should be made by the manager of the opium farm there or by a responsible government official to the Siamese Consul in Penang, as was done by the other provinces of Siam. To this request, the Sultan agreed.

The most prevalent problem which plagued the opium farms arose out of the inadequacy of opium supply to Kedah. This was one problem which affected the farmers' profits, and also concerned the Sultan because of various serious effects it had on the economy of the state. The district which was often affected by this problem was Kulim, the tin mining centre, and also the place where the Chinese population was most substantial. In 1892 for instance, the situation became serious and the Sultan wrote to the Resident Councillor of Penang requesting that an increase of two chests of opium per month be allowed for Kulim. As the Sultan explained, in presenting his case, Kulim had an adult Chinese coolie population totalling 4,000. It was estimated that each one of them required 3 tahils of opium per month. Since one chest of raw opium yielded about 1,000-1,200 tahils of prepared opium, it meant that the district required 5-6 chests per month. The Sultan therefore, requested that 6 chests be exported to Kulim monthly as the quota of 3 chests was grossly insufficient. When the Resident Councillor refused to increase the supply, the Sultan wrote to the Governor in Singapore in an attempt to get him to overrule the Resident Councillor's decision. According to the Sultan the inability of the Chinese coolies to obtain adequate opium was beginning to cause trouble. Many of them had become restless, and some had refused to work while others had left the district. Later in the year, the Sultan saw the Governor in Singapore on his way back from Bangkok and again brought up this subject. This time the Sultan produced some figures to back up his argument. This showed that the monthly proceeds collected from the sale of 3 chests of opium amounted to \$1,680, but the rent that the revenue farmer had to pay was \$2,383.33; hence it was not possible to expect the farmer to lose \$703.33 cents every month. Finally, a compromise was reached whereby 4 chests of opium would be sent monthly to Kulim, but the price was raised from \$1.20 cents a tahlil to \$1.80 cents. This problem worried the Sultan because it would affect the opium revenue, as it did when the farmer Lim Lan Jak, requested for time to pay his rent. Equally important were the other effects on the State revenue. The refusal of coolies to work, and worse still when they moved out of Kulim meant that tin mines and tapioca plantation would not be worked, and this obviously affected the state's revenue from these sources. Furthermore, gambling, spirits and pawn broking farms would also feel the loss of business, and ultimately it was the state that suffered. But as sometimes happened, the complaints of inadequate opium supply by the farmers were not really justified. This occurred in the case of the Langkawi

opium farm in 1899. The Raja Muda on discovering that the representation of the farmer, Lim Cheng Kian, was inaccurate, accordingly informed the Resident Councillor of Penang. As the Raja Muda explained, Cheng Kian wanted to sell more opium in Langkawi because in addition to the profits, he also received a 15% commission on the export of opium from Penang.

Although the opium and chandu farm was the biggest single revenue earner, there were many others which also contributed substantially to the treasury. The following table is a list of the value of the various revenue farms for the year 1318-1319 (1900).⁴⁰

TABLE I

Farm	Annual value in \$	Farm	Annual value in \$
Opium & Chandu	212,400	Pig	5,200
Rice & Padi	102,500	Cattle	3,000
Gambling	129,750	Ferry	2,144
Customs	62,000	Eggs	2,000
Spirits	58,848	Market	2,000
Tobacco	48,040	Boat Licensing	1,650
Multiple farms	64,900	Vehicle Licensing	1,520
Tin	33,250	Pearl Oysters	1,000
Tapioca	23,300	Hides & Horns	780
Timber & Wood	18,640	Four Islands	300
Pawn Broking	10,650	Measurement	240
Poultry	8,160	Fishing Stakes	104
Langkawi	6,500	Guano	100

The problems of revenue farms were not just confined to the opium and chandu farms. For example, mine owners often quarrelled over disputes relating to water rights. The vagueness of the *Surat Kechil* was another cause of trouble as was seen in the dispute between the customs farmer and the timber farmer, both of whom claimed the right to collect duties on all types of timber. The problem of illegal farms constantly cropped up. The worst was the number of illegal gambling houses which sprang up particularly in the northern districts. In this case the problem was complicated by the fact that the Sultan had himself granted permission for such establishments to exist.

Finally, at the end of the list containing the issue of farm licenses, there is a whole series of *surat siasat* (investigation papers) which were instructions sent out from the Sultan's office to the territorial chiefs and *penghulus* to investigate and take action on all type of complaints of revenue farmers ranging from theft to the refusal by people to pay duties.

⁴⁰This table is based on the list of revenue farms in Appendix 1. It does not claim to be accurate as there were other farms which were not listed, and the list also contains omissions. Nevertheless, the list does portray the relative importance of the different revenue farms, and the significance of revenue farms as a whole to the country's economy.

On the whole it can be said that the system of revenue farming worked well in Kedah, which had its advantages for both sides. For the state, this was a convenient method of acquiring revenue since it did not require an elaborate administrative organization. To the *ampun kernia* holders, it meant that they were assured of a fixed and regular income without the responsibility and problems of trying to collect the revenue themselves. And for the revenue farmers, although they had to employ people to collect duties and to protect and enforce their privileges, they made handsome profits in return. In fact, as will be seen in a subsequent chapter, the rents paid by the revenue farmer were often far below what the farms were actually worth, for when the government took them over on their expiration, the revenue collected was many times in excess over the rents. One factor which enabled this to persist was the fact that the most important farms were controlled by a few syndicates, and this enabled the bidding for them to be lower.

At this juncture, it is interesting to analyse the comments of some British officials in Malaya regarding the economic development of Kedah. Frank Swettenham made a comparison between Kedah and the Federated Malay States during the 30 years following 1874. As he read the situation, "here ... is the opportunity of making a useful comparison between the administration of a Malay state, which has been under Siamese control since 1821, and the states where British influence has been exercised for thirty years. It is not suggested that the Siamese Government interfered with the government of Kedah to any great extent; but when that is granted, the connexion with Siam has not proved of any benefit to the subject state. In 1874, Kedah was more advanced in its institutions, in the observance of order, the well being of its people and the general development of the country than any other State in the Peninsula After thirty years of slow progress, including some mining development and an increase in the revenues, there is no striking improvement to note There is no reason to suppose that Kedah is less rich in resources than the Federated States.. (Yet) Kedah, which thirty years ago had no debt, now is in debt and has nothing to show for it. The Federated States, which thirty years ago had debts, now possess a balance of twenty million dollars, and they have great works of development to show where the rest of the revenues have gone"⁴¹

What Swettenham said about Kedah's economic stagnation and in fact decline, in the years between 1874 and 1904 was undoubtedly true. But to conclude that this was the result of Kedah's connections with Siam or, as is implied, the penalty for not being under British protection, is to oversimplify the situation. In the first place, if the position of Kedah in 1874 was superior to any other Malay state, then the connection with Siam between 1821 and 1874 could not have been detrimental at all. It is difficult to see why if this was so for 53 years, Siamese rule in the following 30 should have been so disadvantageous. While it is

⁴¹F.A. Swettenham, *British Malaya* (London 1948) p.311.

true, although to a lesser degree, that Kedah was "no less rich in resources than the Federated states" it must be remembered that this sphere, particularly mining was not taken advantage of. And here it must be said that economic activities in the form of mining and plantation agriculture could not develop in Kedah as a direct result of British policy towards the Siamese Malay States. Their interference and insistence on Siam that no third foreign power should be allowed to invest in these states contributed very largely to that lack of progress which had been lamented upon.

By the 1880's, both the Colonial office and the Foreign office had agreed that they would not allow any other European power to secure a foothold in the Malay Peninsula. It was in this context that, when the French showed keen interest in the Kra Canal Scheme, British officials in Singapore and the Federated Malay States began to canvass the idea that British influence must be extended to cover the region between Tenasserim and Province Wellesley, or at least up to the states of Patani and Kedah.⁴² However, the Kra Canal project did not materialize, and Whitehall during this period did not see the necessity as yet of taking any steps to protect British interests. But a safeguard was established by the appointment in 1888 of a British Consul for the Western Siamese States, to ensure that "the constant presence of a British officer in that part of the Peninsula would contribute considerably to the extension of our legitimate influence there, and enable Her Majesty's Government to obtain the earliest information of any intrigue set on foot and to counteract and undermine it."⁴³ During the first half of the 1890's, the British government once again felt that the northern portion of the Malay Peninsula was highly vulnerable to intervention by foreign powers. Hence it was necessary that some agreement be reached with the Siamese government, and this came in the form of the Secret Anglo-Siamese Convention of 1897.

While the primary objective of this agreement was to safeguard British interests in the Malay Peninsula, its economic consequences proved to be disadvantageous to Kedah, as it must have been to the other Siamese Malay states. By this convention, Siam agreed not to cede or alienate to any non-British power, any of her rights over any territory or islands south of Bangtapan. In return, the British undertook to support Siam in resisting any attempt by a third power to acquire territory or to establish its influence in the areas defined in the Convention. The immediate result of this, was to prevent Siam from granting or approving any land concessions in the territories under her control. In fact this became impossible because the British insisted that they had the right to decide all foreign applications for land irrespective of size and irrespective of the purpose of the application. This insistence extended even to applications by British subjects; a safeguard against the possibility of sub-leasing to a foreign interest. Thus, as Frank Swettenham advised, all concessions to British subjects should be brought

⁴²Eunice Thio, *British Policy in the Malay Peninsula, 1880-1909*, Unpublished Doctoral Thesis, University of London 1956, pp.272-273.

⁴³CO273/141 Satow to Weld 29 October 1886.

to the knowledge of British authorities so that provisions could be made against objectionable transfers.⁴⁴

To the British, these conditions though rigid, were justified in view of the fact that the previous system enabled the Sultan to make the concession, and the grantee then merely sought ratification from Bangkok. It was therefore, feared that a foreign power or company could obtain a concession directly from the Sultan, and then refuse to seek Siamese confirmation. This was indeed possible because no power except Britain recognized the suzerainty of Siam over the northern Malay states. In the case of Kedah, the British Consul for the Western Siamese states, constantly emphasised the fact that Kedah's financial position was extremely precarious. Hence, the British fear that Kedah might succumb to the persuasion of a foreign power either for the cession of a harbour or coaling station or for a grant of land. And once large foreign economic interests were established, the next step would be political intervention.⁴⁵ This fear became a reality when in 1899, the German firm Behn Meyer and Company, applied to the Raja Muda of Kedah for certain monopolies and concessions on Pulau Langkawi. When the British learnt about this, they insisted that the Siamese refuse the application, which was done.⁴⁶ Following this refusal, a Herr Hepler approached Prince Devawongse on behalf of a company called Deutsche Uebersee Gesellschaft for a general mineral prospecting license in Pulau Langkawi as well as the small islands in the group. This too was rejected, but British officials were really worried especially when it was discovered that Herr Hepler was the secretary to the German Consulate in Singapore, and the Company he represented was closely connected with the German Government.⁴⁷

As a result of this German threat, the British tended to apply a blanket decision. Thus, various applications for land in Kedah were either refused outright or else they were interminably delayed, often without any valid reason. In 1901, Dr. W.C. Brown, the representative of the Penang Chamber of Commerce and a member of the Penang Legislative Council, wrote to Swettenham asking him to do something to rectify the position whereby it was impossible for any British or other subject in Penang to obtain permission to mine or plant in Kedah and the other Siamese Malay states. Dr. Brown expressed the concern of Penang interests who were particularly concerned about the restrictions as they applied to Kedah, where they had already invested some capital, and would like to invest more. This was particularly so as "the possibilities of Kedah as a mining country were only just being realized and it would be disastrous to the state if it was denied to the enterprise of Penang advancers and traders."⁴⁸

⁴⁴CO273/275 Archer to C.O. 4 May 1901.

CO273/273 C.O. Opinion 13 May 1901.

⁴⁵CO273/275 Archer to C.O. 4 May 1901.

⁴⁶CO273/286 Prince Damrong to British Consul, Bangkok 19 February 1902.

⁴⁷CO273/264 Prince Damrong to M.Rolin-Jacquemyns 24 February 1900.

⁴⁸CO273/274 Swettenham to C.O. 30 December 1901.

Two examples of the British position towards applications for land in Kedah, illustrate the unfavourable effect it had on the country's economy. Firstly, there was the application of Herr Kaulfuss, a German subject who applied for a hydraulic tin mining lease in Mukim Pulai, Kuala Muda.⁴⁹ When the British heard of this, they immediately objected and the Siamese Government accordingly informed Kaulfuss that his application was unsuccessful. Kaulfuss made two more attempts by modifying his original application, but he was given the same reply. The objections raised were absurd. One of them was that Kaulfuss was disposed to drinking, and another was that hydraulic mining in the basin of the Muda could cause disastrous floods in the neighbouring agricultural localities.⁵⁰

The second example was the application of Mr. Cerutti, an Italian who had formerly served in the Federated Malay States. In this case, he had already held a prospecting license for hydraulic mining issued by the Sultan and approved by both the Siamese Government and the British Consul in Bangkok. But Governor Anderson was totally opposed to it on the same grounds that such mining activity was hazardous to agricultural lands. However, a report by Mr. H.G. Scott, the Director of the Siamese Mining Department, clearly showed that Anderson's objection was completely baseless. It was pointed out that if hydraulic mining in the Muda basin was a threat to the agricultural interests of Province Wellesley, it would be an even greater threat to Kedah's agriculture. And it was most unlikely that Kedah would not demand ample safeguards as her authorities were most anxious that nothing should threaten the basis of their economic life. In fact the Kedah Mining Enactment of 1902 was specifically designed to prevent just such an eventuality. This inflexible attitude irritated Mr. Stroebel, the American Adviser to the Siamese Government, who suggested that it would be more politic for the British to give their consent on the basis of certain conditions to safeguard British interests, rather than to reject all applications. The Foreign Office itself was unhappy with the situation. As one of their officials commented, "We are in a thoroughly false position. If the territories belong to us we could not block foreign enterprise to the extent to which we claim to do, while they belong more or less to Siam...."⁵¹ Anyway, the end result of this British policy was to close practically all possible mining and plantation investments in Kedah between 1897 and 1904. While this policy was obviously expedient for British purposes, it certainly contributed towards the lack of economic progress in Kedah.

One of the features which appear prominently is the great importance of land in the economy of Kedah. Consequently, it is not surprising that land administration was an important area in the government's activities. This topic merits further discussion for besides being the foundation of the life of the Kedah

⁴⁹CO273/314 F.O. to C.O. 24 January 1905, 31 March 1905.

⁵⁰CO273/314 F.O. to C.O. 31 March 1905.

⁵¹CO273/314 F.O. to C.O. 24 January 1905.

peasants, the workings of the land system turned out to be one of the major obstacles in Kedah's economic development during the traditional period.

The basic features of the Kedah land system were similar to that of other Malay states. The ownership of land was the monopoly of the ruling class—the Sultan, other members of the royal family, the territorial chiefs and to some extent, the petty aristocrats of the traditional hierarchy. Besides the Sultan, the size of land which each of these categories of people owned, varied proportionately with their status and responsibility in the traditional administration. It also depended on their relationship with the Sultan, who had the power to bestow grants of land to his loyal supporters and favourites.⁵² Another prevalent feature was the arbitrariness of the system of land alienation. There was for instance, no recognition of the distinction between what was public, and what was private land. In fact all unalienated land was taken to be the property of the ruler, and often times he would alienate any piece of land for himself or for someone to whom he wishes to bestow a favour. As was common practice, the bestowing of land benefitted only the members of the ruling class.⁵³ But occasionally, a *raayat* might enjoy a share of the royal lands. This would happen if the *raayat* had performed a service, or if he had done a personal favour for the Sultan. But for these exceptions, land ownership was unknown amongst the *raayat*.

The peasants in Kedah cultivated the land under one of two systems.⁵⁴ Firstly, there was the *pawah*⁵⁵ system by which the landlord would fix a specific amount of produce as his share of the harvest. But since the laws pertaining to payments in respect of cultivation rights were not standardised, the quantity demanded by the landlord tended to be arbitrary. Fortunately, there were natural safeguards against excessive exploitation of this nature. In an age when population was highly mobile and where land was plentiful, dissatisfied peasants could always move on to a different area, and work for a landlord who was more reasonable. The second system which the peasants could opt for was known as the *bagi dua* system which operated on the basis of an equal share of the harvest between the landlord and the cultivator. This system, however, was not at all popular with the land owners as they preferred to determine for themselves a fixed amount of the produce, usually more than half of what any particular piece of land would normally produce. This not only had the advantage of a larger share, but it also ensured a regular and stable source of income.

⁵²At the territorial level, the chief sometimes exercised the same prerogative. In Kedah this was rare, but in states like Perak and Selangor, this was widely practised as the granting of land was one way of attracting followers.

⁵³In the Sultan's Letter Books, there are some references to the Sultan granting land to various members of the administration, in lieu of salary.

⁵⁴Zaharah, *Historical Geography of Kedah*, *op.cit.* p.73.

⁵⁵The word *pawah* in this context means giving usufruct of land in return for part of the crop. It is interesting to note that this system did not apply only to cultivation of land. It was also applied to other activities like rearing of animals. For example, a person who owned some cattle could ask a peasant to tend to the flock at his own expense, and in return be entitled to a certain number of calves.

For those who did own land, the system of granting land titles was an established practice in Kedah. W.G. Maxwell in 1909, mentioned that a copy of a land title known as a *Surat Putus* issued in 1689 by Sultan Mohamed Jiwa, existed in the Land Office and he believed that earlier titles of this kind were also issued.⁵⁶ The earliest form of land title was made out as a decision by the *Hakim* or Judge of the state arising out of his findings into a dispute over land. This decision when made was signed and sealed by the *Hakim* who then submitted it to the Sultan for approval. When the Sultan gave his sanction by adding his signature and seal, the document became known as a *Surat Putus* (a written decision) and this served as an absolute title to the land. Land held under the *Surat Putus*, was considered as freehold land and would be held in perpetuity by the descendents of the original claimant, unless of course the land was sold or there was no inheritor. As outlined in the Laws of Sri Paduka Tuan, when the holder of land with a *Surat Putus* died without leaving an heir, the law of *tanah mati* (termination of land ownership) would come into operation. The possession of this document became so highly desirable that it was customary in any transfer of land to try and get the signatures and seals of the *Hakim* and Sultan. The *Surat Putus* in fact continued to be a form of title issued by the Land Office even after 1905 for all lands except those under leasehold. Another form of land title which came to be used later on was called the *Surat Keterangan Milek Tanah* (a document certifying ownership of land), more commonly known as the *Surat Kechil* (literally, it means Little Document). This particular land title came into being as a result of a proclamation issued by Sultan Abdul Hamid on 29 March 1883, in which it was stated that all persons who occupied land without the *Surat Putus* had to report to the penghulu of their respective mukims.⁵⁷ This was to enable appointed officials to measure the land and to issue the *Surat Kechil*. This served as a provisional title which meant that the holder had the authority to occupy state land, and that he had to pay land rent. It was recognized that the survey carried out prior to the issue of the provisional title was not accurate, and so all *Surat Kechil* contained a provision which required the holder to produce the document for alteration whenever the need arose. In event of the holder occupying more land than he was entitled to, he was required to pay for the difference.

As a result of the issue of land titles, some system of survey became necessary although the method which was used was very simple indeed.⁵⁸ Both the *Surat Putus* and *Surat Kechil* contained information regarding the dimensions of the land. Its location was determined with reference to different landmarks such as prominent natural features, surrounding pieces of land, trees or tracts. An

⁵⁶K.A.R. 1909 p.14.

⁵⁷K.A.R. 1909 p.14.

⁵⁸The measurement of land was done by using the services of medium sized men. By this method an area of 84 *tapak* (paces) was equivalent to 1 *relong* (0.71 acre). Smaller units of measurement were the *hesta* (a measurement from the elbow to the tip of the middle figure), the *jemba* which was 5 1/2 *hesta* and finally the *tali* which was equivalent to 11 *jemba*.

example of a *Surat Putus* was one dated 16 June 1801 which is kept in the Kedah State Museum. This document contained the decision dividing a piece of *bendang* (rice land) which was 12 relongs in area between two farmers, Ita and Din. It also mentioned that this piece of land had been handed down from someone called Sri Siti who had originally obtained it from Tunku Ngah. This land which was located in mukim Sungei Bahru in the district of Kubang Pasu was divided equally between the two claimants by the territorial chief, Tunku Bisnu. In describing the location of the six relongs which belonged to Ita, the document referred to its position in the following way. The back of the land would face the east, and end at a field on the banks of the Sungei Bahru. The northern boundary lies alongside a rice field belonging to Mat Tawi. The head of the land is on the west, bordering on the rice fields of Long Draman, and the southern border is contiguous with a piece of land owned by Ha.

The traditional administrators were supposed to record all land titles in a document called the *Banchi Sewa* (Rent Census) in which the name of the owner, the date of alienation, the dimension and locality of the land were all to be recorded.⁵⁹ The keeping of the *banchi sewa* implied that land thus recorded were subject to land rent. But in practice, however, there did not appear to have been any system of collecting land rent. This was due firstly, to the fact that practically all the land owners were members of the ruling aristocracy, and they were automatically exempt from having to pay land rent. Secondly, only the raayat were liable to this payment, but they normally did not have to because they had to perform *Kerah* (compulsory labour), and this service freed them from the liabilities of land rent. Shortly after his accession to the throne in 1881, Sultan Abdul Hamid decided to create a proper Land Office for the purpose of collecting land tax. He followed this up by issuing a proclamation on 12 February 1883 imposing *hasil tanah* (land tax) on all private lands at the rate of 25 cents per relong.⁶⁰ This proclamation also protected a raayat from being called up for *kerah* once he had paid the land tax. In addition, a clear distinction was made between the payment of rent on land held under the *surat putus*, and that held under the *surat kecil*. In the case of the former, the rent was known as *hasil tanah* (land tax) while in the latter, it was called *sewa tanah* (land rent). The difference was that in the first instance a man paid the *hasil* (tax) of 25 cents per relong on land granted to him by the ruler of the state; in the other instance a *sewa* (rent) of 25 cents was paid for occupying land belonging to the state.⁶¹ Within this system, there was worked out in Kedah, a very clear cut code of exemption from paying

⁵⁹No *banchi sewa* books could be traced in the Kedah Archives. It is believed that these had been destroyed during the Japanese occupation. In any case it is likely that not many were kept originally, as so many of the penghulu were illiterate.

⁶⁰K.A.R. 1909 p.15.

⁶¹CO273/351 Maxwell to High Commissioner 7 November 1909. This distinction between *hasil tanah* and *sewa tanah* is an interesting one, because, in the Federated Malay States *hasil tanah* means land rent. The theory of holding land from the state on *sewa* (rent) was unknown.

tax or rent on land which was enjoyed by a whole host of people.⁶²

The system of land administration in Kedah, however, was very largely theoretical. In spite of the fact that the Sultan had in 1883 obtained the services of a Penang clerk to start a land office, there is no evidence to show that it functioned. Pressure from the privileged classes against their having to pay any tax or rent on land made the system ineffective. The lack of proper personnel to carry out the work was yet another handicap. For example, the survey system was in a mess. For the most part land owned by the *Tengkus* and *Syeds* were left unmarked. Where demarcation work was done, it was so bad as to make it useless. Thus large Chinese-owned tapioca estates in South Kedah, although demarcated, did not in the majority of cases, have any signs to show their boundaries. And so the Chinese utterly disregarded the boundaries and planted wherever they liked.⁶³ Consequently, various types of problems concerning land arose and a large number of the Sultan's correspondence were instructions to territorial chiefs and penghulus asking them to settle such issues. The most common complaint seems to be those regarding rice land. A typical complaint was that of three *raayat* from mukim Padang Kerbau against their penghulu who was making use of part of their land by taking advantage of the fact that the boundaries were poorly defined.⁶⁴ Less frequent were complaints of the Penghulu confiscating land belonging to the *raayat*, again because of ill-defined demarcation.⁶⁵ The situation was complicated when Chinese immigrants took up land for commercial agriculture or for tin mining, and when some of them received various grants of land from the Sultan in lieu of repayment for his loans. Arising out of this, Chinese miners and planters often quarrelled over land and water rights.⁶⁶ Sometimes, the same piece of land had two owners. For instance, a piece of land at Padang Mehar was originally given by the Sultan to a Mohamed Hassan for the purpose of bringing in people from other areas to develop rice cultivation. Later on, Tunku Mohamed Saad, the territorial chief, gave the same land to a Chinese, Seng Kwee, for him to plant tapioca.⁶⁷ The Resident Councillor in Penang frequently wrote to the Raja Muda complaining that land belonging to British subjects was being abused. One case involved the land belonging to Abu Hassan which he had bought in 1901 for \$240, but without his knowledge, this piece of land was sold by the Head of the Kedah Land Office, Syed Osman.⁶⁸ In another instance, a complaint was lodged that the land belonging to Haji Saad was being used by others for the last three years.⁶⁹ Such was the position of land administration in Kedah, that by the beginning of the

⁶²See Appendix 5 for List of Privileged Classes in Kedah.

⁶³K.A.R. 1905 p.21.

⁶⁴SC/7 Raja Muda to Wan Mohamed Saman 12 Shaaban 1314 (16 Jan 1897).

⁶⁵SC/3 Sultan to Resident Councillor Penang 29 Jamadil Awal 1310 (19 Dec 1892).

⁶⁶SC/6 Sultan to Tunku Mohamed Saad 29 Muharam 1313 (22 July 1895).

⁶⁷SC/6 Sultan to Tunku Mohamed Saad 4 Shaaban 1313 (20 Jan 1896).

⁶⁸SC/10 Resident Councillor Penang to Raja Muda 26 May 1905.

⁶⁹SC/10 Resident Councillor Penang to Raja Muda 27 May 1905.

20th century it was observed that "the regulations in respect to the grant of land is in much confusion.... (Hence) it was deemed advisable to frame a new Concessions Enactment especially in view of the extensive planting industry which was growing up..."⁷⁰

In the course of some of the preceding discussion passing mention was made of *kerah* or compulsory labour. This indeed was the principal form of labour, for in Kedah the system of labour was not based on wages, but upon the right of the Sultan and his chiefs to extract it from the *raayat*. In fact the *raayat's* liability to *kerah* was one of the fundamental institutions of a Malay state. In principle, *kerah* was imposed upon the *raayat* in lieu of land rent. Unfortunately, however, the laws governing this system were vague and ill defined and in practice this principle was seldom observed. Thus peasants cultivating land under the *pawah* or *bagi dua* system were frequently called upon to render compulsory labour. Neither was there any definition of the type of work that had to be done; nor was there any restriction against calling up the same person more than once in a year. It was therefore, not uncommon for a group of padi farmers to have to leave their agricultural work, and be away for several weeks at a time. Hence, this system was yet another traditional institution which served to retard the economic progress of Kedah.

The organization of *kerah* was very simple. Whenever the Sultan or a major chief required labour for some purpose, an order would be passed down to a *penghulu* who then had to round up the needed number of men. If the required number could not be raised from a particular *kampung* (village), the *penghulu* could impress additional men from neighbouring *kampongs*. Sometimes, a group of peasants under *kerah* had to go on to another job immediately on finishing the first, instead of being allowed to return home. For instance, in 1889, 300 men were called up from various kampongs in Yan, Dulang, Singkir, Sungei Daun and Langkawi for the purpose of clearing the road from Jernam to Sena. It was also stated that these people could be sent to work elsewhere, if workers were needed.⁷¹ Obviously, this was to take advantage of such a large labour force which could not often be assembled together. All these workers, while they were not paid received from the "employer" food, lodging and a change of clothing for the period they were under *kerah*. While other aspects of *kerah* were unspecific, there was one which was very clearly laid out; this was with regards to different categories of people who were exempt from this service. Obviously, no Malay aristocrat was ever subject to *kerah*. In addition to the list of people exempt from paying land tax or rent, there were other classes of commoners free from *kerah* because they had assumed high social status. These included the *Syeds* (considered to be descendents of Prophet Mohamed), *Orang Baik-baik* (persons of good birth), *Haji* (returned pilgrims from Mecca), *Lebai* (mosque officials) *Pegawai-pegawai* (officials of the state) and *Penghulu* (headman).

⁷⁰A. Wright and T. Reid, *The Malay Peninsula* (London 1912) p.18

⁷¹S.C/5 Sultan to Raja Muda 16 Rejab 1307 (8 March 1890).

This system of course was advantageous to those who were in a position to exploit it, as labour was not only readily available but free. And the *raayat* on the other hand were seldom able to question the justice of the system. In fact, they often had to acquiesce, because this was one way of getting the chief to allow them to continue cultivating his land. But very clearly, this system was prone to abuse. As Maxwell wrote in 1909, "the *kerah* tax has been one which has been much resented by the *raiat*s, or peasants of the State, for many reasons, of which the principal may be said to be, firstly, the unfairness of its incidence, secondly, the uncertainty of its incidence, and thirdly, the exactions of the persons to whom the Sultan had granted the right to obtain forced labour...."⁷² The unfairness of the system arose because of the absence of any distinction regarding work which was done for the public good, and that which was only for the personal benefit of the Sultan or chief.⁷³ Furthermore, even if the work was for the public good, the load was not fairly distributed. For example, one job which required a great deal of *kerah* labour was the putting up of telegraph poles together with its ancillary works such as clearing the surrounding land, and the cutting of timber for these poles. In most cases, these jobs had to be shouldered by inland *mukims* and *kampungs*, and these were the areas that least benefitted from their labour. The uncertainty in the incidence of *kerah* was something which the peasants dreaded. Logan noted, for example, that the peasants in Kota Star district complained of "... the arbitrary and irregular demands that were made on their time and labour, several being called away at present for instance to procure materials for the Raja's house and aid in its erection."⁷⁴ One of the most undesirable consequences of this uncertainty was that it contributed towards killing initiative and enterprise among Malay peasants. Maxwell saw this very clearly when he said, "the feeling that he never knows when he may be *krah-ed*... prevents a *raiat* from attempting any enterprise outside the annual task of planting his *padi* field. To start to erect a fishing stake, or to make a boat, and then to be called away by the *penghulu* for some forced labour, and to abandon to its fate his unfinished work is an experience that takes all the heart out of a man...."⁷⁵ Perhaps the most unjust aspect of *kerah*, was the abuse of this system by persons who had obtained grants from the Sultan to extract compulsory labour. This abuse by the *mukim*-holders as such grantees were called, has been described as "nothing less than an unmitigated curse to the country."⁷⁶ This had been possible because many *mukims* in the state had been granted by the Sultan to various chiefs and *penghulus* as *ampun kernia* in lieu of salary. Among the privileges thus bestowed, was the right of the grantee to such of

⁷²CO273/351 Maxwell to High Commissioner 7 November 1909.

⁷³The Sultan's Letter Books are full of references of peasants being called up to perform various types of personal work for their chief and members of the royal family. These included the repairing of houses and the getting of materials for the work, building of stables, outhouses and the manning of boats for a journey.

⁷⁴Logan *op.cit.*

⁷⁵CO273/351 Maxwell to High Commissioner 7 November 1909.

⁷⁶K.A.R. 1909 p.20.

the revenues and profits of the mukim as had not been already specifically granted to the people. More commonly, his rights were restricted to the levying of forced labour and to collect the land rents. Thus when, the grantee's sources of income were limited, they tended to make the best use of *kerah* in order to ensure a steady and reasonable income for themselves. Peasants were therefore, used to work the chief's fields from sowing to harvesting, sometimes without being provided with food. It has also been known that *mukim* holders hired out their forced labour to others. In addition to all this, it has to be remembered that the peasants were still subject to be called up by the territorial chief or by the Sultan. Sometimes all these disadvantages applied even to those *raayat* who had paid land rent. For example, in 1905 the Sultan's clerk, Che Ariffin wrote to Wan Yahya, the Magistrate at Changloon asking him to investigate the case of a Lebai Saad who imposed *kerah* by force on some peasants who had already paid their land rent.⁷⁷

Much can be made out regarding the abuses of *kerah*, and indeed abuses were not infrequent. But, in practice there were also practical limits which controlled the degree of abuse and made the system fairly tolerable. In the case of Kedah, we have seen the predominant role which rice cultivation played in her economy, and this worked out to be a brake in the abuse of *kerah*. The Sultan himself clearly understood that to *kerah* men during sowing or harvesting time would cause hardship not only to the men, but also to the country's revenue. Thus, from time to time, he issued instructions forbidding his chiefs and *penghulus* from exercising their privilege if that was going to interfere with rice production.⁷⁸ The Sultan also sometimes received petitions to relieve his *raayat* from having to work several times a year, and in all known cases, dispensation was allowed. For example, a petition was sent to the Sultan by about 50 peasants who were asked to put up telegraph poles after they had just completed a *bangsai* (shed), and he decreed that this order be nullified.⁷⁹ Contrary to the impression that the *raayat* accepted all orders without question, they sometimes complained against arbitrary abuses of the system. One such example was the complaint to the Sultan against the Raja of Setul who ill-treated his subjects by not providing adequate food and shelter when they were working under *kerah*. On receipt of this complaint, the Sultan who was also Governor of Setul immediately ordered an investigation.⁸⁰ On a lower scale there were innumerable complaints by the *raayat* against the abuses by *Penghulus*. *Raayat* reaction also took other forms. An interesting one was reported by the *penghulu* of Mukim Sala, about five men who refused to join the others who had been conscripted to work on the telegraph line at Gua Chempedak. The *penghulu* had to use force to get these men to go to the work site, but when they finally arrived, they simply refused to do any work. Unable to compel these men

⁷⁷S.C./11 Md. Ariffin to Wan Yahya 19 Safar 1323 (25 April 1905).

⁷⁸S.C./5, 16 Rejab 1307 (8 March 1890) contains an order which listed a series of mukims in the district of Kota Star which were to be exempt from *kerah* during the harvesting season.

⁷⁹SC/7 Raja Muda to Wan Mat Saman 7 Safar 1315 (8 July 1897).

⁸⁰SC/1 Sultan to Siamese Consul, Penang 18 Zulhijah 1305 (24 August 1888).

to obey orders, the *penghulu* sent them to the Sultan who held an investigation. Having found them guilty, they were jailed for five days.⁸¹ In the last resort, abuses could lead to depopulation and this was one thing which no chief or *penghulu* would want to happen especially when they depended for their livelihood on the collection of duties and taxes from the people under their jurisdiction. This apparently happened in Yan and the Sultan had to write to Syed Osman, the territorial chief, telling him that he could not *kerah* those people who had originally been under his rule, but had moved to live in another district.⁸² Likewise, in certain inland *mukims* abuses resulted in those areas, some of which covered a considerable area, to have only "a sparse population (because) the exaction has been so heavy as wholly to prevent immigration."⁸³

One positive aspect of *kerah* was that some of the work done did have a beneficial and lasting effect to the state. The best example was the use of *kerah* labour in all the canal building projects. Wan Mat Saman took advantage of this facility which enabled the completion of the great canal and the conversion of about 100 square miles of swamp into good rice fields. In addition the great canal like all the others provided a vital means of transport. Connected with canals was the work done by compulsory labour to maintain them; the building and repairing of sluices and the construction of bridges. Another useful project was road building. One such road which was constructed ran from Alor Star to the Singora border, and another linked the town of Jitra and Kodiang which was at the Perlis frontier. Unfortunately, constructive projects of this nature were too few and far between, and on balance one cannot but agree with Maxwell when he said, "... the system was of little practical use to the Government; deprived it of a considerable annual revenue that might otherwise be obtained from the land tax and solely benefitted the mukim holders at the expense of the unfortunate *raiat*."⁸⁴

The other major form of labour supply in Kedah came from the institution of slavery. In Malay society, generally, there were two main classes of slaves—*hamba abdi* (slaves) and *hamba or orang berhutang* (debt-slaves or debt-bondsmen).⁸⁵

⁸¹SC/5 Sultan to Raja Muda 16 Rejab 1307 (8 March 1890).

⁸²SC/7 Sultan to Syed Osman 16 Rabial Awal 1315 (15 August 1897).

⁸³CO273/351 Maxwell to High Commissioner 7 November 1909.

⁸⁴K.A.R. 1909 p.20.

⁸⁵Aminuddin Baki, Debt-Slavery in Perak, *Pentjuau Sejarah* Vol. 1 No. 1 1966 pp.1-2 *Hamba abdi* (slaves) who were non-Muslims could be acquired in a variety of ways and they were classified accordingly:

- a) *Hamba Tauanan* or enslaved war captives.
- b) *Hamba di-rangkap* These were infidels captured by force, for example the Sakais and various other groups captured by pirates and later sold as slaves.
- c) *Hamba Habshi* These were African slaves who were mostly purchased by some of the Malays who went to Mecca for pilgrimage or were imported into Malaya by Arab merchants.
- d) *Hamba Hatur* became slaves by surrendering themselves to the Sultan when after being found guilty of a capital crime, they were unable or unwilling to pay their fines.
- e) *Hamba Serah* were people who out of economic plight offered themselves to anyone in return for

In the case of Kedah, details about slavery are not available. Maxwell in his annual report for 1909 dismissed it by saying that "slavery is but of historic interest in Kedah for it was abolished many years ago by proclamation, of which I have been unable to obtain a copy or even learn for certain in which reign it was issued."⁸⁶ While this might have been so, other evidence shows that slavery was still in existence in Kedah during the 19th century. For instance, the correspondence between the Sultan and the Penang authorities in the early years of the 19th century, featured the problem of runaway slaves rather prominently.⁸⁷ In the Burney negotiations at Bangkok, one of the proposals discussed was that if the Sultan, who was then in Penang, would go to Malacca and agree not to attack or aid in attacking Kedah, the Chau Phya of Ligor would in return release his kinsmen, servants and slaves. And then of course, there were a few references to *hamba habshi* in the correspondence between the Sultan and his Mecca agent in the 1880's and 1890's. The Sultan's accounts for Rabial Akhir 1316 (1898) shows an item of \$300 given to Tunku Mohamed to purchase a Siamese slave in Bangkok. What appears to be clear is that slavery was unimportant in Kedah and the numbers must have been very few and confined to the Sultan and a few members of the aristocracy.

Much more important in terms of numbers and usefulness were the *orang berhutang* (the indebted man).⁸⁸ The most common way in which a free peasant became a debt-bondsman was when he was in need of money or goods for some reason. He would then go to either the Sultan or to his chief to make the loan and if it was given, a certain time limit was fixed for payment. If at the end of this period, the loan was still unsettled, the creditor (known as *tuan mas*) normally allowed a little more time as grace. But when even this extra time was no help to the debtor, he was taken into the creditor's household on the understanding that he was to work until the debt was paid off. In Kedah, such debts were genuine and could be traced to a bona fide transaction; although because the debt was transferable, tracing the origin of it could be difficult. The amount of these debts varied from \$30-\$150 but the average was about \$60. In the majority of cases there was a specific provision for the debt being reduced (*susut*) by a fixed amount every year. These reductions were, however, very small, ranging from \$2-\$10 per year.⁸⁹

food.

f) *Anak hamba* or *Keluarga hamba* These were the children and wives of slaves.

⁸⁶K.A.R. 1909 p.60.

⁸⁷Winstedt, History of Kedah *op.cit* p.181.

⁸⁸It is interesting to note that the term for debt-bondsman—*hamba berhutang*—as used in Perak meaning the indebted slave, was unknown in Kedah.

⁸⁹K.A.R. 1909 p.60

Like slaves, debt-bondsmen were also classified into different categories:-

- a) *Orang Berhutang*. These were the normal type of debt bondsmen discussed above.
- b) *Anak Mas* were those who became debt-bondsmen by marrying the Sultan's or chief's slaves.
- c) *Hamba Waris* were the children and wives of debt-bondsmen.
- d) *Hamba Bayar* These were persons given away by their master to another as payment of the debt

The number of debt-bondsmen in Kedah was not large enough to make them an important source of labour. The first definite idea of their strength came about when in 1892, Sultan Abdul Hamid issued an order requiring all documents relating to sales, mortgages, loans and promissory notes, to be registered. In addition it was also required that all agreements entered into by debt bondsmen should be registered in the Land Office of the district in which the contracting parties lived. Failure to register an agreement did not render it invalid, but the holder was liable to a fine of \$25. The number of transactions which were registered after this order was 980 for Kota Star district, 12 for Kubang Pasu, 2 for Kuala Muda and none in the other districts. This did not mean that there were only 994 debt-bondsmen in Kedah because where creditors were members of the royal family, the transaction was either unwritten or, if written, were not registered. It was estimated that there were about 200-300 such cases.⁹⁰ On the other hand, no record was kept of the dissolution of any of these agreements as a result of the death of the debtor, the payment of the debt, the operation of the *susut* system or as sometimes happened, by the voluntary remission of the debt by the creditor.

A much more important reason for the insignificance of the system of debt-bondage in Kedah was because it had no political role. In the case of other west coast Malay states, particularly Perak and Selangor, debt-bondsmen constituted a very important category of the chief's following. Besides performing their normal duties, these men also served as bodyguards and most important of all, as the striking force of the chief. Consequently, the prestige, power and status of a chief could be measured by the number of debt-bondsmen he possessed.⁹¹ As Swettenham observed, "The Raja looks to the number of his following as the gauge of his power and other Rajas will respect and fear him accordingly. Thus he tries to get men into his service in this way."⁹² The ownership of the debt-bondsmen for such political purposes did not exist in Kedah because, unlike Perak and Selangor, Kedah in the 19th century did not suffer from the same political instability where the struggle for power amongst chiefs, and between chief and Sultan was the order of the day. So the only use to which debt-bondsmen were put in Kedah was economic, and this to a large extent was not particularly significant because compulsory labour was so readily available. Anyway, debt-bondsmen were put to use, and here a distinction must be made between those who fall under the *mengiring* system and those under the *berbelah* system. This is important because the former besides working full time for their

incurred by the master. Debt-bondsmen were further classified into those who fell under the *mengiring* system whereby they had to completely surrender their services to their creditor, and the *berbelah* system, under which the debtor only rendered part time work.

⁹⁰K.A.R. 1909 p.61.

⁹¹Gullick *op cit.* pp 97-98.

W.E. Maxwell, Law Relating to Slavery Amongst the Malays *J.M.B.R.A.S.* Nos. 21-23 (1890-91) p.249.

⁹²Quoted in Gullick *op.cit.* p.98.

creditor could also be transferred to another master if he could raise the money. In this sense, this category of debt-bondsmen could be considered as capital investment. But the latter, who were generally married men with families could not be transferred and were normally used as agricultural workers to produce food for the creditor's household.⁹³

Like the system of *Hasil kerah*, debt-bondage was also prone to various kinds of abuses. In theory debt-bondsmen were looked upon as *orang merdeheka* or freemen, and they could free themselves from bondage by paying off the loan. But sometimes, the debtors themselves knew that they could never buy themselves out. In areas where debt-bondsmen were useful both economically and politically, the chief tended to increase the number of such followers through a variety of means. Sometimes, a chief could invent a debt where one did not exist, or he could impose a fine on an offence never committed. In this way the victim became a debt-bondsman, the *pesaka* or property of the chief. Another method used to prevent the decrease of debt-bondsmen was to refuse accepting payment for freedom when it was offered or refused to operate the *susut* system. Likewise, while in theory a debtor could request to be transferred to a different master if he could find one, this could very easily be rejected. In Kedah, however, very little is heard regarding the abuse of the system or the ill-treatment of people in bondage. In fact debt-bondsmen in Kedah had the same access to redress as any other *raayat* in the country. Thus, there was the case where the Sultan released two debt-bondsmen, Mat Akib and Mah after a petition of ill-treatment was found to be justified. What was really significant about this instance was that the creditor, Che Manjelera was one of the Sultan's wives.⁹⁴ Maxwell in his 1909 annual report said that during the first six months of his stay, he had received hundreds of petitions, but only four were connected with *orang-berhutang*.⁹⁵ One aspect of debt-bondage which tends to be forgotten is that these people themselves often preferred to stay on as they were. This was particularly so, when the creditor provided adequate food, clothing and shelter for them and their family. After all, in an age where remunerative work was non-existent, the incentive to leave the service of their creditor could not have been pressing. But despite these alleviating features, the fact remains that "the principal evil of the debt-bondage system in Kedah is not that it entails any harsh treatment of the debtor but that it deprives him of all inducement to work, for it is not in human nature to work hard when hard work brings no reward."⁹⁶

⁹³K.A.R. 1909 p.60.

In Kedah, the work of agricultural debt-bondsmen were divided into three different classes.

- a) *Kerja Dagang Pandak*. This included a variety of menial services in the creditor's household.
- b) *Kerja Dalam Bendang* involved working on the padi fields where they had to sow, tend and harvest the padi plant.
- c) *Kerja Dalam Dusun*. This was the work of looking after fruit orchards.

⁹⁴SC/11 Tunku Mahmud to Mat Akib to Muharam 1329 (11 January 1911).

⁹⁵K.A.R. 1909 pp.60-61.

⁹⁶Ibid p.62.

CHAPTER III

The Financial Problems of Kedah

The financial administration of Kedah during the first two and a half decades of Sultan Abdul Hamid's reign, constitutes a very significant aspect of the history of the state. As it turned out, this was the factor which proved to be the turning point between tradition and change in Kedah. The bankruptcy faced by the traditional administrators in 1904 forced them to seek a huge loan from Siam, and the conditions imposed resulted in the breakdown of the old system of financial control, and the introduction of a more regulated and systematized form of financial administration.

The most outstanding feature of the pre-1905 financial system was the fact that there appeared to be no distinction at all between the revenue and expenditure of the state and that of the Sultan. This was in accordance with the general structure of feudal Malay society. Like the system of land administration and organization of labour, financial control was the prerogative of the Sultan. Consequently, he was able to expend the revenue of the country in any manner he wished. In line with this accepted principle, all the revenue of the state was paid directly to the Sultan. This explains why revenue farm contracts with the Chinese were in fact personal contracts with the Sultan. The revenue farm rents had to be paid monthly, and in the case of the farms in the district of Kota Star, the farmers themselves went to Alor Star with the rents. With regard to the farms outside Kota Star, it was the territorial chief who acted as the collector. In some cases, as in the district of Kuala Muda, the Sultan appointed one of the major revenue farmers to do this job. Among the items of expenditure in the Sultan's expenditure accounts were the travelling expenses for this agent. In addition, the Sultan had in the 1880's a Chinese treasurer, Lee Yok Siew, also known as Dato Vijaya Besara, and one of his duties was to collect revenue farm rents for the Sultan.¹ The running of the

¹Lee Yok Siew was already a prominent Chinese in Kedah during the reign of Sultan Ahmad Tajuddin. Together with his brother Yok Cheng, they were highly respected by the Malays for their honesty and fairness as revenue farmers. It was during this reign that Yok Siew was given the title Dato Vijaya Besara. Later he became Treasurer to Sultan Abdul Hamid. He was paid \$80 a month and his main duties, besides collecting revenue farm rents, were to handle the Sultan's financial affairs in Penang and of course in Kedah.

revenue farms also reflected the absolute financial control which the Sultan wielded. As we have seen, revenue farm regulations had to be strictly adhered to, and violation of these rules often led to fines or even confiscation. When this happened, it was the Sultan and not the state that benefitted. Fines imposed on violations were divided between the Sultan and the aggrieved farmer, with the former getting two-thirds of the proceeds. And, in the case of confiscation of revenue farms, the proceeds from the auction, or re-lease of the farm went completely to the Sultan. By the same token, the Sultan spent the country's revenues unchecked and in any way he wished. It is interesting to note that the country's expenditure came under the general heading of "*Kira-kira rial belanja Duli Yang Maha Mulia...*" (Sultan's Expenditure Account). And in detailing the items of expenditure, a phrase that was constantly used was "*titah Duli Yang Di-Pertua...*" (*under the command of the Sultan*). Likewise, the book containing the monthly entries of revenue and expenditure was titled "*Buku kira-kira Duli Yang Maha Mulia*" (Sultan's Account Book).

It is interesting to note when going through the Sultan's Account Book covering a period of 33 months from 1896 to 1900, that Kedah was in an extremely sound financial state. As summarized in Table II the revenue exceeded expenditure in each and every month leaving a substantial credit balance at the end of it. For instance, the credit balance for the year 1315 (1897/8) stood at a substantial \$513,479.91 cents, and for the following year it was still a respectable \$253,546.15 cents.

This picture of a healthy financial position, however, does not tally with information from the Sultan's correspondence which clearly shows that Kedah was in financial difficulties by this time. In fact financial problems began to be evident as early as 1888, and ample indications of this can be seen from the content of the Sultan's letters. One of the first steps which the Sultan decided to take, in that year was to reduce the allowances of the members of the royal family. For example, Tunku Thiauddin who was receiving \$11,200 a year, and Tunku Yusof whose allowance was \$5600 were both told that they would have to accept a reduction of \$1500 and \$1000 respectively because the State was in debt and, in spite of a loan from Siam, there were still a large number of obligations to be met. It was further explained to them that even the salaries of some of the state's officers were still outstanding because there was insufficient cash.² In the following year, there were increasing references to the country's debts. The Sultan was now making use of revenue farm deposits to pay off some of his loans. Thus when the deposit of \$14,000 for the gambling farm in the district of Kulim was received, the Sultan immediately used \$10,000 to meet some of the more urgent debts.³

Nevertheless, the situation up till 1890 was still not too serious, and the Sultan

²SC/5 Sultan to Tunku Thiauddin and Tunku Yusof, 7 Safar 1306 (13 October 1888), 8 Safar 1306 (14 October 1888).

³SC/5 Sultan to Tunku Mohamed Saad 29 Rejab 1307 (21 March 1890).

TABLE II

Tabulated statement showing monthly revenue and expenditure
accounts of Kedah for the years 1314-1317 (1896-1900)

Year	Month	Revenue	Expenditure	Balance
1314 (1896-7)	Shaaban	35,373.63	33,508.71	1,864.92
	Ramadhan	3,791.58	2,458.94	1,332.63
	Shawal	3,092.63	1,157.72	1,934.91
	Zulkaedah	3,067.60	1,673.87	1,393.74
	Zulhijjah	14,004.43	4,880.78	9,123.75
Total for 5 months		59,329.87	43,680.02	15,022.66
1315 (1897-8)	Muharram	17,486.24	3,649.66	13,837.07
	Safar	38,777.07	28,724.60	10,052.46
	Rabial Awal	64,196.29	21,950.63	42,245.65
	Rabial Akhir	52,691.39	31,005.23	21,686.16
	Jamadir Awal	156,202.60	8,090.15	148,112.45
	Jamadir Akhir	151,372.44	75,944.19	75,428.42
	Rejab	78,778.24	20,768.67	58,009.57
	Shaaban	59,769.56	6,167.68	53,601.88
	Ramadhan	57,690.71	12,690.42	45,000.29
	Shawal	47,244.43	21,646.20	25,598.21
	Zulkaedah	31,494.73	22,664.58	8,833.15
Zulhijjah	21,405.40	10,330.73	11,074.60	
Total		777,106.10	264,632.74	513,479.91
1316 (1898-9)	Muharram	19,959.74	11,348.34	8,611.39
	Safar	19,420.18	3,956.28	15,463.95
	Rabial Awal	38,493.77	21,360.69	17,133.08
	Rabial Akhir	31,550.87	15,107.52	16,443.35
	Jamadir Awal	23,872.64	7,130.46	16,742.17
	Jamadir Akhir	23,257.76	7,667.97	15,589.78
	Rejab	29,993.74	9,106.11	20,887.63
	Shaaban	123,248.12	52,040.39	71,207.73
	Ramadhan	75,229.46	50,076.76	25,152.67
	Shawal	28,710.40	21,180.79	7,529.20
	Zulkaedah	66,736.36	39,041.35	27,794.61
Zulhijjah	43,823.24	32,832.65	10,990.59	
Total		524,296.28	270,949.31	253,546.15
1317 (1899-1900)	Muharram	20,708.35	10,060.03	10,648.32
	Safar	64,330.43	23,074.43	41,256.00
	Rabial Awal	No figures	78,623.78	No figures
	Rabial Akhir	No figures	36,057.80	No figures
Total for 4 months		-	147,816.04	-

Source: Sultan's Account Books.

did make attempts to control the finances. But after 1890, it became very clear that financial deterioration was settling in fast. Perhaps the best indication of this was seen in the increasing number of loans which the Sultan had to seek, some of which were extremely large when seen in the context of the country's revenues. In 1892 a loan of \$100,000 was obtained from Siam, but even this was not enough, for in the following year, Lim Lan Jak, one of the most important Kedah revenue farmers, raised another \$50,000 for the Sultan.⁴ Part of this second loan was made necessary by the fact that the State had no money to pay the first instalment of \$20,000 on the Siamese loan. The situation continued to grow worse, and by 1895, the state was even finding it difficult to refund revenue farm deposits. For instance, the opium and chandu farm deposit which Kedah had agreed to refund at 30 monthly instalments of \$3301.40 cents could not be honoured. And in order to meet additional expenditure of this sort, further loans had to be sought especially from the Chinese merchants and Indian money lenders of Penang. The Raja Muda who examined the state's finances in 1896 came to the conclusion that there was no other way to cover the country's expenditure except by asking for another loan from Siam. It is significant that he also recommended that the deposit from leasing the new opium and chandu farm could be used as a surety for the loan. This was one of the manipulations of state finances which proved so disastrous in later years. In any case, pending the approval of another loan from Siam, the Raja Muda instructed the Chief Minister to raise \$30,000 to meet immediate demands.⁵

By 1899 some of the Sultan's creditors began to press for payment. One such case was Lee Poh, a Kedah revenue farmer, who had advanced the Sultan \$32,000 worth of goods for the government and who, after several years of waiting, decided that the loan had to be settled expeditiously. This led the Raja Muda to write to the Siamese Consul in Penang, Mr. Nuebronner, from whom he sought advice and help. The Raja Muda explained that the Sultan had no intention of avoiding payment, but that there was no money in the state. Nuebronner was asked to counsel Lee Poh to accepting the Sultan's offer of paying his debt by monthly instalments of \$900, including interest because Lee Poh had insisted that at least half of the debt had to be settled immediately. Another fear of the Raja Muda was that Lee Poh might take this case to the British authorities which would complicate matters, and so he also requested Nuebronner to prevent him from doing so.⁶ The getting of additional and bigger loans was the method used by Kedah to meet her ever increasing debts. By 1899 the amount of loans taken by the Sultan over the past three years amounted to \$369,880.⁷ This amount, however, did not include other types of debts such as the inability to refund farm deposits, debts in goods taken for government use, debts owing to contractors, and debts to its own government officers in the form of

⁴SC/5 Sultan to Lim Lan Jak 13 Rabial Awal 1311 (24 September 1893).

⁵SC/6 Raja Muda to Wan Mohamed Saman 5 Jamadil Awal 1314 (12 Oct. 1896).

⁶SC/8 Raja Muda to Nuebronner, 5 Rabial Akhir 1317 (12 Aug. 1899).

