DECENTRALIZATION OF POWER IN THE FEDERATED MALAY STATES, 1920 - 1929.

by

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An Abstract

Following a Prologue explaining the importance and scope of the subject, Chapter I describes the administrative traditions of the West Coast Malay States and the accentuation of the problem of over-centralization of power after these states formed the Federated Malay States. Chapter II describes the turmoil of dissatisfaction which boiled among Malay Rulers, European Civil Servants and merchants against the Federal Secretariat between 1918 and 1920, and explains how the question of formation of a Union of Malaya created a need for relaxation of central control in the federated states. Chapter III discusses the void between the federal administration and many rural Malays created by over-centralization, and some problems of Malay participation in administration. The regular recruitment of Malays, started with the formation of the Malay Administrative Service (Chapter IV), permitted them to share power in the district administration with European Civil Servants but the measure did not satisfy the aspirations of the federated states for autonomy. The achievement in this regard was unimpressive, and no power of the Chief Secretary of the federation diminished before 1924 (Chapter V), because of peripheral issues raised. After 1924 the Sultan of Perak, the Colonial Office and the British High Commissioner favoured the gradual abolition of the Chief Secretary's office (Chapter VI), but a premature disclosure of this proposal was exploited by pressure groups to create a strong opinion prejudicial to the proposal. Since these groups were themselves divided, the High Commissioner succeeded in delegating power to allocate funds to states in twelve services (Chapter VII) but permitted a strong centre to continue. Chapter VIII evaluates the considerations which entered into the policy of decentralization in the 1920s, assesses its achievements in the light of difficulties faced in these states and analogous situations, and indicates its future impact.

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ABBREVIATIONS

A.B.M.	:	Association of British Malaya.
Actg.	:	Acting.
A.D.O.	:	Assistant District Officer.
A.R.	:	Annual Report.
Asst.	:	Assistant.
B.R.	:	British Resident.
Ch.Sec.	:	Chief Secretary.
C.O.	:	Colonial Office.
C.S.	:	Colonial Secretary.
Cmd.	:	Command Paper.
D.O.	:	District Officer.
F.M.S.	:	Federated Malay States.
Fed. Sec.	:	Federal Secretariat File.
Gov. Straits	:	Governor of Straits Settlements.
H.C.O.	:	High Commissioner Office File.
High Com.	:	High Commissioner (for Malay States).
H.H.	:	His Highness.
J.M.B.R.A.S.	:	Journal of the Royal Asiatic Society, Malayan Branch.
J.S.B.R.A.S.	:	Journal of the Royal Asiatic Society, Straits Branch.
M.A.S.	:	Malay Administrative Service.
M.C.S.	:	Malayan Civil Service.
N.S./ N.S.Sec.	:	Negri Sembilan Secretariat File.
N.S.Conf.	:	Negri Sembilan Confidential File.
O.A.G.	:	Officer Administering Government.

Phg.	:	Pahang Secretariat File.
Phg. Conf.	:	Pahang Secretariat Confidential File.
Pk.	:	Perak Secretariat File.
Pk. Conf.	:	Perak Secretariat Confidential File.
Pros. Fed. Council	:	Proceedings of Federal Council, F.M.S.
Sec. State	:	Secretary of State for Colonies.
Sel./ Sel. Sec.	:	Selangor Secretariat File.
Sel. Conf.	:	Selangor Secretariat Confidential File.
S.S.	:	Straits Settlements.
U.M.S.	:	Unfederated Malay States.

A GLOSSARY OF MALAY WORDS USED IN THE TEXT

Adat : Local customs or customary law in general.

Bendahara : Chief Minister in a old Malay state.

Bin : Son of (abbreviated to b.; female equivalent is binte, abbreviated to bte.).

Giliran : The practice of electing the Sultan of Perak, by rotation from four principal branches of the royal family.

Habu Kasut : Shoe dirt.

Hari Raya : High old time.

Hulu (ulu) : Upper part, especially the headstreams of a river.

Istana Negara : Official residence of the Sultan.

Kampong : Rural settlement or village.

Kathi : Religious magistrate.

Kausa : Written document of authority.

Kerah : Corvee.

Kesatuan : Union; association.

Kris : Dagger.

Kongsi : Hokkien (also Cantonese, Hakka and Teochiu), partnership or association of any sort. Primarily used of Chinese secret societies and guilds.

Kongsi Gelup : A Malay Secret Society which came into existence in 1922.

Mentri : Minister; official.

Mentri Besar : Chief Minister.

Mukim : Territory sharing a common mosque; territorial subdivision for purposes of land revenue and administration.

Orang Besar : Literal "great man", applied to anyone of position or wealth.

Paduka : A Malay honorfic meaning 'royal'.

Penghulu : Malay village headman.

Ra 'ayat : Subject of a state or ruler, more particularly the peasants.

Raja-di-Hillir : The fourth position in the line of succession to the Perak throne.

Raja Muda : Crown Prince (of Perak and Selangor).

Raja Kechil Besar and Raja Kechil : The holders of both these two positions stood below the Raja-di-Hillir in the succession line of Perak.

Raja Pemaisuri : Sultan's consort, by birth a commoner.

Raja Perempuan : The royal consort of a Sultan.

Sayyid : One tracing his descent back to the Prophet Muhammed.

Shah Bandar : Habour superintendent.

Temenggong : Commander of troops. Title given to the chief of up stream Perak.

Tungku Besar : Crown Prince (of Pahang).

Waris negeri : Literally "heirs to the state", signifying all members of the royal house, as being potential heirs of the ruler.

Yam Tuan : The Ruler of Negri Sembilan (Nine States).

PREFACE

The research on this study was undertaken at the University of London, and my stay in Britain between 1969 and 1972 was made possible by the Association of Commonwealth Universities in Britain who awarded me a scholarship tenable at the School of Oriental and African Studies. I wish to thank the New College, Oxford, for permitting me to consult the Milner papers. I thank Mr. W.C.S. Corry, E.B.E. for allowing me to undertake research in the Historical Collection of the British Association of Malaysia and Singapore at London. I am indebted to the helpfulness of the Staff of the Public Records Office, Bodleian Library, Rhodes House Library, the British Museum and the Library of the School of Oriental and African Studies and the Senate House Library. Thanks to the generosity of the London Committee of the London-Cornell Project at the London School of Economics and Political Science who selected me for a travel grant, I was able to spend six months in Malaysia and Singapore in 1971. I thank Dato Alwi Jantan of the Arkib Negara Malaysia for permitting me to consult in particular, the Pahang State Secretariat Papers before they were catalogued. My thank is due to another person who prefers to remain anonymous, for giving me an opportunity to consult a relatively less known collection of Tan Cheng Lock papers.

I should like to thank Professor C.D.Cowan who supervised my work on this thesis and offered valuable criticisms on my draft. His help and advice were a great encouragement to me during the years of my intermittent studies.

I am deeply grateful to those in Britain and Malaysia who helped in my research by granting me personal interviews and responding to me inquiries.

K.K.G.

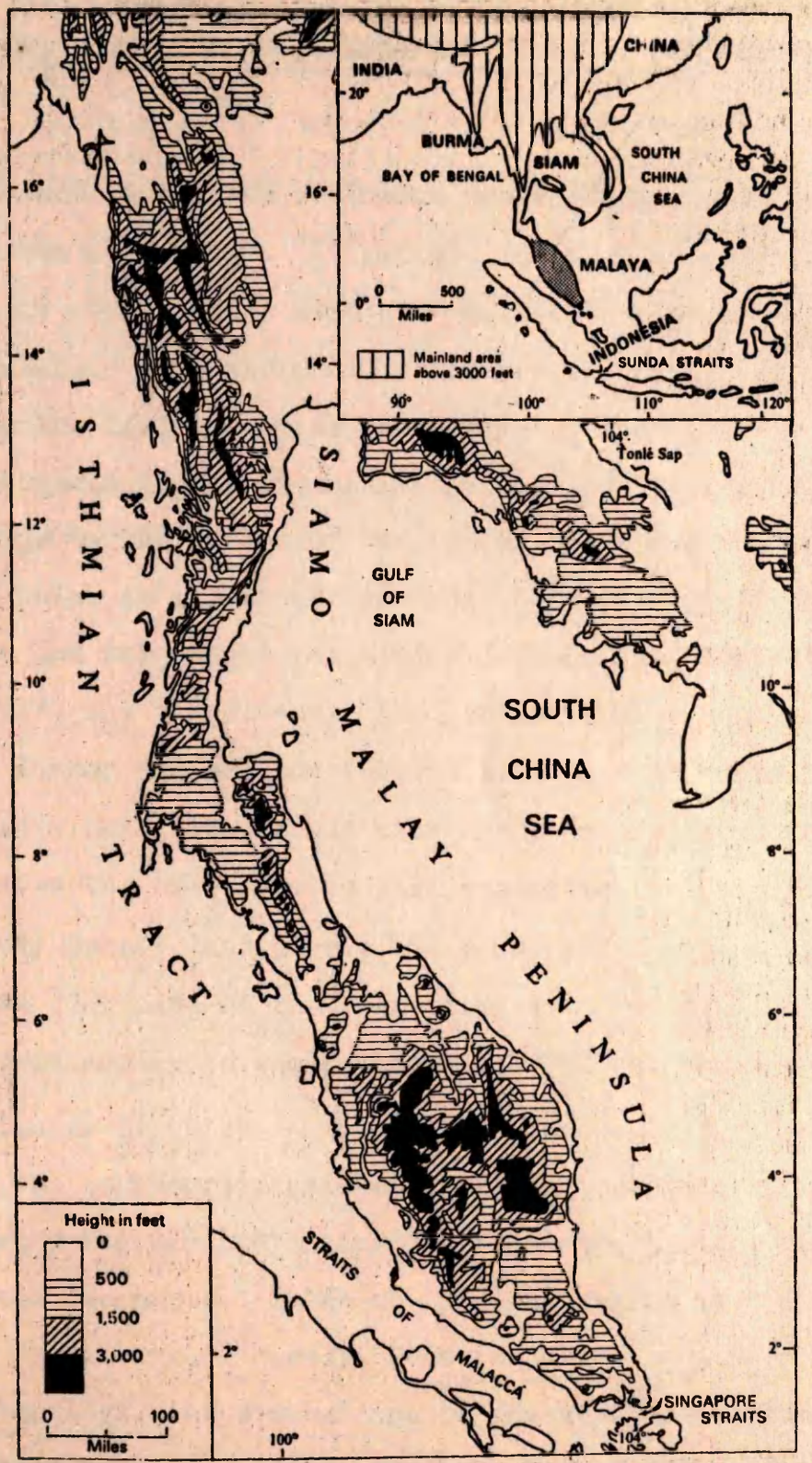

Illustration 1

The position and relief of the Siamo-Malay peninsula. Inset: The position of Malaya.

[Facing page 1.]

PROLOGUE : THE IMPORTANCE AND SCOPE OF THE SUBJECT

A look at the map will show the focal position that the Malay peninsula occupies. It bridges the insular and continental segments of Southeast Asia and divides the Indian and the Pacific Oceans. This peninsula forms the southern part of the narrow and the long land mass which extends from the isthmus of Kra and projects to the Indonesian Archipelago.(illustration 1) It is lapped by the waters of the Indian Ocean and the South China Sea which is a part of the Pacific Ocean. The Straits of Malacca and the Straits of Singapore form the shortest sea-route linking the two oceans. The peninsula lies south of the Tropic of Cancer and extends between 2.20' and 6° north latitudes. Heavy rainfall spreads over the year and high temperature provides the country with lush vegetation, varied flora and a mainly forest landscape. The country has several hill ranges with flat land on the coastal areas. These hill ranges stand up prominently in the northern half of the country and their altitudes diminish in the south. The central range that runs from the southeastern tip of Thailand southward and then southeastward through the peninsula to Johore, divides the country into two parts. Three of the four states with which our study is concerned, namely, Perak Selangor, and Negri Sembilan (literally, Nine States) are on the west coast; they are also referred to as west coast states. The fourth, Pahang

occupies most of east central Malaya between the central range and the South China Sea.[1]

These four states occupied a total area of 27479 square miles and had a total population of 1,324,900 in 1921. Pahang was the largest state in the peninsula, with 13873 square miles, compared with 7,890 square miles for Perak, 3,166 square miles for Selangor, and 2,550 square miles for Negri Sembilan. The Malays who were sons of the soil, the Chinese and the Indians who came as immigrants were the three main ethnic communities inhabiting these states. The numerical strength of each community in 1921 was, the Malays 510,821, the Chinese 494,548, and the Indians 305,219.

The history of the British territorial interest in the Malay peninsula is closely interrelated with the history of the British connection with India, and the need for establishing a base in this strategically placed peninsula, which would guard the trade route to China and the eastern approach to India. In the exposition of my theme, the decentralization of power in the Federated Malay States in the 1920s period I had to look both backwards and forward, had to tie the several loose ends of facts together to make a whole with verity, and search among documents and books for the logical sequence and its factual

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1. Other states in the peninsula include Kedah, Perlis, Trengganu, Kelantan and Johore. The Malays are the indigenous people of these states.

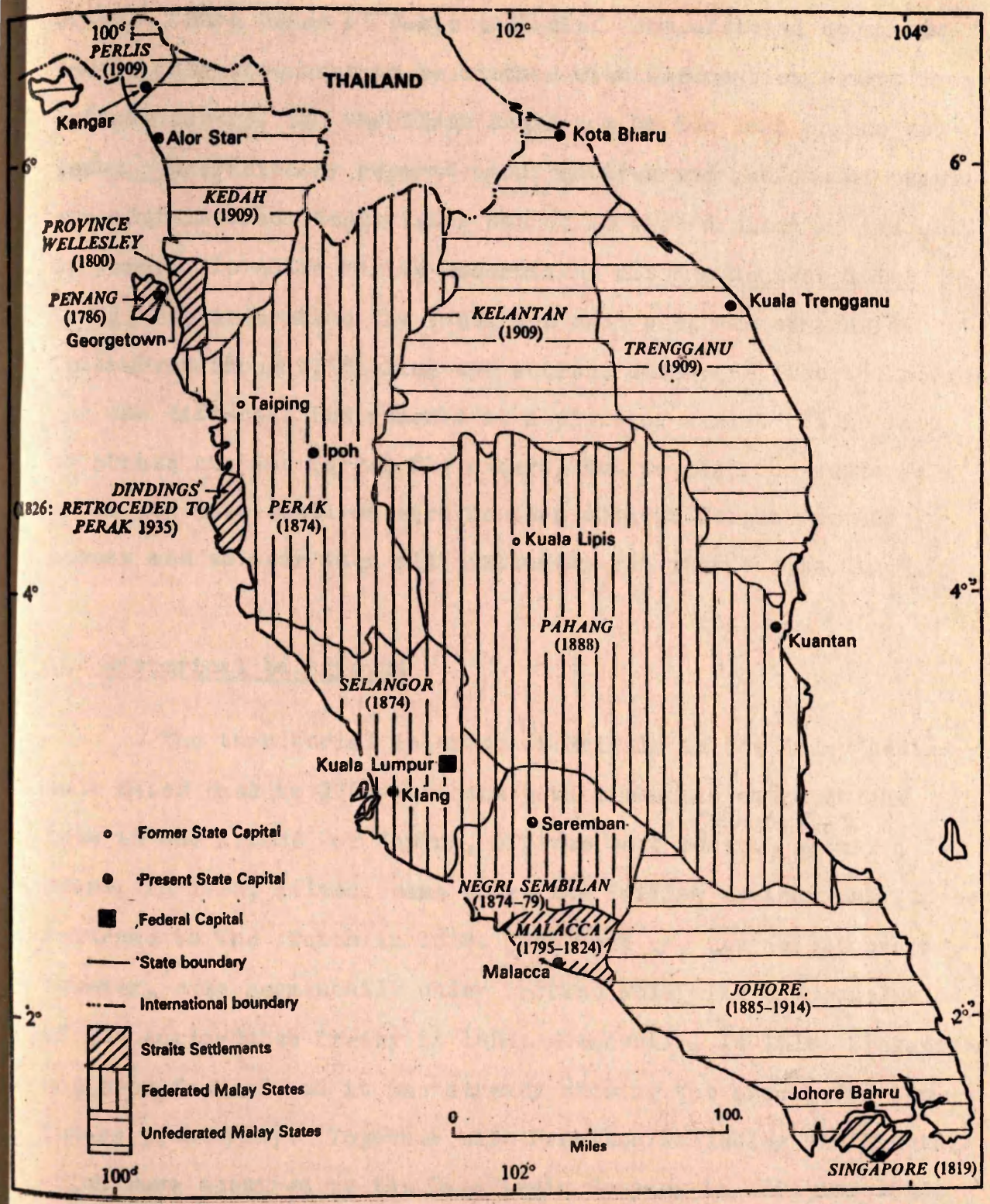

Illustration 2

The political development of Malay States, 1786-1941.

[Facing page 3]

effect. Bare bones of facts collected from official documents had in many instances to be clothed with information sought from private papers, but the flesh could not be too lean or too opulent. Contradictory reports about motives and actions of people who administered these states had to be sifted clear of the silt of years. To quote Philip Woodruff in his The Men Who Ruled India, "to understand the truth you must pick out strands of interwoven thought, feeling and action, which are like the scores for the different instruments in a piece of music. It is easy to stress one and forget the others, but to hear the music as a whole you must dwell on each in turn without forgetting the others and so hear them all distinctly yet at the same time".[2]

I. Historical background

The territorial interest of Britain in the Malay peninsula dates back to 1786 when she established an entrepot and base in the island of Penang, off the west coast. (illustration 2) Within a few years, in 1795, Malacca came under the British control only to be returned to the Dutch in 1818. The town and its neighbourhood, however, came permanently under British rule with the conclusion of the Anglo-Dutch Treaty in 1824. Meanwhile, in 1819, Singapore had been founded and it was already showing the promise of its future prosperity. Together with Province Wellesley and Dindings, which were acquired by the East India Company in 1800 and 1826

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2. Philip Woodruff, The Men who Ruled India : The Guardians (London, 1954) Vol. II, p. 13.

respectively, the three territories were united under a single administration and formed the Straits Settlements in 1826, with its capital in Singapore from 1832. Britain's interest in these small areas was mainly strategic, and they served as the East India Company's strategic outposts to guard the eastern approach to its possession in India and the sea trade route to China. When the Company's rule was abolished in India in 1858, control over the Straits Settlements was transferred to the India Office, and later on in 1867 to the Colonial Office, following an agitation by local British interests. Because these areas were small in size and the British interest mainly strategic, the Straits Settlements came to be administered through direct-rule of the Crown Colony system of government.[3] The administration of the Straits Settlements was headed by a Governor who lived in Singapore.

The establishment of these strategic outposts on the west coast of Malaya brought Britain into direct conflict with Dutch and Siamese aspirations in the peninsula. The East India Company defeated the Dutch and the Siamese attempts to gain influence in the peninsula in the first quarter of the nineteenth century. In the Anglo-Dutch Treaty of 1824, the Dutch undertook not to interfere in the peninsula, gave up their claim over Singapore, and ceded Malacca to Britain.[4] The Anglo-Siamese

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3. Singapore, Penang (with Province Wellesley) and Malacca formed 967 square miles. The total areas of the Straits Settlements (with Christmas and Cocos islands) was 1535 square miles.

4. W.G. Maxwell and W.S. Gibson, ed., Treaties and Engagements affecting the Malay States and Borneo (London, 1924), p. 81.

Treaty of 1826 removed the Siamese claim over the west coast states of the peninsula, and recognized Kedah, Kelantan and Trengganu as Siamese vassals. Siam undertook not to attack Perak and Selangor. Britain pledged the same with regard to Perak, and undertook to defend her from any attack by Selangor. In two other separate treaties with Perak and Selangor, Britain settled in 1825 boundaries between these states and obtained from them pledges not to attack each other.[5] By 1825, therefore, Britain emerged as the arbiter in the peninsula, and her position was unrivalled there.

The East India Company and Indian Government pursued a policy of keeping clear of affairs internal to Malay States till the last quarter of the nineteenth century. By then, however, situations had developed in the west coast states on the peninsula which were to draw Britain into the internal politics of these states with a broadening of her power and influence. These developments have been studied comprehensively elsewhere[6]. The discovery and opening of tin mines proliferated and they brought about a dramatic change in the scene. At the beginning, Malaya's part in Singapore's trade had been negligible, but the opening of large areas in the west coast states to tin mining increased it later by 1860 to three times its actual value over

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5. Treaty with Selangor of 1825, ibid., p. 22.

6. C.D. Cowan, Nineteenth-Century Malaya - The Origins of British Political Control (London, 1961); and C.N. Parkinson, British Intervention in Malaya, 1867-77 (Singapore, 1960).

the 1824-1833 period.[7] It was the boom in the tin-mining which drew in large amounts of Chinese labour and this affected the law and order situation in these states. They introduced inter-gang fightings on such a large and frightening scale that the traditional Malay Rulers found themselves unable to cope with it. This had an important effect on the British policy of non-intervention and in 1874 the Colonial Office reversed its policy of non-intervention in the internal administration of Malay States. A British Resident was placed in each of the states of Perak, Selangor, Sungei Ujong, and Pahang between 1874 and 1888. The moment when the Malay Ruler received a British Resident in his state saw the phenomenon of indirect rule make its appearance in these states.

At the outset, the Resident was not given any executive power in the administration of the Malay Ruler, whom Britain recognized as the sovereign ruler in his own state. The Malay Ruler merely undertook to ask for, and act upon the advice of the British Resident on all matters of the administration except those touching Malay religion and custom. Notwithstanding the theory the Resident in fact administered the executive government of the state from the beginning. States of the confederacy of Negri Sembilan, in addition to Sungei Ujong, came under the indirect rule by 1895. The year 1896 saw the birth of the Federated Malay States, an important landmark in their history. This came about when the Malay Rulers of Perak, Selangor, Negri

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7. Cowan, ibid., p. 21.

Sembilan and Pahang gave their consent to a treaty which formed their states into the Federated Malay States. A federal administration was created at the centre, headed by the Resident-General who lived in Kuala Lumpur. The Governor of the Straits Settlements held the overall responsibility for the administration of the federation as the High Commissioner for the Malay States. In initiating the proposal for a federation, British authorities did not intend to abandon the theory of indirect rule in these states. The federation proposal held out promises for a stronger administration, financial stability and held out the advantages which would come by an opening up of the country. The following decades were to see these promises fulfilled. In addition, the federal administration was responsible for standardisation of certain institutions like administrative, police and judicial services, an infra-structure of quick means of transport and a modern postal system. Side by side to these developments, a considerable amount of European capital soon came to be invested in the economic development mainly in the tin-mining and rubber plantation industries in these states. These export industries not only brought about a steady flow of wealth, they also injected into the country a very large number of Chinese and Indian labourers who came to work for the development of these enterprises. Within the short compass of a quarter century since 1896, the condition of the federated states was revolutionised and the economic development greatly enlarged the sphere of activities of the federal administration.

There was another development which was not desirable to the state authorities. The responsibilities of state governments which had previously been shared between the Malay Ruler and the British Resident, were now almost wholly centralized at the Federal Secretariat. The dissatisfactions of the Malay Ruler and the British Resident against this over-centralization of power were known to higher British authorities by the end of the first decade of this century. The main thrust of the British policy in the Malay States in the period between the two World Wars, was towards reversing the trend towards over-centralization of power. The decentralization of power and re-organization of the state and federal administrations in the 1920s so as to bring about a fresh division of power between them is the broad subject of this study.

The year 1909 saw the end of Siamese suzerainty over the four Malay States of Kedah, Kelantan, Trengganu and Perlis, and these states were made to accept Britain as their paramount power. The state of Johore accepted a similar position in 1914. These developments prepared the ground for the re-organization of the administration of the Federated Malay States. The former Siamese States and Johore presented a different instance of indirect rule. The Sultan and his council in these states, enjoyed greater power than their counterparts in the Federated Malay States, and the British officer who was received in these states after 1909 as the British Adviser, was free from the administrative control of the Federal Secretariat.

All the states were small in size and all of them were under varying degrees of the administrative control of the High

Commissioner for the Malay States. From the British point of view, therefore, there was now an obvious case for an administrative union of all the states under British protection; and the inclusion of all the Malay States in the peninsula under an enlarged federation now appeared to be the logical objective of the British policy towards these states. The native authorities in the former Siamese States and Johore were accustomed to enjoying a substantial measure of power; to them the over-centralization of power in the Federated States was an anathema. It was evident that, unless the federal control over the federated states was reduced, the former Siamese States and Johore would keep away not only from the existing federation but also from any federation of all Malay States which might be proposed in future. The decentralization of power in the Federated Malay States became the central issue in Malayan politics in the 1920s. The aspects of this issue are wide and varied, and the weaving of warp and woof of policies and politics were to effect a colourful tapestry.

II. The perspective

Decentralization means the transfer of control to local authorities. This is distinct from the transfer of functions as implied by devolution. One eminent historian was of the opinion that "the most important of the historical principles is a simple one, though it is often disregarded or partially disregarded. It is a recognition of the fact that what happened in the past has a

unique significance because it happened".[8] As a matter of fact, historians do not take up every event for critical investigation. What claims does the policy of decentralization of power in the Federated Malay States have to be regarded as a fit subject for historical investigation? In the history of the Western activities in Malaya, the policy of decentralization of power was a chapter significant for showing the interaction of several forces that shaped the policy of administrators on the spot, in the local key centres of authority, and in the Colonial Office in London which was like a nerve centre of the imperial affairs. It is interesting to note the standards of good government which each administrator set himself for the welfare of the subject people. That peace, law and order were sine qua non, was admitted by all, but there was no agreement as to which of the other programmes like education, participation in administration, initiation of representative institutions, and the like should find a place in what one considered to be good government. In protectorates with considerable alien populations, as the Federated Malay States were, the promotion of the last two programmes posed special problems.

No less forceful was the interest of the home country firstly the strategic and diplomatic interests of the empire, and secondly, the economic interests of the British. This second category included the manufacturers and traders of Britain as well

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8. George Kitson Clark, The Critical Historian (London, 1967), pp. 197-8.

as those British nationals who had made investments in the Federated Malay States and the Straits Settlements, by way of plantations, manufacturing, mining industries, the export, import business, providing services like carriage of goods, banking and insurance.

The third force to play an important part was the ideology of the party in power in Britain from time to time. The difference in outlook between the Conservatives and Liberals with regard to colonial policy was not an accentuated one, but with the emergence of the Labour Party as a political force, a radically different point of view came to play its part in the shaping of policy. The full impact of the ideology of the British Labour Party was to be seen in the period following World War II, but it is significant that the Sultan of Perak lodged his complaints against the over-centralized system of administration in the Federated Malay States with Britain's first Labour Secretary of State for Colonies.

A fourth, and not a negligible force, was the role of personalities and the play of individual character on the shaping of the policy, or in shifting of the emphasis, or just in the delays or impediments caused in the change over from one policy to another. Those who played a part in the shaping of the policy in respect of a particular colony or protectorate, included not only the administrators on the spot, or the Colonial Office, but also influential members of the mercantile or industrial community, or retired civilians. It is not surprising that by its very nature this was a variable and unpredictable force. An

assessment of its role for major policies in any colony or protectorate unfolds a wide, interesting and important field for a historian as well as a political scientist. Evidence suggests that influential business lobbies both in the Federated Malay States as well as in London took a keen interest in the questions of administrative changes.

The late nineteenth and early twentieth centuries witnessed the rise of the nationalist spirit in many British dependencies. Many were the causes that generated it. To a large extent British rule was the causa causans. In many dependencies, by bringing Western education, by exposing members of the traditional societies to ideas like the civil rights of citizens, the rule of law, participation in representative institutions, by striking at the roots of the authority of traditional agencies of power like a chief, communal, caste or tribal organizations, by introducing the printing press, newspaper, quick means of transport, by encouraging social mobility that made inroads into existing social stratifications, western rule in many Asian and African dependencies became responsible for responsible government.

The nature and intensity of these developments were widely different in different dependencies, and the Malay States offered one particular instance. The developments in these states were related to the question of decentralization of power. Decentralization of power certainly enhanced the status, though not the power of the Malay Rulers; and this controversy over decentralization which agitated the Malay States through out the inter-war period, gave birth to a new political awareness. One scholar

went so far as to describe this phenomenon as "the Malayan phase of the awakening of the East".[9]

III. Significant political issues

What did decentralization means in the context of the Malay States in the 1920s? The importance of decentralization in the polities of the Malay States has been acknowledged by more than one author, but all the issues involved in the policy of decentralization have not been brought out. One author suggested that the abolition of the office of the Chief Secretary, Federated Malay States, was the main issue.[10] Another author observed that decentralization involved "the problem of state right versus federal control" and maintained that it was "the chief political question of the Federated Malay States" in the inter-war period.[11]

Atleast three main issues were covered by decentralization. One was, of course, devolution of power from the central to state authorities in the federation. Another issue always encompassed by the term, though not always spelt out, was the proposal of replacing British civil servants by Malay Officers. This in itself, involved more than one matter. One was a

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9. Rupert Emerson, Malaysia - A Study in Direct and Indirect Rule (reprint, Kuala Lumpur, 1964), p.314.

10. Professor Emerson wrote that "In the long controversy over the problem of decentralization, which in turn came to centre about the abolition of the Chief Secretaryship, almost every conceivable Malayan question was brought into the discussion". Ibid., pp. 154-5.

11. Lennox A. Mills, British Rule in East Asia (London,1942), p.5.

straightforward one of having more of Malay Officers in the administrative services. While the other was the method of drawing them from a wider circle, not limited to candidates from the families of the Sultan and the Chief, as had been the practice before the 1920s. The third and a very important and delicate problem, was that of reviving the status, if not the actual authority of the Sultan. The argument from the point of view of the British government was that the indigenous institutions deserved to be preserved with dignity though not as functional organs of the administrative machinery. This would no doubt seem to be an unusual proposal. Some would naturally question the wisdom of retaining in the twentieth century such archaic politico-administrative institutions, particularly when a modern machinery as their substitute had been set in motion. The question of what purpose could be served by making a pretence of giving status to the Sultans when in fact they would not be given the power of real authority will be analysed in this study. There was a similar proposal for reviving the status of some other indigenous officials and the whole pattern is an intriguing aspect of maintaining indirect rule. It may also appear to be an instance of maintaining indirect rule by devious means, however, a judgement should not be passed without asking how far the pro-Malay aspects of the policy of decentralization helped the modernization of the Malay elite.

Another question which the proposal of decentralization inevitably raised was, how would the federal administration, weakened by decentralization, cope with the economic needs of

the British and other foreign financial investments in the Federated Malay States? These states had become an important source of tin in the world by the time of the outbreak of the World War I. It was the phenomenal growth of the automobile industry in the early years of this century which made Malay States, particularly the Federated Malay States, an important region for the whole of the British Empire. Enormous amounts of capital, much of it British but large amounts American, French, Belgian and Chinese, came pouring in and were invested in the rubber plantations in these states and Johore. Settled order, favourable laws for the entry of immigrant labourers required for running the rubber estates, importation of food grains for these immigrants, development of godowns and harvour facilities, good roads and railways to facilitate quick transport were some of the vital matters in which the owners of plantations were interested. The continuation of these facilities largely depended on centralization of authority, uniformity of laws among all Malay States, and an efficient civil service. Since the general economic welfare of the country depended entirely on revenues collected from the tin and rubber industries, the interest of these industries naturally acquired a special significance in any question of re-orientation of the administrative policy. It was natural that the investors would prefer a centralized federal administration to a decentralized one. If economic interests ever play a part over political and administrative questions, they were expected to exert the maximum influence on the policy of decentralization of power in the Federated Malay States. What was

the actual role of these interests will be delineated in this study.

These were the issues of immediate importance, involved in the decentralization of power in the Federated Malay States. There was another issue of great significance for the future political development of all Malay States and the Colony of the Straits Settlements, and it arose out of two divergent concepts of their unity. The decentralization of power in the Federated Malay States became inevitable when the unity of the Malay States appeared to be the logical goal of the British policy towards the peninsula. The administrators who tried to find the ways and means to achieve this goal had to face the question of the Colony's future relations with the larger federation which was in view. They seemed to have been guided by two distinct concepts of unity from which their moves and actions originated. Underlying the rivalry for power between the High Commissioner and the Chief Secretary, Federated Malay States, was their respective preference for a federation of all Malay States with organic links with the Colony, headed by the High Commissioner, and a federation of all Malay States headed by the Resident General whose office should be revived for this purpose to the exclusion of the Colony. All aspects of these rival concepts of unity of Malay States and the Colony, however, were yet to be spelt out.

Several factors entered the fray causing a storm over decentralization in the Malay States. The Chief Secretary, Federated Malay States, George Maxwell, was a firm believer in

paternalism and bureaucratic management but his superiors, the High Commissioner and two Secretaries of State for Colonies, Milner and Amery, were opposed to doing everything on behalf of Malay Rulers and encouraged indirect rule. Unforeseen but perhaps inevitable at this point was the remonstrance by Sultan Iskander, the most outspoken of Malay Rulers in the F.M.S., against the treatment of the Malay Sultans as mere "chess-board kings". The British officials of the highest ranks at Kuala Lumpur and Singapore were committed to promote the two divergent concepts of unity affecting both the Malay States and the Colony. The European and the Chinese commercial interests, and the bureaucracy sparked into life, ready to give battle to the policy of the Colonial Office. A stiff tussle over decentralization resulted between the British and the Malays, and between political opponents among the British themselves. The panacea of examining committees was applied to the problem of decentralization and its various aspects and there were no less than five committees in the 1920s alone to be followed by more later.

IV. Decentralization in the existing literature and the scope of the subject

Contributions of scholars like Sir R.J. Wilkinson and Sir Richard Winstedt cover almost every field of Malay studies and they are too well-known to be enumerated here. The considerations which led to the establishment of the British power in the fringes of the Malay peninsula by the early nineteenth

century have been studied.[12] Professor C.N. Parkinson and Professor C.D. Cowan have added much to our knowledge of the events which drew Britain into the internal politics of the Malay States in the 1870s.[13] Attention has also been devoted to the extension of British political control over the four Malay States which had been under the Siamese suzerainty.[14] The administrative system of the Malays and the Residential form of administration in the west coast Malay States and Pahang have been discussed in two perceptive studies.[15]

It was an accepted political cliche that Malaya had no politics before the World War II, and the political development

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12. C.D. Cowan, ed., "Early Penang and the Rise of Singapore, 1805-1832," Journal of the Malayan Branch of the Royal Asiatic Society, March 1950, pp. 1-210; N. Tarling, Piracy and Politics in the Malay World (Melbourne, 1963), and Anglo-Dutch Rivalry in the Malay World, 1780-1824 (Queensland, 1962); K.G. Tregonning, The British in Malay - The First Forty Years, 1786-1826 (Tucson, 1965).

13. C.N. Parkinson, op.cit.; C.D. Cowan, Nineteenth-Century Malaya - The Origins of British Political Control (London, 1961).