⁷See Table V p.57-58.

unpaid salaries. The biggest loan ever negotiated by the Sultan was in 1902, when he instructed Goh Boon Keng, the most important revenue farmer in the district of Kuala Muda and Merbok, to arrange a loan of \$234,000 from a Penang Chetty. For the purpose of this loan, the Sultan mortgaged his house in Penang, and he also asked Boon Keng to act as his surety. The arrangement was that the loan would be repaid in 80 monthly instalments of \$2,925, excluding interest and these instalments were to be paid by Boon Keng, out of the rents from the revenue farms held by him.⁸ Two years later, another large loan was obtained. This time the Sultan asked Cheng Tai Peng, another Kedah revenue farmer, to make the necessary arrangements regarding a \$120,000 loan from Kam Teck Sian. The capital on this loan was to be settled by thirty \$4000 monthly installments. Again, this was to be met out of the rents from the revenue farms run by Tai Peng.⁹

In 1903, it was estimated that the debts of Kedah amounted to \$600,000 "but it possibly exceeds this amount and owing to the heavy rate of interest at which money has been raised, the financial condition of the country will soon become desperate...."¹⁰ By this time also, the pressure on Kedah to settle her loan instalments increased tremendously as her creditors had turned to the British Resident Councillor in Penang for help. The Resident Councillor's correspondence with Kedah during this period is full of complaints and petitions about her debts. For instance, the head of the opium and chandu farm in Langkawi sought the Resident Councillor's intervention to help him get back his loan of \$11,341.93 1/2 cents.¹¹ In January 1905 several big Chinese merchants in Penang approached Mr. W.D. Barnes, the Secretary for Chinese Affairs, and informed him that the finance of Kedah had already reached a crisis. According to them, Kedah owed the Chetties and Chinese in Penang more than \$2 million and the state was now absolutely without funds.¹² At about the same time, Mr. Williamson, the Siamese Financial Adviser, made inquiries about the financial situation in Kedah. He discovered that within a year her debts had increased from \$700,000 to \$2.8 million. These were made up of debts owing to money lenders, and to British and foreign firms in Penang, some of whom were themselves put into financial crisis because of the inability of Kedah to pay. While the debts had reached such proportions, Kedah's annual revenue was only about \$800,000.¹³

It is clear, therefore, that despite the impression given by the summary of Revenue and Expenditure of Kedah in Table II, the financial position of Kedah had grown progressively worse since 1890. How can this contradiction be explained? Part of the answer can be obtained by an analysis of the revenue of

⁸SC/8 Sultan to Goh Boon Keng, 15 Shaaban 1320 (17 Nov. 1902).

⁹SC/8 Sultan to Cheng Tai Peng, 4 Shaaban 1322.

¹⁰CO273/311 Memorandum on Kedah Finances by Mr. C.W.S. Kynnersley (British Consul for the Western Provinces of Siam) 16 January 1903.

¹¹SC/10 Resident Councillor, Penang to Raja Muda, 20 March 1905.

¹²C.O. 273/311 Memorandum on Kedah by W.D. Barnes 21 January 1905.

¹³CO273/314 Paget (British Consul in Bangkok) to F.O. 25 Jan. 1905.

Kedah. In this connection, the most important factor to bear in mind is that practically the entire source of the state's revenue came from the letting out of revenue farms. This being so, a comparison of the revenue figures in Table II and III¹⁴ reveals the first glaring anomaly.

TABLE III
Tabulated statement showing monthly revenue and expenditure
of Kuala Muda and Merbok 1301-04 (1883-1887)

Year/month 1301 (1883-4)	Revenue ^a .	Expenditure ^b .	Balance ^c .
Muharram	4,383.24	4,480.82	-96.58
Safar	4,383.24	4,250.64	132.60
Rabial Awal	4,383.24	4,043.66	339.58
Rabial Akhir	4,383.24	4,068.51	314.73
Jamadir Awal	4,383.24	4,082.25	300.99
Jamadir Akhir	4,383.24	3,956.53	426.71
Rejab	4,383.24	3,576.99	806.25
Shaaban	4,383.24	4,926.99	-534.75
Ramathan	4,383.24	4,979.10	-595.86
Shawal	4,383.24	5,227.33	-844.09
Zulkaedah	4,383.24	2,672.93	1,710.31
Zulhijjah	4,383.24	3,746.87	636.37
Total	52,598.88	50,012.62	2,586.26
Year/month 1302 (1884-5)	Revenue	Expenditure	Balance
Muharram	4,383.24	3,662.18	721.06
Safar	4,383.24	3,724.72	658.52
Rabial Awal	4,383.24	3,569.19	814.05
Rabial Akhir	4,383.24	4,428.98	-45.74
Jamadir Awal	4,383.24	3,708.77	674.47
Jamadir Akhir	4,683.24	2,294.81	2,388.43
Rejab	4,383.24	5,290.56	-907.32
Shaaban	4,083.24	2,494.18	1,589.06
Ramadhan	4,383.24	4,918.88	-535.64
Shawal	4,083.24	2,872.96	1,210.28
Zulkaedah	22,353.18	28,146.98	-5,793.80
Zulhijjah	3,580.00	5,055.62	-1,475.62
Total	69,465.58	70,167.83	-702.25

¹⁴Although Table III is a summary of the revenue from the district of Kuala Muda and Merbok only, it nevertheless serves as a useful basis for comparison as these are accounts for the years 1883-1886 which were years before the onset of financial crisis in the country.

^aThe revenue figures show the total income from Kuala Muda and Merbok only.

^bThe expenditure, however, is not confined to Kuala Muda and Merbok only. In fact a very small proportion is used in the district itself; the bulk of it is expended by the Sultan in Alor Star.

^cThe figures in this column had to be re-calculated as the original was inaccurate. Faulty additions was one problem. Another was careless book-keeping. For e.g., the credit balance brought forward was sometimes added to expenditure instead of revenue; likewise debit balance were sometimes added to revenue instead of being subtracted from it.

(Table III continued)

Year/month 1303 (1885-6)	Revenue	Expenditure	Balance
Muharram	3,580.00	3,408.93	171.07
Safar	3,580.00	4,538.26	-958.26
Rabial Awal	3,993.09	3,644.97	348.12
Rabial Akhir	3,580.00	3,168.67	411.33
Jamadir Awal	3,580.00	3,546.35	33.65
Jamadir Akhir	8,495.83	8,279.48	216.35
Rejab	3,395.83	3,438.83	-43.00
Shaaban	3,462.50	3,737.51	-275.01
Ramadhan	3,462.50	3,481.96	-19.46
Shawal	3,462.50	3,532.73	-70.23
Zulkaedah	3,462.50	3,454.43	8.07
Zulhijjah	3,462.50	3,402.05	60.45
Total	47,557.25	47,634.17	-76.92
1304 (1886-7)			
Muharram	3,462.50	3,362.52	99.98
Safar	14,912.50	14,901.21	11.29
Rabial Awal	3,462.50	3,412.33	50.17
Rabial Akhir	3,462.50	3,785.79	-323.29
Jamadir Awal	3,462.50	3,384.77	77.73
Jamadir Akhir	3,462.50	3,160.65	301.85
Rejab	7,862.50	5,892.96	1,969.54
Shaaban	3,462.50	3,593.29	-130.79
Ramadhan	14,291.58	12,480.79	1,810.79
Shawal	5,685.66	5,749.69	-64.03
Total (10 months)	63,530.24	59,754.00	3,776.24

Source: Sultan's Account Books.

The revenue figures in Table III are on the whole fairly constant, and this is as it should be, because revenue farms once leased out brought in a fixed and regular income. When variations in the total occurred, as in the month of Zulkaedah 1302(1884) and Ramadhan 1304(1886), these increases are easily explained because these totals included revenue farm deposits. Only in three months, Jamadir Akhir 1303(1885), Safar and Rejab 1304(1886) are the high totals due to inclusion of loans. On the other hand, the revenue figures in Table II show such drastic monthly variations that one begins to suspect the authenticity of these figures. At its extreme the monthly revenue varied between \$156,202.60 cents for the month of Jamadir Awal 1315(1897), and \$3,067.60 cents for Zulkaedah 1314(1896). A reference to Table I in the previous chapter will show that it was impossible for Kedah to acquire a revenue of \$156,202.60 cents in one month, even if it included all the revenue farm deposits. Equally impossible was a revenue

for the whole state which was as low as \$3,067.60 cents. Even the average monthly revenue for the district of Kuala Muda and Merbok alone (Table III) was higher, and that too, was a decade earlier. Such irregularities can also be seen if we look at the figures for total revenue. For the year 1315(1897) the total was \$777,106.10 cents. Eight years earlier in 1889, the British Consul for the Siamese Western Provinces estimated that the annual revenue of Kedah was about \$170,000. Even if we accept that this was a conservative estimate, there is no evidence to show that during these eight years there were new sources to explain a four-fold increase of revenue. Even in 1906, after the introduction of changes in the financial administration of Kedah, the total income from revenue farms was only \$656,333.¹⁵

A more realistic picture of the real financial situation unfolds itself when we examine Table IV which breaks up the total revenue into the various component items. The most striking feature of this table is the column under the heading of Loans which shows that this, in fact, was the largest single item of "revenue". In the first 5 months of 1314(1896) loans made up 76% of the total and for 1316(1898) the proportion was 62%. Quite clearly loans, which cannot by any consideration be classified as revenue, accounted for 2/3 of the state's income. This helps greatly to explain the irregularities noticed in Table II, and its also means that the impressive credit balances shown there are in fact misleading and erroneous. The other outstanding feature of Table IV is the ridiculously meagre figures under revenue farm income. These totals are difficult to comprehend for they are on the average only a quarter of the total for revenue farm income in Kuala Muda and Merbok district alone (See Table V). Furthermore, its proportion to the total revenue shows that revenue farms were only a minor source of income when in actual fact they were the backbone of the country's revenue. The revenue farm total including deposits for the 5 months of 1314(1896) amounted to \$15,388.63 cents which is only 20% of total revenue, for 1315(1897) the total was \$103,452.139 cents or 40%, and for 1316(1898) it was \$75,247.93 cents or 28% of the total.

Knowing the structure of the country's economy, these figures indicate that something was seriously wrong. Going through the monthly records of revenue, we find that a typical list of revenue farm payments was as follows:-

Name of farm	Monthly value in \$
Timber, Kuala Muda & Merbok	66.66
Timber, Kulim	50.00
Road Poll Tax, Kulim	100.00
Tapioca & Sago, Kulim	416.66
Tapioca & Sago, Kuala Muda	133.33
Miscellaneous	160.00
Total	926.65

¹⁵K.A.R. 1909 Appendix A.p.iii.

The above list obviously constituted only a tiny fraction of the actual number, and value of revenue farms in Kedah, as the list in Table I clearly shows. Such a divergence from the actual state of affairs cannot be explained in terms of careless or indifferent book-keeping, although this was not uncommon. The truth is that these figures actually reflected the extent to which financial breakdown had set in by the end of the 19th century. And the reason for this, as far as the revenue farms were concerned, was because the greater part of this source had to be used for the payment of debts. Since the Sultan instructed the revenue farmers to make such payments out of rents due to the state, this income did not appear in the accounts at all. As we have seen, revenue farm deposits were used as surety on loans. Equally common was the practice of the Sultan in getting the help of the major revenue farmers in Kedah; not only to seek loans for him, but also to provide them. In either case payment was simply made by deducting from the farm rents. This was how the Raja Muda obtained two loans of \$30,000 each from two revenue farmers, Phua Hin Leong and Goh Boon Keng.¹⁶ Finally, another reason for the absence of revenue farm income in the books can be attributed to the fact that the farmers were constantly asked to divert their rentals towards the payment of allowances and bills for goods and provisions purchased by the Sultan. For instance, the Sultan gave instructions that his expenditure for 1318(1900) could be taken out of the revenue farm income of Kuala Muda.¹⁷ Likewise, revenue farmers were told to pay the allowances of territorial chiefs, and other members of the royal family.

In conclusion, it can be said that while Table V reflects a state of affairs which could be described as normal and realistic, this certainly cannot be said of Table IV. In fact a truer picture of the revenues of Kedah in the last few years of the 19th century appears when we deduct the amount of loans from the totals in Table IV. This will show that the revenue for the five months in 1314(1896) was \$18,767.65 cents, that for 1315(1897) was \$120,044.89 cents, and for 1316(1898) it amounted to \$102,507.62 cents. These figures show the tremendous decline in the state's revenues, and this is borne out very clearly when they are compared with the figures in Table V, and when we remember that the estimate of the revenue in 1889 was \$170,000. Thus, the picture that is obtained by looking at the figures in Table II is wholly inaccurate. On the contrary this sick economy, so evident by 1896 continued to get worse until finally the country became bankrupt in 1904. How did this financial deterioration come about? As late as the 1870's Kedah continued to impress British observers as a state which had "... by the efforts of its Malay Sultan and chiefs, attained ... a degree of order and development which placed it far ahead of any of the (other Malay) states ... and though the revenue

¹⁶SC/8 Raja Muda to Phua Hin Leong 4 Zulkaedah 1317 (6 March 1900).

Raja Muda to Goh Boon Keng 4 Zulkaedah 1317 (6 March 1900).

¹⁷SC/11 Wan Yunus to Abdul Rahman 22 Zulkaedah 1318 (13 March 1901).

TABLE IV

Tabulated statement showing items of revenue in Kedah for the years 1314-1317 (1896-1900)

Year/month 1314 (1896-1897)	Revenue farms	Land Revenue	Payment for cession of Penang	Farm deposits	Loans	Miscellaneous	Total ^{1*}
Shaaban	1,126.00	-	833.33	3,650.00	54,400.00	-	60,009.33 ^{1*}
Ramadhan	1,926.66	-	-	-	-	-	1,926.66
Shawal	926.66	-	833.33	-	-	-	1,759.99
Zulkaedah	922.65	-	833.33	-	-	-	1,755.98
Zulhijjah	1,226.66	45.70	833.33	5,610.00	4,800.00	-	12,515.69
Total for 5 months	6,128.63	45.70	2,533.32	9,260.00	59,200.00	-	77,967.62
1315 (1897-8)							
Muharram	860.00	2,000.00	833.33	4,394.31	-	-	8,087.64
Safar	1,026.66	-	833.33	150.00	22,680.00	250.00	24,939.99
Rabial Awal	1,018.82	15.00	833.33	41,166.66	10,500.00	-	53,633.81
Rabial Akhir	926.66	-	833.33	8,000.00	-	675.75	10,435.74
Jamadir Awal	972.66	256.45	833.33	32,500.00	100,000.00	-	134,562.44
Jamadir Akhir	926.66	-	833.33	500.00	-	-	2,259.99
Rejab	926.66	40.00	833.33	1,550.00	-	-	3,349.99
Shaaban	926.66	-	833.33	-	-	-	1,759.99
Ramadhan	926.66	1,132.00	833.33	-	-	1,196.83	4,088.42
Shawal	922.66	-	833.33	-	-	484.15	2,240.14
Zulkaedah	926.66	10.00	833.33	3,900.00	-	226.52	5,892.51
Zulhijjah	926.66	25.00	833.33	-	10,500.00	290.80	12,571.79
Total	11,291.42	3,468.45	10,000.00	92,160.97	143,680.00	3,124.05	263,724.89

^{1*}These totals do not tally with those on Table II as these do not include the so-called credit balance which did not in fact exist.^{1*}This total is greater than that on Table II because of faulty addition in the original for the month of Shaaban.

(Table IV continued)

Year/month 1316(1898-9)	Revenue farms	Land revenue	Payment for cession of Penang	Farm deposits	Loans	Miscellaneous	Total
Muharram	922.66	899.67	833.33	-	6,000.00	252.35	8,908.01
Safar	922.66	548.79	833.33	8,500.00	-	-	10,804.78
Rabial Awal	922.66	933.93	833.33	19,450.00	-	904.00	23,044.87
Rabial Akhir	766.66	1,087.80	833.33	11,730.00	-	-	14,417.79
Jamadir Awal	766.66	-	833.33	5,000.00	-	829.78	7,429.77
Jamadir Akhir	766.66	524.68	833.33	-	4,000.00	390.91	6,515.58
Rejab	766.66	5,502.86	833.33	7,200.00	-	101.10	14,403.93
Shaaban	766.66	260.50	833.33	-	100,000.00	500.00	102,360.49
Ramadhan	766.66	-	833.33	1,500.00	-	891.72	3,991.71
Shawal	766.66	717.73	833.33	-	-	1,190.00	3,507.72
Zulkaedah	933.33	-	833.33	-	55,000.00	-	58,934.66
Zulhijjah	800.00	660.36	833.33	12,000.00	-	1,734.62	16,028.31
Total	9,867.93	9,296.32	10,000.00	65,380.00	165,000.00	7,963.37	267,507.62
1317(1899-1900)							
Muharram	2,346.66	1,634.40	833.33	1,450.00	-	3,532.50	9,796.89
Safar	1,216.66	-	833.33	4,700.00	2,000.00	2,630.14	11,380.13
Rabial Awal	NO FIGURES AVAILABLE						
Rabial Akhir	NO FIGURES AVAILABLE						

Source: Sultan's Account Books.

TABLE V

Year/month 1301 (1883/4)	Revenue farms	Revenue farm deposits	Loans/mis- cellaneous	Total
Muharram	4,083.24	300.00	-	4,383.24
Safar	4,083.24	300.00	-	4,383.24
Rabial Awal	4,083.24	300.00	-	4,383.24
Rabial Akhir	4,083.24	300.00	-	4,383.24
Jamadir Awal	4,083.24	300.00	-	4,383.24
Jamadir Akhir	4,083.24	300.00	-	4,383.24
Rejab	4,083.24	300.00	-	4,383.24
Shaaban	4,083.24	300.00	-	4,383.24
Ramadhan	4,083.24	300.00	-	4,383.24
Shawal	4,083.24	300.00	-	4,383.24
Zulkaedah	4,083.24	300.00	-	4,383.24
Zulhijjah	4,083.24	300.00	-	4,383.24
Total	48,998.88	3,600.00	-	52,598.88
1302 (1884/5)				
Muharram	4,083.24	300.00	-	4,383.24
Safar	4,083.24	300.00	-	4,383.24
Rabial Awal	4,083.24	300.00	-	4,383.24
Rabial Akhir	4,083.24	300.00	-	4,383.24
Jamadir Awal	4,083.24	300.00	-	4,383.24
Jamadir Akhir	4,083.24	600.00	-	4,683.24
Rejab	4,083.24	300.00	-	4,383.24
Shaaban	4,083.24	-	-	4,083.24
Ramadhan	4,083.24	300.00	-	4,383.24
Shawal	4,083.24	-	-	4,083.24
Zulkaedah	4,383.24	17,970.00	-	22,353.18
Zulhijjah	3,580.00	-	-	3,583.00
Total	48,795.58	20,670.00	-	69,465.58
1303 (1885/6)				
Muharram	3,580.00	-	-	3,580.00
Safar	3,580.00	-	-	3,580.00
Rabial Awal	3,580.00	-	-	3,580.00
Rabial Akhir	3,580.00	-	413.09	3,993.09
Jamadir Awal	3,580.00	-	-	3,580.00
Jamadir Akhir	3,395.83	600.00	4,500.00	8,495.83
Rejab	3,395.83	-	-	3,395.83
Shaaban	3,462.50	-	-	3,462.50
Ramadhan	3,462.50	-	-	3,462.50
Shawal	3,462.50	-	-	3,462.50
Zulkaedah	3,462.50	-	-	3,462.50
Zulhijjah	3,462.50	-	-	3,462.50
Total	42,044.16	600.00	4,913.09	47,557.25

(Table V continued)

Year/month 1304 (1886/7)	Revenue farms	Revenue farm deposits	Loans/mis- cellaneous	Total
Muharram	3,462.50	-	-	3,462.50
Safar	3,462.50	1,450.00	10,000.00	14,912.50
Rabial Awal	3,462.50	-	-	3,462.50
Rabial Akhir	3,462.50	-	-	3,462.50
Jamadil Awal	3,462.50	-	-	3,462.50
Jamadil Akhir	3,462.50	-	-	3,462.50
Rejab	3,462.50	-	4,400.00	7,862.50
Shaaban	3,462.50	-	-	3,462.50
Ramadhan	4,291.58	10,000.00	-	14,291.58
Shawal	5,685.66	-	-	5,685.66
Zulkaedah	3,652.50	7,965.26	-	11,614.76
Total	41,329.74	17,965.26	14,400.00	75,145.00

Source: Sultan's Account Books.

raised must have been small, the country was not in debt"²⁰ And this happy state of affairs certainly continued for the greater part of the 1880's as Tables III and V testify. So far as the orderly and sound management of its financial affairs was concerned Kedah was a model state. Unlike other western Malay states, it had the good fortune of not suffering from political upheaval and chaos arising out of palace intrigues, and the struggle for power between rival chiefs, and between chief and Sultan. In fact Kedah was unique "in its institutions, in the observance of order, the well being of its people, and the general development of the country ..."²¹ which was characteristic of its history from the 1840's. Further, the financial demands of a Malay feudal society were such that there was really no need for large revenues. For one thing, the concept of spending money for public works was almost non-existent, and whatever projects that could be thus classified because they did result in some benefit to the people, were in fact private projects of the traditional ruler. Thus, the building of the road to the Singgora (Songkhla) border from Alor Star was made necessary by the need for better communication, both for the Siamese who came to Kedah via Singgora (Songkhla) as well as for the Malays who needed to go to Bangkok on political visits, or when bearing the *Bunga Mas*. Likewise, the other main road leading to Perlis was necessitated by the fact that Sultan Abdul Hamid was also the Commissioner of Perlis, and in this capacity quite frequent exchanges took place between the two states. The one development in Kedah which was based on deliberate planning was canal building. But even this was principally motivated by the need of the Sultan and the land owners to ensure that their own definite source of income should not be adversely affected. In the 1880's the state of canal building activity coincided with the period of the expansion of revenue farms. Hence the Sultan actively

²⁰Swettenham, *op. cit.* p.310.

²¹*Ibid* p.311.

encouraged and participated in a series of construction projects because, for him the more new land was put under rice cultivation, the more revenue he could obtain from his rice and padi farms. As for the other initiators like the Chief Minister, Wan Mohamed Saman, they undertook this work because they were granted the right to sell some of the land on both sides of the completed canal, and allowed to keep the proceeds themselves. Projects like road building and canal construction obviously required large labour forces, and in traditional Kedah these were quite easily obtained and at very little cost. For as we have seen, the system of *hasil kerah* entitled the ruling class to conscript labour from the raayat in return for food, shelter and some clothing. Thus what would have been a large item of expenditure was made unnecessary. Finally, Kedah did not have a large administrative organization to maintain, especially when even the administration of revenue was looked after by the system of revenue farms. The financial requirements of a state like Kedah were therefore limited, and there was little reason why its revenue should not have been adequate. Yet, from the late 1880's, at a time when the Chinese population of Kedah was increasing, and when the number of revenue farms were expanded, thus bringing in a much higher income, the state contracted heavy debts which in less than two decades resulted in bankruptcy.

The fundamental factor which enabled this to happen was the Sultan's unchecked personal control over the revenue and expenditure of the state. Sultan Abdul Hamid was extremely generous by nature and he seemed to derive great pleasure from making lavish gifts. He also spent enormous sums of money on his several wives and children, buying them jewelry, building them houses and making frequent grants both in land and in money to them.²² This royal past-time increased in tempo after 1895, when after being on the throne for fourteen years, the Sultan fell seriously ill. Three years later he resumed his duties in spite of being still unwell physically and mentally, and it was in this state that he took little or no interest in regulating expenditure.²³ For example, he would issue orders to pay anyone who asked him at the right time, such sums of money as they required. These "notes of hand" were then taken by the recipients to the local money lenders or revenue farmers who would cash them for perhaps two-thirds of the face value.²⁴

An examination of the various items of expenditure in Table VI helps to explain how Kedah got herself into such deep financial difficulties. The largest single item of expenditure has been classified under the heading of General Expenditure. This included payments to Penang and Singapore firms for

²²CO273/293 Memorandum by G.W.S. Kynnersley 16 January 1903.

²³A comparison of Tables VI and VII shows the extent to which expenditure was unregulated in the late 1890's. In Table VII, the fairly uniform and predictable expenses indicates that in the 1880's, although the Sultan still wielded absolute financial power, he was nonetheless exercising a great degree of control over the expenditure.

A glance at the expenditure figures in Table VI show the exact reverse.

²⁴K.A.R. 1905-06 p.8.

TABLE VI

Tabulated statement showing items of expenditure in Kedah, 1314-17(1896-1900)

Year/month 1314 (1896/7)	General expenditure	Palace salaries	Ampun Kernia	Refund of farm Deposits	Payment of loans	Gambling	Payment into Treasury	Total
Shaaban	1,162.83	92.00	1,040.00	74.30	34,677.33	1,443.00	-	38,499.46
Ramadhan	696.67	92.00	785.69	74.30	-	-	800.00	2,448.66
Shawal	430.71	92.00	90.00	74.30	300.00	-	800.00	1,787.01
Zulkaedah	433.60	92.00	330.00	52.08	-	-	800.00	1,707.68
Zulhijjah	2,975.21	92.00	616.00	96.52	320.27	-	800.00	4,900.00
Total	5,699.02	460.00	2,861.69	371.50	35,297.60	1,443.00	3,200.00	39,342.81
1315 (1897/8)								
Muharram	1,538.30	217.00	920.00	74.30	110.00	-	800.00	3,659.60
Safar	16,325.65	102.00	382.00	74.30	5,800.00	450.00	5,800.00	28,960.95
Rabial Awal	9,669.52	297.00	1,501.00	6,815.23	900.00	925.00	1,214.00	21,321.75
Rabial Akhir	9,381.53	122.00	570.00	1,980.33	10,750.00	200.00	8,011.70	31,015.56
Jamadir Awal	5,172.57	132.00	718.00	52.08	-	-	800.00	6,874.65
Jamadir Akhir	24,585.22	92.00	3,825.00	74.30	20,571.00	7,237.00	19,800.00	76,184.52
Rejab	10,270.87	92.00	635.00	74.30	4,797.12	-	4,800.00	20,669.17
Shaaban	1,852.06	93.00	745.00	52.08	-	390.00	2,800.00	5,932.06
Ramadhan	2,692.17	93.00	2,454.00	52.08	1,820.00	779.16	4,800.00	12,600.41
Shawal	14,999.30	93.00	1,134.00	118.74	1,300.00	-	4,000.00	21,645.04
Zulkaedah	4,910.62	112.00	3,319.00	1,096.52	6,915.28	-	5,500.00	21,853.42
Zulhijjah	2,011.74	113.00	1,002.00	52.08	400.00	755.00	6,000.00	10,323.82
Total	103,436.55	1,558.00	17,205.00	10,596.34	53,363.40	10,736.16	38,525.00	235,420.45

(Table VI continued)

Year/month 1316 (1898/9)	General expenditure	Palace salaries	Ampun Kernia	Refund of farm deposits	Payment of loans	Gambling	Payment into treasury	Total
Muharram	7,070.16	113.00	2,218.00	96.52	1,050.00	-	-	10,547.68
Safar	1,551.78	73.00	955.00	485.41	-	843.00	-	3,908.19
Rabial Awal	5,590.11	118.00	4,005.00	1,976.52	290.00	250.00	9,124.40	21,354.03
Rabial Akhir	10,727.74	118.00	4,200.00	52.08	-	-	-	15,097.82
Jamadiil Awal	1,962.33	148.00	484.00	377.77	2,067.00	590.00	1,500.00	7,129.10
Jamadiil Akhir	952.22	163.00	2,063.79	1,200.00	592.00	700.00	-	5,671.01
Rejab	1,605.11	193.00	1,424.00	-	5,540.00	370.00	-	9,132.11
Shaaban	34,044.62	193.00	5,033.00	1,149.52	3,033.10	800.00	6,875.70	51,128.94
Ramadhan	31,510.88	133.00	6,850.00	-	3,689.77	7,700.00	1,000.00	50,883.65
Shawal								
Zulkaedah	6,750.60	135.00	1,720.00	4,500.00	12,634.00	2,150.00	11,055.00	38,944.60
Zulhijjah	11,830.41	118.00	5,980.50	312.51	7,123.30	5,160.00	600.00	31,133.72
Total	123,503.07	1,723.00	52,942.29	13,216.99	36,173.17	24,098.00	30,145.10	266,091.62
1317 (1899-1900)								
Muharram	3,039.00	132.00	715.00	633.33	-	5,500.00	-	10,019.42
Safar	3,412.73	320.67	4,055.25	697.49	68.00	9,195.00	5,679.00	23,428.14
Rabial Awal	32,108.02	708.81	4,725.25	490.00	27,913.83	4,810.00	6,280.00	76,882.91
Rabial Akhir	14,711.55	900.81	2,825.00	1,437.48	4,810.90	7,000.00	4,127.00	35,802.74
Total	53,271.39	2,062.29	12,320.50	3,258.30	32,792.73	26,505.00	16,086.00	146,133.21

Source: Sultan's Account Books.

purchases of various goods both needed by the government and by the Sultan. Also under this item were the Sultan's personal expenses such as provisions for the palace, its maintenance, family allowances and his medical bills. But these two sets of items constituted only about a third of the total under general expenditure. The bulk of the money spent was towards innumerable purchases of jewellery particularly diamonds for the lady members of the royal family, and also for the constant building of houses for his immediate family. Yet another big portion went towards various expensive celebrations. Although Siamese control over Kedah did not result in the siphoning of the country's revenues to Bangkok, Kedah had nevertheless to spend a very considerable sum of money in a different way. The amount used for the *Bunga Mas* was small, averaging about \$5,000, but the large retinue that had to accompany the tribute to Bangkok increased the expenditure greatly. Much more frequent were the official visits made by officials of both states to their respective capitals. The maintenance and the inevitable entertainments that went with such visits was a significant item. For example, when the Raja Muda and Wan Mohamed Saman went to Bangkok in 1896 they spent a total of \$12,797. The Siamese King's habit of visiting his southern provinces as well as foreign countries accounted for yet another big item of expenditure. In 1897 for instance, when the King was returning from a visit to Europe, the Raja Muda had to go to Ceylon to await His Majesty's arrival, and to accompany him to Kedah, where elaborate preparations had been made. For this purpose a total of \$18,157 was spent.

Another large item of expenditure was the repayment of loans. Available figures, however, did not represent the total amount of loans because in most cases they did not include the capital sums. In the main, the figures shown were payments of interest on the Sultan's debts, and also the settling by the Sultan of the innumerable debts incurred by the members of the royal family as well as that of his chief administrators. Two examples were the loan taken by Tengku Mohamed Saad from a Penang chetty of \$6000 at an interest rate of 12% a year,²⁵ and a \$10,000 loan which Wan Mohamed Saman obtained from Lim Tin Huay.²⁶ In both cases, as in many others, the Sultan undertook to settle their debts. The Sultan's illness also seemed to have developed in him a mania for gambling. One of his interests was horse racing, and his correspondence in the 1890's contained many requests to his creditors in Penang to buy race horses beside making regular contributions to the Penang Turf Club. However, his great passion was for the games known locally as "pok" and "chap ji kee", which the Sultan indulged in regularly with the Chinese revenue farmers and merchants in Kedah. This passion certainly grew more intense with each passing year. As seen in Table VI the recorded amount of money spent on gambling was \$10,736.16 cents in 1315 (1897); by the following year it had increased to \$24,098, and in the first four months of 1317 (1899) the Sultan had already spent \$26,505. There is

²⁵SC/3 Sultan to Lim Lan Jak 23 Zulhijjah 1310 (8 July 1893).

²⁶SC/3 Sultan to Lim Tin Huay 24 Rabial Awal 1310 (16 October 1892).

very little indication that he made any money at all from this pastime. Once in a while the monthly revenue figures included an item of a few hundred dollars as the Sultan's gambling winnings, but these were only a minute fraction of the amounts taken out for the purpose, almost all of which was presumably lost.

Yet another source which drained away the revenue was the monetary *ampun kermia* (royal gift) which the Sultan enjoyed granting. The total amount presumably varied with the moods of the Sultan; in 1315 (1897) he gave away only \$17,205, but in the following year it was threefold, \$52,942.29 cents. These were gifts which the Sultan granted mainly to the aristocracy, and to the various members of the administrative hierarchy for such purposes as wedding celebrations, circumcision ceremonies, Hari Raya (New Year) expenses, for the repair and building of houses, and finally the innumerable "sedekah" (alms). One other substantial expenditure which is recorded in Table VII were the allowances for the members of the royal family. The amount shown on this table does not represent the entire total as they were only the payment to about twelve members. As this item was not included in Table VI it is difficult to estimate the actual total for this purpose.²⁷ However, the estimate for Ruling Housing Allowances for 1905 was put at \$69,120, and it can be assumed that this much was also spent in the pre-1905 years.

On the whole then, it can be said that the nature of the state's expenditures were such that on the one hand they were wholly unproductive, and on the other there was no limit to the amount that could be spent for such purposes. For the greater part of the 1880's although the nature of expenditure was no different, the Sultan did exercise due care and control with the result that financial stability existed (see Tables III and VII). One of the methods of control used by the Sultan was his insistence on the drawing up of estimates and the strict adherence to them. Thus, amongst the letters sent by the Sultan to the territorial chiefs were included those which instructed the chiefs and village headmen from the various districts to come to Alor Star to present their estimates, and also to collect their money for expenditure. By the 1890's such instructions no longer appeared in the Sultan's correspondence and the need for estimates came to a stop. It is perhaps not entirely fair to attribute the economic collapse of Kedah solely on the Sultan; his weakness and excesses were after all abetted by a string of court hangers-on, some members of his own family and even his ministers. By taking advantage of the Sultan these people had enriched themselves at least temporarily. It is known for instance that certain members of the court, on receipt of payments by revenue farmers would influence the Sultan to lease out certain farms for periods of ten or even fifteen years in advance. Likewise, this was also the method by which some

²⁷The absence of this item from Table VI does not mean that the Sultan had stopped paying this allowance. Rather, it is a further reflection of the extent to which Kedah's finances had weakened. In fact the Sultan himself could not meet this expense, and he merely asked revenue farmers to settle this expenditure for him. Others were given *ampun kermia* rights by the Sultan in lieu of a regular allowance.

TABLE VII
 Tabulated statement showing items of expenditure out of revenue from Kuala Muda &
 Merbok 1301-4 (1883-7)

Year/month 1301 (1883-4)	General expenditure	Palace salaries	Royal Family allowances	Ampun Kernia	Payment of loans	Refund of farm deposit	Total
Muharram	971.18	147.00	3,273.33	83.31	-	-	4,480.82
Safar	830.32	147.00	3,272.33	-	-	-	4,250.64
R. Awal	265.30	155.00	3,403.33	120.00	100.00	-	4,043.66
R. Akhir	507.18	256.00	3,273.33	32.00	-	-	4,068.51
J. Awal	524.92	284.00	3,273.33	-	-	-	4,082.25
J. Akhir	147.20	275.00	3,273.33	-	263.00	-	3,956.53
Rejab	48.60	255.00	3,273.33	-	-	-	3,576.99
Shaaban	679.21	934.15	3,273.33	40.00	-	-	4,926.99
Ramathan	619.67	256.10	4,073.33	30.00	-	-	4,979.10
Shawal	1,164.40	834.60	2,458.33	-	770.00	-	5,227.33
Zulkaedah	370.00	333.60	1,898.33	71.73	-	-	2,672.93
Zulhijjah	453.04	363.00	1,898.33	21.50	1,011.00	-	3,746.87
Total	6,581.02	4,240.45	36,644.96	398.54	2,144.00	-	50,012.26
1302 (1884-5)							
Muharram	250.85	242.00	2,383.33	-	786.00	-	3,662.18
Safar	565.39	230.00	2,173.33	-	756.00	-	3,724.72
R. Awal	287.86	292.00	2,233.33	-	756.00	-	3,659.19
R. Akhir	1,284.64	275.00	2,113.33	-	756.00	-	4,428.98
J. Awal	800.43	294.00	1,808.33	50.00	756.00	-	3,708.77
J. Akhir	320.81	343.00	865.00	10.00	756.00	-	2,294.81
Rejab	586.43	314.00	2,313.33	1,320.00	756.00	-	5,290.56
Shaaban	594.18	274.00	550.00	290.00	756.00	-	2,494.18
Ramathan	1,032.55	317.00	2,113.33	700.00	756.00	-	4,918.88
Shawal	1,281.96	318.00	205.00	200.00	1,068.00	-	2,872.96
Zulkaedah	6,716.27	372.00	4,726.66	-	756.00	15,576.05	28,146.98
Zulhijjah	2,499.12	252.00	15.00	841.00	756.00	584.50	5,055.62
Total	16,220.49	3,523.00	19,499.97	3,411.00	9,414.00	16,160.55	70,167.83

(Table VII continued)

Year/month 1303 (1885-6)	General expenditure	Palace salaries	Royal Family allowances	Ampun Kernia	Payment of loans	Refund of farm deposit	Total
Muharram	1,732.00	210.00	-	-	882.00	584.50	3,408.93
Safar	2,308.86	259.00	495.00	135.00	756.00	584.50	4,538.26
R. Awal	2,623.47	362.00	65.00	-	30.00	584.50	3,644.97
R. Akhir	1,429.27	304.00	750.00	101.00	-	584.50	3,168.67
J. Awal	2,353.85	333.00	40.00	-	238.00	584.50	3,546.35
J. Akhir	1,725.32	253.00	5,338.66	90.00	288.00	584.50	8,279.48
Rejab	1,348.05	336.00	400.00	30.00	740.28	584.50	3,438.83
Shaaban	1,259.01	344.00	800.00	200.00	550.00	584.50	3,737.51
Ramathan	1,687.46	82.00	240.00	-	888.00	584.50	3,481.96
Shawal	1,806.97	251.00	515.00	-	73.26	584.50	3,532.73
Zulkaedah	1,215.93	272.00	15.00	-	1,367.00	584.50	3,454.43
Zulhijjah	846.55	344.00	525.00	-	1,102.00	584.50	3,402.05
Total	20,336.74	3,350.00	9,183.66	556.00	6,914.54	5,845.00	47,634.17
1304 (1886-7)							
Muharram	929.02	383.00	605.00	-	861.00	584.50	3,362.52
Safar	3,873.75	468.00	8,940.32	102.72	858.00	598.89	14,901.21
R. Awal	862.44	369.00	125.00	-	1,457.00	584.50	3,412.33
R. Akhir	671.97	330.00	110.00	-	2,089.32	584.50	3,785.79
J. Awal	1,062.27	321.00	550.00	140.00	727.00	584.50	3,384.77
J. Akhir	1,010.15	434.00	405.00	-	727.00	584.50	3,160.65
Rejab	2,427.46	449.00	205.00	1,300.00	927.00	584.50	5,892.96
Shaaban	1,210.79	351.00	305.00	15.00	1,127.00	584.50	3,593.29
Ramathan	3,015.91	587.00	263.00	170.00	7,788.38	584.50	12,480.79
Shawal	2,034.00	424.00	435.00	366.00	1,805.70	685.19	5,749.69
Total (10 mth)	17,097.76	4,116.00	11,943.32	2,093.72	18,367.40	5,960.08	59,754.00

Source: Sultan's Accounts Books

planters obtained their land free of rent, some for fifteen years and others in perpetuity.²⁸ Sir John Anderson, in a letter to Alfred Lyttleton in the Colonial Office wrote, "How far the state of Kedah finances is due to the conduct of the Sultan and how far to that of the Raja Muda and other members of the Court Cabal...it is impossible to say. The actual directions of affairs has been for a long time in the hands of the Raja Muda, who is by no means above suspicion. Indeed, I'm informed that of the reduction of \$10,000 per month, recently granted by the government of Kedah to the opium farmer, a sum of \$4000 per month is paid directly to the Raja Muda."²⁹ The final blow to the already critical finances of the state came in June 1904 when the Sultan embarked on a series of extravagant wedding celebrations for his five children. As this was the first time that his children were to be married, he decided that the whole country should participate in the festivities on a grand scale, and grand it was as the celebrations went on for three months. At the end of it, the Sultan was saddled with an additional debt of \$125,000.00; something he could least afford.³⁰

While on the one hand the Sultan was left completely free, and perhaps even encouraged to do what he liked with the state finances, the nature of Kedah's economic structure was such that there was little room for expanding the sources of revenue to meet increasing expenditure. For one thing, as we already know, the principal source of revenue was the revenue farms, and since these were leased out at an average period of three to six years, it meant that the state's income remained static for a similar period of time. To accentuate the inflexibility of the sources of revenue was the feudal set up of the society, whereby the very people in the population who were in a position to contribute to the state coffers for example, in the form of land tax, were the very ones who were exempted from such liabilities. Only the *raayat* were subject to payment of land tax, but because they had to perform *hasil kerah*, they too were exempt. This left only the immigrant population especially the Chinese who could be thus taxed, but their control of the country's economy was so strong, and the Sultan's dependence on them so heavy, that they too became in effect another privileged class.

The most important obstruction to the possible expansion of Kedah's revenues was caused by the breakdown in the relationship between the Sultan and the revenue farmers. During the early years of his reign, Sultan Abdul Hamid was fully conscious of the importance of revenue farms, and he ensured that they were properly administered. In return for adhering to prompt payment of rent and

²⁸K.A.R. 1905-06 pp. 7-8.

CO273/311 Raja Muda and Wan Ajar to Prince Damrong, in Paget to C.O. 31 March 1905.

²⁹CO273/311 Anderson to C.O. April 1905.

³⁰Wan Yahya bin Wan Mohamed Taib, *Salasilah atau Tarekh Kerajaan Kedah* (Alor Star 1911) p. 15. Syed Mohammed bin Syed Hassan Shahabudin and M.G. Knowles, The Three Million Dollar Wedding, *Malaya in History* Vol. 4 No. 2 (1958) pp 10-12. This article puts the estimate of the actual cost of the weddings at \$3 million. Although this may be a gross exaggeration, the cost was certainly more than just \$125,000 because this did not take into account the huge contributions made by every district in the form of food, materials and man power.

observance of fixed rates of duties, the state provided sufficient guarantees to the farmers by maintaining law and order, and providing the necessary stability in which they could operate smoothly and profitably. Even traditional privileges of the Malay aristocracy were modified to ensure this mutual benefit. Thus exploitation of the *raayat* by the ruling class in the form of *kerah* for instance, was forbidden by the Sultan so that rice harvests would not be jeopardized. This modification, however, was made because the rice and padi farm was one of the bigger money earners. Going through the Sultan's correspondence relating to revenue farms during the 1880's, the impression is that this system worked well. However, things began to change quite radically in the 1890's, and particularly during the latter half of this decade, correspondence relating to revenue farms increased greatly, but the kind of subjects discussed indicated that the system was not functioning so well. One theme which constantly cropped up was the fact that revenue farm regulations were not being adhered to, and there was no evidence that the state made any attempt to enforce them. For example, Chia Hock Lee, the holder of the Timber farm in Kuala Muda had failed to pay his deposit for the farm amounting to \$2186.66½ cents; neither had he been paying his monthly rentals regularly for he was \$1812.2½ cents in arrears. Under normal circumstances, such laxity would never have been possible, but by this time, the Sultan instead of cancelling the lease merely wrote to the Siamese Consul in Penang requesting him to advise Chia to meet his obligations.³¹ Such a change had been brought about by the financial difficulties faced by the Sultan. Because of this, the revenue farmers assumed greater importance for they not only provided revenue, but also served as money lenders to the Sultan. As early as 1889, the Sultan had borrowed \$19,000 from Lee Chin Tuan in order to pay some of his debts in Penang.³² Then in 1891, the Sultan asked Lim Lan Jak to lend him \$17,000 at 12% interest a year. According to the Sultan he required \$7000 to send to Bangkok, this being the birds' nest revenue of Setul which he had used. Another \$7000 was needed by his mother, and the rest was to cover part of his expenses for going to Bangkok.³³ Another radical development which now occurred was a new condition written into some of the revenue farm leases. This was a proviso which required the revenue farmer to lend the Sultan a specific sum of money at a specified rate of interest whenever it was required. Thus the spirits farm for Kulim and Karangan was leased out to Lim Kam Tong for \$14,000 a year, and he agreed to lend the Sultan a maximum of \$7000 at an interest rate of 75 cents per \$100 whenever he was asked. In the same way, after agreeing to provide a loan of \$15,000 on the same terms, Lim also got the gambling farm for Kulim and Karangan for \$30,000 a year. Another example, was the leasing of the general farm for Kuala Muda at \$51,000 a year to Goh Boon Keng who in return

³¹SC/3 Sultan to Nuebronner 14 Rabial Akhir 1309 (17 November 1891).

³²SC/1 Sultan to Kynnersley 18 Zulkaedah 1309 (14 June 1892).

³³SC/3 Sultan to Lim Lan Jak, 25 Zulkaedah 1309 (21 June 1892).

promised to lend the Sultan \$70,000 at 8% interest a year.³⁴ Finally, the Sultan also made use of some of the revenue farmers as his agents in Penang. The most important of these was Lim Lan Jak who handled most of the Sultan's financial affairs in Penang. In addition, Lim was also sometimes asked to pay the allowances of certain Kedah authorities, as in 1891 when he was asked to make arrangements for paying Tengku Mohamed Saad, the territorial chief of Kulim and Wan Mohamed Saman, the Chief Minister.³⁵

The immediate result of the changing role of the revenue farmer was the crumbling of the administration of revenue farms, and consequently this had an adverse effect on the state's revenue. One of the first things to happen was the breakdown of the tender system used in the leasing of revenue farms. An example of this was the case of the Market Farm in Kota Star. The farm had been tendered for, and won by Lee Poh who subsequently wrote to Wan Mohamed Saman enclosing his deposit of \$3000. However, when the Raja Muda came to hear it, he instructed Wan Mohamed Saman to revoke the lease and return Lee Poh's deposit because the farm had to be given to Oh Chwee on account of some debts which the state owed him.³⁶ Another unhealthy development, forced upon by the need to raise money was the practice of the Sultan in leasing revenue farms for long periods of time at relatively low rates, provided the revenue farmer was willing to pay at least a year's rent in advance. Hence, one of the Market Farms in Kota Star was given to Mat Hassan for six years after he had paid \$6000 in advance which was equivalent to three years rent. The Fishing Stakes farm in Kuala Muda and Merbok was given to Tan Ah Chong for five years as he agreed to advance the entire five years rent. Likewise, Yew Tan Peng by paying five years rent was granted the Pearl Oysters Farm of Pulau Trotto for ten years.³⁷ A much more serious practice which tended to constrict the Sultan's revenue was that of re-letting revenue farms even before the current lease had expired. Again this was possible if the revenue farmer was able to advance a certain amount of the farm rent even before he obtained it. Appendix 6 shows a list of revenue farms which were still operating at the beginning of 1909. It also shows that out of the forty-seven farms, twelve of them were already re-let. The great disadvantage of this system was that the farms were being re-let on the basis of the old rent and hence, no consideration was made for possible increases in the value of the farms, and this obviously resulted in unnecessary loss of revenue for the state. Such losses could indeed be very considerable. In the case of the 12 farms which were re-let, their total value amounted to \$204,170. This was one of the major problems faced by the administrators after 1905 when they tried to re-organize the revenue farms

³⁴Information on these deals between the Sultan and the revenue farmers are derived from the list containing the Issue of Revenue Farm Licences, 12 Muharram, 27 Zulkaedah 1318 (12 May 1900, 18 March 1901).

³⁵SC/3 Sultan to Lim Lan Jak 21 Rabial Akhir 1309 (24 November 1891).

³⁶SC/6 Raja Muda to Wan Mohamed Saman 13 Jamadil Awal 1314 (20 Oct. 1895).

³⁷Issue of Revenue Farm Licenses, 7 Rejab 1317 (11 November 1899), 9 Ramadhan 1318 (31 December 1900), 4 Safar 1319 (23 May 1901).

in Kedah, and discovered that many of the Chinese had obtained their farms at bargain prices, but there was nothing they could do until these farms expired, which in some cases was not until 1914. The disparity between the farm rentals and their actual value came to light in 1909 when the government started to take over some of the revenue farms as they expired. One of them was the Kuala Muda Tin Farm which the farmer paid an annual rental of \$12,000.00. When the government took over the collection of this duty in February 1910 they realized after 11 months, a total of \$22,534.³⁸ Other examples included the Poultry Export Farm, and the Port Dues Farm of Kota Star. The former was rented out for \$3480 a year and the latter for \$2700 respectively.³⁹ In addition to all these problems, Malay aristocrats were quick to take advantage of the collapse of the revenue farm system. As the Acting British Adviser, Mr. Maxwell discovered in 1909, several persons had without authority taken upon themselves the right to create revenue farms. For example, in Kuala Merbok a farm for the collection of a tax on fish brought ashore by fishermen had been created by Tengku Thiauddin. At Kuala Muda, a former chief decided to set up a farm to charge a port clearance duty which he in turn let out to a Chinese. There were also numerous Ferry Farms in various places.⁴⁰ The end result of all these developments was economic disaster in the state. For while it was not receiving a fair share of the revenue from the revenue farms, the Chinese farmers waxed rich. This whole situation can be summarised by comparing Table VI which covered a period when the revenue farm system was functioning satisfactorily, and Table V when the system had broken down. Finally, Table VIII shows the result of the re-establishment of order in the system from 1905.

TABLE VIII
Tabulated statement showing annual revenue from revenue farms,
1323-1324(1905-1906)

Name of farm	1323(6 months only)	1324
Chandu Farm	155,000	346,333
Gaming Farms	49,584	101,667
Customs Farm	28,750	57,500
Rice and Padi Export Duty Farms	24,542	42,528
Spirit Farms	17,331	32,665
Tapioca Export Duty Farms	6,666	13,333
Timber Farm	5,655	11,251
Pawnshop Farm	5,275	9,621
Miscellaneous Farms	19,092	41,435
Total	311,895	656,333

Source: K.A.R. 1909 Appendix A p.iii

³⁸K.A.R. 1910 p.14.

³⁹K.A.R. 1909 p.58.

⁴⁰Ibid, pp.57-58.

Besides the regular revenue farms which were leased out, there were a number of others which were *ampun kernia* grants from the Sultan. It was generally understood that these grants were valid only during the lifetime of the holder; that on his or her death, the farm would revert back to the state. But because of the absence of supervision and control, many *ampun kernia* revenue farms continued to operate long after it had expired. This was what happened in the case of the Port Dues Farm in Alor Star which was granted to Mak Wan Besar, the Sultan's mother. When she died, the Chinese farmer to whom this farm was leased to ignored to return the farm to the state, and neither did the authorities do anything to enforce the rule.⁴¹ Abuses aside, this practice of granting *ampun kernia* was yet another factor which tied up the resources of the state. One of the things which the administrators decided to do after 1905 was to put a stop to this privilege.

Kedah as we have seen was basically an agricultural country, and a very successful one too. As such, land in Kedah was important not only because it was the basis of the economic life of the *raayat*, but also because it was a good source of revenue for the state. This is clearly seen in Table IX which shows that land revenue between 1905 and 1909 constituted the most important item of revenue next to revenue farms.

TABLE IX

	1905 (6 months)	1906	1907	1908	1909
Revenue Farms	311.895	656.333	758.051	742.730	799.566
Lands	36.344	164.974	154.531	182.604	242.873
Mines	22.352	52.119	51.748	53.113	61.917
Others	32.047	60.599	82.095	123.464	134.950
Total	402.638	947.784	1,056.425	1,102.911	1,240.276

Source: K.A.R. 1909 Appendix A.p. iii.

If the land revenue during 1905-1909 could have been as substantial as is shown in the above table, that for the pre-1905 years should have shown at least the same proportion of revenue in relation to revenue farms. Yet, this aspect of revenue was unimportant and its amount negligible. Table IV shows that in 1315 (1897) the revenue from land was a mere \$3,468.45 cents, and in the following year it was \$9,296.32 cents. Even these were not land revenue proper because they included license fees for mining and plantations, and also the proceeds from the sale of state land. For instance the \$5,502.86 cents total for the month of Rejab 1316 (1898) comprised of \$676.83 cents from land rents, and \$4,826.03 cents from

⁴¹K.A.R. 1909, p.58.

the price of rice land sold to Lim Lan Jak. It can be seen from the table also that land revenue was an extremely irregular source of income, and there were months when nothing at all were collected.

The principal reason for the unproductivity of land towards contributing to the state's revenue was due to the nature of the society, whereby obligations like land tax or rent were avoided in a variety of ways by practically all classes of the population. Sultan Abdul Hamid had from the very start of his reign realized the potential significance of land revenue. Hence, as we saw in the last chapter, he decided in 1883 to create a land office for the specific purpose of collecting land revenue. So he issued a proclamation which imposed a land tax of 25 cents per relong on all privately owned land. However, this plan was doomed to fail from the very beginning because the privileged groups objected to the fact that they not only had to pay land tax, but that they were also being deprived of their right to *kerah* (forced labour). The Sultan in wanting to ensure that the *raayat* would not be taxed twice, one in tax, another in labour, had decided that all *raayat* who paid land tax must not be subject to *kerah*. But the objections were so persistent that finally in 1887, the Sultan was forced to issue another proclamation amending the earlier one and returning to the status quo. By this new proclamation it was assured that no land tax would be required for any *raja*, *syed*, *orang baik-baik*, *haji* or *raayat*. So the situation continued whereby members of the ruling class who owned land to any great extent were free from land tax, and the Malay *raayat* were also exempt either by their connection with the Sultan, or because they had to perform compulsory labour.⁴² Thus, only the immigrants were subject to land tax, but for the most part they too were exempt because of the Sultan's power of *ampun kernia*. And for those who were not fortunate enough to be thus exempt, they enjoyed the benefits of the absence of a proper land office and the inefficiency of the existing system.

Consequently, various loopholes and abuses emerged. The most common of these arose out of improper demarcation work which enabled the Chinese planters, for instance, to utilize a much greater extent of land than what they were entitled to without having to pay anything more. This applied equally well with Chinese mine operators. The numerous complaints and squabbles between miners over water rights and trespassing of mining land, showed that many miners were ignoring the legal boundaries. After 1890 the situation was further complicated by the country's financial troubles. The men who owned plantations and mines were also those who had direct or indirect interests in revenue farms, and with the Sultan so dependent on them for loans, the already weak land administration became practically useless. For the Sultan now granted some of the Chinese exemption from land tax as a means to delay them from pressing for payments on loans. In a more direct fashion the Sultan offered land as an *ampun kernia* for example, to Lim Lan Jak and Lim Yew Hong, the two principal revenue

⁴²SC/8 Sultan to Nuebronner 5 Jamadil Akhir 1319 (19 Sept. 1901).

farmers in Kedah. Quite obviously such grants were made in lieu of payment of certain debts. Much more frequently, and for the same purpose the Sultan allowed the Chinese land owners reduction on the land rent. Hence, Ong Beng Chia who held 13 land grants which together were liable to a rent of \$5,100, had this halved by the Sultan.⁴³ In the last analysis, all these factors meant that another legitimate and reliable source of revenue was stifled.

By 1904 it had become evident that Kedah was practically bankrupt. At the same time there was mounting pressure from the Resident Councillor in Penang who was acting on behalf of the British and foreign subjects who were Kedah's creditors. The Sultan had in fact been spoken to several times on this subject but apparently, each time it was broached, he lost his temper and refused to listen to any proposal for adjusting his expenditure; his explanation being that none of the previous Sultans had to do such things.⁴⁴ The Raja Muda possibly on the advice of the Siamese then called a meeting of several senior members of the government, and on 25 Zulkaedah 1322 (31 Jan. 1905) addressed a letter to the Sultan containing the recommendations of the meeting.⁴⁵ In this letter, it was explained to the Sultan that while the annual revenue of the state was \$961,063.68 cents, the total amount of debts had reached \$2,459,540.65 cents. Payment of interest on loans alone was costing the state \$196,763.28 cents a year. Thus with this huge debt, and on the basis of the current revenue, it would take the country a full 20 years before she could meet all obligations. The Sultan was therefore urged to take measures. Firstly, that the Raja Muda be authorized to raise a loan from the Penang merchants who were willing to lend at normal bank rates. But these people required to be convinced that Kedah's finances could be reorganized. Hence the second measure requested the Sultan to issue a decree abolishing the *raayat's* liability to *kerah* and in its place, impose a poll tax of \$5 per family. It was believed that this tax was not excessive as under the present system, the *raayat* were actually paying their landlords far more. But most important of all, this measure would avail the state of a new and substantial source of revenue which would go a long way to alleviate the financial ills of the country.

This led the Raja Muda and his mother Wan Ajar to write to Prince Damrong, the Siamese Minister of the Interior, explaining the plight of Kedah, and the refusal of the Sultan to take any palliative measures. They therefore, suggested that the Siamese government should now take the responsibility of instituting the necessary changes by taking the following steps:-

- (1) that the administration of the government of Kedah, particularly the finance department and the system of leasing of revenue farms be reorganized;
- (2) that the Sultan's "notes of hand" should be considered invalid unless they included the Raja Muda's counter signature and seal; and

⁴³SC/8 Sultan to Nuebronner 5 Jamadil Akhir 1319 (19 Sept. 1901).

⁴⁴CO273/293 Memorandum by Kynnersley 16 January 1903.

⁴⁵Wan Yahya, op. cit. pp 15-17.

- (3) that should the Sultan refuse to sanction the issuing of a loan, the Raja Muda and Wan Ajar be empowered to do so.⁴⁶

It is possible that the Siamese government took immediate action because the Sultan soon instructed the Raja Muda to meet with the top government officials, and look into the possibility of raising a loan to pay off all the debts. This meeting which was held on 20 Zulhijah 1322 (25 February 1905) reviewed the country's revenue and expenditure, and decided that the first priority was to raise a loan to pay off all outstanding debts. These included \$1,290,547.65 cents on the balance of instalments, \$82,840 on debts payable on demand, \$786,153 on bills for goods purchased and arrears in salaries, and finally the sum of \$350,000 due to the government contractor, Jee Moh and Company; making a grant total of 2,509,540.65 cents. It was decided that this amount of debt should be the sum of the loan to be sought from Siam. And once the debts were paid off, it was estimated that there would be a balance of \$14,204.23 cents after meeting the normal expenditure of the state.⁴⁷ It was to be requested that the interest rate on the loan should be 6%; this meant that the monthly interest payment of \$12,300 could be met out of the balance. It was also proposed that payment on the capital of the loan be met out of the rents realized from the letting of the opium farm, estimated at \$240,000 a year, together with the rents of the other farms.⁴⁸ A decision was also taken that all rents and revenue farms which the Sultan had given away for the benefit of various individuals be taken back by the state. And the revenue thus acquired could be used for expenses of the state and any balance out of this could be devoted towards the payment on the capital of the loan. And finally, in anticipation of this loan being granted, the committee also proposed to delete in every department any unnecessary expenditure, and to introduce proper estimates of revenue and expenditure.⁴⁹

This time the Sultan accepted the deliberation of the meeting, and three days later, he wrote to Prince Damrong requesting him to recommend to the Siamese

⁴⁶Raja Muda and Wan Ajar to Prince Damrong 29 Zulkaedah 1322 (4 Feb. 1905) enclosed in CO273/314 Paget to C.O. 31 March 1905. Mr. Paget, the British Consul in Bangkok, in his correspondence implied that this letter was in fact written on the dictation of the Siamese.

⁴⁷The monthly credit balance should have been \$24,204.23 cents but the Sultan had reduced the opium farm rent by \$10,000 a month.

⁴⁸The financial state of affairs in 1904 was as follows:-

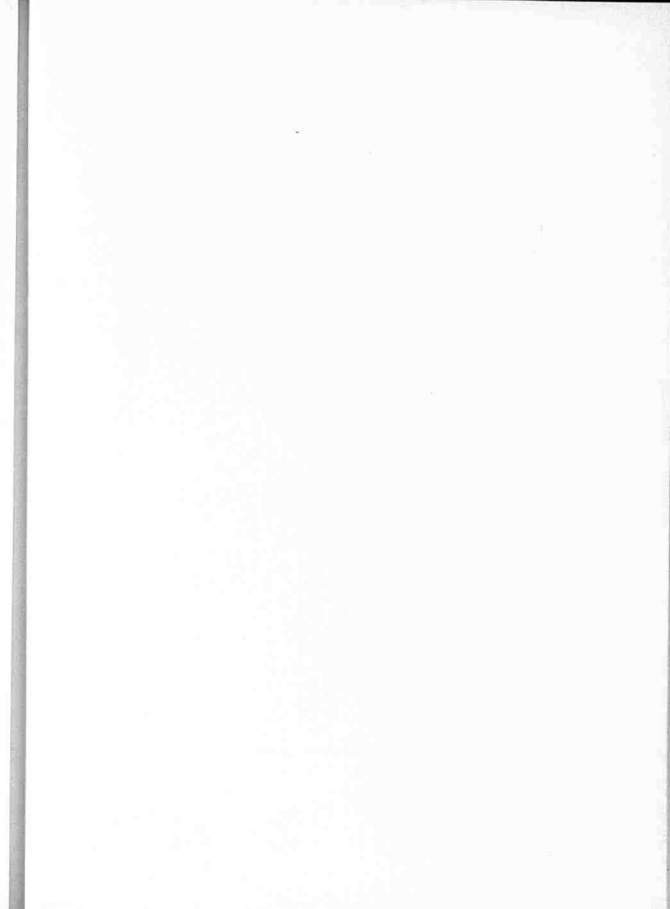
Revenue	Expenditure	
Total monthly revenue	Instalments payable p.m.	\$35,004.45
-\$80,088.64 cents	Salaries and Pensions	37,027.92
	Revenue Farm Deposits	11,713.49
	Interest on certain debts	1,248.50
	Miscellaneous Expenses	7,413.00
\$80,088.64		\$92,137.36

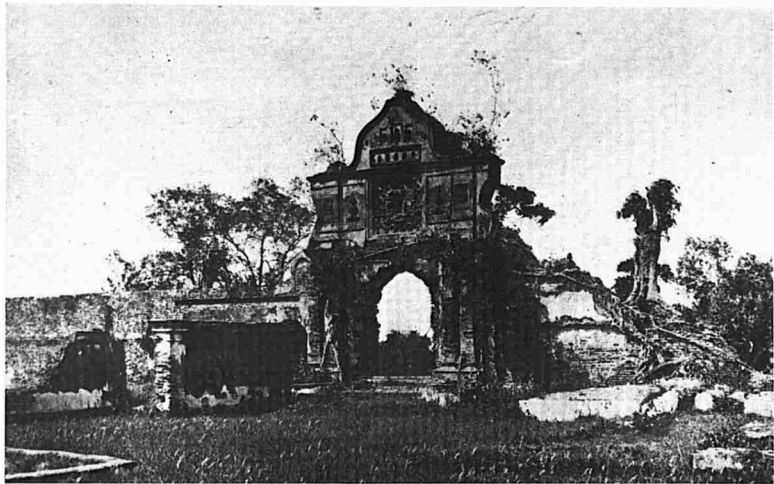
The total expenditure does not include the personal expenses of the Sultan.

⁴⁹Minutes of a meeting held in Kedah on 20 Zulhijah 1322 (25 Feb. 1905) enclosed in CO273/314, Paget to CO, 31 March 1905.

government to grant Kedah a loan of \$2,509,540.65 cents. Finally, in April 1905 the Siamese reply was given. In a letter addressed to the Sultan, Prince Damrong explained the willingness of the Siamese government to grant Kedah the requested loan, but at the same time certain measures had to be taken to ensure that not only payment of the loan would be possible, but also that such a situation would never recur. This according to the Siamese was made the more imperative by the fact that Kedah's foreign relations were the responsibility of Bangkok, and since the great bulk of her debt were with foreign nationals and firms, the Siamese did not wish international questions to arise which would involve her. The measures which the Siamese insisted upon were firstly, the appointment of a Council to assist the Sultan in administration and secondly, that Siam would send "a suitable person possessing all the necessary qualifications" to act as Kedah's financial adviser. There was little else that Kedah could do but to accept these terms, and on 16 June 1906 the Loan Agreement was signed in Bangkok. By this agreement, Siam agreed to lend Kedah \$2.6 million at 6% interest per annum. In return Kedah agreed to accept the services of a Financial Adviser, appointed by the Siamese Government, who would advise on all financial matters. The tenure of the Financial Adviser would be for the period until the loan had been fully repaid.⁵⁰ This agreement was a major turning point because it marked the end of the traditional phase of Kedah's history.

⁵⁰W.G. Maxwell and W.S. Gibson, *Treaties and Engagements affecting the Malay States and Borneo* (London 1924) pp. 101-102. See Appendix 7.





The Old Fort, Kuala Kedah.

Photo: Arkib Negara

CHAPTER IV

The Kedah political system, 1879-1905

The structure and organization of the Kedah political system, like those of the other patriarchal Malay states in the Peninsula, was based essentially on that of the Malacca Sultanate.¹ Under this system, the apex and centre of the organization was the Sultan, whose political authority was strengthened by the belief that he was endowed with the magical attributes of a "divine king".² This is evident in his title, Yang Di-Pertuan (He who is made Lord); and is also manifested in the elaborate court ceremonials and rituals; the clothing, weapons, domestic adornments, and a special vocabulary reserved exclusively for royalty.³ The political functions of the Sultan were very comprehensive covering the fields of internal administration, the defence of the country, and matters relating to external affairs.

For the purpose of government, the Sultan and some members of the royal family had the services of a number of *Menteri-menteri* (ministers) and chieftans whom the Sultan appointed.⁴ In Malacca this group of people had a hierarchy of

¹According to Anderson, it is generally believed that the first settlers in Kedah came from Malacca and consequently the laws, port regulations, court ceremonials were adopted from the Undang-undang Melayu. See Anderson, *op. cit.* p. 152.

Another evidence of the Malacca influence on the Kedah political system was revealed when Newbold attempted to obtain a copy of the Kedah Code from Sultan Ahmad Tajuddin Halimshah, when he was in exile in Penang. Newbold was informed that all the Sultan's manuscripts were destroyed by the Siamese during their attack on Kedah in 1821. The Sultan, however, explained that the most important regulations in Kedah was in no way different from those laid down in the Malacca Code. See Newbold, *op. cit.* vol. II p. 224.

²According to the Qanun Law of Dato Kota Star, there were four immutable rules for the ruler, namely, to pardon the sins of their slaves, to be generous, to inquire into offences and to carry out the law strictly. In addition to this, there were also four attributes of a ruler; courtesy of manners, to issue orders without revoking them, to do good works and to suppress evil works. Winstedt, *Kedah Laws op. cit.* p. 10

³For detailed discussions of the attributes of a Malay Sultan, see Winstedt, R.O. *The Malays, A Cultural History* (London 1961) pp.63-91 Skeat, W.W. *Malay Magic* (New York 1967, reprint) pp.24-46.

⁴The composition of this group was wide but they came mainly from men of royal descent who did not qualify for royal offices, aristocrats of high status, and sometimes persons outside the ruling class who were favoured by the Sultan.

their own which was divided into four levels. Firstly, there were the Four Ministers of the first rank comprising the Great Chiefs; secondly, came the Eight Ministers or Major Chiefs forming the middle rank; thirdly sixteen Minor Chiefs of the lower rank, and finally the Thirty-two Inferior Chiefs. In Kedah, only the first three ranks of chiefs existed. The titles of these chiefs are known but unfortunately, their specific roles and duties are not clear.⁵

All the Sultan's ministers were at least theoretically empowered to perform both judicial and executive functions. These included the investigation of truth, the implementation of the law, and most important of all, the collection of tribute, taxes and duties.⁶ Although there were so many ministers, only a handful counted in terms of power and influence. Normally, the most important of these ministers were the *Bendahara*, who was both Prime Minister as well as the Commander-in-Chief. Others included the *Temenggong* (the Commander of Troops and Police); *Penghulu Bendahari* (the Treasurer who could also at the same time hold the office of Royal Chamberlain and Secretary), and the *Shahbandar*⁷ (the Harbour Master, Superintendent of Trade and Collector of customs).

Kedah, during the period under discussion did not seem to have had a complete hierarchy of ministers. In fact there appear to have been very few of them. From the Sultan's Letter Books, it is clear that the one man who held tremendous power was the Chief Minister, Wan Mohamed Saman bin Wan Ismail. When the Sultan became seriously ill after 1895, it was Wan Mat (as he was popularly known) who conducted the affairs of state with the help of the Raja Muda, Tengku Abdul Aziz, the Sultan's brother. The only other ministers who featured during this period were the Sultan's Private Secretary, who handled all the correspondence, the *Bendahari* (State Treasurer), and the *Shahbandar* (Harbour Master).⁸ Beside these officers, Sultan Abdul Hamid relied very heavily on his uncle, Tengku Abdul Rahman who was the territorial chief in the district of Kuala Muda. As a close confidant and adviser, the Sultan referred all kinds of problems and issues to him. In the main these were matters pertaining to Kedah's relationship with the British in Penang, with the Siamese, and a host of issues relating to the country's economy.

⁵See Appendix 5.

⁶Winstedt, *The Malays*, *op.cit.* p.75.

⁷The post of *Shahbandar* was a very important one in the maritime Malay states. Before the establishment of Penang, the *Shahbandar* was undoubtedly one of the most important officers in Kedah. This is clearly evidenced in the very detailed account of his duties as laid down in the Kedah Port Laws of 1650.

⁸During the reign of Sultan Mohamed Jiwa Mukarram Shah (1710-60) there was in existence a larger number of ministers although the functions of all of them are not clear. These included the *Bendahara*, *Paduka Maha Menteri*, *Paduka Raja Bakal Bendahara*, *Paduka Seri Raja*, *Tengku Temenggong*, *Paduka Seri Dewa*, *Tengku Maharaja Lela*, and *Seri Paduka Menteri*.

According to Newbold, Kedah prior to 1821 was ruled by a Sultan who was assisted by a Council of four principal officers of state. They were the *Bendahara*, *Laksamana*, *Maharaja Lela* and *Temenggong*. These four were in turn assisted by eight *dato-dato* (chieftans) whose duty was to implement the laws and decrees promulgated by the Big Four.

See Newbold, *op.cit.* vol. II p.19.

Apart from these central personalities, there is no evidence of the traditional Malay hierarchy of chiefs functioning in Kedah. There might, however, have been others who held the traditional hierarchical titles, but who did not possess the power that went with them. This of course had nothing to do with the fact that Kedah was a dependency of Siam. In fact, although the rulers of Kedah after 1842 had to obtain the approval of Bangkok by receiving Siamese titles and insignia of office, Siam left Kedah completely undisturbed as far as the form and method of internal administration was concerned. The real reason for this absence of an elaborate central administration was partly because of the small population of Kedah, and the relatively limited economic resources. This meant that besides not needing a large body of administrators the country could not afford to support it. Kedah in fact solved this problem by appointing members of the royal family to most of the political posts.

So far we have been discussing the structure of the central administration. The Malay state was also divided into a number of *daerah* or districts, and these too had their own political structure. The key political figure in the district was the district chief who was appointed by the Sultan with the issue of the *Surat Kuasa* or Letter of Authority. The district chief exercised complete control over his area and of all the inhabitants in it. This in practice meant the maintenance of law and order, and the right and responsibility of collecting taxes. Since the revenue from the districts formed the bulk of whole country's income, it is clear that they constituted a vital economic consideration. Coupled with the fact that the Sultan had to rely on the loyalty of the district chiefs, they were also a powerful political element in the country. This dual feature is sometimes accentuated by the fact that control of a district did not depend upon the Sultan's support, but rather on the strength and ability of the chief himself. Like the central administration, the district chief had his own group of administrators and followers. In most cases, his own relatives formed the core of the provincial administration. They were the chief's advisers, the collector of revenue, and head of the local police and armed groups. The chief also usually had a following comprising of volunteers as well as debt-slaves; the former making up his fighting men, and the latter being used as producers of rice and other necessities.

The economic and political significance of the district, inevitably leads to the question of the relationship between the central administration centred on the Sultan, and the provincial administration in the person of the district chief. Gullick has examined in detail this feature of Malay political life with regards to the states of Perak, Selangor and Negeri Sembilan.⁹ In these states, it was found that although the Sultan represented the ultimate authority over the whole country, and was recognized as such, he did not in fact possess real authority over his realm. In reality his powers were largely confined to his own royal district. He was really a chief among chiefs and very often others, who were more powerful

⁹Gullick, *op.cit.* pp.44-64.

than he, could and did ignore him. In such circumstances, the success of the Sultan as the symbol of state unity, and the preserver of peace depended on the willingness of the district chiefs to co-operate with him.¹⁰

The basic features of provincial administration were the same in Kedah. But where Kedah differed substantially was in the relationship between the Sultan in Alor Star and the district chiefs. For here we see the Sultan as the real master of his house. The control exercised by him over his chiefs was real; he not only appointed them, but also made sure that they were not independent of him. The bulk of the Sultan's correspondence which has survived was that with his district chiefs. Basically it covered the two inter-related issues of law and order and the country's economy. From this correspondence it is clear that instructions from the Sultan were never taken lightly, let alone ignored. When the Sultan through illness left the affairs of state to his brother, the Raja Muda, the same degree of co-operation was given by the district chiefs. There were of course, occasions when district chiefs acted arbitrarily; for example in demanding extra *kerah*, in creating illegal revenue farms, and in granting land without the Sultan's sanction. But such irregularities when they did occur were more an exception rather than the rule. And in any case this represented the desire of the chief to acquire some extra service or income for himself, and was in no way a political challenge to the authority of the Sultan.

This amicable relationship was largely due to the fact that most of the district chiefs were members of the royal family, particularly in those districts which were economically rich. In economic terms, the most valuable districts in Kedah were Kota Star, Kuala Muda and Kulim. Kota Star, the centre of the rice production area was also the seat of the royal capital, and was hence automatically controlled by the Sultan. Kuala Muda was another rich rice producing district and had as its chief, Tengku Abdul Rahman, the Sultan's uncle and closest adviser. Kulim of course, was the only substantial tin district with the largest Chinese population and here, another of the Sultan's uncle, Tengku Mohamed Saad was the chief. Even the less important districts of Krian and Yan had royal district chiefs; Tengku Mohamed Yaacob and Tengku Mohamed Kassim respectively. Non-royal aristocrats did hold the position of district chiefs, but this was true only of the less lucrative districts. For instance, Haji Wan Ismail was the district chief of the Langkawi Islands; Syed Osman took over the chieftainship of Yan on the death of Tengku Mohamed Kassim, and likewise Haji Ahmad succeeded Tengku Mohamed Yaacob in Krian.

Just as the Sultan-chieftain relation in Kedah was different from that in the other west coast states, so too was the role of the district chief. In both situations the district chiefs represented the most important branch of the political structure, for in controlling the greater part of the country they carried the

¹⁰The Malacca Code, however, defines the ruler as "a personage over whose actions none have control. The Raja is not subject to those laws that came under the denomination of Adat."

responsibility of making the system work. But here, however, the similarity ends. In the other west coast states, it has been seen that a district chief held his domain by his own strength rather than with the support of the Sultan. As a result of this situation, it was essential for the chief to have a powerful following of his own in order to back his position. The size of the following of course depended upon the wealth of the chief, and this served as an accurate indicator of the status and power of a chief.¹¹ In the case of Kedah, there was no indication at all that the chiefs were free from the control of the Sultan. Neither was there any evidence that district chiefs consciously bothered about having or building up a following to bolster their position. There was in Kedah absolutely no struggle for power among the chiefs, and all of them accepted that their position was subordinate to the authority in Alor Star. Furthermore, the Kedah chiefs seem to have been fully conscious of the well being of the country and that they had a responsibility towards this. Hence, the most important function of the chiefs, which was duly recognized by them, was the maintenance of law and order in the districts. It was fully understood in Kedah that political instability would not only result in the possible return of Siamese intervention, but that it would also have undesirable consequences in her relationship with the British in Penang. But above all, the issue of law and order was inseparable from the economic welfare of the country, depending as this did, almost entirely on the revenue farms. One example illustrates very clearly the correlation between political and economic stability. Political stability was essential if the Malay peasants were expected to live permanently in one area, and the absence of upheavals meant that rice production, the largest industry of Kedah, would continue unhindered. This in turn enabled the Chinese padi and rice revenue farmers to function effectively and profitably, thus ensuring for the state a certain and regular income.

This situation was of course applicable to all the other sources of revenue. The most important of these was the revenue from the opium and gambling farms which were inevitably linked with the Chinese population. The Chinese were a very mobile group, especially so if there was warfare and uncertainty as exemplified in Perak in the 1860's. The Kedah authorities were well aware that if this happened in their state, the revenue of the country would be disastrously affected. Thus, the great proportion of instructions from the Sultan to the chiefs, particularly to Tengku Mohamed Saad of Kulim, where the largest concentration of Chinese was focussed, was to emphasise the need for keeping peace. The greater part of Tengku Mohamed Saad's work was directed towards ensuring that trouble among his Chinese population did not occur or if it did, to act expeditiously and prevent it from becoming serious. This he did by dealing with the possible causes of Chinese discontent. Hence, he rooted out all illegal opium, liquor and gambling farms in his district before the legal revenue farmers decided to take the law into their own hands.¹² Likewise, he was quick to investigate and

¹¹Gullick, *op.cit.* pp.97-8.

¹²SC/5 Sultan to Siamese Consul in Penang 27 Rabial Awal 1305 (13 December 1887).

settle disputes between Chinese miners over questions of mining land and water rights; disputes between opium farmers and mine owners over the supply of opium, and those between timber operators over the problem of boundary.¹³ Equally important, district chiefs were always on the lookout for undesirable elements who had slipped into Kedah, and in this they were instructed by the Sultan to cooperate fully with the British authorities in Penang and Perak.

Another fundamental difference in the role of the district chief in Kedah was over the control of the revenue of the country. In Perak and Selangor, for instance, the district chief collected the sources of income from his area, and he would either deliver a lump sum to the Sultan, or share the revenue of his district with him. In actual practice, however, the willingness of the chief to allow the Sultan a share in the revenue was dependent largely on the ability of the Sultan to make him submit. More often than not the district chiefs kept a far greater percentage of the revenue than they were entitled to. In Kedah, the revenue collecting aspect of the chief's function was negligible. This was because practically all sources of revenue were farmed out to the Chinese at fixed prices, and all payments for these farms were sent directly to the Sultan in Alor Star. Consequently, the district chief did not receive his income on the basis of a proportion of his district's revenue; instead his income, which was in effect a salary, was paid to him by the Sultan. This sometimes took the form of the Sultan instructing certain revenue farmers to pay the district chiefs. For example, the Sultan asked Lim Lan Jak, one of the biggest revenue farmers in Kedah to pay the salaries of Wan Mat and Tengku Mohamed Saad, out of the returns from his revenue farms in Kulim. Wan Mat was to receive \$530 plus \$20 for expenses per month, and Tengku Mohamed Saad was to get \$306 plus \$50 for expenses a month.¹⁴ More commonly district chiefs were granted *ampun kernia* by the Sultan from which they could raise an income. These often took the form of the right to collect duties on certain commodities, which rights inevitably were farmed out to the Chinese, and thus ensured the chiefs a regular income. In addition the chiefs also owned land which they leased out to the Malay cultivators, and again the products were farmed out to the Chinese. This system of dependence on the Sultan for an income was yet another factor which obviously kept the district chiefs subordinate to the ruler. In addition certain chiefs became even more dependent on the Sultan as a result of getting into debt. For instance Tengku Mohamed Saad owed a Penang chetty \$6000, and as he was unable to meet this obligation he had to request the Sultan to arrange for its payment.

Below the district came the *mukim* (a territorial sub-division) which was the smallest territorial administrative unit, and headed by a Penghulu or headman.¹⁵ In the *mukim* which was the residence of the district chief, a member

¹³SC/6 Sultan to Tengku Mohamed Saad 9 Ramadhan 1306 (9 May 1889).

¹⁴SC/3 Sultan to Lim Lan Jak 21 Rabial Awal 1309 (25 October 1891).

¹⁵According to Newbold, Kedah during his time was divided into 128 mukims, each with a mosque and at least 44 families. See Newbold, *op.cit.* vol. II p.20.

of his own family normally held the office of Penghulu. But in the other mukims the penghulu was chosen from one of the village families by virtue of wealth, piety or the chief's backing. It was extremely important that the penghulu commanded the respect of the community he had to administer, because the *mukim* was a vital link in the political hierarchy. This was because the Penghulu had to serve not only as a bridge between the *raayat* (the masses) and the district chief (the ruling class), but because he must also be able to implement orders from above. For the purpose of administration, the Penghulu had the assistance of several local personalities such as the *Ketua Kampong* (Village Elder),¹⁶ the *Imam* and other mosque officials.¹⁷ In the case of Kedah there was also the post of a Deputy Penghulu called the *Panglima*.

The functions of the Penghulu in Kedah were governed by one of the Kedah Laws, known as the Law of Dato Sri Paduka Tuan, dated 1667.¹⁸ According to this law, the basis of much of the Penghulu's work was religious. Thus his primary duty was to prevent activities regarded as sinful against Allah, such as thieving, robbery, gambling, worshipping of trees and rocks, cock fighting, smuggling and drunkenness. Equally important was his job of ensuring that the villagers observed the five daily prayers, the Friday prayers and the fast. Outside of this religious responsibility, the Penghulu had to maintain law and order, to regulate the trading activities of his *mukim*, and to exercise control over the planting of padi. As the representative of the Sultan in the *mukim*, the Penghulu commanded a great deal of respect. Consequently, his authority and influence could be much more extensive than what was officially laid down. However, this was subject to the character of the Penghulu himself. For example, his ability to make others observe the religious obligations would depend on his being a good Muslim. In practice, the great majority of Kedah Penghulu were unable to meet the normal expectations of their job. Most of them were illiterate, and had obtained the office because of their relative wealth in the village, or because of a special relationship with the district chief. The unsatisfactory state of affairs was manifested by the

¹⁶A *mukim* is made up of a number of *kampong* or villages and these have each a *Ketua Kampong* whose main duty was to assist the Penghulu in the day to day affairs of the village.

¹⁷Every *mukim* is served by a mosque which in many ways is the focus of Malay life. Mosque officials because of their supposed knowledge of religion are highly respected and often revered by the villagers. Hence, the importance of the *Imam* (Vicar) who is responsible for the conduct of religious observances in the *mukim*. To a much lesser extent, the *Bilal* (Prayer Leader) was also significant, again because of his superior knowledge of religion when compared to the average villager.

¹⁸Winstedt, *Kedah Laws op.cit.* p.8.

The Malacca Code upon which the Kedah Code was based also defines the duties of a Penghulu. But the emphasis here is more on the penalties which the Penghulu would suffer if he did not perform his work expeditiously and justly. For instance, a Penghulu who failed to take proper action on complaints by the villagers or if he was in league with the offender could be fined and expelled from the village. In order that the Penghulu understood his role he was required to acquaint himself with the following subjects:- Hukum Shariah (Law of the Koran).

Hukum Ak'l (cases not provided for by the law, where the judge must be guided by discretion and pure principles of justice). Hukum Fa'al and Hukum Adat (Law of usage and old established custom). See also Newbold *op.cit.* Vol. II pp.269-70, 275-76.

large number of complaints against the Penghulu particularly regarding various abuses of their power, such as excessive use of forced labour, the illegal issue of ladang passes and trading permits, improper settlement of land disputes, cheating, bribery and corruption. Exceptions were of course found; one outstanding example was Penghulu Abdul Rahman of Kuala Muda whose efficiency and fairness resulted in his winning the Sultan's confidence. Fortunately for Kedah the higher authorities were fully aware of the activities at *mukim* level and abuses were quickly settled. The fact that there was no evidence of people migrating from area to area in Kedah, seems to indicate that although the Penghulu might not have been satisfactory, the peasants were not really exploited. Like the district chief, the prime responsibility of the Penghulu was to keep the peace. Towards this goal the Penghulu had also to watch out for undesirable characters from outside his area, and a great deal of his time was spent in tracking and arresting criminals.¹⁹ This was especially so in the district of Kulim which with its large Chinese population was the scene of frequent thieving and robbery.²⁰

In Kedah, all the Penghulu were appointed by the Sultan by the issue of the *Surat Kuasa* with the Sultan's signature and seal. This was in contrast to the other west coast states, where it was common to find that the appointment of the Penghulu was made by the district chief particularly when he was a powerful one. In Kedah, district chiefs were not only unable to appoint the Penghulu, they did not even have complete jurisdiction over them. This can be seen by the fact that district chiefs often reported the problems created by the Penghulu to the Sultan for his decision. For instance, there was the case of Penghulu Mohamed Daud of Kulim who had given away land to a Chinese without a license. This was referred to the Sultan by Tengku Mohamed Saad. The Sultan decided to relieve Mohamed Daud of his post, but not to inflict any additional punishment.²¹ At other times, petitions against the Penghulu were sent to Alor Star, and in such instances the Sultan or the Raja Muda normally instructed the district chief to investigate the charges. Sometimes the district chief had to summon both the Penghulu and the petitioners to Alor Star to have the case heard.²² Yet another indication of the firm control of Alor Star over the Penghulu was the annual visit to the capital where they would discuss and receive the estimates for expenditure in each *mukim*. On the whole then, it can be said that although the calibre of leadership at the *mukim* level was not generally very satisfactory, there was enough vigilance and control on the part of the higher authorities to ensure that a reasonable degree of orderliness and peace were maintained.

Whenever the Malay political system is discussed, the position of the *raayat* has

¹⁹SC/1 Sultan to Resident Councillor, Penang 21 Muharram 1305 (9 Oct. 1884), 30 Muharram 1305 (18 Oct. 1887).

²⁰SC/1 Sultan to Resident Councillor, Penang 24 Rabial Awal 1305 (10 Dec. 1887).

²¹SC/6 Sultan to Tengku Mohamed Yaacob 19 Rabial Awal 1314 (27 Sept. 1896).

²²SC/6 Raja Muda to Tengku Mohamed Yaacob 19 Rabial Akhir 1314 (27 Sept. 1896).

generally been left out. This is probably because of the general assumption that the Malay *raayat* in traditional societies played no role at all except that of mute submission to the demands, whims and fancies of the ruling class. Swettenham, for instance described the situation as follows:

"... There was, in 1874, a very broad line indeed between the ruling classes in Malaya and the *raiat*s, the people. The people had no initiative whatsoever; they were there to do what their chiefs told them—no more, no less. They never thought whether anything was right or wrong, advantageous to them personally or otherwise..."²³

The corollary to this was the assumption that the *raayat* was ruthlessly exploited by the ruling class. Thus it has been said that the *raayat* would not produce any surplus as this would only invite "the authorities, Sultan, state officer, local headman or *anak raja*, whoever had the power of might... (to help) themselves to any produce that they thought worth having whenever they felt able and inclined."²⁴ Likewise, "few commoners accumulated any wealth; if they did so a Raja would rob them of it or oblige them to lend it without any prospect of repayment."²⁵

While such conditions no doubt occurred, and perhaps not infrequently in certain states, it cannot be assumed that this was a universal feature in Malay society. There is no doubt that the basic characteristic in the relationship between the *raayat* and the ruling class was based on the subordinate position of the masses. This was accepted and understood by both sides as the way of life, and institutions like *hasil kerah* and the operation of land laws are just two examples of this characteristic in operation. In such circumstances, it was also obvious that abuses could be prevalent, particularly in remote areas. But at the same time, major exceptions cannot be overlooked, neither can the various checks and balances which acted in favour of the *raayat*, even in feudal societies.

The case of the *raayat* in Kedah is a good example. Here is where the basic economic activity acted as an inbuilt safeguard against undue hardships which the ruling class could impose. For one thing, the ruling class itself was largely dependent on rice production for their income. And in an activity which required sustained cooperative work, any undue discontent on the part of the peasants could be disastrous. The cycle of activity in rice cultivation—ploughing, preparing the seedling beds, planting, tending, harvesting and maintenance of bunds, and irrigation works meant that continuity was vital, and this would only be possible in an environment of relative peace. Both the Sultan and other members of the ruling class were aware that their interests dictated that the masses should not be exploited, for in such an event they could either adopt a

²³Swettenham, *British Malaya*, *op.cit.* p.141.

²⁴Swettenham, *Annual Report Perak*, 1890. Quoted in Gullick, *op.cit.* p.30.

²⁵Swettenham CO273, 16 October 1875, Quoted in Gullick, *op.cit.* p.30.

policy of non-cooperation or in the last resort, migrate. It was for this reason that the Sultan even relaxed the *raayats*' obligation to forced labour, knowing that it was wise that his subjects should not be unnecessarily burdened. There were, however, two cases in the 1880's which caused a considerable amount of alarm among the ruling class. The first was a brief mention in one of the Sultan's letters that a group of 60 families were going to migrate to the Dindings in Perak. The second was a group of peasants from Yan who decided to move out of the district to a neighbouring one. It is not known for sure what factors prompted these actions, but it was enough to make the administration in Alor Star instruct the district chiefs to prevent the possibility of any other such occurrences. Besides taking measures to enable the peasants to work in peace, and to stay permanently in one area, the Kedah authorities also understood the need to attract new settlers into new areas. It was towards this aim that the administration gave its blessing to large scale canal building projects especially in the 1880's. The Wan Mat Saman Canal was an excellent example of the success of this policy.

Another feature of the position of the Kedah *raayat* was that they were not completely submissive to authority. The Sultan's Letter Books contain quite considerable evidence of this. At various intervals, the Kedah *raayat* from different mukims sent petitions directly to the Sultan or Raja Muda. The most common of these were petitions against the irregular conduct of the penghulu in the administration of the *mukim*. And it is significant to note that such complaints were taken seriously and were attended to. One example of this was a petition sent to the Raja Muda from the *raayat* in Krian who complained against their Penghulu, Mohamed Taib, who was alleged to have exploited the villagers. The district chief was instructed to investigate a host of irregularities. Altogether he was charged for twenty-two offences ranging from embezzling duties on goods and wages, illegal issuing of work passes and timber passes, and receiving payments from Chinese revenue farmers. The Raja Muda without any hesitation decided that Mohamed Taib must not only be dismissed, but that he must also leave the district. As he explained to Tengku Mohamed Yaacob, trouble was bound to emerge if the penghulu remained, and this might cause the *raayat* to leave the district which would be detrimental to the country.²⁶ Thus in Kedah it is clear that the ruling class consciously avoided causing discontent among its subjects, and the *raayat* in turn were confident enough of the authorities to refer their dissatisfactions to them. As Governor Anderson observed in 1904, "... that Kedah is not at present oppressively governed is sufficiently proved by the fact that, though land is to be had on easy terms in the neighbouring districts of Province Wellesley and Perak, there is no immigration from Kedah and indeed many Kedah Malays hold padi lands in these territories which they came in to cultivate during the season; returning to their permanent homes in Kedah after the crop has been gathered and sold."²⁷ The end result was a stable demographic

²⁶SC/6 Raja Muda to Tengku Mohamed Yaacob 2 Jamadil Akhir 1314 (8 November 1896).

²⁷CO 273/303 Anderson to C.O. 30 November 1904.

pattern in Kedah, and this was reflected in both the political and economic structures of the country.

What emerges very strikingly from the preceding discussion is the fact that the political scene in Kedah was extremely stable and free from trouble. This had in fact been the position since 1842, when the new relationship between Kedah and Siam saw also the centralizing of political power in the Sultan at Alor Star. And as we have seen the power and influence of the Sultan over the whole country was very nearly absolute; and this the various district chiefs acknowledged, by willingly accepting their subordinate position viz a viz their ruler. Consequently, Kedah emerges as a unique Malay state in the context of the period from the mid 19th century. There is no doubt that between the 1850's and 1870's "nowhere outside Kedah and Johore were there ordered government, or conditions in which trade and economic development could make headway."²⁸ Furthermore, it was acknowledged by contemporary British officials in Malaya, that Kedah in the 1870's was "more advanced in its institutions, in the observance of orders, the well being of its people and the general development of the country, than any other state in the Peninsula ..."²⁹

This uniqueness of Kedah can be illustrated by a brief look at the political situation in some of the other Malay states at the same period. Generally speaking, the central Malay states of Perak, Selangor, Negeri Sembilan and Pahang were characterised by weak Sultans, and political power tended to be divided among a number of chiefs who were to a greater or lesser degree, independent of the Crown. This inevitably resulted in the chiefs constantly manoeuvring for power which in turn, meant that they had not only to fight against one another, but also against the Sultan. The end result was political instability and general chaos in these states. The situation in Perak for instance was clearly described by Hugh Low. Writing to Sir William Robinson in May 1878, he recalled that "when I came into this country it was under military occupation and there was no native government in it. The Sultans were in exile, the Bendahara had recently died and Raja Muda Yusof had been appointed because it was necessary to have some head. Except for Panglima Kinta ... there was not a single native authority who had exerted any considerable influence in former times ..."³⁰ Perak of course had been torn by political trouble long before Hugh Low came to the scene. For the greater part of the reign of Sultan Abdullah Mohamed Shah (1851-57), a state of civil war persisted between the ruler and a number of his chiefs led by Raja Muda Jaafar. When Sultan Abdullah died Raja Muda Jaafar came to the throne and he successfully prevented the eldest son of the late Sultan from assuming the position of Bendahara. Instead, Raja Ismail

²⁸Cowan, *op.cit.* pp.26, 35-36.

²⁹Swettenham, *op.cit.* p.311.

³⁰CO273/93 Hugh Low to C.O. 28 May 1878.

who was not in line for the succession was elevated to this position.³¹ So long as Sultan Jaafar was alive, he was powerful enough to control the situation in the country, but when he died in 1865 a political void once again existed. This time Raja Muda Ali became Sultan, but Bendahara Ismail was not promoted because of his non-royal lineage. Raja Yusof was still kept out of the line by the chiefs who instead, put Raja Abdullah (son of late Sultan Jaafar) as Raja Muda. This peculiar situation together with pent up political animosity and the loss of a strong Sultan, divided Perak into two factions which were politically and geographically defined. The first faction led by Laxmana Mat Amin and Raja Muda Abdullah controlled Lower Perak, and the second was under the leadership of Menteri Ngah Ibrahim and Bendahara Ismail of Upper Perak. The intensity of political rivalry between these two groups was mirrored in 1871 when Sultan Ali died. Raja Muda Abdullah, according to tradition was to be the next Sultan. But tradition also demanded that the new Sultan must preside over the funeral of his predecessor. But because Sultan Ali died in his village in Upper Perak, Raja Muda Abdullah did not fulfil this requirement for fear that his life would be endangered amongst hostile chiefs. Having thus forfeited his right to succession, the Perak chiefs elected Bendahara Ismail to the throne, a candidate who had previously been considered unsuitable to be Raja Muda. This state of affairs was not only typical of Perak; it was also true of Selangor, Sungei Ujong and to some extent of Pahang too.

While all this was happening in the other Malay states, the political structure of Kedah remained remarkably intact. But even in Kedah, political stability was a reality only after 1842. Earlier as was discussed in the introduction, there were many instances of succession disputes which caused uncertainty in the country, and which resulted in external interference. After the reinstatement of Sultan Ahmad Tajuddin in 1842, Kedah entered into a new political phase which was characterized by orderly government. There were no more problems regarding succession to the throne; on the contrary the members of the royal family did their best to ensure that no such trouble would arise. This was very clearly seen when Sultan Zainal Rashid died in 1879 leaving behind two sons, Tengku Putra aged 16 and Tengku Hamid aged 12. There were also three brothers of the late Sultan, Tengku Thiauddin (Z'iauddin), Tengku Yaacob and Tengku Yusoff. On the death of the Sultan, Tengku Yusoff on behalf of his other two brothers decided that the British should be informed of the situation in Kedah. He thus went to Penang and explained to C.I. Irving, the Acting Lt-Governor that in view of the fact that the Sultan's sons were still minors, he together with other close relatives of the ruling family favoured the appointment of Tengku Thiauddin as Regent, pending the appointment of a new Sultan. On the other hand Tengku Yaacob had been the Raja Muda of Kedah when Tengku Thiauddin was Viceroy of

³¹The succession line in Perak provided that when the Sultan died, he would be succeeded by the Raja Muda. In this event the Bendahara was promoted to Raja Muda, and the vacant post of Bendahara would be filled by the late Sultan's son.

Selangor, and so the situation was still unsettled. But as it turned out, all three of the late Sultan's brothers were appointed Regents by the Siamese.³²

Before discussing the factors which explain the political stability of Kedah, it is worthwhile noting that the Kedah situation shows that the various reports of local British officers regarding the Siamese Malay states were highly exaggerated. Straits officials like Ord, Weld, Swettenham, Smith and Braddell, all proponents of the forward movement, constantly emphasised the wretchedness of the condition of the Malay states under Siamese suzerainty. Braddell for instance, talked of the necessity to rescue Kedah and Patani from "the wretched system of government under which they were suffering",³³ Smith claimed that the "Siamese officials who were sent as Commissioners to these states are corrupt to the highest degree. The Malays dare not resist their extortionate demands and they are skinned of everything worth stealing..."³⁴ Swettenham while recognizing that Kedah was a respectable exception, nevertheless used it to highlight the progress and achievements of the Protected Malay states under British rule.³⁵ Only one British official seemed to have viewed the situation with some degree of objectivity. Sir Frederick Dickson, after his visit to Kedah in 1890 reported that "Kedah stands out conspicuously above all the other states of the Peninsula (excepting one or two which have been long under British protection) in all the signs of successful and intelligent administration..."³⁶

Various factors, some internal and others external help to explain the political stability of Kedah. One fundamental factor was undoubtedly the nature of the economic administration of Kedah. This will perhaps be better understood if we compare Kedah with the central Malay states on the eve of British intervention. The very basis of political power in a Malay state was dependent on material wealth, which in the main came from taxes.³⁷ In theory, as we have seen, the Sultan and other holders of royal offices could collect the taxes of the state, but because of practical difficulties district chiefs were deputed to do this job, for which they could keep a portion of the revenue. But in states like Perak and Selangor, the Sultans were unable to make district chiefs hand in what was due to them, and thus the Sultans became dependent upon the revenue of their own royal districts. The whole situation in these states grew more complicated when tin mining became the primary economic activity. The district chiefs whose domains were fortunately endowed with this metal, became the all powerful political figures in the state. Hence the power of Long Jafar and Ngah Ibrahim in Perak, Tengku Jumaat in Selangor, and Dato Shahbandar in Sungei Ujong.

The economic structure and administration of Kedah have been treated at

³²CO273/100 Chao Phraya Suriwongse Phra Kalahome to Newman, 12 December 1879.

³³CO273/114 Braddell to Swettenham 12 March 1882.

³⁴CO273/133 Smith to C.O. 5 January 1885.

³⁵Swettenham, *op.cit.* p.311.

³⁶CO273/168 Report of Sir F. Dickson's Visit to Kedah, 1890.

³⁷See Gullick, *op.cit.* Chapter V.

length in a preceding chapter. What was radically different from the situation in the other states was the fact that centralization of economic resources in the hands of the Sultan in Kedah was absolute. Consequently, the corresponding dependence of the chiefs on the Sultan meant that it was much easier to keep them in line. In the context of Malay political structure, Kedah was also fortunate to remain an essentially agricultural state, and the unimportance of tin in her economy freed her from the undesirable features characteristic of the central Malay states.³⁸

Another factor which made Kedah more conducive to stable government was the nature of its population composition. In the Malay states where the Malay population itself was mixed, and where their numbers were substantial, conflict arose. This was especially so when a district chief in his quest for power could attempt to exploit the situation by playing one group against the other. As Gullick explained, "A chief with a retinue of foreign born Malays could count on their loyalty to help him over-awe his local-born subjects in their villages. Equally his followers could not hope to lead a general revolt against him."³⁹ In addition to this political significance, the various grouping of people, each conscious of their own identity could make the task of administration more difficult.⁴⁰ Here again, Kedah was fortunate to be free of such complications. In the first place, Malay migrants in Kedah constituted only a tiny minority of the population. The 1911 Census for instance showed that out of 195,411 Malays, only 2,386 were from Indonesia, mainly Achenese. Hence, even if the district chiefs could manoeuvre for power, they could not depend upon this element of the population to any great advantage. Furthermore, in Perak and Selangor the differences between groups of immigrant Malays, and the local population were accentuated by the fact that they were engaged in different occupations. While the Indonesian sectors largely controlled the local trade which they held to jealously, the local Malays were almost all peasants. But in Kedah the very nature of their numbers meant that these groups of people in the course of time, instead, of creating large pockets of alien enclaves in fact became assimilated into the local population. Thus, instead of being a potential challenge to the position of the local Malays, the Indonesian elements fitted themselves into the established order. In the case of the Achenese, the largest of these groups, they did start off differently for they were

³⁸In this respect, Pahang was very similar to Kedah. Because of the absence of rich tin deposits, the greater part of the revenues of state were derived from duties on imports and exports which had to pass through the royal capital. Thus, although the total revenue of Pahang was certainly smaller than that of Perak or Selangor, the Sultan's share was much bigger and this enabled him to maintain his paramount political power.

³⁹Gullick, *op. cit.* p. 26.

⁴⁰In Perak, besides local born Malays and Minangkabau immigrants who by the 19th century had been assimilated into the society, there were Bugis, Korinchi, Rawa, Mandiling and Batak. In Selangor, they were mainly a mixture of Batak, Rawa and Mandiling. And this was complicated by the fact that the Royal House of Selangor was Bugis in origin, for this created hostility between them and the immigrant groups from Sumatra.

pepper cultivators while the Kedah Malays were essentially rice growers. But once pepper growing proved unsuccessful, this occupational gap broke down, and the Achenese went into traditional economic activities.

A much more important population element, in terms of the Malay political system was the Chinese, and again its significance is borne out by the different situation in Kedah and the central Malay states. In Perak, Selangor and Sungei Ujong where the Chinese population was so substantial,⁴¹ they served to worsen the political situation. For one thing they brought with them their own problems and quarrels, and this the Malay authorities were unable to cope with. Worse, still, opposing groups of Chinese aligned themselves with opposing Malay groups, and this brought about a chain reaction, firstly from the Chinese and European investors in the Straits and ultimately, the Straits government itself. In this context the fact that Kedah was not richly endowed with tin deposits proved to be a blessing. She did not attract large influxes of Chinese tin miners, and so had one political problem less to tackle. Of a total population of 245,986 in 1911, the Chinese comprised only 33,746, and out of this a mere 1,919 were mining coolies. Furthermore, the nature of the geographic distribution of the Chinese in Kedah, as shown in the following table, watered down the problem even more.

Population of Kedah by community and district, 1911⁴²

	Kota Star	Kuala Muda	Kubang Pasu	Kulim	Yan	Bandar Bahru
Malays	91,561	21,642	25,106	8,716	14,061	5,630
Chinese	8,744	9,134	840	8,761	744	3,174
Indians	999	1,779	423	1,981	53	611
Total	96,640	33,331	27,394	19,937	14,858	9,507

All this meant that the possibility of Chinese secret society problems developing into major warfare and disrupting the political structure of Kedah was small. Nonetheless, the Kedah authorities and especially the Sultan and the Raja Muda were fully aware of the troubles caused by the Chinese in Perak and Selangor, and

⁴¹The 1891 census figures for Perak, Selangor and Negeri Sembilan shows the very high percentage of Chinese population in these three states.

	Malays & others	Others (mainly Chinese)	Total
Perak	106,393	107,861	214,254
Selangor	26,578	55,014	81,592
Negeri Sembilan	48,480	22,250	70,730

Gullick, *op. cit.* p. 23.

⁴²Zaharah, *op. cit.* p. 113.

they were always alert regarding the activities of the Chinese in their state. This is seen clearly in the case of Kulim, the centre of tin mining in Kedah, and also of Chinese population. In June 1888 serious riots broke out in the district between two opposing groups, the Hui Chiu and Teo Chiu.⁴³ As usual the Secret Societies with their headquarters in Penang joined in and played a prominent role. Under normal circumstances, Tengku Mohamed Saad assisted by Penghulu Elang and a small party of Malay and Sikh police had no trouble keeping the peace. But this small force was completely inadequate to handle the June riots. Consequently, the Sultan himself went to Kulim with armed forces which he had mustered and soon managed to quell the disturbances.

The British authorities in Penang had also been worried because they had a vested interest to see that proper government was established in Kulim, for the presence of an improperly controlled mining population consisting of some thousands of Chinese close to the British frontier, was considered a source of danger to the peace and good order of the Settlements. It was in recognition of this British fear that Sultan Abdul Hamid and Tengku Yaacob went to Penang to see the Acting Resident Councillor. At this meeting the Sultan was advised that in order to promptly restore confidence in the strength of the Kedah government, he must punish the leaders of the Hui Chiu party; much more important it would be desirable to carry out a policy of general disarmament of the Chinese population. The Sultan acted on this advice immediately. The first thing that was done in order to avert the recurrence of such a riot was an inquiry which the Sultan ordered into the whole affair. Tengku Mohamed Saad was ordered to arrest all the Chinese ringleaders and to send them to Alor Star for trial. Many of them of course, had fled to Province Wellesley and Penang and the Resident Councillor was asked to assist in rounding them up.⁴⁴ Many of the Chinese were convicted and jailed, and their leaders had their property confiscated. For example, the Sultan instructed Tengku Yaacob to inform all merchants in Penang that the Kedah government having found Lan Joo guilty of causing trouble in Kulim, was soon to auction off his tin mine as well as all his property in Kulim. This, it was hoped would serve as a warning to other would-be trouble makers. At the same time the Sultan also asked for an estimate of the losses created by the riots so that some form of compensation could be made. The next step was an implementation of the arms embargo not only into Kulim, but also to all areas in Kedah. A system of permits was introduced whereby anyone intending to carry arms and ammunition into Kedah had first to obtain a pass either from the Sultan or the Siamese Consul in Penang.⁴⁵ In order to ensure that the embargo would be effective, the Sultan sought the cooperation of the British in Penang by asking

⁴³CO273/153 Smith to C.O. 15 June 1888. Ag. Resident Councillor, Penang to Colonial Secretary, Singapore 12 August 1888.

SC/1 Sultan to Resident Councillor, Penang 3 Shawal 1305 (13 June 1888).

⁴⁴SC/1 Sultan to Resident Councillor, Penang, 4 Shawal 1305 (14 June 1888).

⁴⁵SC/1 Sultan to Siamese Consul, Penang 21 Muharram 1305 (9 October 1887).

them to publicise the embargo in the Straits Government gazette. The scheme seems to have worked, and when the initial period of six months was over, the Sultan decided to extend it.⁴⁶

Having settled the Kulim disturbances the Kedah authorities decided to be vigilant, and in order to show that they meant to keep the peace, extra sepoy were employed to supplement the Kulim police.⁴⁷ On this matter, very close contact was kept with the Straits Settlements. When the Resident Councillor informed the Sultan in 1889 that there were rumours in Penang that the Chinese in Kulim might cause another disturbance, he immediately instructed Tengku Mohamed Saad to keep daily watch on all Chinese mines and plantations. The Sultan's concern was quite obviously motivated by economic reasons. Dependent as he was on Chinese revenue farms, he could not afford to see this source of income affected because of lawlessness in his state. Already after the June 1888 riots, several revenue farmers appealed to him to either reduce their farm rents, or at least to allow them to defer payments because the troubles had disrupted their activities. In addition to this primary consideration, the Sultan had also no wish to alienate the British who were concerned with the Chinese problem. This awareness of the Sultan regarding the attitude of the British, and indeed of the Siamese towards his administration was shown when he stressed the importance of keeping Kulim stable because "other people had been critical of us as a result of the Kulim riots."⁴⁸ While this no doubt reflected the Sultan's concern for Kedah to present a good image, it also underlies the basic fear that the British or the Siamese might decide to intervene if law and order was not upheld, and this would mean that the independence of Kedah would be jeopardised.

It was perhaps because of this reason that Sultan Abdul Hamid entered into correspondence with Singapore regarding the Chinese problem.⁴⁹ Writing to the Acting Governor in Singapore, the Sultan explained that Kedah did have a law which prohibited the entry of undesirable Chinese, but he admitted that it had not been properly implemented. He therefore inquired into the possibility of Kedah applying the same laws as existed in the Straits Settlements which he felt were more effective. The Sultan also explained that he had already refused the Chinese permission to set up a *Kongsi* (clan house), and had made it clear to them that drastic action would be taken if they went against his ruling. The existing *Kongsi* had already stopped functioning; in fact the building together with its contents had been confiscated and auctioned. Kedah continued to watch over the Chinese very closely although no further major problem was experienced. When Swettenham visited Kedah in 1889, the Sultan expressed a desire to appoint an English officer to take charge of Kulim for he feared that a Malay chief did not

⁴⁶SC/1 Sultan to Resident Councillor, Penang 3 Shawal 1305 (13 June 1888).

⁴⁷SC/1 Sultan to Resident Councillor, Penang 2 Rejab 1396 (4 March 1889).

⁴⁸SC/5 Sultan to Tengku Mohamed Saad 15 Rabial Awal 1306 (19 November 1888).

⁴⁹SC/3 Sultan to Acting Governor, Singapore 10 Safar 1308 (25 September 1890).

have sufficient authority over the Chinese miners.⁵⁰ This desire, however, never materialised. What did bolster the position of the Kedah authorities viz a viz the Chinese was when they decided in 1890, to adopt the same policy as Penang regarding Chinese societies. In August, 1890, J.F. Dickson, the Resident Councillor of Penang informed the Sultan that a new law had been passed by the Straits Government prohibiting any Chinese Society from functioning unless they had received permission from the government.⁵¹ As a result of this new law, the Penang authorities dissolved certain societies which they deemed to be dangerous. These included the Ghee Hin, Ho Seng, Kean Tek, Hai San, Chun Sin, Ho Hup Seah and Tsun Ghee Seah. The Sultan was asked if he would pass a decree immediately banning these societies, and imposing heavy penalties on anyone who continued to belong to them, and those who attempted to continue their existence. In addition no new societies could be formed in Kedah. The Sultan welcomed this new law, and soon afterwards he passed a decree along the same line as the Straits Law. As a matter of fact, earlier in the month the Sultan had already ordered that all the flags and articles belonging to Chinese kongsis were to be taken away and their buildings to be sold by auction.⁵²

Yet another factor which contributed to the political stability of Kedah was her close proximity to Penang, and the resultant close relationship between the Kedah ruling house and the British authorities. As early as 1821, the then Governor of Penang observed that "the long connection (of the Sultan) with the British government has given us a greater influence over his mind and character..."⁵³ This connection was maintained after 1842 through the frequent correspondence with the Resident Councillor and also the merchants of Penang. Frequent visits to Penang were made by various members of the royal family where they maintained the Kedah House. Some of the children of the royal family were sent to be educated in Penang. And on the whole, the Kedah authorities understood and accepted British institutions and methods of administration. This was reflected in the set-up of the Kedah administration which was obviously based on the Penang model. At the end of the 19th century, there were in Kedah departments like the Treasury, Lands and Survey, office of the Auditor General, a Posts and Telegraphic Office and Courts of Law. Kynnersley commented that "it is interesting to see how a purely Malay Government without European interference or guidance has endeavoured to model the administration on colonial lines even to the appointment of an Auditor General..."⁵⁴ The real link between Kedah and Penang was of course economic. In many ways the relative prosperity of Kedah was due to its proximity to Penang, and the ready market which Kedah could find there for her produce. This relationship went much

⁵⁰CO273/162 Report of Swettenham's Visit to Kedah, 23 November 1889.

⁵¹CO273/168 Dickson to Raja of Kedah, 30 August 1890.

⁵²CO273/168 Sultan to Dickson 25 September 1890.

⁵³Anderson, *op. cit.* p. 20.

⁵⁴Kynnersley, J.S.B.R.A.S. July 1901 *op. cit.* pp. 55, 66.

deeper, and as W.D. Barnes, the Secretary for Chinese Affairs observed, "whilst Kedah is politically an independent state under the suzerainty of Siam, economically it is a mere dependency of Penang. Every dollar of capital invested in it has come from Penang and all its Chinese traders were connected with Penang firms...⁵⁵ Much more vital was the fact that practically all the Chinese monopoly holders in Kedah were merchants in Penang. Thus for economic reasons alone, it is clear why Kedah was always conscious that conditions in the country must be maintained at a level of stability which would not jeopardise her own well being.