14. E. Thio, "British Policy in the Malay Peninsula, 1880-1909" Ph.D. thesis, University of London, 1956. This work is now in print, but all references in the following chapters are to the dissertation.

15. J.M. Gullick, Indigenous Political Systems of Western Malaya (London, 1958); E. Sadka, The Protected Malay States, 1874-1895 (Kuala Lumpur, 1968).

of that country is treated in most text books as only a post-World War II phenomenon. The reason for this was that the administration and politics of the Malay States in the inter-war period are largely unexplored fields. There are some writings on the British Colonial bureaucracy and the Malayan Civil Service, but they too only focus on the period which followed World War II.[16] Dr. William Roff presents a study of the social and political effects of the British policy and administration on the Malay community in the first four decades of this century,[17] but there is no published study based on archival and other documentary sources of the problems which confronted the British administration in the Malay States. Neither is there any study analysing the policy which was devised to solve them in the two crucial decades prior to the outbreak of the Pacific War.[18] There are some personal accounts of former British Malayan administrators which only offer some glimpses of problems. The limitations of personal reminiscences are obvious. Though they

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16. R.O. Tilman, Bureaucratic Transition in Malaya, (Durham, N.C., 1964); his "Bureaucratic Development in Malaya", in Ralph Braibanti, ed., Asian Bureaucratic Systems Emergent from the British Imperial Tradition (Durham, 1966), pp.550-604; Hugh Tinker, "Structure of Heritage", in Braibanti, ed., ibid; J.de V. Allen, "The Malayan Civil Service, 1874-1941: Colonial Bureaucracy or Malayan Elite", in Comparative Studies in Society and History, April, 1970. The only general treatment of the British administration in Malaya in the inter-war period is in S.W. Jones, Public Administration in Malaya (London, 1952).

17. William R. Roff, The Origins of Malayan Nationalism (New Haven, 1967).

18. R.L. Watts in his book entitled New Federations: Experiments in the Commonwealth (Oxford, 1966), extensively studied six new federations which came into existence since 1946 in India, Pakistan, Nigeria, Rhodesia and Nyasaland, the West Indies, and Malaya and Malaysia. This painstaking study, however, leaves out the proposal for an all Malayan Federation mooted during the inter-war period.

give an insight into some aspect of the problems with which they had personally come in direct contact while in service, their accounts generally suffer from two sorts of limitations. First, many of these officials did not have a global view of these problems which confronted the British administration in the Malay States, and this is admitted by the reflective section of the civil service. Commenting on the perceptions of his contemporaries of the administrative problems which had faced them in the 1920s and the 1930s, Victor Purcel wrote that "we had to admit the possibility that limitations of our employment prevented us from seeing the wood for the trees".[19] The second limitation was also psychological and human because the controversy over decentralization compelled many civil servants to take sides.

Professor Rupert Emerson in his study of British and Dutch methods of running their colonies, pioneered a critical appraisal of British administrative policy in Malaya for the one and half decades, following the World War I.[20] The two other works which make references to the administrative problems of this period were written by Professor Lennox Mills and Professor Virginia Thompson, and published in 1942 and 1943 respectively.[21] It is however, Professor Emerson's treatment of decentralization which

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19. Victor Purcell, The Memoirs of a Malayan Official (London, 1965) p. 301.

20. Emerson, op.cit.

21. Mills, op.cit.; Virginia Thompson, Postmortem on Malaya (New York, 1943).

is even now considered to be the "only detailed account" on the subject, and its anti-imperial overtone has created an interest among authors and influenced their writings.[22]

The existing works on decentralization were too close to the period so that they lacked the advantage of scrutinizing the official records of the governments of Malay States and the Colonial Office. Emerson's work, in particular, has its own shortcomings. Some historians who hold impartial and balanced views have already pointed out that Emerson's emotional hostility to imperialism affected the objectivity of his work.[23] His inability to use official records on decentralization increased Emerson's dependence on other contemporary materials a part of which emanated from interested parties. For instance, Maxwell happened to be personally too closely involved in the decentralization controversy to be able to report on it fairly and accurately, and the uncritical trust which Emerson placed in Maxwell's published writings on decentralization created erroneous interpretations of various aspects of decentralization.[24]

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22. Roff, op.cit., p. 197.

23. Professor Lennox Mills and Victor Purcell who made sympathetic and fair appraisals of Professor Emerson's study, also mentioned that it was biased against the British rule in the Malay States. Mills wrote about Emerson that "every now and again an emotional hostility to imperialism coloured his presentation". Purcell found Emerson's conclusions to be "doctrinaire". L.A. Mills, "American Historical Writing on Southeast Asia", in D.G.E. Hall, ed., Historians of Southeast Asia (London, 1961) p.290; Victor Purcell, op.cit.,p.301.

24. Emerson accepts as true several wrong assertions of Maxwell. For instance, he wrote that "Maxwell has insisted on several occasions that decentralization would now be an accomplished

These are the reasons which justify a case for reinvestigation and reevaluation of the decentralization policy. Considerations which contributed to the development of this policy and its objective are significant matters. They call for a reevaluation in the new light of documented sources which are now available. It is a pity that the existing literature on the subject gives only a narrow view of these aspects. For example, the measures taken to increase the power of the state authorities have been wrongly interpreted as steps to keep in abeyance the political demands of the alien communities, particularly those of the Chinese.[25] To give another instance, the most important measure visualised to decentralize the power of the Federal Secretariat is lebelled unnecessary and said to be inspired by the High Commissioner's devious intention of removing the Chief Secretary from his office.[26] Locations from which the initiatives to

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24 (Contd.). fact if it had not been for Guillemard's new policy" which aimed at the abolition of the office of the Chief Secretary, Federated Malay States. The proposal was, in fact, very central to the policy of devolution of power and it had originated in the Colonial Office in 1920. To give another instance, Emerson thinks that Guillemard accepted the resolutions of the Unofficial Federal Councillors in 1926 ensuring the maintenance of a strong Federal Government and efficient Federal Services for the reason stated by Maxwell. "As Sir George Maxwell, then Chief Secretary, later bluntly put it", wrote Emerson, the High Commissioner realised that if he would use official majority to reject these resolutions "he risked the loss of the support of the Colonial Office". This was out of the question because the Colonial Office had given full support to the High Commissioner after 1925 to work out the administrative changes in the Federated Malay States. See Emerson, op.cit.,pp.161,165.

25. Ibid., pp. 140-1.

26. As a reason for the proposal for the abolition of the post of the Chief Secretary, Federated Malay States, Emerson mentions the "personal difficulties between Maxwell and Guillemard" and in another place supports Maxwell's view that "the controversy which Guillemard aroused over the Chief Secretaryship

change the administrative system originated, the nature, extent and sources of resistance to decentralization, the scope of the administrative measures actually put into effect, and an assessment of the achievements of the decentralization policy, are matters which are yet to be fully explored, analysed and clarified objectively. This study aims to explore these aspects and reevaluate those mentioned in this paragraph.

The following chapters present the problems of over-centralization of power in the Federated Malay States against the background of the administrative systems which had earlier obtained in these states. They examine the situations which arose in these states after World War I and attempt to ascertain which of them directly led to important administrative changes. In order to deliniate the scope and object of these administrative measures and to locate the source of resistance to them, these chapters analyse the policy outlined at the Colonial Office, the aspirations of the Malays and their Rulers, the personalities and ideas of the administrators in Malaya and the interests of the European business lobbies. The concluding chapter evaluates the administrative changes brought about by the decentralization policy. It includes an analysis of the qualitative improvements decentralization brought about in the administration and points out its remarkable contributions to the future political development of the Malay States. Lastly, it assesses the achievements of the policy of decentralization in the light

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26 (Contd.). was more of a handicap than a help" to decentralization. Ibid., pp. 161,166.

of the difficulties faced in the Malay States and analogous situations elsewhere in the British Empire in maintaining a system of indirect rule.

V. Sources

The sources of information for this thesis include series of official and private manuscripts, and printed and confidential and published records of the Secretariat of the Federated Malay States, Secretariats of Governments of Selangor, Negri Sembilan and Pahang and the British Colonial Office, and of individuals, organizations and groups located in the archives, libraries, and private depositories in Britain, Malaysia, and Singapore. As mentioned in the Preface, the writer, during his stay in Britain, had opportunities for spending six months in Malaysia and Singapore and receiving comprehensive answers to the questions in his questionnaire from the surviving British and Malay administrators he sought out.

These sources represented a vast mass of materials. For instance, the official correspondences between the High Commissioner for Malay States and the Secretary of State for Colonies for the years from 1920 to 1930, and similar correspondences between the Governor of the Straits Settlements and the latter for the years from 1919 to 1930, both at the Public Records Office, London, run into 76 and 122 volumes respectively. Archives of the federal administration and Governments of the Federated Malay States, now centralized in the National Archives

of Malaysia, are just as voluminous. It was, however, the volume of State Secretariat Records of the Federated Malay States which was an embarrasment!

Though the information offered by these sources is extensive, its quality and verity is another matter. The author had to organize a broad fronted attack upon all relevant sources in order to avoid the risk of an arbitary selection of evidence. Consultation of all available sources was not the major problem. The difficulty lay in resolving the particular nature, uneven coverage and the sudden discontinuity of some sources; the other problem arose from some serious gaps in recorded information.

The evidence on the decentralization controversy can be divided into two broad categories : that which was produced for the attention of historians and that which was produced for some other purpose. The first category comprises memoirs, notes of self-justification and letters and articles intended for publication. To the second category belong all documents and records, government papers and memoranda. Materials of the first category, evidently designed to affect the opinion of historians, can be judged only when the purpose for which they were produced and the interest of the producer can be identified. For example, George Maxwell's opposition to the proposal for decentralization of the Chief Secretary's power in 1925 not only made his retirement from that post inevitable but also blocked his promotion in the Colonial Civil Service, and following his retirement he wrote some articles which were biased against the proposal. The mass of the evidence of this category, however, can be evaluated with relative ease, once the case which the author wishes to make

is determined.

Evidence of the second type poses a real problem and leaves tantalizingly dark areas because important matters had been settled through unrecorded conversations of which no precis has been kept. The author could find no minutes in the Colonial Office records of Lord Milner's discussion of the administrative problems of Malay States with Sir Laurence Nunns Guillemard on the eve of the latter's departure for Singapore as the first British High Commissioner for the Malay States after World War I. The same frustrating lack of evidence marks Grindle's meeting with Maxwell in the Colonial Office in 1920. These gaps cause uncertainty in determining the turning point from over-centralization to decentralization and there are many more such serious gaps in the sources of information.

Few of the High Commissioner's Office Files, and none of the Chief Secretary's Office Files for the inter-war period, are now available in Malaysia so is the case of the papers of many Federal Departments which were transferred to state control in the 1920s and 1930s. It is not possible to know how these departments worked under state control. Perak State Secretariat Records for instance, have not survived. The papers of other State Secretariats now available for consultation, also suggest nothing concrete on the question of the devolution of power from the State Secretariat to district offices. Lack of material makes it very difficult to get much information on some important personalities and their share in administrative changes. Private papers of many of these personalities have not been located or preserved at all.

It is a pity that some parts of the picture remain shadowed because no information is available. Yet, it is

possible to conceive of a picture, complete in broad outline and necessary details. In this respect, correspondences of the High Commissioner, the Governor, and the Secretary of State, and the surviving papers of State Secretariats which proved to be extremely useful, are noted in the bibliography. It may not be out of the place to mention here that the Pahang State Secretariat Records most of which were believed to have been destroyed during the World War II, were referred to by the writer as were some private papers, all of which have been used, probably for the first time, in this study.

C H A P T E R - I

THE INHERITED ADMINISTRATIVE TRADITIONS

Synopsis

To give effect to the policy of decentralization, proposals were devised in the 1920s to devolve power upon the Sultan, the Resident and the State Council, and questions were raised about the suitability of each of these institutions for this purpose. The role which these institutions had played in the previous administrative systems in the states in F.M.S. contributed to the settlement of these questions. In the political system of the Malays in the nineteenth century, the Sultan had symbolized prestige rather than power. Following the introduction of the Resident's rule in these states, the Resident held the monopoly of executive power and the Sultan served as the figurehead with the State Council as his advisory body. Though the federal administration with a Resident General began in 1896 on a modest scale, the absence of any clear division of power between the federal and the state authorities produced undesirable effects for these states through a too rapid economic development. Rapid economic progress enlarged the sphere of activities of the federal administration, vastly expanded its size, and above all, placed the unity of control by a strong centralized bureaucracy above all political considerations. The Resident, who now had little power, and the Sultan, who was of no significance, were equally dissatisfied with this development. The change of title of the Resident General did not solve the problem of centralization of power, while the emergency of the World War I accentuated it.

I. Malay political institutions

The original settler of the Malay peninsula is known as the Malay. This description, however, includes the local-born people as well as a host of other immigrants who entered the peninsula from adjoining islands during some centuries from now. The most numerous among these immigrants were Minangkabaus who came from the Padang highlands of Sumatra. They formed a substantial segment of the population in Negri Sembilan, and a major group in Perak. Bugis had a colony in Negri Sembilan, and they lived in Selangor. Rawas

lived in Negri Sembilan, Perak and Selangor. Mandiling and Batak could be found in Perak and Selangor, and Korinchi in Perak.

Political institutions were known to most of these peoples. The political system which these groups developed in the Malay peninsula, stood for utterly diffused political control. This was perhaps inevitable because such a system is suitable for holding together ~~groups from~~ diverse ethnic groups. In their social behaviour too, these groups differed vastly. They spoke different languages, dressed differently, and pursued different occupations. The Bugis were proud of their language, and the Korinchi held themselves to be stricter Muslims than the rest. Among the Minangkabaus, those who came earlier claimed a primacy over those who came later. The local-born Malays were peasants, while the Indonesian immigrants dominated the local trades. These special differences influenced the composition of the villages which formed the base of the Malay society. A part of a homogeneous group formed a village which did not welcome elements from other ethnic groups. In Negri Sembilan the major part of the people were clan-oriented which gave them some affiliations to a bigger group; in three other states of Pahang, Selangor and Perak peoples had no higher basis of association than the village. The size of such villages could not be large; lack of developed agricultural system did not permit concentration of population, and a village normally had no more than fifty families. Moreover, in the nineteenth century the Malays had a bad reputation for being migratory for various reasons.

We may now turn to the political institutions which existed in these states in the nineteenth century.[1] At the village level, there were groups of people, culturally different, partly endogamous, and primarily responsible for finding their own food though not wholly self-sufficient. Such groups were not amenable to central control. These village communities were expected to be loyal to one of their members, such as the founder of the village or his successor, and more easily controlled through him and he was the village headman (Penghulu), the administrator at the lowest level of the political hierarchy. The entire village was in his charge and he was responsible for maintaining peace and order and settling disputes among the villagers. When the disputes arose the headman sought to reach an agreement among the parties with the help of their time-honoured customs. His duty in this respect though, strictly speaking, was not one of an administration of justice, because laws backed by sanction did not exist. The headman had also to carry out the orders of the chief when asked to raise a levy or impose corvee (karah).

The existence of largely self-governing village groups called for a loose type of political control from above, but it did not rule out the existence of higher political authority. On the contrary, a higher political structure became necessary to hold

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1. In describing the position and powers of the Penghulu, Chief and the Sultan in the Malay States in the nineteenth century, I have depended mainly on two sources. C.D. Cowan, Nineteenth-Century Malaya - The origins of British Political Control (London, 1961); and J. M. Gullick, Indigenous Political Systems of Western Malaya (London, 1965), first published in 1958.

together culturally heterogeneous groups. The reasons why the village communities in the Malay society welcomed higher control were mainly two; the need for peace in a wider area, and that for defence against attack from outside the village or from another state. Pease was an economic necessity; for without it, goods could not move freely up and down the river and traders could not market their wares. This economic need could not be fulfilled by the headman on his own. Nor did his own resources enable him to provide his people with an effective organisation of defence against external attack. Consequently, he had to look to the district chief, who was next up in the hierarchy.

The chief was naturally an important figure because of the wide variety of his functions and administrative powers. The phenomenon of the rise of the chief with full control over his district was an indication of the total disappearance of the system of centralized government of the Malacca Sultanate from the peninsula, long before the nineteenth century. The descriptions of his powers and activities suggest that he was the real ruler of his district. He collected the revenue of his district by taxing his Malay subjects and taking royalties from tin mines in his district. His control over the revenue of his district was the source of his power. This position did not change until 1874, when he was brought on the Civil List of the State Government. The chief's relation to the Sultan was an important clue to his actual powers

In theory, a chief ought to be appointed by the Sultan, who would give him the symbolic written authority and a kris on

his appointment. The Malay Sultan had too little resources to reduce a chief to the position of clear subordination. The chief was expected to perform occasionally acts of obedience to the Sultan. By the nineteenth century the chief emerged as the real ruler of his district. The position of the chief was not conditional on the Sultan's recognition, and no chief could count on any effective help from the Sultan to maintain his position. It was the absolute control of the chief over the resources of his district which helped him maintain his position. The tradition of being appointed by the Sultan was a formality which recognised this reality. The Sultan's choice was further limited by the claim of the lineage which customarily provided the holder of that office. Few chiefs in the nineteenth century held any authority derived from the Sultan. The Sultan and the holders of royal offices were entitled to have a share in the revenue from all districts of the state. The inability of the Sultan to maintain tax collectors in outer districts, however, seriously compromised his claim. In practice, the chief was free to collect taxes as he liked, and the Sultan rarely, if at all, got his legitimate dues. His dignity did not permit him to force the chief to pay. The position can be illustrated from an incident in Selangor in the 1860's. In 1866 Raja Mahdi took possession of the rich tin-producing district of Klang and then stopped paying the Sultan his dues. All that the Sultan could do, was a petulant revenge. He called off the previously arranged marriage of his daughter to the Raja.[2]

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2. Cowan, op.cit., pp. 70-1.

The Sultan's inability to get his dues from the revenue of the districts, many of which were yielding to the chief high profits from the newly opened tin mines, helped to disperse political powers from the capital and he had to fall back on the revenues of the district which was under his direct control. These were the tolls on the traffic which passed through the river, a part of which was under his control, or the revenue from its hinterland.[3] Naturally, there were chiefs who were richer than the Sultan and as their wealth grew they replaced the Sultan in some of the latter's customary functions in their districts. In states which had something of the nature of a legal code, the Sultan was entitled to get any fine in excess of $ 25 paid in any judicial settlement, and the authority to order judicial execution was reserved to him. In practice, however, the chief was trying all cases which the headmen could not handle, passing any sentence and holding on to all fines.[4] Many of the chiefs had taken on them the duties of appointing all headmen in their districts and of making laws for their districts. It became a recognised practice that treaties with any outside Power would not be binding on the chief if these were not signed by him, as well as the Sultan.

The Sultan's claim to the highest position in the Malay political hierarchy dates back to the Malacca Sultanate. Malacca was the archetypal Malay state; established in the fourteenth century. The states of Perak, Selangor, Pahang and Negri Sembilan

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3. Ibid., p. 35.

4. Gullick, op.cit., pp. 114-5.

gradually gained their separate statehood between the fifteenth and the nineteenth centuries. Malacca's administrative structure was highly centralised, like a pyramid in shape, with a decreasing number of offices as they ascended in importance. The Sultan occupied the highest position in that structure and the actual administration was carried on, under the direction of the Sultan, by a number of ministries (Mentri) of non-royal lineage. These ministers included, in descending order of importance, the chief minister (Bendahari), the commander of troops and police (Temenggong), the treasurer (Penghulu Bendahari), the secretary of state (Mentri), and the collector of customs and harbour master (Shah bandar).[5]

Perak and Selangor inherited the political hierarchy of the Malacca Sultanate.[6] By nineteenth century, the hierarchy of offices associated with the administrative structure of Malacca had become wholly irrelevant. The Sultan was not in a position to direct the affairs of his entire state; the chiefs who were managing the affairs of their own districts, bore the Malacca titles without any relevance whatsoever to the original functions of those offices.[7] The political tradition of Malacca was, however, unbroken in two matters. Allegiance was understood in the territorial con-

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5. Gullick, op.cit., p. 8.

6. R. O. Winstedt, Malaya and its History (London, 1966) p. 33. The decendent of Sultan Muhammad, the first Malacca-Malay ruler of Pahang died in 1475. "But after this Sultan's death there is doubt as to the exact identity of some of the Rulers", wrote Lineham. W. Lineham, "History of Pahang", JMBRAS, XIV, pt.II, 1936, p. 169.

7. For example, the chief of up stream Perak held the title of

text and the principle of patrilineage was followed in succession. In the small states behind Malacca which were confederated into one state in the late nineteenth century and which came to be known as Negri Sembilan (the nine states), the political tradition differed in these respects. This was due to the predominant influence of the Minangkabau settlers. They were clan-oriented and followed the principle of matrilineal succession.

In the nineteenth century, the Sultan's position did not represent much concentration of power. In terms of real political strength he was only one amongst a number of major chiefs. This can be illustrated from the conditions obtaining in Perak before it came under the British control in 1874. The state, got its Sultan elected by rotation (giliran) from the four principal branches of royal family.[8] From the works dealing with this period we find that the Sultan shared his power with as many as twelve chiefs of various orders and strength.[9] When this number is seen with reference to Perak's total area of 7980 square miles and total population of 214254,[10] we can roughly estimate the position and power of these potentates. Each of them controlled on the average, a population of 17 or 18 thousand and an area of 663 square miles.

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7 (Contd.). Temenggong and the chief of Larut held office of Mentri. Both the titles were of the order of the first four chiefs. Similar examples could be found for the titles of the order of the eight chiefs.

8. R. O. Winstedt and R. J. Wilkinson, "A History of Perak", JMBRAS, Vol. XII, pt. 1, p. 134.

9. Ibid., appendix D, "The Perak chiefs", pp. 134-55.

10. This was figure for the total population of Perak according to the census in 1891. The total population of the state before 1874 which is difficult to estimate, must have been less than this figure.

In Selangor which had four districts, most of them were normally ruled by the members of the royal family and the Sultan held before 1872 the less important district of Langat. Each of the major districts of Negri Sembilan, Sungei Ujong, Rembau, Jelebu and Johole was ruled by its own chief.

However, the significance of the Sultan's position, is found in the fact that he alone was the source of all aristocratic titles in the state and represented the state in its totality. Its symbolic role was perhaps the main reason why the Sultanate proved to be such a strong and unalterable political institution. Even when the Malay states had passed into a state of anarchy before the British intervention and civil wars caused economic chaos and depopulated them, it is interesting to note that the quarrelling chiefs did not allow a total disintegration of the states. None of them established himself as independent Sultans.[11] Their objective was to seize the control of the entire state or part of it under the Sultans.[12]

We may sum up what we have said above. The Malays were centralised peoples, having developed political institutions of their own. However, diversities of the Malay peoples made the central control unsuitable to them. The existence of chiefs who were

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11. Cowan, op.cit., pp. 35-54.

12. Ibid., p. 35; and Gullick, op.cit., p. 133.

in control of their districts, and the geography of the peninsula, accounted for a wide dispersal of power in these states. The Sultan, the highest political institution of the Malays, symbolised the highest prestige rather than power. This fact was of some significance to the subject of our study, as it created a problem for decentralization of power in the 1920s. Apart from other problems for the devolution of power upon the indigenous authority, the Malay Sultanate by tradition proved to be too weak to serve as a base of administrative power. As we shall find, this institution was not developed for this purpose under the Resident's administration in the Malay States, which is discussed in the following section.

II. Resident's administration (1874-1895), and the place of the Malay Ruler in it.

We have already referred to the circumstances which had led the Colonial Office to reverse its policy of non-intervention in the internal administration of the Malay States in 1874.[13] In these circumstances, the feuds of the rival groups of mining workers figured prominently. The situation, however, was further complicated in Perak by the failure of the Perak chiefs to reach an agreement among them on the successor to the Perak throne. We need not detail these circumstances here; they have been discussed

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13. See the preceding chapter, pp. 5-6.

comprehensively elsewhere.[14] We may now look at the agreement which the Governor of the Straits Settlements, Sir Andrew Clarke, reached with the chiefs of Perak at Pangkor in 1874.

The Pangkor Engagement, as the agreement was called, settled the question of the Perak succession and appointed Raja Muda Abdullah as the Sultan and decided that all revenues of the state were to be collected and appointments made in the name of the Sultan. The Sultan undertook to receive in his court a British officer as Resident, "whose advice must be asked for and acted upon on all questions other that those touching Malay Religion and customs". The revenues had to be collected and controlled, and general administration of the country conducted under the advice of the Resident. The expenses of the Resident and his establishment, the salaries of the Sultan and other chiefs had to be paid from the state's revenues.[15] This was the first agreement by which the Resident's rule was introduced in a Malay State.[16] Resident's government was introduced in course of the same year in Selangor and Sungei Ujong, and later in

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14. See Cowan, op.cit., pp. 176-89; also, Parkinson, op.cit., pp. 41-186.

15. Treaty of Pangkor, 1874, in W.G. Maxwell and W.S. Gibson, ed., Treaties and engagements affecting the Malay States and Borneo (London, 1924) pp. 28-30.

16. This, however, was no new situation in the British empire. Marquess of Wellesley during his Governor-Generalship in India (1798-1805) had devised the scheme of "Subsidiary Alliance". The Indian prices who accepted this alliance surrendered their sovereignty but retained their identity and separate government. The British kept a Resident and usually a contingent of troops in these states. In practice, no prince, who had accepted the "subsidiary alliance" could ignore a directive of the British Indian Government, though in law, they had surrendered only their right to deal independently with any other state.

1888 in Pahang.

Initially the Governor, Sir Andrew Clarke had taken a limited view of the function of the Resident. However, the Pangkor agreement placed the Resident in a position to virtually rule the state, by placing the Sultan and the chiefs on the Civil List, giving the Resident exclusive control over the revenues of the state and binding the Sultan to follow the 'advice' of the Resident,[17] Sultan Abdul Samad's letter of 1 October 1874 to the Governor was simple and straightforward. In it the Sultan requested the Governor (to) "set my country to [sic] right and collect taxes".[18] The Colonial Secretary's proclamation of 25 January 1875 on the appointment of a Resident in Selangor was also remarkable for its candour. It said that the Resident would assist the Sultan "to open up and govern his country".[19] The treaty with Pahang appointed a British Agent, with power as extensive as that of a Resident.[20] We will

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17. In a different context we find that the East India Company gained the control of the government of Bengal by taking over mainly the revenue administration from the Nawab in 1765.

18. Maxwell and Gibson, op.cit., p. 35.

19. Ibid., p. 36.

20. Sir Hugh Clifford who negotiated the treaty with the Sultan of Pahang and was appointed as the first British Agent at the court of the Sultan wrote that "My objective was to obtain from the Sultan the promise of a treaty surrendering the management of his foreign relations to the British Government and accepting the appointment of a Political Agent at his court. This I obtained and bore in triumph to Singapore, whence I immediately returned at the Sultan's court as the Agent in question.... Pahang, when I entered it in 1887, presented an almost exact counterpart to the feudal kingdoms of mediaeval Europe. I saw it pass under 'protection' of Great Britain, which in this case was barely distinguishable from 'annexation'. Hugh Clifford, The Further Side of Silence (London, 1920) p.IX.

proceed to review the nature of the Resident's administration in broad terms now.

On his appointment, the Resident did not take long to realise that his state had no government to which he could tender his advice and he straightway proceeded to discharge the executive functions himself. This seems clear, first of all, from the selection of the places from where Residents functioned, as they established themselves at points of great economic or political importance from where it was easier to control the affairs of the state. The Perak Residency was removed in 1876 from Bandar Bahru to Kaula Kangsar at a point where the road from Larut met the Perak river; the Selangor Residency was transferred in 1880 to Kaula Lumpur, the main centre of economic activities in the state; in Sungei Ujong the Resident lived near the mining area, though the residency was located at Seramban; and in the two predominantly Malay states of Negri Sembilan and Pahang, the Residencies were located near the royal townships.

On his appointment, the Resident undertook works connected with rehabilitation of the fugitives who fled their states during the civil wars in the sixties or during the 'pacification' in some states. The Colonial Secretary's letter appointing J. G. Davidson as the first Resident in Selangor in 1875 outlined a number of measures the latter had to carry out on his appointment.[21] He was

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21. James Guthrie Davidson; came to Singapore to practise law; appointed the British Resident, Selangor in 1875; Resident, Perak, 1876; resigned his post in 1877 to return to his legal practice in Singapore; died in Singapore in 1891; he was a nephew of James Guthrie of the Guthrie and Co. of Singapore.

asked to organise a police force, recall the fugitives, promise them protection, provide them with wasteland if they wished to cultivate it, and complete the construction of an important road from the landing place at Klang to the mines.[22] It appears from the instruction to organise the police force that the Resident was made responsible for maintaining law and order in the states.

After pacification, a Malay Council was formed in Perak; later in 1877 it was converted into a state council by nominating Chinese members on it. A similar council was created in Selangor in the same year. These councils dealt with an extensive range of business, embracing everything from mining leases, tariff regulation, taxation and public works to the appointments and jurisdiction of penghulus and consideration of Muslim personal laws. The Council, consisting of the Sultan, Malay and Chinese members, the Resident and sometimes European members, offered the Resident an easy access to the local reaction to measures taken by him and it also clothed these measures with the authority of the government.

The Resident's was the dominating figure in the council. He decided the matters on which legislation was necessary, drafted (either himself or through his office) the enactments, initiated and explained them in the council, got the measure through the council and finally advised the Sultan to approve of the enactment.

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22. Colonial Secretary to J. G. Davidson, 20 January 1875, in E. Sadka, The Protected Malay States, 1874-95 (Kuala Lumpur, 1968), pp. 393-4.

In fact, the Resident's authority to nominate the members of the council (who were approved by the Governor and appointed by the Sultan) and the government appointments or allowances which the Malay members held, gave him effective control over the council though his authority was not confined to the council.

The Resident carried out some important executive functions outside the council. On matters of law and order and on questions affecting the security of the state he acted in practice under the orders of the Governor or the Secretary of State for the Colonies. The entire revenue administration, involving the collection of revenues, preparation of annual state estimates, settlement of departmental appropriations, was controlled by the Resident, independent of the council or the Sultan. This financial authority together with their control over the legislative process of the government placed them at the centre of the administration. The estimates were subject only to the approval of the Governor; they used to be laid before the council in Selangor only for its information; even this was not done in Perak.

The Resident of a state with a Chinese population carried on the administration of that community with the help of such agencies as the local Chinese leaders, the police, and later, with the Chinese Protectorate. As there was no separate judiciary in the Malay States, judicial duties above the district level were shared by the Resident and the District Officer. There was Residency Court, with both the original and appellate jurisdiction, on which the Resident sat. As the burden of the judicial duties increased, the Resident of the richer state could relieve himself

partly of his judicial duties, but he continued to be responsible for the administration of justice.

By 1880, such primary departments as the Treasury, the Police, and the Public Works and Surveys had come into existence in the west coast states. Fifteen years later, there were eight to ten departments in Perak and Selangor, and seven in Pahang. The Resident dealt directly with the administration of these departments and issued orders to his subordinates in them. He personally supervised the progress of the construction of public works in their states. The states were sub-divided into districts for the collection of revenues, and the executive charge of each district was given to a District Officer responsible to the Resident. By 1895 Perak had eight districts apart from the headquarters district of Larut, and Selangor had six. The work of the District Officer was closely watched over by the Resident who received his reports and monthly journals.

The above review of the administrative, financial, legislative and judicial functions of the Resident suggests adequately for our purpose that he exercised the executive power in the Malay States and effectively controlled the administrative machinery. The reasons for their taking such a role are not difficult to find. In the new system of administration which he introduced in the state, he had none else in the state to look to for guidance. The control of the higher authorities, the Governor and the Secretary of State, was minimal. The reason being the reluctance of the Colonial Office to accept the responsibility of the acts of the

Residents.[23] The Secretary of State was content with just some voice in the selection of the Sultan and in the general development programme of the state; the Governor kept control over the annual estimates and the legislation of the state, occasionally hearing appeals when they came up. There was, in effect, nothing to prevent the Resident from assuming the executive control of the state.

What we have said in the foregoing paragraphs is one aspect of the Resident's administration. We shall now review the position of the Sultan and other traditional Malay administrative agents in the Resident's administration. This is important because the decentralisation policy, which is the theme of this study, not only aimed at rejuvenating the state administration it also raised the question of assigning the Sultan a role in it. The Pangkor agreement had the effect of placing the Sultan in a position unrivalled by other chiefs in the state. This agreement bound the chiefs in a new type of relationship with the Sultan, by supporting one candidate as the Sultan, by ordering the collection of all the revenues of the state in his name, by deciding that all the chiefs would be paid from the state's revenues as would be the Resident and other British officers, and by providing that all appointments would be made in the name of the Sultan. The effect was to install the Sultan in full authority as the rightful and sole master of the state. His position as a sovereign,

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23. Cowan, op.cit., pp. 251-54.

as we have seen in the preceeding section, had never been so complete before Pangkor. The banishment of some principal chiefs and the suspension of their rank following the murder of J. W. W. Birch, further weakened them.[24] Though the successors of some of the chiefs were later restored to their hereditary status, they never again posed any serious threats to the Sultan as rivals as they had been in pre-Pangkor days. Outside the state of Negri Sembilan, the Pangkor agreement was the last one in which the chiefs appeared as signatories. It may be argued that the Sultan did not gain any part of the power which the chiefs lost, yet, the change in the position of the latter gave the Sultan preeminence in his state.

The Sultan's supremacy was now undisputed. He was taken as the only source of legislative authority in the state; and in that capacity he presided over the state council. The council was his advisory body, and its decision was binding only when it got his consent. He emerged in the council as the highest spokesman in matters concerning Malay society, which was outside the Resident's jurisdiction. Adjudication on allowances and pensions of the Malay chiefs and appointment to rank and title were matters in which his influence in the council was immense. Appointments of members of the State Council, penghulus, and kathis were

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24. James Woodford Wheeler Birch; midshipman in the Royal Navy; joined the Department of the Commissioner of Road of the Government of Ceylon in 1846; Commissioner of Requests and Police Magistrate, 1853-56; Assistant Government Agent, 1858-67; Government Agent for the Eastern Province of Ceylon, 1868; Colonial Secretary, Government of Straits Settlements, 1870; the first British Resident, Perak, 1874; murdered in Lower Perak in 1875.

made in his name. The Sultan-in-council was the highest court of appeal in the state, having the prerogative of pardon and commutation of sentences in criminal cases. The Sultan also held special responsibility in the sphere of Muslim family laws which were administered by the Kathis.