Although the non-economic ties between Kedah and Penang were not as close as that between Johore and Singapore, they were sustained enough to have an influence on the country's administration. The constant correspondence between the Sultan's office in Alor Star and the British Resident Councillor, particularly over questions of law and justice seem to have left a permanent mark on Kedah. Thus the system of justice was based on the British model right down to the concept of a judiciary separate from the executive.⁵⁶ W.E. Maxwell, when he was the Acting Resident Councillor of Penang and Acting British Consul for the Western Malay states, was greatly impressed by the efficiency and fairness of the judicial process in Kedah. He had come to Alor Star in May 1889 and one of the cases he had to deal with concerned the complaint of a British subject, Mohamed Ibrahim, against the Kedah government. Maxwell brought up the case with the Sultan who then sent for his magistrate, Wan Yunus. After Wan Yunus's explanations, Maxwell was convinced that the claims of the complainant were baseless and he so informed the British Minister in Bangkok.⁵⁷ Kedah's concern for law and justice was also reflected in the high proportion of the Sultan's correspondence devoted to this particular subject. For example the letters from the Resident Councillor of Penang were concerned almost exclusively with the problems of crime and the administration of justice. And there is one volume which contains only information on cases of all shades and variety.⁵⁸ The interesting fact was that the system followed was based on British legal procedures. The scale of punishments in force for instance, with the exception of murder and cattle stealing, was adopted from case law.⁵⁹ The Sultan in

⁵⁵CO273/311 Memo on Kedah by W.D. Barnes 21 January 1905.

⁵⁶In the traditional Malay states the separation of the judiciary from the executive was unknown.

The system of justice was part and parcel of the political institutions of the state. Courts had no special staff or rules; rules of evidence was based on traditional maxims. Neither was there an obligation to give a hearing to both sides, and decisions can be arbitrary. Kedah prior to the 19th century practised the same system of justice which had little to guide it beyond that equity was supposed to be a law of nature to every man. To meet local needs the Sultan from time to time issued edicts, and these were applied when remembered.

⁵⁷CO273/160 Report of W.E. Maxwell, 17 May 1889.

⁵⁸SC/15, 1319-1322 (April 1901-March 1905). While this is the only volume which is available, it is quite obvious that there must have been others.

⁵⁹K.A.R. 1906-08 p. 8.

particular, constantly stressed the importance of proper inquiry and warned against the passing of arbitrary decisions.

Besides all the factors which we have so far discussed relating to the political stability of Kedah, there was one other which the country was fortunate to possess—the quality of its rulers. British officials were genuinely impressed by the ability and the openmindedness of the people in power. From the very beginning of his reign, Sultan Abdul Hamid was anxious to see that his government would be progressive. It was for this purpose that he decided to visit other states to observe and learn. Thus he visited Perak in 1885 to look into the system of government there, and see what he could apply to the benefit of Kedah.⁶⁰ He also went to Singapore for the same reason where his keenness prompted the Acting Governor, Cecil Smith to remark that “this young chief whom I have received here two or three times, is one of the most promising Malay rulers in our neighbourhood...”⁶¹ In order to derive greater benefit from their contact with the British, both the Sultan and the Raja Muda decided to study the English language, and for this they appointed an English teacher. When Swettenham was on a visit to Kedah, he found that “both of them never miss regular hours of study... a very unusual instance of voluntary application to work on the part of Malay rajas who have little to gain from the knowledge of our language. The members of the ruling family of Kedah have for many years been noted for their intelligence and taste for native literature but this is the first time any of them has seriously studied English.”⁶²

The Sultan's potential as an able ruler was unfortunately marred by illness which became progressively worse after 1895. Throughout his period of illness it was the famous Chief Minister, Wan Mohamed Saman who carried on the affairs of state with the help of the Raja Muda. Then when the Chief Minister died, the responsibility of government fell wholly on the Raja Muda, Tengku Abdul Aziz, and it was he who stands out as guiding figure during this phase of Kedah history. Theoretically, his function was to govern the country in the name of the Sultan and to relieve him from the drudgery of routine administration. All important matters of state were dealt by the Sultan who also controlled the finances of the country. The Raja Muda was therefore supposed to be just a deputy, and the Sultan never hesitated to reverse or modify any order issued by the Raja Muda if he did not agree. In practice, however, while the Sultan's seal and signature were still required for all acts of state, decisions were made by the Raja Muda. The contribution of Tengku Abdul Aziz to the sound government of Kedah was undoubtedly great, and when he died suddenly in May 1907, the sense of loss was genuinely felt by all. Meadows Frost, the British Consul in Kedah in paying tribute to him wrote, “No Malay Prince ever took a more genuine and sincere interest in the welfare of his country and his people. Always recognised by those

⁶⁰CO273/136 Swettenham to Colonial Secretary, Singapore 22 Oct. 1885.

⁶¹CO273/136 Acting Governor, Singapore to C.O. 29 October 1885.

⁶²CO273/162 Report on Swettenham's visit to Kedah 23 November 1889.

who know him as enlightened and liberal minded, the Raja Muda welcomed the new order of things and even before the appointment of the present Adviser, had done much to prepare the way for the introduction of reforms."⁶³ Indeed in the two years from June 1905, the Raja Muda was the Financial Adviser's greatest prop, particularly in the lending of all his weight and influence in the introduction of many reforms which the other Malays did not altogether relish.

While internal factors undoubtedly played a great part towards the creation of a stable Kedah, external circumstance were equally important, and very often they determined the basic policies of Kedah. One such factor was the broad area of Kedah-Siamese relationship. After 1842, the relationship between Kedah and Siam returned to the pre-1821 days with the great difference that Nakhorn Srithammarat was no longer the predominating influence. The years of Siamese occupation of Kedah (1821-42) had in fact taught both sides some valuable lessons. The Siamese discovered that not much economic gain could be derived from Kedah. On the other hand, they were faced by constant Malay attempts to regain their country; and some of these the Siamese managed to repel only at very heavy cost. And so they finally came to realize that unless direct Siamese rule was replaced by indirect control from Bangkok, Kedah would not cease to be a source of trouble. On the part of Kedah, the experience of occupation was not only a painful one; the Kedah ruling house also came to realize that it was impossible for them to defeat the Siamese without outside aid. Consequently, they decided to come to terms with reality and returned to their homeland on Siamese conditions. Hence the position after 1842 saw Kedah resume sending the triennial Bunga Mas to Bangkok, and in return for this acceptance of Siamese suzerainty; she was theoretically guaranteed protection from external enemies. But as far as other aspects of government were concerned, Kedah was allowed to be ruled by her own people in accordance with her own laws and customs.

From this period onwards Kedah entered a new phase of peaceful co-existence with Siam which seems to have been enhanced by close personal ties between the royal families of both sides. Sultan Ahmad Tajuddin was greatly liked by King Mongkut, and he was often at the Court in Bangkok.⁶⁴ Sultan Abdul Hamid like his predecessor was also a constant visitor to the Court of King Chulalongkorn. In Bangkok the Sultan was always well treated; for instance he was allowed to stay in the Ministry of the South's new building which was considered to be a great honour. In return the Sultan knew how to be on the good side of the Siamese. For example, when the Siamese Commissioner's office was established in Phuket, Sultan Abdul Hamid wrote to Phraya Thipkosa, the new Commissioner for the Western Seaboard Province, asking him to inform the King that Kedah would like to help finance the new office.⁶⁵ Likewise, the Sultan was

⁶³CO273/333 Frost to Paget 7 June 1907.

⁶⁴Numnonda, *op. cit.* p. 52.

⁶⁵SC/13 Sultan to Phraya Thipkosa (date illegible).

This particular volume contains a series of letters from Sultan Abdul Hamid to various Siamese

quick to respond to any call for help from Bangkok. In 1892 he wrote to the Governor of Songkhla, Phraya Wichiankhiri requesting him to facilitate the passage of a boat bearing guns and ammunition to help the King against the French.⁶⁶ This co-operation was even greater in the case of Siamese projects in Kedah itself, like the building of telegraph lines right across Kedah into the British territories. District chiefs were immediately instructed to raise *kerah* labour and to see to the successful completion of the job.⁶⁷ On a different level, the Sultan tried to secure his position with Bangkok by constantly reassuring them of his loyalty. When the Sultan heard that the Kralahome, the Minister of the South had been complaining that he had not come to Bangkok to visit the King, he immediately wrote a letter explaining that illness had prevented him from doing so, and taking the opportunity of re-affirming his absolute loyalty to King Chulalongkorn. When the Siamese southern provinces came under the control of the Ministry of Interior, and Monthon Saiburi was created, Sultan Abdul Hamid became Chao Phraya Ritsongkhramramphakdi, and he was made the High Commissioner of the new Monthon.⁶⁸ The Sultan on receiving the new honour and promotion wrote immediately to the King expressing his gratitude and reiterating that he did "not think in two or three ways but concentrates on being a loyal subject to Your Majesty in this and in future generations."⁶⁹ This trend was maintained by Raja Muda Abdul Aziz when he was running the country. In fact he very frequently went to Bangkok to discuss various matters and sometimes stayed on for several months. There were also some members of the Kedah royal family who lived in Bangkok, like Tengku Thiauddin and Tengku Yusof. Yet others were sent to Bangkok to be educated and trained. The Sultan for instance wrote to Prince Damrong in 1897 asking the Siamese government to send back his brother so that he could assist the Raja Muda to govern the country.⁷⁰

In spite of all these ties, the degree of autonomy enjoyed by Kedah was substantial and real.⁷¹ In the economic affairs of the country, Bangkok did

officials and vice versa. These documents which are in Thai are in a very bad state. The quality of the paper is poor and reading is made most difficult because the ink has gone through. I am most grateful to Dr. Tej Bunnag for the invaluable help he rendered in translating this volume.

⁶⁶SC/13 Sultan to Phraya Wichiankhiri, 17 Shawal 1310 (4 May 1893).

⁶⁷SC/13 Sultan to Kralahome, 12 Muharram 1311 (26 July 1893).

⁶⁸Between 1892 and 1899, the Ministry of Interior began to integrate the administration of the Southern tributary states into the Thesaphiban system of administration. The Ministry was not satisfied with the partial integration of some of the tributary states and outer provinces, and wanted to increase its control over them. It was hoped that this would help in the defence of the territorial integrity of Siam against French and British pressure. Further more, it would ensure their loyalty and also supply resources for the reforms undertaken throughout the kingdom at this time. Consequently, Kelantan and Trengganu were placed under the supervision of the permanent commissioner of Phuket in 1895. In 1897, Kedah, Perlis and Setul (Satun) were incorporated into Monthon Saiburi.

⁶⁹SC/13 Sultan to King Chulalongkorn (no date).

⁷⁰SC/13 Sultan to Damrong 13 Jamadil Akhir 1315 (9 November 1897).

⁷¹The tributary states like Kedah, unlike the inner provinces of the Siamese kingdom owed allegiance to Bangkok because they could not withstand Siamese military power. But because

periodically ask for certain reports such as the number of opium dens in Kedah, and information on how the commutation tax was collected.⁷² Sometimes, Siamese officials came to check the finances of Kedah as when Prince Narathip Praphanphong, the Minister of Finance, visited the western seaboard Provinces to inspect their financial state of affairs.⁷³ Otherwise there was no Siamese interference at all in Kedah's economic affairs. On the contrary the Siamese showed a great deal of tolerance and understanding regarding the country's economic policies. For instance, in 1857, and again in 1867 the British officials in the Straits complained to Bangkok that Kedah had infringed treaty agreements with the British by among other things, levying too high a duty on cattle, grain and other exports to Penang and Province Wellesley.⁷⁴ The Siamese recognized that this was an infringement but as Phraya Suriwongse explained to the British Consul in Bangkok, Kedah was a small country whose trade was almost wholly with Penang, and since the revenue derived from her own natural resources was limited, he requested the British to "have a little consideration for that country, so that she may not lose all the advantages which now accrue from her scanty resources."⁷⁵

During the reign of Sultan Abdul Hamid, he exercised absolute control over the financial affairs of the state. This was a fact which surprised the local British officials especially those who tended to look upon the Siamese as ruthless overlords. Even Swettenham, the most persistent critic of the Siamese, had to admit that Kedah did not have to send any part of her revenue to Bangkok. And despite various pessimistic British reports that Kedah's economic independence was bound to tempt Siamese intervention, this never materialized. In fact even during the years after 1890 when Kedah was slowly but steadily heading towards bankruptcy, Bangkok remained on the sidelines.

these tributary states were far away from the centre, bordering on foreign controlled territories, the Siamese government was forced to tolerate the high degree of independence enjoyed by these states. See Tej Bunnag, *The Provincial Administration of Siam from 1892-1915: A Study of the Creation, the Growth, the Achievements and the Implication for Modern Siam, of the Ministry of the Interior under Prince Damrong Rachanuphap.* (D.Phil. Oxford 1968), pp. 56-66.

⁷²SC/13 Phraya Montri Suriwong to Sultan 15 August 1890.

⁷³SC/13 Prince Narathip Praphanphong to Sultan 13 Ramadhan 1310 (31 March 1893).

⁷⁴The duties imposed by Kedah were indeed much heavier than what other states were doing. For example, supplies of cattle came mainly from Patani, Singgora and Ligor and these states charged a transit duty of 30 cents per head of cattle leaving their territory. Setul and Perlis levied a similar duty of 50 cents. But Kedah imposed three different levies on cattle before they were allowed to cross the Muda River into Province Wellesley. These were:-

- (a) Hasil Raja (a levy for export) of \$1 per head of cattle.
- (b) Hasil Chap (a levy for burning a mark on the horn to indicate that the Hasil Raja had been paid) of 25 cents per head.
- (c) Hasil Tebing (a levy paid to the Customs Housekeeper for leaving the bank to cross the river) of 3 cents per head.

CO273/13 Ord to C.O. 31 December 1867.

⁷⁵CO273/15 Phraya Sri Suriwongse to Knox 9 October 1866.

This did not mean, however, that Kedah never took the Siamese factor into consideration. The Kedah authorities were in fact very conscious that the Siamese could intervene if they wanted to, and so in some areas at least, reference was made to Bangkok. This was particularly so in the area of granting land concessions. In this field, the Sultan or the Raja Muda could issue grants on land to whosoever applied for them, and the concessionaire needed only to get Bangkok's ratification. But in almost all cases such applications were referred to the Siamese whose decision was unquestioned by Kedah. One such example was the application of Behn Meyer and Company in 1899 for certain rights and monopolies on the island of Langkawi. The Raja Muda was favourably disposed to issue a grant, but caution prompted him to forward a draft agreement to Bangkok who in turn refused to give their sanction.

As in economic administration, Kedah was also left almost alone as far as political control of the country was concerned. But here too, there were several factors which worked towards making Kedah constantly conscious of the presence of the Siamese overlord. The Sultan when explaining the state of affairs in Kedah to Swettenham informed him that the Siamese did not interfere in the administration of the country although they often sent various orders for things to be done. Siamese influence the Sultan said, would be really exercised and felt when a difficulty arose about succession, or if there was a serious quarrel between members of the reigning family.⁷⁶ In addition, there were certain other checks and balances which served to emphasize the ultimate authority of the Siamese. In the first place appointments of senior Malay officials in Kedah had to be sanctioned by Bangkok. A much more formidable factor was the presence of the Siamese Consul in Penang, only 98 kilometers away. Alor Star kept in very close touch with the Consul as can be seen in the volume of correspondence between the two. It is clear too that the Consul was constantly consulted on a whole range of matters, and his advice was sought on both economic and political issues. In addition, Siamese officials made occasional visits to Kedah, and the Kedah authorities also regularly went to Bangkok for consultation; all of which tended to keep the country in check.

Yet another link between Bangkok and Alor Star, was the innumerable written instructions sent out by the Siamese. The Sultan's Letter Books are full of references relating to the arrival of *Surat tera* (official letters).⁷⁷ One such example was the Royal Decree dated 16 November 1874 which was sent to all the Southern Siamese Malay states regarding trading activities between these states and foreign powers. Apparently, many agreements had been entered into, some of which conflicted with Siam's general treaties with other powers, and this had

⁷⁶CO273/162 Report of Swettenham's Visit to Kedah 23 November 1889.

⁷⁷The Malay letters unfortunately do not give any details of the Siamese official letters. References to them are generally indirect, in the form of instructions from Alor Star to district chiefs informing them of the arrival of the *surat tera*, and requesting them either to come to the capital or to make necessary preparations in the districts.

created embarrassment and difficulties in Bangkok. It was to avoid further occurrence of this that King Chulalongkorn decreed that his southern provinces must distinguish two different classes of Agreements; Public Agreements that concerned Siam such as working of forests, mining and tax farming, and Private Agreements, relating to the buying and selling of different articles. In the case of Public Agreements reference must be made to Bangkok so that the relevant minister could ratify the agreement. Private Agreements could be entered upon freely provided they were not contrary to established laws.⁷⁸

It is difficult to assess how seriously official instructions from Bangkok were taken in Kedah. Some, like orders to work on telegraph lines, the supply of an entourage and elephants to receive or send Siamese officials were promptly carried out. Certain of the *surat tera* were received with pomp and ceremony in Alor Star; others demanded the presence of district chiefs and penghulus who had to be briefed about the instructions. The majority of these letters seemed to have been passed on to the district chiefs, and here it is difficult to ascertain what action was taken. If they were in turn sent on to the penghulus, it is likely that no action was taken as most of the penghulus were illiterate. But if the Siamese letters contained information about the arrival of Siamese officials to Kedah, these at once received immediate attention. Orders went out from Alor Star for district chiefs to raise *kerah* labour for such works like building new structures, repairing bridges and roads and preparing for celebrations. There were of course a great number of decisions taken by Kedah which ran counter to Siamese instructions. For instance the 1874 decree specifically forbade the signing of tax farming agreements without reference to Bangkok. But in Kedah many of these agreements were entered into directly between the Sultan and the Chinese revenue farmers. Likewise alterations to such agreements, particularly when the Sultan was in financial difficulties, were sometimes made independently of Bangkok. But there was also a limit to such independence; so long as Siam did not object Kedah felt safe enough to pursue her own way. But once opposition was shown, they were equally quick to acquiesce. For instance, when the Khaluang of Songkhla complained of the large numbers of undesirable elements entering his territory because gambling farms were mushrooming in northern Kedah, the Raja Muda immediately abolished these farms in places like Jitra, Teming, Sedau, Padang Terap and Tai.⁷⁹ Also there were some decisions which the Sultan felt better not to make on his own. For example, when the Resident of Perak wanted to construct a pipeline to bring water from Bukit Panchor in Kedah to Parit Buntar in Perak, the Sultan referred the matter to Bangkok. In this particular case, the Siamese authorities decided to leave the project to the Sultan's discretion.⁸⁰

⁷⁸CO273/286 Decree Concerning Provincial Governors who shall make Arrangements with Subjects of Foreign Countries, 16 November 1874.

⁷⁹SC/7 Raja Muda to Tengku Yaacob 23 Zulhijjah 1314 (25 May 1897).

⁸⁰SC/1 Sultan to Swettenham, 26 Rabial Akhir 1307 (20 Dec. 1890), 17 Rejab 1307 (9 March 1890).

Over the question of succession in Kedah, the Siamese exercised absolute control. Both Sultan Zainal Rashid Muazzam Shah (1843-1854), and Sultan Ahmad Tajuddin Mukarram Shah (1854-1879) were appointed by the Siamese. The complete recognition of Siamese right over this matter was illustrated in 1879. In that year Sultan Ahmad Tajuddin died leaving behind two very young sons, Tengku Putra aged 16 and Tengku Hamid aged 12. It was known in Kedah that one of the princes would eventually become Sultan, but in the meantime, during their minority it was thought that one of the late Sultan's brothers would act as Regent. The immediate members of the ruling house were in favour of Tengku Thiauddin (the eldest brother of the late Sultan) becoming Regent. But at the same time they were unsure of Siamese reaction because they had previously appointed Tengku Yaacob, Sultan Ahmad Tajuddin's second brother, as Raja Muda when Tengku Thiauddin was the Viceroy in Selangor. Anyway it was decided that it would be wiser to let the Siamese settle this issue. So the three brothers wrote to Bangkok informing them that the two young princes would be going to seek an audience with the King. As an interim measure, the Siamese decided that Tengku Yaacob would act as Regent, but as he too was coming to Bangkok, Tengku Thiauddin would act temporarily in that capacity.⁸¹ In December 1879, the Siamese finalized their arrangements whereby all the three brothers of the late Sultan were elevated in status. Tengku Thiauddin and Tengku Yusof were appointed as "protectors and advisers" carrying out duties under the leadership of Tengku Yaacob.⁸² The triumvirate governed Kedah till 1882 when Tengku Abdul Hamid was installed by the Siamese as Sultan.⁸³

Finally, there is one other area which illustrates the nature of Siamese control over Kedah; that of the external relations of Kedah. The best example of this was when Sir Harry Ord in 1867 entered into direct negotiations with Sultan Ahmad Tajuddin for the purpose of amending the Treaty of 1800 relating to the questions of trade, and the adjustment of the frontier with Province Wellesley. These negotiations had in fact started during Cavanagh's governorship, but he had failed to make any headway. Ord was fortunate to have the services of the Siamese Consul in Singapore, Tan Kim Cheng who was a trusted adviser of the Sultan of Kedah. It was through him that the Sultan was persuaded to go to Singapore to discuss the various problems in the relationship between Kedah and Penang. Out of this meeting a memorandum of agreement was reached whereby new scales of levies on exports from Kedah were fixed. In addition it was agreed that opium, liquor or gambling farms would not be allowed to operate within two miles of the boundary, and the boundary between Kedah and Province Wellesley itself would be redrawn.⁸⁴ But this was as far as the Sultan felt

⁸¹CO273/99 Chao Phraya Suriwongse Phra Kalahome to T.G. Knox, 13 August 1879.

⁸²CO273/100 Chao Phraya Suriwongse Phra Kalahome to Newman, 12 December 1879.

⁸³CO273/114 Chao Phraya Suriwongse Phra Kalahome to Tan Kim Cheng, 20 March 1882.

⁸⁴CO273/13 (19 Sept 1867). Memo of Agreement between H.E. Governor of the Straits Settlements and H.H. Raja of Kedah to be substituted for the treaty with Ligor (Siam) dated 2nd Day of November 1831 which defines the eastern boundary of Province Wellesley and in modification of

that he could safely act on his own. When Ord met the Sultan again at Penang in December 1867, he brought with him a draft treaty which included not only what was agreed upon in Singapore, but also a redrafting of those parts of the 1800 Treaty not superseded by the Memoranda, plus a new clause covering the mutual extradition of criminals and accused persons.⁸⁵ To this new document, the Sultan absolutely refused to put his signature, much to the annoyance of Ord. But this was really to be expected. The Sultan had not consulted Bangkok about the proceedings possibly because he felt that the issues raised in the Memoranda were concerned with local matters; but now, confronted with a full scale treaty, he was unwilling to risk Siamese displeasure. The Sultan therefore asked for a copy of the new document so that he could send it on to Bangkok. Ord, however, interpreted this turn of events as a breach of faith on the part of the Sultan, and he promptly suspended relations with Kedah and also stopped the annual payment.⁸⁶ The whole affair soon reached the Siamese and it became necessary for them to intervene. King Mongkut in March 1868 wrote to the British Consul in Bangkok telling him that he been informed by the "regent of the southern provinces of Siam and of all the Malayan states which enjoy Siamese protection" of the dispute between Kedah and the Straits Settlements.⁸⁷ Accordingly he had appointed two commissioners to deal with the problem, with full authority to arrange and decide the questions of import and export duties, boundary difficulties, and any other issue that needed settlement. The two commissioners arrived in Singapore in March 1868, and having made certain changes in the draft treaty, both sides came to agreement. In the context of our discussion, what was significant to note was that in all these deliberations, the Sultan of Kedah although he was present, neither participated nor was he consulted in any way by the Commissioners. As Ord wrote in his report to the Colonial Office, "Kelantan like Terengganu and Kedah is understood to be tributary to Siam. I do not know exactly what is the authority exercised over it by the Siamese government but from the manner in which the Commissioners dealt with questions in which these states were involved, it is clear that they assumed the right to act for the Rajas without asking their consent and they anticipated no difficulty or defection on the part of these rulers. The Raja of Kedah who was present at the interview at Singapore took no part in the discussion and my offer to accept a modified boundary was acceded to by the Commissioners without their making any reference to him."⁸⁸

The position of Kedah in relation to Siam was therefore, one which was entirely

the treaty between Great Britain and the Kingdom of Kedah confirmed by the Governor General in Council in the month of November, 1802.

⁸⁵CO273/13 (13 December 1867) Treaty entered into by Sir H. Ord and Yang di-Pertuan of Kedah subject to the approval and ratification of the King of Siam in substitution of former treaties, 1786, 1791, and 1802 and also in cancellation of the treaty with Ligor, Siam in 1831.

⁸⁶CO273/13 Ord to C.O. 31 December 1867.

⁸⁷CO273/13 Mongkut to Knox 18 March 1868.

⁸⁸CO273/18 Ord to C.O. 8 April 1868.

dependent on the attitude of the Siamese. When they decided to leave Kedah alone as was the case most of the time, Kedah enjoyed a tremendous degree of freedom. But when at times she did intervene in the country's affairs there was nothing which Kedah could do, but to accept the will of the Siamese. The fact that the Siamese did not interfere much at all in Kedah seemed to have been partly due to the belief that there was very little tangible benefit which Siam can derive from her. As King Chulalongkorn wrote after his visit to the Siamese Malay states in 1891, "we have no particular interest in the states.... If we lost them to England we would miss only the Bunga Mas. Apart from this there would not be any material loss. However, it is bad for the prestige of the nation. That is why we have to strengthen our hold over this part of the territory..."⁸⁹ Sultan Abdul Hamid however, often painted a different picture regarding his country's relationship with Siam. For instance, in 1901 when he was in Singapore on the occasion of Chulalongkorn's visit, the Sultan had an interview with Swettenham. Among other things the Sultan said that Kelantan and Trengganu had only themselves to blame if Siam was hard on them because they had given way. According to him the Siamese always advanced along the line of least resistance and pressed those who gave way, but that they had left Kedah alone because he refused to be interfered with.⁹⁰ The facts, however, have shown that on this matter the initiative did not lie with Kedah at all, and the Malay authorities recognized this. Indeed, this was a predominant factor underlying Kedah's concern for stability and orderly government so that the Siamese would stay out of her affairs, leaving her in a state of virtual independence.⁹¹

While the Kedah-Siamese relationship clearly constituted a major external factor towards the maintenance of peace and stability in Kedah, this was only one side of the explanation. The other side was provided by the British policy towards the northern Malay states which was governed by their interest in the Malay Peninsular, and by European rivalry in the region as a whole. British policy, like that of the Siamese, tended to have the same effect on the internal administration of Kedah. Primarily, this was because Kedah was fully aware that the nature of British policy regarding the Siamese Malay states was such that they could not be depended upon should help be required. Furthermore, it was wiser for Kedah to give the British officials in the Straits no reason to want to interfere in her affairs as this would have brought about increased Siamese pressure on the state.

British policy in the 1880's and the greater part of the 1890's, towards the northern Malay states was a constant conflict between those who wanted to

⁸⁹Quoted in Numnonda, *op. cit.* p. 200.

⁹⁰CO273/273 Swettenham to C.O. 23 July 1901.

⁹¹The primary reason for Siam's decision to stay out of Kedah's affairs was because she was afraid that the British would be antagonized if she did not. The Ministry of the Interior was aware of the importance to please Britain as she depended on her to maintain Siam's independence and territorial integrity. Prince Damrong saw the need to "cultivate and oblige Great Britain, so that she might help to protect (Siam) against France, and must carefully avoid any incident which might provoke her hostility." See Bunnag, *op.cit.* pp. 245-46.

extend purely colonial interests, and those who wished it to be subordinate to British policy in Siam, which was in turn governed by Indian considerations, and the interests of British commerce.⁹² This conflict was evident over a number of issues. In October 1881, Governor Weld urged that closer relations be established between Britain and the Siamese Malay states in order to counteract French activities on the Indo-Chinese Peninsula. Weld became the more concerned when the French began to show an interest in the Kra Canal project. It was therefore, argued that the only effective way to prevent the French from establishing a foothold on the Malay Peninsula was to check Siamese influence in this area, and extend British influence northwards to include at least Kedah and Patani. Officials in London, however, both at the Foreign Office and the Colonial Office, while agreeing that no other European power could be allowed to secure a foothold in the Malay Peninsula did not at the same time wish to risk alienating the Siamese by a forward policy. This might furthermore provide the French with a pretext to pursue their policy of aggrandizement. What London wanted was to preserve Siam as a buffer between British Indian interests and French Indo China, not to mention British commercial interests in Siam. This objective required not the weakening, but the strengthening of Siamese influence in the Malay Peninsula.⁹³

Another example of this conflict of interest was seen in the different approaches adopted towards the states of Trengganu and Kelantan. Taking the view that these two states were independent of Siam, Governor Weld tried to get Britain to protest against Siamese interference there, such as her participation in the installation of the Sultan of Trengganu in 1882.⁹⁴ Once again Whitehall considered it unwise to object. This was especially so in view of French attempts to secure a concession for the construction of the Kra Canal. It was desirable to keep on good terms with Siam, and thus be able to influence her to resist the French.⁹⁵ Perhaps the strongest case the British had if they wanted to intervene in the Siamese Malay States was provided by Kelantan. When the Sultan of Kelantan died in 1891 a dispute arose amongst his sons over the succession and the distribution of property. Consequently, four of the sons wrote to the British Resident in Pahang, and also the Colonial Secretary in Singapore inquiring if there was any possibility of Kelantan being placed under British protection⁹⁶ Whitehall refused to be involved; in fact by this time they were quite exasperated by the position taken by the Straits officials. As a Colonial Office minute commented, the Straits officials should "restrict itself to municipal functions, leaving foreign policy to the three Secretaries in London. Governors who have an

⁹²E. Thio, *op.cit.* p. 244.

⁹³CO273/118 Palgrave to F.O. 26 August 1882.

⁹⁴*Ibid.*

⁹⁵FO422/12 Granville to Satow 23 January 1885.

⁹⁶CO273/166 C. Smith to C.O. 5 April 1880.

CO273/173 C. Smith to C.O. 17 June 1891.

inclination towards a foreign policy of their own, are best stationed on Islands, where there is nothing to annex, or protect or make a treaty with except the molesting ocean."⁹⁷

As far as Kedah was concerned, she recognized that the inability of local British officials to influence London towards accepting a forward policy in North Malaya, meant that she could not possibly turn to the British for aid. Much more significant, Kedah's understanding of the situation constituted yet another major factor in the need to preserve stable political conditions at home as a safeguard against British complaint, and the possible follow up of Siamese interference. This was clearly what happened in Trengganu and Kelantan where Siam's apprehensions of British intentions in view of the position taken by the Malayan officials prompted her to react by strengthening her claim over these states. In the case of Kelantan, Siamese reaction was seen in 1879 when the King sent the Governor of Trang to restore peace in the state, and to appoint the new Sultan. Again in 1890, Bangkok sent a Commissioner to the state to maintain peace and to uphold the Sultan's authority. All this Kedah watched with interest. As the Chief Minister, Wan Mohamed Saman observed, Kelantan and Trengganu were almost as much under Siamese influence as Kedah was, and that they had voluntarily placed themselves in that position because Malay rajas liked to feel that they had a powerful friend to whom they could apply for help in the event of any difficulty. And since England had refused their friendship they had naturally turned to Siam. The Chief Minister was specifically thinking of the Trengganu Mission to England in 1869 which requested that the state be placed under British protection. No answer was given at all by the British; instead the whole affair was reported to Bangkok. Accordingly Trengganu was driven into the arms of the Siamese, and as Kelantan and all other Malay states knew about this, they had assumed that England did not wish to have anything to do with them.⁹⁸

The ability of Kedah to survive independently of Siam was not destined, however, to continue unhampered. From the last decade of the nineteenth century circumstances began to change and this period marked the beginning of the end to Kedah's political independence. In 1892 king Chulalongkorn introduced a policy of centralization throughout the country. One of the changes was the reorganization of the provinces under the direct control of the Ministry of the Interior. Prior to this, the Siamese provinces and dependencies were under the control of three Ministries, Ministry of War, Ministry Foreign Affairs and Ministry of Interior. The provinces were now grouped into Circles (Monthon) each with a High Commissioner (Khaluang Thesapiban) appointed by the Minister of Interior. It was under this new scheme that Kedah, Perlis and Setul were regrouped into Monthon Saiburi with the Sultan of Kedah as its High Commissioner. In this same context of administrative centralization, the Siamese

⁹⁷CO273/183 C.O. Minute 7 September 1892.

⁹⁸CO273/162 Report of Swettenham's Visit to Kedah 23 November 1889.

government also began an extensive programme of railway construction connecting Bangkok with her provinces in the north, east and southwest. It was believed that in addition to centralizing political control, improved communications would also bring in economic benefits. By the same reasoning, the Siamese were also eager to establish railway connections with their provinces and dependencies in the Malay Peninsula. This was made the more imperative as the only means of reaching these areas was by sea which made them even more distant, and therefore less valuable to Siam economically and politically.⁹⁹

With particular reference to Kedah, the Siamese had been unhappy with the state of affairs there. As H.G. Scott, the Director of the Siamese Department of Mines observed, the condition prevailing in Kedah whereby the nature of the Sultan's status in relation to the Siamese and the British remained loose and undefined, could not go on without leading to serious difficulties.¹⁰⁰ He was thinking particularly of the position regarding the granting of land concessions as an area which could easily develop into political complications which Siam would not be able to avoid. For although the Sultan had to refer all important issues to Bangkok, there was nothing to stop him granting tentative concessions, and this could put Siam in a delicate position should she choose not to sanction such a concession. In addition to this problem, Kedah was by this time getting deeper and deeper into debt, and since Kedah's creditors were largely foreign nationals and companies, Siam was worried about the possible political implications of this economic mess.

For a long time Siam was reluctant to take any action for fear that it would bring about a reaction from the British. In this sense, 1902 proved to be a major turning point in Siamese policy. This was mainly due to a change in British policy towards the northern Malay states. The Anglo-French Declaration of 1896 had satisfied the British that France would not be a threat to British interests in the Malay Peninsula. This was further enhanced by the Anglo-Siamese Secret Convention of 1897. All this culminated in the Anglo-Siamese Agreement of 1902 relating to Kelantan and Trengganu. These developments also brought Siamese fear of British intentions in her Malay dependencies to a new height. There was fear for instance, that the next British target would be Kedah, and so before the British could act, Siam decided to step in first. In October 1904, H.G. Scott¹⁰¹ raised the question of the status of the Sultan of Kedah with Beckett, the British Minister in Bangkok. According to Scott the situation in Kedah had become acute; the Sultan was "semi-mad"; the state was heavily in debt, and instead of the revenues of the state showing any balance as they should, they were being

⁹⁹To reach Kelantan and Trengganu from Bangkok by sea took about four to five days. In the case of Kedah the journey took twice as long as it had to go via Singapore and Penang.

¹⁰⁰CO/303 Beckett to C.O. 29 October 1904.

¹⁰¹Scott was on very close terms with Prince Damrong, the Minister of Interior who constantly consulted him on a variety of political questions. In view of this, Scott's views were indicative of official Siamese policy.

mortgaged away. At the same time the Sultan was beset by concession hunters. As Siam did not interfere with Kedah's administration, they had no means of knowing what was being done there, and hence feared complications not only in connection with concessions, but also that the Straits government might persuade the Sultan to take some action which might be prejudicial to Siamese interests. Consequently, Scott indicated that the Siamese government was interested to propose the appointment of a Resident or Adviser in Kedah with similar duties to that held by the Adviser to the Sultan of Kelantan.¹⁰²

The reaction of local British officials to the Siamese proposal was one of apprehension. Barnes, the Secretary for Chinese Affairs in the Straits Settlements suggested to Sir John Anderson that the British should quickly appoint an Adviser to the Sultan of Kedah, and also to advance a loan to him.¹⁰³ The loudest opposition came from Anderson himself. Writing to Mr. Lytton of the Colonial Office, the Governor argued that Siam was determined to encroach on the independence of Kedah for fear that the British would extend their influence into the state. Furthermore, Anderson claimed that Siam was fully aware of the tremendous progress achieved in the Federated Malay States while states like Kedah were in a deplorable condition under the Siamese, and fearful of their encroachment. Thus he believed that the appointment of a Siamese British official in Kedah would be disastrous not only to the state, but also to British interests in the Peninsula.¹⁰⁴ The Foreign Office, however, viewed the situation differently. As they saw it, although the Siamese government had hitherto refrained from interfering in the internal affairs of Kedah, this did not retract the fact that Kedah was a dependency of Siam, and this was recognized by Britain. Lord Lansdowne therefore felt that if the Siamese wanted to send an Adviser to Kedah it would be very difficult for the British to oppose it successfully.¹⁰⁵ As a Foreign Office minute put it, "This country (Britain) holds towards Kelantan and Trengganu under the terms of the 1826 Treaty a position which she cannot claim to hold towards the other Siamese Malay states. Therefore, the British government can hardly deny to Siam in Kedah, rights which have been conceded to her in states enjoying a far greater measure of independence."¹⁰⁶ This view was also held by Ralph Paget, the British Minister in Bangkok, who in commenting on Anderson's objections pointed out that in the case of Kedah the Siamese could well have proceeded without consulting the British at all. In any case, he could not see how the British government could effectively object to a proposal which was intended for the improvement of the administration of a part of their own dominion. Any objection would be the more ridiculous since the British had

¹⁰²FO422/58 Beckett to F.O. 29 October 1904.

¹⁰³FO422/29 Barnes to Anderson 21 January 1905.

¹⁰⁴CO273/303 Anderson to C.O. 30 November 1904.

¹⁰⁵CO273/303 F.O. Memoranda 27 December 1904.

¹⁰⁶CO273/314 F.O. Minute on Siamese Adviser in Kedah, 12 April 1905.

insisted on the appointment of an Adviser to Kelantan.¹⁰⁷ The Colonial Office alone took the view that no sufficient reason had been shown to justify any interference in Kedah. And since King Chulalongkorn himself had said in 1901 that Kedah was exceptionally well governed, perhaps the British government should discourage the appointment of an Adviser.¹⁰⁸

The situation took a new turn in March 1905 when Raja Muda, Tengku Abdul Aziz, went to Bangkok with a letter from the Sultan together with other documents relating to the critical financial position of Kedah. Tengku Abdul Aziz saw Prince Damrong through whom he sought a loan and the appointment of a Financial Adviser. In addition, because of the Sultan's ill-health it was also suggested that a Council of Four should be created to administer the country.¹⁰⁹ A great deal of doubt exists regarding the spontaneity of the Raja Muda's mission to Bangkok. For one thing the Sultan's letter which was brought along by the Raja Muda asking for a loan, a Financial Adviser, and a State Council was unsigned. Considering the jealousy with which Kedah had always valued her independence, it was not likely that their rulers would have taken the initiative on such a radical measure. An indication of Siamese pressure in this matter was seen when Mr. Williamson the Siamese Financial Adviser, in advising the appointment of a Financial Commissioner to Kedah explained that this would be "a better pill for the Sultan to swallow". He also believed that as the financial situation of the state gradually improved, the Sultan and other members of the ruling family would grow reconciled to the partial diminution of authority which the proposal entailed. Even clearer evidence of this was manifested in two memorandas written by Williamson on the Financial Affairs of Kedah in April 1905.

In these reports, Williamson warned Prince Damrong that in view of the financial mess which Kedah had got into, the Siamese government should not agree to any loan unless an arrangement could be made whereby the absolute control of the finances of the state be bestowed on an officer appointed by Siam. This according to Williamson was necessary in order to ensure a definite guarantee that the finances of the state would be properly looked after in the future and that no fresh debts would be incurred without the prior knowledge and consent of the Siamese government. In the second memoranda, it was clear that Prince Damrong had told Williamson that the conditions of the loan would be the appointment of a European Financial Adviser, as well as the creation of a Council of not more than five members whose duty it was to control the revenue and expenditure of Kedah. Furthermore, this had been explained to the Raja Muda by Prince Damrong. Although the Raja Muda thought that the Sultan would object to such arrangements, he promised to persuade him to accept them. Thus,

¹⁰⁷CO273/314 Paget to F.O. 25 January 1905, 8 March 1905.

¹⁰⁸CO273/303 C.O. Memoranda 30 November 1904.

¹⁰⁹See FO422/59 Williamson's Memoranda Respecting Kedah's Financial Affairs, 6 April 1905, 19 April 1905.

the real position seemed to have been that Siamese apprehension of British opposition to their scheme made them fear that the Straits government would press for the absorption of the Siamese Malay states. Hence, they decided to act first, and in this they were invaluablely helped by Kedah's impending bankruptcy.

As a result of this new development, even Governor Anderson had to admit that if the Sultan of Kedah was a party to the application, then the Siamese proposal could not be opposed. However, he insisted that the British government should see the terms of any agreement between the Siamese and Kedah. In particular he wanted the British to obtain assurances on three points: firstly that the government of Kedah be left in the hands of the local authorities; secondly, that the Adviser and his assistant must be of British nationality whose appointment and removal should be subject to British approval.¹¹⁰ The Siamese accepted the first two demands but were rightly annoyed with the third. As they explained, there was no need for such an assurance because the appointment had no political significance, but was merely a business precaution adopted to secure the Siamese government against loss in making the loan. The Foreign Office itself felt that Anderson's last demand was unreasonable, and that as long as the Adviser was of British nationality, and the Siamese government would consult the British Minister in Bangkok, in the case of each appointment, the British government could ask for no more.¹¹¹ These guarantees were readily acceptable to the Siamese. Paget further assured the Foreign Office that he did not think the Siamese government would wish to impose undue interference in Kedah. On the contrary the Siamese General Adviser, Strobel had informed him that Prince Damrong himself did not favour too much interference as he still wanted to keep Kedah as a buffer between Siamese and British influence in the Malay Peninsula.¹¹²

It was finally on June 16, 1905 that the Kedah Loan Agreement was signed. By this agreement, Siam undertook to lend Kedah \$2.6 million at 6% interest per annum. In return for this, Kedah was to accept, until the loan had been entirely repaid, the services of an Adviser to be appointed by the Siamese government who would assist in the financial administration of the state.¹¹³ With the signing of this Agreement, ended also the phase of Kedah history which began in 1842 when she had conducted her own affairs very much in her own fashion. In particular, this marked also the end of the absolute control of the Sultan over the affairs of his state.

¹¹⁰FO422/59 Anderson to C.O. 29 March 1905.

¹¹¹FO422/59 Landsdowne to Paget 7 July 1905.

¹¹²FO422/59 Paget to F.O. 21 June 1905.

¹¹³The British in order to counter balance this increase of Siamese influence, urgently revived the old idea of appointing a British Consul in Kedah in order to watch over British interests. So in December 1905, Mr. Meadows Frost, who had served in the Federated Malay States since 1898, was appointed the first British Consul in Kedah.

CHAPTER V

The years of transition, 1905-1911

The signing of the Siamese Loan Agreement in June 1905, and with it, the creation of a State Council and the appointment of a Financial Adviser, marked the end of the traditional phase of Kedah's history. This marked also the beginning of a period of reform, both political and economic—reforms which were to see the end of various traditional features and institutions, so long prevalent in the country.

Changes which affected the political structure of Kedah were largely changes of form and not of substance. In practically all cases the personalities comprising the ruling class remained unchanged; in fact their position was now strengthened by the introduction of regular salaries and stability in service. Neither was the structure of the political hierarchy altered except in name. However, there was one fundamental difference in the new regime and this was the fact that the Sultan no longer had any political power; his place being taken by the State Council and Adviser. To those who had lived off the patronage of the Sultan, this was a disastrous departure from tradition. Hence, this group of people were anxious that the Sultan should fight against any dilution of his former political powers.

When Kedah successfully obtained the \$2.6 million loan from Siam, one of the conditions of the loan was a provision for the creation of a State Council which, it was hoped, would bring about a radical reform in the entire administration of the country. This State Council was brought into being by Royal Edict passed on 23 July, 1905. Under this Edict, a Council of five members comprising the leading officials of the State, including the Adviser, constituted the governing body.¹ The

¹The composition of the first State Council was as follow:-

Raja Muda, Tengku Abdul Aziz	President of the State Council
G.C. Hart	Financial Adviser
Mohamed Ariffin	Private Secretary to the Sultan
Haji Ahmad	Chief Judge
Syed Abdullah	State Treasurer

duties of the Council were also defined. The most important of these was the administration of all revenue farms and state monopolies, and also to decide on the expenditure of the country. It would also dispose of all questions of gifts or donations which came out of the country's revenues and in such matters, the decision of the Council was final. At this stage, however, the Council's financial powers were not absolutely complete. There were still some powers remaining in the hands of the Sultan, and by virtue of this, three categories of people were outside the control of the Council. These were the *ampun kernia* holders and their lessees, *mukim* holders and their *penghulus*, and the *nobat* men. Consequently, three corresponding taxes—duties and tolls imposed by *ampun kernia* holders and their lessees, the private levy of forced labour, and the *ripai* tax and the *nobat* tax—were all outside the control of the State Council. These exceptions, however, did not last very long. When *kerah* was abolished in October 1909, the *mukim* holders lost their power, and the later decision of the State Council to pay salaries to *Penghulus* cut off their feudal impositions upon the *raayat*. With the introduction of *penghulu*'s salaries, the State Council was able to abolish the *ripai* tax. Finally, the *nobat* tax also disappeared when in December 1909, the Sultan approved a recommendation that salaries be paid to a limited number of *nobat* players. Land administration was yet another area now under the control of the Council; so too, was the control of state officials and employees, and the fixing of the allowances to be drawn from state revenue by the various members of the Ruling House. Finally, the State Council had the broad powers of being authorised to enact all laws which it considered necessary for the proper administration of the country.

The work of the State Council during this period of transition was not an easy one. The lack of laws was a major obstacle. For instance, district administration could never be placed under satisfactory control unless District Officers and *Penghulus* knew not only their duties and powers, but also their limitations and restrictions. Above all the Council's difficulties were primarily because it was too progressive and energetic. As a spearhead for reforms, the council decided to bypass the Sultan, and this brought about a reaction from the conservative elements. For instance, the Sultan never signed a single one of the Council's enactments. As Maxwell said, the President of the State Council "quite improperly" signed most of them himself, otherwise the Council could not possibly function.

At the district level the structure of the administration was kept intact. Kedah was now divided into seven districts; six of which (Changloon, Yan, Kuala Muda, Kulim, Krian dan Langkawi) were administered by district officers, and the seventh, Kota Star was under the direct control of the central government. Prior to 1905, the districts of Kedah were ruled by district chiefs, and although they were not as powerful as their counterparts in the other Malay State they were, nonetheless, a law unto themselves. But with the introduction of district officers (although these new positions were held by the same persons), district administration now came under more effective control of the State Council.

The central government made sure that they had a firm grip on these officers, by passing the *Peraturan Pekerjaan Pegawai-Pegawai Daerah* (Rules regulating the work of District Officers).³ These rules detail the types of work which the District Officer had to carry out. Primarily, his job was to build a proper administration which would enable the district office to look after the collection of revenue, the land and mines office, agricultural activities, public works, health, education, and the work of penghulus. In order to ensure that District Officers carried out their duties, the State Council required them to keep a daily diary of their work, and monthly reports had to be submitted to Alor Star.³ Another method by which the central government tried to get the best out of these district administrators was to pay them an adequate salary.⁴ Finally, the government's decision to tolerate no nonsense also served to keep these officers on their toes. For instance, when the District Officer of Langkawi was found to be in the habit of settling cases of theft in an irregular manner, he was dismissed, and furthermore the State Council made sure that he could not get another job in Kedah.⁵

At the level of the mukim (sub-district) a more thorough overhaul of the administrative system was implemented. The performance of the penghulus under the traditional administration had not really been satisfactory. As we have seen, most of them were illiterate, and while there were some who were honest and reliable, there were many more who were irresponsible and who shut their eyes to ill-doings, or were themselves party to such acts. These were times when the raayat themselves complained and petitioned against the penghulus for irresponsible and autocratic behaviour, but on the whole it is safe to say that the influence of the penghulu, and the fear of incurring his ill-will was predominant amongst the masses. Hence, more often than not the detection of the penghulu's malpractices was difficult. The abolition of *kerah* meant that the penghulu was now deprived of one of his sources of living. While the raayat must have welcomed this, the State Council realised that penghulus had to be paid a salary so that the government could be able to choose reliable people for the post, and the penghulu on his part would be induced to carry out his work satisfactorily.⁶ As in the case of the District Officers, the State Council also drew up Rules and Regulations

³Kedah State Council Minutes (henceforth referred to as Council Minutes) 19 Zulkaedah 1327 (2 December 1909)

⁴The daily diaries of District Officers were meticulously compiled but contains little substantive information as they contained only brief mention of daily routines.

⁵District Officers were grouped into 3 classes, each with a different salary scale:-

Class I: \$250 per month

Class II: \$200 per month

Class III: \$150 per month

Assistant District Officers fell into 2 classes:-

Class I: \$100 per month

Class II: \$75 per month

⁶Council Minutes, 8 Rejab 1325 (17 August 1907).

⁷For the purpose of paying a salary, Penghulus were graded according to the size of their mukims:-

regarding the work of the *penghulu*.⁷ In order to ease his burdens, the Council also decided that each mukim would have two *Panglimas* who would act as assistant *penghulus*.

In spite of these changes, the situation remained far from satisfactory. District Officers found that they were having problems with their own jobs because they were not able to get efficient help from the *penghulus*. The monthly reports of the District Officers often contained references to the poor quality of *penghulu*'s work. On the other hand it was equally true that District Officers tended to see themselves only as magistrates at the district headquarters, and they took little interest in the administration of outlying mukims. Since the lack of proper means of communication was a great set-back to improving district and mukim administration, and since most District Officers were not inclined to walk on tour, *penghulus* were accordingly left too much on their own. Hence, it was only occasionally that inequities were brought to light.⁸

In the economic sphere, the most significant change was the total loss of power on the part of the Sultan, who had hitherto been in complete control of the sources of revenue and their expenditure. This meant also that his powers of financial patronage as manifested in the granting of *ampun kernia* was also terminated. In addition, institutions like *hasil kerah* and *orang berhutang*, which had proved detrimental to the economic development of the country, were also abolished. Since economic control had been the basis of political power in a Malay state, the loss of the former meant that the Sultan's political role had become negligible. The all powerful governing body was now the State Council which made all decisions, and only went to the Sultan for formal approval. As it turned out even this formality was often dispensed of, and in such cases the Sultan was politically irrelevant.

Quite obviously such radical changes affected the rights and privileges of not only the Sultan, but also a whole host of aristocrats and opportunists who had

Grade	Salary Per Month
I	\$20
II	\$18
III	\$15
IV	\$12
V	\$10

Council Minutes 30 Zulhijjah 1327 (12 Jan. 1910)

⁷Under these Rules and Regulations, the *Penghulu*'s duties fell into 5 areas:-

- (a) To look after the general well being of all people in the mukim.
- (b) To prevent all wrong doings in the mukim, and to investigate thoroughly all such reports.
- (c) To investigate all cases of crime in the mukim, and to work with the police on these cases.
- (d) To investigate all complaints of the inhabitants of the mukim.
- (e) To give full co-operation to the police.

⁸K.A.R. 1906-08 p. 6.

been taking advantage of their ruler's illness to line their own pockets. In addition, there were also others who believed that it was unthinkable that the "inalienable" rights of the ruling class could meet with such a fate. Consequently, one of the features during this period of transition was the struggle between the "traditionalists" who tried to preserve the status quo, and the "progressives" who understood that Kedah could not progress unless far-reaching changes were made. Both the "traditionalists" and the "progressives" were people who came from the ruling classes. Broadly speaking, the former were mainly members of the palace staff who had prospered during the pre-1905 years when the Sultan held absolute power. The "progressives" like Tengku Abdul Aziz, the Raja Muda and later Tengku Mahmud, the President of the State Council and other members of the Council were people who recognised the need for reform and change if Kedah was to retain its independent identity. In spite of the various upheavals, there was one aspect of Kedah life which remained unchanged. This was the "Malayness" of the State which was preserved not only in form but also in substance. And this was one area where both the "traditionalists" and the "progressives" were in complete unison. Whenever it was felt that Malay control of the country was being threatened, both groups immediately took steps to resist the loss of this essential identity. In this Kedah was highly successful although she was greatly aided by external circumstances in the form of British and Siamese policies towards the northern Malay states. Thus, just as the identity and independence of Kedah was preserved in the quarter of a century prior to 1905 because of the machinations of the British and Siamese policies, so too was this true of the period between 1905 and 1911.

The immediate task which faced the new Kedah administration after June 1905 was to settle the country's debts before it could set about making any long term plans for economic reorganisation. The numerous debts of Kedah could be classified as follows:-

- (a) Arrears of salaries and allowances to all grades of government officers.
- (b) Overdrafts from various revenue farms.
- (c) Unpaid loans (including interest) which had been taken from local money lenders.
- (d) Unpaid bills of tradesmen, business firms and others.
- (e) Private debts incurred by the Sultan and members of the royal family, amounting to about \$300,000.

For this purpose, the Siamese government sent their Financial Adviser, Mr. W.J.F. Williamson to Alor Star with full powers to pay off all Kedah's debts out of the \$2.6 million loan. Having settled all the debts, Williamson deposited \$150,000 into the empty coffers of the State Treasury, and at the same time introduced new instructions regarding the use of this money. He then made an estimate of the country's financial position, and from his calculations the revenue of Kedah was estimated at \$779,496. At this level of income, Williamson worked out an expenditure of \$778,559, including an item for \$156,000 which was the interest on

the Siamese loan.⁹ Once this general guideline was laid down, the next task was to see that it would be adhered to in practice. Hence the State Council was directed to institute a new Treasury and Audit Department with an efficient staff, whose primary aim was to ensure that the state's revenues would reach the Treasury, and likewise, that expenditure was properly accounted for after reference to the State Council. This was quickly implemented, and Syed Abdullah was appointed the State Treasurer, with Syed Shahabudin as the Auditor General. The past accounts of all government departments were then put under scrutiny, and wherever possible they were audited. Arising out of this exercise a long list of irregularities were brought to light, but it was realised that for practical reasons nothing could be done about them. What was done, however, was to make it clear that henceforth any improper practices such as the sharing of profits with the government would be dealt with severely.

After these initial steps were completed the State Council began to look into the broader problem of long term economic planning. Here they decided that the first priority was to rationalise the system on which the revenue of the country was based. This meant that the workings of the revenue farms in Kedah had to be re-analysed in the light of the new situation. It became clear to the State Council that radical changes had to be introduced if they were to succeed in terminating the stranglehold which the revenue farmers had over the state's revenue. As we have discussed in chapter III, the economic power of the revenue farmers had been made possible because of the feudal structure of Kedah society. Because the Sultan had complete control over the country's finances, its income was paid directly to him, and its expenditure was accountable to no one else. In this context, the extravagance of Sultan Abdul Hamid forced him to be more and more dependent on the revenue farmers as creditors. In return the revenue farmers were able to get numerous concessions from the Sultan, all of which were to the disadvantage of the State. It was this financial chaos which the State Council was determined to stop.