It was during the Resident's rule that a new European officer corps came into existence. Small in the initial years of the Resident's rule, it expanded as the revenues of the states increased. Its members worked in the residencies, departments, and outlying districts. They were not controlled by the Sultan, but the fact that they were brought within the states' establishments (from which they received their pay and pensions), after long but unsuccessful efforts to merge them with the Colonial Civil Services, must have been a matter of gratification for the Sultan. With so many European officers in the service of his state it was most likely that his prestige would be enhanced. Prestige was much covated by the Oriental monarchs, the more so by the Malay Sultans whose position had been, by tradition, an apex of prestige rather than power. Residents like W. E. Maxwell[25] and

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25. William Edward Maxwell; b.1846; educated at Repton; KCMG (1896), CMG (1885); clerk in the Supreme Court of Penang and Singapore, 1865-69; qualified as an advocate of the local bar in 1867; called to the English bar in 1881; served as a magistrate in Singapore, Malacca and Province Wellesley between 1869-1878; Deputy Commissioner with the Larut Field Force, 1875; Assistant Resident, 1878-82; Commissioner of Lands, Straits Settlements,1882; member, Executive and Legislative Councils, Straits Settlements, 1883; Resident Councillor, Penang, 1887-89; Resident, Selangor, 1889; Colonial Secretary, Straits Settlements, 1892; Governor, Gold Coast, 1895; died 1897.

F. A. Swettenham[26] insisted that the European officers below the Assistant Resident should be treated as the servants of the Sultan.[27] To maintain his own freedom of action, the Resident held Sultan as the source of his power.[28] The Resident found it politic to hold up the Sultan as the mast-head of his power.

It was, however, the chiefs as a class, who lost most from the new order. Their small domains of exclusive authority disappeared as the state came under one administration, and gone were their customary rights. Their attempts to do away with the new order failed in Perak in 1875, and then in Pahang later, and those responsible for the disturbances were apprehended, tried, and banished. The failure of these attempts proved the futility of resistance to the new order, however disagreeable it might appear to them and the Malay chiefs thereafter settled for the best that

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26. Frank Athelstane Swettenham; b. 1850; Cadet, Straits Settlements Civil Service, 1870; passed his examination in Malay in 1872; sent on a special mission in Perak in 1874; Assistant Resident, Selangor, 1875; Assistant Colonial Secretary to Native States, 1876; Assistant Colonial Secretary, 1881; Resident, Selangor, 1882; Acting Resident, Perak, 1884-6; Resident, Perak 1889; Resident-General of the Federated Malay States; 1896; Governor, Straits Settlements, and High Commissioner for the Malay States, 1801; retired in 1904; took an active interest in matters of administration of the Malay States till his death in 1946; author of numerous short stories, essays and books on Malaya. For a list of his publications see C.D.Cowan, 'Sir Frank Swettenham's Perak journals, 1874-76', JMBRAS, Vol.xxiv, part 4, 1951.

27. Emily Sadka, op.cit., p. 228.

28. Sadka quotes Maxwell who ruled this in a minute in 1893 while acting as the Governor. The minute read: "The powers of the Resident are not confined to the enforcement of a few written laws which the state possesses. In special cases he may exercise in the name of the Sultan the authority which H.H. undoubtedly possesses of passing any order or sentence which may seem to be just, subject to the instructions, special or general, of the Governor", Sadka, ibid., pp. 196-7.

they could get from the new order with remarkable adroitness.

The Resident's administration offered the chiefs chances to be associated with it in two ways : by participation in the State Council and by appointment to the administrative posts. Only the major chiefs, as a right of their inheritance, sat on the council. By 1895 there were seven Malay members in the Perak council of which three were of royal blood and four were major chiefs;[29] in Selangor there were in the same year six chiefs, all of royal blood;[30] in Negri Sembilan the Yam Tuan and the Resident sat with four major chiefs;[31] and in Pahang council there were in 1889 nine chiefs.[32] We find from an account of the State Councils in Perak and Selangor that in matters relating to village life and customs of the Malays, and the claims of village headmen for titles or rewards, the Malay members were vocal in the councils.[33] Outside the State Councils, the chiefs, the chiefs who had been of some political value were eligible for fixed pension or appointments depending on their rank and the extent to which they had supported the administration. The Resident's administration used this Malay ruling class in filling the posts of the

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29. In addition to the Malay members, there were two British and three Chinese members in the same year.

30. In addition, there were two more British and two Chinese members in the same year.

31. There was one more British District Officer on the council, and there was a separate council for Sungei Ujong.

32. This was in addition to the Sultan and the Resident. There was no Chinese member.

33. E. Sadka, "The State Councils in Perak and Selangor, 1877-95", in K.G. Treggoning, ed., Papers on Malayan History (Singapore, 1962), pp. 89-119.

penghulus. The penghulus were given a moderate salary and the administrative charge of a subdivision called mukim, under the European District Officer. Their principal duties were to keep peace in the villages in their mukims, try and fine petty offenders, enforce the government regulations and report on the progress of their mukims to the District Officers. The penghulu appointments were of great practical advantage when the number of the European officers was small, and they satisfied the aspirations of the Malays who had been accustomed to exercising some administrative powers.

We have discussed at some length the administration of the Resident and the place of the Sultan and the ruling class in it. There is no doubt about the Resident's preponderance in this administration. At the same time it is apparent that the Resident's administration sought to preserve and use, as far as possible, the traditional ruling class. In the case of the Sultan, in particular, his claim to supremacy in the state was strengthened by the subordination of the chiefs. One criticism of the British rule was that the British were invited by the Sultan to set his house in order, and to educate them in good government; but in practice, by carrying on the administration himself the Resident was doing just the opposite.[34] This criticism is valid. It may,

34. This was Sir Frederick Weld's criticism in 1880. Alice Lovat, Life of Sir Frederick Weld (London, 1914), pp. 312-8.

however, be added in fairness to the Resident's administration that, short of giving the Sultans an executive role, it offered them wide chances to be associated with it personally. The administration was carried on at the state level. The Sultan could certainly, provided he was willing and able, take an intelligent interest in the administration and in the process influence it too. In any cases, he could and did take pride in it as his government.

III. The accentuation of the problem of centralisation of power

The Resident's administration in the Malay States was modified in 1896 and three main reasons delineated in the studies dealing with this change.[35] During the eighties and early nineties the need for an established judiciary, a greater uniformity in legislation, and co-ordination in the administration of departments was felt. We shall elaborate these points a little. We have already seen that the Malay States had no separate judiciary; and that the Resident used to combine the judicial duties with his executive functions. There were quite a few defects such as an inadequate number of courts, uncertainty about the laws to be applied in these courts, an absence of a well-defined jurisdiction and the general lack of special legal training for these who administered the laws. These deficiencies resulted in some punishments being wrongly awarded, and when this became known it caused much

35. There are two principal studies. E. Sadka, The Protected Malay States, op.cit.; E. Thio, British Policy in Malay Peninsula, 1880-1909, Ph.D. Thesis, University of London.

concern in the Colonial Office and raised a furore in the Straits Settlements. In 1891 the Singapore Chamber of Commerce and the Singapore Branch of the Straits Association (of Lawyers) petitioned the Secretary of State, criticising severely the executive control of the judiciary in the Malay States and prayed for the right of British subjects to appeal to the Supreme Court in Singapore. The remedy proposed was either to establish a separate appeal court for the Malay States - as these states were not within the jurisdiction of the Straits courts - or to appoint a Judicial Commissioner.

Besides this, there was a felt need for a greater degree of uniformity in the legal enactments of the states, particularly on identical subjects. Enactments passed in one state without any reference to the practice in another state, resulted in statutes differing in each state. The need for uniformity appeared to be far greater within the departments which had come into existence in an impressive number in the west coast states by the early nineties, and was particularly pressing in the communication departments existing in these states. Their work suffered from anomalies like differences in the degree of efficiency in the departments of different states, differences in pay scale from state to states, and differences in rates charged for services. Without uniformity and a closer cooperation, these departments could not expand nor show economy.

These were the main administrative problems in the Malay States in the nineties calling for solution. Some departments sought greater cooperation and even a degree of higher control.

However, the case for uniformity in legislation could be pressed only up to a certain point, as the local conditions of Negri Sembilan and Pahang were different from those in Perak and Selangor. Administration of justice was basically a separate problem, it could ~~not~~ be solved by creating a sound judiciary. It does not clearly signify that there was a need for an union of the states. But we find these arguments frequently used in support of various plans for a closer combination of the states under the control of an officer who would rank senior to the Resident and moreover be stationed in the peninsula as the High Commission was not.

The desire of some Residents to have greater freedom in their states' affairs added strength to their case for a higher local authority. Some Residents were suspicious of the Colonial Secretary's insiduous influence over the Governor and their suspicion had an important reaction. The office of an Assistant Colonial Secretary for the Native States filled by an experienced Resident, had ceased after 1882. The Governor, as a stranger in Malayan affairs often had to fall back on the counsels of the Colonial Secretary. The Colonial Secretary between 1885 and 1892, Sir John Dickenson, was considered by the Residents to be another stranger to the affairs of the states and was unpopular with them. Some of his decisions were criticised, and it was possible that Residents like F.A. Swettenham who loved their freedom of action dreamt of liberating the Malayan States from the evil influence of the Colonial Secretary.[36] This desire seemed to have been

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36. Dickenson opposed Swettenham's proposal for the extension of the Kinta Railway in 1890. Swettenham complained against Dickenson's meddling with the disposal of the state's funds, in his annual report as the Resident of Perak in 1893.

strengthened when William Maxwell succeeded Dickenson as the Colonial Secretary, a promotion which Swettenham too had coveted. The Maxwell-Swettenham animosity is well-known; both of them were very competent and experienced in Malayan affairs, and perhaps differed on account of that. With a Colonial Secretary as experienced as Maxwell, the need for a local higher authority for the Malay States must have appeared more urgent than ever.

It was a financial crisis during the year 1890 to 1893, which gave an unexpected impetus to the proposal for a federation of the Malay States. The state of Pahang had incurred by 1893 an enormous debt of about $ 850,000 to the Straits Government and another $ 57,000 to Perak. The crisis deepened when the Straits Government, the principal creditors, firmly declined, for financial reasons to carry Pahang's burden after 1893. The inter-state loan which the Governor could instruct the richer states to extend to Pahang, was perhaps the easiest solution. This was proposed by the Governor to the Secretary of State in 1891 but it was turned down by him on an argument which had a moral overtone.[37] The outcome of the disagreement between the Secretary of State and the Governor at such an early date was that it ruled out a local solution for Pahang's deficit by inter-state loan.

Writing long after the Federated Malay States was established, Swettenham claimed in 1942 that it was he who first

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37. Sadka, The Protected Malay States, op.cit., p. 368. The Secretary of State argued that it was improper to spend the surplus revenues of the richer states as loans to Pahang.

discussed the plan of a federation with his friend Sir Charles Lucas in the Colonial Office in 1892 when on leave in England.[38] If Swettenham's claim is to be accepted, a collusion becomes apparent between him and Lucas, the author of the memorandum which went out of the Colonial Office with the federation proposal in 1893. The significance of Swettenham's own concept was that this would solve the problem of Pahang deficit by bringing the four protected states into a federation, and by creating Resident General and a common purse. These proposals took concrete shape between 1893 and 1895 in the secret despatches between the Governor and the Colonial Office. From the written accounts on the 'federation' proposals it does not appear that the Governor at any stage obtained the views of the Residents or tried to reach an agreement with them on the situation which had arisen.[39] One reason for this could be that the Residents might not have conceeded that a situation had arisen to call for a merger of the state administrations under a higher executive officer. It also appears that there was substantial difference between the original Colonial Office proposal which proposed to give the Resident General only supervisory

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38. F.A. Swettenham, Footprints in Malaya (London, 1942), p. 104; also his British Malaya (London, 1948), pp. 363-4.

39. In his memorandum of January 1920 in which George Maxwell outlined to the Colonial Office a new policy for the unfederated Malay States, he went to great lengths to criticise the procedures followed when the federation proposals were mooted. He expressed his resentment at the total exclusion of most of the Residents, the Sultans and the State Councils from the formulation of these proposals. He argued that he would not follow the same procedures if he were to carry out his proposals for the unfederated states. "Notes on a policy in respect of the Unfederated Malay States", October 1920.

power over the Residents and bring a minimum number of departments under his control, and the final proposal in which the Resident General was given executive control over the Resident, and over a larger number of departments than suggested earlier.

The formation of a federation comprising the states of Perak, Selangor, Negri Sembilan, and Pahang in 1896 brought about some far-reaching changes in the administration of these states. Some of these changes emanated from some provisions of the agreement which was signed by the Sultans of the four states dealing with political questions, matters which could not be implemented without the consent of the Sultans. Other changes, which concerned matters of federal and state administrations, followed from recommendations of the Governor of the Straits Settlements Sir Charles Mitchell, as accepted by the Secretary of State for Colonies in 1895. These recommendations, however, took their shape from a number of proposals which had been made by Swettenham, the Governor of the Straits Settlements Sir Cecil Clementi Smith, and officials of the Colonial Office over the two previous years.

In their agreement, popularly called the Federation Agreement, the four Sultans reaffirmed their previous agreement with the British Government, severally placed themselves under the British protection, agreed to constitute their states into a federation to be known as the Protected Malay States, and accepted to pay the salary of a Resident General whose advice they would follow on

all matters except those affecting the Malay religion.[40] They came to an agreement that this treaty would neither give any one of them any authority on the state other than his own, nor free him from his obligation to the Resident. They undertook to extend financial help to each other, and resolved that the treaty would not affect or curtail their existing powers in any way. The main provisions of the treaty were these but they did not take up any matter related to the day to day administration, not even the crucial question of defining the authority of the Resident General.

Matters relating to the administration of the Federated Malay States were recommended by the Governor of the Straits Settlements to the Secretary of State for Colonies in a separate memorandum entitled as 'A Proposal for the Administrative Federation of the Protected Malay States'.[41] This scheme and some clarifications of the relations that should exist between the Governor, the Resident General, and the Residents were accepted by the Secretary of State, and they determined the pattern of the administration which developed in the Federated Malay States in the following years.

Certain provisions of these arrangements emerged as the

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40. For the text of the agreement see Maxwell and Gibson, op.cit., pp. 70-71. Malay custom was not mentioned in this agreement.

41. Enclosed with the Gov. Straits to Sec. State, 1 May 1895, conf., C.O. 273/202. This memorandum was not gazetted in 1896.

precursor of a new administrative pattern. The Resident General was interposed as an intermediate authority between the Resident and the Governor. His duties included the preparation of annual estimates and draft legislations to be sanctioned by the Governor. ~~through the Resident General~~. The Resident would continue to carry on his duties as before but the Resident General would have the power to issue instructions to him. Though the Resident would have the right to appeal to the Governor, he would be required to act on the instruction of the Resident General till it was reversed by the Governor. Certain departments were unified under federal heads who would secure uniformity of practice in the departments in all states. Among the federal heads who were appointed at this time were, a Judicial Commissioner who would hear appeals and capital cases in all states and evolve as far as possible a uniform judicial procedure for the federated states, an Attorney-General who would draft legal enactments and advise the Governor, the Resident General and the Resident on any legal matter, a Commandant of Malay States Sikhs, and a Chief Commissioner of Police. Other appointments would follow.

These officers would be 'generally responsible' for their departments in each state, would correspond directly with the Resident General and take instruction from him, while the local heads being responsible for the department within the state. The officers had no power to issue orders to their departments in states which went against the rulings of the Resident. In the case of a difference between the Resident and a Chief Officer, it

must be referred to the Resident General; and the Resident's ruling must stand till it is reversed by the Resident General. The Resident General while travelling or residing in a state, could communicate direct with any officer, but he should not issue any instruction to him except through the Resident. The Malayan Civil Service came into being when the Civil Services were unified.

These details of the new administrative system, worked out in 1895, clearly suggested centralization of power under the Resident General and the Chief Officers. The Resident General was given the over-riding power over the Resident, and the power of the latter was not safeguarded. The division of power between the state and federal authorities which is the essential feature of a federation, was conspicuous in its absence. In its place, the Governor, the Resident General and the Resident were all placed on different rungs of the single ladder of authority.[42]

However, the policy makers did not have in view a total union. Smith had given the Sultan of Perak an assurance that "the integrity of his country would be preserved and that there would be

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42. Dr. R.L. Watt, who studied six post-World War II federations, briefly commented on the Federation Agreement of 1896 and his views are worth noting. "On a strict interpretation of the treaty", he wrote, "the term 'Federation' was a misnomer. The treaty neither established a central government nor attempted a division of powers, beyond stating that the rulers agreed to accept a Resident General whose advice they would follow in all matters of administration other than those touching the Mohammedan religion. Ostensibly the treaty preserved all the former powers of the rulers in their states, but in practice substantial power became concentrated in the federal secretariat under the Resident General". R.L. Watt, New Federations: Experiments in the Commonwealth (Oxford, 1966) p. 24, n.

no radical changes in the system of administration of which he did not approve" and reiterated his promise to the Colonial Office before he retired.[43] His successor was so instructed by the Colonial Office as to avoid any measure which would "in any way wound the susceptibilities of the various native rulers".[44] Consequently, the federation treaty stipulated that the existing power of the Malay Sultan should not be curtailed. The new administrative arrangement did not create a common purse for the federated states, and state revenue continued to be collected and disbursed separately for each state. The federated states, however, agreed to contribute on a fixed percentage to meet the cost of the federal services.[45] The State Council was retained and no central legislature was created for the federated states. The 'federal' administration was not given the position of a government. No separate royal commission was given to the Resident General to administer these states under the British protection. A Royal Commission was issued in 1897 in favour of the High Commissioner for Malay States who was to act in all respects and represent the British Crown in these states.[46]

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43. Gov. Straits to Sec. State, 30 June 1893, conf., C.O. 273/188.

44. Memorandum of 22 December 1895, on Gov. Straits to Sec. State, 1 May 1895, conf., C.O. 273/202.

45. The respective share of the states were as follows : Perak, 53%; Selangor, 42%; Negri Sembilan, 4%; and Pahang, 1%.

46. The Royal Commission was dated 31 May 1897. See Sir Henry Jenkins, British Rule and Jurisdiction Beyond the Seas (Oxford, 1902), pp. 237-8.

All these were indications of a desire to preserve and maintain the separate identity of the four states. On the other hand, the concentration of power under the Resident General was too obvious to leave any authority for the Resident to govern his state. When a ruler joins a federation, maintenance of his 'existing power', after all, appears to be impracticable. Moreover, the Malay Sultan was not a ruling monarch before 1896. He had enjoyed a right to be consulted by the Resident who had acted as the chief executive officer of the government. The Sultan could continue to enjoy the right so long as state matters were dealt with at the state level. Centralization of power under the Resident General and the Chief Officers removed him further from the centre of power.

The federation treaty has been criticised as not being a straight forward document. It has been observed that the Resident General acquired control over the state government from this treaty, but the treaty nowhere mentioned that he should have such control. Consequently, the treaty was described as "a masterpiece of loose and casual drafting".[47] This criticism arose from the fact that a division had been made in 1895 between political matters which should receive the consent of Malay Sultans, and administrative details which could be settled by the British among themselves. The federation treaty embodied only the former matters. Administrative matters were not taken up in the treaty presumably

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47. Rupert Emerson, Malaysia : A Study in Direct and Indirect Rule (Kuala Lumpur, 1964, reprint) p. 137.

for two reasons. First, the expediency demanded that the text of the treaty must be kept clean of contentious matters. Second, it was perhaps thought by policy makers that administrative questions of the Malay States primarily concerned the Government of the Straits Settlements, and these should be settled between the Straits Government and the Colonial Office.

The new central authorities started functioning in 1896. A central secretariat called Carcosa was organised, and besides the Resident General, eight Federal Officers were appointed in the following four years. Five of them, namely, Commandant of the Malayan States Guides, the Police Commissioner, the Secretary of Chinese Affairs, Judicial Commissioner, and the Legal Adviser, were given control of their departments in the states; and the remaining three, namely, the Inspector of Prisons (held by Commandant Malay States Guides), Land Commissioner and the Auditor and Accountant, were given advisory roles. The direction from the Centre facilitated the development of the resources of the land, - large areas of land were granted for the purposes of development of mining and agricultural products, and loans advanced on liberal terms. The judicial system improved with appointment of a Judicial Commissioner, and the confidence of the investors in the judicial machinery helped capital investment.

By the turn of the century, revenues from tin mining, land, Railways and Post and Telegraph increased to make the states' total revenues $ 15 millions (in round figure) from $ 8 millions in 1895. The increased revenue made it possible to further

open up the states by road and railways. A trunk road was completed in 1898 connecting the central capital, Kuala Lumpur, with Kuala Lipis, exceeding the original estimated cost of $ 1387000 by $ 266000.[48] A trunk railway line of two hundred miles from Negri Sembilan to Pahang, connecting the isolated parts of Perak, Selangor and Sungei Ujong was constructed with a total expenditure of £ 1,000,000 raised partly from loan and partly from current revenues. Rubber plantations were introduced as safeguards against the falling coffee price, and this proved to be a wise move because this industry was to give the states their second biggest source of revenues, besides tin.

In carrying out these development works, the central authorities vastly expanded their activities and resulted in a rapid increase in the administrative as well as the specialist services of the federal authorities. The total number of European officers in the protected states in 1895 was 118.[49] In the following ten years as many as 67 new European officers were appointed in the Malay States Civil Service, in addition to an unknown number in the specialist departments. Although the total strength of the European officers is difficult to ascertain, it has been suggested

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48. Resident General to High Com., July 1898, Fed. Sec. 602/98. I am indebted to Professor C.D. Cowan who permitted me to see his notes from the Federal Records of Malaysian Archives. All references to the Federal Records in this chapter are from his notes.

49. J.De. V. Allen, "The Malayan Civil Service, 1874-1941 : Colonial Bureaucracy or Malayan Elite", Comparative Studies in Society and History, April 1970, table 3, p. 160

that the protected Malay States with a population less than a fifth of the size of Ceylon's, had twice as many European officers at the turn of the century.[50]

The specialist departments, besides being increased in number introduced a greater degree of centralised control. The point may be illustrated from the revenue administration which was left with the states in 1896. Two years later, the Resident General found it difficult to deal with financial matters without the help of a financial adviser at the Federal Secretariat.[51] At the beginning of 1900 a Federal Auditor and Accountant was appointed with advisory powers, and in making this appointment the extravagance of maintaining four state auditors was used as an argument. Within a year however, the new officer was given on the grounds of improving efficiency in the state departments executive control of his departments, overruling the Resident's opposition to such combination.[52] The need for expanding the federal departments with centralized control became apparent about the same time, in the Departments of the Railways, the Forestry, the Public Works, Education and Mining. The new wealth which the federal authorities had created in the country gave them the freedom to reorganise and expand

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50. W.R. Roff, The Origins of Malay Nationalism (Yale, 1967) p.22. In 1901 Ceylon had a population of 3,576,990 and 81 Civil List appointments. The F.M.S. population in that year was 678,595, with 159 Civil List appointments.

51. Resident General to High Com., 17 Aug. 1898, Federal Records 724/89.

52. Resident General to the High Com., 30 Mar. 1901, Fed. Sec. 642/01.

their administrative machinery. In 1902, a General Manager of Railways and a Chief Forest Officer were appointed with executive powers, and an Inspector of Education, Senior Warden of Mines and Director of Public Works were given advisory roles.

The new administrative machinery succeeded in giving the country another phase of unprecedented economic prosperity. This led to new development works and increased immigration of alien labour, which in turn, further diversified and expanded the functions of the federal authorities. The total revenues of the protected states rose from $ 15 millions (in round figure) in 1900 to $ 72 millions in 1919.[53] During this period the export duty from tin remained the chief revenue earner of the states, but the new export duty which was imposed on the states' expanding rubber production brought them new wealth.[54] The rapid expansion of tin and rubber urgently required an expanded network of railway and road communication and improvement of port facilities. By 1920, the Public Works Department had built 1960 miles of road, of which a half was built in the first decade of this century.[55] A railway line was completed which ran along the western side of the peninsula linking the F.M.S. with the Siamese Railways and giving a

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53. L.A. Mills, British Rule in Eastern Asia (London, 1942) p. 91.

54. Export duty from rubber rose from $ 50,000 in 1906 to $ 360,000 in 1909. The total revenue from rubber between 1909 and 1929 was $ 76,000,000. Ibid., p. 92.

55. Mills, op.cit., p.

through service from Singapore to Bangkok. The Railway Department had built 1131 miles of rail track by 1919, and had offered the outlets to Penang and Singapore. The Department proposed to spend another sum of $ 146,000,000 during 1918-19 on building of East Coast Railway through Pahang and Kelantan. Port Swettenham opened in 1901 was constructed the most comodious and best equipped port in the peninsula on a total expenditure of $ 1,108,791.[56]

The development in communication facilities drew the centre's notice to the need for greater co-ordination among the state postal services; federalisation of the service was proposed by the Resident General in 1901.[57] An enquiry into the hospitals in the states by a Straits Settlements Medical Officer in 1904 brought the recommendation for federal control over the state medical services. Increase in rubber plantation called for central assistance in scientific research and other matters for the plantation industry. Following 1902, Labour and Agriculture, Post and Telegraph, Printing, and Medical Departments were organised at the federal secretariat and the new Federal Officers were straightway given executive control of their departments. The existing supervisory department of Land and Survey was abolished. In its place a separate department was created under the Surveyor-General as an executive officer, and the land administration was left with the Residents.

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56. Annual Report of the Resident General, F.M.S., for 1901, p. 17.

57. Resident General to High Commissioner, 12 Jan. 1901, Fed. Sec. 71/01.

These departments expanded steadily in the first two decades of the century. The point may be illustrated from the Agricultural, the Medical and the Public Works Departments. The Agricultural Department had a staff of six and an annual appropriation of $ 76181 in 1908 and in 1914 it had 26 European officers and a number of subordinate local officers and an annual appropriation of $ 350,000.[58] The Medical Department in 1919 had an authorised European staff of 41 officers and a total establishment of 412.[59] The expansion of the Public Works Department was very remarkable. In 1912 the Department had 67 senior officers (all of whom were European), 157 subordinates and 109 clerks. In 1921 the Department had 107 senior officers, 315 subordinates and 158 clerks. The service charges alone in this Department increased from $ 10,007,269 in 1919 to $ 15,173,964 in 1921.[60] In the administrative service the European officers were recruited every year in larger number than ever before and after 1904. Between 1904 and 1913, the smallest number to be recruited in a year was 14 in 1912, and the highest figure was 22 in 1911.[61]

This was, then, the position in which the federal administration of the four west coast states found themselves in the first two decades of this century. The above review of the economic development of the states in general, and the expansion of the

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58. Mills, op.cit., p. 187.

59. Ibid., p. 301.

60. The Thirty-fourth Interim Report of the Retrenchment Commission, F.M.S., 26 Oct. 1922, p. 1. Sel. Sec. 496/23.

61. Allen, op.cit., p. 160.

administrative machinery at the federal level illustrates how the one led to the other. This development took place between 1896 and 1902, and the cycle recurred after 1902. The inevitable result was weakening of the state administrations, and it was remarkable that during these years no significant efforts were made to enlarge the activities of the state administrations. We shall come back to this point later.

The weakening of the state administrations seriously affected the position of the Residents. As we have seen, the process started with the administrative rearrangements in 1896 and the Residents realised the change in their position from the beginning. In 1895 when W. H. Treacher, the Resident of Selangor, was offered the Resident's post in Perak, he wrote to the Colonial Office that he would prefer a position outside the Malay States.[62] He wrote that with the "personal control and initiative in respect of most important departments now gone", the post appeared to him to be "probably inferior to that of a Collector and Magistrate under the Indian Government System".[63] Treacher accepted the offer only when he was told that he could not be considered for a post outside the Malay States. The subordination of the powers and prospects of the

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62. Sir William Hood Treacher, K.C.M.G. (1904), CMG (1890); b. 1849; M.A. Oxford; entered the Labuan service in 1871; first Governor of the British North Borneo; Sec. to Government, Perak, 1888; British Resident, Selangor, 1892; British Resident, Perak, 1896; acted as the Resident General, F.M.S., 1902-4; retired 1904; died 1919.

63. Treacher to Lucas, 17 Dec. 1895, C.O. 273/211.

Residents appears to be an important reason why they turned against the central administration. Only one of the four Residents could now hope for a promotion to the position of the Resident General, but as Residents they had no attraction for their position. Their grievance was bound to be aggravated when, after 1904, the practice of appointing a Resident as the Resident General was given up and the post was filled from outside. Their personal consideration apart, the Residents attacked the central administration on the ground that ~~the~~ reference to the Carcosa on every matter slowed down the state administration.[64] This was an embarrassing complaint as a strong point for the federation was to promote the administrative efficiency of the states.

The Sultan shared with the Resident an interest in preserving the existing functions and authority of the institutions of state government. This appeared clearly in Perak State Council in 1896 when it was forced to consent to the appointment of a Judicial Commissioner. The appointment threatened to abolish the appellate jurisdiction of the State Council. The Sultan opposed the change in the council's function to grant pardons on death sentence on the grounds that this was his customary right as Sultan and succeeded in his plan. The Resident argued that in legal matters the Sultan should receive the final advice from him.[65] It is known that after 1895 the Colonial Office was in

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64. Selangor Annual Report, 1896, C8661, p. 37; and Birch to Resident General, 7 Dec. 1905, in High Commissioner to the Sec. of State, conf., 10 Feb., 1906, C.O. 273/320.

65. Sadka, op.cit., pp. 259-60.

favour of pushing unification in the protected states in respect of finance and legislation. A Federal Council of the Malay States and a common purse were in view.[66] Moves in both of these matters were bound to be resisted by the Sultan and the Resident. At the first Conference of the Malay Rulers, the Rulers, in spite of the strictly advisory nature of the assembly, firmly confined themselves to the affairs of their own states in their speeches on such general themes as Malay religion and the like. In 1899, the Sultan of Perak refused to accept the proposal of the Resident General for a common purse. At the turn of the century, the European officers of the civil service held the views that the Residents should be replaced by a Secretary to the Government to complete the administrative union of the states,[67] and they were supported by the local European press.[68]

Conflicts in these various areas must have given the Sultan and the Resident reasons to believe that the Federation Agreement was the beginning of a process which would end in the demise of the states and their apprehension was further strengthened by the expansion of the Federal Secretariat. The first open assertion that the authority of the state government should be maintained was made by the Sultan of Perak in the Second Conference of the Malay Rulers in 1903 attended by the Resident General

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66. Thio, op.cit., pp. 202-3.

67. Swettenham reported this view to the Colonial Office. He acknowledged the advantage of the change, though he could not recommend it on political grounds. Swettenham to Sec. State, 7 December 1902, C.O. 273/284.

68. The Malay Mail which reflected the opinion of the small

and the Governor. He disapproved of the tendencies towards the amalgamation of the four Malay States and argued that the states should be preserved as separate entities. In matters of administration, he expressed the hope that "the affairs of each state may be managed by its own officers, so that the Governments may be separate entities".[69] In respect of the relations between the Residents and the Resident General, which was the core of the problem, the Sultan emphasised the necessity of having in future a "wise and prudent Resident General" who should "bear in mind the duties and powers of the Residents because it was provided in the Pangkor Treaty that the Residents are the Advisers of the Sultans". The Sultan was the spokesman for the other rulers who had confirmed these views unanimously at a meeting preceeding his speech.

The Sultan's reference to the Pangkor Treaty in the context of the Resident General's powers seems to be significant as since 1905 both the Sultan and the Resident expressed their unwillingness to abide by the agreement of 1896. The High Commissioner reported to the Secretary of State in 1906 that early in the preceeding year, Sultan Idris had made a strong speech in the council alleging that the 1896 agreement had been violated by the High Commissioner.[70]

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68 (Contd.). European community attacked the Residents for blocking the total union of the states. Malay Mail, 16 July 1903. Maxwell Papers.

69. Text reproduced in Maxwell, "Policy in respect of the unfederated States", op. cit.

70. Anderson to Resident General, 16 Dec. 1905, in Anderson to Sec. State, 10 Feb. 1906, C.O. 273/320.

He also forwarded on the same occasion a more vehement and bitter complaint from the Resident of Perak, E. W. Birch.[71] Birch protested that since 1896, in practice, "the position and authority of the Resident is being seriously altered, so much so as to impinge upon the agreement which the Native Rulers signed when they consented to the Federation".[72] In another place he observed that the Sultan too believed that the agreement had been broken in letter as well as in spirit.[73] The High Commissioner, in recommending to the Secretary of State, that the Resident's service in Malaya should be brought to an end, seems to have refused to see the problem. The Colonial Office did what appeared to them easier still; the Secretary of State in an interview with the Resident, disciplined him effectively.

However, the problem of keeping the federal authority within such limits as to make it acceptable to the states, persisted. What was needed was to lay down some safeguards to the authority of the Resident and state government, and define the limits of the powers of the Resident General and the High Commissioner in the

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71. Sir Ernest Woodford Birch, K.C.M.G. (1911), C.M.G. (1900); B. 1857; eldest son of J.W.W. Birch; ed. Harrow; Colonial Office 1876-78; Cadet Straits Civil Service; Actg. Resident, Selangor, 1892-3; Sec. to Government, Perak 1893; Actg. Resident, Perak, 1895-96; Resident, Negri Sembilan, 1897; Gov., Labuan and British North Borneo, 1900; Resident, Perak 1904-11; retired 1911; served after retirement as a Director of a large number of business firms in London with interests in Malayan tin and rubber.

72. Birch to Resident General, 7 Dec. 1905, in Anderson to Sec. State, 10 Feb. 1906, C.O. 273/320.

73. Anderson to Sec. State, 13 April 1908, C.O. 273/340.

administration of these protected states. The High Commissioner reporting to the Secretary of State about the complaint of the Resident of Perak, stated that the position was not satisfactory to himself as the extent of the powers of the High Commissioner and the Resident General in the Malay States was ill-defined and liable to be questioned.[74] The Sultan of Perak protested in 1910 against the limitation on the financial powers of the Resident. By that year the Resident and the Sultan had turned against the administrative arrangement of their state, but it was the dissent of the Sultan to the centralisation of power which made the existing administrative order politically vulnerable.

We come to a strategic point from which we can review the extent to which Resident's position had changed since 1896 with regard to the administrative financial and legislative powers of the states. We have already mentioned the growth of the Federal Departments. In all about fifteen departments were under the direction of the centre; in eleven of these, the Resident could exercise no control in their administration. Nine of the Federal Departments were created after 1902. To realise why the Resident complained of the loss of his administrative powers, we should find out the position of the State Departments which were under his exclusive control before 1896. There were about eight departments in Perak and Selangor before 1896. All of these departments

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74. Birch to Resident General, 27 Dec. 1905, ibid.

except the Revenue Department, had been taken over by the federal authorities, and five of them were controlled by the federal executives. It was in the revenue administration that the Resident's authority was most seriously curtailed.

Federal and State Governments had their separate budgets. The Resident had nothing to do with the Federal budget and his control over the state budget was restricted by the Resident General's powers to amend or disapprove of any part of it. It was further curtailed by the practice in which the federal executive officers submitted directly to the Resident General their departmental appropriations. A federal executive was not only the Resident's rival in administration but he quietly reduced his budgetary powers to nothing.

The Resident was shorn of all initiative by the new legislative process. The enactments were approved by the Resident General in principle, drafted by the Legal Adviser, finally approved by the High Commissioner and sent to the State Councils to be enacted as they were. If a Resident, on rare occasions was inclined to take an initiative in this process, or if the State Council sought an amendment to the bill, permission had to be granted by the federal authorities. In one respect only the State Council retained its prestige in that that it was the sole legislative organ. The federal agreement had not created any other legislative council so that the Ruler-in-Council remained the only source of legislative authority for the central authorities. Throughout the years, from 1896 to 1909, the federal

authorities depended on, and used the legislative authority of the Ruler-in-Council to legitimize their executive measures, some of which, quite ironically, diminished the powers of the Resident and state government.

The Resident's judicial duties were not as important as his other powers, but these also were reduced with the abolition of the appellate jurisdiction of Residency courts and the appointment of the Judicial Commissioner.

The picture emerges clearly at the end of the first decade of this century clarifying the position of the Resident and the state government, a position which had resulted from the phenomenal growth of the federal authority, more particularly that of the Resident General. The power of this official was more formidable than that of a Colonial Governor because he had no executive council under him. This situation, however, did not attract the attention of the High Commissioner, Sir John Anderson, in the initial years of his term of office.

Before coming out to Malaya, Sir John had been a senior official of the Colonial Office and had served as the Secretary to the Colonial Imperial Conferences in 1897 and 1902. With this background it was not surprising that he would be interested in stabilising frontires and rationalizing the administration of the F.M.S. The lack of the British control over the Malay States of Kedah, Trengganu, Kelantan and Perlis which had been under the Siamese suzerainty appeared to him unsatisfactory, and the quasi-

independent position of the Resident General was unacceptable. Anderson showed his interest first in the peripheral zones of the peninsula and brought the four Siamese Malay States under the British protection in 1909. The extension of the British control over these states ~~almost~~ dramatized the need for achieving the unity of control under the High Commissioner over the various administrations in the peninsula. The High Commissioner appeared to be an 'outsider' in the F.M.S. in the face of the phenomenal growth of the Resident General's power. Anderson wrote in 1910 to an official in the Colonial Office:

> What I want is that the High Commissioner who is responsible for the whole of British interests here should be placed unmistakably in a position to fix the policy of the several administrations and coordinate them.[75]

To achieve this end, Anderson assumed the position of the President of the newly constituted Federal Council of the F.M.S. and changed the title of the Resident General to the Chief Secretary.

In 1909 the High Commissioner concluded an agreement with the Rulers of the federated states on the formation of central legislative body, the Federal Council.[76] The High Commissioner became the President of the Federal Council, and in that capacity nominated the unofficial members and the heads of the Federal

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75. Anderson to Collins, 27 July 1910, in High Com. to Sec. State, July 1910, C.O. 273/362.

76. For the text of the agreement see Maxwell and Gibson, op.cit., pp. 71-3.

Departments with the approval of His Majesty. It was clear that the function of the central legislature was to legislate on all matters, except those concerning Muslim religion, mosques, political pensions, chiefs and penghulus which were reserved for the State Councils. The state estimates were brought to the consideration of the Federal Council; a Finance Committee of the council composed of the Resident General and the unofficial members took full control of federal and the state budgets. In one of its first enactments, the Federal Council passed an enactment under the certificate of urgency from its President, which changed the title of the Resident General to Chief Secretary; the powers, privileges and rights of the former position, however, were incorporated in the new position.[77]

It is evident that these changes fulfilled the desires of the High Commissioner to get effective control over the administration of the federated states; as the President of the Federal Council he could now control the legislation and finance. What was the outcome of these changes on the position of the Resident? His authority was not enhanced by these changes. The Chief Secretary retained the entire executive authority of the Resident General over the Resident. He was now totally excluded from the financial matters of his state. The State Council which was so long the sole legislative organ of the state, lost its claim to

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77. In his speech in the Federal Council explaining the enactment, Anderson criticised the Resident General's over-riding powers over the Resident and suggested that the powers of the federal chief were unacceptable to the High Commissioner and to the Resident. The statement is misleading as it suggests that the change of the Resident General's title was partly inspired by

the Federal Council, with the effect of a sharp fall in their legislative activities.[78] The Rulers, theoretically sovereigns, now sat as ordinary members without any special privilege as sovereigns, on a body which superseded the State Council.[79]

Thus, we see that Anderson's measures did not improve the position of the Resident or the State Council, on the contrary, in some respects made their position worse than before. The central authorities had got their separate legislative body and could now float public loans on their own, without the sanction of the State Councils, and took on the form of a government. The prosperity of the F.M.S. in the pre-war years made the federal administration unassailable and the outbreak of the War caused further concentration of power in the federal authorities. The position was accurately reported later to the Colonial Office as follows :

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77 (Contd.). the desire to improve the Resident's authority over the state administration. Anderson's speech (2 Nov. 1910) was quoted by Guillemard. Guillemard to Sec. State, 19 Mar. 1923, conf., C.O. 717/27.

78. Between 1895 and 1909, the State Council passed : 248 enactments in Perak, 268 enactments in Selangor, 273 enactments in Negri Sembilan, and 245 in Pahang. The number of enactments passed by the State Council between 1909 and 1927 was : 18 in Perak, 15 in Selangor and Negri Sembilan each, and 23 in Pahang. Federal Council Paper No. 37, 1926, p. 23.

79. According to one legal expert, the 1909 agreement ignored the juristic position of the Malay Rulers. R. Braddell, The Legel Position of the Malay States (Singapore, 1931), p. 17.

> The years 1910-13 marked a great expansion in the rubber plantation industry, and phenomenal increases in Government revenues; and in the general rush of development, bringing with it increased prosperity, any discontent with the highly centralised bureaucracy at Kuala Lumpur seems to have been forgotten. This period was followed by the War when everything was subordinated to the Empire's struggle for existence.... The many difficult problems which arose in the Federation were ably handled by the Chief Secretary to the Government and his assistants, and many fresh extensions of bureaucratic control went unchallenged.[80]

In some ways, measures taken by Anderson further complicated the problem of centralised power by adding to it some new elements. Until 1909, it was largely a tussle for power between the Sultan and the Resident on the one side, and the federal officers and the Resident General on the other. As a result of the changes, the European community in the federated states which was already economically powerful, got for the first time a measure of control over the state finance and a place in the central legislative body from where they could now influence the official policy. The High Commissioner now had a firm foothold in the federal politics and had a closer contact with the Sultans.[81] This was achieved without curtailing in substance any part of powers of the chief federal executive over the states. In the following chapters we shall discuss the post-war situation when a satisfactory division

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80. Report of Brig.-General Sir Samuel Wilson, Permanent Under-Secretary of State for the Colonies on his visit to Malaya, 1932, Cmd. 4276, 1933, pp. 7-8.

81. The High Commissioner's salary from now on was shared between the Colony and Malay States; and he started looking into the departmental papers.

of power achieving a balance between the High Commissioner and the chief federal executive, continued as a side-problem through the attempts to transfer some power to the state governments. Similarly, the unofficial members of the Federal Council would now have their say in any question involving either the transfer of power to the state governments from the centre or the powers of the Chief Secretary and the High Commissioner over the federated states.

We have already mentioned that in 1909 the four Malay States formerly under the Siamese suzerainty came under the British control. Advisers were appointed in these states in the same position as the Residents in the west coast states after 1874. The British position was further consolidated in these states with the bilateral treaty relations with them between 1910 and 1930.[82] The only other state in the peninsula, Johore, was already allied to the British by its treaty in 1885, and following a fresh agreement in 1914 a General Adviser was appointed on the same footing of a Resident. With this, British control over all states in the peninsula was complete.

The problem which these developments inevitably raised was one of the unification of all these states under a large federation. There were already the Federated Malay States and Anderson hoped

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82. A treaty with Kelantan was concluded in 1910, with Trengganu in 1919, with Kedah in 1923, and with Perlis in 1930. In all these agreements the Sultans agreed to follow the advice of their Advisers in all matters except those touching their religion.

that the new states to come under the British control would join them. The State Councils and the British Advisers in these states had a greater measure of authority and freedom than their counterparts in the federated states. It became clear to Anderson after 1911 that the new states would not join the existing over-centralized federation.[83] What inducements would be sufficient to bring these states within a federation and what transformation the existing federation should undergo in the process were explored in the 1920s and they had very important bearings upon the policy of decentralization.

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83. George Maxwell who was the first British Adviser to the Government of Kedah, dealt with this point in his memorandum of 1920 submitted to the Colonial Office suggesting a policy for these states. In this memo. he recalled Anderson's discussion with him on the opposition of the government of Kedah to Anderson's proposal that the new states might join the federation. "Notes on a policy in respect of the Unfederated Malay States", op.cit.

CHAPTER - II

FEDERATED MALAY STATES AT THE END OF THE WAR : SOME PROBLEMS

Synopsis

With the appointment of Lord Alfred Milner as the Secretary of State for Colonies in 1919, the problems of administration of the F.M.S. received a fresh treatment. The war had accentuated some of these problems. The European business community in the Malay States was subjected to various restrictions during and after the war. This influential community was dissatisfied with the existing administrative arrangement at the end of the war. The European civil servants were discontented not only on the ground of inadequate pay, but also because of excessive centralization of power at the Federal Secretariat. The administration of Sir Arthur Young had left some Malay Rulers estranged. The Malay peninsula was treated as one unit in the post-war economic development plans. This and some other factors led the new High Commissioner, Sir Laurence Guillemard, other administrators and the Colonial Office to consider the question of forming a federal union of all Malay States which again, turned their attention to political grievances of the states and the Malay Rulers in the F.M.S.

The governments in the Malay peninsula and the Straits Settlements as they were constituted at the end of World War I, came under different categories although all of them came ultimately under the control of the British Government. The Straits Settlements had a Crown Colony type of government. The Governor, as usual under the Crown Colony system, had the final authority in administration, legislation, finance, and defence. He carried out the administration with the Executive and the Legislative Councils which were purely advisory bodies and could be easily controlled by the official majority. The Malay States were, juridically, neither colonies nor British territories. They were sovereign states; the Rulers or Sultans of these states

except Kedah and Perlis had accepted on different dates by 1919, British officers whose advice had to be followed in the matters of administration.[1] Through some administrative arrangements in the past, which we have described in the preceding chapter, the High Commissioner had acquired direct control over the administration, finance and legislation of those states which had been 'federated' in 1895. The difference which ought to have existed between the Crown Colony system of government and the administration of some protected states had become blurred, and the latter had come to appear more like the former. For matters of higher control, the Governor as the High Commissioner for the Malay States took direction from the Colonial Office. The Secretary of State for Colonies was accountable to the British Parliament for the administration of the Malay States, - though not to the same extent he was responsible as in the case of the government of the colonies.

I. Milner in the Colonial Office

At the end of the war, a coalition ministry had been formed in England in November 1919 under Lloyd George.[2] The Secretary of State for Colonies of this government was Viscount Alfred

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1. Similar treaties were not concluded with Kedah until 1923, and with Perlis, until 1930.

2. David Lloyd George (1863-1945); educated Church School; Liberal M.P., 1890-1945; Chancellor of Exchequer, 1908-15; Minister for Munitions, 1915-16; Secretary for War, 1916; Prime Minister, 1916-22; leader of the Liberal party, 1926-31; Created Earl Lloyd George, 1945.

Milner.[3] Milner deserves special mention in this analytical study of political development for his new approach to the ~~em-~~ imperial ~~pirical~~ ideal. A mature politician, concern for the British Empire dominated his actions throughout his career. Milner's first assignment abroad, his service in the Egyptian Ministry of Finance between 1889 and 1892, proved to be formative. He retured to Britain "a seasoned colonial official with a splendid record as an administrator and with an attitude towards the Empire which was in keeping with that of the leading conservative and Liberal Unionist politician".[4] Milner wrote in 1892 of his experience in Egypt in his work entitled England in Egypt which was, in the words of one of his ardent disciples Leopold Amery, "his first essay in preaching the gospel of creative imperialism".[5] During his term of office as the Governor of the Cape Colony and High Commissioner for South Africa, Milner visualised a new future for the British Empire. In a speech which he made in Durban in 1901, he described the empire as "a group of sister Nations spread throughout the world, united not divided by the ocean, each independent in its own concerns".[6]

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3. Alfred Milner (1854-1925); educated Germany, London, and Oxford; Chairman, Board of Inland Revenue 1892-97; High Commissioner South Africa, 1897-1905; created Viscount 1902; member of War Cabinet, 1916-18; Secretary of State for War, 1918; Secretary of State for Colonies, 1919-21; admired by 'the Milner Kindergarten' of youngmen who had worked under him in South Africa after the Boer War, and some of them became later renowned on their own right.

4. Walter Nimocks, Milner's Young Men: The "Kindergarten" in Edwardian Imperial Affairs (London, 1970), p.10.

5. Vladimir Halperin, Lord Milner And the Empire: The Evolution of British Imperialism (London, 1952), Forward by L.S.Amery, p. 10.

6. Quoted in ibid., p.180.

Milner renounced the idea of the empire as an hierarchic organisation with British on its apex. A little before he took over as the Secretary of State for Colonies, Milner delivered an address to the Oxford Summer Meeting in August 1919 in which he favoured the use of the term "British Commonwealth" in the place of the "British Empire" because the latter "suggest domination, ascendency the rule of a superior state over vassal states". In this speech, his perceptions of the political future of components of the British Commonwealth and the objective of the Commonwealth links are clearly laid down and he described the members of the British Commonwealth, as a "group of related nations, some of them destined in time even to outgrow the mother country, united on a basis of equality and partnership, and united at least mainly by moral and spiritual bonds".[8]

Within Britain's Empire there were peoples sharing her culture and traditions, and others having no such affinities. The granting of dominion status to peoples of the former category was not as difficult a problem as was the task of granting autonomy to peoples not sharing her culture, and living in colonies and dependencies which were described as Britain's "dependent empire". Milner's published articles and private correspondence clearly reveal his personal involvement in strengthening and developing Britain's relationship with the dominions, protectorates

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7. Viscount Milner, The British Commonwealth (London, 1919),p.2.

8. Ibid., pp. 9-10.

and dependencies and his ideals were fructified in Britain's post-war policy in the protected Malay States.

Milner maintained that Britain's "dependent empire is a trust", and she held a special responsibility in its development. He was quick to realise that proples of the "dependent empire" were passing through a period of awakening and it was this fact which increased the political responsibility of Britain as an enlightened trustee. His views deserve to be reproduced here.

> In every part of the dependent Empire, even the most backward, there is some stirring of the waters. Our business is to guide and direct the natural desire of human beings to be their own masters, not to run counter to it. We may even to some extent have to sacrifice efficiency of administration in order to promote contentment, though we cannot, as honest trustees, afford to sacrifice it too much. It is a matter of delicate judgement in every case to know how far we can go in that direction. But, speaking generally, I should say that where native self-government institutions exist, however primitive in form, we should be very slow to interfere with them. Where no such institutions exist, we shall try gradually and carefully to create them.[9]

Milner visualised a period of intense economic and political development through which the "dependent empire" should go in the post-war period. This would lead to a stage where the colonies, protectorates and other dependencies of Britain would be allied to her by a grand alliance based on mutual desire for common development.

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9. Ibid., p. 18. Emphasis added.

When Milner entered the Colonial Office, he was keenly aware of the need for giving a greater attention to problems which confronted the governments of colonies and protectorates, and was keen to sort out some of these problems. He wrote at this time to a friend that

> In my own corner, I am busy enough, having for the first time an opportunity of attending to the affairs of what "Joe" used to call one 'great undeveloped estate', which since his days has had but little care devoted to it - except, oddly enough by Harcourt! In itself this is very interesting. There are immense possibilities.10

Milner's coming to the Colonial Office was significant in another respect. He had been in the 1890s an adrent supporter of the Imperial Federation League and although the League failed, it helped to form a zealous reformist movement in the British Empire which gathered strength as nationalism grew in the dominions. A group of young Oxford graduates who later on accepted with pride the epithet "Milner's kindergarten",[11] was deeply moved by this movement. Drawn to South Africa during and after the Boer War to serve under Milner in the reconstruction of the two former Boer republics, they remained after the restoration of self-government in 1906 to work for Milner's goal of a united South Africa loyal to the British Empire. With the creation of the Union in 1909 the members of the group turned their attention to a much greater goal and using methods perfected in the drive

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10. Milner to F.S. Oliver, private letter, 2.11.1919, Milner Papers. References are to Joseph Chamberlain and William Harcourt.

11. For a descriptive account see Walter Nimocks, op.cit.

to unify South Africa, they organized a movement to achieve a similar sort of organic unity for the whole empire. This movement, known as the Round Table movement, sought to establish an imperial government responsible to all the dominions as well as to Great Britain, a government having control over matters of common interest to the otherwise independent member nations.

Milner was responsible for the appointment of some of his associates who shared his views, in the Colonial Office and in the Colonies. Col. L. S. Amery, one of the youngest members of the 'Milner's Kindergarten', was appointed as his Parliamentary Under Secretary in the Colonial Office.[12] Amery had come in contact with him in South Africa and had later served under him as an Assistant Secretary in the Imperial War Cabinet. Sir George Fiddes, Permanent Under Secretary of the Colonial Office, also had served under Milner in South Africa.[13] Among the Colonial Governors who were selected by him, was Sir Laurence Nunns Guillemard who was appointed in 1919 to succeed Sir Arther Henderson Young as the Governor of the Straits Settlements and the High

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12. Leopold Charles Maurice Stennett Amery (1875-1955); educated Harrow and Oxford; Times Correspondent in South Africa during Boer War; First lord of admiralty, 1922-3; Secretary of State for Colonies, 1924-29; Dominions Secretary of State for Dominions, 1925-9; Secretary of State for India, 1940-45.

13. Sir George Vandeleur Fiddes; b. 1858; ed., Oxford; Clerk in the office of the Secretary of State for Colonies, 1881; Private Secretary to Sir R. Meade, 1896; 1st Class Clerk, 1896; Imperial Secretary & Accountant to Sir A. Milner, High Commissioner, South Africa, 1897; Secretary to Transvaal Administration, 1900; Asst. Under Secretary of State, 1909; Chairman, West African Currency Board, 1912-16; Permanent Under Secretary of State for Colonies, 1916.

Commissioner for the Malay States.[14]

Guillemard was a senior officer of the Treasury, and had a long experience as a successful financial administrator. He entered the Treasury in 1888, with a distinguished record in the Home Civil Service examination, served as the Deputy Chairman of the Board of Inland Revenue after 1902, and as its Chairman after 1908. A year later he became the Chairman of the amalgamated Board of Customs and Excise. Guillemard was a personal friend of Milner.[15] Perhaps because of his Civil Service background, Guillemard was not among ~~one~~ the better-known members of the 'Milner's Kindergarten', but shared with Milner some sympathies in the principles of indirect rule. It was of some significance that in explaining the duty of the High Commissioner of the Malay States, he quoted with approval in his memoirs, written after his retirement as the High Commissioner, an excerpt from a report of an inquiry into the conditions in East and West Africa. It observed that the wise line for a High Commissioner to take would be: "not to dictate but to teach, even when dictation would be more expeditious and more effective. No hurried

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14. In addition, he was to act as the High Commission for North Borneo and Sarawak. Sir Laurence Nunns Guillemard (1862-1951) retired as Governor of the Straits Settlements and the High Commission for the Malay States in 1927; first class order of the Rising Sun, Japan 1921; K.C.M.G. 1923.

    Capt. Sir Arthur Henderson Young (1854-1949) G.C.M.G. 1916; K.B.E., 1918; ed. at Edin. Acad., Rugby and Sandhurst, local Comdt., Military Police, Kyrenia, 1878; Commissioner, Paphos 1878; Famagusta, 1882; Director of Survey and Principal Forest Officer, 1892; Member of Legislative Council Cyprus, 1892; Chief Secretary Cyprus, 1895; Colonial Secretary, Straits Settlements, 1906; Chief Secretary F.M.S. 1911; Governor Straits Settlements and High Commissioner, Malay States, 1911-19.

15. Guillemard wrote in his memoirs : "The surprise of my life

policy of economic development must be allowed to cut across the slow primary task of political development".[16]

II. Some problems of the administration of the Federated Malay States

Guillemard did not reach Singapore until the beginning of 1920. The most important among the problems which was pressing for an immediate solution at this time, arose from the fact that the federal administration had been estranged from the local European community. The Malay States had an European community which was not numerically as strong as the European community in some other colonies, but it was economically and politically very powerful. The community was represented on the Federal Council and it had in London such semi-official and public bodies as the Malay States Information Agency and the Association of British Malaya to represent its views to the Colonial Office and mobilise support in their favour.[17]

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15 (Contd.). was the offer from my friend Alfred Milner of the Governorship of the Straits Settlements". In another place he mentioned that as the Governor his "greatest asset was my close friendship of many years with Milner". Sir L.N. Guillemard, Trivial Fond Records (London, 1937), pp.75,79.

16. Ibid., p. 102.

17. The Malay States Information Agency was an official body which undertook works that did not fall within the scope of those transacted by the Crown Agents. (see note 32). It was essentially a business organization and was prepared to undertake works not only for the Government of the F.M.S., but also for private firms and individuals, resident in the Malay States. It was directed by a Board consisting of an Agent, Deputy Agent, a representative of the mining interests, a representative of the plantation industries and a senior member of the F.M.S. Service. All appointments were made by the Secretary of State for Colonies.

The Association of British Malaya was formed in 1920. Two

The Europeans were in mining and plantation industries. They were also in the administrative and technical services. Following the first decade of the century, the British business enterprises in Malaya ceased to be confined merely to international trading activities and were increasingly taking the lead in the production of the two chief and rising export commodities of the federated states, rubber and tin. Western enterprise before the war, had successfully operated the tin dredge which was to give it a lead over the Chinese producers using other methods, and by 1930 the share of the European producers was to reach three-fifths of Malaya's total tin production.[18] Rubber took the place of tin as the principal export of the federated states during the war and the Europeans had obtained a long lead in estate plantation. Realising the advantage of controlling the source of their supply, some of the great rubber manufacturing concerns had started acquiring big estates in the federated states before the war started. By 1915, Dunlop Plantations Ltd. had emerged as the owner of the largest plantation estates in these states. The United States Rubber Company, through its subsidiary, Malayan American Plantation Ltd., also opened extensive estates.[19]

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17 (Contd.). of its principal objectives were to act to form a powerful body of opinion on all subjects of public interests in British Malaya and represent that opinion in England; and, to keep in close touch with the British interests in Malaya, such as, tin mining, smelting of tin ore, rubber planting and the like. It was composed of persons, who should be British subjects, and connected with Malaya by professional or commercial ties. It absorbed the Straits Settlements Association.

18. G.C. Allen, and Audrey G. Donnithorne, Western Enterprise in Indonesia and Malaya : A Study in Economic Development, (London, 1954), p.42. The authors mention Chinese share in the total output of the tin in Malaya to be 39 p.c. in 1929.

19. Ibid., p. 114.

The war imposed several restrictions on these two expanding European enterprises in the federated states and they found the expansion of their interests seriously impeded by the restriction imposed by the Home Treasury on the issue of new British capital for overseas development. Those engaged in the tin industry particularly, were further subjected to the restriction imposed by the federal authorities on the importation of their necessary dredging equipment. Above all, the continued production of the industry was very seriously endangered by the acute shortage of the Chinese labour on which it depended almost exclusively. The supply of Chinese labour had dropped particularly since 1914, and the position became alarming in the early mohths of 1920.[20] This was partly due to the unsettled condition in China. In the main recruiting districts of China, some military governors had sprung up like mushrooms, and disrupting recruitment by charging the contractors high fees for exporting Chinese labour. The shortage was partly because the tin industries in the federated states were up against considerable competition from the Dutch tin industries at Banka in the East Indies, who were spending larger sum for recruiting Chinese labour than the industries of the federation.[21] The restriction

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20. Between 1905 and 1914 on an average, 200,821 Chinese labourers came to Singapore every year. The member dropped from 147,150, in 1914 to 70,912 in 1919. A substantial number of those who came, used to leave every year. The arrivals in the first two months 1920 exceeded departures by only 1671. A Confidential Printed Report on the Chinese Labour, p.6 in High Com. to Sec. State, 27 Sept. 1920, C.O. 717/4.

21. An enquiry by the officials of the Chinese protectorate in Singapore revealed that the Dutch were spending for recruitment of each Chinese labourer, in terms of Straits dollars, as much as $200, as against $140 or less spent by the tin industries in the Malay States. Ibid.

of the Home Treasury on the issue of fresh capital created a dangerous situation for the British rubber interests and it was feared that American capital would make use of this opportunity to acquire large areas of land for plantation and take over the control out of British hands.[22] As a matter of fact the industry as a whole suffered when its principal consumer, the United States reduced their import of rubber.[23]

The end of the war did not bring relief for the European business community. Although the plantation community recovered for a while from their distress, the export of tin almost totally stopped in 1918. "At the time of writing this report", wrote the Chief Secretary of the federated states in his Annual Report in May 1918, "there was no market for tin. America has prohibited the import of Eastern tin...." [24] The London and American tin

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22. Under the provisions of the Rubber Lands (Restriction) Enactment, restrictions were put upon the acquisition by foreigners of land cultivated with rubber or land suitable for cultivation of rubber. The intension was announced to be "the prevention of exploitation by foreigners of rubber lands at a time when restrictions were placed on the issue of British capital owing to the war". Annual Report of the Chief Secretary, F.M.S. 1917, p.11. (Hereinafter A.R. Ch.Sec. F.M.S.). In 1919 the Acting Attorney General explained in his certificate on the Ordinance which aimed at repealing the enactment of 1917 that enactment was passed to prevent mainly the American rubber interests from buying up large areas for plantation. Certificate and Report of the Acting Attorney General on "An Ordinance to Repeal the Rubber Land (Restriction) Ordinance 1917", in Deputy of the O.A.G. to Sec. State, 17 Sept. 1919, C.O. 273/484.

23. A. R. Ch. Sec., F.M.S., 1918, p. 8.

24. Ibid., p. 4.

markets did not transact business even a year later.[25] The rubber interests were the first to make enquiries after the termination of hostilities as to when the restriction on the issue of new British capital would go.[26] The outcome was not a hopeful one. The Crown Agents wrote to the Colonial Office in August 1919 that "the Chancellor of the Exchequer has recently decided that this (the restriction) is to go on for an indefinite period".[27] Although the Chancellor gave an assurance that he would consider "all bonafide applications for the issue of new capital for rubber development in Malaya", the continuation of the restriction caused much annoyance to the British investors.

The business community had therefore, their own reasons to be dissatisfied. During the war they had looked forward to the post-war period as an era of expansion, freedom from all war-time restrictions on business activities, and increased government expenditure on development works which would promote

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25. A.R., Ch.Sec., F.M.S., 1919, p. 17.

26. The Chambers of Commerce of Singapore and Penang requested the Governor to take steps to remove the Rubber Land (Restriction) Enactment and simultaneously the restriction on the issue of the British capital should go. Tel., Gov. Straits to Sec. State, 17 Aug. 1919, C.O. 273/484. The Colonial Office had also received requests from Messrs. Yule & Co., and Dunlop Plantation Ltd. for big grant of land in the federated states. Tel., Sec. State to Gov. Straits, 21 Aug. 1919, C.O. 273/484.

27. Minutes by the Crown Agents addressed to the Far Eastern Department in Colonial Office, 19 August 1919, C.O. 273/484. Also, H.J. Read to Earl of Drogheda, 23 Aug. 1919; H.J. Read to Messrs. Yule & Co., 23 Aug. 1919. C.O. 273/484. The Earl was acting as an intermediary for the Dunlop Plantations Ltd.

business, so they had reasons to feel unhappy about the general financial policy of the federal government. Since 1914 the government's financial policy had been to accumulate a large surplus and keep down public expenditure. Both aspects of this policy were unfavourable to the business community. Economy in expenditure starved the development of social services - such as, sanitation in the principal towns of the federation, irrigation and electric power. The use of the surplus revenue of the federation on loan and development works outside the states was greatly disliked.[28] The business community remembered how in the preceding ten years, a loan of $ 40 million had been extended to Siam in 1909 in return for the transfer of the former Siamese Malay States to British suzerainty, and that a loan of £ $1\frac{3}{4}$ million was given to meet the needs of Mauritus in 1918 when the Imperial Government were hard up.[29] A similar loan of one or two million sterling for the needy West African Protectorates was proposed by the Colonial Office at the end of the war, and it was under the High Commissioner's consideration in 1919.[30]

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28. This was the main point behind the moves in 1922 by the influential business community of the federated states to revive the post of Resident General as the head of the federated administration. The High Commissioner brought to the notice of the Secretary of State the grievance of the community over the use of surplus revenues of the federated states to finance extra-territorial loans etc. High Com. to Sec. State, Conf., 19 March 1923. C.O. 717/27.

29. In addition, the federated states had in 1921 £ 5,100,000 invested in securities in England. Collins' minutes, 22 March 1921 on High Com. to Sec. State, Tel., 15 March 1921. C.O.717/12. For other figures, High Com. to Sec. State, Conf., 3 June 1921, C.O. 717/13. In all, the loan to the unfederated states from the federated states amounted, in 1921, to $ 7,457,142. High Com. to Sec. State, 3 June 1921, C.O.717/13.

30. Collins' minutes, 4 Dec. 1919, and Tel., O.A.G. to Sec. State, 2 Dec. 1919, C.O. 273/494.

A sum of $ 68 million was invested between 1912 and 1919 from the surplus revenue of the federated states for the development of the railway line in the unfederated states.[31] The Asian and European business communities in F.M.S. considered that the expenditure of such a large amount on railway construction in the undeveloped states of the east-coast was an unremunerative and unsound investment. The business firms of Singapore, too, did not have any reason to support such investment. Although they executed big orders they were given no chance to take part in this, as well as in all other construction works, because under the Colonial Regulations purchases of all required materials was the monopoly of the Crown Agents in England.[32] In the face of the criticism of the unofficial members of the Federal Council the High Commissioner defended the railway construction works in the unfederated states on the political grounds.

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31. High Commissioner's annual address in the Federal Council in December 1921, Pros. Fed. Council, 1921, p. B66, During this period the following railway lines were completed: from Alor Star to Siamese-Perlis boundary (4¼ miles), doubling of the line Bukit Mertajana to Prai, east-coast line from Tembeling to Kuala Lipis (25 miles), Pasir Mas to Siamese-Kelantan boundary on the east-coast railway (11½ miles), Kuang to Batang Perjuntai Rly. from Batu Arang to Batang Berjuntai, and the Survey of Patang-Kelantan bounday to Katah Bahru. Annual Reports and High Commissioner's speeches over these years.

32. The Crown Agents were appointed by the Secretary of State for the Colonies for transacting business in the U.K. for the Governments of all Colonies for whom the Secretary of State was responsible. They did not act for dominions and India. They, however, transacted business for the Governments of the British protectorates, including the Malay States. The chief heads under which they transacted business included the purchase, shipment, insurance, and inspection of Stores of all kinds; designing of construction works; negotiation of large public works; issue, management and repayment of loan; investment of surplus balances reserves; and selection of candidates

"If we decline to extend our Railway system into these adjacent countries", he observed in 1917, "they will be compelled either to build up for themselves or give out concessions to build (for them).... It is essential that the whole system should be regarded as one, whether inside the F.M.S. or outside".[33] Although the argument was sound, the local business community was not moved. At the end of the war, the federal direction of railway development and the officials' exclusive control over the railway expenditure came under severe attack by the Unofficial Members of the Federal Council. "As the matter stands at present", observed one member, "important schemes involving large expenditure are submitted to the Unofficial Members, frequently with insufficient time left to enable a careful and considered view to be expressed". He did not blame the railway administration; in his views "it is the unsatisfactory system of financial control which is at fault".[34] The Unofficial Members demanded the formation of a Railway Board which would include them as its members and exercise some measure of control over the expenditure of the Railway Department.

The Unofficial Members of the Federal Council were not able to obtain in 1919 an assurance from either the Chief Secretary or the High Commissioner that the Railway Board would be

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32 (Contd.). for technical posts in colonies.

33. High Commissioner's annual address to the Federal Council, Nov. 1917, Pros. Fed. Council, 1917, p. B57.

34. H.P. Clodd, 25 Nov. 1919, Pros. Fed. Council, 1919, p. B57.

formed. The federal authorities also turned a deaf ear to their proposal aimed at rationalisation of the administration of the federated states. This is illustrated from the demand of the Unofficial Members for the federalisation of the Customs Department of the federated states. With the large scale development of the rubber and tin industries in the preceding decade, the federated states had come to be viewed as one economic unit, served by a common system of railways, roads and ports. Many of the companies producing rubber and tin, had their estates and mines sprdad over more than one state. The customs revenue of these states had gone up enormously, rising from $ 21 millions in 1915 to $ 40 millions in 1920.[35] It appeared unreasonable to the business community that such an economic unit as was the federated states, should be divided by several custom barriers. "The present systems of separate collections for each state", observed one Unofficial Councillor in 1919, "involves a great deal of labour and irritating delays which should be obviated were there one system throughout the country".[36] The federal authorities gave no indication that they would make an effort to meet the demand of the business community, or that they understood their point of view.

The question on which the federal administration came in direct conflict with the Unofficial Members and the business

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35. High Com. to Sec. State, 11 Aug. 1920, C.O. 717/4.

36. H.P. Clodd, 25 Nov. 1919, Pros. Fed. Council 1919, p. B57.

community at large was, how much of Britain's enormous war bill should be met by the federated states even after the war had come to an end. The war had cost the British exchequer £9,000 million, or £12,000 if the extraordinary expenditure of the two post-war years was included. Increased income tax, surtax, and excess profits duty levied in the U.K. in the post-war years had covered by 1921 only 44 per cent of the war bill. It, however, left behind a formidable National Debt which continued to claim nearly half of the yield from taxation. So pressing was this burden that the Labour Party as well as some Conservative politicians contemplated the reduction of the National Debt by imposing a capital levy.[37]

In the federal estimates for 1920, which were introduced in the Federal Council in November 1919, it was proposed the war taxes would continue for that year. The taxes had been imposed in 1916, purely as a war measure; their continuation even after the end of the war was obviously to ameliorate the post-war financial difficulties of Britain. The Unofficial Councillors resented this proposal. They thought that they had done enough to help the government at home during the war. Between 1916 and 1919, a sum of $ 31 million had been contributed by the federated states to Imperial Government to help the prosecution of war. In addition to the war taxes, they had agreed to the proposals for transferring to the Home Treasury £3 million for the

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37. A.J.P. Taylor, English History 1914-45 (London, 1965), pp. 69-71.

construction of the H.M.S. Malaya which the federated states offered to the British Navy, and meeting the cost of maintaining the Malay States Guides which served in Aden from 1914 to 1918.[38] They had cheerfully agreed to these proposals while war was on, but to give consent to continuation of the direct tax, after the end of the war, was a different matter. They knew that it was the last budget of the retiring Chief Secretary, Sir Edward Brockman, but did not hesitate to show their teeth. It seems doubtful if the Chief Secretary had taken them in his confidence outside the Federal Council, but he certainly did not care to explain the purpose of the proposal in the Council which was typical of Sir Edward's attitude towards the Unofficial Councillors.[39] This seems clear from the fact that in view of his proposal to continue the unpopular war taxes, Sir Edward did not accede to any of the demands of the business community in his estimates for 1920. For example, the public expenditure for 1920 was not increased to any appreciable degree in the estimates submitted in the Federal Council in November 1919 inspite of the large surplus from the past years in existence.[40]

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38. High Com. to Sec. State, Conf., 3 June 1921, C.O. 717/13.