From the beginning of the reign of Sultan Abdul Hamid, the opium farm was the largest single revenue earner for the State. It was therefore obvious that such an important aspect of the economy was the first to be reorganized. From the 1890's the Sultan's mismanagement of the country's affairs enabled the opium farmers to consolidate their power by being the biggest creditor to the Sultan. As a result of this, proper administration of this important farm was impossible. Conditions of contract were openly ignored, and the revenue farmers were also able to gain significant concessions. One such concession was the acquisition of a further lease well in advance of the expiration of the current one, and at a rental lower than its real value. The State Council, fully aware of the adverse effects of these malpractices, set out to rectify all the old abuses. Fortunately for the State, the opium farm was leased only for periods of three years at a time. The current

⁹K.A.R. 1906-08 pp. 8-9.

lease would lapse in 1907, and so the work of putting this farm on a new basis would not be long delayed. However, there was one big obstacle which the State Council wished to see removed as soon as possible. This was to end the practice of leasing the Kedah opium farm in conjunction with the Penang opium farm to the same farmer. The reason for this practice was to avoid friction which would definitely arise if the two farms were let out separately to different tenderers, particularly in contiguous areas like Kuala Muda in Kedah and Province Wellesley in Penang, where smuggling would be easy but detection difficult. Although this was no doubt a valid reason for considering the two farms as one, such an arrangement worked greatly to the disadvantage of Kedah. In the first place, it restricted the number of tenderers as only the large capitalists were in a position to bid for both the farms. The tendency of such tenderers was to bid high for the Penang farm, in order to ensure that they would secure the Kedah farm as well. But this inevitably meant that the tender for the Kedah farm was lower than its real worth. It was this imbalance which the State Council was determined to redress. The task became the more urgent as a result of the tenders for the period 1907-09. An independent tenderer for the Kedah opium farm was willing to pay \$462,000 a year while the tenderer who had obtained the Penang farm offered only \$360,000.¹⁰ In spite of this, the Kedah government was persuaded by the Penang authorities to accept the lower tender because the existence of two rival farms would not only cause friction but would also involve the two governments, to whom each farmer was bound to resort for assistance. Kedah was, however, given the assurance that the joint farmer would be made to understand that he could expect no reduction in the price of the Kedah farm during its tenure—a practice which had hitherto been prevalent. This was obviously no compensation to Kedah, and the State Council decided that at the expiration of this lease they should seriously consider the possibility of conducting the sale of opium by a government agency, thus doing away with the system of farming altogether.¹¹

In anticipation of this new change, the State Council met to consider the matter in August 1909. But by this time, the Straits Settlements government came up with a new proposal. Under this scheme, the Penang opium and spirit farm, the Perak coast opium farm and the Kedah opium farm were to be let out simultaneously and jointly to the highest bidder. The revenue for each state would be based on the amount of opium sold in each territory.¹² Kedah agreed to give this scheme a trial, but it turned out to be a disappointment to all three territories, for while the combined monthly rents under the old agreements amounted to \$186,570, the highest tender for the new combined farm was only \$127,000. The tender was therefore rejected, and an alternative plan was suggested, whereby the Colonial Government should open an opium factory in

¹⁰K.A.R. 1905-06 p. 10.

¹¹Ibid, p. 10.

¹²Council Minutes, 16 Shaaban 1327 (2 September 1909).

Penang from where the Perak and Kedah governments could purchase opium at cost price.¹³

In the meantime, the Kedah government decided to take its own action. On 18 November 1909, it passed an Enactment to secure for the government and its licensees the monopoly of the import of opium and its sales in Kedah. Shortly afterwards a Chandu Monopoly Department was established, with Wan Yahaya, the Police Court Magistrate of Kota Star, being appointed its superintendent. This new department had its headquarters in Alor Star with two branches, one in Kuala Muda and the other in Kulim. In all these three places, only the government and its agents could sell opium both on the wholesale and retail markets. With the monthly sales of opium averaging 21,914 tahils in 1907 and 19,700 tahils in 1908, the government was convinced that it was not only doing the right thing, but was also introducing a system which would be more profitable to the State.¹⁴ There were also other advantages in a government monopoly. Firstly, whereas retailers under the old scheme made a profit on every transaction, and were thus tempted to increase sales, retail business through a government depot run by salaried officers would not resort to this measure. Secondly, direct control by the government facilitated the taking of action which might from time to time be necessary, such as the need to raise prices or restrict sales. And this could be done without being hampered by the demands and calculations of a private operator. Most important of all, as was anticipated by the State Council, the introduction of a government opium monopoly would be financially profitable as the figures in the following table show.

Opium farm revenue in relations to total, farm revenue and total state revenue for the years, 1905-1911

Year	Opium farm rev. \$	Total farm rev. \$	Total state rev. \$
1323 (1905) 6 mths. only	155,000	310,836	402,638
1324 (1906)	346,333	653,414	947,779
1325 (1907)	442,750	753,981	1,046,425
1326 (1908)	462,000	743,730	1,102,911
1327 (1909)	471,335	800,596	1,240,276
1328 (1910)	474,002	835,394	1,449,119
1329 (1911)	788,327	1,173,337	1,838,152

Source: K.A.R. 1905-11

While the opium farm was certainly the most important revenue earner for Kedah, there were also a large number of other farms. These other farms together constituted more than 50% of the total farm revenue. It was with these farms that

¹³K.A.R. 1327 (1909), p. 48.

¹⁴Ibid p. 49.

the problem of reorganisation was greatest. In the case of the opium farm, despite all the drawbacks, the fact that its lease was limited to fixed periods of three years meant that changes could be planned. But with the other big revenue farms such as the gaming, customs, rice and padi export and spirit farms, the Sultan's dependence on their operators resulted in their receiving various concessions such as low rentals, long leases and even the mortgaging of the farms into the future. Such unfortunate dealings meant that the state was deprived of its fair share of revenue, and this the State Council was determined to put right. However, since these farms still had many more years to run, the State Council could do little except deal with details of farm administration. Basic policy changes had to wait until the expiration of these farms.

One of the measures which the State Council successfully implemented was to make revenue farmers observe the revenue farm contracts. In the pre-1905 period, the farmers were often able to deviate from their contract by getting the Sultan to reduce the farm rent or withholding the payment of rent for months on end. Under the new administration, the farmers continued to petition for such favours but unlike the old days, they now faced a different reception. For instance, Chang Tai Peng, the Rice and Padi Export farmer for Kota Star district, requested in 1905 a reduction in the rent of the farm on grounds that he was losing money on it. The State Council simply referred Chang to his contract which contained no such provision, and pointed out that even if he was losing on the Kota Star farm his profits from his other Kedah investments more than made up for his loss.¹⁵ Another example, was the application of Chia Teck Soo and Khoo Yu Bee who wanted exemption from the payment of rent on land which they were about to plant with rubber. In addition they also asked to be relieved from paying salt tax because this was used in their coconut plantation. As was to be expected the State Council refused to tolerate any more of such requests, and it firmly rejected the application.¹⁶ In addition to discouraging revenue farmers from seeking exemptions, the State Council also started to take very firm action on all forms of mismanagement of the revenue farms. One such instance was when the Auditor General discovered that the head of the Langkawi General farm was charging higher duties than was permitted. The State Council decided that in order to impress upon all revenue farmers that improper manipulations would not pay, it promptly revoked the licence of the Langkawi farm.¹⁷ It is significant to note that the revenue farmer thus affected was Lim Cheng Kian, one of the biggest revenue farm operators in Kedah who, in previous years, had tremendous influence over the Sultan. Another instance of the State Council's determination to sort out the old mess was seen when the Auditor General reported that Lim Kok Chuan, a prominent revenue farmer owed the state \$30,000 as deposit for the Kulim Gaming farm. In this case too the State Council cancelled the licence for

¹⁵Council Minutes, 4 Shaaban 1323 (1905).

¹⁶Ibid, 25 Shawal 1323 (1905).

¹⁷Council Minutes, 8 Rejab 1323 (17 August 1905).

breach of contract.¹⁸ Beyond removing various irregularities in the administration of the revenue farms, the State Council was also planning to modify the whole structure of this vital sector of the country's economy. The modification which the State Council had in mind was for the government to take over all the revenue farms in the country and run them itself. A start had already been made as early as 1905, when Chye Ah Pee from Kulim applied for the monopoly of the tin, timber, charcoal and rattan farms in the district. The State Council decided not to allow this, and instead launched an experiment whereby the government ran these farms through the district office.¹⁹ However, this plan had to be implemented in slow stages for even in 1910 the collection of revenue was still very much in the hands of Chinese revenue farmers. At the beginning of that year, only 12 out of 41 revenue farms had terminated, all of which were in terms of value of minor importance.²⁰ In any case, the State Council either took over the monopoly where they felt it to be worthwhile, or with regards to those which were not beneficial to the state treasury, and were burdensome to the people they were abolished altogether. For example, the Langkawi General farm entitled its operator to exclusive privileges in respect of the opium, gaming and spirit farms on the island, and in addition the right to collect an export duty on forest produce. The State Council was convinced that this farm would yield better profits for the country if it was run by the state. Furthermore, it was also keen to take over the Langkawi opium farm as the government Opium Monopoly had already begun functioning at the beginning of 1910. So when in June 1910 the farmer offered to surrender the whole farm upon the refund of his deposit, the State Council gladly took it up.²¹ On the other hand, the State Council felt that it was in the country's interest to discontinue the Customs farm in the district of Kota Star. This farm gave the monopolists the right of collecting a fixed import duty on tobacco, salt, gambier, and a 30% ad valorem tax on all other articles. Finding that the farmer had exceeded his rights, the State Council decided to cancel the farm and at the same time ruled that customs duties were to be totally abolished in Kota Star. This was in line with the government policy of abolishing all customs duties throughout Kedah in order to encourage and to increase trade.

¹⁸Council Minutes, 15 Rejab 1327 (2 August 1909).

¹⁹Council Minutes, 26 Zulkaedah 1323 (22 January 1906).

²⁰The revenue farms which terminated in 1910 were as follows:-

Customs Farm, Alor Star.

General Farm, Langkawi.

Fish and Fowl Export Duty Farm, Langkawi.

Port Clearance and Port Dues Farm, Langkawi.

Timber Export Duty Farm, Kuala Muda and Merbok.

Poultry Export Duty Farm, Kuala Muda dan Merbok.

Forest Produce Export Duty Farm, Kuala Muda and Merbok.

Port Dues and Charcoal Export Duty Farm, Kuala Muda and Merbok.

Tapioca Export Duty Farm, Kulim and Krian.

Sireh (Betel leaf) Farm, Kota Star.

Pig Farm, Krian.

²¹K.A.R. 1328 (1910) p. 6.

The districts of Kulim and Krian had always been free; Langkawi was declared free in 1909. With Kota Star now included, only the districts of Kuala Muda and Baling had customs houses, and these too would go when the farms expired in 1916.²²

This policy of the government taking over revenue farms or abolishing them continued into 1911, but the pace at which this was achieved remained slow. This was because the large important farms still had many more years to run. In 1911, 7 more revenue farms terminated. These were as follows:-

- Spirit Farms, Kota Star
- Ferry Farm, Sungei Limau
- Port Dues Farm, Kuala Sala
- Toll Gate Farm, Kulim and Bukit Mertajam Road
- House Assessment Farm, Alor Star
- Ferry Farm, Krian

These farms, like those which terminated in 1910 were minor ones. The farms which the government would most like to get still had many years to run as the following table shows:-

List of old Revenue Farms in force at the end of 1910 (1911)

Name of Farm	Date of Expiry
Gambling Farm, Kota Star	31. 7.1916
Rice and Padi Export Farm, Kota Star	16.10.1917
Pawnbroking Farm, Kota Star	18.11.1914
Pig Farm, Kota Star	13. 3.1912
Boat Number Farm, Kota Star	18.11.1914
Kerosene Oil Store Farm, Kota Star	15. 8.1920
Tapioca Export Duty Farm, Kuala Muda & Merbok	22. 2.1917
Ferry Farm, Kuala Muda	31.10.1913
Customs Farm, Kuala Muda & Merbok	8. 3.1917
Pawnbroking Farm, Kuala Muda & Merbok	18.12.1914
Gaming Farm, Kuala Muda & Merbok	28. 9.1916
Spirit Farm, Kuala Muda & Merbok	28. 9.1916
Rice and Padi Export Farm, Kuala Muda & Merbok	10.11.1912
Pig Farm, Kuala Muda & Merbok	5. 7.1913
Spirit Farm, Kulim	17. 9.1917
Pawnbroking Farm, Kulim	16. 1.1915
Pig Farm, Kulim	7. 2.1913
General Farm, Krian	3. 8.1913
Kerosene Oil Store Farm, South Kedah	15. 8.1920

Nevertheless, it had by this time become abundantly clear that the government's policy was right as the state was able to get greater returns out of running the monopolies themselves. For instance, the Kuala Muda Tin Export Duty farm had prior to its expiration in February 1910 paid a rent of \$12,000 a year. But when the government took over its functions in February, the duty

²²Ibid, p. 6.

collected over the remaining 11 months alone amounted to \$22,534.²³

In the State Council's efforts to rationalize the state's sources of revenue, their attention was quickly turned to the possibility of tapping the potential wealth from land revenue. Land, being the basis of Kedah's economy, was an obvious source of revenue, but as we have seen the traditional system of land tenure with its elaborate privileges and exemptions rendered it useless as a revenue earner. Thus, although Sultan Abdul Hamid in 1883 attempted to establish a proper land office for the purpose of collecting land tax, this never got off the ground. Pressure from the privileged classes made its implementation impossible, and in 1887 the scheme was abandoned. When the State Council took up the problem in 1905 they were faced by the same problem. In addition there was the complication presented by the system of *hasil kerah*, for as long as it existed the peasants were exempt from paying land dues when they performed work under this obligation. In spite of such problems, the State Council went ahead with its programme of land reform. Shortly after it began functioning, the State Council drew up a draft of a new Land Enactment.²⁴ The purpose of this Enactment was to bring some order to the land system in the state so that land tax and rent could be successfully introduced. Furthermore, the State Council also understood the need to attract investors to develop Kedah land, and one way to achieve this was to introduce enlightened land laws. One way of attracting foreign investment was the liberalizing of land application and the introduction of fair terms. Thus, on country land which were less than 20 relongs in area, an applicant could obtain a permit to cultivate the land for 3 years upon the payment of rent at the rate of 20 cents per relong. At the end of the 3-year period, the permit holder might be given a grant for such areas as he had brought under cultivation. Such lands would be subject to a rent of 50 cents per relong where they were near the sea coast, and 30 cents per relong for those in inland areas. With regard to land exceeding 20 relongs in area, the initial permits were valid for 2 years in case of tapioca plantations, and 6 years for rubber and coconut plantations.

As could be anticipated land reform affected the aristocracy very badly, and the Land Enactment brought forth a reaction on the part of the traditional elements. The State Council was fully aware that this would happen and it hoped to soften the blow by making sure that its proposals did not constitute a total departure from traditional practice. For example, the State Council in its Enactment did not touch on lands held by *orang bebas* (free persons, who were exempt from land tax or rent because of the Sultan's special dispensation). Similarly, all lands held by members of the ruling family continued to enjoy their status as rent-free holdings. But there were of course other privileged groups who now lost their traditional rights. They got together and successfully persuaded the Sultan not to give his assent to the Enactment. The Sultan's objections were twofold. Firstly, the Enactment re-imposed land tax and rent on the various classes of

²³K.A.R. 1328 (1910) p. 14.

²⁴See Appendix B.

people who had hitherto been exempt, and secondly, by making the raayat pay land rent, the Enactment deprived the ruling class of their right to impose *kerah* on the peasants. There was little that the State could do to make the Sultan change his mind; even remonstrances from Siam failed. So the State Council was forced to apply the Enactment only as far as land titles and land tenure were concerned, and collect land tax and rent from such persons who could be induced to pay. One area where the State Council could act without difficulty was with regard to land held by revenue farmers and foreign agriculturalists and miners. When Sultan Abdul Hamid was in effective control, this group of people, most of whom were his creditors, used to be exempt from paying land rent. Hence, here was a source of revenue which the State Council could quickly restore.

The first thing that had to be done was to establish an effective Land Office not only for the purpose of collecting land revenue, but also to rectify such basic problems like improper and often times non-existent demarcation and boundary lines.²⁵ In all, 9 separate Land Offices were set up, and Syed Mansoor Aljafree became the first Director of Lands.²⁶ An immediate requisite for the Land Office was a proper machinery through which the payment of rent could be enforced. Yet this did not exist, and so the only alternative open to the land officer was to take tenants who failed to pay rent to the District Court, which itself was ineffective.²⁷ Thus, the talk of bringing the rent-rolls up to date was most difficult. This task of up-dating the rent-rolls was further complicated by the practice of the Sultan in granting remissions. For instance, in 1902, he had granted a remission which wiped off all arrears of rent before 1896. This meant that in 1910, there were 14 years of rent arrears still unremitted. But as only a very small proportion of the land holders had ever paid any rent, the rent-rolls remained hopelessly over-weighted by the amount of arrears, which it was impossible for the landlords to pay. The State Council therefore, decided to make a further remission of 10 years in respect of holdings less than 100 relongs in area to all who had paid rent for the current year. With arrears of rent brought down to 4 years, the State Council hoped that the Land Office could now make some headway.²⁸

Nevertheless, the Land Office made a promising start tightening and improving the administration of Land revenue. As the following three tables clearly indicate, the Land Office was at last able to bring order to this long neglected field. The most important result was of course the increase of revenue from land. While land revenue had never amounted to more than \$10,000 a year in the pre-1905 period, the last 6 months of 1905 yielded \$36,344. It was estimated that for the year 1906, this revenue would be \$84,245, but in the first 6 months receipts had reached \$73,292.²⁹

²⁵K.A.R. 1327 (1909) p. 19.

²⁶The Land Offices set up were at Alor Star, Kuala Muda, Kulim, Krian, Langkawi, Saputeh, Sungei Korok, Alor Changleh and Sungei Limau.

²⁷Council Minutes, 2 Rejab, 6 Rejab 1323 (2 September, 6 September 1905).

²⁸K.A.R. 1328 (1910) p. 9.

²⁹K.A.R. 1906-08.

TABLE XI
 Tabulated statement of income from revenue farms, 1323-29 (1905-11)

Name of farms	1323 (6 mth only)	1324	1325	1326	1327	1328	1329
Opium Farms	155,000	346,333	442,750	462,000	471,335	474,002	788,327
Gaming Farms	49,583	101,667	102,000	81,957	111,706	117,330	108,410
Customs Farms	28,750	57,500	59,715	54,789	56,609	22,169	17,285
Rice & Padi Export Duty Farms	24,542	42,528	44,167	44,167	46,458	44,167	51,989
Spirit Farms	17,331	32,665	32,913	25,223	39,566	41,107	50,282
*General Farms	7,900	15,800	15,800	—	—	—	—
*Tapioca Farms	6,667	13,333	13,471	12,075	11,511	—	—
Timber Farms	5,655	11,251	10,289	11,289	10,407	15,622	25,118
Pawn Shop Farms	5,275	9,621	9,417	10,129	9,431	9,167	9,167
*Pig Farms	3,100	6,297	6,284	—	—	—	—
*Poultry Farms	2,792	5,583	5,236	—	—	—	—
*Cattle Export Duty Farms	1,500	3,000	3,000	—	—	—	—
Egg Farms	917	1,894	1,833	—	—	—	—
*Kulim Toll Gate	600	3,500	4,382	—	—	—	—
*Market Farms	500	1,042	833	—	—	—	—
*Ferry Farms	445	899	900	—	—	—	—
*Weights & Measures Farms	190	360	540	—	—	—	—
*Turtle Egg Farms	90	340	455	—	—	—	—
Miscellaneous Farms	—	—	—	42,101	43,513	24,822	36,561
Tin Export Duty Farms	—	—	—	—	—	65,088	78,492
Rubber Export Duty Farms	—	—	—	—	—	21,920	7,706

Source: K.A.R. 1905-1911

*After 1325 these farms are included under the heading of Miscellaneous Farms.

TABLE XIII
Statement showing example of land revenue items

Heading of Revenue	1327 (1909)	1328 (1910)
Premia	20,005	53,864
Rents	173,702	269,867
Ladangs	2,827	2,934
Survey Fees	6,629	12,492
Sale of Boundary Stones	1,595	4,393
Registration Fees	23,046	35,251
Miscellaneous Fees and Charges	15,069	19,233
Total	242,873	398,034

Source: K.A.R. 1909, 1910.

TABLE XIV
Statement showing land revenue from various land offices

Name of Land Office	1327 (1909)	1328 (1910)
Kota Star	69,796	123,073
Sub-Office, Padang Sala	10,750	20,490
Sub-Office, Alor Changlih	887	1,329
Langkawi	4,654	5,810
Kubang Pasu	15,399	36,937
Yan	15,127	20,885
Kuala Muda	52,202	60,753
Baling	10,434	16,055
Kulim	49,902	86,364
Krian	13,722	26,338
Total	242,873	398,034

Source: K.A.R. 1909, 1910.

In this new drive towards making land a lucrative revenue earner, the State Council played an important part. Chinese land holders who had previously enjoyed exemption from Sultan Abdul Hamid, continued to apply for such privileges. But the State Council was going to tolerate none of this. So, time and time again applications for a reduction or exemption from land tax or rent were turned down. In addition, the State Council exerted considerable pressure on such people to pay up outstanding debts including interests. The same was done to owners of estates with the result that some very large payments were made. The end result which was most gratifying, and which augured well for the state was not the fact that land revenue had increased, but that it had become the second most important source of revenue after the opium monopoly. After 1905 the importance of land was certainly going to grow particularly when more and more land were being taken up for rubber planting.

While the reorganisation of the revenue farm and land systems were two

TABLE XV

Statement showing transactions effected in the land offices during the year 1328 (1910-11)

	Kota Star	Padang Besar Sala	Alor Changlih	Kubang Pasu	Yan	Kuala Muda	Baling	Kulim	Krian	Langkawi	TOTAL
Issue of new agr. grant (surat putus)	291	91	—	233	17	36	—	341	187	32	1,228
Issue of agr. grant in exchange for lost grant	2	—	—	1	—	1	—	—	2	—	6
Issue of special agr. grant	—	—	—	1	—	4	—	1	1	—	7
Issue of grant under Concessions Enactment	—	—	—	1	1	4	—	3	3	—	12
Issue of grant for town land	15	—	—	—	—	1	—	10	9	—	35
Issue of new agr. grant (surat kecil)	531	51	—	139	92	597	553	405	469	7	3,144
Issue of grant (surat kecil) for town land	87	36	—	11	—	15	—	2	10	—	161
Issue of new permit	—	—	—	—	—	1	—	1	13	—	15
Issue of permit in exchange for lost permit	919	—	—	529	61	559	440	398	564	154	3,624
Issue of special permit	1	—	—	1	1	2	—	1	—	—	6
Issue of annual lease of state land	—	—	—	—	—	1	—	—	—	—	1
Issue of ladang pass	—	—	—	—	—	—	—	12	7	—	19
Registration of transfers	825	—	—	134	24	—	245	31	18	24	1,301
Registration of mortgages	1,068	311	—	211	165	369	59	408	163	29	2,783
Registration of agreements	907	62	—	111	94	262	19	133	20	7	1,615
Registration of powers of attorney	46	—	—	9	7	17	5	25	11	4	124
Notices of demand of rent	461	—	—	98	23	62	8	31	5	7	695
Warrants of attachment of land	1,807	106	193	81	137	400	90	577	899	336	4,626
Notices of sale by auction	—	—	4	7	—	9	6	11	118	29	184
Notices of lost title	1	—	—	3	—	—	—	2	61	8	75
	38	—	—	28	6	16	—	26	14	—	128

Source: K.A.R. 1328 (1910-11) Appendix D p. 35.

immediate undertakings, the State Council also recognised that the state's agricultural and mining activities, so long undeveloped, should now be revived. The scope for the development of this sector of the economy appeared to be great but all these years very little was done. As far as commercial agriculture was concerned, the most important plantation crop was tapioca. But tapioca cultivation as a long term investment was quite useless because it was so soil exhausting, and the Chinese planters who were involved never intended it to be so. In any case, by the beginning of the 20th century the importance of this crop declined rapidly because of the fall in the price of tapioca. Rubber, which was successfully exploited in all the other west coast Malay States, never caught on in Kedah although there was ample land suitable for its cultivation. Finally there were some coconut plantations, but these were mainly grown in conjunction with other crops and never acquired much importance.

The one exception, however, was rice cultivation. Besides being the basic agricultural activity of the Malays, the administration also paid a great deal of attention to it. Nevertheless, as the State Council rightly calculated, there was still a lot more that could be done to improve the situation. For one thing, padi yield could be increased. The best lands in Kedah were yielding only 4 kunchas³⁰ of padi per relong and it was hoped that this could be doubled. Furthermore, only one crop was planted a year and the State Council was anxious to discover if an additional planting was possible. Likewise, they were unhappy that the same land was being planted year after year and soil exhaustion had its definite effect on padi yields. So as the first step towards improvement, the State Council decided that fertilizers should be more effectively and extensively used. This presented no problem as there was a plentiful supply of guano from the limestone hills in Kedah itself.

A more difficult and serious problem which confronted the State Council was the strangle-hold which the Chinese merchants and revenue farmers had over the Malay peasants. For example, in the whole of Kedah there was only one steam rice mill, the proprietor of which had obtained the right to exclusive privileges until 1921.³¹ Hence the Malay padi planters, who had to get their harvest milled, had nowhere else to go and this meant that they had also to accept the terms imposed by the mill owner. Much more serious was the practice of the Chinese in advancing money to the farmers during the planting season, for this enabled them to buy up the padi crop at rates well below the market price, in addition to collecting unreasonable rates of interest on the loan. In order to help ease the exploitations of the Chinese (and to some extent also Indian) money lenders, the State Council planned to introduce legislation enabling the government to provide the farmers with loans. In 1910 they passed the Loans Enactment to enable deserving cultivators to borrow at 6% interest on very easy terms. This was

³⁰One kuncha is equivalent to 160 gantangs. A yield of 4 kunchas per relong corresponds approximately to 120 bushels per acre.

³¹K.A.R. 1327 (1909) p. 25.

a tremendous concession to the peasants who had been accustomed to paying as much as 20% interest to local money lenders with totally impossible conditions, such as requiring both the principal and interest to be paid over 12 monthly instalments.³²

The establishment of the Public Works Department was also a change which benefitted the rice economy. Previously the building and maintenance of irrigation works and other projects connected with rice cultivation had been left almost entirely to private individuals, as a result of which they were largely neglected. But now for the first time, a government department was set up which would be responsible for such works. As an indication of the importance which the State Council attached to this, they allocated \$74,300 to be spent over 18 months from June 1905.³³ At the same time, the State Council was also able to put an end to the role of private individuals who had hitherto offered to maintain public works in return for privileges which were disadvantageous to the state. For instance, in 1905 Chang Tye Peng applied for the right to look after the irrigation works connected with Kedah's rice land for 60 years, on condition that he would be given the monopoly to collect the duty on rice and padi exports. Since the government had now undertaken to do the job itself, such an application was no longer entertained. The State Council was already in the process of negotiating a loan with the Siamese government for the purpose of building and maintaining irrigation works, and also for the loan of an expert to advise on such projects.³⁴

The period of transition in Kedah coincided also with the years of the rubber boom in Malaya from 1906 to 1910. The growing demand for rubber especially from the United States in the first five years of the 20th century, brought about a price boom and a consequent expansion of rubber cultivation in Malaya. Kedah also had a share of the benefits of this boom by attracting the attention of rubber investors into opening estates in the state. The passage of the Land Enactment, together with new conditions in Kedah, also gave a new lease of life to people who were interested in investing in plantation agriculture. For the first time rubber began to take on a potentially important role as a revenue earner. Before 1905 rubber cultivation was never given a chance to develop because the land policy then, while suiting British and Siamese purposes, discouraged outsiders from investing in Kedah. Thus, although there were several rubber estates already in existence at the beginning of 1905, there was no evidence that they were producing anything. But by the following year there was hope that the situation would change for the better, as there were signs of a land boom in Kedah. By this time it had become generally known that the soil in South Kedah was exceptionally good for rubber planting. This also coincided with a period when rubber planters were becoming dissatisfied with the high rents which were charged for land in the Federated Malay States. On the other hand, Kedah's

³²K.A.R. 1328 (1910) p. 12.

³³Council Minutes, 11 Shaaban 1323 (11 October 1905).

³⁴Ibid.

generous new land policy laid down that the rent for rubber plantations would be fixed at 20 cents per acre for the first 6 years, and after that a premium would be charged at the rate of \$2 per acre with a rental of \$1 per acre, which was half the charge imposed in the Federated Malay States. The State Council also made it clear that the rubber export duty of 7% would be lowered once the monopoly farms expired.

As a result of all this, a spate of applications for land followed.³⁵ Planters, attracted by the favourable conditions began also to take up land which had previously been left abandoned, particularly in the districts of Kuala Muda and Kulim. When Meadows Frost, the British Consul in Kedah, visited South Kedah in March 1909, he observed that there was a considerable area of beautiful rolling highlands, 6 to 8 miles from the coast. But most of this land had been appropriated by Chinese planters. Originally, only tapioca and coconuts were planted, but because of neglect and abandonment, many thousands of acres were covered with grass. It was such lands which were now being reclaimed for rubber cultivation.³⁶ Rubber growing was expanding so rapidly in South Kedah that by 1909 in the district of Kuala Muda alone some 1/4 million trees were planted in that year. In the district of Kulim, rubber was being planted on almost all small holdings with the same intense activity as in Kuala Muda. Some people had in fact gone so far as to cut down coconut trees, and betel nut trees in order to plant rubber.³⁷ By 1909 too, more than half the estates in the country had changed hands and companies were formed in London, Shanghai, Singapore and Penang to acquire rubber estates.³⁸ By this time too, the completion of railway links between Alor Star and Penang played a major role as an incentive to investors. The Concessions Enactment which was passed in 1910 acted as another encouragement. This Enactment provided for grants in perpetuity on lands over 50 orlongs (32 acres) at a premium and rental of \$1 per orlong respectively. At the same time the maximum export duty was fixed at 2 1/2%. Partly as a result of this, 6 sterling and 5 dollar companies were floated. Chinese investors also increased their activity and substantial amounts of capital were promised by applicants for rubber land from Penang Chinese. The result was a welcome influx of capital into South Kedah, and this was clearly seen in the increase of the number of estates in the country. While the number of agricultural estates at the beginning of 1906 was 25,

³⁵CO273/323 Frost to Paget 9 June 1906.

By June 1906, there were already 6 applications for rubber lands from Europeans:

- a) Messrs. W.R. Armstrong, L.S. Hawkins and H.A. Nuebronner for 1,500 orlongs in the district of Kubang Pasu.
- b) W. Hamilton for 1,500 orlongs in the district of Kubang Pasu.
- c) J.B. Matthews and R. Schubert for 1,000 orlongs in the district of Kuala Muda.
- d) A.R. Adams and Capt. Weber for 5,000 orlongs in the district of Krian.
- e) M.D. Maude and G.E.W. Woelber for 1,643 orlongs in the district of Krian.
- f) J.C. Pasqual for 4,524 orlongs in the district of Kulim.

³⁶CO273/353 Frost to Beckett 26 March 1909.

³⁷K.A.R. 1909 p. 27.

³⁸K.A.R. 1910 p. 12.

this had increased to 41 by 1910. Equally important was the fact that while rubber in 1906 ranked second in importance to tapioca, by 1910 it was the predominant estate crop.³⁹

With the great expansion of rubber, tapioca which had once dominated the plantation scene, now slid rapidly into the background. While the estates in 1906 were predominantly tapioca, those by 1910 presented a completely different picture. The few tapioca estates which still remained did so only in conjunction with rubber and coconuts. Even then, only 3 of them had any substantial acreage under tapioca. Consequently the revenue from tapioca and sago duty declined considerably. In the pre-1905 years this revenue had averaged more than \$20,000 a year; after 1905, the amount was almost halved.

Revenue from tapioca and sago farms, 1323-1327 (1905-09)

1323(6 mths. only)	1324	1325	1326	1327
\$6,667	\$13,333	\$13,471	\$12,075	\$11,511

Source: K.A.R. 1905-1909

Even more than rubber cultivation, tin mining was adversely affected by the pre-1905 land policy. When the State Council turned its attention to this problem in June 1905, tin mining represented a very minor activity and the revenue from it was small. The six Tin Export Duty farms between 1897 and 1910 brought the state a revenue of about \$30,000 a year. By this time also, many of the old tin mines had stopped operating. The only significant mine which still existed was run by the Dutch Singkep Company on the Merbau River; the Karangan Company, another fairly sizeable one which had been working near the Muda River was about to wind up its affairs.⁴⁰

As in the other fields of revenue, the State Council set out to alter the situation to the benefit of the state. The new land policy was obviously an advantage, as it now made it possible for investors to come into this long neglected field on favourable terms. Response to the Kedah government's efforts was satisfactory as seen by the number of applications that came in. In 1907, 110 prospecting licences and 158 mining licences were issued. At the end of 1908, the total number of licences stood at 1,285. In order to coordinate mining activities, the State Council established a Department of Mines and appointed a Superintendent of Mines. In addition they standardized the rates of export duty on tin. Until 1907, the duty had been \$4 a pikul on tin ore and \$6 a pikul on refined ore. This of course affected miners adversely when the price of tin was low; hence to take price fluctuations into account, a new rate of 10% of the market price was now introduced.⁴¹

³⁹See Appendices 3 and 4.

⁴⁰CO273/327 Report of the visit of the Attorney General to Kedah, 1 April 1907.

⁴¹K.A.R. 1906-08 p. 18.

These changes did bring about some improvement. In 1906 for instance, the revenue from tin was \$51,749.05 cents. The 1906 tin revenue was made up of the following items:-

Tin Duty	\$40,002.90
Prospecting fees	684.00
Surveying fees	934.75
Cost of Registrations	935.00
Licence fees	3,740.00
Rents	5,451.40
Total	\$51,749.05

It is worthwhile noting that the increase in tin revenue at this stage was not because the tin duty had risen; this item remaining fairly constant because it was farmed out. Rather, the establishment of the Mines Department, meant that items like licence fees, and rents were now properly administered and collected. Because the collection of tin duty was still farmed out the state's share was a fixed amount and did not represent the real value. Until all these farms expired and the government itself took over the revenue collection work, income from this source would remain more or less static. This was clearly seen when in 1909 tin revenue increased substantially because of the government take over.

Revenue from tin, 1323-1329 (1905-11)

1323 (6 mths. only)	1324	1325	1326	1327	1328	1329
\$22,352	\$52,119	\$51,748	\$53,113	\$61,917	\$65,088	\$78,492

Source: K.A.R. 1905-1911

What remained to be the greatest hindrance to the expansion of tin mining was the absence of communications with the more remote areas of the state, and potential investors understandably were not going to spend money on road building without a fair guarantee that there were worthwhile tin deposits in these areas. Consequently, no new tin fields were discovered; the expansion coming from the more intensive workings of existing mines. On the whole then tin mining ventures in all districts remained at a low level; no mine at work employed more than 200 coolies and very few had even 50.⁴²

So far, the changes which we have discussed had been implemented with relative facility and ease although they were not in all cases successful. This almost total lack of opposition had been due primarily to the fact that the changes affected only foreigners, particularly the Chinese farmers in Kedah. However, the State Council was fully aware that there was also one large area of socio-economic

⁴²The number of mine coolies in Kedah was a good indication of the state of this industry. The total number in 1908 was 2,649, in 1909 it dropped to 2,346 and in 1911 it slid further to 1,973.

privileges enjoyed by the Malay aristocracy that had to be abolished if economic progress was to become a reality in Kedah. And it was here that the "forces of reaction" came out in strength and attempted to prevent change which would obviously have an adverse effect on them. This was anticipated by the State Council, and hence they tried to soften the blow by making the changes as gradual as possible.

The first struggle took place over the institution of *kerah* (forced labour). A proposal to have this institution abolished had been thought of in 1905 when Raja Muda Tengku Abdul Aziz was President of the State Council. He had written to the Resident Councillor of Penang indicating that the Kedah Government was contemplating the introduction of a law which would abolish forced labour and substitute in its place a general poll tax on most classes of people in Kedah. The system of *kerah*, according to the Raja Muda, was economically wasteful. *Kerah* also affected all Siamese, Javanese and foreign Malays who had resided in Kedah for a period of 3 years. But the exemption of Kling (Tamils), and other Indians had given rise to certain difficulties and embarrassment. Thus it was felt that the abolition of the system would be best, and the imposition of a poll tax of \$4 per year would perhaps be acceptable to all Asian inhabitants of the country.⁴³ Although all the other members of the State Council agreed with this plan, nothing happened. This was because the State Council was unable to persuade the Sultan to give his assent to such a change. Backed by the conservative Court element, the Sultan resisted all attempts made by the Raja Muda to make him agree. He adamantly held to the opinion that the power to exact forced labour was an essential aspect of his royal prerogative and any change was out of the question.⁴⁴ The only change which the Sultan sanctioned was the introduction of a system whereby, while the *raayat* was still liable to *kerah* when required by the state, it was now made explicit that they would be exempted from such an obligation during the seasons of padi planting and reaping. Furthermore, it was also made clear that no person would be forced to work for more than 2 months in a year.⁴⁵

And so *kerah* continued to operate, with the exception of British subjects and those persons paying land rent. But in practice this exception was rarely adhered to, for in the need to keep up a sufficient supply of *kerah* labour applications to rent property were often refused.⁴⁶ Tengku Abdul Aziz continued with his attempts to abolish *kerah*. Two months before his death in May 1907, the State Council again reaffirmed their intention, and decided that a notice to this effect would be issued by the President of the State Council. Again the Sultan was unmoved. Shortly after this Tengku Abdul Aziz died, and his death threw everything into confusion. It was not until August 1909 that the subject was brought up again. W.G. Maxwell, the first British Adviser to Kedah, had sounded the individual members

⁴³CO273/310 Raja Muda to Resident Councillor, Penang 10 August 1905.

⁴⁴K.A.R. 1327 (1909) p. 20.

⁴⁵K.A.R. 1905-06 p. 12.

⁴⁶CO273/327 Report of the visit of the Attorney General to Kedah, 1 April 1907.

of the State Council, and finding that they were still in favour of abolition, decided to get the whole Council to act again. This time a proposal was made by the Auditor General, Syed Mohamed Shahabudin, that *kerah* should be abolished. Having received a unanimous vote, a letter was then drawn up embodying the views of the Council on the subject. Armed with this, Maxwell and Tengku Mahmud, the new President of the State Council, then went to see the Sultan who remained reluctant to accede to the advice of his Council. By this time, however, he was willing to accept the fact that the various uses to which *kerah* was put were out of all proportion to its value when compared to the loss of time and trouble incurred by the *raayat*. However, the Sultan now shifted his objection to the fact that abolition of *kerah* would deprive the state of a ready form of defence. He was worried about the possibility of Chinese Secret Society troubles which might lead to an uprising. With *kerah* in operation, he could use the *raayat* to help quell such troubles, but without it he feared that the state would be put in jeopardy. Nevertheless, when Maxwell and Tengku Mahmud left him, he had finally been persuaded to agree. Understandably, the British Adviser and the State Council were still apprehensive that the Sultan might not adhere to his promise. Because of his illness his memory had deteriorated badly and he was liable to be influenced by his entourage, which comprised of men who profited a great deal by "squeezing" the *raayat*.⁴⁷ Indeed, the day after Maxwell and Tengku Mahmud had seen him the Sultan wrote to the British High Commissioner in Singapore informing him of the State Council's decision regarding *kerah*, and explaining that he was withholding his sanction until he was assured that the British would be willing to help Kedah in time of disturbances by sending sepoy.⁴⁸ This assurance was given by Anderson, but nonetheless it was not until 25 October 1909 that the Sultan signed the proclamation abolishing forced labour.

This proclamation, besides declaring the abolition of *kerah*, also dealt with the imposition of tax upon land owned by the *raayat*, and the various classes of exemptions which were hitherto enjoyed by persons other than the *raayat* class. The proclamation now decreed that *Orang Bebas* (Free Persons) and *Gembala Gajah* (Elephant Drivers) who held the Sultan's letters exempting them from paying land rent no longer enjoyed exemption. Those inhabitants who had been required to maintain telegraph posts in lieu of land rent were now relieved of their duty and their exemption. Likewise the *Orang Balai* (Palace Servants) were now no longer required to perform their duties, but would instead have to pay land rent. However, 100 of them in each category would be retained and these would continue to enjoy their previous privileges. Finally, the *Orang Tunggu* (Watchmen) were all to be retained and so their status remained unchanged. There were of course still certain categories of people who were unaffected by this proclamation as far as payment of land rent was concerned.

⁴⁷CO273/351 Maxwell to Anderson 29 August 1909.

⁴⁸CO273/351 Sultan Abdul Hamid to Anderson 29 August 1909.

Members of the royal family were exempt from land rent for the duration of their lifetime. But on the death of the holders, the land would be assessed at its full value, and new land acquired after the passage of the Land Enactment of 1906 would be assessed at the agreed rates.⁴⁹ The *Orang Nobat* (Royal Musicians) were also excluded from the list of those whose privilege had been abolished. But this was because the State Council was working out a scheme for paying these men a salary. At present, they were allowed to levy a special rate throughout the state; the rate being collected by a Chinese to whom the *Orang Nobat* had farmed out the right. Every house in Kedah was subject to this levy and the total sum collected was far more than was necessary to pay the men a reasonable salary. What the Council was proposing was to abolish the levy altogether and pay the men out of government revenue. Two other groups who were still exempted were the *Penghulus* (Headmen) whom the state decided should be paid a salary, and mosque officials who were unsalaried.⁵⁰

In spite of these exemptions, it must be recognised that this Proclamation was indeed a remarkable step, as it succeeded in abolishing one of the most cherished features of traditional society. This change was obviously welcomed by the raayat and furthermore, the results were beneficial not only in freeing the Malay peasants from oppression, but in adding to the land revenue of the state. It was also hoped at that time that the abolition of *kerah* would have the immediate effect of attracting immigration from the surrounding countries, especially from the north and from Sumatra.⁵¹

Just as the institution of *kerah* was considered by the State Council to be detrimental to the progress of the state, so too was the system of debt-bondage. Thus, at a Council meeting towards the end of 1909, a resolution was unanimously passed whereby it was decided that no new agreements by which any person agreeing to work for another in consideration of a debt would be considered valid.⁵² At this meeting, however, the method of terminating existing debt-bondage agreements was not decided upon. Since this was obviously such an important matter, it was decided that a special session be called later to draw up a draft enactment which would be submitted to the Sultan. Having been successful in their fight against *kerah*, the State Council showed greater confidence this time.

⁴⁹Some difficulty arose over this issue because the Malay version of the Land Enactment was substantially different on two important aspects. Firstly, it stated that such land, if it was passed on to another member of the royal family would continue to be free of rent. Only if the land went to persons outside the royal family, would it be subject to rent in full. Secondly, the Malay version stated that land acquired by members of the royal family after the date of the Enactment would be exempt from the payment of rent and other fees to the extent of 500 relongs for each member. Maxwell was willing to allow the second provision to stand, but the provision relating to inheritance had to be solved. The State Council too, was anxious that a solution be found which would be in accordance with the ancient custom of the country but yet, at the same time, satisfy the reasonable demands of the Land Office.

⁵⁰CO273/351 Maxwell to Anderson 7 November 1909. K.A.R. 1909 pp. 20-21.

⁵¹CO273/351 Maxwell to Anderson 7 November 1909.

⁵²K.A.R. 1909 p. 62.

So, even before a final decision about the abolition of debt-bondage was reached, the State Council issued instructions to the Courts not to take any action in respect of suits arising out of bond-debts without the express permission of the President of the Council. Likewise, the Police were also instructed not to take any action on applications for the arrest of absconding debtors. When the Council met again to discuss this matter, they found it difficult to decide on the best way to implement the abolition of debt-bondage. Three schemes regarding the abolition of debt-bondage were discussed:-

- (a) Firstly, it was proposed to apply the Statute of Limitations whereby it could be provided that debts incurred before a certain date, for instance 7 years, should not be subject to any action in court. In respect of debts standing between 5-7 years, the creditor could sue as in the case of ordinary debts, but that he could not demand specific performance of the contract to labour. With debts of between 3-5 years, the creditor could be given the option of suing for the debt or of compelling the debtor to work for another year from the date the Enactment was passed. The same option would be given to the creditor in cases of debts between 1-3 years except that the term of labour would be 2 years. Finally with debts under a year old, the period of labour would be 3 years.
- (b) A second scheme was to follow the Siamese law on this subject whereby termination could be effected by reducing the debt according to a fixed amount in respect of every month's work performed.
- (c) Finally, a scheme could be worked out by which the government itself could buy up all the debts at a valuation to be fixed by arbitrators after which it would remit all the debts. While accepting the responsibility for bringing about this change, the Council was equally concerned that they had to be fair to both parties. This was after all a custom recognised by tradition and which was, at least theoretically, voluntarily entered into by the debtor. A practical problem was the impossibility of making hard and fast rules that could then be applied fairly to all cases. For instance, it was obvious that in a debt incurred by an old man or woman the value of labour performed might well not cover the cost of his or her maintenance. Consequently, such a case was clearly of a different value from one in which the debt was incurred by a young man. It was problems of this nature which delayed legislation, and the Debt-Bondage Enactment was not passed till 18 July 1910.⁵²

⁵²With regard to legislation abolishing debt-bondage, Kedah was way behind the other Malay States. The Straits Settlements as early as 1843 ruled that "no right arising out of an alleged property in person and services of another as a slave should be enforced by any court." No legislation was passed in Selangor or Negeri Sembilan, where this custom seemed to have died a natural death. In Selangor the end of debt-bondage came in 1879; in Negeri Sembilan it was 1882, and in Jelebu, 1887. In Perak, where the number of debt-bondsmen in 1882 was 1/16 of the total Malay population, the system was terminated in Dec. 1883. Pahang by an enactment passed in 1906 repealed the Pahang "Slavery Regulations" of 1889.

By this Enactment, it was required that all agreements regarding debt-bondsmen which had not been registered in a Land Office had now to be produced before a Land Officer before 1 Dec. 1910. Both the creditor and the debtor had to appear before the Land Officer who must be satisfied with the amount of the balance of the debt after all proper deductions had been made. Verbal agreements could also be reduced to writing and registered, but any agreement not produced by that date would not be recognised. After the date of the Enactment, it was totally forbidden for any person to undertake to pay off any debt by going into bondage. With regard to agreements which had already been registered, all provisions for the diminution of the debt by annual deductions, were considered void and a new scale was substituted. The new scale decided by the government can be divided as follows:-

- (a) Debtors under the *Kerja Panjang Pandek* category, would have their debts diminished by \$2.50 cents a month in the case of an individual, and \$5 for a family. There was no diminution in respect of the debtor's children but the cost of the debtor's food and clothing would be borne by the creditor.
- (b) In the case of debtors who worked in the *bendang* (rice fields), the debt would be diminished by \$2 for every relog of land planted with rice per planting season. The cost of all implements and the food and clothing of the debtors were the liability of the creditor.
- (c) For those who worked in the *dusun* (orchards), the diminution was fixed at \$1 per month excluding the cost of food and clothing.

These scales of diminution fixed by the State Council were much more generous than those provided by the old agreements which normally varied between \$2-\$10 per year. The aim was to phase out the existence of debt-bondage. Since the average amount of a debt was \$60, and since the debt of a single menial servant was being reduced by \$30 a year, the majority of this class of debtors would be freed in 2 years from July 1910. Likewise, workers on the padi fields could, by hard work release themselves in the same duration of time. It was therefore estimated that by July 1912, the only debt-bondsmen remaining would be menial servants and padi field workers whose debts exceeded \$60, and the caretakers of orchards whose debts exceeded \$24.⁵⁴ By that time too, the total debts would only amount to a few thousand dollars and the Adviser, Maxwell believed that it would be possible for the State Council to expend this amount in buying up and remitting the remaining debts. Indeed, in July 1912 the total amount of debts stood at about \$5,000, Maxwell, therefore, proposed to the State Council that this sum could be absorbed into the State Budget. Council concurred, and with this, ended the system of debt-bondage in Kedah.⁵⁵

Finally, the State Council also decided to terminate the practice of *ampun kernia* (royal grants) which was yet another traditional custom economically

⁵⁴K.A.R. 1910 p. 29.

⁵⁵CO273/388 Anderson to C.O., 5 December 1912. K.A.R. 1912 p. 17.

disadvantageous to the state. *Ampun kernia* in the form of land grants came to an end as they fell within the ambit of the Land Enactment of 1906. Control of the Sultan's expenditure and more important, the end of the Sultan's autocratic management of state finances meant that *ampun kernia* in the form of money was no longer possible. The remaining aspect of *ampun kernia* that had to be tackled was that which the Sultan gave in the form of rights to revenue collection, and which the holders had leased out to Chinese farmers. As in the case of the regular revenue farms, the State Council was keen to take them over. Fortunately, there were not too many of them in existence by 1909 as Table XVI shows, and the Council by a decision on 22 November 1909 decided to pay off the original holders as the lease expired. In 1910 for instance 5 such farms came into the hands of the government:-

- (a) Syed Osman's right to collect export duty on timber at Yan had been leased by him to a Chinaman for \$400 a year. When the lease ended the government took over the farm and paid Syed Osman an annuity of \$400 per year.
- (b) Wan Abdullah's right to collect a duty on cockle shells at Kuala Kedah terminated with his death in November 1910.
- (c) Like wise Tengku Mohamed Saad's rights in respect of a market in Kulim terminated with his death.
- (d) Che Minah's rights in respect of a ferry at Kuala Merbok was compensated for, and the government gave a short lease to this right to the highest tenderer.
- (e) The same was done to Che Siah's rights to 4 ferries on the Muda River.

Ampun kernia holders themselves, seeing that they were getting a fair deal from the government voluntarily surrendered the farms in lieu of a lump sum payment. By the end of 1911 only the following 6 *ampun kernia* grants were still in force:-

Nature of grant	Name of holder
Brick Export Duty, Kuala Muda	Syed Osman and Wan Ahmad
Pass Kuala, Kota Star	Wan Zaniah
Pepper Export Duty, Yan	Said Osman
Market at Sala, Kangkong and Simpang Empat	Said Mansuri Aljaffri
Guano from Caves at Elephant Hill	Che Pin
Fruit Market, Yan	Said Osman

Just as a complete reorganisation of the revenues of the state had been found vital to the welfare of Kedah, so too was a similar reorganisation required in the field of the state's expenditure. Prior to 1905, as we have seen, the revenues of the state were expended by the Sultan in any way he wished, and there was no person or body to whom he had to account for his decisions. The first thing that had to be done, therefore, was to strip the Sultan of his powers to spend the state's money

TABLE XVI

List of Ampun-Kernia in force in Kedah at the beginning of 1327 (1909)

No.	Name of Ampun-Kernia	Name of holder	Nature of the right conferred
1.	Hides Export Duty, Kota Star.	Wan Tam	The right of collecting an export duty of \$2 per pikul on all cattle hides.
2.	Fishing Stakes Licences.	Haji Puteh	The right of licensing, and charging fees for all fishing stakes in the waters of the State.
3.	Brick Export Duty, Kuala Muda.	Syed Osman and Wan Ahmad	The right of collecting an export duty of \$4 per 10,000 on all large bricks and \$2 per 10,000 on small bricks.
4.	Timber Export Duty, Yan.	Syed Osman	The right of collecting an export duty of 20% on hardwood timber and 10% on fruit.
5.	Port Clearance, Kuala Kedah.	Wan Mah	The right of issuing, and charging for port clearances.
6.	Pass Kuala.	Wan Zaniah	The right of issuing and charging for passes for vessels leaving Alor Star for Kuala Kedah.
7.	Cockle Shell Duty, Kuala Kedah.	Wan Abdullah	The right of charging a duty of 50 cents per koyan on cockle shells.
8.	Rubber Export Duty, Kota Star.	Syed Abdullah Almahadali	The right of collecting an export duty of 15% on wild rubber.
9.	Pepper Export Duty, Yan.	Syed Osman	The right of charging an export duty of 10% on pepper.
10.	Fish Market, Kuala Kedah.	Haji Wan Abdullah	The right of charging a duty of 5% on fishes brought in by fishermen at Kuala Kedah.
11.	Market, Kota Star	Tungku Mohd. Jiwa & Tunku Yusof	The right of collecting market tolls.
12.	Markets, Sala, Kang-kong & Simpang Empat.	Syed Mansur Aljaffri	The right of collecting market tolls.
13.	Market, Yan.	Syed Osman	The right of collecting market tolls.
14.	Market, Sungei Petani.	Saripa Siah	The right of collecting market tolls.
15.	Market, Kulim.	Tunku Md. Saad	The right of collecting market tolls.
16.	Market, Krian.	Che Mohd. Ariffin* & Che Mohd. Ariffin	The right of collecting market tolls.
17.	Ferry, Kuala Merbok.	Che Minah	Exclusive ferrying privileges.
18.	Ferry, Sungei Petani.	Saripa Siah	Exclusive ferrying privileges.
19.	Ferry, Semiling.	Saripa Siah	Exclusive ferrying privileges.
20.	Four Ferries on Muda River.	Che Siah	Exclusive ferrying privileges.
21.	Guano, Elephant Hill Caves.	Che Pin	The right of charging a royalty on the guano.

Source: K.A.R. 1909 Appendix F p. vii.

*These are two different persons. The first was the territorial chief of Krian and the other was the Sultan's clerk.

just as he had now no control over the revenues. The State Council, now the ultimate controller of expenditure, also established the Treasury and Audit Departments and with these were also introduced for the first time "modern" methods of keeping accounts and of drawing up departmental estimates. One of the most important works of the State Council was concerned with drawing up Annual Budget Estimates. Led by the State Treasurer and the Auditor-General, the Council spent weeks during special sessions discussing the details of every expenditure.⁵⁶

An obviously unpopular, but nevertheless, essential change that the State Council had to institute was the rationalisation of expenditure incurred by the Sultan and other members of the royal family. Hitherto, the state's expenditure had in fact been the expenditure of the Sultan. This included the Sultan's personal allowances (which were unlimited), royal family allowances, *ampun kernia* grants and the repayment of royal loans. With the advent of the new administration, the Siamese government had initially felt that the Sultan's and Royal Family Allowances should not exceed 12% of the country's revenues.⁵⁷ Williamson, the Siamese Financial Adviser, considered this to be too much, and asked the State Council to reconsider this issue and decide if it was in fact not excessive. To expect the State Council to decide on such a delicate matter in 1905 was expecting too much. In fact it was only in 1907, that the Council really sat down to work out this problem. It was then decided that the Sultan's personal allowance should be fixed at \$6,000 a month. Council considered this to be an adequate sum, and that the Sultan had spent far in excess of this amount perviously because of the large numbers of *ampun kernia* which he was induced to bestow on all sorts of people.⁵⁸ Two years later, in 1909, the State Council standardized the allowances of the members of the royal family.⁵⁹ At the same time these persons discovered that it was no longer possible to expect the state to meet their demands for more allowance in order to pay off their debts, or for some other purpose. Thus, the request from Tengku Zainurrashid for an increase in his allowance was immediately rejected. Tengku Haidar must have been shocked to find that instead of the state meeting his debts, his allowance was cut for this purpose.⁶⁰ Even the Sultan now had to "humiliate" himself by asking the Council to sanction additional expenditure. For instance, he requested the State Council to appropriate a sum of \$34,000 as expenses for the marriage of four of his

⁵⁶District Officers now annually submitted detailed estimates of the revenue & expenditure of their districts to Alor Star. Details of these are found in the District Officers' Diaries.

⁵⁷Council Minutes, 2 Rejab 1323 (2 Sept 1905).

⁵⁸Council Minutes, 16 Rabial Akhir 1325 (29 May 1907).

⁵⁹The scale of Royal Family Allowances was fixed as follows:-

Heir to the throne	—\$500 p.m. (minimum)	\$700 (maximum)
Other sons of the Sultan	—\$150 p.m. (minimum)	\$300 (maximum)
Daughters of the Sultan	—\$125 p.m. (minimum)	\$200 (maximum)
Grandchildren of the Sultan	—\$ 50 p.m. (minimum)	\$100 (maximum)

⁶⁰Council Minutes, 9 Safar 1327 (2 March 1909).

TABLE XVII

Tabulated statement showing the annual expenditure during 1323-29 (1905-11)

	1323 (6 mth. only)	1324	1325	1326	1327	1328	1329
H.H. The Sultan	37,616	87,420	91,908	91,690	95,751	98,071	91,373
State Council Office	20,961	50,371	58,799	63,773	60,039	70,983	58,572
Treasury & Audit	11,599	21,638	23,906	26,451	25,146	24,557	24,975
District Offices	27,170	56,621	38,557	43,028	43,914	45,331	65,291
Courts	12,309	25,472	35,170	33,816	33,915	40,475	43,813
Police	40,942	96,398	103,029	117,085	127,987	119,487	125,622
Prisons	3,719	13,197	17,872	22,101	28,557	31,442	30,799
Medical	3,861	19,468	25,829	30,053	31,473	31,634	40,613
Veterinary	2,495	3,059	6,566	6,697	6,490	7,949	7,889
Mosque	1,243	2,733	2,822	3,131	3,278	3,532	3,205
Education	8,079	16,265	21,332	26,808	27,395	23,700	28,603
Penghulus	—	110	2,426	2,490	1,854	14,460	17,130
Lands	19,815	40,638	50,528	61,075	66,448	84,749	118,080
Mines	2,281	4,831	9,199	7,284	6,223	6,943	6,683
Harbours	8,570	18,825	17,281	14,365	16,317	17,563	12,129
Ruling House Allowance	33,268	69,240	68,164	68,054	61,365	60,790	58,160
Pensions	5,333	12,183	13,760	15,157	19,180	35,987	35,060
Interest on Loan	—	123,292	156,000	156,000	—	108,838	108,838
Public Works	18,174	138,454	464,542	330,090	266,093	288,935	488,087
Refund of Farm Deposits	—	—	—	—	—	50,199	12,450
Opium & Spirit Monopolies	—	—	—	—	—	23,461	25,280
Post & Telegraphs	—	—	—	—	—	29,006	45,096
Municipal	—	—	—	—	—	7,563	9,787
Forest Department	—	—	—	—	—	888	1,823
Indian Immigration	—	—	—	—	—	120	1,049
Miscellaneous	15,008	85,571	36,804	46,414	84,093	58,680	223,537
Total	272,443	885,786	1,244,496	1,165,562	1,005,328	1,285,343	1,704,044

children. While the Council recognised the need to provide for this, they also decided to cut the amount to \$20,000.⁶¹

As a result of all these measures, the economy of Kedah once again took on some semblance of order. Although the country's revenues were still hampered by the continuing existence of revenue farms run by Chinese, proper governmental control enabled the collection of what was due to the state from existing farms. What was perhaps most satisfying was the fact that land administration had been so improved that revenue from this source was second in value only to the Opium Monopoly.⁶² The revenue thus collected was more than ample to maintain a sufficient staff to carry out the duties of government, to pay the interest on the loan from Siam, to meet the privy purse of the Sultan, and a civil list of a large number of members of the ruling house. On the top of all this, there still remained some balance for works of general improvement.⁶³ Appropriation for public works was something new. Before the formation of the State Council, public works had been carried out from time to time, but these had been sporadic, and once completed were not maintained. For example, a large number of buildings were erected in Alor Star for public purposes, a road was constructed from Alor Star to the Singgora (Songkhla) border, and Wan Mat Saman's canal traversed the rich plain between Alor Star and Kedah Peak. But gradually all these works fell into disrepair; bridges broke down, the road was good enough only for 7 miles from Alor Star, canal lock gates broke down, and the canal itself became partially silted. Under the new administration, a Public Works Department was specifically set up to look into such problems and to expand this sector of activity. The end result was to see an economically more viable Kedah.

⁶¹Council Minutes, 16 Zukaedah 1327 (29 November 1909).

⁶²Percentage of Total Revenue as provided by various Items in 1910:-

Chandu Monopoly	—33%	Police Revenue	—0.8%
Land revenue	—27.1	Mines Revenue	—0.6
Export & Import Duties	—13.4	Pawnbroking farms	—0.6
Gaming Farms	— 8	Political payments	—0.6
Courts of Justice	— 4	Posts & Telegraphs	—0.5
Spirit Farms	— 2.8	Municipal Revenue	—0.4
Harbour Revenue	— 1.7	Miscellaneous	—5.4
Veterinary Revenue	— 1		

⁶³List showing proportion of revenue expended on different items:-

Public works	—19.8%	Posts & Telegraphs	—2.0%
Sultan, Ruling House		Education	—1.6
Allowances & Pensions	—11.1	Chandu Monopoly	—1.6
Police force	— 8.2	Financial Offices	—1.6
Interest on loan	— 7.5	Marine Departments	—1.2
State Council Office	— 6.2	Penghulus	—0.9
Land Office	— 3.3	Retired Pensions	—0.9
District Offices	— 3.1	Veterinary	—0.5
Courts	— 2.7	Municipal	—0.5
Surveys	— 2.4	Mines	—0.4
Medical	— 2.1	Mosques	—0.2
Prisons	— 2.1	Miscellaneous	—7.5

TABLE XVIII

Tabulated statement showing revenue and expenditure of Kedah
for the years 1323-1329 (1905-11)

Year	Revenue	Expenditure
1323 (6 mths. only)	402,639	272,443
1324	947,784	885,786
1325	1,056,425	1,244,496
1326	1,102,911	1,165,562
1327	1,240,276	1,005,328
1328	1,449,117	1,285,343
1329	1,838,152	1,704,044

Progress in both political and economic fields was necessarily slow during this period for various reasons that have been discussed. Above all although the State Council was a reforming body anxious to improve the state, they were equally aware of the fact that the ruling class, after centuries of feudal rule, was not likely to allow such changes to pass unchallenged. Raja Muda Abdul Aziz, when he was discussing the Siamese loan in 1905 with Prince Damrong, had anticipated that the Sultan and his palace advisers would strongly object to the terms of the loan. It is not known how the Sultan was finally persuaded to accept the conditions of the Loan Agreement, but it was obvious that the vested interests in Kedah were most unhappy, and they did what they could to influence the Sultan to resist change. As we have seen the Sultan did attempt in various ways to hinder the work of the State Council. The most serious challenge from the Sultan came shortly after the death of Tengku Abdul Aziz. The State Council had unanimously decided that Tengku Ibrahim, the Sultan's eldest son, should fill the vacant post of Raja Muda.⁶⁴ To this the Sultan refused to consent, and he went so far as to say that he wished to abolish the office and govern the country himself.⁶⁵ The Sultan had no doubt been instigated by his favourites, and was also made to believe that his health had improved. He had also expressed dissatisfaction with the late Raja Muda whom he blamed for being responsible for the presence of European officials and the British Consul in Kedah. It was only after some difficulty and Siamese intervention, that this problem was temporarily solved by

⁶⁴According to custom, which had been in operation for at least 3 generations, the Raja Muda should be the Sultan's brother, and not the heir to the throne. The reason for this was that the heir was generally a young man and because of his inexperience, should not be made to take on such a responsibility. In 1907, the only remaining brother of Sultan Abdul Hamid was Tengku Mahmud who had for some time, been living in retirement and devoting his time to religion. And when he was initially approached to succeed Tengku Abdul Aziz as Raja Muda, he declined. It was because of this that the State Council turned to the only other available person, Tengku Ibrahim, the heir apparent who was then 22 years old.

⁶⁵CO273/333 Paget to F.O., 7 June 1907.

the appointment of Tengku Mahmud, the Sultan's brother as the President of the State Council. The Sultan, while approving this appointment refused, however, to bestow the title of Raja Muda on Tengku Mahmud. After this incident, the Sultan continued to impose his authority, but with no success and Tengku Mahmud, while not officially the Raja Muda, was in effect executing the functions of that office.

CHAPTER VI

Kedah—British conflict: Malay reaction to political change, 1905—1923

Feudal though Kedah was throughout her history she was not, however, unamenable to change. We have seen that even during the traditional period some radical changes were made or attempted. The institution of *kerah* was greatly watered down in order to fit in with the economic needs of the country. Likewise, economic necessity brought the state to participate directly in the building of irrigation canals for padi cultivation. Sultan Abdul Hamid had also attempted though unsuccessfully, to introduce changes in the land system so that the state could collect land tax and rent. In the administrative sphere the Kedah ruling class was equally innovative. Here they adopted British methods of administration and justice wherever possible, and they kept in close touch with the Penang authorities so that they could be constantly aware of the workings of that government. This willingness to accept a broad flexible policy was further augmented by the existence of several enlightened leaders in Kedah, particularly Raja Muda Abdul Aziz, who realised that unless radical changes were instituted the country would not be able to develop properly and to prosper. Hence his brave and consistent attempts to bring about the abolition of *kerah* and debt-bondage—two of the basic features of a feudal society. Perhaps the most far-reaching of all the changes was the stripping of the powers of the Sultan, both political and economic, and transforming him into a mere constitutional head of the state.

Such sweeping reforms obviously met with a considerable degree of opposition. This was led by the conservative sector of the ruling family, people who had all to lose as a result of the changes. By themselves this group was ineffectual, and so they attempted to resist the reformers by influencing the Sultan to oppose the more consequential recommendations of the State Council. As we have seen this was exactly what the Sultan did, but fortunately for the state his opposition

eventually gave way. Moreover the State Council must have been fully aware of the work of the conservatives, for in many cases legislation was signed by the President of the Council and not by the Sultan as the Constitution required. But while the conservatives and the reformers continued to fight for opposite aims, there was one fundamental issue over which both these parties were unanimous. This was the threat to the autonomy of Kedah and, after 1909, the fear that they would be absorbed into the Federated Malay States. Since 1842 Kedah had enjoyed a great degree of independence in spite of the fact that she was a dependency of Siam. In fact this position was further enhanced, perhaps inadvertently, by the operation of British and Siamese policies towards the northern Malay States. Having lived for so long undisturbed by her overlord, at least over the internal affairs of the country, the determined and independent-minded Kedah rulers were not now willing to see their status changed. Thus the period 1905–1923 saw the continuous resistance by Kedah to being reduced to the same status as those states comprising the Federated Malay States.

Although the appointment of a Financial Adviser to the Kedah Government in 1905 was not a particularly welcome innovation, this was something which could not be avoided if the \$2.6 million loan was to get through. Until March 1907 all went well, and the relationship between G.C. Hart, the Financial Adviser, and the State Council appeared amicable enough. Very largely this was due to the fact that Tengku Abdul Aziz was the President of the State Council. Being western in his ideas and keen to bring about the modernisation of his country, the Raja Muda got along very well with Hart. His cooperative attitude was reciprocated by Hart, a man of easy going nature. Thus for instance, while Tengku Abdul Aziz did not object to Hart issuing orders directly to the Heads of Departments, Hart on his part frequently allowed himself to be outvoted in the State Council.¹ Meadows Frost, the British Consul in Kedah, disapproved of Hart's attitude as being too lenient, but from the point of view of Kedah this was just what they wanted. But with the death of the Raja Muda in 1907, and the subsequent appointment of Tengku Mahmud as President of the State Council, the relationship between the Council and Hart began to change.

Tengku Mahmud has been described as being "inclined to be a religious fanatic" who was "not at all clever and is not anxious at all to encourage European control in Kedah, but he recognises that he has to put up with Europeans to a certain extent."² Tengku Mahmud was also a much stronger character than Tengku Abdul Aziz; neither was he so western in his ideas. It was, therefore, inevitable that before long a clash would come about because the new President of the State Council considered that the Siamese appointed Adviser had overstepped his bounds of duty, and thereby infringed the independence of Kedah. Three months after assuming office Tengku Mahmud made it clear that

¹CO273/323 Frost to Beckett, 17 October 1906.

²CO273/333 Frost to Beckett, 10 September 1907.

Dr. Hoops, the Acting Adviser, must understand his position and role in Kedah, that he was merely a Financial Adviser. The point was also emphasised that Kedah had accepted Hart as Financial Adviser as a condition of the Loan Agreement, and that as soon as it was fully paid up the Sultan would appoint his own Financial Adviser, who would be a servant of Kedah and not of Siam. On this basis Tengku Mahmud considered that the Raja Muda had acted wrongly in allowing Hart to assume the position of a General Adviser, and he was now determined to put an end to it.³

The occasion which brought about this situation was the behaviour of Dr. Hoops who acted for Hart when he went on medical leave. Dr. Hoops, the State Surgeon, had the misfortune of being irritable and rather unsympathetic towards the Malays in government service. As though this was not bad enough, he decided to pursue a policy of correcting what he considered to be Hart's omissions. For instance, he began to ignore the State Council, and dealt directly with Heads of Departments, sending off orders in English.⁴ One of the ways in which the Kedah administrators felt that the country's identity could be preserved was by insisting that the language of government be Malay. Hence, the indignation when Dr. Hoops, in an acting capacity, ignored normal practice and conducted his correspondence in English. Tengku Mahmud and his colleagues were obviously afraid that unless they contained the situation quickly, the status of Kedah might well become like that in the Federated Malay States. And this they were convinced could be avoided, for in their understanding of the Loan Agreement the status of the Adviser in Kedah was similar to his counterpart in Siam, who only gave advice and had no further authority.

The British, however, were unhappy with this new development. Consul Frost, who believed that the Financial Adviser in Kedah had the same status and powers as the Residents in the Federated Malay States, reported that the outlook was not at all encouraging. In his opinion the Siamese must encourage and support Hart to take a tough line towards the Kedah administration, for this was the only way in which Hart could recover his influence and control the situation. Backett, the British Minister in Bangkok, accepted Frost's interpretation of the Kedah affair as being an attempt on the part of the Malays to shake off all foreign interference altogether. Hence he too advocated that the Siamese-appointed Adviser should be more than a mere Financial Adviser and should at least have the authority to insist that his advice was respected.⁵ But whatever the British position, Tengku Mahmud's case was a strong one. His insistence that the Adviser in Kedah was not at all similar to a Resident in the Federated Malay States was accurate, for as Prince Devawongse's note of 19 July 1905 clearly stated, the only change made by Siam in the existing administration of Kedah was the "appointment of a Financial Adviser until the repayment of the loan; to reorganise the finances of

³FO422/61 Beckett to F.O., 28 September 1907.

⁴CO273/334 Frost to Beckett, 19 November 1906.

⁵FO422/61 Beckett to F.O., 28 September 1907.

the state, and to provide for the repayment of the loan and of an Advisory Council to the Sultan.⁶ Although the Loan Agreement did not specifically provide for a Financial Adviser, the fact that it included a proviso for the withdrawal of the Adviser after the loan was fully paid up implied that the Adviser's role was a limited one. This was further clarified in Williamson's Memorandum to Prince Damrong which explained clearly that the Kedah Adviser was a Financial Adviser. Noting that Kedah's debts were four times that of her annual income, coupled with the fact that there were not many immediate prospects of increasing the revenue, Williamson believed that it would be disastrous if the Kedah Adviser could be outvoted in the State Council. Hence he proposed that the Adviser be renamed Financial Commissioner, and that there should be a provision whereby the Council was not to be allowed to discuss financial matters, or, if it could, the decision of the Adviser had to be accepted. In the case of a dispute there must be an appeal to Bangkok, and not merely transmitted there for information.⁷ It is evident from Williamson's Memorandum that the Adviser had only powers in the financial realm, and this in fact was a point constantly emphasised by the Siamese themselves; that the appointment of an Adviser was not politically motivated but was a mere business precaution to ensure that the loan was repaid. Beckett himself was convinced of the sincerity of Siamese policy. He had earlier informed Sir Edward Grey that the policy of Prince Damrong towards Kedah had previously been to push Siamese influence and make it paramount. Now he was clear that this had been changed, and that the policy had become one of allowing the state to work out its own salvation in its own time, with the help of an Adviser but with as little administrative pressure as possible from Bangkok.⁸

Dr. Hoops, who was most indignant about the Malay attitude, reported the situation to Prince Damrong. The Malays reacted by bringing the whole State Council to a standstill, as a result of which no legislation was introduced at all during 1907.⁹ The problem, however, was soon to be settled. Prince Damrong summoned Tengku Mahmud to Penang, and there explained to him the position and powers of the Adviser. He assured Tengku Mahmud that the appointment of Hart as Financial Adviser, but made him accept that in the future, in the event of the Adviser disagreeing with the majority of the Council Members, the matter had to be referred to Bangkok. This meeting was completely satisfactory as far as Tengku Mahmud was concerned, as his principal point had now been reaffirmed by the Siamese. By this time too, Hart had returned to Kedah, and being more acceptable to the Malays than Dr. Hoops, he managed to ease things back to normal. It was not long before Hart reported that he was satisfied with the current state of affairs and that his relations with the Sultan and the President of

⁶See Appendix 7.

⁷CO273/314 Williamson's Memorandum to Prince Damrong 19 April 1905.

⁸FO422/61 Beckett to F.O. 23 November 1906.

⁹K.A.R. 1906-08 p. 1.

the State Council were cordial. The return to normalcy revealed that Dr. Hoops had really precipitated the crisis by his inability to understand the mood of the Kedah rulers. Hoops' explanation for the end of the crisis was simply because Hart had given way to the Malays. But in reality, whatever Hart's faults may have been, his more flexible attitude went well with the State Council, and his undogmatic approach to Kedah affairs enabled him to be accepted. When Hart was withdrawn from Kedah, the Sultan refused to accept Hoops as Acting Adviser, and Williamson had to come from Bangkok to sort matters out.

While the controversy over the status of the Adviser in Kedah was going on, Siam and Britain were already talking about settling the bigger and more general problem of the northern Malay states. The initiative came from Strobel, the General Adviser to the Siamese government, who suggested to Paget, the British Minister in Bangkok, that the time had come when the British government could acquire important territory in the Malay Peninsular.¹⁰ Strobel had reasoned that the Siamese Malay states were not only remote from Bangkok but they were also a source of weakness, danger and annoyance rather than of profit. Kelantan and Trengganu had never formed an integral part of Siam, and the position was no better even after Siam tried to strengthen her control by appointing Royal Commissioners in the two states. The appointment of an Adviser to Kelantan in 1902 only served to reveal the limits of Siamese control over this state. As for Trengganu, the strong-willed Sultan succeeded in preventing all attempts at establishing Siamese control under the terms of the 1902 Agreement.¹¹ Finally there was Kedah, which was most closely tied to Bangkok. But even here, the Siamese were faced with problems. In spite of the appointment of a Siamese-chosen Adviser, Kedah was by no means under effective control. Westengard, who was Strobel's predecessor reported, perhaps with some exaggeration, that Kedah in 1906 was running wild and this was because he found so little evidence of Siamese control. And so, as a result of all these factors, Strobel felt that it would be better for Siam to relieve herself from the responsibility of administering these states. There was, after all, a great deal that had to be done in Siam proper itself, and with the scarcity of money it would be wise to restrict their activities. This meant that Siam should retain only those territories where her control was real

¹⁰For a detailed discussion of this subject, see T. Nummonda, *Negotiations Regarding the Cession of the Siamese Malay States*, *The Journal of Siam Society*, Vol. LV Pt. 2 (July 1967).

¹¹The Agreement of 6 October 1902 regarding Kelantan and Trengganu specified that the British recognized the two states to be dependencies of Siam. It provided that their foreign relations could be conducted only through Siam and that they had to accept the advice of a Siamese Adviser in all matters except those relating to Islam and Malay custom. But it also stated that Siam would stay out of their internal affairs, so long as Siam's treaty rights and obligations with other states were not infringed, and so long as peace and order were maintained in the states. The Sultans were also asked to agree not to grant any concessions or give away important offices to outsiders without the consent of Siam. In addition, 10% of the gross revenue of the states were paid to Siam once they exceed \$100,000.

Maxwell and Gibson, op. cit. pp. 85-88.

and effective. Strobel managed to convince the King and the Siamese Ministers that the cession of the northern Malay states would not only remove present difficulties, but that it would also prevent possible future friction with the British, whose influence in the other parts of the Malay Peninsula was then at its height. He further stressed that it was better to settle the issue quickly before those states went to the British anyway, with Siam possibly getting nothing in return.

News of the plan to transfer Siam's suzerainty over the northern Malay states to the British were received in Kedah through unofficial sources in mid-1908. It was soon to become widely known among the Kedah Malays, who became very irritated, and this made Hart's position extremely difficult especially when he himself had no official knowledge of such negotiations, and was therefore unable to confirm or refute the report. Kedah immediately telegraphed a protest to Bangkok while preparing a petition to the Siamese government against the proposed change. According to Frost it was unnecessary to attach any importance to these protests, and they were certainly not indicative of Malay preference for Siamese as opposed to British rule. Rather, it was more an anxiety on the part of a few office holders who feared that the change would bring a more strict British regime which would put an end to their lucrative days.¹² This was really a complete misreading of the purpose of the Malay reaction. Although it was possible that what Frost said was partly true, the real reason for Kedah's unwillingness to be handed over to the British was the genuine fear that this would automatically mean that she would become simply another Federated Malay State, the consequences of which were altogether unacceptable.

Kedah also instructed her legal adviser, Arthur Adams, to take up the case with the British government. In June 1908 Adams wrote to the Under Secretary of State for Foreign Affairs requesting that before a firm decision was reached on the question of the transfer and the future status of Kedah, he should be given the opportunity to present the views of the Kedah government.¹³ This letter was acknowledged by the Foreign Office which noted Adams' request, but was never granted. In the meantime repeated statements appeared in the local press to the effect that negotiations were in progress between Great Britain and Siam either for the cession or transfer of Kedah to the former. That such a transfer was definitely being discussed was confirmed by Adam's enquiries both at the Colonial Office and the Foreign Office, but no intimation whatsoever of such an intention had been conveyed to the Sultan of Kedah or the State Council. Consequently in September 1908 Adams sent a Memorandum to the British government in which Kedah's position regarding the projected change was explained.¹⁴ The Memorandum pointed out that Kedah had no objection to

¹²CO273/343 Paget to F.O. 29 May 1908.

¹³CO273/343 Arthur Adams to Under Secretary of State for Foreign Affairs, 22 June 1908.

¹⁴CO273/353 Memorandum in connection with the proposed Siamese Treaty on behalf of the government of the state of Kedah, 12 September 1908.

being transferred to the British sphere of control; all they insisted upon was that this must be done with her consent. The agreement contained in the Memorandum were obviously an attempt on the part of Kedah to ensure that the status quo was preserved should the British assume suzerainty over her. Hence the protracted and not too convincing argument that although Kedah was a tributary of Siam and was under obligation to that kingdom, the country did not belong to Siam. Early treaties between Kedah and Great Britain were cited to show that Kedah could not be transferred without her consent, and this was not changed by the fact that Siam had entered into agreements on her behalf. The old discussion about the *Bunga Mas* being the customary offering of a smaller state to a more powerful one, and not the expression of inferiority or of complete subjection was again forwarded. The fact that Kedah had become Siam's debtor, it was argued, would give Siam the right to transfer the debt, but she could not legally transfer the debtor without the latter's consent. Finally, the most significant point of the Memorandum which revealed the true objection of the Kedah administrators, it was explained that there was nothing in the condition of the state of Kedah which could justify action on the part of Great Britain in assuming control over her as they did with the Federated Malay States. In the case of those states, they had themselves called for intervention because of internal strife and mismanagement. But Kedah had always successfully maintained peace within her borders, and had in addition helped the authorities in the Straits Settlements and the Federated Malay States in the maintenance of law and order.

British reaction to the Memorandum was as could be expected. The long standing British position was reaffirmed; that Kedah's claims to independence might have been valid before 1821, but after that British treaty obligations towards Kedah ceased because the Sultan had lost his independence, and was therefore unable to fulfill his part of the obligations. Paget attributed the Memorandum to the instigation of four "lazy Malay officials" (although we are not told who these four were) who feared that the introduction of British control might result in their dismissal or in their being compelled to work. Consequently he advised the Foreign Office that the Memorandum did "not merit much attention" as "it was a species of 'caveat' put forward by the Kedah government as a 'try on' in the hope that something might come of it." Paget went on to explain that he was "prepared to say that Mr. Adams' protest does not in any way represent an expression of patriotism or jealousy of their independence on the part of the people of Kedah; it is merely a document instigated by a parcel of useless, lazy, and corrupt Malays, hangers-on to the Sultan's Court, and officials who fear that under British rule the present good times will be at an end... Protests from such gentry are not worthy of serious attention."¹⁶ Paget was soon to find out how mistaken his interpretation was. Unfortunately, the Foreign Office took his advice. It was in the first instance based on the reports of Consul Frost, and Frost,

¹⁶CO273/353 Paget to F.O., 23 January 1909.

as we have seen, was far from sympathetic to the Malay case. He had for instance quite incredibly dismissed the Kedah claim that the country had been well governed at least in comparison with the other Malay States during a comparable period. And although considerable progress was achieved between 1905¹⁶ and 1908, Frost took the crisis over the status of the Adviser as ample proof that the Kedah administration was disgraceful in the extreme.

It soon became clear to Kedah that their representation through Adams was being ignored. The State Council brought this matter up and decided that further representations had to be made. In addition they also voted a sum of \$20,000 for such expenses.¹⁶ In March 1909 Adams' partner, Allen, wrote to the British Prime Minister, whom he knew slightly, pointing out that Kedah had been offended by the policy of the British authorities in continuously ignoring her pleas.¹⁷ In May the Kedah government sent a telegram to the Foreign Secretary, reminding him of the promise to consider her case before a final decision was made on the Treaty.¹⁸ Neither of these two protests brought any result. A month earlier Kedah's London Solicitor, Charles Russell, and the Sultan's personal representative in Britain, Captain Pollen, had sought an interview with the Colonial Office but were turned down. Russell, however, did succeed in getting an appointment in May, only to be told that the British regarded Kedah as being an integral part of Siam, and that as such she really had no say regarding her fate.¹⁹ In June, Allen had an interview with Governor Anderson which was another fruitless effort, and Adams, who sent his Memorandum to the Colonial and Foreign Offices, discovered that it was not even received.²⁰

What had in fact happened was that the Anglo-Siamese Treaty was already signed in March 1909, although it was not ratified till July of the same year. As far as Kedah and the other northern Malay States were concerned, the vital article of this treaty was the first one which stated that "the Siamese Government transfers to the British Government all rights of suzerainty, protection, administration, and control whatsoever which they possess over the States of Kelantan, Trengganu, Kedah, Perlis and adjacent islands."²¹ It is most significant in the context of Kedah-British relations to note that this vital clause of the Treaty provided more questions than answers. As Emerson very clearly explained, "the effect of this treaty on the four former Siamese States was, for all practical purposes, to place them in the same position relative to Great Britain as that occupied by the States of the Federation and by Johore after 1914. As to the precise juristic position it is more difficult, if not impossible, to speak with accuracy."²² Thus

¹⁶Council Minutes, 14 Rabial Awal 1327 (5 April 1909).

¹⁷CO273/355 Allen to Asquith, 20 March 1909.

¹⁸CO273/356 Kedah government to F.O., 7 May 1909.

¹⁹CO273/356 Captain Pollen to C.O., 2 June 1909.

Charles Russell to C.O., 7 June 1909.

²⁰C.O.273/355 Minutes on Allen to Asquith, 19 April 1909.

²¹See Appendix 12.

²²Emerson, *op-cit.* p. 232.

although the treaty talks of the transfer of all rights from Siam to Great Britain, it never defined what those rights were. This in fact could not be done because Siamese rights themselves were ill-defined and disputed.

The Siamese position in Kelantan and Trengganu prior to 1902 was vague and uncertain; Kedah which was accepted as a Siamese dependency since 1826, was in fact a very independent state, and after 1905 the Siamese had only the right of financial supervision. Consequently, just as Siamese rights in this area were varied and unclear, so too were the rights the British inherited when they took over the state in 1909. It was in this rather nebulous state of affairs that the British sent Mr. Maxwell, the first Adviser to the Kedah government. Much of the trouble between the Kedah Malays and the British throughout this period (1909-1923) had its origin in this unsatisfactory state of affairs.

None of the states affected by the Treaty were informed of the completion of the negotiations, and news of this was learnt through the Singapore newspapers. The signing of the Treaty caught the Kedah Malays by surprise, and the absence of official information created an atmosphere of widespread uncertainty. At the instructions of the State Council, the Kedah solicitors sent a letter to the Penang Gazette complaining that the Malay authorities in the state had been unfairly ignored by both Britain and Siam. Britain was criticised for her lack of respect regarding Malay susceptibilities.²³ Kedah in fact realised that there was really nothing that she could do, but nonetheless, she was determined to go on protesting. This time her protest was taken to the House of Commons. On 21 June, Sir William Collins asked the Under Secretary of State for Colonial Affairs "whether the Sultan, the State Council or the people of Kedah have been informed or consulted in regard to the transfer." On receiving a negative answer Sir William then wanted to know if "the integrity of the state of Kedah is secured under the Treaty," and to this query, the Under Secretary of State assured the House that Kedah's integrity was not affected at all as a result of the Treaty.²⁴ In the course of his reply, the Under Secretary of State also explained that since Kedah's dependence on Siam had been recognised by Britain, the British government knew nothing of any communications between the two countries. Consequently, Britain could not have properly communicated direct with Kedah about the Treaty. What he omitted to explain, however, was that both the

²³Singapore Free Press 13, 27 May, 8 June 1909.

The Penang Gazette and Straits Chronicle of 3 April 1909 voiced Kedah's feelings when it commented that "Kedah has been the shuttlecock of English and Siamese diplomacy since Captain Light landed in Penang; neither England nor Siam can claim hitherto, to have treated the little state with even common decency and honesty."

George Maxwell later recollected that the Sultan accused the Siamese of treating him like a mere pawn or chattel and he was supposed to have said that "My country and my people have been sold as one sells a bullock. I can forgive the buyer who had no obligation to me, but I cannot forgive the seller."

Straits Times 16 May 1932.

²⁴The Parliamentary Debates (Official Report), Fourth Session of the Twenty-Eighth Parliament of the United Kingdom and Ireland. (Period from 7 June to 25 June 1909), pp. 1360, 2033.

Colonial and Foreign Offices were fully aware of Kedah's desire to be represented, from as early as June 1908.

Behind these questions, and Kedah's other representation was the attempt to prevent the country from losing its high degree of freedom. Now that the Treaty had been signed Kedah feared that she would be absorbed into the Federated Malay States. This fear was certainly heightened by the attitude of British Residents in Malaya, who were jubilant about the Treaty, for this meant that their cherished wish for Britain to increase her hold over the Malay Peninsular was now finally fulfilled.²⁵ Just before the formal transfer was to take place, Sir John Anderson proposed that the ceremony should be accompanied by a considerable armed force in order to execute the provisions of Article II of the Treaty.²⁶ News of this intention caused considerable concern in Bangkok, and the Malay Sultans were particularly perturbed. Sultan Abdul Hamid in fact thought that the British were going to invade Kedah.²⁷ Through his Penang lawyers, the Sultan consulted legal opinion in London and was advised that he could refuse to accept the troops until the Siamese government had informed him that the state had been transferred to Britain.²⁸

In the context of Kedah's continuing battle to retain the status quo, the most significant aspect of the transfer ceremony which took place on July 16 was the Sultan's speech. In it, he brought up the question of the new boundary between Kedah and Singgora (Songkhla). He had been informed by Prince Damrong that as a result of the Anglo-Siamese Treaty, Sadow and the adjoining districts had been absorbed into Siamese territory, as were the islands of Temtan and other adjoining ones.²⁹ This, the Sultan considered to be wrong as those territories had belonged to Kedah, and had been administered by her since time immemorial. The Sultan concluded his speech in a most unusual manner by handing over two letters, one for Williamson and the other for Maxwell, which requested both the British and Siamese governments to reconsider the boundary question. The day after the ceremony, Sultan Abdul Hamid sent a protest to Prince Damrong regarding the boundary agreement, and requested that the decision to incorporate Kedah's territories into Siam be not implemented.³⁰ In reply Prince Damrong explained that the boundary between Singgora (Songkhla) and Kedah had never been really defined, and with the need for a permanent boundary such

²⁵Straits Budget, 8 April 1909.

²⁶CO273/354 Beckett to F.O. (Telegram), 4 July 1909. Article II of the Treaty fixed the date of transfer to be within 30 days after its ratification. The Foreign Office, on the advice of Beckett forbade Sir John Anderson to carry out his plan, and instead instructed him that the transfer proceedings were to be of an entirely simple nature; the Governor being represented by the officials who were chosen for the posts of Advisers in the various states.

²⁷CO273/350 Anderson to C.O., 3 August 1909.

²⁸FO422/64 Beckett to F.O., 9 September 1909.

²⁹CO273/350 Damrong to Sultan of Kedah, 9 July 1909.

³⁰CO273/354 Sultan of Kedah to Damrong, 17 July 1909.

losses had to be expected; Siam herself having had to sacrifice larger and more valuable areas. In this manner Kedah's case was dismissed. Beckett had earlier sent a telegram to the Governor of the Straits Settlements expressing the hope that the boundary agreements would be carried out notwithstanding the protests made.³¹

All the efforts of Kedah both before and after the signing of the 1909 Treaty seem to have created quite an important impact on the British authorities both locally and in London. In fact, they forestalled the very development which Kedah feared most—the reduction of her status to that of a Federated Malay State. Just before the Treaty was ratified in July the Foreign Office had suggested that annexation of the Malay States in the north would be the best solution to the problem of giving political status to them. But the Colonial Office, which knew better, successfully vetoed this line of action. For one thing, annexation would mean the deposition of the Sultans and such a step was bound to meet with determined resistance.³² Anderson, who had earlier intended that Kedah, Kelantan and Trengganu be added to the Federated Malay States, now changed his mind. Even before he visited Kedah in August 1909 Anderson had understood the mood of Kedah. As he said in a letter to the Colonial Office, "it will be a long time before we can bring Kedah into the Federated Malay States... But if we get the meat, we need not fuss about the trimmings."³³ This view of his seemed to have been fully confirmed after his visit to Kedah. In a despatch to the Earl of Crewe regarding the future of the newly ceded states he reported with great accuracy that, "... it is impossible to contemplate the early entry of these states into the Federation. This is more particularly the case in regard to Kedah where there is a fully organised central administration composed of Malays, some of them, men of considerable ability and individuality.... They are very tenacious of power and privileges and no doubt the agitation and intrigues which preceded the transfer was largely due to the apprehension that those in power would be reduced to the position of pensioners with only titular authority and duties and that the actual administration would, as in the Federated Malay States, be placed in the hands of Europeans."³⁴ In addition to this, Anderson now came to recognise that unlike the Federated Malay States (with exception of Pahang) the majority of the population in Kedah was Malay. In such a situation, even if Kedah's finances could bear the cost of a European staff, it would be highly impolitic and undesirable to displace the Malays. Anderson concluded that although some further European assistance for supervision and direction was necessary, British policy should be confined to education and training the Malays to carry on the administration themselves.³⁵ A further complication was created when a Federal

³¹CO273/354 Beckett to F.O., 9 September 1909.

³²CO273/253 Note on Foreign Office's Letter to the Colonial Office, 19 May 1909.

³³CO273/350 Anderson to C.O., 3 August 1909.

³⁴CO273/351 Anderson to C.O., 1 September 1909.

³⁵From the very beginning the Kedah administration had been run by Malays themselves. The

Council which included unofficial European and Chinese members was established in the Federated Malay States. This further accentuated the differences in the conditions between the Federated Malay States and Kedah which would never allow such a council to come into being. Anderson cautiously felt that in time perhaps, with the influx of Chinese, Indians and Europeans, conditions in Kedah might alter to approximate with those in the Federated Malay States. But in the meantime, no attempt must be made to press her into the Federation.

Although Anderson was convinced that Kedah along with the other northern Malay States should not be dragged into the Federation, he believed nonetheless, that the Adviser in these newly acquired states should have the same powers as the Resident in the Federated Malay States. He failed to see that the very reasons which he so accurately analysed as being the stumbling block in making these states conform with their counterparts further south, were also the very same factors which would make them resist a Resident-type Adviser. In the case of Kedah, this had already been demonstrated by the crisis of 1907, and a similar but more serious uproar was soon to occur again. The choice of W.G. Maxwell as the first British Adviser to Kedah was not a particularly happy one. Maxwell was no exponent of indirect rule, and this was the only system which was acceptable to Kedah.³⁶ Coupled with his lack of patience and tolerance of circumstances in

Kedah Annual Report for 1906-08 listed the European officers in Kedah as follows:-

G.C. Hart—Adviser

J.G. Richey—Assistant Adviser

Dr. Hoops—State Surgeon

P.F. Joyce—Chief Inspector of Police, Alor Star

J. McDonough—Personal Assistant to the President of the State Council

J.J. Flenoy—State Veterinary Surgeon

F.P. Clarke—Suprintendent of Mines

J. Gorman—State Engineer

A.G. Ward—Senior Assistant Auditor-General

Mitchell—Commissioner of Police

Spears—Chief Inspector of Police, South Kedah

Maxwell, in his first administrative report on Kedah, was struck by the Malayness of the state. As he said, the state was more purely a Malay state than those of the Federated Malay States. The Muslim and not the Christian calendar was used; Friday was a public holiday; the language of the Legislature, the Courts and the public offices was Malay. In spite of British takeover, there were only ten European officers in the state—3 were police officers; 2 financial officers, the State Surgeon, the State Veterinary Surgeon, the State Engineer, the Adviser and the Assistant Adviser. There were a few Tamil officers in the Medical and Postal Departments, a Sikh detachment of the Police Force and a few interpreters and detectives who were Chinese, Siamese and Tamil. Other than these, all government servants were Malays.

K.A.R. 1327 (1909) p. 13.

³⁶Maxwell writing an article entitled "Memories of the First British Adviser, Kedah" in 1958 claims that from the very start, he was well aware of the Adviser system as it operated in Siam. He accordingly assured Tengku Mahmud that he had no intention of assuming the role of a Resident in the Federated Malay States and would confine himself to doing no more than giving advice.

Kedah, Maxwell soon created uneasiness among the Malay administrators. Inevitably, this was to culminate in conflict.

Already, Kedah was unhappy and uncertain about what would happen to her as a result of the transfer. Consequently, the Malays decided to watch every move of the British closely. When Maxwell informed Tengku Mahmud that all the official correspondence of Kedah, including the letters of the Sultan, the President, the State Council and the Adviser, had to go through the Resident-General, this was interpreted as an unnecessary encroachment into the administration of the country. Tengku Mahmud, therefore, wrote to the High Commissioner in Singapore seeking clarification regarding this new rule. In typical Malay style the letter began by declaring that the State Council was happy to see that since the transfer of Kedah to the British, the country's prosperity had increased. But such satisfaction would endure only as long as the British government did not attempt to alter existing rules in Kedah. Tengku Mahmud also reminded the High Commissioner that Kedah had received assurances both from the House of Commons and the Foreign Office that the integrity of the state would not be affected by the Treaty. It was in this context that he objected to the introduction of the new rule regarding official correspondence. He had been told by Maxwell that this was necessary because the Resident-General needed to have knowledge of what was going on in Kedah. But to Tengku Mahmud, this was a serious departure from accepted practice and he requested that direct communication with the High Commissioner be continued.³⁷

Meanwhile, Maxwell had been conducting himself in a fashion unacceptable to the Malays. The State Council was unwilling to tolerate any more of Maxwell's activities, and Tengku Mahmud decided to write warning him of the resentment aroused in Malay circles by a number of his actions which they regarded as falling outside the scope of his office.³⁸ It is important to look into the Malay complaints in some detail as they exemplify the completely opposing positions taken by both parties. Significantly, this affair also caused Kedah to fear even more that she was going to lose her independence and perhaps her identity. Tengku Mahmud reminded Maxwell that both before and after the transfer of suzerainty, repeated assurances were made that neither Kedah nor her ruler would lose any of their status, rights or privileges, and that the government of the country would be continued in the same way as before. The only difference was that the Adviser under the financial agreement with Siam would be succeeded by one appointed by the British government, who had taken over the loan. But as far as Kedah understood it, the British Adviser like his predecessor would advise the Sultan and his Council on all financial matters. It was against this background, that the Malays found Maxwell more of a "dictator" than an Adviser. This was true of his

³⁷CO273/360 Tengku Mahmud to Sir John Anderson, 19 December 1909.

³⁸CO273/361 Tengku Mahmud to Maxwell, 20 May 1910 in Anderson to C.O. 9 June 1910.

dealings not only with financial matters, but also in all aspects of government. Furthermore, Maxwell was accused of acting independently on matters which had always been the province of the State Council. Among the charges made against Maxwell were the following:-

- (1) Maxwell had conducted all European correspondence without consulting or even informing the State Council. This was looked upon as an act of discourtesy but more important, the State Council considered itself entitled to know how the government of their own country was being run.
- (2) Maxwell had without the consent of the State Council removed the name of Kedah from official stationery. He had also introduced for his own use a chop and seal which omitted in its design the distinguishing characteristics of the Crown of Kedah.
- (3) Since English law was not recognised in Kedah even for British subjects, it was unnecessary for Maxwell to fly the British flag over his residence.
- (4) Maxwell had on grounds of an insignificant saving of expenditure deprived the Sultan of his *Orang Balai*.

Maxwell's concept of his role only served to accentuate the Malay resentment against him. Maxwell considered that it was his duty as Adviser to supervise the work of every department in the state, and to see that the various officers were carrying out their duties properly. In fact he had wanted even more powers, and had suggested that in order to achieve this, the title of Adviser be changed to British Adviser, and that he should be the Vice-President of the State Council.³⁹ In the context of his interpretation of his role in Kedah, Maxwell tended to dismiss the Malay charges against him as being frivolous. Although he thought that these complaints were to show that Kedah was being robbed of her individuality, so as to avoid her being absorbed into the Federation, Maxwell never believed that this was serious. Maxwell therefore asked Tengku Mahmud why after a space of nearly a year during which time he never hinted that there was anything wrong, had he suddenly attacked him on charges extending over the whole period.⁴⁰ According to Maxwell, Tengku Mahmud felt thoroughly ashamed when thus confronted, but this seems doubtful. The reason for the long silence was simply because the State Council did not know what the new Adviser would do, and it was only after a year that it became clear that Maxwell had to be curbed. The climax in this conflict came when Maxwell wrote a rude and arrogant letter to Tengku Mahmud in which he charged the latter with having deceived him and Sir John Anderson.⁴¹ The reaction of Tengku Mahmud and the State Council was swift and decisive; they decided that it was impossible for

³⁹Such a change would never have been permitted by the Malays. As Tengku Mahmud explained, they had no intention of being relieved of the burden of government in any way but wanted their full share with Maxwell as Adviser.

⁴⁰CO273/361 Maxwell to Anderson, 24 May 1910 in Anderson to C.O. 9 June 1910.

⁴¹In the Malay version of the letter, the word *tipu* (which means deceive, cheat or defraud) was used. This was indeed a most derogatory term particularly so in a letter to Malay royalty.

them to participate in a government with an official who had the audacity to accuse the President of the State Council of lying.⁴²

Sir John Anderson agreed with Maxwell that the Malay charges were of a frivolous and trivial nature, and naively explained that they had arisen because the Adviser had refused to continue the practice of Hart in always giving way to the majority in Council.⁴³ This lack of understanding regarding the mind of Kedah was even more marked in Whitehall. Mr. Collins, in the Colonial Office, for instance, commented that "a mushroom institution (the State Council) of this kind need not be given much consideration. We must see that the Adviser carries his point against the majority of the Council, unless we are to give up any idea of controlling the state."⁴⁴ Mr. Stubbs of the same office, felt that if the Kedah State Council was going to be troublesome, the British government must consider the desirability of reconstructing it with a majority of government officers who "can be made to vote as they are told. It would be easy to defend this course on the analogy of a Crown Colony (to which Kedah must be assimilated as far as may be) and that of the FMS Council (where there is a government majority if the Sultans are not content with the unofficials)...."⁴⁵

In the midst of all this trouble, Sir John Anderson wrote to Tengku Mahmud informing him that he proposed to confirm Maxwell in his position, and also to raise his salary from £1,000 to £1,200 a year.⁴⁶ As could be expected, Tengku Mahmud replied, saying that Anderson's proposal was totally unacceptable to Kedah. Instead, Tengku Mahmud asked for assurances that Maxwell would in future not overstep his duties and rights, otherwise the state would have to ask for a replacement.⁴⁷ Seeing that he was getting nowhere with Tengku Mahmud, Anderson decided to come up personally to Alor Star and settle the affair. According to his report, Anderson claimed that the Sultan had been kept in the dark about everything, and he implied that this was done deliberately by Tengku Mahmud and the State Council. In actual fact, the state of the Sultan's health was so bad that it was unlikely that he fully understood what was going on. As the Sultan's own medical adviser, Dr. Brown testified, the Sultan had reached the state when he was incapable of forming an opinion.⁴⁸ Anderson himself admitted

⁴²CO273/361 Tengku Mahmud to Anderson, 1 June 1910 in Anderson to C.O. 9 June 1910.

⁴³According to Meadows Frost, Kedah's opposition to Maxwell was engineered by Adams and other Penang Europeans, who found it more profitable to deal in land in Kedah before the administration was reformed. In this, they were assisted by Tuan Bulat, head of the Land Office. There is, however, no evidence whatsoever to support this point of view.

⁴⁴Mr. Collins' comments, enclosed in CO273/361 Anderson to C.O. 9 June 1910.

⁴⁵*Ibid.*

⁴⁶CO273/361 Enclosed in Anderson to C. O. 9 June 1910.

⁴⁷CO273/361 Tengku Mahmud to Anderson, 20 May 1910 in Anderson to C.O. 7 June 1910.

⁴⁸When Anderson met the State Council on 5 June 1910, Tengku Mahmud gave a detailed explanation of the state of the Sultan's illness on the basis of various medical reports. The Sultan suffered from an inability to remember things and it was because of this that the State Council had been established. In spite of the post 1905 reforms, the Sultan often failed to realise that conditions under which the government of Kedah was conducted, had changed and he was sometimes oblivious of the existence of the State Council.

that the Sultan's memory was bad but nonetheless, he insisted that he should be present at the interview with the State Council. The Council took Anderson's visit very seriously and they requested that their legal adviser, Adams, be allowed to be present. Anderson refused, saying that Adam's presence was unnecessary since he had brought an interpreter with him. When Anderson met the Council he discovered that they had made up their minds, that unless Maxwell was removed immediately, the whole Council would resign.

Anderson had hoped that perhaps the Sultan could use his influence, and at least get the members of the Council to stay on pending a decision. The Sultan, either out of politeness or merely trying to please Anderson, told him that it was only temper on the part of the Council members, but soon he would order them to accede to the wishes of the High Commissioner. In fact, the Sultan had very little influence over the State Council, and nothing he did could induce them to reconsider their decision. Anderson, faced with such a degree of determination, suggested to the Sultan that it might be necessary to replace Tengku Mahmud as President of the State Council by another member of the royal family; likewise replacements should be found for all the other Malay members of Council. In addition, he told the Sultan that if this did not improve the situation, it would become necessary to suspend the Edict under which the State Council was created. Anderson was, however, hopeful that matters would cool off quickly because the loss of salary would bring the Council members to a more reasonable frame of mind.

After this, Anderson met the State Council for a second time and this turned out to be an unhappy experience for the Malays. It proved to them, that what they feared most regarding the status of Kedah was grim reality. Anderson, besides being most aggressive took the stand that Maxwell as Adviser should have the same status as his counterparts in the Federated Malay States. Throughout this meeting Anderson found fault with the Council. For instance, he persistently questioned the validity of the State Council's action in appointing a sixth member without the sanction of a new Edict. In fact he went so far as to suggest that all the acts of the Council were null and void, and only a new Proclamation by the Sultan could put things right again. Anderson's final words to the Council was that he considered the causes of the complaints against Maxwell insufficient, and as such he could not recommend a change in Adviser. On the treatment of Maxwell, which Anderson considered unjust, he said, "You state you want guarantees for the future. It will be time enough to ask for them when you show that you can treat a British Officer with the confidence and frankness which he has a right to expect."⁴⁹ At this point, the Council had enough of Anderson; Tengku Mahmud followed by other members walked out, thereby restating their case in a different form: that unless Maxwell went the Council members would resign both their seats and their other appointments.

⁴⁹CO273/361 Minutes of a Meeting between Sir John Anderson and the State Council of Kedah in Alor Star, 6 June 1910.

The following day, Anderson wrote to the Sultan telling him that if members of the State Council persisted in their refusal to carry out the functions of government, he would suspend the Edict and take over the government himself, with the help of Maxwell and other members of the Kedah ruling group.⁵⁰ Immediately after Anderson's departure, all Malay government officers above the rank of clerk held two meetings to discuss the situation. The outcome, was the decision that all of them should boycott the government offices.⁵¹ This campaign was highly successful. The day after the decision was taken, only the Treasurer, Tengku Dai was in his office; Syed Hassan, the Chief Judge paid a brief visit to his chambers, and the police magistrate was in his office but not on the bench. The District Offices also joined in the boycott; when Mr. Richey, the Police Commissioner, telephoned Jitra District Office about a court case, he found it closed.

Just as swiftly as the boycott, a most unexpected turn of events happened. Tengku Ibrahim, the Sultan's eldest son, gave Maxwell a letter from Tengku Mahmud which stated briefly that the Sultan had ordered him to return to work because of an undertaking to the High Commissioner that the boycott should end. To this command the letter merely stated that Tengku Mahmud agreed to obey. This sudden change on the part of Tengku Mahmud must have been due to the High Commissioner's threat to abolish the State Council if they refused to work with Maxwell. Faced with this real possibility, and the fact that the ailing Sultan who had not taken any practical part in government for so many years, would then head the government, the Council knew that this meant the introduction of a Resident-type Adviser which would pave the way for Kedah to become part of the Federation. Hence, it was to avoid this much resented alternative that made the Council step down and continue to be at least in a position where they had some power. Thus ended the first big crisis. When Anderson returned to Kedah in November 1910, he noted that friction had ended, and with a little too much optimism, concluded that it was impossible for any further trouble to arise.⁵² The passing of the 1910 crisis was by no means the end of Malay vigilance to maintain the integrity of their country. In 1911 Kedah decided to show that unlike the Federated Malay States, she had greater independence in the conduct of her affairs. This demonstration took the form of a letter from Sultan Abdul Hamid to Sir John Anderson, informing him that Tengku Mahmud and the other members of the State Council, including Maxwell, wished to propose some amendments to the Treaty of 6th May 1869.⁵³ The Sultan also enclosed a

⁵⁰CO273/361 Anderson to Sultan, 7 June 1910.

⁵¹CO273/361 Maxwell to Anderson, 10 June 1910.

⁵²CO273/363 Anderson to C.O. 21 Nov. 1910.

⁵³The Treaty of 6th May 1869 provided for the amending of the Treaty of 1800, which governed conditions of trade, frontier questions, and securing an adjustment of the frontier between Kedah and Province Wellesley. (See Appendix 13).

draft of the new proposed treaty which dealt with modifications in three areas:-

- (a) The demarcation of the boundary between Province Wellesley and Kedah together with the establishment of a reserve on both sides of the boundary.
- (b) The mutual rendition between British territory and the "Territory of Kedah" of fugitive criminals.
- (c) The maximum duties to be charged by the Yang Di-Pertuan of Kedah on cattle, grain, and other provisions exported from Kedah into British territory.

Brockman saw no objection to these proposals which would in fact be advantageous to both sides, but at the same time he felt that such changes could be brought about without the formality of a treaty.⁵⁴ It was feared that if this was allowed, it would be construed as an acknowledgement that the State of Kedah had now regained the right of entering into treaties, and that the Sultan now occupied a position of independence in relation to the British Government. This indeed was Kedah's very intention, but unfortunately for them it did not work. The Colonial Office instructed that as far as the boundary question and the export duties were concerned, everything necessary could be done by the ordinary interchange of correspondence between the two governments. With regard to the question of fugitive offenders, the matter would be considered in the context of the entire question of the surrender of fugitive offenders between the Colony and the Federated Malay States.

By 1912, the state of the Sultan's health caused considerable concern amongst the members of the State Council. Tengku Mahmud and his supporters were afraid that the Sultan's deteriorating health might give the British the necessary loophole to gain a stronger foothold in Kedah. Consequently, he decided to take the initiative by sounding off the idea of getting the Sultan to relegate his powers to the State Council. This, Tengku Mahmud did when Sir Arthur Young (Sir John Anderson's successor) visited Kedah in February 1912.⁵⁵ During this occasion, Tengku Mahmud explained to the High Commissioner that it was getting more and more difficult for him to get the Sultan to agree to the decisions

⁵⁴CO273/370 Enclosed in E.L. Brockman to C.O. 1 May 1911. It is interesting to note that Maxwell agreed to the proposed Treaty. Possibly this was because he had changed his ideas about the role of an Adviser in a non-Federated State. In an article which he wrote for the *British Malaya Magazine* in December 1932, Maxwell certainly revealed his new attitude although it is not known when the transformation took place. Maxwell wrote, "To say that the difference between a Resident and an Adviser is like that between a business manager and a consultant, is to put the case too strongly, but gives nevertheless a general impression. A Resident administers the government of the state on behalf of the Ruler, issues orders in his own name, and carries them out. An Adviser is consulted by the Ruler but issues no orders of any kind. Much of the Resident's power has been conferred on him by legislation. Every Government Gazette is full of notification in which the Resident appoints magistrates...etc. The Adviser's name never appear in a Gazette. The difference in the 'British Control' does not lie between the two systems, but in the executive power increasingly exercised in the Federated States by the High Commissioner, who has no executive power over the Unfederated States...."

⁵⁵CO273/398 Young to C.O., 13 February 1912.

of the State Council. This was principally due to the fact that the Sultan's memory was getting worse, and often he was not in his proper mind. It was therefore suggested to Young that power should be conferred upon the State Council which would then be able to act without the Sultan's consent if necessary. Tengku Mahmud also voiced the opinion that the country generally, would agree to the creation of a Regency although the Sultan would obviously oppose such a move.⁵⁶ Young, however, was of the opinion that it would not be constitutional to give such powers to the State Council, and suggested that the Sultan might perhaps be persuaded to delegate such of his powers which he could properly hand over to his Council. Tengku Mahmud was convinced that this alternative would not work, and even if it did, it would not be an adequate solution to the problem.

In May of the same year, Tengku Mahmud, Tengku Ibrahim and Maxwell went to Singapore to see the High Commissioner on the same subject. At this meeting, Tengku Mahmud said that he considered it desirable that a Regency should at least be temporarily set up. If this was agreed upon, then Tengku Ibrahim should be appointed the Regent. Tengku Mahmud also claimed that he would obtain a letter signed by every adult male member of the royal family in support of the Regency. In addition the State Council would also sign a letter to the same effect, and medical testimony would be presented to show that the Sultan was mentally unfit to govern. This claim of Tengku Mahmud proved to be over optimistic, for in August, Maxwell informed Young that no progress had been made regarding the establishment of a Regency.⁵⁷ In October, Tengku Mahmud himself wrote to the High Commissioner to say that the members of the royal family had changed their minds, and instead of agreeing to a Regency, were now in total disagreement.⁵⁸ According to him, the first problem was the difficulty in getting all the members to maintain absolute secrecy, which in a matter of this kind was absolutely essential. This was complicated by the fact that many members of the ruling family had no idea about the Sultan's condition, and even those who did had decided not to express any opinion on the matter. Then, there was disagreement on whether there should be a single Regent or a Council of Regents. With all these opposing views, Tengku Mahmud admitted that it was impossible to take concerted action which was vital if this decision was to be implemented.

⁵⁶This question of a Regency had been brought up once before in 1900. Then, it was the Sultan's extravagance which so alarmed Raja Muda, Tengku Abdul Aziz that he obtained a medical certificate from Dr. Brown which declared the Sultan unfit to rule. This was sent to the Siamese Government together with a request that a Regent be appointed. The Siamese sent an official called Phra Kuncha to Alor Star to investigate but apparently, as this official was the brother of Nai Pom, the Sultan's principal attendant, he was easily persuaded to return to Bangkok and to report that there was nothing wrong with the Sultan.

CO273/399 Maxwell to Young, 7 April 1913.