39. Sir Edward Lewis Brockman; b. 1865; cadet Straits Settlements, 1886; 3rd Magistrate, Penang, 1890; Actg. Collector of Land Revenues, Penang, 1889; Second Asst. Col. Sec., 1892; Asst. Col. Sec. 1903; Actg. Col. Sec. 1905; Actg. Resident General 1907; Actg. Resident Perak, 1908; Resident Pahang 1908; Resident, Negri Sembilan, 1910; Col. Sec. Straits Settlements, 1910; Ch. Sec., F.M.S. 1911; Agent, Malay States Information Agency 1920.

40. The actual expenditure of the federated states in 1919, in round figure, was $ 72 million. The expenditure for 1920 estimated by the Chief Secretary in 1919 was $ 74 millions (round figure).

In the Federal Council the war taxes were strongly criticised. One Unofficial Member, F.G. Harvey, alleged that the tax was unfair on the grounds that "the shareholders in dollar companies pay the tax the shareholders in sterling companies are exempted", and that the majority of the shareholders of the rubber companies who live in Britain "would have to pay the war tax here and income tax in England".[41] Eric Macfadyen, another member who served on the committee which recommended the war taxes, went a step further and said that by continuing the war taxes in peace time, the Home Government were trying to exercise a right which they were not entitled to. He pointed out that the taxes were recommended as a war measure, and added that "it is only on this ground they were defensible and as a permanancy I could not possibly be a party to their continuance. Our only legal obligation is under the Treaty of Pangkor.... I never heard of enthusiasm in connection with military contribution".[42]

It seems clear that under Sir Edward, the federal administration had run counter to the wishes of the business community on a number of matters; the important question on which both sides fell apart was the financial policy of the federal administration. The federal administration, without being based on a wide or popular foundation, had to look for support in various ways from the business community. It could hardly expect to function smoothly

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41. Pros. Fed. Council, 25 Nov. 1919, C.O. 576/23.

42. Ibid., pp. B58-9.

for long if it ran counter to the wishes of the community, nor could it pursue a policy for long which did not have the approval of the community without inspiring a demand for change in the form of administration in the federated states. A situation such as this was fraught with the danger that the Crown Colony type of financial control over these states exercised from above may no longer be acceptable to the European business community. It can be inferred that the new High Commissioner realised this danger and sought to treat the federated states on the question of financial help to the metropolitan country on a different footing from the colony as is evident from the beginning of the Guillemard administration.

On the very first week of his office, Guillemard was faced with the question when the Secretary of State sent a telegram asking for fresh financial help from the colony and the federated states to relieve Britain's financial difficulties. Guillemard sent back a long telegram, explaining the various social services in the colony and the federated states which called for immediate improvement and would claim the entire surplus revenue of the colony and the federation. He said he would explore the possibility of raising some funds by introducing income tax in the colony. He stated that the federated states might be prepared to contribute to the local defence expenditure, but strongly advised the Secretary of State not to press for financial help from the federated states for the mother country. He argued that 'the unofficial public' in these states were strongly opposed to this type of contribution, and took the liberty of not raising the proposal to the unofficial

Members of the Federal Council, unless the Secretary of State would ask him again.[43]

So much for the federal administration's relations with the unofficial community at the end of the war; they reveal that Unofficial Councillors sought greater freedom from the controls exercised by London and Singapore than before. We will now turn to the conditions obtaining at the end of the war in the federal administration and Malayan Civil Service. We have described in the preceding chapter how with the formation of the Federal Council, the control over the legislative and the financial powers of the federated states had passed into the hands of the High Commissioner. His position as the President of the Council and the official majority similar to the Crown Colony type of government gave him effective control over both. It was this aspect of the federal administration which appeared to be anomalous to a former administrator like Sir F.A. Swettenham and was the central point of the attack by him and others.[44]

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43. Tel. Sec. State to High Com., 24 Dec. 1919; High Com. to Sec. State, tel., 5 January 1920. Milner did not press the proposal. Tel., Sec. State to High Com., 13 January 1920, C.O. 717/1.

44. Sir F.A. Swettenham; b. 1850; Cadet, Straits Settlements, 1870; sent on a special mission in Perak in 1874; Actg. Resident Selangor, 1875; in charge Perak Residency 1875; British Resident Selangor, 1882; Actg. British Resident, Perak 1884; British Resident Perak, 1889; Resident General 1896; Governor 1901. "It is not quite easy to understand" observed Swettenham, how the Governor of a Crown Colony can also be a President of a Council for making laws and otherwise controlling the affairs of a Federation of Protected States each of which has a Malay Ruler" F.A. Swettenham, British Malaya (London, 1920) pp. 358-9. George Maxwell

Once an emergency like a world war occured, the differences between the federated states and the colony appeared more irrelevant than ever. The emergency powers which the High Commissioner exercised in the administration of the protected states were not less sweeping than those he exercised as Governor.

In 1914 "The Public Emergency Act" was passed in the Federal Council. This gave the High Commissioner the authority to pass ordinances without legislative sanction on a wide variety of matters in the federated states, and these regulations would remain valid for the period of the war.[45] The enactment itself was introduced in the Federal Council under a certificate of emergency from the High Commissioner which allowed it to be introduced in the Council without being previously gazetted. Such an important piece of legislation was passed in the absence of the Rulers of the states. It was brought into force the day after it was passed in the Council. The enactment was modified

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44 (Contd.). wrote after his retirement as the Chief Secretary of the Malay States that "By usurpation the High Commissioner imposed himself upon the Federation as the head of its administration... As representative of His Majesty, a High Commissioner has no more right than His Majesty himself to preside over a Council of Malay Rulers". George Maxwell, "The Administration of Malaya", British Malaya, April 1943, p. 141.

45. The enactment empowered the High Commissioner to make any rules or orders respecting any part or harbour of the federated states and movement of ships, even though inconsistent with laws; to require any person to do any work or render any personal service for the defence of the federated states; to take or retain any goods, animals, or movable property or any land or buildings, to take possession of grains, food, coal, fuels, and mineral oils; to set maximum price for food, to postpone time for payment of rent or other moneys and to extend the period of maturity of bills of exchange or other negotiable instruments.

more than once after it was originally passed, as the situation demanded, and in 1917 it was reenacted. The Public Emergency Enactment of 1917 not only retained all emergency powers of the High Commissioner, but gave him the additional authority to delegate a part of his emergency powers to any officer under him.[46] Following this, The Delegation of power to the Chief Secretary under the Public Emergency Enactment of 1917 was passed in 1918 which gave the federal chief executive authority to make emergency regulations on matters affecting the federal administration.[47]

The outcome of these changes was that the powers of the Chief Secretary became more formidable than they were before the war. The High Commissioner acknowledged the changes when he referred to the "many temporary modifications in our system of government" which followed as "the results of the war".[48] But the position did not change even after the armistice was declared. In July 1919 'The Continuation of power Enactment' was passed in the Federal Council, and the federal executive retained all its emergency powers under 'The Public Emergency Enactment of 1917. No particular date-limit for the emergency powers was fixed in this enactment.[49]

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46. Pros. Fed. Council, 24 July 1917, p.B14.

47. F.M.S. Gazette, 1918, p. 1132. C.O. 574/21.

48. Pros. Fed. Council, 13 November 1917, p. B44.

49. Pros. Fed. Council Proceedings, 23 July 1919, p. B.32.

An important section of the European community in the federated states was in the civil service. Some of its members had enlisted for active service in the war. Those who remained in their civilian posts were over-worked, kept away too long from their home, and adversely affected by the soaring cost of living in Malaya during and after the war. A grievance over the inadequacy of their pay had been gaining ground during the war. It was acknowledged after the war that their pay fixed at the beginning of the second decade of the century had become inadequate in terms of pre-war scale of values.[50] There was no certainty as to how much they would get over months. The pay, fixed in terms of sterling, was actually drawn in Straits dollars, and the exchange rate between the two currencies fluctuated. Nothing was done during the war to ameliorate their difficulties and it was not before the end of the war was well within sight, and a similar clamour for pay-rise for the Home Civil Service had been heard, that a Commission was appointed in 1918.

The Commission, headed by the Chief Justice of the Straits Settlements, Sir John A. S. Bucknill, was to recommend on two questions, pay and passage, for the European Civil Service in the colony and the federated states.[51] The question of

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50. High Com. to Sec. State, 11 August 1919, C.O. 273/484.

51. Sir John A. S. Bucknill; ed., Oxford; M.A. 1897; J.P., Transvaal, 1902; M.C.C., 1904; King's Advocate, Cyprus, 1907; Member of Executive and Legislative Council 1907; Attorney General, Hong Kong, 1912; Chief Justice, Straits Settlements, 1914; Judge of High Court, Patna, India, 1920.

pension was not taken up. The commission went at work at a time when the cost of living was rising fast. It was very likely that its recommendation would not meet the situation unless it recommended a radically increased pay-scale. The commission, in fact, set out the case very well for a general increase of salary in the service. But its recommendations did not seem to have met the case quite adequately. The commission reported in 1919. The Governor brooded over the report for three months, whittled down the increases by direct and indirect reductions and sent his recommendations to the Colonial Office in August.[52] When the officials of the Far Eastern Department received the report they brooded over it for another three months and they in turn, whittled down the increases a little more for the senior officers.[53] A difficulty of the Colonial Office giving a high pay-scale to civil service in Malaya lay in the fact that poorer colonies could not afford to pay as much and the Colonial Office did not relish such a discrepancy in the civil service pay scale between rich and poorer colonies. In December, when the Under Secretary of State informed the Governor of the salaries approved by the Secretary of State prices had already increased in the colony and the Malay States and the improved salary could not

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52. High Com. to Sec. State, 11 Aug. 1919, C.O. 273/484.

53. The recommendations of the Commission on various grades were too detailed to be mentioned here. But an illustration may be given here. For those getting £ 1120 p.a., the Commission recommended nearly 1/3 increase (£ 1400 p.a.). The C.O. cut it down to £ 1330 p.a. The recommended salary for the senior positions was reduced very drastically. See the schedule attached to Under Sec. State to O.A.G., 17 Dec. 1919, C.O. 273/484.

satisfy the civil service.

The report of the commission, however rather unexpectedly brought to light, the fact that the grievances of the civil service were "by no means caused by pecuniary considerations only".[54] The commission had sought the views of the members of the civil service on the question of pay and in response, it had received some unsolicited complaints from a number of officers against the Chief Secretary's treatment of the subordinate officers and the condition of the service in general. The officers described the Chief Secretary's treatment as 'harsh', 'unjust', 'tyrannical' and so forth.[55] Some officers complained that the service was lacking in 'espirit de corps', and they brought to the notice of the commission some specific instances when officers indulged in irregularities and accepted bribes.

The commission was not concerned with the conditions in the service in general and did not solicit the Chief Secretary's opinion on the subject. It, however, considered the complaints to be serious enough for the civil service, and recorded in its report that the dissatisfactions in the civil service in the federation were partly due to the "unsympathetic treatment by the authorities". The complaints were appended to the report. The commission maintained that some of the abuses in the federal administration were due to the over-centralisation of power in

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54. Report of the Public Service (F.M.S. and S.S.) Salaries Commission, 1919, para 497.

55. Written answers to the Commission's enquires, appendices III and V of the Public Service (F.M.S. and S.S.) Salaries Commission, ibid.

the federal secretariat, and it made some recommendations to remove them. It also recommended devolution of a part of the Federal Secretariat's functions upon the officers in the states and districts. It advised that cadet officers should not be retained in the secretariat for a long time, and the non-European officers should be employed in larger number, than before.[56]

The High Commissioner sought the views of the Chief Secretary on the commission's comments on over-centralization of power in the Federal Secretariat, before the report of the commission was sent to the Secretary of State. Sir Edward's reply was remarkable for its lack of straightforwardness. Sir Edward pointed out that the unrest in the civil service was a world-wide phenomenon of the post-war year and the civil service in the Malay States was no exception. To support his argument he enclosed with his letter an excerpt from the Times which had reported six months earlier, the unrest in the civil service in England but made no reference to the colonial civil service.[57] He argued that the charge that the civil service had no 'espirit de corps' was not true but almost in the same breath he pointed out that, as early as 1907 when he had acted as the Resident General, he had found the service insubordinate. He quoted Sir John Anderson saying that the officers of the F.M.S. were "an

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56. Ibid., para 509.

57. The Times, 20 February 1919, enclosed to Ch.Sec. to the High Com., 16 June 1919, in High Com. to Sec. State, 11 Aug. 1919, C.O. 273/484.

insubordinate lot". He then recounted instances of corrupt practices in some departments, and instances when officers had been impolite to him. On the whole, his reply was contentions and some of his arguments only helped to prove the points he had wanted to refute.

Sir Edward accused the commission of going beyond its terms of reference by recording the statements of the discontent in the service. In entertaining complaints from officers, (which he described as "wretched scraps of evidence to support ... fanciful charges of oppression"), he held that the commission was "determined that the service should use the opportunity of washing their dirty linen in public". He advised that the officers' complaints and the commission's observations on the civil service should not be printed in the report of the commission.

Though Sir Edward did not comment of the commission's recommendation on decentralization or on the alleged corrupt practices in some departments, it appears that the service was not in good shape. In the past, the European civil service had over the years, acted as the most useful arm of an enlightened European administration. Simultaneously, however, the over-centralization of administrative authority in the Federal Secretariat had proceeded smoothly and this process had now reached a critical point giving rise to criticisms by a part of the civil service itself. A measure of decentralization of authority from the Federal Secretariat to the State Secretariats and from the Chief Secretary to the Resident and the D.O. had become an administrative necessity.

Sir Arthur Young, on the verge of his retirement, had little to offer by way of solution. He agreed with the commission's report on the necessity for decentralization, but could do nothing more than request the Residents' views on the question before he went on retirement.[58] His enquires into the allegations of irregular practices in the administrative departments had revealed that some officers had in defiance of the Colonial Service Regulations, acquired shares in the rubber and mining industries in the pre-war years of boom, and Sir Arthur assured the Secretary of State that he had taken steps, before leaving Singapore, of ensuring that the service regulations be observed by the officers. The experience of his successor, however, was to prove that he was too optimistic on the outcome of his measures.[59]

The report of the commission was before the officials of the Far Eastern Department in the Colonial Office in the last quarter of 1919.[60] By then they had received unfavourable reports on the federal administration from other independent sources. In a record of a minutes by an official, H. Beckett in October, is

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58. Minute by H. Beckett, 20 Oct. 1919, C.O. 273/484.

59. Young to Sec. State, 11 Aug. 1919, ibid. About a year later, Young's successor Guillemard wrote privately to Milner that "in the upper grades the attitude as to investments is not as high as it ought to be. This matter troubles me considerably. At present I don't see how to tackle it". Guillemard to Milner, private, 8 July 1920, Milner papers.

60. The Far Eastern Department in the Colonial Office dealt with the affairs of Hongkong, Wei Haiwei, Straits Settlements, Malay States, and the protected states of Sarawak and North Borneo.

a note on the "strictures on the F.M.S. Secretariat's management of business matters".[61] A confidential anonymous memorandum, signed 'Englishman' and addressed to the Secretary of State, pointed to the corrupt practices in the Food Controller's Office and the failure of the government to check them. The anonymous petitioner enclosed the press reports which criticised the administrative failure in dealing with these currupt practices.[62] The most effective and constructive one was the criticism of the federal administration by Sir Charles Crewe, an M.P.[63] Crewe had just returned from a visit to the colony and the federated states and wrote privately to the First Lord of Admiralty and a former Colonial Secretary, Sir Walter Long. The excerpts of his letter were sent by Sir Walter to Milner in November.[64]

Crewe's letter proved constructive because of not only his well-informed observations on the conditions of the civil service and the unofficial business community in the colony and the federated states, but some useful recommendations on future policy. Discussing the condition of the civil service, Crewe dealt with the difficulties of an under-paid service in a colonial situation. He said that it was necessary for the members

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61. H. Beckett's minute of 20 Oct., 1919, C.O. 273/484.

62. A confidential anonymous memorandum addressed to the Sec. State, 9 Dec. 1919, C.O. 273/494.

63. Brig. General Sir Charles Crewe; b. 1855; served in Cape, 1878-81; M.L.A. for E. Griqualand, 1899; retired from Cape Colony forces, 1902; M.L.A. for Aliwal North and Col. Sec., 1904; Sec. for Agriculture, 1907-8; M.L.A. East London, 1908; Member of East London in Union Parliament, 1910-18.

64. Long to Milner, private, 6 Nov. 1919, Milner papers.

of the civil service to keep up their appearances if they were to command the respect of those they ruled and it was particularly opposite to the environment of a country of a large number of wealthy Asiatics. "The result", observed Crewe, "is that in the lower and less well-paid grades, Europeans accept bribes on a considerable scale". He mentioned the officers of the Public Works and Land Departments, Opium Control Board, Police and the Port Officers who board the ships on duty. He wrote in conclusion, "I am perfectly satisfied from the evidence given me that the conditions are as I have stated".

Crewe had also observed that the federal administration had drifted away from the business community. On the part of the administration, "the capacity for looking after commercial and business details is lacking, and the advice from leading civilians is not generally sought or obtained". The development of the peninsula was slowed down in the past years by pursuing "the policy of building up large balances which is very adversely criticised out here". There were good grounds for subordinating the policy of development during the war to the imperial interests. With the end of the war, however, it was high time for adopting a new policy for the whole of the peninsula. Crewe suggested three broad objectives which, in his opinion, the British policy should try to achieve in the post-war years. In one part of his letter he summarised them. He said :

> The Malayan Peninsula has in my judgement reached that state of its development at which I am convinced preparation should be made for the gradual change to more

representative institutions, and what seems to be needed now is a Governor, who, having received general instructions from the Secretary of State, will come out to carry out a definite policy of union, of more representative institutions and of development.65

Though Crewe did not suggest that there was already a demand for the introduction of representative institutions in the Malay States, he foresaw the time when such a demand was bound to come, specially as an impact of the introduction of representative institutions in India.[66] He observed, "When India has more representative instituions, the demands from here will become loud indeed, and it is better, is it not, to move before the public begins to shout". Although he recommended that a beginning should be made in "the gradual introduction after consultation with those concerned of a more representative form of administrative and government", Crewe did not deal with this point in greater detail. He did not spell out if he foresaw an electorate in these states in the near future, or what the introduction of the representative institutions would mean for the Malays in these states with a large number of alien population.

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65. Emphasis added.

66. In 1917 the British Government announced that the objective of the British policy was the gradual development of self-governing institutions and that in fullness of time India would have a responsible government. The Government responsible to an Indian electorate would have control over domestic affairs. The Government of India Act of 1919 transferred some subjects which had been previously handled by the provincial governors to Indian Ministers responsible to Provincial Assemblies. A representative Central Assembly was set up. The Act considerably widened the qualifications for franchise and increased the proportions of non-officials in the Provincial Assemblies to at least 70 per cent; in the Central Assembly 106 of the 146 members were elected. The communal electorate continued.

The objective to which he wanted the British policy to be directed atonce, was "the union of all the (Malay) States and Settlements in the peninsula". Crewe placed greater emphasis on this objective than on the introduction of representative institutions. This was necessary, in his opinion, if the plan of development of these states was to be pushed ahead with greater chances of success and with greatest advantage to all the states. He strongly pleaded for immediate extension of railway, development of agriculture, plantation and mines, and put forward some concrete suggestions for their development. With this end in view, he maintained that the civil service should be strengthened and its reasonable demands should be met. He was aware that the British relations with the Malay States were based on some treaties and agreements which had to be changed if a union was to be formed. Crewe believed that "by means of discussion an understanding could be reached" with the Rulers, and if the objective was not achieved atonce, "a steadfast policy of union would eventually succeed" in view of the events in India and elsewhere.

With all these reports before them, the officials of the Far Eastern Department had, by November 1919, a fair picture of the state of the federal administration in general and the civil service in particular. It was certain that the Far Eastern Department would act. Before Crewe's letter reached the Far Eastern Department, Beckett had minuted in October saying : "I feel inclined to think that the workings of the (F.M.S.) Secretariat

wants looking into".[67]

In January 1920, the Colonial Office sent the High Commissioner its views on the administrative questions raised in the salaries commission's report. These view, sent in separate despatch, ran along a line very different from the one that Far Eastern Department had taken in October. The despatch of 2 January regretted that the commission went beyond its terms of reference, and got evidence on the officers' grievances against the Chief Secretary.[68] The charges of unsympathetic treatment of officers were described as "unfounded" and they were considered to be "an aspersion on the Government" on the ground that the Commission did not hear the government side of the case. It agreed that the complains should be withdrawn from the reports.

All this was fair. But the despatch left the matter there. It seems clear that the despatch wanted to by-pass the reality existing in the service by taking cover under some legal quibbles. It stuck to that position, ignoring the fact that Brockman had got a chance to give his views and that his letter was with the Colonial Office, and that they had heard from independent sources on the condition of the civil service.

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67. Harold Beckett; b. 1891; ed. at Oxford; B.A., 1914; second class clerk in C.O., 1914; Asst. Private Sec. to Lord Milner, 1919, Private Sec. to Permanent Under Sec. of State, Sir George Fiddes, 1920.

Beckett's minute of 20 Oct. 1919, C.O. 273/484.

68. Amery to Gov. Straits, 2 January 1920, C.O. 273/484.

Why it was so, appears clear. The despatch was drafted by the principal clerk of the Far Eastern Department, A.E. Collins himself. He drafted it having received from the retiring Governor, Sir Arthur Young, a strong personal representation. Sir Arthur met Collins at the Colonial Office, and Collins minuted on the draft he prepared after the interview that the Governor "spoke to me strongly about this matter and that we should reply in emphatic terms. I submit draft for consideration".[69] It received no observation from any higher member of the permanent staff. Milner's personal diary shows that he was away in Egypt when the despatch was sent out. Amery who signed the letter was preoccupied with the constitutional problem of Malta about this time, and this involved a personal visit by him to the island. There is no indication in the Colonial Office papers that the Far Eastern Department brought the complains it had received earlier against the federal administration to the notice of the Under Secretary of State at the time he he signed the despatch, or earlier.

Sir Arthur's representation saved him the embarrassment of having to accept any responsibility for the failings in the federal administration towards the end of his term as High Commissioner. It also left Sir Edward free to think that

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69. Arthur Ernest Collins; b. 1871; ed. Cambridge; M.A., 1899; Clerk in C.O. 1894; Asst. Private Sec. to Chamberlain, 1898; Sec. to Straits Settlements Currency Committee, 1902-3; Principal Clerk in C.O., attached to the Far Eastern Department, 1907. A minute by Collins, 15 Dec. 1919, C.O. 273/484.

nothing was really wrong with his highly centralised personal control over the administration. But the Secretary of State was not sure that everything was going well with Brockman's administration. Sometime before Guillemard left for Malaya towards the end of 1919, it had been decided that the unpopular administration of Sir Edward must be brought to an end. This does not appear in the Colonial Office papers, but it is clear from Guillemard's personal letters to Milner that he was given an authority to insist on the retirement of Sir Edward should he desire to remain in office once he reached the retiring age of 55 in 1920.[70]

III. Guillemard enters the scene

Guillemard saw Crewe before he left for Singapore and consulted Milner on the future "constitution of the Colony and F.M.S." The instructions which Guillemard received from Milner on the federal administration can be known only from personal letters which Guillemard later wrote to Milner and Gilbert Grindle but there are no precis of these consultations in the

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70. The High Commissioner himself had no authority to ask the Chief Secretary to retire unless he had the support of the Colonial Office on his proposal. The question of Brockman's retirement came up a few months after Guillemard assumed of his office. It appears from Guillemard's letters to Milner that he did not obtain the authority on his arrival in Singapore; he must have obtained Milner's consent to retire Brockman before he had left London.

On Brockman's departure from Malaya, Guillemard wrote to Milner that Brockman's retirement "was his own act and I never had to tell that I wished him to go". Guillemard to Milner, private, 16 June 1920, Milner papers.

Colonial Office papers.[71] It appears that Guillemard regarded the pattern of the federal administration and that of the colony as similar to each other. He referred to them as the "constitution of the Colony and F.M.S.", and suggested similar remedies for both. The reason for this equation between the administrations of the Crown Colony and the F.M.S. could be that they had visualized the shape of one political entity, viz. Malaya. Milner was aware as Guillemard recounted later, that "there was a considerable body of opinion in Malaya to the effect that we had rather outgrown the paternal system of Crown Colony administration and ought to be grant some more representative constitution". Milner wanted Guillemard to approach the problem from the point of view that the Crown Colony system should be preserved in essentials, but the latter should "consider what could be done by modification that would ensure its smoother working and readier acceptance".[72]

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70 (Contd).

On a later occasion Guillemard mentioned in his letter to Milner that "The only fact I kept back from him (Brockman) was that if he did not retire voluntarily, I proposed to retire him (with your consent) on age. This Card, I naturally kept up in my sleeves..." Guillemard to Milner, 29 Sept. 1920, Milner papers.

71. G.E.A. Grindle, ed. Oxford, M.A., second class Clerk local government board, 1893; bar-at-law, 1895; Asst. Pr. Sec. to Mr. Chamberlain, 1898; principal clerk in the Colonial and Office; Asst. Under Secretary of State attached to the Colonies and Protectorate Division in the Colonial Office, 1916; member of the Colonial Research Committee.

72. Guillemard to Milner, private, 8 July, 1920, on the general administration of the Colony and the Malay States; also, Guillemard to Grindle, private, 17 June, 1920, Milner papers.

Guillemard took over as the High Commissioner in early 1920. A number of urgent problems called for his attention in the first few months. These included the settlement of some labour strikes in the colony, and procurement of enough food for the colony and the F.M.S.[73] He had to mobilize ~~much of~~ resources of his administration to get things moving, much of which had been postponed by the war, or those which were not taken up by his predecessor. These included the improvement in the health conditions, and the beginning of planning for development work in road, railways, electric power, harbour and dock facilities, irrigation and drainage. The government with the help of the Colonial Office, recruited expert advisers for reorganising and expanding Agricultural and Mines Departments.

By July, the general directions in which Guillemard's administration would move had become clear. The measures taken in the initial months were not those of decentralization, but they led to it. In April he wrote privately to Milner that "It is country of wonderful promises and enormous possible development, suffering from what I might call a 'Governmental blight'."[74] "The country was being run" he wrote in July, "by bureaucrats working in padded rooms, secretly".[75] Guillemard

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73. Guillemard to Milner, 8 June 1920, on the labour position in the Colony, Copies of Telegram to and from the Government of India on the procurement of rice, enclosed to Guillemard to Milner, 25 May 1920, Milner papers.

74. Guillemard to Milner, private, 19 April 1920, Milner papers.

75. Guillemard to Milner, private, 8 July 1920, on general administration, Milner papers.

realised that one reason for which the Crown Colony system of administration had become unpopular was that it had lost contacts with the business community. His policy was to take the community into his confidence in matters of its interest, consult it in matters of future development, and involve those capable men in the community who had previously kept away from public work, in the orderly development of the community.

Guillemard did not see the possibility of the introduction of representative institutions in the near future. His consultation with the European community left him convinced that there was not much enthusiasm for representative system of government. In the colony it would mean handing over power to the Chinese community and he advised the Secretary of State against taking such a course. In July he wrote to Milner, "we have not in being, and I doubt if we have in sight, a possible electorate".[76] He, however, made some gestures to prove that even within the framework of Crown Colony system of government it was possible to respond to the desires of the community. He worked for modification of the colonial regulations in order to make the control of the Colonial Office less irksome. He brought to an end the exclusive right of the Crown Agents to make purchases in England on behalf of the Governments of the Malay States and the Colony. This permitted the supplier firms of the colony to tender for the government orders and gave the

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76. Ibid.

business community a larger stake in the plans of development. He persuaded the Colonial Office not to press their proposal for placing the Audit Department of the Straits Settlements and the F.M.S. under the Director of Colonial Audit.[77] It is, he wrote to Milner privately, "the sort of things that people out here would much resent, as tightening the strings which they want loosened".[78]

Though Guillemard did not change the Crown Colony system of government, he widened the area in which the government and the unofficial community could co-operate. At the beginning of his administration the municipal bodies in the colony and federation were very sleepy, partly because the capable men of the community kept away from public duties. Guillemard proposed to increase the number of the members of these bodies to enable them devolve their work on to committees. He did not propose to introduce the principle of election and wanted the members to be nominated by various organizations and associations. He recommended this improvement for the Colony as well as the F.M.S. As far as the introduction of representative institutions was concerned, Guillemard could not accept the views of Sir Charles Crewe, but attempted a half-way house to representative bodies.

Another matter of considerable importance was Guillemard's efforts to create a better climate for the civil service

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77. Guillemard to Grindle, private, 17 June 1920, Milner papers.

78. Guillemard to Milner, private, 8 July 1920, Milner papers.

where by it could be restored as an effective instrument of government. Guillemard made his own assessment of the main problems he faced in restoring the morale of the service. He wrote : "They were in a horried state when I came out - about salaries and still more about repressive administration under Brockman".[79] Guillemard attached considerable importance to the removal of the legitimate grievances of the civil service because he believed that the service had an important role to play in the development of the Malay States and the service could be kept discontented only at the risk of retarding the progress of these states. In this respect he found the business community behind him, who not only thought that the service's grievances should be removed, but saw no reason why the salaries should not be high enough to obtain the service of best people, particularly in technical services, as long as both the colony and the federated states had resources to pay for them. The main difficulty arose from the hesitation of the Colonial Office to give the civil service a salary which was much higher than the salary they could offer in poorer colonies. On the other hand, the revision of the salary in 1919 had not solved the problem. The revised scheme did not improve the position of the senior officers in the service; the scheme as a whole proved inadequate in the face of the steady rise in the cost of living during and

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79. Guillemard to Thornton, private, 22 June, 1920, Milner papers, Major Hugh Thornton was Milner's Private Secretary.

after 1919. The efficiency was affected by the general tendency of the officers to stay too long in the service as the pension was low.

Guillemard informed Milner in July that leading men in the community "resent more and more being prevented (from) getting what they want because poor colonies with no particular development in sight, can't afford to be as liberal" in their offer to their civil service. He added that the danger in the situation was that if the government refused to look at the problem from their point of view, the "refusal will help to make them jib at the system of Government under which they live".[80] Guillemard succeeded in removing the grievance of the service by granting temporary allowances which were increased as the situation demanded, and persuaded the Colonial Office to accept a permanent higher scale for the service and introduce an option to the officers to retire at 50.[81]

The civil servants in the colony and those working in the peninsula, used to pull apart. The former spoke of the latter as "wild denizens of the jungles whose ideas of business were amateurish and childish", while the latter regarded the former as "pedantic and narrow-minded bureaucrats who spent their time on office stools penning tiresome and often

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80. Guillemard to Milner, private, 8 July 1920, on the salaries of the European Civil Service, Milner papers.

81. Collins' minute on 4 Sept. 1920, C.O. 717/3.

unnecessary minutes".[82] Guillemard brought all civil servants[83] under one service and used them as interchangable staff for administrations of the Colony and Malay States.[84] Before this change, the colony's civil service was smaller in size than the civil service in the Malay States. The latter was spread over the peninsula, and could not function properly in view of over-centralization of power in the remote Federal Secretariat. It it not surprising that they demanded increased responsibility as a necessity for the officers working in the state departments and districts. Guillemard directed his efforts ~~in~~ to placing the Federal Secretariat on the right footing and reorganised the staff of the Chief Secretary of the federated states to reduce the responsibilities of the latter's office. He strengthened the staff by adding two new officers under the Chief Secretary to cope with the work of development and gave the senior staff of the Chief Secretary greater responsibility than before. The positions under the Chief Secretary were upgraded so that the Chief Secretary's responsibilities could be partly devolved on them.[85]

Parallel to these efforts to strengthen the civil service, ran Guillemard's attempt to reconcile the unofficial community to the federal administration. He met the demands of the

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82. Sir L.N. Guillemard, Trivial Fond Records (London, 1937) p.91.

83. Excepting those who belonged to the Colonial Civil Service.

84. Guillemard, op.cit., pp. 80-1.

85. High Com. to Sec. State, 24 July 1920; and Sec. State to High Com., 6 Sept. 1920, C.O. 717/3.

business community by federalising the Customs Departments, and forming the Railway Board on which the Unofficial Members of the Federal Council were represented.[86] Their long-standing grievance that the government's financial policy had been for years one of stringency on the social services and economy in public expenditure, was removed by increasing the expenditure on the social services and raising the public expenditure in general from an estimated figure of 74 million dollars to 103½ million dollars for the year 1920.

The preparatory measures taken to achieve the bigger objective - the unity of the colony and the states in the peninsula-were the improvement in the civil service, the reconciliation of the unofficial community, and the increased budget on the development works. These could be termed the loose threads of an integrated policy. Co-operation between the federated states and the colony or other states in the peninsula had not been uncommon in the past in the field of finance, but Guillemard was in favour of treating all the states in the peninsula and the colony as one entity, for the purpose of development works. He said in his first address to the Federal Council that some of the development works were "very big and will affect the whole of Malaya. I say advisably Malaya, because there is some need for uniform action between the F.M.S. and the Colony".[87]

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86. Guillemard to Milner, private, 8 July 1920, on the F.M.S. administration in general, Milner papers; High Com. to Sec. State, 21 Oct. 1920. C.O. 717/4.

87. Press report n.d. on Guillemard's address to the Federal Council in April 1920, Milner papers.

To put words into action the construction projects of a dry dock and slipway at Prai in province Wellesley, and a causeway connecting the peninsula and the island of Singapore, both of which had been contemplated from the closing years of the war, were taken in hand. It was decided to finance these two projects from the federal funds, and the total cost was estimated in 1921 to be S$ 35 million.[88] Simultaneously, Guillemard worked to bring the administrations of the federated states and the colony closer. With this end in view, combined departments for the colony and the federated states were created whenever conditions permitted. The creation of the Surveys Department, S.S., F.M.S. in 1920, Department of Fisheries, S.S., F.M.S. in 1921, and the appointments in 1921 of a Director of Medical and Sanitary Service, S.S., F.M.S., a Census Officer for the whole of Malaya, and the G.O.C. of the Troops for Malaya, illustrated this policy.