⁵⁷CO273/398 Maxwell to Young, 15 August 1912.

⁵⁸CO273/398 Tengku Mahmud to Young, 5 October 1912 in Young to C.O. 13 February 1913.

By the beginning of 1913, the Sultan's health started to cause even greater anxiety. As Maxwell reported to the High Commissioner, the Sultan's sanity was now in question.⁵⁹ For several months past, his Highness had been talking aloud to himself, far more than he usually did, and he was also brooding over the fact that the management of the country was in the hands of the State Council, and he could not get access to the funds in the State Treasury. In addition, he had been of late muttering threats against Tengku Mahmud whom he regarded as a usurper. He had also recently summoned Che Hassan, his confidential attendant, whom the Sultan accused of being mad, and accordingly ordered him to hand over the case containing the Seals of Kedah to Wan Mat Kulim.⁶⁰ Maxwell told Young that the situation was most unsatisfactory, and if the Sultan persisted in taking irresponsible actions, he and Tengku Mahmud would be forced to intervene. At the moment it did not seem that this was necessary, but the Sultan was liable to get worse and then it would be impossible to tell what he would do. It was not long before the Sultan began to worry the State Council again. This time the Sultan issued a pardon for Wan Mat who had been found guilty of cheating the government and a local money-lender.⁶¹ If this sort of action was to be allowed unchecked, the Sultan could easily sabotage the work of the Council. What was also bothering members of the State Council was that the freeing of Wan Mat would enable him to continue being an undesirable influence over the Sultan. Equally unacceptable was that such a pardon would create a precedent and this was important to avoid, as there were so many wrongdoers in the Sultan's entourage. The end result would be continual conflict between the Sultan and Council, and this could effectively bring the administration to a halt.

In these circumstances the State Council became even more convinced that there was no other way of governing the country except by the appointment of Tengku Ibrahim as Regent. Tengku Mahmud having failed to get support from the entire royal family now justified this need on the basis of Muslim law. In a letter to Sir Arthur Young, he explained that under Islamic law, the circumstances under which a Ruler could *ipso facto* lose his position were two-fold. Firstly, this would occur if the Ruler became blind, deaf or dumb, and secondly, if he contracted a disease by which he forgot to administer to the advantage of his country and religion. On this basis, it was clear that Sultan

⁵⁹CO273/398 Maxwell to Young, 6 February 1913.

⁶⁰Wan Mat Kulim was one of the trouble-makers in Kedah. But because the Sultan had a great affection for him, he was able to exercise a great deal of influence. One big problem which Wan Mat created for the State Council was over an illegal land deal. Shortly after the Edict of 1905 was passed, Wan Mat obtained the Sultan's signature to a document, conferring on him a concession of agricultural land, the terms of which were highly irregular. Wan Mat knew that if the Land Office came to know of it, he would be forced to give it up and so he concealed all information of the land from the government. In 1910 he took the document to Penang and persuaded a Chinese to buy it for \$3000. When at the end of 1911 the facts came to be known, the Sultan was asked to invalidate the document, but he refused and the State Council had to buy back the land from the Chinaman, fortunately for the same amount.

⁶¹CO273/399 Minutes of a Meeting of the State Council, 16 Rabial Akhir 1331 (25 March 1913).

Abdul Hamid could be deprived of his powers under the second factor.⁶² In support of his case, Tengku Mahmud enclosed four medical reports on the Sultan, all of which testified that he was mentally ill, and was unfit to rule the state. Dr. Hoops, who had attended the Sultan for seven years wrote, "His memory is so defective that even if he reads or hears a short letter the contents pass from his mind as soon as the letter is finished. ... He is unreasonable and often unreasoning. I consider that he is suffering from an incurable degeneration of the brain tissue which absolutely unfits him not only for taking part in the affairs of the State, but also from the management of his own private affairs and the control of money." Tengku Mahmud stressed the fact that if no Regent was appointed, the Sultan would continuously be under pressure from elements who wished him to interfere in the affairs of the state, and thereby upset the new regime. And since the Sultan himself disliked the changes and had always wanted the country to revert to the old regime, he would be very amenable to such influences. Maxwell also wrote a long letter to Sir Arthur Young in support for the creation of a Regency which he agreed was the best solution for Kedah.⁶³ According to Maxwell, the Sultan's condition had been exacerbated by the "evil influence upon him of his four wives and his three principal assistants."⁶⁴ These people were always persuading the Sultan to assert himself strongly against the State Council, but for the Council to give way would be fatal. The State Council had in fact thought of banishing the Sultan's three assistants but decided that it was not practicable. But when a Regent was installed, it would be easy to prevent these men from getting access to the Sultan, and this would eliminate many of the present troubles. As for the Sultan's wives, it was hoped that incitement on their part would be interpreted as disloyalty to the Regent and future Sultan.

As a result of all these representations, Sir Arthur Young recommended to the Colonial Office that the appointment of a Regent in Kedah would be in the best interest of the State.⁶⁵ Young had been impressed by Tengku Mahmud who as the most influential person in Kedah had nevertheless been willing to sacrifice his position by agreeing to the appointment of Tengku Ibrahim as Regent. The Colonial Office accepted the recommendation of Young, and on July 1, 1913, Tengku Mahmud and Maxwell informed the Sultan that the King of England had approved the decision to make his son Regent of Kedah. Two days later, Sir Arthur Young came to Alor Star to officially proclaim the appointment.⁶⁶

⁶²CO273/399 Tengku Mahmud to Young, 7 April 1913.

⁶³CO273/399 Maxwell to Young, 7 April 1913.

⁶⁴The 3 attendants were Wan Mat Kulim, Che Man Taja (whose banishment order was cancelled by the Sultan), and Penghulu Ismail, who was in general charge of the palaces.

⁶⁵CO273/399 Young to C.O. 16 April 1913.

⁶⁶The official Proclamation reads as follows:-

"Whereas the State Council of the State of Kedah have considered it expedient that pending the restoration to health of H.H. Sir Abdul Hamid bin Ahmat Tajuddin there should be appointed as Regent his eldest son Tengku Ibrahim. And whereas good and sufficient reason has been shown that the views of the State Council should be carried out. Now therefore be it known to all men

Having succeeded in getting a Regent appointed in Kedah, the State Council now felt that the possibility of having the British using the Sultan to upset the position of the country, was now contained. But this state of affairs was not to last very long. Trouble soon brewed up again, this time over the opposing opinions regarding the status of the Regent. Both Sir Arthur Young and Maxwell had assumed during the negotiation that once Tengku Ibrahim became Regent, he would also automatically become President of the State Council. As Young reported to the Colonial Office, "The appointment of Tengku Ibrahim as Regent means that he, Tengku Mahmud, will lose his position as President of the State Council, as the Regent must be President when he attends the State Council."⁶⁷ But to Tengku Ibrahim, Tengku Mahmud, and their followers, this assumption was wrong. They saw the role of the Regent as being markedly different from that of the President of the State Council. As Tengku Ibrahim explained to the High Commissioner, the old State Council with the exception of Maxwell agreed that the powers of a Regent should be of a general nature. He could be present at any meeting of the State Council whenever he saw fit to attend, or when the Council itself considered it necessary that he should come.⁶⁸ Before his appointment as Regent, Tengku Ibrahim was a member of the State Council. But once his appointment became official, he stopped attending the Council, and his name was also omitted from the minutes. To the Malay members, this meant that there was a vacancy created. On the other hand, it was also agreed that the powers of the President of the State Council was a specific one; that of heading the Council. Tengku Mahmud as President of the State Council was looked upon as the *Menteri Besar* (Chief Minister), and this fitted in with accepted practice in the State. In the reign of Sultan Ahmad Tajuddin Mukaramshah, Wan Ismail and Wan Ibrahim acted as *Menteri Besar*. Likewise this office continued during the time of Sultan Abdul Hamid when Tengku Yaacob and Wan Mohamed Saman held the office. When both the latter personalities died Tengku Abdul Aziz, the Raja Muda, and Haji Wan Abdullah took over. Finally when Tengku Abdul Aziz died in 1907 he was succeeded by Tengku Mahmud, and there was no reason why any change should occur now that a Regent had been appointed.

Sir Arthur Young, however, insisted that when he interviewed Tengku Mahmud on the subject of the appointment of a Regent, he had stated that it would be best for the Regent to act at the same time as President of the State Council. But in view of the special circumstances it was thought that Tengku Mahmud would be made the Vice-President, this post being personal only to him.⁶⁹ Maxwell wrote a memorandum commenting on the Regent's letter to the

that with the approval of His Majesty the King, H.H. Tengku Ibrahim will be recognised as Regent of the State of Kedah until this Proclamation is revoked."

⁶⁷CO273/398 Young to C.O. 16 April 1913.

⁶⁸Kedah State Council Files (hereafter referred to as Council Files), Tengku Ibrahim to Young, 18 Shaaban 1331 (23 July 1913). The same letter is also in CO273/410.

⁶⁹CO273/410 Young to Tengku Ibrahim 23 August 1913.

High Commissioner, and in it he noted that Tengku Mahmud was of the opinion that agreement had been reached with Sir Arthur Young, whereby the Regent would act as President of the State Council only when he attended meetings. Maxwell also observed that the Malays were united in their interpretation of the role of the Regent. But in spite of his experience with the Kedah administrators he attributed this trouble to selfish motives. Maxwell considered that the Malay desire to have a permanent President of the State Council in Tengku Mahmud was because it was a highly paid job carrying a basic salary of \$1,750. Furthermore this would mean that in addition to the Regent there was another Malay official senior to the Adviser. Maxwell's conclusion was that the Malays had no case constitutionally because when the State Council was created, it was merely the Sultan's illness which prevented him from presiding over the State Council as was practised by the Rulers of Kelantan, Perlis, Johore, and the four Federated Malay States.⁷⁰ Tengku Ibrahim's answer to this was to refer to the Edict of 23rd July 1905 which stated that the State Council should be constituted to comprise the "leading officials in the service of the Sultan." It was obvious, therefore, that since the Regent was not an official of the Sultan, but was rather ruler of the State in place of the Sultan, it would be inconsistent for him to be a member of the State Council. Tengku Ibrahim was further of the opinion that if he was to be an ordinary member of the State Council, this would entail a severe loss of dignity for him as he would be subject to the possibility of having his views overruled by his own subordinates.⁷¹

By this time Sir Arthur Young began to look upon the whole affair with some degree of contempt. Convinced that Tengku Mahmud had accepted the fact that the Regent was also to be President of the State Council, he became most impatient at the refusal of the Malays to tow his line. Hence he began to believe that Tengku Ibrahim was drunk with power, and that he was seeking the comfortable salary of a State Councillor for yet another Tengku.⁷² So when he replied to Tengku Ibrahim he merely reiterated his stand. Rather insensitively he also added, "As you are aware, the Sultan of Perak, the Sultan of Johore, and the other Sultans are the Presidents of the State Councils of their respective States. You should not, therefore, think that it entails a loss of your dignity as Regent, if you become the President of the State Council of the State of Kedah."⁷³

Seeing that they would get nowhere with the British High Commissioner in Singapore, the Regent decided to put his case directly before Sir Edward Grey, the Principal Secretary of State for Foreign Affairs.⁷⁴ After outlining his previous arguments, Tengku Ibrahim told Sir Edward Grey that the High Commissioner's

⁷⁰CO273/410 Maxwell's Memorandum on Regent's letter, 6 August 1913.

⁷¹Council Files, Regent to Young 27 Shawal 1331 (29 Sept. 1913).

⁷²Tengku Ibrahim's nomination for a new member of the State Council was in fact Syed Shahabudin, the Auditor General.

⁷³CO273/410 Young to Regent 3 October 1913.

⁷⁴Council Files, Regent to Sir Edward Grey, 9 January 1914.

proposal would in fact cause a vital change in the State's Constitution and thereby affect her integrity. As he was for the time being invested with such royal authority as was reposed with the Sultan, asking him to be the President of the State Council was "to ask me to unite in my person the titular ruler of the State with that of his Vizierate. It is both a derogation of the dignity of the Sultan and his Regent, and an enormous change in the Constitution of the State...." The Regent also pointed out that the entire Government also regarded such a proposal as a gross violation of the solemn undertaking given in the House of Commons regarding the respect for Kedah's political integrity. Of greater significance is the fact that this letter for the first time explicitly revealed the real motive behind the Malay resistance. Tengku Ibrahim wanted to know why the Constitution of Kedah could not be allowed to remain as it was. The fact that the Sultans of Johore and the Federated Malay States had consented to head their States Councils was surely no reason for trying to impose the same on Kedah, particularly when those States were under the dominion of the British under completely different conditions to that of Kedah. Kedah, as the Regent emphasised had consistently refused to be brought in line with the Federated Malay States, and she wished to remain different. In this context he drew the analogy of the Kedah State Council being similar in status to the British Cabinet and the High Court of the Parliament. Just as the British monarch presided over His Privy Council, but not over the meetings of the Cabinet, likewise the Sultan or Regent would do the same.

Maxwell in commenting on this letter showed that he had changed his mind about the motive behind the Malay stubbornness. Firstly, he now believed that the Regent wished to be outside the State Council so that he could exercise the power of veto over the decision of the Council, and secondly, it was meant to make it impossible for Kedah to be absorbed into the Federation as her constitution would be completely different from that of the other States. Maxwell made a point to stress the fact that it was well known that the members of the Kedah Council had an extraordinary dread of the Federated Malay States, and they were obsessed by the fear that Kedah was to be dragged into it.⁷² Sir Arthur Young, however, remained unmoved. He insisted that a Ruler in Council was the proper form of Government for all Malay States, and consequently he deemed it most disadvantageous to the general administration of Kedah if the Regent's request was granted.

Tengku Ibrahim did not receive a reply from Sir Edward Grey; the only acknowledgement he got was a note from the High Commissioner informing him that his letter was received by the Secretary of State for Foreign Affairs. In addition he was instructed by the Secretary of State for the Colonies to inform the Regent that all correspondence with the British Government must go through the

⁷²CO273/412 Maxwell's memorandum on the Regent's letter to the Secretary of State for Foreign Affairs.

High Commissioner in Singapore.⁷⁶ Tengku Ibrahim was obviously dissatisfied with such a response, and so he decided to ask the Kedah lobby in London through Charles Russel to get to work. As a result of this, questions were asked again in Parliament. On 6th April 1914, Mr. L.S. Amery, a Conservative M.P. (who later became a Parliamentary Under Secretary, and then Minister), asked the Secretary of State for the Colonies whether the High Commissioner in Singapore had given any reason for unilaterally effecting a vital change in the Kedah Constitution and the integrity of the State. Further he wanted to know also if the Secretary of State for the Colonies was aware that at the time of the transfer of Kedah's suzerainty, his counterpart in the Foreign Office has assured the House that Kedah's integrity was not affected by the 1909 Treaty, and that no developments arising out of the Treaty would prejudicially affect the State. This being the case, Mr. Amery suggested that the Government should take immediate steps to revoke the proposed change. The Colonial Secretary Mr. Harcourt, admitted that he knew very little about this case, but he did not think the appointment of the Regent as President of the State Council could be regarded as a vital change in the Constitution, nor was it an attack on Kedah's integrity.⁷⁷ This issue was also brought up in the House of Lords. On 20th May, the Earl of Denbigh inquired of Lord Emmott, the Under Secretary of State for the Colonies, if any decision about Kedah had been reached because local feelings were running high. The Earl of Denbigh also stated that it was considered by those affected in Kedah that the High Commissioner's motive in his action was to drive the State into the Federation, and he therefore sought assurance that even if it was considered advantageous that this should happen, the full consent of the Kedah government must first be obtained. Like the Secretary of State for the Colonies, Lord Emmott gave the same reply.⁷⁸

In June 1914 the High Commissioner transmitted to Tengku Ibrahim the decision of the British Government, that the Regent's objection's to being President of the State Council was unacceptable, and that he had to abide by the original proposal.⁷⁹ In August of the same year Tengku Ibrahim through his Legal Advisers sent a detailed and strongly worded protest at the way in which Kedah's case was so summarily dismissed.⁸⁰ In particular he justifiably criticised the inaccuracies in Lord Emmott's account of the history of Kedah, and believed that this made it "quite evident that my representations have so far been disposed of under false premises." Tengku Ibrahim again rejected the claim that it was agreed by general consent that he should take Tengku Mahmud's place and the

⁷⁶CO273/412 Young to Regent, 23 March 1914.

⁷⁷The questions and answers relating to the status of Kedah are enclosed in CO273/415 in a paper entitled "The Regent of Kedah".

⁷⁸In Lord Emmott's lengthy answer it was clearly shown that the British Government had completely accepted Sir Arthur Young's interpretation of the causes and motives of the trouble, and with equal confidence they rejected the Malay case.

⁷⁹Council Files Young to Regent 8 June 1914.

⁸⁰CO273/412 Regent to Sir Edward Grey 11 August 1914.

latter to become the Vice-President of the State Council. He had all along been asking from whom the general consent was obtained, but never received any answer. The Regent summed up the feelings of his Government by saying, "His Majesty's Government may of course consider that the proposed change 'is not in any way prejudicial to the interests of the State but am I to rest content with any change so devised? Am I not on the contrary, entitled to rely on the terms of the present constitution, on the terms of which, the suzerainty was transferred, and to ask that those terms should be adhered to, irrespective of the fact that any change may not be considered prejudicial by only one of the parties to the transfer.'"

This memorial received an insensitive reply through Sir Arthur Young who further exasperated the Malays by reminding them that as early as 1909, the Kedah Government had been instructed that it was improper to correspond directly with London, and "as these instructions appear to have escaped your Highnesses memory" he repeated that instruction which to the Regent was quite irrelevant to the central problems.⁸¹ This brought a short and curt reply from Tengku Ibrahim who pointed out that since Kedah was not, and had never been a part of the colonies of Great Britain, he saw no reason why he should conform to such a rule.⁸² In November, the Regent received another letter through Sir Arthur Young confirming the British position.⁸³ But Kedah showed no inclination of letting up their campaign, let alone give in to the British demand. Hence, the Secretary of State for the Colonies decided to take strong action by letting the Regent know that if he refused to comply with the wishes "of His Majesty's Government, it will be necessary... to take such steps as may be necessary to ensure that their instructions are carried out..."⁸⁴

With this threat of deposition aimed at him, Tengku Ibrahim decided that it would be pragmatic for him to comply, and so he did but under strong protest.⁸⁵ The Regent never meant this submission to be surrender; in fact shortly after this he instructed his Penang lawyers to ask Charles Russell in London to get

⁸¹CO273/412 Young to Regent 15 September 1914.

⁸²CO273/412 Regent to Young 6 October 1914.

This argument of the Regent was based on legal advice from Kedah's London lawyer, Charles Russell. It was on this distinction that the Regent's letters and memorials were addressed to the Secretary of State for Foreign Affairs and not to the Secretary of State for the Colonies.

⁸³CO273/412 Young to Regent 12 November 1914.

⁸⁴CO273/412 Young to Regent 10 February 1915.

Sir Arthur Young had for a long time been pressing the British authorities to threaten Tengku Ibrahim with deposition. His impatience and unwillingness to understand the Kedah case remained unchanged, and this was nowhere more clearly evident than in a private letter he wrote to Sir John Anderson on 24 Feb. 1915. In this letter he spoke of Tengku Ibrahim as a swell-headed youngster who was undoubtedly influenced by Adams who in turn considered the Regent a "good milking cow in the way of dollars, and for dollars no doubt, Adams is advising this course of action..." It is interesting to note that Young's conclusion was similar to Anderson's after the 1910 crisis, the only difference being the former's incredible contempt when he declared that "there is nothing to fear regarding Kedah for... it did not contain three men who had pluck of any sort."

⁸⁵CO273/412 Regent to Young 17 February 1915.

something done in Parliament. This was attempted, but because of the war it was impossible to get such an issue raised in the House.⁸⁶ Adams advised the Regent that it would perhaps be best to drop the matter at least for the time being, but Tengku Ibrahim feared that unless the issue was kept alive, the British Government would never entertain it if brought up at a later date.⁸⁷ Consequently Charles Russell was informed of the Regent's wish, and a letter was written to the new Secretary of State for the Colonies, Mr. Bonar Law, requesting that he reconsider the Kedah question.⁸⁸ Quite obviously the time was inappropriate for such a request, and Mr. Bonar Law refused to entertain it. In October 1915 Adams urged the Regent to send a remonstrance through the High Commissioner "for, however bitter the pill may be... if the question is to be considered at all, the thing to do is to recite our grievance *de novo* and in the form of a letter addressed to the High Commissioner with a request to forward it. Then... it will be clear that we only do so under protest and not because we acquiesce in the position."⁸⁹ Either because Tengku Ibrahim could not make himself take this line of action, or perhaps he was convinced of the futility of getting any result at such a time, nothing was done. Throughout the war years nothing at all was heard of this problem.

It was not until well after the end of the First World War that Kedah came back into the picture. Sir Lawrence Guillemard in June 1920 wrote to the Colonial Office seeking advice on the question of policy regarding not only Kedah, but also the whole Unfederated Malay States.⁹⁰ He was aware that the policy towards these States had been a delicate one and that it required cautious handling, but other than this there was no definite policy, or even definite views to guide him. It was because of this vagueness which Sir Lawrence found unsatisfactory especially in his dealings with the Advisers of these States. As the Advisers were not told what policy should be pursued, the High Commissioner discovered that some of them used their influence against the idea of Federation, and in any case they were inclined to go too much on their own. He was thinking of holding a conference of the Chief Secretary, Colonial Secretary, and the Advisers to discuss the whole question of policy, but before doing so he wished to know the views of the Colonial Office. If the Colonial Office felt that the enlargement of the Federation should be encouraged, then Sir Lawrence believed that they could see a way out to implementing such a policy although they would have to proceed with the greatest deliberation and caution.

Even at this stage, the Colonial Office did not have a firm view regarding the Unfederated Malay States. Mr. A.E. Collins wrote in a minute about Sir Lawrence's letter, they were "waiting for things to ripen for further

⁸⁶Council Files Charles Russell & Co. to Adams and Allen 19 April 1915.

⁸⁷Council Files Adams and Allen to Regent 18 June 1915. Regent to Adams, 6 July 1915.

⁸⁸Council Files Charles Russell to Bonar Law, 28 July 1915.

⁸⁹Council Files Adams to Mohd. Shariff (Secretary to the Government) 13 October 1915.

⁹⁰CO717/2 Guillemard to C.O., 22 June 1920.

Federation."⁹¹ Collins could not have been very knowledgeable about the affairs relating to the Unfederated Malay States because he did not think there would be any difficulty about Kedah, together with Perlis, Kelantan, and Trengganu being made to join the Federation. As he saw it the biggest stumbling block was Johore, and that until this state could be induced to overcome her objection, the Federation should not be extended. Anyway the Colonial Office decided to consult Sir Arthur Young, the former High Commissioner, who was now retired, Young advised the Colonial Office not to succumb to the temptation of simplifying administration by getting the Unfederated States to join the Federation.⁹² In his view this "will never be an accomplished fact." He believed that if these states had not been given British officers to help in the development, they would in time have seen that their country could not properly go ahead without such officers, and would have been forced to come into the Federation. Furthermore a ruler of an Unfederated State possessed more influence and power in the administration than a ruler in the Federation, and this was something the former would not willingly give up. Finally Young included Kedah in addition to Johore as being the state which was most averse to the idea of Federation. His conclusion was that it would require very strong reasons before taking the step to enlarge the Federation, and certainly Johore and Kedah would never join without compulsion.

W.G. Maxwell, who wrote a memorandum on this subject, gave added strength to Sir Arthur Young's argument.⁹³ Maxwell specifically cited the case of Kedah with which he had the closest contact as Adviser to emphasise the problems of getting the Unfederated States to become members of the Federation. He recollected that from the very beginning of British rule Kedah had shown that she would not surrender her freedom by being made to enter the Federation, and Sir John Anderson, who felt at that time that this fear would be detrimental to Kedah, announced at a public banquet in Alor Star, that the state would never be compelled to enter the Federation against its will.⁹⁴ Maxwell by this time believed that the best policy for the British to pursue would be to foster friendly feelings and relations between the Unfederated Malay States with the Federated Malay States and the Straits Settlements. In this way he hoped that as common interests and the process of mutual assistance became more and more frequent, all the Malay States would by itself form a loose-knit federation wherein each state continued to preserve its separate identity. Maxwell was very hopeful that his policy of a federation within a federation would materialise for there were already matters in which the Malay States as a whole had shown common

⁹¹CO717/2 Minute by Mr. A.E. Collins in Guillemard to C.O., 22 June 1910.

⁹²CO717/2 Young to C.O. 11 August 1920.

⁹³CO882/10 (Eastern 135) Notes on a Policy in respect of the Unfederated Malay States by W.G. Maxwell, 15 October 1920.

⁹⁴This point is really significant in the context of Kedah in 1909, but none of the records of the early years of British rule in that state contained any reference to Sir John Anderson's observation.

interest. Among the signs of what Maxwell termed as the "rudiments of a federal feeling" were :-

- (a) European staff of the Unfederated Malay States were borrowed from the Straits Settlements and the Federation.
- (b) The Federated Malay States Railway which extended into Kedah, Perlis, and Kelantan was a federal factor of considerable importance.
- (c) With the possible establishment of a Federal Court of Appeal, the same body of judges would soon be sitting as a Court of Appeal in the Colony and all the Malay States.
- (d) Areas in which all Malay States could be persuaded to cooperate without too much difficulty were defence, the departments of Agriculture, Forestry, Fisheries, Medical and Education.

It was against this conviction that Maxwell opposed Guillermand's idea of a Conference of Residents and Advisers for while this would be useful for the interchange of ideas, it would do great harm by creating suspicion among the Malays outside the Federation.

Guillermand was sufficiently impressed by all the arguments against the expansion of the Federation, and when he next wrote to the Colonial Office on this subject, he sought approval to make a public announcement to the effect that the British Government had no intention of extending the Federation so as to include any state which was at present not in it.⁹⁵ This approval was readily given although the Colonial Office wanted Guillermand to make it clear in his statement that the government was not opposed to the entry of any state into the Federation.⁹⁶ Thus at the meeting of the Federal Council in December 1921 the High Commissioner made the following statement:-

"...The growth not only of the Federated States but also of the Unfederated States has given rise from time to time to the idea that it may be the policy of the Federated Malay States Government to press the extension of the Federation. I am glad, therefore, to be able to take this opportunity to state that it is not the policy of the Federated Malay States to exert, in any manner whatsoever, any pressure upon any other state to enter the Federation. At the same time the Federated Malay States would be quite ready to receive any application from any other state for admission. The policy of the Federated Malay States is to aim at friendly combination and cooperation between the Federated Malay States, Unfederated Malay States and the Colony in all matters in which they have a common interest, on the understanding that each party is free to act as it thinks best in matters of local interest...."⁹⁷

Now that British policy towards the Unfederated Malay States was clarified, Guillermand was able to turn his attention towards regulating his relations with these states. But by this time the only state whose relationship with the British still

⁹⁵CO717/15 Guillermand to C.O. 5 July 1921.

⁹⁶CO717/15 C.O. to Guillermand, 23 August 1921.

⁹⁷CO717/27 Extract from the Address of H.E. The High Commissioner at the meeting of the Federal Council on 13 December 1921.

remained vague was Kedah, and it was towards ironing out this problem that Guillermand's attention was now turned.⁹⁸ For all practical purposes the Anglo-Siamese Treaty of 1909 was to place Kedah in the same position in relation to Great Britain as that occupied by the Federated Malay States and by Johore after 1914. But as we have seen this was not the case at all in practice.

According to Guillermand the Kedah Ruling House had always resented the fact that no formal treaty was concluded by Great Britain with her when the transfer of suzerainty took place. In 1912 they brought up the question again. This arose out of the fact that the Federated Malay States for many years did not ask for the repayment of the debt due by Kedah.⁹⁹ But in 1921 their own financial problems necessitated asking Kedah to repay part of the loan which then totalled \$2,720,953. The financial position of Kedah, having become stabilised, it was now possible for her to make payments by monthly instalments. In fact the Kedah Ruling House took this opportunity to suggest gradual repayment in full, and at the same time they asked for a treaty to define their relation with Great Britain. This, Guillermand considered desirable as he felt that the time had come to define the relations between the two parties. With the aim of concluding a treaty on similar lines to those reached with the other Unfederated Malay States, Guillermand in 1922 authorised the British Adviser in Kedah, Mr. W. Peel, to open negotiations with the Regent and the State Council.

As a result of these negotiations a draft agreement was reached which, while containing the essential features of the other treaties with Kelantan, Trengganu and Johore, did not, however, involve any changes in the existing conditions of Kedah. Nevertheless, before committing Kedah to the treaty, Tengku Ibrahim wrote a *Sukat Akuan* (Letter of Assurance) to Guillermand in which he enquired if the following lines of policy met with his approval and concurrence:¹⁰⁰

- (1) That the Regent will always be informed before anyone, whom the British proposed to send as British Adviser to Kedah, was formally appointed.
- (2) That European officers would be appointed or seconded to Kedah only after reference to the State Council, and once approved they would be regarded as Kedah officers.
- (3) That the Regent had the right to remove any European officer who was deemed unsatisfactory.
- (4) That the administration of Kedah would as far as possible be carried out by Malay officers, preference being given to Malays domiciled in Kedah. The State Council might also select annually Malays to be sent for higher education in Europe or Arabia with the view of their holding government appointments.

⁹⁸CO717/27 Guillermand to C.O. enclosing a Draft Agreement with Kedah, 18 April 1923.

⁹⁹Under Article IV of the 1909 treaty it was arranged that the government of the Federated Malay States would assume the indebtedness of Kedah to the Siamese government.

¹⁰⁰CO717/27 Tengku Ibrahim to Guillermand, 25 September 1923.

- (5) That Malays and Europeans in the Kedah service should be treated on terms of equality.
- (6) That the present Secretary to the government and the Chief Malay Judge would continue as members of the State Council.

To all these suggestions of the Regent, Guillerpard agreed to accept in full.¹⁰¹ In addition the Kedah Malays had also made it known that they would not tolerate any interference with regard to Malay customs and religion. They also emphasised the importance of retaining Malay as the official language. These too, were readily accepted for Guillerpard considered it most important to conclude the Treaty, and remove all traces of past suspicion and mistrust. With the British anxious to define conclusively its relation with Kedah, and with the Kedah government convinced that the fear of being pushed into the Federation gone, the Treaty of Friendship between the two countries was finally signed on 1 November 1923.¹⁰²

This treaty of 1923 placed Kedah in a unique position in her relationship with Great Britain. Although Kedah accepted a British Adviser on the usual terms, she was nonetheless, specifically assured that the Regent would first be consulted before any appointment was made. Likewise the compulsory acceptance of the advice of the British Adviser did not prejudice the right of the Regent to address the High Commissioner in Singapore. But the most significant feature in the treaty was the clause which stated:-

"His Britannic Majesty will not transfer or otherwise dispose of his right of suzerainty over the State of Kedah to another power and will not merge or combine the State of Kedah or her territories with any other state or with the Colony of the Straits Settlements without the written consent of His Highness the Sultan in Council."

The end result of this Treaty was to extend to Kedah guarantees which went far beyond any that the British had previously granted. To Kedah, and particularly to Tengku Mahmud, Tengku Ibrahim, and all the Malay members of the State Council who had so jealously fought to preserve the identity of the state, the 1923 treaty represented a real and well-deserved victory for them.

¹⁰¹CO717/27 Guillerpard to Tengku Ibrahim, 1 November 1923.

¹⁰²See Appendix 14.

CHAPTER VII

Conclusion

This study of the economic and political system of a Malay state during its traditional phase, and subsequently, its development after the country fell into the ambit of British influence, is one aspect of Malaysian history which has hitherto received least study. One major exception is J.M. Gullick's, *Indigenous Political Systems of Western Malaya*, which deals with Malay political institutions in the central western Malay states during the period just before British intervention in 1874. This work is the more significant as it reveals the scope for the study of Malay history through the use of English language sources. In the case of the states dealt with in the book—Perak, Selangor, Negeri Sembilan and Pahang—the fact that they were the first to come under British control meant that there were quite substantial English documentary sources on them. For one thing, the first British administrators in trying to understand the people and the country they had just taken over, made the effort to study local history, society and culture. Hence the existence of many useful reports and memoranda covering a wide range of subjects including the political history of the states, District and Mukim Administrations, Land Systems and Debt-Bondage.

With the Northern Malay states, however, the situation was different. In the case of Kedah, English sources while helpful are inadequate to form the basis of a study of the state's history. Possibly because Kedah remained outside the British sphere of control until 1909, and because the British had by then a quarter of a century of experience in Malay affairs, it was felt unnecessary to undertake the same pioneering studies. This as it turned out was a major mistake of the British. By looking upon Kedah as yet another Malay state in the same category as the Federated Malay States, the British completely misunderstood the vital differences that existed. Hence the series of confrontations which so frequently occurred between 1909 and 1923, over questions like the role of the British Adviser and the status of Kedah. Fortunately for us, Kedah is one of the few Malay states which still possess Malay documentary material. Although this is far from complete, it is adequate enough to enable us to reconstruct the history of the state, particularly in the last quarter of the nineteenth century.

One of the interesting results of this study is that it disproves some of the generally held views about Malay history. For one thing, it shows that Kedah differed very markedly from the other western Malay states during a comparable period prior to British intervention. While the economic and political history of the other states were characterised by confusion and disorder, Kedah presented a picture of a well organized, stable and coherent entity. This is certainly contrary to the impression of suffering and corruption which Straits officials like Ord, Weld, Swettenham, Smith and Braddell presented in their published works, and official reports regarding the Siamese Malay states. Another generally held view is that although the northern Malay states were under the suzerainty of Siam, the role played by Siam was of a nominal nature only. This certainly was not the case in Kedah, for as we have seen the constant awareness of the Siamese factor was a vital consideration in the preservation of peace and stability in the country. Finally, the Kedah ruling class, unlike many of their counterparts in the other states, was a highly independent group bent on preserving the Malay identity of the state. Whenever they felt that their rights were about to be tampered with, instant resistance was mounted. It is significant that in this Kedah was highly successful.

Kedah was predominantly a Malay country; the Indonesian, Chinese, Siamese and Indian elements in it were not large enough to upset the homogeneous demographic characteristic of the state. During the traditional period the economy of Kedah was essentially a closeknit subsistence one based on rice. The simple needs of the Malays meant that a limited amount of bartering was sufficient to enable them to acquire the few other necessities which they did not produce. This economic feature was another dominant characteristic of the state, and although plantation agriculture and tin mining also took place, they were not important and widespread enough to make much impact. Yet another characteristic of the economy was the feudal obligations of the Malay *raayat*, the most significant of which was their obligation to *kerah* (forced labour). It was this institution which deprived the state of the substantial revenue which could have come from land tax and land rent. On the one hand, the *raayat* because he was liable to *kerah* was not required to pay land rent and on the other hand, Malays who did not belong to this class, because of their privileged position were also likewise exempt. The country's revenues had therefore to come primarily from duties on imports and exports which were all farmed out to the Chinese. Limited as the sources of revenue might have been, the economic demands of a feudal Malay society were also small. Hence, the revenue farm income was more than adequate to meet the needs of Kedah. The significant fact about the economic administration of Kedah, however, was the absolute control which the Sultan had over its finances; unlike the other Malay states further south, where the Sultan's economic resources were largely dependent upon the co-operation of his chiefs in the districts. In the states of Perak and Selangor for instance, certain territorial chiefs by virtue of the economic wealth of their districts were able to

weild political power much greater than the Sultan. In such cases the Sultan's position was no better than that of a district chief. In Kedah, we have seen how Sultan Abdul Hamid controlled the economy of the whole country, thereby being able to effectively keep his chiefs in their proper places. The significance of this difference was very reaching. Where Kedah was free from the upheavals of internal conflict and struggle for power, her neighbours further south were plagued by them for much of the nineteenth century. But although the Kedah Sultan's economic position meant that the district chiefs became more easily controlled, it was ironically this very feature which landed the state into bankruptcy.

By the beginning of the twentieth century, the debts of Kedah were $3\frac{1}{2}$ times her revenue, and this forced her to seek a \$2.6 million loan from Siam. With this too, Kedah was made to accept the appointment of a Financial Adviser and the establishment of a State Council; introductions which were to have far reaching consequences. The finances of Kedah were put on a more rational basis, and within a few years the financial position seemed to have been put right. However, besides the radical change in the working of the land system, the economic structure of Kedah remained the same. The most important source of revenue still came from the revenue farms with the difference that the more important of these were now run by the government. Plantation agriculture and tin mining did see a new lease of life, but the unwillingness of the state to invest in the development of communications resulted in very limited expansion in this sector of the economy. Rice cultivation, on the other hand, received the greatest attention. From the very beginning the new administration decided that this was to continue to be the main economic activity. This was reflected in the increase of acreage of padi land, attempts at improving methods of cultivation and padi yeilds, and a greater emphasis on the maintenance of irrigation works.

But inspite of improvements in the rice sector of the economy the Malay *raayat* remained a depressed class. It is true that by 1920 Kedah had the most developed system of land reservation for the Malays. The rapid alienation of land in South Kedah for rubber cultivation was something which the government regretted. To ensure that Kedah Malays were not economically displaced the government also laid down that state land in North Kedah could only be alienated for rice cultivation.¹ But the economic picture after 1905 was completely different from

¹The policy of Malay reservation was clearly explained by Mr. A.C. Baker the Acting Adviser in 1923. According to him a grave error had been committed in the past by giving out huge continuous areas of land for rubber cultivation and not retaining adequate resources for villages, small holdings and other forms of cultivation. The result had been that the large portion of south and central Kedah became one large area of rubber plantations, dependent on alien immigrant labour. Consequently, most of the areas of the state which were not planted with rubber were constituted into Malay reservations. If necessary, the Kedah government was ready to take over suitable blocks of large estates for non-rubber cultivation. This policy of Malay reservation as Baker explained was deliberately aimed at the protection of the Malay agriculturalists and at the exclusion of the "invading Chinese agriculturalist."

the traditional phase; the close-knit subsistence economy had now become commercialized. During the pre-1905 years the *raayat* managed to produce enough food for his own needs, and the few other essentials which he required were easily obtained by barter. Although they were subject to the feudal obligation of *kerah*, this obligation also meant that they would be clothed, housed and fed. Others who were debt-bondsmen, while they may have been exploited, were also assured of the basic requirements of life. Thus during the traditional period, although the Malay peasants may have been subject to the oppressions of a feudal society, the protective community existence enabled them to survive quite comfortably. After 1905, the State Council in its attempt to improve the finances of the state took various measures like terminating the monopoly of the revenue farmers, encouraging investors into the country and abolishing the institutions of *kerah* and debt-bondage. While these were obviously desirable changes the *raayat* who were not prepared for change, found themselves incapable of fitting into new conditions and meeting new challenges. In the traditional context, they got very little out of the system, but then their obligations were also small—now they were open to all the material benefits of a money economy but their obligations had also grown beyond their limited experience. A common situation was where the Malay farmer did cultivate more rice but the surplus was not big enough to pay for the requirements of life which he needed. Hence it was more difficult for them to make ends meet, and in being forced to seek a solution the *raayat* turned to the money lender. The Chinese middle-men took advantage of the situation, and by advancing money to the peasants at the time of padi planting they were able to exploit them at harvest time. The government did attempt to break this Chinese stranglehold by introducing the Loan Scheme, but their efforts were not large enough to make much impact. The end result was that the position of the Malays instead of improving became perhaps worse. They found themselves in a situation where the exploitation of the feudal system for which they were prepared was replaced by the exploitation of a money economy which they were not ready to face. Thus although the Annual Administrative Reports of Kedah continued to show improvement in the state finances what had been overlooked were the new human problems that were created.

In talking about the *raayat* it is important to point out that their role in traditional Malay society appears to have been to some extent responsible for their subsequent development. This is an aspect of the subject which is generally neglected. Probably this is due to the belief that the Malay *raayat* then played no role at all except that of total submission to orders and demands from higher authority. The tendency therefore is to look upon the *raayat* as a thoroughly exploited group. Even in the central western Malay states where economic and political chaos was rife during much of the nineteenth century, Gullick has pointed out exceptions to such a sweeping generalization about the place of the *raayat* in Malay society. This study of Kedah clearly shows that in that state, the *raayat* was not as badly off as is normally assumed. For one thing, the structure of

the country's economy was such that co-operation of the *raayat* was essential. For example, the importance of the revenue from padi and rice exports made the Kedah rulers take a more enlightened view of their feudal rights over the peasants. Hence, the operation of the system of *kerah* was modified in such a way that rice production would not be adversely affected. We have seen also that in Kedah the *raayat* were far from being totally submissive. The large numbers of petitions against *penghulus*, abuses of *kerah* and even appointments of village officials, indicate that the *raayat* did participate in society, limited as this participation was. Perhaps much more significant was the seriousness with which the administrators treated this participation.

Despite all this, the feudal obligations of *kerah* and debt-bondage had their unfortunate effects on the *raayat*. The Kedah *raayat* compared with his counterpart in Perak, for example, was much better off. In Perak, where law and order had broken down in the years prior to 1874, the *raayat* were positively discouraged from producing a surplus or accumulating wealth for fear that these would be confiscated. Kedah being stable and peaceful, her *raayat* had no such fears, but the workings of institutions like *kerah* and debt-bondage had very much the same effect. In the case of *kerah* the most unhappy aspect of it was the element of uncertainty regarding the frequency and duration of this obligation. And this had the same result of curbing incentive in respect of economic production. Although *kerah* and debt-bondage were abolished in Kedah by 1910, the traditional relationship between the rulers and the ruled remained, thus perpetuating the same psychological implications of the feudal society. It is this that may have some relevance to the general problem of Malay peasant poverty and backwardness.²

In its political system, Kedah was similar to all the other Malay states with the exception of Negeri Sembilan. But the functioning of the system in Kedah was radically different. Where political rivalry and intrigue between territorial chiefs and Sultan was typical of the scene in 19th century Perak, Selangor and Negeri Sembilan, Kedah was happily spared of such upheavals. The result was the existence of weak Sultans in the central Malay states while certain territorial chiefs were the real power in those states. The reverse was true of Kedah where the centre of power was firmly lodged in the Sultan's hands in Alor Star, a fact which the chiefs recognized and accepted.

As we have seen, the political stability of Kedah from 1842 was due to a number of factors, some of which were internal and others external. The nature of the Kedah economy, the homogeneous character of the population and above all the quality of the Kedah ruling class were the main internal factors which worked

²Many factors have been cited as explanations for the problem of Malay rural poverty including the fatalistic attitudes of the Malays towards life consequent on the belief in Islam, primitive economic methods, and the exploitation of the middlemen. It would be worthwhile if a study be made of the impact of feudal institutions on the Malay *raayat*, and this may well add to the understanding of problems facing Malays today.

favourably for the state. Externally, the factors which influenced the course of Kedah history, was the awareness of Siamese overlordship and the fear that political disruption might well bring a return of Siamese intervention. Thus, although the Siamese left Kedah very much alone after 1842, her control was felt, and for the Kedah ruling class the bitter experience of Siamese occupation was still fresh in their minds. So in order to ensure that Kedah could continue to develop unhampered, the Malay rulers adopted a pragmatic approach. They cooperated with all the demands of the Siamese and developed close personal ties with the Siamese ruling family, and the Sultan even went through the Water of Allegiance ceremony although this was contrary to Islamic belief.

Kedah's experience with the British also left very distinct impressions on the Kedah administration. They knew for certain that the British could not be relied upon to give any help in event of a Kedah—Siamese conflict, and at the same time they observed that political chaos in the Malay states was the justification for British intervention. Hence this was another influence which convinced the Kedah rulers of the need to maintain law and order in the country. It is interesting to note also that the interaction of Siamese and British policies played a vital part in keeping Kedah "independent". Siam, on her part dared not interfere much in Kedah affairs for fear that the British might react unfavourably. Likewise, the British stayed out of Kedah lest their larger interests in the Southeast Asian mainland would be jeopardized.

With the introduction of the new administration in 1905, political changes were made. The most sweeping reform was the loss of all political powers by the Sultan, who except in name was replaced by the State Council although the personalities in the ruling class both at the centre and in the districts remained the same. What was really significant and in some ways unique in Kedah's political history after 1905, was her steadfast resistance to any change which would mean the dilution of Malay power. In the interim years between 1905 and 1909, the State Council showed that they would not tolerate any diversion from the terms of the Loan Agreement. Thus when Dr. Hoops in his capacity as Acting Financial Adviser, attempted to act rather than advice, he was faced with Malay reaction which culminated in the standstill in the working of the State Council in 1907.

The same vigilance was maintained after 1909, when Kedah came under British control. By this time Kedah had the additional fear of being absorbed into the Federated Malay States which would have meant a loss of power and even of identity. It was to prevent the materialization of such an eventuality that Kedah began to confront the British authorities everytime it was felt that they deliberately misunderstood the workings of the Adviser system of indirect rule. This was clearly illustrated by the 1910 crisis over the interpretation of Maxwell's role as Adviser, and also by the 1913 crisis over the definition of the status of the Regent.

In every instance of Kedah's resistance, the methods they employed were far in advance of the time in the context of Malay history. Knowing full well that armed

resistance was neither practical nor wise, Kedah resorted to more constitutional means. The Press was effectively utilized to air Kedah's grievances, and to present her case, legal representations were employed both locally and in London including, a Kedah London lobby which was successful enough to bring the state's affairs into both houses of Parliament. All these were not without effect on British opinion. While British officials like Frost and Paget were impatient with Kedah and considered her complaints and petitions as "not worthy of serious attention", others like Maxwell and Anderson eventually reversed their initial contempt for the Malay protests to one of better understanding of the mood of the Kedah rulers. Perhaps the most significant contribution of Kedah in the context of Malaysian history came in the 1920's when the policy of decentralization occupied the attention of the British. Kedah's attitude towards the Federated Malay States was an example frequently cited by British officials in favour of the scheme, and in the end recognition of Kedah's position did partially influence British policy in this sphere. Rather than bringing about the enlargement of the Federated Malay States, the policy was to create a larger but much looser union.

Throughout the period of Anglo-Kedah conflict (1909-1923), Kedah exhibited a great sense of pragmatism and survival. Although she took various measures to register her objections, Kedah never failed to be aware of the limits of her power in such matters. She always understood that beyond a certain point it was best to withdraw, and to try again rather than to persist stubbornly, and in the process lose what she was fighting for. Hence, in the 1910 crisis the State Council gave an ultimatum that unless Maxwell left Kedah, the Council would resign en bloc. And this was put into practice when the entire Malay administration was ordered to boycott the work of government. But when Tenku Mahmud, President of the State Council, learnt that Anderson would react by rescinding the Edict of 1905, he immediately saw the implications and quickly backed down. Likewise, in the Regency issue crisis, prolonged protest, intensive lobbying and defiance melted away at the British threat of deposition. But in the end the Kedah policy paid off. The Treaty of 1923 which sought to define the relationship between Kedah and the British produced in writing the very thing which she had been struggling to preserve—Malay identity and Malay control of the state.³ This indeed, has remained the dominant characteristic of Kedah up till the present day.

³The deliberate policy of the Kedah government towards the promotion of Malay political control resulted in among other things, the development of a planned policy of training Kedah Malays for government posts. The remarkably high proportion of Kedah Malays who hold important office in post independent Malaysia, owes its origin to this policy.

APPENDIX I

List of Revenue Farms in Kedah, 1897-1901

Type of farm & date of Issue	Area	Farm Holder	Period of lease Yrs. mth.	Annual value \$	Deposit
Opium & Chandu 1315	Kulim, Kuala Muda, Bagan Samak, & Singkir	Lim Kai Chuan & Lim Cheng Kian	3 1	125,000	41,666
3.4.1318		Lim Kai Chuan & Lim Cheng Kian	3	212,400	106,200
Rice & Padi 6.9.1316	Kuala Muda & Merbok Kota Star, Sala, S. Daun S. Limau & Singkir	Loke Pian	3	3,000	1,500
19.2.1317		Lim Kum Tong & Loh Leng Kwee	6	47,000	47,000
12.11.1318	Merbok	Lee Ang & Lim Hock Lim	5	2,500	2,500
17.4.1319	Kota Star up to Singkir	Loo Lan Chong	6	50,000	50,000
Gambling 21.5.1315	Kulim Kota Star Kuala Muda & Kota Star Kuala Muda & Merbok Kulim Sala Kuala Muda Singkir Kulim & Karangan	Lim Lan Jak	3	15,000	7,500
1.6.1315		Cheng Kian	6	25,000	25,000
10.2.1316		Loh Leng Kwee	3	2,400	1,200
17.2.1316		Goh Boon Keng	3	12,500	6,250
20.4.1317		Lim Kum Tong	3	21,000	10,500
—		Cheng Kian	4 9	250	—
14.1.1318		Goh Boon Keng	3	23,000	11,500
1.6.1318		Cheng Kian	4 1	600	—
27.11.1318		Lim Kum Tong	3	30,000	15,000

(Appendix 1 continued)

Type of farm & date of issue	Area	Farm holder	period of lease		Annual value \$	Deposit
			Yrs.	nth.		
Custom						
—	Sala	Tan Chong & Chong Ah Yew	2	2	1,000	—
14.1.1318	Kuala Muda	Goh Boon Keng	3		15,000	7,500
1.5.1318	Kota Star to Singkir	Tan Chong & Chong Ah Yew	3		45,000	22,500
1.6.1318	Singkir	Chong Ah Yew	1	6	1,000	—
Spirits						
17.2.1316	Kuala Muda & Merbok	Goh Boon Keng	3		4,500	2,250
17.5.1316	Kota Star	Chia Eng Bee & Chia Kee Hoon	3		8,000	4,000
20.3.1317	Kulim	Lim Lan Jak	3		10,000	5,000
—	Sala	Chia Kee Hoon	2	9	100	—
14.1.1318	Kuala Muda	Goh Boon Keng	3		8,000	4,000
1.6.1318	Singkir	Chia Eng Bee & Chia Kee Hoon	2	1	48	—
1.5.1318	Kota Star to Singkir	Chia Kee Hoon	3		14,200	7,100
27.11.1318	Kulim & Karangan	Lim Kam Tong	3		14,000	7,000
Tobacco						
1.3.1316	Kota Star	Tan Chong & Chong Ah Yew	3		36,500	18,250
13.4.1316	Kuala Muda	Lee Ban Tieng	3		11,540	5,770

(Appendix 1 continued)

Type of farm & date of issue	Area	Farm holder	Period of lease Yrs. mth.	Annual value \$	Deposit
Multiple farms					
Gambling, Spirits, Customs & Tapioca 12.1.1318	Kuala Muda	Goh Boon Keng	3	51,500	25,750
Gambling, Spirits, Pawn Broking & Timber 10.4.1318	Krian	Loo Lan Chong	3	3,400	1,700
Gambling, Spirits, & Pawn Broking 24.1.1319	Krian	Mohd. Hassan	6	10,000	5,000
Tin					
20.1.1315	Kulim	Lee Poh	3	6,050	3,025
22.7.1316	Kulim, Bandar & Karangan	Cheng Kian	5	7,200	7,200
24.11.1316	Kulim	Loo Lan Chong	4	7,000	7,000
24.11.1316	Krian	Loo Lan Chong	4	5,000	5,000
10.4.1318	Krian	Loo Lan Chong	2 9	3,000	1,500
10.4.1318	Kulim, Semiling, Singkir & Karangan	Loo Lan Chong	4	5,000	2,500
Tapioca & Sago					
20.4.1315	Kulim & Karangan	Wan Mat Saman	6	7,000	7,000
3.4.1316	Kuala Muda, Merbok	Lee Ban Tiong	3	3,500	1,750
4.11.1316	Kulim	Phua Hui Leong	4	7,000	—
14.1.1318	Kuala Muda	Goh Boon Keng	3	5,500	2,750
20.8.1318	Krian, Bandar Baru	Cheng Ah Yew & Tan Chong	4	300	300

(Appendix 1 continued)

Type of farm & date of issue	Area	Farm holder	Period	Annual value	Deposit
			of lease Yrs. mth.	\$	
Timber & Wood					
20.4.1315	Kuala Kedah	Md. Hassan b. Rahman	2	1,400	1,000
20.1.1315	Kulim	Lee Poh	3	530	265
3.11.1315	Kuala Muda, Merbok	Ah Chong	3	4,200	2,100
8.1.1317	Kulim	Chong Ah Yew	3	800	400
25.1.1317	Kuala Kedah	Chong Ah Yew	3	2,100	1,050
9.4.1317	Kulim	Lim Len Jek	3	800	400
22.6.1317	Sungei Korok	Tang Kee	3	200	100
14.1.1318	Kuala Muda	Lee Ang	3	6,500	3,250
14.1.1318	Kuala Muda	Lee Ang	3	2,300	1,150
13.7.1318	Singkir & Yan	Poh Tiong	4	150	150
29.11.1318	Kulim	Chong Ah Yew	3	1,000	500
19.3.1319	Kuala Sala to S. Batu	Mat Arshad	5	60	—
Poultry					
12.4.1315	Kota Star	Che Mat	3	3,200	1,200
5.11.1315	Kuala Muda	Ah Sit	3	1,600	800
21.4.1316	Kota Star, Kuala Muda	Chong Ah Yew	3	2,000	1,000
21.4.1316	Sala	Che Mat	1	60	—
14.1.1318	Kuala Muda, Merbok	Lee Ang	3	2,200	1,100
1.3.1318	Singkir	Che Mat	1	100	—
Pawn Broking					
20.1.1315	Kulim	Poh Ah Sik	3	1,275	637.50
26.1.1315	Kuala Muda	Chia Kee Hong	3	800	400
22.7.1317	Kota Star	Lok Leng Kwee	3	6,100	3,050
22.7.1317	Kuala Muda	Lok Leng Kwee	3	850	425
22.7.1317	Kulim	Lok Leng Kwee	3	1,550	775
22.7.1317	Sala	Lok Leng Kwee	3	50	—
1.4.1318	Singkir	Lok Leng Kwee	2	25	—

(Appendix 1 continued)

Type of farm & date of issue	Area	Farm holder	Period of lease Yrs. mth.	Annual value \$	Deposit
Langkawi Island					
3.4.1316	Langkawi Island	Lee Ban Tiong & Tan Hua	3	6,100	3,050
1.3.1318	Langkawi Island	Ah Teek	6	400	400
20.3.1318	Langkawi Island	Tan Hua & Khoo Teng Hui	3	6,100	3,050
Cattle					
25.6.1315	Kedah	Tengku Atta'ulah	2	3,000	1,500
8.1.1318	Kedah	Mak Wan Besar	6	3,000	1,500
Ferry Rights					
27.5.1315	Krian	Aw Jua	1	600	100
12.6.1316	Kota Kuala Muda	Lee Ban Tiong	3	800	400
19.6.1316	Krian	Cheng Chua	1	648	108
29.6.1317	Krian	Loh Leng Kwee	2	444	222
27.11.1318	Kuala Muda	Lee Ang	3	400	200
25.2.1319	Krian	Wan Ariffin	4	500	250
Boat Licensing					
24.7.1315	Kedah	Lee Poh	3	1,650	550
5.7.1317	Kedah	Lim Soon	3	1,650	1,500
Pig					
15.11.1315	Kulim	Captain Bijaya Setia	3	1,100	1,100
24.3.1318	Kota Star	Cheng Kian	3	2,100	1,050
1.6.1318	Kulim	Tan Chong	3	2,000	1,000
Eggs					
15.5.1318	Kuala Muda, Merbok, Kota Star	Mat Hassan	3	2,000	1,000

(Appendix 1 continued)

Type of farm & date of issue	Area	Farm holder	Period of lease Yrs. mth.	annual value \$	Deposit
Market 9.9.1318	Kota Star	Mat Hassan	6	2,000	6,000
Pearl Oysters 7.7.1317	Pulau Trotto	Yew Tan Peng	10	1,000	—
Vehicle Licensing 3.6.1316	Kulim	Lee Ban Tiong	3	1,520	760
Hides & Horns 23.7.1315	Kota Star & Kuala Muda	Cheng Ah Yew	3	720	1,000
23.7.1315	Sala	Cheng Ah Yew	1	72	—
22.7.1318	Kota Star & Kuala Muda	Tan Chong	3	780	1,000
Nipah Palm 30.1.1315	Krian	Md. Jasin	2	450	225
Four Islands 14.2.1315	—	Che Man	4	300	50
1.5.1318	—	Khoo Teng Hui	4	300	300
Fishing Stakes 4.2.1319	Kuala Muda, Merbok	Ah Chong	5	104	520
Measurement 1.1.1317	Kedah	Syed Wan Ghani	3	240	—
Guano 6.12.1316	Langkawi	Kwee Chong	2	100	100

These tables of the revenue farms in Kedah are compiled from a book containing information on the issue of licenses for revenue farms. Unfortunately, the book is an incomplete one and the above tables do not therefore cover all the revenue farms. Nevertheless, the list is substantial enough to enable us to piece together a coherent picture of the system of revenue farms in Kedah. In particular, it highlights the extent to which the country's revenue was dependent upon the farms.