Guillemard's policy aiming at the unity of the Colony and the F.M.S. logically raised the question of the future policy towards the five more Malay States in the peninsula. If these states were left out of the development works taken on hand, they would remain an undeveloped backyard of the prosperous colony and federation. Moreover, plans of development could be economically carried out if the area to benefit

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88. A memorandum titled as "Prai River Wharves : Dry Dock and Slipway" from the General Manager of the F.M.S. Railways n.d., attached to High Com. to Sec. State, 19 June 1920, C.O. 717/2; and High Com. to Sec. State, 16 May 1921, C.O. 717/13.

from them was wider than the colony and the federated states. The unfederated states enjoyed the financial and administrative advantages of the British protection, but the British Advisers in these states were powerful enough to refrain from co-operating with the general policy. This became clear a few months after Guillemard's arrival in Singapore. A high level Advisory Committee had been appointed in the Colonial Office in early 1920 to promote the economic development of the colonies and protectorates. The committee was appointed on Milner's own initiative and was served by distinguished public figures with Milner himself as it head.[89] When the Committee wanted to know of opportunities existing in the unfederated states, its circular was ignored by the British Advisers. When the Colonial Secretariat pressed for a reply, the advisers were evasive; none of them sought any help nor showed any enthusiasm to have anything to do with the committee.[90]

The attitude of the British Advisers towards the question of economic development of their states appeared disquieting also for another reason. With the war-time restrictions on the investment of British capital in the colonies

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89. Distinguished among its members, were Viscount Harcourt, Sir Owen Philipps, Neville Chamberlain, Sir William Mercer and J.F. Dawson. Sir H. Read and G.E.A. Grindle from the Colonial Office were also members, and P.H. Ezechiel from the Crown Agent was the Secretary of the committee. Colonial Office Circular, 7 Feb. 1920, H.C.O. 597/1920.

90. For replies of the British Advisers see ibid.

removed, and with the extension of roads and railways, these states drew the attention of investors. The Straits Trading Company which had confined its activities to smelting, was planning to branch out in the production of tin, and in collaboration with the Billiton Company, had sought from the Federal Secretariat prospecting licences over large areas in the unfederated states.[91] International rubber trading companies which wanted to control a part of the production, were attracted by low export duty and absence of income tax in Trengganu, Kedah and Kelantan.[92]

Enunciation of a clear policy towards the unfederated states was becoming necessary and Guillemard asked Sir George Fiddes, the Permanent Under Secretary of State for his "advice on the question of the policy of dealing with the Unfederated States". It appears from his letter that Guillemard had consulted his advisers in Singapore and Kuala Lumpur on this point. "No definite policy", he added, "has so far as I know ever been laid down here and nobody has any definite views". The retiring Chief Secretary, Brockman, had little idea as to what should be done about these states. Guillemard had learnt from Brockman that Sir John Anderson who brought those states under the British suzerainty, did not lay down any definite policy. The advisers

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91. Notes prepared by W.H. Mackray on his interview with the Managing Director of the Straits Trading Company on 21.4.1920. N.S. Conf., 25/1920.

92. H.C.O. Misc. 344/1920.

whom Sir John appointed in these states were not sent out with clear instructions that they should aim at bringing the states under the federation. The result was that, when Sir John himself wished to bring these states into the federation he found that the Advisers had started liking their freedom from control. Guillemard added : "As the things turned out ... some Advisers really used their influence against federation, and I find even now some of them are inclined to go too much on their own".[93]

Guillemard was in favour of placing his cards openly before the Advisers. He decided to call a meeting of the Advisers, Chief Secretary, and Colonial Secretary with this end in view. But before he made a move he would like to know "whether the Colonial Office would wish to encourage the enlargement of the Federation". "If you answer in the affirmative", he concluded, "we can see our way out here, though we shall have to proceed with the greatest deliberation and caution".

When Guillemard's letter was sent by Sir George Fiddes to Collins for his observations, the latter maintained that the Far Eastern Department was in favour of the extension of the federation. "We have been going slowly and waiting for things to ripen for further federation", he minuted.[94] Collins' minute did not suggest that the Far Eastern Department had taken up the question seriously before it received Guillemard's letter. He did not record that he was aware of any policy for the unfederated

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93. Guillemard to Fiddes, private, 22 June 1920, G.O. 717/2.

states, nor did he suggest any particular measure. He maintained that it would be difficult to bring Johore and Kedah into the federation, but Trengganu, he thought, could be persuaded.

Guillemard's assertion that the problem of the position of the unfederated states had not been given much serious consideration at an earlier date, however, caused Collins some misgivings. He found fault with Guillemard's failure to take proper notice of Sir Arthur's achievements in this direction. "It is remarkable", he wrote at the beginning of his minute, "that Sir L. Guillemard makes no reference in this to Sir A. Young, who has preceded himself as High Commissioner for eight years and who has had intimate and friendly relations with the Sultans .... It will be seen that Mr. Maxwell is mentioned as 'probably knowing something'. Mr Maxwell has for many years been Sir A. Young's right hand man".[95] Collins alleged that Guillemard's letter had "studiously" ignored the former Governor, and ended by paying him a handsome tribute for his services, and strongly reiterated that Sir Arthur should be consulted.

Sir Arthur, as we have already mentioned in the preceding chapter, was responsible for the appointment of British Advisers in Johore and Trengganu between 1914 and 1919. For the first time the British Advisers received powers over the internal administration of these states on the lines of the British Residents. Collins' minutes implied that Sir Arthur had a policy

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94. A minute by Collins, 28 July 1920, C.O. 717/2.

95. Ibid.

for the unfederated states, and in appointing Advisers for these two states he was rightly carrying out that policy. This may be a convenient point to discuss briefly the appointment of Advisers in Johore and Trengganu by Sir Arthur, and his relations with the Sultan of Perak on the question of the removal of the ban from the family of the ex-Sultan Abdullah.

The Colonial Office papers of 1914 make it evident that the disagreement between the Sultan of Johore and Sir Arthur originated soon after he had taken over as the High Commissioner. The Sultan had himself raised his own allowance in 1913, and continued to draw the higher salary, disregarding the High Commissioner's disapproval. The relationship further deteriorated when the Sultan refused to handover a political refugee from N.E.I. to whom the Sultan had given protection, and modifying the state's civil list. A crisis developed when a commission appointed by the Straits Government found the Sultan responsible for the unsatisfactory conditions in the Johore Bahru prison.[96] Sir Arthur recommended to the Secretary of State that an Adviser should be appointed in Johore with all the powers of a Resident in the F.M.S. and he also sought from him an authority to inform the Sultan that if he did not accept the Adviser "the only alternative is his removal from the state".[97]

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96. The points at issue between the Governor and the Sultan were taken up by Far Eastern Dept. official, Robinson, in his minutes of 20 April 1914, C.O. 273/406.

97. Young to Sec. State, 19 March 1914, C.O. 273/406.

The Far Eastern Department supported the recommendations of Sir Arthur and suggested another measure : "His Majesty's Government must insist on the disgorging of the extra $ 120,000", which the Sultan had over-drawn as his salary.[98] Sir George Fiddes and the Secretary of State himself advised the Far Eastern Department to go slow.[99] The Secretary of State permitted Sir Arthur to ask the Sultan for a revision of the state's treaty with the Straits Government and accept an Adviser "vested with same powers as a Resident in the F.M.S.". On the other hand, he did not approve of threatening the Sultan with deposition, or insisting on the Sultan's refunding the money he had over-drawn or changing the civil list. He asked the Governor to inform the Sultan that "the H.M.G. must insist on their advice being carried out forthwith".[100]

The events which followed proved that it was enough for the Sultan to know what was the Secretary of State's intention. Good sense dawned on him and he accepted the Adviser and was pacified by a few assurances from Sir Arthur the most important of which was that in cases of differences of opinion between the General Adviser and the Sultan, the views of the latter and the

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98. Minutes by Robinson (20 April 1914) and Griffin (21 April 1914), C.O. 273/406.

99. Minutes by Sir George Fiddes (22 April 1914) and the Secretary of State, L. Harcourt (24 April 1914), C.O. 273/406.

100. Tel., Sec. State to Straits Governor, 28 April 1914, and Sec. State to Straits Governor, Conf., 7 May 1914, C.O. 273/406.

State Council should be communicated to the High Commissioner.[101] Sir Arthur later reported to the Secretary of State that "as the general policy asked for is one entirely in harmony with that adopted with in the F.M.S., I saw no objection whatever to meet His Highness' wishes".[102]

Sir Arthur's suggestions for dealing with the Sultan of Johore illustrated his readiness to take measure which were harsher than the situation demended. (This appears from his recommendation of the deposition of the Sultan.) However, at no stage of the proceedings either Sir Arthur or the Far Eastern Department mooted the suggestion that the Sultan should be asked to join the federation. Nevertheless, his assurances to the Sultan had the effect of emphasising the state's special position vis a vis other states in the federation. Once the treaty with the state was modified without asking it to join the federation, it would be difficult to ask the Sultan to revise the agreement as long as he remained faithful to it.

The administration of the state of Trengganu undoubtedly called for improvement. The state was not easily accessible, and was not connected by railways. At the beginning of the twenties of the century, the state retained its feudal set-up undisturbed. Five-sixth of the total mining area of the state was owned privately by the members of the royal house, and it

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102. Gov. Straits to the Sec. State, C.O. 273/407.

seriously curtailed the state's revenue. The Sultan's two relatives jointly held 350,000 acres of land. The British Agent of the state complained in his journal before the intervention that the administration of justice in the state was far from satisfactory.[103]

On the death of Sultan Zainalabidin, his son Raja Muda Muhamad was appointed Sultan in 1918. The Agent had been pressing him to appoint an Adviser. His powers under the agreement of 1910 with the state were limited to those of a consular officer; he could not intervene in the internal administration of the state and carry out any reform measure. Sir Arthur obtained an authority in April 1919 from the Secretary of State asking the Sultan to accept an Adviser.[104] He was due to retire in a few month's time, and he wanted to accomplish what he wished, and round off matters to his own satisfaction without wasting any more time. He acted fast to keep himself on his own time-table, and did not wait for a favourable situation to arise before he intervened. In April 1919, the State Council of Trengganu decided to invite an officer to act as a President of the Council, and not appoint an Adviser as recommended by the High Commissioner. Sir Arthur had to act with speed.

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103. The Journal of the British Agent in Trengganu for the month of April 1919, in Young to the Sec. State, 24 June 1919, C.O. 273/487.

104. Sec. State to the High Com., 2 April 1919, C.O. 273/486.

Accordingly, the Sultan was summoned to Singapore but the proceedings of the negotiation were unsatisfactory. The Sultan was clearly unwilling to accept an Adviser; the High Commissioner, on the other hand, had no time to waste in parleys. The Sultan at first tried to retain his option to accept or reject the advice of the Adviser - but finding no alternative but to give in, he did so and returned to his state disgusted with the whole proceeding. He was given an assurance by the High Commissioner that it would remain open to him to appeal to the High Commissioner or the Secretary of State. The new treaty having been signed by the Sultan, Sir Arthur wrote to the Secretary of State in June :

> It is a source of gratification to me that I have been able to see this treaty signed during my term of office. The condition of Trengganu has been a constant source of anxiety to me and it has been no easy matter to induce the Sultan to agree to the new regime.[105]

It was true that a treaty had been signed but unfortunately no understanding had been achieved. The Sultan's reply to Sir Arthur's first letter, in which he outlined the future policy in Trengganu, made it clear that he would not accept the Adviser's control over the state's finance.[106] The agreement collapsed before Sir Arthur left Singapore but he could do nothing more about it but left matter to deteriorate further.

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105. Young to Sec. State, Conf., 4 June 1919, C.O. 273/487.

106. High Com. to the Sultan of Trengganu, 30 May 1919, and the Sultan of Trengganu to the High Com., 3 July 1919, C.O. 537/747.

In December the Adviser reported in a secret memorandum to the acting Governor that a dead-lock had been reached. He strongly recommended the deposition of the Sultan on the grounds of insanity, as under the Trengganu Constitution of 1911 it was permissible to depose an insane Sultan. The Adviser took a hard line on the question of succession. He recommended that the younger brother of the Sultan, Tungku Muda Sleman whom he described as a "weak, effiminate and an uneducated" boy, should be passed over. A two year old boy of the late Sultan (Tungku Besar) should be appointed Sultan; and for the present a chief should act as a Regent. The Far Eastern Department did not take the Sultan's alleged insanity seriously.[107] Collins strongly pleaded that the Sultan should be deposed, and he suggested that Sir Arthur, who was by then in England, should be consulted. There was a consensus of opinion among the officials of the Colonial Office that the Sultan should be removed from his position but this should wait till the new High Commissioner had time to settle down.[108] Sir Arthur supported the deposition but though he had precipitated events in Singapore, he now advised the Colonial Office to temporise action.[109] The Sultan was replaced by his younger brother Tungku Saleman in May 1920.[110]

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107. A minute by H. Beckett, 4 Feb. 1920, C.O. 573/797.

108. Ibid., also, minutes by Collins, 13 Feb. 1920, Grindle, 14 Feb. 1920, and Fiddes, 20 Feb. 1920.

109. Young to Collins, 29 Feb. 1920, C.O. 537/798.

110. Tel. High Com. to Sec. State, 31 May 1920, C.O. 717/2.

At no stage of the negotiations with the Sultan of Trengganu in 1917, had the possibility of the Sultan joining the federation ~~had~~ been explored. There is nothing in the Colonial Office papers to suggest that the Far Eastern Department had made any move in this direction in 1920 when Tungku Saleman was placed as the new Sultan. Nor is there anything in the contemporary correspondence of the Adviser with the Governor to suggest that he was working with the end in view to bring the state into the federation. We may now turn to Sir Arthur's dealings with the Sultan of Perak on the issue of the removal of the ban from the family of the ex-Sultan Abdullah.

The ban had been imposed on the successors of Abdullah more than thirty years after his banishment from the state. In 1909 the Secretary of State ruled that "It is desirable in the interest of good government of the state that no member of the ex-Sultan's family should be considered eligible to the succession" in Perak.[111] It was not clear to the officials of the Far Eastern Department in 1920, how this ban came to be imposed. One official in the Department minuted that it was imposed on the recommendation of Sir John Anderson who in turn, had received a recommendation on these lines from Sir E. Birch, the Resident of the State and that Sir F. Swettenham had been consulted on the matter.[112]

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111. Quoted in Guillemard to Sec. State, 13 Oct. 1920, C.O. 717/4.

112. A minute by Beckett, 19 Nov. 1920, C.O. 717/4. Sir Ernest Woodford Birch, b. 1875; ed. Harrow; Cadet, Straits Settlements, 1876; Magistrate, 1881; Controller of Revenue, Malacca, 1888; British Resident Selangor, 1892; Actg. Resident Perak, 1895; British Resident, Negri

The two sons of Abdullah, Raja Mansur and Raja Chulan, were educated at government expense and both were employed in the administration of Perak. Sultan Idris who wanted to bring them on the succession line had got his two daughters married to them. At first he had wanted to appoint Raja Mansur as Raja Muda Musa, the younger brother of Abdullah died and the succession fell vacant but Mansur was considered to be unsuitable for the position and he was not eventually appointed. Sultan Idris came to know about the ban from Sir Edward Brockman, and thoroughly disagreed with the decision.[113] To show his displeasure he refused to fill in the important posts of Bendahara and Raja Muda and insisted on elevating his weakling son Abdul Jalil from the office of Raja-di-Hilir to the offices of Bendahara and thence to Raja Muda. The Sultan's sentiments on the matter were taken note of and the ban was modified in 1914, to the extent of making the children of the Sultan's daughters eligible for succession.

A fresh problem arose when Sultan Idris wanted to appoint Raja Chulan as Bendahara on the appointment of Abdul Jalil as Raja Muda. Raja Chulan was a competent man, and his appointment

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112 (Contd.). Sembilan, 1897; Governor and C-in-C of the Colony of Labuan and of North Borneo, 1900; British Resident, Perak, 1904; retired, 1911.

113. Guillemard quoted a minute by Brockman on 30 April 1915 in which the latter had recorded the reaction of Sultan Idris. Brockman wrote : "He was not certainly at all pleased when he was told and he made a great point of his having, in ignorance of such exclusion, been permitted to marry his daughters to two sons of Abdullah". Guillemard to Sec. State, 13 Oct. 1920, C.O. 717/4.

was supported by the Chiefs of the State. In 1915 a petition was addressed on behalf of the members of the ex-Sultan Abdullah's family to the Secretary of State appealing for the removal of the ban. There cannot be any doubt that the Sultan and the chiefs had associated themselves with the appeal and it was their support which turned the issue of the removal of the ban, now virtually singling out Chulan, to an issue of wider importance.[114] The Colonial Secretary, R.J. Wilkinson[115] had served for quite sometime in the Residency in Perak, so his opinion on the suitability of Chulan now decided the issue against Chulan. His views, reported by Sir Arthur to the Secretary of State in 1915, read :

> His opinion is that although Raja Chulan is not anti-British in any political sense he is a man who is interested only in his own advancement and would be a thorn in the side of the British Government if he becomes Sultan, because his sense of his own importance and his ideas of his own importance would bring him inevitably into conflict with the Residents.... As Sultan he would rely too much on the letter of the law (e.g. on the treaty forbidding us to interfere with Malay religion and custom) and would overreach himself with very serious consequences.[116]

Sir Arthur was faced with an issue on which the views of the wishes of the chiefs and Sultan of Perak were in conflict

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114. Ibid.

115. Richard James Wilkinson; b. 1867; ed., Cambridge; Cadet, Straits Settlements, 1889; Actg. Sheriff, Singapore, 1894; Inspector of Schools, F.M.S., 1903; District Officer, Perak, 1906; Actg. Sec. to Resident, Perak, 1906; confirmed 1909; Colonial Secretary, Straits Settlements, 1911; Governor Sierra Leone, 1916.

116. Guillemard to Sec. State, 13 Oct. 1920, C.O. 717/4. Emphasis in the original.

with those of the Colonial Secretary, and was unable to take a firm stand of his own. Neither he nor the Chief Secretary to whom he sent Wilkinson's minute, shared Wilkinson's views. On the contrary, Sir Arthur in his minute to the Chief Secretary, pointed out that he saw no reason why the ban should not be removed, and expressed his sympathies with the Sultan's wishes. Neither the High Commissioner nor the Chief Secretary, however, was able to give any opinion to counter Wilkinson's views. The ban was not removed and the younger son of Sultan Idris, Alang Ishkander, was appointed Bendahara. The Resident of Perak later reported how the chiefs of the state received the nomination. He write :

> The leading chiefs are prepared to recognize the nomination. I feel bound to say they do this without enthusiasm and my opinion is that they do this faute de meiux. The nominee who would have met universal acceptance - Raja Chulan, is barred.[117]

The reaction of Sultan Idris did not, perhaps, differ from that of the chiefs.

It is apparent from Sir Arthur's method of handling of the affairs of Johore and Trengganu that he was not thinking in terms of an immediate extension of the federation. Whether he had that objective in mind is difficult to ascertain for want of evidence, but the manner in which the affairs of these two states were handled would certainly have hardened the attitudes of their Rulers against any future proposal for the inclusion of

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117. Ibid.

their states in the federation. Sir Arthur had not exercised any benevolent and friendly influence on the Sultans, the sort of influence which had accounted for successful negotiations carried out by administrators like Sir F. Swettenham. The case of Perak again illustrates this. Sir Arthur had very little personal contact with the Sultan and the chiefs to give an opinion of his own on Wilkinson's observations on Raja Chulan. Though he succeeded in giving greater powers to the British Agents in Johore and Trengganu, he left the British relations with these two states, and with Perak, far from satisfactory. In none of these instances the Far Eastern Department tried to exercise any moderating influence on the Governor and the principal clerk of the Department, Collins, supported all the measures proposed by Sir Arthur.

Guillemard projected a far more benevolent image and broke new grounds in his relations with the Malay States. He aimed at normalising the relations with these states, and his efforts to respect the wishes of the Sultan and chiefs of Perak on the question of the removal of the ban on Raja Chulan was welcome. Alang Ishkander had been appointed Sultan in 1920 on the death of his brother Sultan Jalil.[118] Following this, Raja Yusuf (bin Jalil) was promoted from his position of Raja-di-Hilir to that of Bendahara, and Raja Aziz (bin Musa) was promoted to the position of Raja Muda from his position of Bendahara. Sultan Iskhander proposed the appointment of

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118. The Chief Secretary's Report, 1918, Cmd. 469, p. 20.

Chulan as Raja-di-Hilir. The proposal was supported by the State Council, the Resident of Perak, important chiefs of the state, and the retiring Chief Secretary, Sir Edward Brockman. Guillemard realised the importance that Malays attached to the proposal and he recommended the appointment of Chulan and the removal of the ban from the family of the ex-Sultan Abdullah to the Secretary of State in June. Guillemard made his recommendation on general grounds.[119]

The deliberations of the officials of the Far Eastern Department made it clear that it was Collins who was the guiding spirit in the Far Eastern Department and under him, the Department showed reluctance to break away from the past decisions. On the other hand, their observations contained utterly inadequate reasons on which they refused to revise their previous stand on the question. Beckett raised "some doubts about his (Chulan's) parentage", expressed his surprise that the new High Commissioner who had so little time to learn about "Malay feelings and modes of thought" should come forward so soon with a recommendation on such an important subject, and summed up his views by saying that "I do not like the proposal and I do not trust Chulan". Collins added no reason in favour of his opinion that the ban should not be removed.[120] He said that the Secretary of State should point out in his reply to the High Commissioner that "there was scarcely sufficient reason

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119. Guillemard to Sec. State, 10 June 1920, C.O. 717/2.

120. Minutes by Beckett, 23 July 1920 and Collins, 24 July 1920, C.O. 717/2.

for changing the previous decision", and that Sir Arthur should be consulted on the question under consideration. It was possible that Sir Arthur would advise the Colonial Office to uphold the decision which was reaffirmed during his term as High Commissioner. The proposal inspired a strong remark from Sir George Fiddes who observed : "I have long standing objection to consulting an ex-Governor about the proposals of his successor". He, however, authorised a reply as suggested by Collins.[121] This reply was communicated to the High Commissioner on 4 August 1920.[122]

In his reply, Guillemard requested the Secretary of State to reconsider his decision. In a long despatch which he privately described as "my first essay in the haute politique of Malaya", Guillemard extensively dealt with three broad reasons for which the ban should be removed. He informed the Secretary of State that neither Wilkinson nor Sir Arthur was opposed to the removal of the ban if Chulan could be prevented from becoming the Sultan in course of time. He argued that there was no such possibility in view of the fact that the Sultan was in his early forties and the Raja Muda and the Bendahara were in their early thirties. He assured the Colonial Office that the appointment of Chulan as Raja-di-Hilir would create "no obligation to raise Raja Chulan to throne, if he would prove unsuitable". He offered his own estimate of the personalities of

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121. A minute by Sir George Fiddes, 28 July, 1920, ibid.

122. Sec. State to the High Com., 4 Aug. 1920, ibid.

Chulan and the Sultan which contradicted Wilkinson's doubts about the political suitability of Chulan and Sir Arthur's estimate of the Sultan. He observed that Raja Chulan's "public and private life have been above reproach and his tact and energy ever at the disposal of the Sultan and the British Government". He repudiated an unfavourable opinion on the Sultan, recorded by Sir Arthur, and remarked that in his opinion Alang Ishkander was "the very best type of modern Sultan" "whom education in England has taught to support the interests of alike of Great Britain and of the Malays".[123]

Guillemard based his plea for the removal of the ban on a wider consideration. He argued that it was necessary to cultivate more friendly relations with the Sultans for the sake of the British policy in the peninsula. "The history of recent years in the peninsula shows that the policy of Federation has experienced a set back". This was due to the fact that "there has been rather a centrifugal tendency on the part of the Rulers". He then added that,

> It is, I think, clear that if Federation is to be encouraged every care must be taken to avoid running counter to the susceptibilities of the Malay Rulers and Chiefs and that only way to win their confidence and consent is to consider those susceptibilities so far as is consonant with imperial policy.[124]

In his private letter to Milner, Guillemard pointed out that he was anxious to retain the Sultan's confidence "which will be a valuable asset to me in dealing not only with Perak, but with

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123. Guillemard to Sec. State, Conf., 13 Oct. 1920, C.O. 717/4.

124. Ibid.

bigger question of policy affecting Malaya generally".[125]

Guillemard's private letter to Milner was passed on by him to the Far Eastern Department. Guillemard's arguments threw the Far Eastern Department into a confusion. It made no direct attempt to defend the position it had taken earlier. Neither Beckett nor Collins found any suitable argument against Guillemard's; they minuted that they would advise the Secretary of State to accept Guillemard's proposal if the newly appointed Chief Secretary George Maxwell would recommend the removal of the ban.[126] Guillemard's private letter and his despatch had succeeded in raising some doubt in the minds of some high officials in the Colonial Office, whether there had been any adequate reasons at all of imposing the ban in 1909. The Department had to find out more convincing explanations as to how the ban had come to be imposed. Beckett assumed that it was Sultan Idris who had wanted the ban to be laid down in 1909 Collins added that there might have been some misunderstanding in correctly understanding what the Sultan had actually wanted. Sir E. Birch, who had been the Resident in Perak in 1909, was called in. When Birch supported Beckett's assumption, Collins

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125. Guillemard to Milner, private, 13 Oct. 1920, Milner papers. Guillemard correctly suspected that one reason for which the Colonial Office was hesitating to remove the ban was the doubt if Chulan was Abdullah's son. In his private letter to Milner, Guillemard asked him not to attach any importance to the consideration.

126. William George Maxwell, b. 1871; ed. Clifton College; bar-at-law, Junior Officer, Perak, 1891; Asst. Mag. Kinta, 1892; Asst. Sec. to Resident, Perak, 1904; Solicitor-General, S.S. 1906; British Adviser to Kedah, 1910; Actg. Col. Sec. Straits Settlements, 1914; British Resident, Perak, 1916; President, Rubber Commission, 1918; General Adviser, Johore

undertook to see for himself Sir John Anderson's despatch of 1909 and other papers. The outcome did not strengthen the Far Eastern Department's belief, nor did it illuminate the ambiguity of the past. At the end of his perusal of the papers of 1909 Collins minuted that "It is clear that they are in the dark as to how the ban came to be laid down"; he advised that the copies of the papers should not be sent to the High Commissioner.[127] This provoked another strong remark from Sir George Fiddes against the Far Eastern Department. He minuted : "There is a curious divergence of opinion on what should be matters of fact. I wonder where the truth lies". Finally, the ban was removed only when Maxwell informed the Colonial Office that he agreed with the High Commissioner's views.[128]

IV. Decentralization policy is formulated in London and shelved in Malaya

We shall now return to the important policy-making question Guillemard had raised with regard to the unfederated states in his letter to Sir George Fiddes. A course of action was to be outlined and the Far Eastern Department had sought

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126 (Contd.). 1918; Resident, Perak, 1919; Chief Secretary, F.M.S. 1920; retired 1926; died 1959; author of several books on Malaya.

127. Minutes by Beckett, 19 Nov. 1920, and Collins, 25 Nov. 1920, C.O. 717/4.

128. A minute by Sir George Fiddes, 17 Dec. 1920, C.O. 717/4. Also, Collins to Parkinson, 3 Dec. 1920, Milner papers; Maxwell to Collins, 21 Dec. 1920; tel. Milner to Guillemard, 21 Dec. 1920, C.O. 717/10. A.C.C. Parkinson was Lord Milner's Private Secretary.

Sir Arthur's views. In his reply Sir Arthur pointed out that unification of all states in the peninsula under one administration would result in a great administrative simplification. His considered opinion, however, was that the "joining of the Unfederated Malay States to the Federation will never be an accomplished fact". He mentioned two main difficulties for which states like Johore, Kedah and Kelantan would not join the federation. The Rulers in the unfederated states enjoyed greater powers in the administration of their states than the Rulers in the federated states. The "unwritten law of precedence" among the Rulers of the federated states might not be acceptable to the Rulers of the states outside the federation. He concluded that it would "require very strong reasons before taking the step to force the unfederated states to join the Federation and certainly Johore and Kedah will never join without compulsion".[129]

Sir Arthur's reply was negative in nature, but it helped the Far Eastern Department realise the main difficulty that stood in the way of the administrative unification of all states in the peninsula. The department now ~~for the first time~~ clearly saw that centralization of power had proceeded in the preceding years without any check and now it was the main obstacle to the further development of the British policy. The Department also learnt that as the position of the Rulers in the federated states stood, it would attract no Sultan outside the federation to join it. These

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129. Young to Dixon, 11 Aug. 1920, C.O. 717/2.

remained the two basic assumptions which had to be taken into consideration in developing any policy aimed at forming a larger union.

The Far Eastern Department had nothing to add to this point immediately. On 18 August, Beckett had proposed that George Maxwell who was on leave in England should be consulted. The next day, Sir George Fiddes asked the Far Eastern Department to inform Guillemard about the views of Sir Arthur, if "Mr. Maxwell does not say anything to modify" what Sir Arthur had said. Maxwell had a good deal to say on the subject. The Far Eastern Department's discussions with Maxwell resulted in the Department's acceptance of a number of measures in connection with the policy towards the unfederated states, and the selection of Maxwell to carry them out as the Chief Secretary, F.M.S.

On the resignation of Sir Edward, the position of the Chief Secretary to the Federated Malay States had fallen vacant. The Colonial Secretary, F. S. James,[130] and the Resident of Perak, W. G. Maxwell, were the two most formidable candidates. James, who was from outside the Malayan Civil Service, had served in the Colony since 1916, and had successfully administered the Government of the Colony after the retirement of Sir Arthur.

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130. Frederick Seton James, 6. 1870, ed. Charterhouse, Asst. District Commissioner, Nigeria Coast port, 1896; served as Political Officer in expedition against Ekuris, Cross River, 1898; Actg. Col. Sec. S. Nigeria, 1907; Col. Sec. Straits Settlements, 1916; Officer Administering the Government of the Straits Settlements and acted as High Commissioner, 1919; Actg. Ch. Sec., F.M.S.,1920; Col. Sec., 1921; Governor Windward Is., 1924.

Maxwell had a long service in the Malay States, and he had served as Adviser in Kedah and Johore, and Resident in Perak. James who had been acting as the Chief Secretary, was strongly recommended by Guillemard for the post.[131] This was because between June and December 1920, James had initiated two measures towards decentralization of the Federal Secretariat's power and extension of the federation. He had asked the Residents to work out proposals for decentralization and had persuaded the Unofficial Councillors to agree to a policy of using the federal fund to extend loans to unfederated states on liberal terms to facilitate the extension of the federation.[132] Guillemard had privately written to Milner about James that "He is ... just what is wanted now as head of the R.M.S." Guillemard at first kept Maxwell out of the positions of the Chief Secretary and the Colonial Secretary but later realized that the local civil service will be disappointed if Maxwell was passed over in both ~~the~~ positions. He then recommended Maxwell to be Colonial Secretary, and "made a special appeal" to Milner to approve of his nomination for the Chief Secretary.[133]

The Far Eastern Department considered Maxwell to be "the strongest candidate in the F.M.S." for the position of the

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131. High Com. to Sec. State, tele., 29 Aug. 1920, C.O. 717/3.

132. Actg. Ch. Sec. to High Com., 7 June and 20 Dec. 1920, H.C.O. 283/20, and 723/20 respectively.

133. Guillemard to Milner, private, 16 June 1920, Milner papers.

Chief Secretary.[134] The Department was "not sufficiently acquainted with the personality" of James[135] but it was difficult to push aside James' active participation in a campaign in Africa, his success as the acting Governor of the Colony and Guillemard's strong recommendation of him. By 4 September, the Department had decided to advise the Secretary of State to accept the High Commissioner's recommendation for the position of Chief Secretary, and had suggested Maxwell for the position of Colonial Secretary, as they thought that he would be "valuable in keeping Sir Laurence Guillemard straight".[136] Guillemard had already suggested privately to Milner that Maxwell would be acceptable to him as the Colonial Secretary though this was not yet known to the Department.[137] On 25 September, Maxwell met Gilbert Grindle in the Colonial Office, and it was after this meeting that the Far Eastern Department began to see the administrative question of the appointment of Chief Secretary in a new light. Grindle did not keep any resume of his discussion with Maxwell, but it was certain that he found Maxwell more optimistic than Sir Arthur about the extension of the federation as he

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134. A memorandum by Collins, 4.9.1920, C.O. 717/3. The Colonial Office had a confidential report from Sir Arthur describing Maxwell as "a very talented officer possessing... rare ability coupled with decision and determination, but inclined to adhere too firmly to the opinion that his view is the correct view". High Com. to Sec. State, 23 Aug. 1919, C.O. 273/488.

135. Collins' memorandum, 4.9.1920, op.cit.

136. Ibid.

137. Ibid., Guillemard to Milner, private, 16 June 1920, op.cit.

asked Maxwell to submit a memorandum containing his views on the matter.[138] Maxwell submitted a long memo to Collins on 15 October and appologised for its "prolixity".[139]

Maxwell's memorandum entitled "Notes on a Policy in respect of the Unfederated States" was a long document. In the first part of the memorandum, he dealt with the origins of the federation, the dissatisfaction shared by the Rulers of the federated states on account of over-centralization of power in the Federal Secretariat, and the difference in the position of the Rulers in the federated and the unfederated states. The policy which he discussed in the second part of his memorandum, aimed at linking "all Malay States into a loose-knit federation, wherein each state can preserve its separate entity, its dignity and self-respect, while combining with all other states in common interest". But this was an objective for the distant future. To achieve this objective, a period of preparation had to be gone through. During this period the common interests of these states would have to be strengthened and mutual assistance among them encouraged. Maxwell's recommendations were devoted to the preparatory stage only. He maintained that it would be necessary to strengthen a "true federal feeling" which would prepare

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138. A few days after the conversation, Grindle sent Maxwell a copy of Young's letter so that Maxwell could know of Young's views. In this letter, Grindle referred to his recent conversation with Maxwell on "the extension of Federation in Malaya", and it appeared that Maxwell had agreed to submit a memorandum with his views on the subject. Grindle to Maxwell, 25 Sept. 1920; C.O. 717/2.

139. Maxwell to Collins, 15 Oct. 1920, Maxwell's memorandum was printed as "Eastern Print 135"; C.O. 717/10.

grounds for "further federation". According to him, the "Rudiments of federal feelings" were already in existence in the Civil Service, Railway Department, and the common Appeal Court for the F.M.S., Straits Settlements and Johore. He proposed that the Departments of Agriculture, Forest, and Fisheries should be reorganized to make each of them a Pan-Malayan Department, which should apply uniform policies in all the Malay States. The state officials in these Departments should correspond directly with their Federal Heads; they would, however, receive executive orders through their governments. Maxwell did not think that any other Department was prepared for immediate reorganization on Pan-Malayan basis, but he thought that some progress could be made in the same direction in two more Departments, namely, the Medical and Education Departments. He suggested that the policies in these Departments could be co-ordinated and unified by forming a committee for each of them with these purposes. Representatives of the Colony and the Malay States should be in those committees.

As preparatory measures Maxwell made three recommendations to be carried out in the near future. We reproduce here his recommendations :

1. A public declaration should be made on some suitable occasion, such as the High Commissioner's Annual Address to the Federal Council, that the policy of the Government is not to extend the Federation so as to include any state not at present included in it, and that the policy is to aim at a friendly combination and co-operationbetween the Federated States, the Unfederated States and the Colony in all matters of common interest, on the understanding that each party is free to act as it thinks best in matters of local interests;

2. In any scheme for friendly combination and co-operation, particular care should be taken to give full representation to the Unfederated States ... In any matters in which there was no such scheme, the Advisers of the Unfederated States should be given to understand that ... they should advise their Governments to adopt general policy of the Federated Malay States; and

3. In the Federated Malay States, power should be restored not only to the Residents, but also to the Rulers and the State Councils, ... in order to reduce the difference, which is now very marked, between the Rulers of the Federated States and the Unfederated States.

Maxwell admitted that his memorandum did not "show how the new federation is to be made". It appears clearly that the administrative structure he had in his mind was that of a union, though he carefully avoided the term. His proposal for the formation of the new Departments suggested that he was thinking of the extension of the control of the Heads of the Federal Departments over the parallel Departments in the unfederated states. This part of his proposals suggested that he took the structure of the federal administration for granted. This is supported by the fact that Maxwell did not make any proposal for the relaxation of federal control over the legislation and the finance of the states. The new Departments would therefore be in fact some bigger Departments than the existing ones with wider powers for their Heads. In the remaining other Departments too, the authority of the Federal Heads was to extend to the unfederated states. This process was contrary to the other measure suggested by Maxwell, which was to increase the powers of the State Governments. It is significant that no specific measure for increasing the powers of State Governments

was suggested. This was so perhaps because decentralization of power from the federal secretariat did not receive any priority from him.

Maxwell was also of opinion that it would be difficult to bring Johore and Kedah into the federation. He ruled out the possibility of obtaining the signature of the Rulers to a new federal treaty "in the manner that was successful in 1895". Maxwell thought that the declaration of the Government's policy of the extension of the federation would have unfavourable reactions, in the unfederated states and he suggested in the declaration of the policy just the opposite to what was actually intended. He, however, thought that the problem mentioned by Sir Arthur over the "unwritten law of precedence" among the Rulers of the federated states could be overcome by persuading them to change it.

Maxwell's memorandum had some merits, the most important being that it indicated the Far Eastern Department the direction in which the British policy in the peninsula should move. Sir Arthur's letter had no suggestions in this respect. By 19 October his memorandum had been sent to be printed for confidential circulation, and he had been asked to meet the Permanent Under Secretary of State on 21 October.[140] After this meeting, Sir George Fiddes asked for the opinion of the Far Eastern Department on Maxwell's views. Collins had, by then, learnt about the dissatisfaction among the Residents of federated states arising

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140. Collins' minute, 19 Oct. 1920, C.O. 717/10.

out of the rigid federal control. The retiring Resident of Selangor, A. H. Lemon, had strongly expressed himself "in favour of loosening the iron-cast unity of the F.M.S., and working towards a looser, and more truly federal, Federation of Malay States".[141] Collins supported the views of Maxwell as "sound" and outlined his own recommendations. He minuted :

> It seems clear
>
> 1. that we ought to aim at a truly Federal Federation of all the Malay States in the Peninsula;
>
> 2. that we should not and indeed cannot, force the Unfederated States to join the present cast iron Federation;
>
> 3. that the bonds of the present Federation should be loosened so that when the time comes for the new 'Union of Malaya' to be arranged, the component states of the Federation will be in much the same position as the Unfederated States as regards the position of the Sultans, the powers of the State Councils and the authority of the Residents (as compared with the Advisers).

The measure mentioned last had to be first put into practice, and it was in a way the crux of the problem. Maxwell's memorandum did not take it up, and it was Collins who posed the difficulties which stood in the way to decentralization and suggested remedies. In any attempt to devolve some powers of the Federal Secretariat upon state authorities the existing position of the Chief Secretary was bound to be reduced. "It seems to me", Collins observed, "that the right aim is to make the position of the Chief Secretary approximate more closely to that of the Secretary to the High Commissioner who should himself become Private Secretary to the High Commissioner". This implied that the Chief Secretary would lose his power of control over the

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141. Ibid.

Residents and himself act as a channel of communication between the High Commissioner and the Residents. With the curtailing of the Chief Secretary's powers, he could co-ordinate the functions of not only the Residents but the Advisers also.

Collins acknowledged the fact that the functions of the State Councils had diminished as a result of the establishment of the Federal Council. When the Federal Council was set up it was emphasised all round, especially by Sultan Idris, that the powers of the State Councils should be maintained. Collins observed that "This proviso had been ignored". He suggested that the State Councils should be consulted on the Estimates as affecting the states individually and they should have as much control over the local matters as the State Councils in the unfederated states. All bills should be brought first before the State Councils, and the views of the State Councils on these bills should be stated in the Federal Council. The Chief Secretary should attend the State Council, whenever necessary, to explain the federal policy.

Collins outlined his own recommendations on the devolution of power to the state governments, and concluded his minute with another recommendation. He wrote : "If the new policy as above and as in Mr. Maxwell's memorandum is to be adopted it seems to me to point strongly to the desirability of Mr. Maxwell being the new Chief Secretary to carry it out". [142]

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142. Collins' minute of 2 Nov. 1920, C.O. 717/10.

Meanwhile, Maxwell mobilised in his support two influential former governors and the business interest as represented by the Association of British Malaya. He had sought Swettenham and Young's opinions on the importance of "the Chief Secretary, F.M.S., being a Malay Scholar". In their replies to Maxwell, both attached a great importance to such a qualification, but it was Swettenham who added that 'My view, for whatever it is worth, is that if you were appointed Malay - and other - interests would be safe in your hand".[143] Swettenham knew (so did Maxwell) for what his view was worth, he as the President of the Association of British Malaya, spoke for the vast British Malayan business interest. These opinions were promptly submitted to the Colonial Office. Young did not leave the matter merely recording his views, he called on Collins to tell him that "Mr. Maxwell was the best man for the post".[144] On 10 November, Collins wrote another strong minute presenting Maxwell as the indispensible man for decentralizing power in the F.M.S. He observed that :

> I should also mention in his (Maxwell's) favour that the problem of loosening the over-centralized system of the F.M.S., with a view to leading up to a looser federal system of all the Malay States, has to be grappled with and solved in the next decade. Papers are in circulation about this, with a Memorandum by Mr. Maxwell. I think he has come forward with the right policy, and that he is far more capable than any other officers we have of carrying it out successfully.[145]

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143. Swettenham to Maxwell, private, 9 Nov. 1920; Young to Maxwell, private, 5 Oct. 1920, C.O. 717/10.

144. Collins' minute, 10 Nov. 1920, ibid.

145. Ibid.

The scale now titled in favour of Maxwell as it was evident from Grindle's minute of 12 November that "Sir A. Young and Sir F. Swettenham together constituted a formidable weight of authority as against Sir Laurence Guillemard's recommendation".[146] On 12 November Sir George Fiddes sought the Secretary of State's approval to Maxwell's appointment describing the decentralization policy as "our policy in the Malayan States".[147] Milner approved of the recommendation of the Far Eastern Department and Maxwell was appointed as the Chief Secretary.[148] An important administrative decision was taken on acceptance of decentralization as a policy for the federated states. Milner was to retire from the Colonial Office in January 1921. It was now for the new Chief Secretary to put his recommendations into effect, and the Colonial Office waited to see how these would work out in practice. A minute by Sir George Fiddes after Milner's retirement suggested that Guillemard had been informed that no attempt should be made in haste to bring the unfederated states into the federation and that the Colonial Office had left the matter largely to Maxwell's initiative. Sir George minuted on 2 February 1921 that

> I have told Sir L. Guillemard that the policy as to the Unfederated States should be to 'go slow'. When the time is ripe they will presumably come in, meanwhile we

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146. Grindle's minute, 12 Nov. 1920, ibid.

147. A minute by Sir George Fiddes, 12 Nov. 1920, ibid.

148. The date of the minute of Milner's Secretary, Parkinson who recorded the Secretary of State's approval, is not clear. It was probably 17 Nov. 1920.

have to avoid any appearance of putting pressure on them ... Mr. Maxwell has now been made Chief Secretary, and we may very well wait for a time and see how things shape themselves.[149]

In July 1921, Guillemard obtained from the new Secretary of States, Winston S. Churchill, his authority to proceed with the specific measures suggested by Maxwell to the Colonial Office.[150] Accordingly, Guillemard made the first public reference to the policy in respect to the unfederated states in his annual address in the Federal Council in December 1921.[151] Apart from this statement of the policy, neither the High Commissioner nor the Chief Secretary could take any measure towards the decentralization of powers during Churchill's term of office as the Secretary of State for Colonies from 1921 to 1922. One reason for this, was the financial crisis into which the federated states were thrown in these years.

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149. A minute by Sir George Fiddes, 2 February 1921; C.O. 717/10.

150. High Com. to Sec. State, 5 July 1921, Conf.; Sec. State to High Com., Conf. 23 Aug. 1921. C.O. 717/15.

Winston Spencer Churchill, 6. 1874; ed., Harrow and Sandhurst; First Lord of Admiralty, 1911-15; Chancellor of the Duchy of Lancaster, 1915; Commanded a battalion in France, 1915-16; Minister of Munitions, 1917-19; Secretary of War and Air, 1921-21; for Colonies, 1921-22; defeated at Dandee, 1922; Conservative M.P. from Woodford, 1924-64; Chancellor of the Exchaqure, 1924-29; First Lord of Admiralty and a Member of War Cabinet, 1939-40; P.M. of National Government, 1940-45; Leader of Conservative Party, 1940-55; Conservative Prime Minister 1951-55; died, 1965.

151. Guillemard's statement read "The growth not only of the Federated States, but 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 Government to exert, in any manner whatsoever, any pressure upon any other state to enter the Federation. At the same time, the Federated Malay States Government would be quite ready to receive any

The two main revenue earning industries of the federated states, tin and rubber, had suffered a sharp fall in price from the beginning of 1921.[152] The revenue of the federated states fell from S$ 72,277,146 in 1920, to S$ 54,449,568 in 1921 and S$ 52,494,110 in the following year. The year 1921, commented a Colonial Office official in that year, "has been the most disastrous financially in the history of F.M.S."[153] The effect of the fall of the revenue by one-third was particularly hard on the federated states as the federal government had undertaken to meet the cost of the contruction works of the Prai Dock and the Johore Causeway from the current revenue. The surplus assets of the states which was estimated in 1919 to be S$ 110 million[154] were locked up in Home Government securities, loans

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151 (Contd.). application from any other state for admission to the Federation ...." Pros. Fed. Council, 13 Dec. 1921, p.B65. The objective of the statement was to announce the new policy of the extension of the federation. But the outcome of phrasing the announcement of the policy in negative terms was a misleading one. Prof. Emerson, for example, believed that the purpose of the statement was just to put an end to the policy of extension of the federation. See R. Emerson, Malaysia : A Study in Direct and Indirect Rule (Kuala Lumpur, 1964, reprint) pp. 153-54. Moreover, the announcement failed to achieve the desired objective as the states outside the federation were now assured that no pressure could be used to obtain their agreement to join the federation.

152. The price of rubber had never been below 2 shillings a pound before 1920; it now fell by June 1922 to 6 pence a pound. The cost of production of the Malayan tin had gone up to £280 - £297 per ton since the end of the war, its price now fell from £395 per ton in February 1920 to £239 per ton in October 1920. Lennox Mills, British Rule in Eastern Asia (London, 1942) p. 189. A minute by Beckett, 26 Oct. 1920, C.O. 717/4.

153. Beckett's minute, 13 April 1922 on the federal estimates for 1922, C.O. 717/20.

154. Beckett's minute, 18 Feb. 1921, on the federal estimates for 1921, C.O. 717/12.

to the unfederated states and the planting community in the federated states, Government of Siam, and in the purchase of tin in the F.M.S.

The economic crisis brought in its train a number of problems and the Guillemard administration found its hand full. The federal administration came under pressure from the tin and rubber industries to intervene in their protection; the questions connected with the Government's intervention dominated in 1921 and 1922 the attention of the Guillemard's administration and the Colonial Office.[155] The financial crisis strengthened the case for the Chief Secretary having greater control over the federal finance and the unofficial European business community in the federated states raised the demand for the revival of the office of Resident General for the executive head of the federated states.

The financial crisis postponed the decentralization measures and delayed the progress of the policy aiming at the union of the Malay States. It did not, in fact, push the decentralization policy ahead as generally supposed.[156] The postponment of the decentralization measures was hinted by the High Commissioner in his Federal Council annual address itself in which he stated in 1921 the future policy in the unfederated states. Having

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155. High Com. to Sec. State, 22 Sept. 1920, and the minutes of the Colonial Office officials in October over the despatch illustrate the point. C.O. 717/4.

156. Prof. Emerson, for example, suggests this, Emerson, op.cit., pp. 156-7.

stated the details of the financial difficulties of the federation he said :

> I should like to tender to the Chief Secretary my sincere sympathy. He took up his appointment full of ideas and full of zeal ..., ever since he came out he has had to keep on the brake and I fear that it will be some considerable time before he can use the accelerator.[157]

Guillemard himself did not send a copy of his policy statement of December 1921 to the Secretary of States, until January 1923.[158] In the meanwhile, the Colonial Office too, had made no enquiries to the High Commissioner on the subject of decentralization. When Guillemard's statement reached the Colonial Office, it was filed, with no comments and no regrets.

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157. Pros. Fed. Council, 13 Dec. 1921, p. B65.

158. High Com. to Sec. State, 31 January 1923, C.O. 717/27.

CHAPTER - III

THE NEED FOR CHANGE IN THE CENTRALIZED ADMINISTRATION

Synopsis

The preceding chapter has shown the turmoil of dissatisfaction boiling up among the Malay Rulers of the F.M.S., the unofficial European community, and the M.C.S. at the end of the World War I. The epicentre of the discontent was resentment against the Federal Secretariat on one issue or another. The question of the extension of the existing federation to include the autonomous states of Kedah, Perlis, Trengganu, Kelantan and Johore, turned the attention of the Colonial Office to the over-centralized system of administration which had come into being in the F.M.S. This chapter reviews the principal results of this over-centralization of power on the state and district administration in the F.M.S. and examines how the Malay community in particular was affected. It narrates the immediate post-war situation which raised the question of the Malay participation in the administration and analyses the problems inherent in this question.

I. Results of over-centralization of power

It has been argued that a traditional society lacks power to bring about modernising changes, and centralization of power is essential for this purpose.[1] Centralization of power at the state government had been an outstanding result of the Residential system of government in the west coast Malay states. Centralization of power at the federal administration, the main trend of the administration of the F.M.S. since 1896,

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1. Samuel P. Huntington, Political Order in Changing Societies (New Haven, 1968) pp. 140-45.

had not been without some good effects. Efficiency, in the strictly bureaucratic sense, was evident in the central administration. Laws and regulations were more precise in the federated states than ever before and inconsistencies between laws in one state and another were gradually being eliminated. When an experienced British administrator of the F.M.S. stated in 1922 that "we have aimed at a standard of efficiency which is attained in the best governed European countries", he was stating some of these merits.[2]

A curious situation was created when the results of centralization of power exceeded the desired effect and gave rise to problems. There was evidence that over-centralization of power in the federal secretariat led to excessive bureaucratization which minimized and crippled the functioning of the state and district administrative machineries. It also rendered the federal administration financially vulnerable and we shall examine the financial weakness of the federal administration in the post-war period in the next chapter.

The high degree of bureaucratization at the centre, however, had been gained at the cost of economy. It made the federal administrative machinery dependent on the services of trained expatriate officers, mostly British, which were very expensive by local standards. It is difficult to state the exact sum which was spent in one year on the services of

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2. Evidence of Meadows Frost before the Retrenchment Commission on 29 August 1922. Final Report of the Retrenchment Commission Kuala Lumpur, 1923, Appendix III, p. 24. H.C.C. 545/1922.

European officers, as the annual estimates did not take it separately. But the annual estimates of one federal department, the Public Works Department, which employed a large number of European officers, gives us some idea of the expenses. The total personal emoluments of ninety officers, 246 subordinates and 133 clerks, was $ 10,007,269 in 1919. The number of officers had risen in 1921 to 107, and a sum of $ 15,173,964 was spent in that year on the personal emoluments of these officers, 315 subordinates, and 158 clerks of the department. The trade depression of the post-war years which the F.M.S. could not escape, cut down the number of employees of the department, but not the sum spent on personal emoluments; in fact, it rose to $ 18,521,282 in 1923, partly because salaries were not affected by the federal administration's efforts to streamline its running costs during the slump.[3]

Another outcome of the centralization of power was of political significance and we shall deal with it in some detail. The acceptability of an administrative system in a protected state did not depend entirely on its bureaucratic efficiency; what mattered most was the interest, or interests, it served. The question was, to what extent did the Malays, on whose behalf the British ruled these states in accordance with the existing agreements, benefit from the federal administration?

The federal administration which depended heavily on receipts from customs and export duties to meet its expenditures,

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3. The Thirty-fourth Interim Report of the Retrenchment Commission on the Public Works Department, 26 October 1922, Kuala Lumpur, p. 1. Sel. Sec. 496/23.

was concerned chiefly with the interests of the business group and the Europeans (mainly British), Chinese, and Indians figured with different degrees of prominence in the fields of trade and business. The Malays, however, were nowhere in the picture. The expansion in the federal administration in the first two decades of this century ushered in new social services and vastly increased job opportunities in the F.M.S. To benefit from the activities of important departments like the Public Works, Education, and Medical Departments, it was the practice to live in the urban areas. These were, however, the areas with the largest concentration of non-Malay population, and the Malay population was quite sparce. Of the total urban population of the F.M.S. in 1921, 9.9 per cent was Malays, 65.1 per cent Chinese, and 22.1 per cent Indians;[4] the total Malay urban population in the F.M.S. had in fact, dropped by that year by 1.9 per cent from the 1911 figure of 11.8 per cent.[5] Of the total Malay population of 510,821 in the F.M.S. in 1921, less than 30,000 lived in the urban areas.[6] The vast majority of the Malays who lived outside the urban areas, were excluded from the benefits of the important federal services.

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4. J.E. Nathan, Comp., The Census of British Malaya, The Straits Settlements, F.M.S. And Protected States of Johore, Kedah, Perlis, Kelantan, Trengganu and Brunei, 1921, (London,1922) p. 42. Hereinafter Census of British Malaya, 1921.

5. Ibid. During the same period the proportion of the Indians increased from 18.4 p.c. to 22.1 p.c. of the urban population. The proportion of the Chinese population dropped from 66.7 p.c. in 1911 to 65.1 p.c. in 1921.

6. Census of British Malaya, 1921, pp. 156 and 41 respectively for total Malay population in the F.M.S. and urban Malay population in the F.M.S. For the purpose of our discussion in this chapter, 'Malays' include Javanese, Banjarese, Boyanese, Bugis, Mendeling, Korinchi and Sakai.

The expansion of the services of the Postal, Railways, and Public Works Departments in the F.M.S. since 1896 created a vast need for clerical and technical workers in the subordinate grades. For some years, the need for workers in these departments had been met by bringing in English educated Jaffna Tamils from Ceylon and Indians; a large number of subordinates began to be recruited later locally, as the number of English schools increased in the F.M.S. By 1920, Indians and Chinese together comprised the great majority of the subordinate clerical and technical workers in almost all federal departments. Employment figures among the Malays even in the expanding Railway Department in 1921 show how meagre was their number. There were five station masters or assistant masters, eight guards, six ticket collectors and 253 other sundry workers. The number of Malays in the Civil Service was only 1059, most of them employed in clerical positions. It was no better for them in the Police Department, where only 2152 Malays were employed nor in the municipalities which showed a roll of just 263 Malays employed.[7] This was the uninspiring picture of Malay employment in the government service in 1921.

The reason for this disparity was basically the lack of opportunities for the Malays to take advantage of English medium schools. It was imperative to have a good knowledge of English in order to get employment in the federal services, even for subordinate posts. The education policy in the F.M.S.

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7. Ibid, pp. 281-4.

had a great deal to do with this, providing as it did only vernacular education of a limited extent for the Malay population, lest it made them unfit for agricultural pursuits and the traditional way of life. This apparently well-meant policy of educational segregation for the Malays only succeeded in keeping them away from jobs in the Federal Departments. There were thirty English Schools in the F.M.S. in 1921, of which nineteen were run by the Christian missions, the other eleven financed by the government. All of them were in the urban areas. Of the total 10,000 students enrolled in these schools in the same year, only 600-700 were Malays and the majority Chinese and Indians.[8] Malays in the urban areas were often too poor to pay the school fees; and in some cases, suspicion of English education held them back from sending their boys to the English Schools.

There was, however, one federal department the activities of which could be of great interest to the Malays. The Malays were predominantly an agricultural community. Over 55,000 of them were in various agricultural occupations in 1921, while over 1,43,000 had no occupations at all in that year.[9] The Agricultural Department should have no difficulty in involving the Malay, particularly those without any occupations, if its activities were oriented for this purpose. Judging from its annual reports, the department concerned itself with many activities, but the government as a whole did not put much emphasis on activities other than rubber planting, tapping and processing

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8. H.R. Cheeseman, "Education in Malaya, 1900-1941", Malayan Historical Journal, July 1955, p. 33.

9. Census of British Malaya, 1921, pp. 281-4.

techniques. Those engaged in these activities were mostly the non-Malays and department had no remarkable success in involving the unemployed Malays. There was another reason for the poor performance of the Agricultural Department. The importation of a large amount of immigrant labour for the plantation industry created, during and after the war, an acute food shortage in the F.M.S. The Malays were sorely affected. Although the Malay Rulers placed considerable importance on self-sufficiency in food production, and the federal administration took steps to supply rice at a fixed price, no formula to solve the problem could be agreed upon. The Malay Rulers made no secret of their concern for the production of that quantity of rice which would be enough to keep the Malays fed,[10] the federal administration, on the other hand, was faced with acute shortage of manpower for opening of new fields for paddy plantation. It was beyond the financial means of the federal administration to make the F.M.S. self-sufficient in food and it took a limited view of its responsibility in this matter. The federal administration believed that "Malays will plant their rice fields for their consumption whether they get a bounty or not",[11] so while it was willing to step in in times of crisis and supply imported rice at a subsidised rate, the responsibility for feeding the immigrant

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10. For example, Sultan Iskander conveyed to the High Commissioner that he was doing all that he could, to make Malays self-sufficient. In discussing the food scarcity, he mentioned that "it was the greatest pity that Malays should buy imported rice". Copies of notes of an interview between the High Commissioner and the Sultan of Perak on 25 March 1920, N.S. Conf. 33/20.

11. Brockman's minute, 12.6.1920, ibid. Sir Edward Lewis Brockman was Chief Secretary, F.M.S.

labour in normal times was left entirely to the planters and the miners. The Chief Secretary's advice to the High Commissioner in 1920, "No food, no labour" tersely states the Federal administration's policy at that time.[12] The Agricultural Department, caught in the middle of these views, could not do as much as expected to promote the cultivation of rice and to involve the Malay community in its drive.

The work of the Land Department, which was responsible for alienating land for plantation and mining, indirectly affected the Malays. This department had alienated 1,651,789 acres of land in the F.M.S. by 1924 for these purposes and the greater part of land earmarked for plantation was put under plantation between 1917 and 1921.[13] These years coincided with the period when the Malays were showing a tendency of

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12. Ibid. There was a strong body of opinion which held that it was uneconomical to attempt to turn land to paddy growing if it was suitable for plantation use. Rice, it was held, could more economically be procured from the neighbouring countries which produced it in abundance. The acting Resident of Negri Sembilan expressed his views which were in line with this opinion. He wrote that "I do not believe in making attempts to bolster up our food production. This country is never going to produce sufficient rice for its own consumption for many apparent reason. It had much better stick to the economic products that pay for its import of foodstuffs and from which it derives its wealth." He suggested, however, that the Government could insist that 10 p.c. of the land alienated should be put acide for food production. A minute by V. Hill, 16 July 1920, ibid.

13. Eric Macfadyen, Rubber Planting in Malaya, (London), 1924) p. 58.

State	Total acres alienated	Rubber in bearing	Planted between 1917 and 1921
Perak	6,04,928	3,16,121 acres	4,69,170 acres
Selangor	5,36,805	2,79,007 "	3,39,484 "
Negri Sembilan	3,78,631	1,59,800 "	2,79,420 "
Pahang	1,31,425	35,557 "	86,821 "

turning away from the urban areas and at the beginning of the 1920s they found their land hemmed in by land alienated for plantation. This position, which was bound to cause them anxiety, was more acute in Perak and Selangor where the area alienated for plantation was larger than in the two other states of the F.M.S.

The Malays became aware that as a community they were not receiving any benefits comparable to those enjoyed by the non-Malay communities from big Federal Departments. The Malays could not be therefore, expected to view the growth of these departments with any great sympathy. Malay antipathy to the federal administration became more acute due to another reason. The Penghulu was the man who had traditionally taken care of the welfare of the Malays. With the development of the British administration in the F.M.S., the District Officer, almost invariably a Briton, replaced him in importance, as the district office gradually became the basic unit for matter of administration. The Penghulu came to act as an agent of the District Officer in the administration of his mukim, and the initiative for most of the administrative acts in the mukim originated in the district office. The man who headed the district office was responsible for the administration and welfare of the Malays, and it was to him that they had to turn to have their needs attended to. This was further aggravated by the weaknesses in the administration of the districts where there was a significant Malay population and helped to increase Malay ill-will to the federal administration. The point, however, needs to be elaborated.

The extent to which the district offices were able to perform their primary responsibilities with regard to the Malays largely depended on how effectively these district offices were run. If the district offices were placed side by side with the federal administration, the predominance of the latter at once became clear. There were twenty two administrative districts in the F.M.S., each headed by a District Officer who was a member of the M.C.S.; besides, two first class magistrates were in charge of two big cities, Kuala Lumpur and Seramban. The number of M.C.S. officers in the district administration including the Assistant District Officers and second class magistrates, was forty-one. By contrast, there were seventy-four M.C.S. officers attached to the various departments of the federal administration.[14] This point alone demonstrates the excessive bureaucratization at the centre.

Whether a District Officer could effectively run the administrative machinery under him, depended on the degree of control that his position in the M.C.S. would permit him to exercise. The rank and limited experience of a junior officer in the service would not permit him to take as much responsibility as his more senior colleagues could take. The distribution of senior officers between the Federal Secretariat and departments on the one hand, and the district offices on the other, was a matter of importance. See table I below.

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14. The Malayan Civil Service List, 1922, H.C.O. 404/1922.

Distribution of the M.C.S. Officers (excluding the Chief-Secretary and the British Residents) in the F.M.S. in 1922.[15]

Class in the M.C.S.	Appointment on the establishment	Actual number of officers including the Supernumerary appointments	Officers in the F.M.S.		In the Federal Secretariat and Departments		In the State Secretariat	In the District Offices		Magistrates
			Federal appointments	Colony and Federal appointments	Federal appointments	Colony and Federal appointments		D.O.	A.D.O.	
IA	13	13	6	3	6	3				
IB	30	30	6	1	4	1		2		
II	30	50	28		18	3	2	5		1 Kuala Lumpur
III	33	22	13		8			3	1	1 Ipoh
IV	43	70	39		20		2	11	3	1 Kuala Lumpur
V	39	39	27		11		3	1	12	
	83 cadets in training									

15. Prepared from the Malayan Civil Service List, 1922, ibid.

The Heads of all Federal Departments as well as the combined Federal Colony Departments were officers of class I grade. Among the class II Federal Officers were the deputy chiefs of four Federal Departments and chairmen of the Kuala Lumpur and Kinta district boards. The officers in the top two classes in the service working in the federal Secretariat and Departments, outnumbered all the District Officers by a big margin. On the other hand, only three district offices (Kinta, Upper Perak and Klang - each with considerable mining and planting interests) qualified for the services of officers of class IB. But the fact that one of these three district offices again had to be officered by an M.C.S. officer of class II, could be explained by the slow promotion, and the lack of popularity of these positions among officers, - the two characteristics of district office appointments.[16] The ranks and seniority of the Heads of the

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16. This was confirmed in a minute by the Chief Secretary, George Maxwell, addressed to the High Commissioner. He mentioned that the current tendency in the federal administration was that "Any departmental appointment is generally given 1B". Similar grades had been offered to the newly appointed departmental officers, such as Director of Fisheries, Controller of Rubber Exports and Public Trustee. He regretted that "under the present system, officers have no encouragement to make themselves efficient District Officers, or to take an interest in native life and native thought.... The young and ambitious men want to get out of the district offices to somewhere near headquarters where they can find a chance of getting into the Secretariats or the big Federal Departments." Maxwell's minute, 13.12.1922. Sel. Sec. 446/23. We find two other reasons for the dislike among young promising officers to being stationed in the district offices. One reason was the "prevalence of marriage among young officers" which made it obligatory for the secretariat to consider "whether a place is suitable for a white woman". Often the officers would write to the secretariat saying that "he will only 'get on' if he keeps in the limelight and that to be sent to an isolated responsible post is to be labelled as dud". A minute by the Under Secretary,F.M.S.,W.E. Pepys, 7.2.1923, ibid.

Federal Departments allowed them to take complete responsibility for the activities of their departments, anywhere in the F.M.S. If similar requirements were applied, only two out of twenty-two District Officers could hope to take full responsibility for everything occurring in their districts, or to have a say, if any occasion should arise, in the affairs of the Federal Departments in their districts. This left the majority of the District Officers in class IV and V completely powerless in these respects.

There was another noteworthy feature of the situation. Two of the four states in the federation, namely, Perak and Selangor, monopolised between them the services of the District Officers of the two top classes. This was presumably because the importance of the district offices was largely determined by their revenue position and their contribution to the export economy of the F.M.S. and many districts of Perak and Selangor qualified in this respect because of the greater concentration of mining and planting interests concentrated there. But all the districts in these states were not equally important from the economic point of view. The districts of Kuala Kangsar and Lower Perak received officers of a comparatively high rank (class II) partly because both had a large Malay population (in fact, the former was the royal township), and partly because the revenue collected from the state of Perak as a whole was high enough to cover relatively heavy administrative expenses in districts with comparatively little economic importance. On the other hand, a different picture emerges about Pahang and

Negri Sembilan, two other states where the Malay population predominated.

To elaborate, of the twenty-two administrative districts in the F.M.S.,only two had officers of class I; and if officers of class I and class II (excluding the magistrate of Kuala Lumpur) were considered together less than one-third of the district offices had senior officers of these categories. They included five out of seven districts of Perak, and two out of six districts of Selangor. Although these districts contained a considerable number of Malays, they also contained large Chinese and Indian populations. In a very large number of districts, in fifteen out of twenty-two, the District Officers were junior officers who belonged to the classes III, IV and V of the M.C.S. They officered all districts of Pahang and Negri Sembilan, three districts (out of six) of Selangor and two out of seven districts of Perak. These were the districts which contained a Significant segment of the Malay population. In eleven of these districts, the Malay population exceeded any other single racial group. See table II below (p.177).

The District Officers of class III M.C.S. and below, at the beginning of the 1920s, were men of short administrative experience. Those in class III had joined the service between 1908 and 1909; and those in class IV had come to Malaya between 1910 and 1914.[18] As an M.C.S. recruit used to start towards the end of the year, the most senior man in class III had not been

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18. See The M.C.S. List 1922, ibid.

Table II

Position in the M.C.S. of the District Officers stationed in districts with a sizeable Malay population.[17]

State	Districts	Malays	Chinese	Indians	Rank of the D.O. in the M.C.S.
Pahang	Bentong	3,303	8,008	1,189	Class IV
	Kuala Lipis	27,239	5,758	3,108	" IV
	Kuantan	13,551	8,531	956	" III
	Pekan	23,517	1,552	211	" IV
	Raub	9,152	9,890	1,808	" IV
	Temerloh	25,496	4,365	1,420	" IV
Negri Sembilan	Coast	4,676	9,005	7,401	" IV
	Jelebu	5,564	5,137	944	" V
	Kuala Pilah	32,686	11,732	3,299	" IV
	Tampin	19,417	7,831	5,097	" IV
Selangor	Kuala Selangor	21,383	5,275	16,917	" IV
	Kuala Langat	12,215	9,199	944	" IV
	Ulu Langat	14,775	15,622	5,097	" IV
Perak	Batang Padang	21,597	17,370	13,952	" III
	Krian	14,775	15,622	5,097	" III

17. The population figures are taken from the Census of British Malaya, 1921, and the ranks of the officers as they appeared in the M.C.S. List, 1922, both cited above.

in the service for more than six years before World War I broke out and some of these officers sought and obtained the permission of the government to volunteer for active service outside Malaya. The M.C.S. recruits had to spend about two years on their arrival in Malaya, learning one of the three languages spoken locally (viz., Malay, Chinese and Tamil), and studying law.[19] Those who had arrived before 1912 were entitled to avail of at least one furlough before the outbreak of the war. For all or some of these periods the District Officers who had joined the M.C.S. before the World War I could not be in touch with their districts.

There were two noteworthy effects arising from this situation. Administrative weakness in the district was one of them. Many District Officers were too junior to be entitled to an Assistant District Officer. Their junior position in the civil service added to their office work as instructions had to be sought from higher officers frequently. Their office work also had increased many times partly as a result of the development of administration, and partly as a result of centralization of power above the district level.[20] These District Officers hardly found time to visit their districts. The result was one of considerable political significance. The contacts with the Malays living in kampongs became more and more remote.

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19. R.O. Winstedt to the Chairman of the Board of Governors, Malay College, 2 Oct., 1919. Phg. Sec. 1667/19.

20. There is ample evidence on this point, some of which appear below.

The other outcome of the administrative weakness of the districts was that the junior officers at the district offices were not in a position to assume administrative responsibility. In many cases, the District Officer's administrative experience was too inadequate to permit this; even in cases where the district officers knew their districts, they were powerless to carry out any important measures without the authority of the State Secretariat. In both cases, there were frequent references from these districts to the State Secretariat which considerably increased the burden of office duties in the State Secretariat. A noteworthy feature of the situation was that the states which had larger numbers of junior District Officers, also had in their State Secretariat fewer, and junior, officers - a point we shall later amplify. The sum total was that all this made the district administration extremely slow-moving.

In the circumstances, it is not to be wondered at that the Malays generally had no sympathy for the federal administration and as a predominantly village folk they were affected by weaknesses of the district administration. Although the Federal Departments were run with bureaucratic smoothness, the withdrawal of emphasis from the districts as basic units of administration appeared clearly from the junior officers to whom the administration of a large number of districts was left. Excessive bureaucratization at the centre, imposed at the expense of the states and districts, was detrimental to the efficiency of the whole. The lack of power of the District Officers to run the district administration on their own which resulted in the slow transaction of their administrative business and the loss of

contact with Malays. It created in the State Secretariat, a correspondingly heavy burden of administrative work which at least two of them were ill-equipped to bear. The Malays of over two-thirds of the administrative districts of the F.M.S., headed by junior officers, were deprived of the advantages of effective administration and the question of their welfare was overlooked. This long list of administrative defects included a grievious one, and was the effect of the preoccupation of the officers. This was a complete lack of public relations and communication with the Malay population, the creation of a void which could only fill the Malays with dissatisfaction. When we recall that 311,499 of the total Malay population of 510,821 of the F.M.S., lived in the districts in question,[21] it is clear that there was a danger that the secretariat-based administrative system of the F.M.S. would be repudiated by a significant section of the people, the maintenance of whose welfare was the declared objective of the British official policy. There is some contemporary evidence which lends support to this view.