APPENDIX 2

List of 39 revenue farms as of 1905

Name of Farm	Value in \$	Date of Expiration
1. Ferry Sungei Korok	150	21. 9.1906
2. Opium Farm	258,000	29.11.1906
3. Pig Farm Krian	100	14. 3.1907
4. Tin Farm	5,000	14. 3.1907
5. Cattle Farm Kota Star	1,500	14. 5.1907
6. Poultry Farm Kota Star	1,200	18.11.1907
7. Tin Farm Kulim	7,000	3. 4.1908
8. Reserved Timber Kulim	500	1. 7.1908
9. Tapioca Farm Kulim	7,000	16. 9.1908
10. Carriage Tax Kulim	600	30. 7.1908
11. Egg Farm Kota Star	1,000	1. 6.1908
12. Timber Farm Kulim	500	23. 3.1909
13. Miscellaneous Farms Krian	5,000	16. 9.1909
14. Langkawi Farms	3,050	4.12.1910
15. Timber Farm Kuala Muda	3,250	4.12.1910
16. Tin Farm Kuala Muda	12,000	12. 2.1910
17. Reserved Timber Kuala Muda	2,300	10. 6.1910
18. Pig Farm Kuala Muda	800	8. 8.1910
19. Pig Farm Kulim	1,000	13. 3.1910
20. Tapioca Farm Krian	300	6. 9.1910
21. Spirit Farm Kota Star	7,100	25. 9.1911
22. Poultry Farm Kuala Muda	1,100	1. 2.1911
23. Ferry Krian	250	28. 6.1911
24. Pig Farm Kota Star	1,100	14. 3.1912
25. Rice & Paddy Farm Kuala Muda	2,500	11.11.1912
26. Ferry Kuala Muda	200	1.11.1913
27. Customs Kota Star	22,500	28. 1.1914
28. Pawn Shop Kota Star	3,900	19.11.1914
29. Pawn Shop Kuala Muda	600	19.12.1914
30. Pawn Shop Kulim	1,000	19.12.1914
31. Gambling Farm Kota Star	55,000	1. 8.1916
32. Market Farm Kota Star	1,000	3. 6.1916
33. Spirit Farm Kuala Muda	4,000	30. 8.1916
34. Gambling Farm Kuala Muda	11,500	30. 8.1916

(Appendix 2 continued)

Name of Farm	Value in \$	Date of Expiration
35. Rice & Paddy Farm Kota Star	47,000	28.10.1916
36. Customs Farm Kuala Muda	7,500	9. 3.1917
37. Tapioca Farm Kuala Muda	2,500	23. 2.1917
38. Spirit Farm Kulim	7,000	15.12.1917
39. Gambling Farm Kulim	15,000	8. 8.1918

Source: CO273/314 Enclosed in Raja Muda to Prince Damrong 21st March 1905.

APPENDIX 3

List of principal estates in Kedah
at beginning of 1906

Name of Owner or Estate	District	Area Ors.	Jms.	Ft.	Produce
Kedah Rubber Syndicate	Changloon	4,224	351	11	R
Mr. C.L. Rode	Changloon	603	298	37	R
Che Ibrahim	Changloon	500	18	0	R
H.H. Tunku Ibrahim	Changloon	2,250	459	36	R
Mr. Lim Eow Hong	Kota Star	1,634	382	30	S
Mr. Lim Eow Hong	Kulim	5,588	15	3	T & R
Sandilands, Buttery & Co.	Kulim	8,379	195	59	T & R
Tan Teik Huat & Friends	Kulim	4,823	82	26	T, R & C
Victoria Estate	Kulim	12,746	468	14	T & C
Poh Huat Estate	Kulim	4,662	395	50	T
Loke Chow Thye	Kulim	6,305	273	27	T
B. Purdy	Kuala Muda	960	372	25	R
Mathieu & Schubert	Kuala Muda	1,167	371	60	R
R. Young & Shona Rowten	Kuala Muda	3,030	398	52	T, R & C
J.L. Pasqual	Kuala Muda	4,714	190	15	T & R
Hock Lye	Kuala Muda	1,383	180	59	T
Kong Hong An	Kuala Muda	7,887	402	62	T, R & C
Chong Ah Phe & Others	Kuala Muda	3,624	292	16	T, R & C
Fok Peng	Kuala Muda	3,834	0	0	T, R & C
Khoo Seng Khoo	Kuala Muda	5,000	0	0	T
Chua Tow Cheng	Kuala Muda	2,660	420	22	T, R & C
Pek Yam	Kuala Muda	917	246	0	T, R & C
Kedah Rubber Plantation	Krian	2,000	166	13	R
Hamburger Gummi Gesellschaft	Krian	695	268	3	R
Tan Weng Cheng	Krian	2,996	80	29	T, R & C

Source: K.A.R. September 1906—February 1908 p. 17

R ♂ Rubber

T ♂ Tapioca

C ♂ Coconut

Ors. ♂ Orlong (1 orlong is approximately equivalent to 2/3 acre)

APPENDIX 4

List of agricultural estates in 1328 (1910)

Name of Company or Proprietor	Name of Estates	Locality	Area in Acres	Number of Coolies	Crops
Yeoh Paik Tatt	Langkawi	Langkawi	938	23	R
Jitra Rubber Estate Ltd.	Jitra	Jitra	378	71	R & C
Kemunting Rubber Plantation Co. Ltd.	Paya Kemunting	Paya Kemunting	3,000	275	R
Mrs. Hart & Sir David Masson	Tanjong Pau	Tanjong Pau	1,716	122	R
C.L. Rodi	Asun	Asun	400	70	R
H.H. Tunku Ibrahim	Jenan	Jenan	200	27	R
Sungai Batu Plantations Co. Ltd.	Sungai Batu	Semiling	2,247	548	R
Semiling Rubber Plantation Co. Ltd.	Riverside	Sungai Lalang	682	155	R & C
Societa Estremo Orientale	Glugor	Sungai Patani	340	96	R
Sungai Getah Estate Syndicate	Sungai Getah	Sungai Patani	910	34	R
K.M.S. Rubber & Coconut Plantation Ltd.	Sungai Patani	Sungai Patani	2,800	430	R
Fuk Peng	Kwong Moh Sang Bahru	Sungai Patani	3,240	710	R
Khoo Eu Tien	Ban Heap Hat	Sungai Patani	10,880	1,500	T, R & C
Revd. J. Meneuvrier & L. es Chasserian	Sans Souci	Merbok	3,300	30	R & C
Merbau Rubber Estate Ltd.	Merbau Rubber	Merbok	803	179	R
Tikam Batu Rubber Co. Ltd.	Tikam Batu	Kuala Muda	900	245	R
Kwong Hong Ann	Kwong Hong Ann	Tanjong Putus	2,790	460	T, C & R
Ban Joo Cheang	Ban Joo Cheang	Sungai Patani	5,340	807	T, R & C
Sing Ban Huat	Sing Ban Huat	Bukit Karong	1,800	220	T, R & C
Chong Young Cheng & Chong Ah Fee	Kelang Tupa	Semiling	1,300	150	T, C & R
Sungai Muda Rubber Syndicate	Sungai Muda Rubber	Lubo Sagenta	829	188	R
G.B. Cerruti	Lubo Kiap	Lubo Kiap	600	150	R
Kuala Sidim Rubber Co. Ltd.	Kuala Sidim	Kuala Sidim	3,500	237	R
Henrietta Estates Ltd.	Henrietta	Padang Serai	3,800	351	R
Victoria (Makyo) Rubber Estate Ltd.	Victoria	Padang Serai	8,000	516	R & C
Malayan Rubber Co.	Padang Miha	Padang Miha	3,590	176	R & C

(Appendix 4 continued)

Name Of Company or Proprietor	Name of Estates	Locality	Area in Acres	Number of Coolies	Crops
H.W. Bailey & Sir George S. Murray	Sungai Seluang	Sungai Seluang	3,250	440	R & C
Lunas Rubber Estates Ltd.	Lunas	Lunas	1,058	271	R, C & T
Lim Chong	Ban Cheong	Naga Lilit	300	86	C & T
Bukit Mertajam Rubber Co. Ltd.	Jubilee & Batu Puteh	Kelang Lama, Kelang Bahru	10,152	704	R & C
Lim Eow Hong	Kelang Bahru	Kelang Bahru	1,400	350	C & R
Ho Kim Teek	Karangan	Karangan	375	70	R
Sungai Kulim Rubber Syndicate	Anak Bukit	Sungai Ular	2,000	70	R & T
Societe Financiers des Caoutchoues	Sungai Ular	Sungai Ular	4,500	630	R
Cheong Siew Yin	Yin Kee	Sungai Ular	500	44	R & T
Rubber Estates of Krian Ltd.	Bagan Samak & Chan Seng	Bagan Samak	1,755	726	R
Kedah Rubber Co. Ltd.	Padang Getah	Bagan Samak	2,062	457	R
Loh Ah Kong	Tek Seng	Mahang	420	70	R
Liong Lok Hing	Kong Leen Goon	Kuala Dingin	1,600	150	R & C
Koh Kee Chan	Ban Sooi Chan	Kuala Selama	350	60	R

Source: K.A.R. 1328 (1910) Appendix D

R ♂ Rubber; C ♂ Coconut; T ♂ Tapioca

APPENDIX 5

List of privileged classes in Kedah

1. The ruling class which includes members of the royal family and the various categories of administrators from minister to *panglima* (a headman's assistant).
2. *Orang bebas* (free persons). These are persons who had obtained from the Sultan a document which exempts them from paying land tax or rent.
3. *Gembala gajah* (elephant mahouts). All elephants in the State were liable to be pressed into service by the ruler at any time. Among the more important uses, the elephants were required to convey from Singgora (Songkhla) the large numbers of people who followed the Siamese officials on their visits to Kedah. Elephants were also required to join and add dignity to the retinues of the Kedah emissary who carried the Bunga Mas to Bangkok. It was in return for this liability that the elephant mahouts were exempt from land tax or rent.
4. *Orang Balai*. These were men who came in rotation from the surrounding mukims to work at the palace in Alor Star. There were in all some 500-600 *orang balai*, divided into groups of 10 or 20 and each group served for a period of 15 days at a time.
5. *Orang Lepau*. Like the *orang balai*, they too came to work in the palace from the surrounding areas but they were considered to be a slightly superior breed. Their work included serving of meals and performing various household duties, while the *orang balai* were engaged in menial jobs.
6. *Orang Tunggu* (Watchmen). They consisted of about 30 people whose duty was to guard the various houses inside the palace walls at night.
7. *Orang Nobat* (Royal musicians). The royal musical instruments especially the royal drums were played only at the installation or death of a Sultan and were considered as the most sacred of the royal regalia. Consequently royal musicians although commoners, enjoyed very high status and exemption from land tax or rent was one of the privileges.

APPENDIX 6

List of farms in force at the beginning of 1327 (1909)

Name of farm	Name of farmer	Annual rent \$	Duration	Date of expiration
Opium Farm for whole State	Executors of Lim Kek Chuan	462,000	3 yrs	31.12.1909
Customs Farm Kota Star	Cheng Kean & Lim Teng Siang	46,000	6 yrs	27. 1.1914
Gaming Farm Kota Star ¹	Goh Boon Keng	55,000	6 yrs	5.11.1910
Spirit Farm Kota Star	Cheah Kee Hoon	14,500	6 yrs	24. 9.1911
Rice & Padi Export Duty Farm Kota Star ²	Low Leng Chong	50,000	6 yrs	21.12.1911
Poultry Export Duty Kota Star*	—	—	—	—
Pawn Broking Kota Star	Cheng Kean	8,000	6 yrs	18.11.1914
Port Dues Farm Kota Star*	—	—	—	—
Weights and Measures Farm Kota Star*	—	—	—	—
Pig Farm Kota Star	Lim Tee Keng	3,800	3 yrs	13. 3.1912
General Farm Langkawi ³	Cheng Kean	7,000	6 yrs	3.12.1910
Fish & Fowl Export Duty Farm Langkawi ⁴	Cheng Kean & Tan Eng Tah	—	8 yrs	15. 2.1915
Customs Farm Langkawi*	Cheng Kean	—	—	—
Boat Number Farm Kota Star	Ting Tong	1,250	6 yrs	18.11.1914
Four Islands Farm	Sini Mohamed	779	3 yrs	31. 3.1911

¹This farm was let in advance to Lim Eow Hong for 6 years.

²This farm had been re-let to Lim Cheng Teik for 6 years.

³This farm was re-let for a further period of 8 years to Cheng Kean for \$7,500 per annum.

⁴The payment in respect of this farm was made in full at the beginning of the lease.

* These farms were either surrendered, cancelled or expired during the year.

(Appendix 6 continued)

Name of farm	Name of farmer	Annual rent \$	Duration	Date of expiration
Ferry Farm Alor Star*	—	—	—	—
Port Dues Farm Sungei Sala ²	Kerani Mohd. Arshad	—	6 yrs.	31. 5.1912
Kerosene Oil Store Kota Star ⁴	Kam Teh Sean	500	17 yrs.	16. 7.1920
Poultry Export Duty Farm Kuala Muda	Mak Ah Chang	2,500	6 yrs.	31. 1.1911
Tapioca Export Duty Farm Kuala Muda & Merbok ⁷	Cheng Kean	7,000	2 yr 7 mth	29. 4.1911
Ferry Farm Kuala Muda	Tan Chong	500	6 yrs.	31.10.1913
Customs Farm Kuala Muda & Merbok*	Cheng Kean	19,000	2 yr 7 mth	13. 5.1911
Pawn Broking Farm Kuala Muda & Merbok	Cheng Kean	1,000	6 yrs.	18.12.1914
Gaming Farm Kuala Muda & Merbok ⁸	Cheng Kean	34,000	2 yr 2 mth	3.12.1910
Spirit Farm Kuala Muda & Merbok ¹⁰	Cheng Kean	10,000	2 yr 2 mth	3.12.1910
Forest Produce Export Duty Farm Kuala Muda & Merbok	Mak Ah Chang	7,500	6 yrs.	—
Timber Export Duty Farm Kuala Muda & Merbok	Mak Ah Chang	3,000	6 yrs.	9. 6.1910
Rice & Padi Export Duty Farm Kuala Muda & Merbok	Tan Chong	3,000	6 yrs.	10.11.1912
Tin Export Duty Farm Kuala Muda & Merbok	Chung Thye Phin	12,000	6 yrs.	11.2.1910

*The payment in respect of this farm, \$720 for 6 years was met in full when it was let.

²This farm will cease upon the death of Che Mohd. Ariffin the original holder.

⁷This farm was let in advance to Chong Ah Yew for 6 years.

⁸This farm was let in advance to Chong Ah Yew for 6 years.

⁹This farm was let in advance to Chong Ah Yew for 6 years.

¹⁰This farm was let in advance to Chong Ah Yew for 6 years.

1912/1913

(Appendix 6 continued)

Name of farm	Name of farmer	Annual rent \$	Duration	Date of expiration
Pig Farm Kuala Muda & Merbok ¹¹	Tan Chong	900	4 yrs.	7. 8.1910
Tapioca Export Duty Farm Kulim	Mak Ah Chang	5,000	6 yrs.	22. 8.1914
Toll Gate Farm Kulim & Bukit Mertajam Road	Tang Kong Phua	1,500	3 yrs.	27. 6.1911
Gaming Farm Kulim	Soo Ah Yong	33,600	3 yrs.	22.11.1911
Spirit Farm Kulim ¹²	Soo Ah Yong	18,720	3 yrs.	22.11.1911
Pawn Broking Farm Kulim	Chen Kean & Lim Teng Seng	2,000	6 yrs.	16. 1.1915
Pig Farm Kulim ¹³	Tan Chong	2,000	3 yrs.	12. 3.1910
Ferry Farm Krian	Tan Chong	660	3 yrs.	27. 6.1911
Tapioca Export Duty Farm Krian	Chong Ah Yew	660	3 yrs.	5. 9.1910
General Farm Krian	Cheng Kean	10,000	6 yrs.	3. 8.1913
Pig Farm Krian	Wee Hoe Sam	260	3 yrs.	1. 1.1911
Pulau Adang Farm*	—	—	—	—
Port Clearance & Port Dues Farms Langkawi ¹⁴	Ku Tian Sin	270	8 yrs.	10. 5.1910
Kerosene Oil Store South Kedah	Kam Teck Sean	720	17 yrs.	15. 8.1920
Ferry Farm Yan & Sungai Limau	Chong Ah Yew	348	3 yrs.	27. 7.1911
Port Dues & Charcoal Export Duty Farm Kuala Muda	Mak Ah Chang	2,000	4 yrs.	11.11.1912
Sireh Farm Kota Star ¹⁵	Chong Ah Yew	1,200	6 yrs.	3.11.1910
House Assessment Farm Alor Star	Lee Chau Bo	3,720	8 yrs.	7. 2.1913

¹¹This farm was let in advance to Lim Chee for 3 years.¹²This farm was let in advance to Lim Eow Hong for 6 years.¹³This farm was let in advance to Lim Chye for 3 years.¹⁴This farm was let in advance to Kang Young for 8 years.¹⁵This farm was let in advance to Kang Young for 6 years.

Source: K.A.R. 1909

APPENDIX 7

Kedah, 1905
Loan agreement with Siam
Contract.

Between the undersigned, His Royal Highness Prince Mahisra Rachaharuthai, Minister of Finance to His Majesty the King the Siam, acting in name of and for account of His Siamese Majesty's Government, as lender, of the one part, and Phya Seni Marong Kiti (Tengku Abdul Aziz) Raja Muda of Kedah, acting in the name of and for account of His Highness Chao Phya Kiti Songkram Rama Bhakdi Chao Phya Saiburi (Tengku Abdul Hamid) Sultan of Kedah, as borrower, of the other part.

It is agreed as follows:-

ARTICLE I

The lender agrees to grant to the borrower a loan of Two Million Six Hundred Thousand Dollars at the rate of six per cent interest per annum.

ARTICLE II

The borrower undertakes on behalf of himself as Sultan of Kedah his successors and assigns to pay to His Siamese Majesty's Government on the first day of June of each year interest at the rate of six per cent. per annum on the capital sum outstanding on the last day of the previous month, viz.: the 31st day of May it being understood that interest for the first year will be reckoned from the dates on which the several sums making up the full amount of loan are placed at the disposal of the borrower or are utilised in paying off the debts for the liquidation of which the loan is mainly granted.

ARTICLE III

The borrower also undertakes on behalf of himself as Sultan of Kedah his successors and assigns to repay the amount of the loan mentioned in Article I with

interest at the rate provided for in the same Article to His Siamese Majesty's Government from the revenues of the State of Kedah, and the amount of the instalments and the time at which such instalments of the loan are to be paid by the lender to the borrower, will be incorporated in a subsidiary agreement to be signed hereafter.

ARTICLE IV

In consideration of the loan herein referred to the borrower undertakes on behalf of himself as Sultan of Kedah his successors and assigns to accept, until the loan (Capital and Interest) shall have been entirely repaid, the services of an Adviser to be appointed by His Siamese Majesty's Government to assist him in the financial administration of his State, and the borrower further undertakes on behalf of himself as Sultan of Kedah, his successors and assigns to follow the advice of such Adviser in all matters relating to finance. The salary of the Adviser appointed by His Siamese Majesty's Government shall be paid out of the revenues of the State of Kedah.

ARTICLE V

The borrower also undertakes on behalf of himself as Sultan of Kedah, his successors and assigns to refrain from contacting any fresh loan or incurring any financial liabilities until the loan herein referred to (Capital and Interest) is entirely repaid.

Given and signed in two identical copies of which one shall be kept by the lender and the other by the borrower.

Signature of Lender.

H. F. WILLIAMSON.
A. C. S. WARD.

MAHISRA.

Witness.

PHYA SRI SAHADHEB.

Signature of Borrower.

ABDUL AZIZ.

Witnesses.

Signed at Bangkok on the 16th day of June in the year One Thousand Nine Hundred and Five.

APPENDIX 8

Land laws of Kedah in A.H. 1324 (1906)

Whereas on the 29th of Jamadil Akhir, 1324 A.D., H.H. the Sultan Abdul Hamid Halimshah, Sultan of Kedah, instructed H.H. Tunku Abdul Aziz, Raja Muda, President of the State Council, to draw up in consultation with Mr. G.C. Hart, Financial Adviser, new laws for the tenure of land and whereas in pursuance of these orders H.H. Tungku Abdul Aziz, Raja Muda, has consulted with Mr. G.C. Hart.

It is hereby enacted as follows:-

1. Short title.

This enactment shall be called the "Kedah Land Enactment, 1/1324", and shall come into force on the 29th day of Jamadil Akhir, 1324.

2. Repeal of Previous Laws

All laws and rules for the tenure of land made previous to this Enactment are repealed. Provided always that all grants and documents relating to land made under such former laws shall remain valid.

3. Minerals

Land held under the provisions of this Enactment may not be mined by any person without the permission of the Kedah Government. Tin and other minerals, coal, petroleum, and guano found on or below the surface of land under this Enactment is the property of the Government.

4. Waterway and minerals therein

All minerals found in rivers, streams, and canals within the State of Kedah are, together with such rivers, streams, and canals, the property of the State. The State has power to appropriate any land on the banks of such waterways for any public purpose to such distance not exceeding 60 feet from the bank as may be sufficient without compensation to the owner, provided that in any case where the site of a house is required the Government will pay a fair price for removing such a house.

5. Classification of land.

Land in the State of Kedah shall be divided into 3 classes:-

- (1) Town Lands

(2) Country Lands not exceeding 20 relogs in area;

(3) Country Lands exceeding 20 relogs in area.

6. Obligations of Landowners.

Every holder of land shall conform to the provisions of this Enactment and to the terms of the title deed under which his land is held.

7. Payment of rent and exemptions from payment.

All land held under title-deed, whether issued under this Enactment or under any previous regulations, shall be liable for rent to Government according to the scale laid down in this Enactment provided, however, that land in respect of which the owner holds a documents from H.H. the Sultan exempting the owner from the payment of rent upon the land shall continue to be exempt. Every such person must bring the document conferring such exemption to the Land Office, Kota Star, in order that it may be entered in a register.

8. Method of payment of rent.

Rent must be paid in advance on obtaining a title-deed and thereafter yearly in advance on the first of Muharram.

9. Arrears of rent.

When any rent has been, either in whole or in part, in arrears for twelve months, the owner and the person in whose name the grant is made out are jointly, and severally liable for the rent, and the Government may seize and sell all property that may be found upon the land, or may sell the land in satisfaction of the claim for rent and for all costs connected therewith. No claim for compensation shall be brought against the Government in respect of any such sale. The Government shall give at least one month's notice of its intention to sell land or property under the provisions of this section.

10. Boundaries.

It is compulsory upon every landowner to make his boundary marks conspicuous and to put in permanent boundary stones. No person who has neglected to comply with the provisions of this Enactment in this respect will be permitted, in the event of any other person taking the part or whole of his land, or entering upon it for any purpose or pursuit, to institute any suit in respect of the loss caused to him by such persons.

11. Remittance of rent.

If there shall be a failure in the crop on any land owing to say unpreventable cause, the Government may remit the half or the whole of the rent due upon the land.

PART II

Town Lands

12. All alienated land within the limits of a town shall be under grant. The limits of a town shall be those fixed by the Government from time to time.

13. Any owner of land within the town limits upon which the stone or brick house

has been erected may be compelled by Government to subdivide his land into lots with a frontage from 12 feet to 24 feet in width and an area not exceeding 2,400 sq. feet, and to take out a separate grant for each lot. The only fees charged under this section shall be those for survey.

14. State land within the town limits will be sold by Government. The purchaser of such land shall conform to any conditions which the Government may take in connection with such sale.

15. The scale of annual rent for town lands shall be as follows:-

Land which is in the form of lots as aforesaid, either with or without stone houses built upon it shall pay for each lot of 2,400 square feet or less... \$2.00.

Land which is in the form of kampong lots:-

For a lot not exceeding 12,388 sq. ft.	\$2.00
For a lot exceeding 12,388 sq. ft. but not exceeding 15,486 sq. ft.	\$2.50
For a lot exceeding 15,486 sq. ft. but not exceeding 18,486 sq. ft.	\$3.00
For a lot exceeding 18,486 sq. ft. but not exceeding 21,682 sq. ft.	\$3.50
For a lot exceeding 21,682 sq. ft. but not exceeding 24,780 sq. ft.	\$4.00
For a lot exceeding 24,780 sq. ft. but not exceeding 27,878 sq. ft.	\$4.50
For a lot exceeding 27,878 sq. ft. but not exceeding 30,976 sq. ft.	\$5.00
And if any lot exceeds 1 relong in area for every relong	\$5.00

PART III

Country Lands not exceeding 20 relongs in area.

16. Any person who desires land of the description dealt with this Part shall apply to the nearest Land Office to the land. The Land Officer shall then send a surveyor to inspect the land and to survey it and fix boundary stones.

17. The applicant shall, if the Government approve of the application, be given a permit allowing him to cultivate the land for a period not exceeding 3 years from the date of the permit upon payment of rent at a rate of 20 cents a relong.

18. At the termination for the period of 3 years, the permit-holder must, without fail, obtain a grant and pay rent upon the land.

19. A permit-holder cannot obtain a grant for his land until after the expiration of three years from the date of his permit, and can then only obtain a grant for such area as he has brought under cultivation. Provided, however, that a permit-holder may at any time within the said period of three years obtain a grant of such area as he has brought under cultivation.

20. Rent and the fees for the issue of grants for land under this part shall be as follows:-

Rent upon kampongs, dusuns and plantations (other than rubber, coconut and tapioca plantation) shall be at the rate of 50 cents per annum per relong, and the fee for the issue of the grant shall be at the rate of \$1 per relong. As to the rent upon bendang land, a list is annexed to this ordinance, showing the names of mukims in which rent is payable at the rate of 50 cents per relong, per annum and the mukims in which the rent is at the rate of 30 cents. The fee for the issue of the grants in both cases is at the rate of \$1 per relong.

21. Government may increase rent.

The Government may in every five years from the date of this Enactment increase or reduce the land rent set forth above.

PART IV

Country Lands exceeding 20 relongs in area.

22. Application for land exceeding 20 relongs.

Every person desirous of obtaining land under this Part shall forward a written application together with a sketch plan of the land in question to the State Council. The application shall set forth the area of the land and the form of cultivation intended.

23. Cost of measurement and boundary stones.

The cost of survey and of boundary-stones shall also be paid at the time of the application. If the application is subsequently refused these expenses will be refunded.

24. Land on the banks of streams and deserted padi clearings.

Land on the bank of a river upon which crops cannot grow for consecutive years and the land formerly cleared for padi and subsequently deserted, may be given out upon permit for unspecified periods. The rent shall be \$1 for any number of relongs.

Tapioca planting

Sanction for the planting of tapioca may be obtained from the Government, but the applicant must enter into an agreement with Government that he plant a crop of some other description at the same time as the tapioca crop. The minimum quantity of such other trees which may be planted is as follows:-

Coconuts	50 trees per relong
Para rubber trees	50 trees per relong
Rambong trees	24 trees per relong
Betelnut trees	50 trees per relong

Other permanent crops, which are profitable to the State, may be planted in a reasonable number to a relong.

Cost of permit and fees for grant and rent for tapioca plantation.

Permits for the planting of tapioca shall not be issued for an area exceeding 500

relongs in one piece. If any person wished to plant a larger area, he may obtain two or more permits, but a strip of forest not less than 60 yards in width must be left standing between the area held under the separate permits. The fees for obtaining land for tapioca-planting are as follows:-

Permit for felling	\$0.50 per relong
Fee for issue of grant	\$2.00 per relong

A grant must be taken out within 2 years from the date of the payment. The annual rent, after obtaining a grant, shall be 25 cents per relong, per annum.

RUBBER AND COCONUT PLANTATIONS

Sanction, rent fees for grants.

Sanction to fell forest for a rubber or coconut plantation will be issued free of charge by the Government; but the applicant shall pay rent at the rate of 20 cents per relong, per annum for six years. At the expiration of six years he must obtain a grant at a cost of \$2 per relong, and shall pay rent at the rate of \$1 per relong per annum.

Cost of permit for other forms of plantation.

The cost of a permit for felling forest for any forms of cultivation than those abovementioned shall be at the rate of 10 cents per relong.

25. Quit-rent upon land held without grant after expiry of permit.

Any person who shall not have taken out a grant for his land in the time allotted under this Enactment shall be liable to pay such increased rent as the State Council shall think fit.

26. Power of Government to reassume land for the purpose of high roads and railways.

The Government is empowered to resume any land that may be required for the purpose of making high-roads or railways. Persons holding land exceeding 1,000 relongs have no claim to compensation. If, however, the Government destroy any person's house, fair compensation will be paid.

27. Application by Europeans for more than 2,500 relongs.

All applications by Europeans for land under this Part, if in excess of 2,500 relongs, will be forwarded by the State Council to His Majesty the King of Siam with a request for his sanction to the other than Siamese subjects.

28. Contract of other than Siamese subjects.

All persons other than subjects of Siam, upon applying for land, or upon purchasing land, must sign a contract that they will conform to all orders and regulations which the Government may make in respect of such land. The terms of such contract shall be similar to the provisions of this Enactment.

29. The Government is empowered to revise all rents under Part IV at intervals of fifteen years from the date of this Enactment.

A notice shall be issued to land owners a year before the date of the intended revision.

PART V

Miscellaneous

30. Registration.

No document for the sale or mortgage of land or any similar dealing therewith will be recognised by the Government unless it has been previously registered in the Land Office.

31. Permits not transferable.

Land held only by permit cannot be sold, mortgaged or dealt with in any manner whatever without the sanction of the State Council.

32. The Land Office is empowered to give a license for an unspecified period to any person, allowing him to occupy Government land—that is to say, land which has been reserved definitely for Government, of land on which another has been allowed to mine. The licensee shall pay rent of \$1 per relong, and license must be renewed yearly.

33. Reserve of forestry.

No person is allowed to fell virgin forest or big timber for the purposes of planting hill padi or any other temporary form of cultivation.

34. Land held by members of Ruling House.

Land held by members of the Ruling House do not pay rent for the life time of such members. If, upon their death, the land passes to another member of the Ruling House, it shall continue to be free from rent, but if it passes to any person not being a member of the Ruling House, it shall be subject to rent in full. Land taken up by members of the Ruling House after the date of this Enactment shall be exempt from the payment of rent and other fees to the extent of 500 relongs for each member.

35. Other fees.

Fee other than rent and payments for land are levied as follows:-

Cost of permit, each	...\$1
Cost of grant, each	...\$1
Cost of registering letters of administration	...\$1
Cost of survey of town lots, each	...\$2

36. Land Deserted.

If any person holding land under a grant shall abandon it for seven years, neither paying rent for it nor planting on it, the land shall revert to the Government.

APPENDIX 9

Abolition of Kerah Enactment, 1327

Al Higerah 1327 on the 10th day of Shawal in the time of His Highness Sultan Abdul Hamid Halimshah, son of the late Sultan Ahmad Tajuddin Mukaramshah, who administers the Government of Kedah, the Peaceful, and resides in state in Kota Star. This is to notify that His Highness has approved the proposal of the State Council of Kedah to frame certain rules for the inhabitants of Kedah who have hitherto been required to work for the Government in accordance with the ancient customs. It is decided to make the following changes:-

1. All the inhabitants of Kedah and those of its dependencies are exempted from forced labour with effect from the fifteenth day of Shawal and in lieu of this are required to pay rents on their lands.
2. It is decided to collect rents on the lands beginning from the month of Muharram 1328 and the yearly rent will be 50 and 30 cents as the case may be in accordance with the mukim register fixed by the head of the Land Department.
3. Occasionally when the Government has work such as the attack of pirates or robbers or when His Highness holds a festivity a letter from His Highness or his representative to the headman of village ordering the men thereof to come and help in the work shall immediately be complied with and the men must render help as requested.
4. Free men and elephant drivers who hold letters from His Highness are notified that all the documents are hereby cancelled and they are henceforth required to pay rents on their lands but each elephant driver who holds a letter from His Highness is exempted from the payment of rent on land not exceeding 22 relongs.
5. Those inhabitants who have hitherto been required to maintain the telegraph posts are now released from their work but are required to pay rents on their lands.
6. Those who have been required to serve at the palace are no longer required to perform their duties there but instead are required to pay rents on their

lands except 100 persons only who are to be retained and each of these is exempted from the payment of rent on not more than 22 relongs of paddy fields.

7. Of the orang lepan or those who have hitherto been required to work as household servants 100 persons are to be retained and each of these is exempted from the payment of rent on land not more than 22 relongs.
8. Those persons who have hitherto been required to guard the house of His Highness are all to be retained and each is exempted from the payment of rent on land not exceeding 22 relongs.

APPENDIX 10

Government of Kedah
The Debt-bondage Enactment, 1328
Enactment No. 9 of 1328

On this 10th day of Rejab, 1328, in the reign of Sultan Abdul Hamid Halimshah ibni Sultan Ahmad Tajuddin Mukarramshah an Enactment relating to Debt-Bondage is passed by His Highness the Sultan, with the advice of the State Council of Kedah, with effect from the date hereof, as follows:-

- (1) It is made known that slavery was abolished many years ago and is not now permitted in Kedah.
- (2) All agreements made before the date of this Enactment, but not registered in a Land Office, relating to debt-bondsmen who agree to do the work known as kerja panjang pandak, or to work in a kampong, dusun, or bendang, must be produced to a Land Officer before the 1st Zulhijjah, 1328. But both the debtor and the creditor must appear before the Land Officer, and must satisfy him with regard to the amount of the balance of the debt all deductions have been made. An agreement which is not registered before the 1st Zulhijjah, 1328, will not be recognised after that date. Any verbal agreement made in the past may be reduced into writing, and recognised if registered in accordance with this Enactment.
- (3) After the date of this Enactment, it is absolutely forbidden that any person undertake to pay off any debt by working in any way whatever, whether by kerja panjang pandak, or by work in a kampong, dusun or bendang.
- (4) With regard to agreements which have already been registered it is ordered that all provisions (if any) regarding the diminution of the debt by annual reductions shall be disregarded, and that every debt shall be diminished as follows:
 - (a) In the case of kerja panjang pandak the debt shall be diminished by \$2.50 a month for an individual, and \$5.00 for a family, but there shall be no diminution in respect of the debtors's children. The cost of the food and clothing of the debtors shall be borne by the creditors.

- (b) In the case of work in a bendang the debt shall be diminished by \$2.00 for every relong of land planted with rice—that is to say, from the commencement of the clearing of the land to the planting of the rice. The cost of all implements, and of the food and clothing of the debtors, shall be borne by the creditors.
- (c) In the case of caretakers of dusuns and kampongs the debt shall be diminished by \$1.00 a month and the cost of the debtor's food and clothing shall be borne by the debtors.
- (5) It is the duty of the Land Officers to insert a clause to this effect in all documents produced for registration under the provisions of section 2 of this Enactment.
- (6) Nothing in this Enactment applies to persons in receipt of a salary or to coolies.

This is confirmed by His Highness the Sultan.

APPENDIX II

Edict by His Highness The Sultan of Kedah for the Constitution of a State Council

Whereas it is expedient for the better Government of the State of Kedah that there shall be constituted a Council of State composed of the leading officials in my service whose duty it shall be to assist me in the administration of all public affairs.

Now, I, Sultan Abdul Hamid Halimshah, Sultan of Kedah, do hereby command and proclaim that there shall be constituted forthwith a Council of State composed of five members to be appointed by me from time to time subject to the confirmation of the Government of His Siamese Majesty.

The principal member and President of this Council shall be His Highness Tunku Abdul Aziz, Raja Muda, and of the remaining members one shall be the Chief Judge of my Supreme Court and another the Adviser lent to this State by His Siamese Majesty's Government. The other two members will be appointed by separate order subject to the approval of the Government of Siam.

And, I, Sultan Abdul Hamid Halimshah, do hereby further command and proclaim that the Council of State hereby constituted shall exercise the following powers and duties, viz.:-

1. The disposal by public tender, subject to my confirmation, of all revenue farm and State monopolies which may hereafter fall vacant.
2. The disposal, in such manner as may seem to the Council proper, of all or any petitions by revenue farmers and others for reduction of rent or monies due to the Government, for whatever reasons such reductions may be urged. Save as aforesaid petitions for reduction of rents and other dues may not be entertained.
3. The disposal of all questions of gifts or donations intended or proposed to be made out of the revenues of the State of Kedah, by whomsoever such proposal is made, and the decision of the Council in such cases shall be final.
4. The receipt and disposal, subject to my confirmation, of all petitions for the reduction of the value of land, land rents, quit-rents and assessments.

5. The collection and disposal of all State revenue and expenditure and the fixing of salaries, allowances and other emoluments of all State officials and employees.
 6. The fixing of the allowances to be drawn from the State revenue by the various members of the Ruling House of Kedah, other than those holding salaried appointments under the Government, but including the two widows of the late Sultan.
 7. The enactment of all laws, subject to my approval, and the passing, on its own authority of all Rules, Regulations and Bye-laws required for the proper administration of the country.
- Given at Alor Star on the 20th day of Jemad-el-awal 1323, corresponding to the 23rd day of July 1905.

APPENDIX 12

Siam, 1909
Treaty between Great Britain and Siam

Signed at Bangkok, March 10th 1909
(Ratifications exchanged at London, July 9th, 1909)

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Siam, being desirous of settling various questions which have arisen affecting their respective dominions, have decided to conclude a Treaty, and have appointed for this purpose as their Plenipotentiaries:

His Majesty the King of Great Britain, Ralph Paget, Esq., his Envoy Extraordinary and Minister Plenipotentiary, &c.;

His Majesty the King of Siam, His Royal Highness Prince Devawongse Varoprakar, Minister of Foreign Affairs, &c.; who, after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon and concluded the following Articles:-

ARTICLE I

Transfer of Kelantan, Trengganu, Kedah, Perlis and Adjacent Islands to Great Britain.

The Siamese Government transfer to the British Government all rights of suzerainty, protection, administration, and control whatsoever which they possess over the States of Kelantan, Trengganu, Kedah, Perlis, and adjacent islands. The frontiers of these territories are defined by the Boundary Protocol annexed hereto.

ARTICLE II

Date of Transfer

The transfer provided for in the preceding Article shall take place within thirty days after the ratification of this Treaty.

ARTICLE III

Delimitation of Anglo-Siamese Boundary

A mixed Commission, composed of Siamese and British officials and officers, shall be appointed within six months after the date of ratification of this Treaty, and shall be charged with the delimitation of the new frontier. The work of the Commission shall be commenced as soon as the season permits, and shall be carried out in accordance with the Boundary Protocol annexed hereto.

Subjects of His Majesty the King of Siam residing within the territory described in Article I who desire to preserve their Siamese nationality will, during the period of six months after the ratification of the present Treaty, be allowed to do so if they become domiciled in the Siamese dominions. His Britannic Majesty's Government undertakes that they shall be at liberty to retain their immovable property within the territory described in Article I.

It is understood that, in accordance with the usual custom where a change of suzerainty takes place, any Concessions within the territories described in Article I hereof to individuals or Companies, granted by or with the approval of the Siamese Government, and recognized by them as still in force on the date of the signature of the Treaty will be recognized by the Government of His Britannic Majesty.

ARTICLE IV

His Britannic Majesty's Government undertake that the Government of the Federated Malay States shall assume the indebtedness to the Siamese Government of the territories described in Article I.

ARTICLE V

Abolition of Consular Jurisdiction in Siam

The jurisdiction of Siamese International Courts, established by Article VIII of the Treaty of the 3rd September 1883, shall, under the conditions defined in the Jurisdiction Protocol annexed hereto, be extended to all British subjects in Siam registered at the British Consulate before the date of the present Treaty.

This system shall come to an end, and the jurisdiction of the International Courts shall be transferred to the ordinary Siamese Courts after the promulgation and the coming into force of the Siamese codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure, and the Law for organization of Courts.

All other British subjects in Siam shall be subject to the jurisdiction of the ordinary Siamese Courts under the conditions defined in the Jurisdiction Protocol.

ARTICLE VI

Rights of Property, Residence, and Travel, Taxes, &c.-
National Treatment—Exemption from Military
Service, Forced Loans, &c.

British subjects shall enjoy throughout the whole extent of Siam the rights and privileges enjoyed by the natives of the country, notably the right of property, the right of residence and travel.

They and their property shall be subject to all taxes and services, but these shall not be other or higher than the taxes and services which are or may be imposed by law on Siamese subjects. It is particularly understood that the limitation in the agreement of the 20th September 1900, by which the taxation of land shall not exceed that on similar land in Lower Burmah, is hereby removed.

British subjects in Siam shall be exempt from all military service, either in the army or navy, and from all forced loans or military exactions or contributions.

ARTICLE VII

Confirmation of Old Treaties

The provisions of all Treaties, Agreements, and Conventions between Great Britain and Siam, not modified by the present Treaty, remain in full force.

ARTICLE VIII

Ratifications

The present Treaty shall be ratified within four months from its date.

In witness whereof the respective Plenipotentiaries have signed the Present Treaty and affixed their seals.

Done at Bangkok, in duplicate, the 10th day of March, in the year 1909.

(L.S.) RALPH PAGET.

(L.S.) DEVAWONGSE VAROPRAKAR.

SIAM, 1869
Treaty with Siam of 6th May, 1869, relative
to the British
Engagements with Quedah

Treaty entered into between Thomas George Knox, esq., Her Britannic Majesty's Consul-General in Siam, and His Excellency Chao Phya Sri Suriwongsa Phra Kalahome, Prime Minister of Siam, Commissioner on the part of His Majesty the King of Siam.

Being a Treaty in substitution for former Treaties, respectively dated 1786, 1791 and 1802 of the Christian Era, and 1201, 1206 and 1217 of the Mahomedan Era, and also in substitution for the Treaty with Ligor Siam of 1831, and for the Treaty concluded by Sir Harry St. George Ord on the 21st day of March of the year 1868 of the Christian Era.

ARTICLE I

When this Treaty shall come into operation the Treaty concluded in the year 1802 of the Christian, and 1217 of the Mahomedan Era, between Sir George Leith Bart. Lieutenant Governor of Pulo Penang and His Highness the Iang de per Tuan Rajah Mooda of Purlies and Quedah, with the previous Treaties and agreements referred to therein, and the Treaty concluded in the year 1831 of the Christian Era, between Robert Ibbetson, Esq., Resident of Singapore, Pulo Penang and Malacca, and the Chao Phya of Ligor Si Tamrat, and also the Treaty concluded on the 21st day of March in the year 1868 of the Christian Era between Sir Harry St. George Ord, Knight, Governor and Commander-in-Chief of the Straits Settlements, and Their Excellencies Phya Debia Phrajim, and Phra Bedis Banij Siam Bejit Bhacty, Commissioners on the part of His Majesty the King of Siam, shall cease and determine, except so far as they grant to Her Majesty the territories referred to therein.

ARTICLE II

The Governor of the British Colony of the Straits Settlements shall pay annually to His Highness the Iang de per Tuan of Quedah ten thousand dollars, as long as Her Britannic Majesty shall continue in possession of Pulo Penang and the country on the opposite coast hereafter mentioned.

ARTICLE III

His Highness the Iang de per Tuan of Quedah agrees that the Dominions of Her Britannic Majesty on the mainland, opposite the Island of Penang, shall comprize the Territories bounded as follows: that is to say, on the West of the Sea, on the North by the right bank of the River Mudah, on the South by the right bank of the river Kurreen (Kreean), and on the East by a line running South from a spot on the right bank of the River Mudah, opposite the existing Frontier pillar at Sematool, in a straight line to a point on the extreme eastern end of the Maratajam range of Hills. Thence along the top ridge of the Punchore Hill to the existing Frontier pillar on the right bank of the River Kurreean, about 400 English yards above and East of Bukit Tungal. A map showing the eastern Boundary above described, is annexed to the present Treaty, and signed by the respective Commissioners.

The British Authorities engage to respect the Royal burying grounds at Kotah Prye within the ceded Territory, and to consider them still the property of His Highness the Iang de per Tuan of Quedah, but subject nevertheless to British jurisdiction in other respects, provided always that the Mudah River shall at all times be free to the peaceful navigation of the subjects of His Majesty the King of Siam.

ARTICLE IV

It is mutually agreed that stone pillars, not less than six feet high and at the distance of one mile apart, shall be erected at the joint expense of the Government of the Straits Settlements and His Highness the Iang de per Tuan of Quedah, in order to mark the Eastern boundary line of the ceded territory; that no grant or transfer of land shall be made, or houses other than Police Stations allowed to be erected, within one hundred yards on either side of this Boundary line; and further that, within the distance of two miles from the said boundary line, no shop for the sale of Opium, Toddy, Bang or Spirits shall be licensed, or Gambling houses be permitted, in their respective districts, by the Governor of the Straits Settlements or the Iang de per Tuan of Quedah.

ARTICLE V

All persons convicted of, or awaiting trial for, or against whom warrants of their arrest may be issued for the crimes hereafter specified, who may effect their escape

from any of the Possessions of Her Britannic Majesty into the Territory of Quedah, or who may be found within the said Territory of Quedah, shall, upon a formal requisition from the Governor of the Straits Settlements, or the Lieutenant-Governor of Penang or Malacca, to the Iang de per Tuan, be delivered up to the British Authorities, and in like manner, all persons convicted of, or awaiting trial for, or charged by the Iang de per Tuan of Quedah with any of the crimes herein after specified, who may effect their escape from Quedah into British Territory, shall, upon requisition from the Iang de per Tuan to the Governor of the Straits Settlements, or the Lieutenant-Governor of Penang or Malacca, be surrendered to the Authorities of Quedah. The crimes above referred to are the following, that is to say:-Murder, Dacoity, Robbery, Arson, Rape, Burglary, Aggravated assault, Cattle-stealing, Making or uttering falsecoin, Forgery, Embezzlement, Perjury, Breach of Prison, Fraudulent Bankruptcy, or Attempt to Commit Murder, Dacoity, Robbery, Arson, Rape, Burglary or Aggravated assault.

But no person shall be delivered up in virtue of this article by the Governor of the Straits of Settlements, or by the Lieutenant-Governor of Penang or Malacca, unless the Governor or Lieutenant-Governor, as the case may be, shall be satisfied that there are reasonable grounds for believing him to have been guilty of some one of the above crimes.

ARTICLE VI

The Iang de per Tuan of Quedah engages not to levy any duty upon Cattle, grain or other provisions, exported from Quedah into the British Territory higher than according to the following Tariff viz.:-upon Rice \$8 per Coyan of 40 piculs, upon Paddy \$4 per Coyan of 800 Gantangs, upon Cattle \$1 per head, upon Ducks and Fowls \$1 per hundred. Provided always that, in the event of failure of the Rice crop in the Territory of Quedah, it shall be lawful for the said Iang de per Tuan to prohibit the export of Rice from Quedah for the current Rice Season, at any time after three months' notice of such his intention shall have been given to the British Government at Penang, and provided that such prohibition shall be general and not applicable to particular places.

ARTICLE VII

This Treaty shall be submitted for confirmation to the Government of Her Britannic Majesty, and to the Government of H.M. the King of Siam, but it shall come into operation as soon as possible after its signature.

In witness the undersigned Thomas George Knox, Esq., Her Britannic Majesty's Consul-General in Siam, and Chao Phya Sri Suriwongsa Phra Kalahome, Commissioner on the part of His Majesty the King of Siam, have signed this Treaty and affixed their seals thereto.

Done at Bangkok the sixth day of may in the year of Our Lord one thousand eight hundred and sixty-nine.

(Signed) THOMAS GEORGE KNOX,
H.B.M. Consul-General.

(Signed) C.P. SRI SURIWONGSA.
The Rajah of Quedah.

NOTE:- The Treaty of the 12st March 1868, above referred to as made by Sir Harry St. George Ord, was not approved by the Authorities at home, as being irregular in form. It purported to have been made between His Excellency Sir Harry St. George Ord, &c., &c., on the part of Her Britannic Majesty, and His Highness the Iang de per Tuan of Quedah, subject to the approval and ratification of His Majesty the King of Siam, whereas it was objected in England that, Quedah being held to be a Province of Siam, the Treaty should have been made at Siam between the British Authority there, the Consul-General, and the King of Siam, as in fact the Treaty of 1869 was made. Except, however, as to matters of form the two Treaties are nearly identical in the engagements entered into.

Kedah, 1923
Agreement between His Britannic Majesty's
Government and the State of Kedah.

AGREEMENT to determine the friendly relations between His Britannic Majesty's Government and the Mohamedan State of Kedah:

MADE BETWEEN His Excellency Sir Laurence Nunns Guillermand, K.C.B., K.C.M.G., Governor of the Straits Settlements and the High Commissioner for the Malay States on behalf of His Majesty the King of Great Britain:

AND His Highness TUNKU IBRAHIM, C.M.G., Regent in the place of His Highness Sultan ABDUL HAMID HALIMSHAH, K.C.M.G., on his own behalf and on behalf of the descendants of Sultan ABDUL HAMID HALIMSHAH who may succeed him as Sultan and Ruler of Kedah.

1. The State of Kedah shall continue to be under the protection of His Britannic Majesty who shall exercise the rights of suzerainty.
2. His Highness the Sultan of Kedah shall have no political dealings with any foreign power or potentate, except through the medium of His Britannic Majesty's Government.
3. His Britannic Majesty will not transfer or otherwise dispose of his rights of suzerainty over the State of Kedah to another power and will not merge or combine the State of Kedah or her territories with any other State or with the Colony of the Straits Settlements without the written consent of His Highness the Sultan in Council.
4. The successor to the Sultanate shall always be a direct descendant of Sultan ABDUL HAMID HALIMSHAH or of his ancestors chosen by the State Council and accepted by His Britannic Majesty.
5. The Sultan of Kedah and his successors will receive and provide a suitable residence for a British Adviser to advise on all matters connected with the Government of the State other than matters relating to Malay custom or Mohamedan religion, and will accept such advice, provided that nothing in this

clause shall in any way prejudice the right of the Sultan or his successors to address the High Commissioner for the Malay States or His Britannic Majesty if the Sultan so desires.

The cost of the British Adviser with his establishment shall be determined by the High Commissioner for the Malay States and shall be a charge on the revenues of Kedah.

6. The State of Kedah shall be governed by His Highness the Sultan with the assistance of a State Council which shall consist of His Highness the Sultan as President, three other Malay members selected by name or office by His Highness with the approval of His Excellency the High Commissioner, and another member who shall be the British Adviser. Provided that by mutual consent of the High Commissioner for the Malay States and His Highness the Sultan additional members may be added to the Council for any specific period. In the absence of His Highness a Malay member selected by His Highness shall preside over the Council.

7. The Malay language, with Jawi character in the case of written language, shall be the official language, in all departments of the Government of Kedah except where it is provided in the law of the State of Kedah or by special authority of Government that any other language may be used.

In witness whereof His Excellency SIR LAURENCE NUNNS GUILLEMARD, K.C.B., K.C.M.G., and His Highness TUNKU IBRAHIM, C.M.G., Regent of Kedah, have set their respective seals and signatures.

Dated at Singapore, this 1st day of November, 1923, corresponding to the 21st day of Rabial Awal, 1342.

Seal of High Commissioner.

LAURENCE N. GUILLEMARD.

Witnesses.

W. PEEL.

A.F. RICHARDS.

Seal of Regent.

IBRAHIM

Witnesses.

MANSUR.

MOHAMED IDID.

Bibliography

I. MALAY MANUSCRIPT SOURCES

A. *Sultan of Kedah's Correspondence*

The Malay Manuscript Sources which were housed in the Kedah State Secretariat have been an invaluable source for this study. The most unfortunate fact is that the collection is so obviously incomplete and various efforts to trace the existence of other volumes have been unsuccessful. The bound volumes of the Sultan's correspondence can be listed as follows:-

- (1) 1299-1307 (1879-1890)
- (2) 1302-1312 (1884-1894)
- (3) 1306-1307 (1886-1887)
- (4) 1308-1312 (1890-1894)
- (5) 1309-1340 (1891-1921)
- (6) 1313-1322 (1895-1904)
- (7) 1315-1331 (1897-1912)
- (8) 1316 (1898)
- (9) 1317-1329 (1899-1911)
- (10) 1321-1327 (1903-1909)
- (11) 1323-1329 (1905-1911)
- (12) 1323 (1905)
- (13) 1318-1319 (1900-1901)

In addition to the above there are also three incomplete volumes containing:-

- (1) Issue of revenue farm licences 1317-1319 (1899-1901)
- (2) Sultan's Account Books 1314-1317 (1896-1899)
- (3) List of Court cases and appeals.

B. *Bound Volumes of the Minutes of the State Council*

- (1) 1323-1329 (1905-1911)
- (2) 1329-1330 (1911-1912)
- (3) 1330-1332 (1912-1914)
- (4) 1333 (1914-1915)

(5) 1334	(1915-1916)
(6) 1335	(1916-1917)
(7) 1336	(1917-1918)
(8) 1337	(1919-1920)
(9) 1338	(1919-1920)
(10) 1339	(1920-1921)
(11) 1340	(1921-1922)
(12) 1341	(1922-1923)
(13) 1342	(1923-1924)

C. State Council Files

These files date back from 1327 (1909) and except for the first two years, the rest are indexed. In all there are about 650 linear feet of this material. Most of these files do not contain any enclosures, thus important papers connected with many subjects are not available. Fortunately, minutes are written on the file covers and so one is able at least to extract some information. It is safe however, to say that about 90% of the files deal with subjects which are not relevant to this study.

II. ENGLISH MUNUSCRIPT SOURCES

A. CO273 *Straits Settlements, Original Correspondence, 1838-1919 (Volumes 10-485)*

This series is the most important source used for this study. It contains despatches and telegrams between the Straits Settlements and the Colonial Office relating to the Colony and the Malay States.

B. CO717, (Volumes 1/30)

This series is a continuation of CO273.

III. CONFIDENTIAL PRINTS

A. FO422, *Siam and South-East Asia (Volumes 12-64, 1885-1909)*

Among other things these volumes contain information regarding British Influence and Policy in the Malay Peninsula.

B. CO882, *Eastern 135 (Volume 10)*

Notes on a policy in respect of the Unfederated Malay States by W.G. Maxwell, 15th October 1920.

IV. KEDAH ANNUAL REPORTS 1905-1923

These are bound in two volumes in the Kedah State Secretariat. They are also available in the series CO716.

V. PRIVATE PAPERS

A. *Clementi Papers*

These are housed at the Clementi Home, Holmer Green, High Wycombe.

B. *Maxwell Papers*

These are at the Royal Commonwealth Society Library, London.

VI. BOOKS AND PUBLISHED PAPERS

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