The vulnerability of the administration, however, brings to the light some personalities among the British administrators, who were profoundly conscious of the wider role of British rule and whose awareness of the situation laid down the first steps to a better understanding with the Malays. Of these, Sir John Anderson was perhaps the first British administrator in the F.M.S. to realise the drawbacks of the existing system of administrative

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21. For the Malay population of these districts see Census of British Malaya, 1921, p. 156.

power emanating from the secretariat. Speaking to the Malay chiefs and rajas in Perak on the occasion of the appointment of Raja Jalil as the Raja Muda of Perak, Anderson drew his attention to the fact "that the District Officers had always zealously performed the duty of caring for the welfare of the Malays, but that, with the development of the F.M.S. they had so many other duties to perform that they no longer could spare the time for visiting all the centres of Malay settlements in their districts and could no longer be the adviser and friend of every Malay as they had been in the past". Anderson expressed the hope that the new Raja Muda would try to bridge the gap between the government and the Malay community, and act as the "mouthpiece through which the Malays would be able to bring their grievances and troubles to the notice of the Government".[22] It could be argued that it was not really for the Raja Muda to remove what was basically an administrative problem; however, what was really significant was that Anderson not only understood that District Officers' duties had gone out of focus, but was asking the indigenous authorities to take the initiative and play a role of political significance.

The Bucknill Commission which was appointed by the Governor of the Straits Settlements in 1918 to enquire into the grievances of the M.C.S. on grounds of inadequate pay, found that the dissatisfaction of the civil service arose partly from the

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22. A minute by the acting Resident to Pahang, Walter D. Scott, 9 July, 1920. N.S. Conf. 33/20. Scott was present at the installation ceremony.

over-centralization of power at the secretariat and the weaknesses of the district administration. They recommended that administrative power should be devolved upon the district offices to strengthen them.[23] The District Officer of Tampin, in his evidence before the commission, went a step further, and recorded the defect and danger in the existing system of district administration. He said :

> In the case of District Officers present conditions entail so much writing that they are tied to their offices instead of being able to move about their districts as they used to do. There appears to be a tendency to regard an officer as being at work only when he is writing at his desk. This is a great departure from the traditions of service in this country, and I believe it will be admitted that all experience of tropical administration shows it to be wrong, through the effects are not immediately apparent and are generally clear only when the mischief had been done and it is too late for remedy.[24]

The conditions of district administration came up for discussion during the enquiry by the Retrenchment Commission in 1922. The evidence before the commission by the District Officer of Kinta, who had served since 1896 in the district and land offices in the F.M.S. and the Unfederated Malay States, was of special significance. We learnt from his evidence that the problems which the district offices in Pahang faced were similar to those faced by district offices in Negri Sembilan and that the positions in Selangor and Perak were no better. "The District Officer in Perak and Selangor now-a-days", he said, "has become

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23. Report of the Public Services (F.M.S. and the Straits) Salaries Commission, 1919, para 509, in High Com. to Sec. State, 11 August 1919, C.O. 273/484.

24. A copy of his evidence is in N.S. Conf. 15/20.

too much of an office man and the system of administration is chiefly to blame". At the request of the commission he narrated the futile and unprofitable bureaucratic functions he himself had to perform in his own district, thus sacrificing his more important duty of remaining in touch with the activities and ideas of the people in his district.[25]

We have shown how districts with weak administrative machineries created additional burdens of work for the secretariat of the state by constantly referring to them for guidance. The secretariats of Selangor and Perak, each with a senior officer to help the Resident, were in a stronger position to handle the district work than those in Negri Sembilan and Pahang. In the two latter states the junior officers who assisted the Residents were not in a position to guide the District Officers effectively.[26] Again, there were a large number of junior officers in district offices of these states who had to seek the guidance of the state secretariat more frequently than their senior colleagues in Perak and Selangor because they were unable to take responsibility for many administrative jobs. The most direct evidence confirming this situation was the confidential memorandum

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25. The commission pressed the District Officer to suggest roughly the portion of his office duties devoted to corresponding with the State Secretariat which could be done away with, without sacrificing the efficiency of administration and the interests of the governed. His answer was that nine-tenths of such work could be settled on the spot if the D.O. had authority. The evidence by Meadows Frost to the Retrenchment Commission, 1922. The Final Report of the Retrenchment Commission, Kuala Lumpur, 1923, H.C.O. 545/1922.

26. The Secretaries to the Residents of Perak and Selangor were in 1922 officers of class II M.C.S. The Secretary to the Resident of Negri Sembilan was on class V, that of Pahang on class IV.

submitted by the Resident of the Negri Sembilan, J.R.O. Aldworth, to the Chief Secretary in 1920.[27] Referring to the condition of the administration of his state, Aldworth wrote :

> The District Officers and heads of departments are officers of less service and experience generally than in Selangor, for instance, the proportion of cases in which the reference made is inadequate to place the Resident in possession of material facts, is very large. A large proportion of my time is spent in teaching inexperienced officers their work instead of attending to the Resident's own work of administering the affairs of the state.[28]

Aldworth explained certain consequences arising from this situation. He found no time to encourage the cultivation of rice; he could not prevent land of great value being alienated through the inexperience of collectors; he was unable to supervise the allocation of money for public works and other projects undertaken by the departments of the state government. On the question of political relationship with the Malay Rulers, Aldworth observed that "At present the Resident has no time whatever to attempt to gain the personal confidence of the Native Chiefs or even to make acquaintance of leaders of the Chinese and other communities, a matter which, having regard to the general political outlook, I regard with much concern".[29]

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27. John Richard Oliver Aldworth; b. 1866 ed., Cheltenham College; Second Asst. Collector, Klang, 1889; Asst. Collector and Magistrate Klang, 1889; Actg. D.O. Kuala Selangor,1890; Actg.Treasurer Pahang 1896; Actg.Collector of Land Revenue Kuala Lumpur 1898; Sec. to the High Commissioner 1901; D.O. Kuala Kangsar 1903; Cr.of Trade & Customs 1908;Actg.Auditor General,1909; Actg.Federal Secretary 1910; U.S.F.M.S. 1910; Protector of Labour 1911; Resident Negri Sembilan 1914; Controller of Labour F.M.S. 1915; Actg.Resident Selangor, 1917; Actg. Resident Negri Sembilan, 1919.

28. Memorandum by J.R.O. Aldworth on the administration of the Negri Sembilan, February 1920, N.S. Conf. 15/20.

29. Ibid.

These statements of a contemporary High Commissioner, a Resident and two District Officers are concrete evidence that they were aware of the danger confronting the state and district administration at the beginning of the 1920s. The increasing concern of the administrators at the end of the war coincided with the sharp attack against the federal administration by the vernacular press. The Malay attack through the press was focussed not so much on the problems of the British administrators, but on the increase in numbers of Europeans in the federal administration as the outcome of bureaucratization. It was nolonger obscure to the Malay that the fault lay in the over-centralization of the F.M.S.

II. Problems of Malay participation in the administration

In September 1919 the Utusan Melayu published a letter by an anonymous writer charging that "the prosperity of the F.M.S. has filled it with Europeans who occupy all posts of importance leaving only the billets of school teachers and clerks open to Malays".[30] The writer attributed this situation to the subordinate political status of the Malay Rulers in the F.M.S. "It is true that in theory the British Government has not diminished the powers of the Malay Rulers, but indirectly the Malay Raja has suffered loss of status along with his subjects". Pointing to the fact that the Malays in the unfederated states were better

30. Utusan Melayu, 26 September 1919. An English version of the letter by R.O. Winstedt is in Phg. Sec. 1667/199.

off than those in the F.M.S., the writer observed that the latter were "treated like habu kasut" (shoe-dirt). Malays in the F.M.S., he added, suffered from a lack of opportunities to participate in the higher level of the administration. The critic further observed that it was not clear "whether it [the federal administration] intends permanently to employ European officers or to employ them only till the Malay is sufficiently educated". He went on to severely criticize the limited efforts made so far to equip the Malays for government jobs and in this respect the British officers and the Malay Rulers were accused of negligence. "None of the so-called independent Rulers", the writer charged, "has insisted on a scheme of education which could fit the Malays for posts which now provide good time (hari raya) for Europeans". His criticism then turned against the Malay College which was blamed for turning out an "insufficient number of students and those poorly trained" and divided the blame between the Malay Rulers and the European Committee of Management of the Malay College. To remedy this, the writer suggested that the college should have "a special higher class to give university training" to the Malays and the composition of the Committee of Management of the College should be changed to include Malay members.

The reaction to this letter was unexpectedly swift and effective because the head of the Department of Education, R.O. Winstedt, immediately forwarded a copy of the letter which he

rendered into English,to the Governor of the Malay College.[31] Winstedt observed that "It is typical of letters which appear from day to day in the vernacular press.... the bitter tone of this article is an expression of widespread of feeling of discontent, which is not wholly baseless".[32] Commenting on the quality of training in the Malay College, he added that "If I may venture to criticise the curriculum of that institution, it seems to me there are grounds for attack".

The views of the writer of the letter, as supported by Winstedt, indicate how a wind of change had started blowing. The thinking section of the Malay community had viewed with dismay the swiftness with which political power had slipped out of the hands of their traditional rulers. They believed that the loss of power had parallelled the growing strength of the federal bureaucracy over which the states exercised no control. Whether the Malay States had before the British intervention the power now wielded by the federal administration was another matter. It was correctly believed that the remarkable expansion of the federal bureaucracy following the formation of the F.M.S. was a major factor responsible for the obliteration of the 'Malay character'

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31. Richard Olaf Winstedt; b. 1878; educated Oxford, M.A., D.Litt., Cadet F.M.S. 1902; Actg. Inspector of Schools, Perak; Second Asst. D.O. Batang Padang, later Tampah; Actg. D.O. Kulah Pilah 1912; Secretary to Committee for Malay Studies, in addition 1913; Asst. Director of Education, S.S. & F.M.S. 1917; Actg. Chairman, Sanitary Board Kinta 1919; Actg. Director of Education S.S. & F.M.S., 1920; Federal examiner in Malay S.S. & F.M.S. 1920; Actg. Chairman Malay Studies, F.M.S. 1920; Actg.Principal Raffles College 1921; Actg. Director Education S.S. & F.M.S. 1923; confirmed in that position 1924; author of several works on Malaya.

32. R.O. Winstedt to the Governor, Malay College, 2 Oct. 1919, Phg. Sec. 1667/1919.

of the state administration in the federation. The problem would be solved by Malay participation in the higher administrative service to check this process, or even leave Malays with a substantial share of power. The first point that emerges, therefore, is that the question of Malay participation in the administration had been raised in the post-World War I period. It is interesting to note, however, that a new angle was being disclosed and that the writer of the letter was arguing against the disabilities on the Malays of non-aristocratic birth, as far as their participation in the higher administrative service was concerned. Secondly, it was clear to all concerned that the lack of the proper English education on the part of the Malays was at the root of the problem. Thirdly, Winstedt was personally critical of the curriculum of the Malay College (a fact which contradicts the belief now shared by some Malay intellectuals that he was personally responsible for this state of affairs of the Malay College).

This brings us to the deeper significance of the revolutionary manner of social change which was affecting many other Colonial countries in that period. Malaya was no exception. Before 1920, the problem of Malay participation was centred round the occasional recruitment of a few princes in the administration. It was unthought of to even consider the rights of the ordinary Malay in these terms. The Malay Rulers were criticised for failing to educate non-aristrocratic Malays for higher administrative position. We will discuss the reactions of the Malay Rulers to this proposition, but the problem had been shelved or ignored as we find in the limited literature existing on the subject of Malay participation in the administration. Dr. William Roff,

whose treatment of the subject is noteworthy, observes that "The crux of the matter was, of course, appropriate education, upon which all recruitment into the administrative service in the long run had to depend".[33] A "genuine affection for the values and virtues inherent in Malay rural life and reluctance to see it radically disturbed", held back the British officials from going all-out in the introduction of English education in the F.M.S. The efforts made by the British in this direction were limited, "sporadic and unco-ordinated, and the rewards for participating small".[34] The main obstacle to active Malay participation in the administration, Dr. Roff explained, arose from the unwillingness of the British to meet Malay demand fully. These are the views of Dr. Roff on the question of Malay participation. Granting that only limited efforts were made by the British to introduce English Education in the F.M.S. an examination of the official papers presents the problem of Malay participation in the administration in different light.

It will be an over-simplification to assume that the aspirations of all Malays converged into one demand or that the British efforts were not associated with any difficulties. It may be argued that the Malay demand for administrative participation was pressed in the initial decades of this century by the traditional Malay ruling authorities and presented as an exclusive

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33. William R. Roff, The Origins of Malay Nationalism (New Haven, 1967) pp. 23, 91-113.

34. Ibid., p. 25.

demand for their own entry into the administration. All the same, the limited efforts made by the British in introducing English education, presented a dilemma whether to limit the officially-sponsored English education, and therefore the entry to the administrative services, to the traditional Malay elite, as demanded by the latter. It seemed undemocratic not to make these facilities available to some extent, to all Malays, irrespective of birth. The British response to the question of Malay participation in the administration cannot be judged without reference to these cogitations which influenced British efforts in this direction. Dr. Roff did not examine the developments in the light of these questions. Nevertheless, he was aware of the possibility of some difficulties which the attitude of the Malay Ruler could create. Referring to the views of an administrator who, at the beginning of this century, favoured a departure from the current practice of reserving educational facilities in the English to Malays of royal or aristocratic birth, Dr. Roff observed that "it is not known how much acceptance they found among other British administrators or among the Malay rulers, who might well have been disposed to raise some objection".[35]

A review of the British attitudes towards the question of Malay participation in the administration illustrate the British dilemma and brings the question in the 1920s under the right focus. It had been the intention of the British to

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35. Ibid., p. 101.

employ "Malays of good birth" in the administration of their states. From time to time some of them had been taken into various grades of the general administrative service. In this connection the case of the three sons of the ex-Sultan Abdullah of Perak, namely, Raja Mansur, Raja Chulan and Raja Taupy, may be mentioned. Following the formation of the F.M.S.,the expanding federal administration needed a larger number of cadets and it appeared to the British administrators that it was high time that the Malays should take their place in the administration. Many views along these line had been expressed even before the F.M.S. came into existence. In 1896 the Resident of Selangor observed that "we shall fail in our duties if we do not make every effort to encourage and develop the capabilities of those who, had not the states been brought under British protection, would now be in sole and absolute control of every district".[36] In those days the question, of what sort of Malays should be recruited to the administration, did not pose any problem. The British desire to employ only Malays of noble birth in the administrative services seemed to have met with the Malay approval. Dr. Roff mentioned "the muted demands of the Malays themselves for more Malay officers in the Government" in the early days of the F.M.S.[37] If this refers to the demand for the recruitment of Malay commoner in the administration, as it apparently does, the evidence for this yet to be revealed. One does not get it in

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36. The Annual Report of Selangor, 1896, p. 3.

37. Roff, op.cit., p. 24.

the Malay sources used by Dr. Roff.

Until the turn of the century, the British had given little thought to the question of the systematic recruitment of the Malay commoners into the administrative services. It was, however, clear by then to some administrators that Malays, unaided, would not be able to take any significant advantage of the expansion of the administrative service in the F.M.S. The problem was first taken up by F.A. Swettenham towards the end of his career in the Malay States. Curious though it might appear, Swettenham's initiative in tackling the problem came in the shape of an expostulation about indolence of the Malays. In a confidential despatch to the Secretary of State for Colonies in 1903, Swettenham complained :

> The pity is that the national characteristics of Malays make it difficult, though not I think impossible, for them to take full advantage of the opportunities which now lie ready to their hand.... Except in rare cases, they will not take the trouble to learn when they are young, and afterwards, if they have learnt they will not exert themselves to apply their knowledge to any object which requires sustained efforts.[38]

Swettenham was deliberately laying the emphasis on the weakness of the Malay character for he was trying to make a case for an organized endeavour directed at increasing Malay participation in the administration. He stated that Malays from Java were thrifty and hardworking because of the lack of natural resources and because of over-population in that island. But he observed :

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38. Copy of Frank Swettenham to Joseph Chamberlain, 11 July 1903, in N.S. Conf. 33/1920.

"If we are to wait for the same causes in the Malay peninsula before we can hope for similar result, that wait must be a long one".[39]

The Second Conference of Malay Rulers - the last one to be convened in Swettenham's time in the Malay States - was to be held later in the same year, and it was clear that he was going to raise the matter in the conference. What was significant at this point was that, as soon as the highest local British authorities indicated their willingness to intensify ways of Malay participation in the administrative services on an improved basis, two approaches appeared on the field and vied with each other for official acceptance. The Malay aristocracy who were the traditional elite, viewed the new opportunity as one which legitimately should be theirs. Some of the British administrators, on the other hand, gradually pushed the case for opening it to all Malays, irrespective of social status and birth. It was the traditional elite however, because it was still the only reckonable force in the Malay society at this time, who seized the first opportunity.

Swettenham spoke in the conference on the lines of his

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39. Swettenham's objective appeared more clearly in his confidential despatch to the Secretary of State than in his address to the Second Conference of the Malay Rulers in 1903. Without this despatch, it is difficult to know the real intensions of Swettenham's hard words at the conference; and they appear to be purposeless and unfair criticisms of the Malays. See for example, Roff, op.cit., p. 99.

despatch to the Secretary of State.[40] His address stirred the Malay Rulers, particularly, Sultan Idris of Perak, to action. A proposal for a Secondary English School was the notable outcome of the interest aroused by the conference on the question of Malay participation in the administration. As soon as the proposal was mooted, the admission policy of the school became the subject of conflicting views. The Inspector of Schools, F.M.S., R.J. Wilkinson, noted in 1905, the year of the establishment of the school, that the original idea was "to confine the privileges of the school to young Rajas and a select few of the sons of Native Chiefs, but more liberal views prevailed".[41] He held that the admission of Malay commoners into the school was a victory for the Education Department. But this victory of the department, was a limited one. The concept of the school had been mooted by the Malay Rulers, particularly by Sultan Idris of Perak, who wanted an institution in which the privilege of training would be limited to the sons of Malay Rulers and a few other Malays of noble birth all of whom would be trained to be eligible for positions in the administrative services. The selection of the royal township of Perak as the venue for the school instead of Kuala Lumpur, and the role played by the Ruler at every stage of

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40. Minutes of the Conference of Chiefs of the F.M.S. held at Kuala Lumpur on the 20th, 21st, 22nd and 23rd July, 1903, p. 4, N.S. Conf. 33/1920.

41. Annual Report on Education for F.M.S. Kuala Lumpur, 1905, p. 6.

the development of the school, pointed to the extent of the Sultan's influence. Though the school had to take in a small number of Malay commoners when it opened on the insistence of the Education Department, educating ordinary Malays remained only the secondary function of the school in the first two decades of this century.

Unfortunately the school's performance proved to be a modest one because the task that it was expected to fulfil, remained ambiguous from the beginning. In its efforts to offer English education to all pupils up to standard seven like the few other Government English Schools, and a special training to the probationers selected for the administrative service, the school found it immensely difficult to devise an effective curricula, resulting in an unsatisfactory overall performance. The unimpressive performance in the general side of academic activities in the school appeared from the fact that out of 24 candidates for standard seven examination in 1918, only 17 were successful, and one passed in class I.[42] At the end of the World War I, the school was neither an institution exclusively meant for training the Malay aristocrats for administrative services, nor was it a place where a youth without advantages of birth and social status could fit himself for a useful career.

The reactions following the establishment of the Malay College however were far-reaching. A scheme was introduced in

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42. Winstedt to the Governor of the Malay College, 2 Oct., 1919, op.cit.

1910 for the "Employment of Malays in the Public Service".[43] This scheme organized into two regular services the opportunities which had been available earlier to the Malays only occasionally. Regular recruitment started from the Malay College for the "Lower Subordinate Class Appointments" and "Employment of Malays, Higher Subordinate Scheme". A few probationers were chosen every year in the Malay College from among those who had completed the Standard Seven Certificate Examination for further education for three years. At the end of this period they were required to take the Junior Cambridge Certificate Examination, and the successful ones were taken into the administrative service. Those taken on the former scheme were offered jobs as Malay clerks, Malay writers, bailifs, outdoor customs officers and the like; and those accepted on the Higher Subordinate Scheme joined government service as Malay assistants. With certain changes carried out in 1912 and 1917, the 1910 scheme for Malay employment remined in effect till 1921 when it was replaced by a new scheme. The entire body of Malay Officers serving in 1920, was covered by the 1910 scheme. On the whole, however, the role of these officers in the administration had been more symbolic than real, in so far as the higher civil service remained out of their reach. Only one Malay, Raja Said Taupy who was not on the 1910 scheme, was serving in 1919

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43. "Employment of Malays in the Public Service", Resident General Office Circular, 12 May, 1910. The 1910 scheme for the employment of Malays stated the objective of the British policy on the question.

as a district officer (at Krian) in class V M.C.S. Too few places were available in the administrative service for those who were promoted from the 1910 scheme. Promotion was partly tied to the availability of vacancies, and the lowest position in the administration offered to the M.C.S. was not open to even the most competent among those recruited under the earlier schemes.[44]

The post-war critical references in the Malay press to the administrative systems in the F.M.S. turned the attention of the British again to the question of Malay participation in the government. The situation of the post-war years made this inevitable. The civil service had been starved of new recruits during the war. The post-war years were a period of great construction works in Malaya; extension of the railways to the east coast states, construction of a dry dock at Prai and a causeway connecting Johore and Singapore were major among these projects. Demands on the administration was bound to increase, and if the need for new recruits for the civil service could be at least partly be met locally, it was welcomed as convenient. There was a reason to suppose that the expansion of the civil service would lead to opening of the M.C.S. positions to the Malays. An indication of this was the seriousness with which the British

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44. It was only in 1921 that another Malay Officer, Hamza bin. Abdullah, who had been recruited in 1910, was promoted to the M.C.S. The Malay Officers recruited under 1917 scheme had some grievances on account of their low salary. Their position became anomalous at the end of the War when the salary of clerks was revised upward. Guillemard brought to the notice of the Colonial Office the fact that quite frequently the Malay Officer had to draw "a lower salary than a clerk under his charge". High Com. to Sec. State, 14 May 1921, C.O. 717/13.

addressed themselves to the problems of Malay participation in administration at the end of the war. We shall elaborate this point later. However, the point which deserves to be mentioned here was that the new possibility of opening the civil service positions to the Malays posed a new dilemma to the F.M.S. administration. Whether it would broaden the base of Malay recruitment to the civil service beyond the Malay College and Malay aristocracy, or whether it would continue to view the new opportunity as a privilege limited exclusively to the traditional elite were the challenging problem. Either course, taken by the F.M.S. administration, was going to profoundly influence the political system of the federated states which was taking its shape under the colonial regime.

The problems of Malay recruitment to civil service positions boiled down to mainly two. First, the standard of training of the probationers in the Malay College was unsatisfactory and it called for a radical improvement. Second, the base of Malay recruitment was too narrow, and a broader base of recruitment had to be found within the Malay community. The probationers of the Malay College stood far below the British cadets. Their capacity to benefit from the higher training remained seriously limited as their general education had ended at a fairly low level. A comparison between the general education attained by a British cadet and a Malay probationer before joining the administrative service was made by R.O. Winstedt and it is worth reproducing here. Winstedt wrote :

> A British cadet is given a general education till the age of 22 or 23 and the system develops his intelligence

> so that he can master (indifferently perhaps) an oriental language, some law and so on in two years after he has come to this country. Under the scheme for Malay officers, a Malay at the Kuala Kangsar College is taken away from a purely general education at about the age of 17, his knowledge of English notoriously poor and insufficient for him to master any technical subject, and is then subjected to a three year course in such a variety of subjects that even an honours' man from a European University could only obtain a smattering of such subjects : modern history, algebra, geometry, trigonometry, law, surveying. Actually, so far as I know, the knowledge acquired of these subjects is pitiful and useless even for elementary practical purposes.[45]

Malay participation on a large scale would not be possible if the base from which recruitment used to be made was kept limited to the Malay College. In view of the predominance of the aristocratic elements in the school, the recruitment, in fact, was limited to those of higher birth. The probationers lacked the stimulus of open competition. If the number of the recruits had to be increased and their quality improved, recruitment should be opened to the Malay boys from other Government English Schools in the F.M.S.

Suggestions for change in the federal administration's policy of recruitment for Malays came at the end of the war from some British civil servants in the F.M.S. Some of the British Residents believed that the current practice of limiting the recruitment of the Malay probationers to the administrative service to the Malay College students had brought the federal administration nowhere near the objective of the British policy of training Malays to administer their states on the right lines.

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45. R.O. Winstedt to Governor Malay College, 2 Oct. 1919, Phg. Sec. 1667/1919.

In this respect, the views of the Resident of Selangor, A. H. Lemon, were important.[46] Lemon was at that time the most senior among the British Residents in the F.M.S. He considered that the criticism of the Utusan Melayu was "a very exact and temperate statement of the actual position in the F.M.S. with regard to the employment of the Malays". On the question of recruitment he observed that :

> As long as we continue to confine all the best posts in the service now reserved for the Malays to those who have passed through the present School and provide no better education for them than is given at present we cannot expect in my opinion ever to provide for the gradual replacement of Europeans by Malays in the Government service which I regard as an objective to be aimed at.[47]

Thus, Lemon's recommendation was for broadening the base of recruitment of Malay probationers. He also suggested two supplementary measures in the field of their education. The practice of treating the Malay College as an institution for the training of the Malay probationers should be abandoned, and the institute turned "into a real college for higher education of Malays". As in the case of recruitment of the Malay probationers, so also in the admission to the institute of higher education, Lemon advised that greater importance should now be placed on merit rather than birth. In order to feed the college with an adequate

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46. Arthur Henry Lemon, C.M.G. 1918; Oxford, M.A. 1897; Cadet S.S. 1888; Second Asst. Colonial Secretary 1902; Actg. Controller of Land Revenue, Penang, 1903; Actg. Asst. Col. Sec., 1906; Asst. Col. Sec. 1907; Actg. Legal Adviser F.M.S., 1910; Actg. Col. Sec. S.S. 1910; H.S. F.M.S., 1911, B.R. Negri Sembilan, 1912; Actg. Resident Selangor 1920.

47. A.H. Lemon to British Resident Perak, 3 Nov., 1919, Phg. Sec. 1667/1919.

number of suitable students, facilities for English education at the primary and the secondary levels should be made available to the Malays in all states in the federation.

Lemon's views were positive enough to influence the Residents, and move the federal administration to act on those lines. It was, however, at this point that the new Sultan of Perak, Alang Iskander, who was taken as the spokesman of the Malay Rulers of the F.M.S., entered the picture.[48] A few months after Lemon had made his recommendations, the Sultan placed before the new High Commissioner, Sir Laurence Nunns Guillemard, his arguments reinforcing the exclusive claim of the Malays of aristocratic birth to the higher positions of the civil service. When Guillemard paid the Sultan his first courtesy call on 25 March 1920, the Sultan took the unusual step of taking up a few urgent matters with the High Commissioner among which, he placed the highest importance on "Higher posts in the Government Service for Malays" and "Higher Education" for them. On the question of Malay participation in the higher administrative positions in the F.M.S., the Sultan observed that

> The scheme for Malay officers in the Public Service did not go far enough. It stopped short at junior posts in the cadet service.... the Princes and Rajas, who were efficient and who had qualified themselves, should

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48. Writer's interview with H.R.H. Idris Shah, the Sultan of Perak at Kuala Kangsar, 3 July 1971. The present Sultan, son of Sultan Iskander, who was Raja-di-Hilir in the 1930s places importance on the Western education of his father. In his view too, that was the source of Iskander's influence.

certainly go beyond those posts.[49]

As regards the Subordinate Service Scheme, the Sultan opinion was that the pay was "very small and unattractive". If the Malays were to fill higher posts they [illegible] should have a "better scheme of education provided for them". The Sultan showed his concern for better educational facilities for the princes in particular. In his opinion, "the present higher educational facilities were not great and the education which the Malay Princes were receiving at present were [Sic] not thorough".[50]

The other matters discussed in the meeting showed in what light the Sultan saw his ra'ayats. The image which the Sultan had for his ra'ayats was one of a community - religious, tradition-abiding and dependent on agricultural pursuits. It was evidently not for them that the Sultan was asking for higher civil service positions and opportunities for higher education. It was clear that he had only the princes and the rajas in his mind when it came to the question of higher civil service positions. His observation that the Malay Officers Scheme "stopped short at junior posts in the cadet service", in point of fact, referred to the only Malay who was holding at that time a class V M.C.S. appointment as the District Officer, Krian, Raja Said Taupy, the third son of the ex-Sultan Abdullah.[51] It was only

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49. Detailed notes of the interview were taken by the Private Secretary to the High Commissioner who was present at the meeting. Notes of an interview between His Excellency the High Commissioner and H.H. the Sultan of Perak, 25.3.1920. N.S. Conf. 33/20.

50. Ibid.

51. Raja Kechil Tengha Said Taupy; b. Seychelles isls., 1879; son of the ex-Sultan Abdullah of Perak; educated Richmond, England;

the interests of the Princes he had in mind. On the question of higher educational facilities ~~when~~ the Sultan stressed the needs of the Malay Princes in particular. This, it could be argued, need not have necessarily excluded the claims of Malays of non-aristocratic birth. But elsewhere, he insisted that "only boys of good birth, i.e. sons of Rajas, Chiefs, and Penghulus of good family should be admitted to the Malay College".[52]

The question of Malay participation in the administration, for the second time in this century, became a point of divergent views between the British and the Malay Rulers. The British stood for the enlargement of the base of recruitment of the Malay officers and were in favour of opening up facilities for higher education to meritorious Malays, regardless of birth; while the Malay Rulers agreeing that the Malays should get a greater share of higher administrative posts and improved educational facilities, were in favour of limiting these facilities only to Malays of higher birth. The outcome of this tussle had a different flavour in the early 1920s than in the first decade of this century. The circumstances which produced this encouraging result and the new scheme for recruitment of Malays are the subject of discussion in the following chapter.

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51 (Contd.). Perak Govt. Service 1900 as Settlement Officer; Actg. D.O. Kuala Langat, 1909; Actg. D.O. Ulu Langat 1910; Actg. Malay Magistrate, Lenggong 1916; Officer Class V M.C.S.; Actg. D.O. Krian 1919; Officer Class IV, 1920; Actg. Chairman Sanitary Board, Larut & Matang, 1924.

52. A minute by C.W.C. Parr, British Resident, Perak, 2.3.1923. Phg. Sec. 725/23.

Two points are worth noting in the closing paragraph of this chapter. First, our description of the administrative condition of the F.M.S. in the first two decades of this century suggested two apparently contradictory characteristics of the F.M.S. administration. There were excessive bureaucratization at the centre, and inadequacies in the district and state administrations. That a significant section of the Malays shared a sense of grievance against the federal administration was a probable source of political instability in the F.M.S. Malays were aggrieved partly because too few of the opportunities opened by the federal administration were actually available to them, and partly because of inadequacies in the district administration. Taking into consideration that the general body of the Malays were at this time a politically naive rural folk oblivious of what was going on in the distant cities, the second factor seems to be the main reason for the Malay dissatisfaction against the federal administration. Second, the divergence of views between the traditional Malay authorities and the British administrators added a new dimension to the problem of Malay participation in the administration of the F.M.S.

CHAPTER - IV.

THE MALAY ADMINISTRATIVE SERVICE

Synopsis

This chapter describes the circumstances which pushed a proposal for the employment of Malays in the district offices to the centre of the stage in 1920. The problem faced by the British Residents in that year, was one of ensuring that Malays did not turn completely away from the existing political and administrative arrangements. They used the difficulties that the Dutch were facing in the Netherlands East Indies to seize an opportunity for recruiting Malay Officers in the higher branches of the administrative service. Although the measure broadened the base of recruitment of Malay Officers and improved the administration of districts, it became clear by 1922 that the measure had not fully met the situation. A measure of power had to be transferred from the federal administration to rejuvenate the state administration. A move in this direction became easier to make when the trade depression of 1921-22, by reducing the federal revenue by one-thirds, rendered the existing expensive administrative structure untenable.

I. Background and the formation of the Malay Administrative Service

The stage was set for Malay participation in the government at the end of the War. In the preceding chapter we have shown how over-centralization in the F.M.S. had resulted in creating a void between the government and the Malay people, how two-thirds of the districts in the F.M.S. constituting about three-fifths of the total Malay population were bereft of any direct contact with the federal administration and the discontent of the Malays vocalized in the vernacular press. What triggered off the situation was the revival of nationalistic activities in the neighbouring

Dutch Colonies in the East Indies. The nationalistic pressure groups which aimed at religious and political revival of the people forced the Dutch to open the doors of the hitherto monopolized Dutch Civil Service to the local councils.

At the beginning of 1920, the Chief Secretary of the F.M.S. became aware of the repercussions which the "revolutionary propaganda in the N.E.I." could have in the Malay States and with the help of the British Residents set out to devise counteracting measures. The situation brought fuller focus on the problem arising out of the lack of contact with the majority of the Malay population. The seriousness of the problem was taken up in all urgency by the Federal Secretariat and the Residents in 1920. The Chief Secretary admitted that the F.M.S. problem when he minuted to the Residents, "It is essential that British officials should not lose touch with native populations but I am very afraid that is what is happening in the F.M.S."[2]

The Residents considered the question to be one of utmost political significance. Though they saw the problem in more or less the same light, it was the Resident of Perak, George Maxwell, who had some hard words to say. Maxwell had acquainted himself with the situation in the East Indies during a recent visit to the

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1. Revolutionary Propaganda in the N.E.I., M.S. Conf., 17/1920.

2. A copy of the minute by E. L. Brockman, 17.2.1920, ibid.

islands. His discussion with the Dutch Governor-General on the problems posed by the Nationalist Party, the Sarikat Islam, and the labour organisations had left him with the impressions that the Dutch were soft with these movements and they were blind "to their danger side". Maxwell approvingly quoted an opinion which held that "the days of the Dutch in the N.E.I. were numbered and the primary cause...was... that there was no understanding between the ruling and the ruled". In highlighting the danger which faced the Dutch in the East Indies, Maxwell's real purpose was to underline the catastrophic consequence that would follow in the Malay States from the same causes. He warned "that all our European officers are losing touch with the Asiatic, and that great danger will result therefrom".[3]

The Residents of the three other states agreed with Maxwell, without any reservation.[4] There was also complete agreement among the Residents on two other points namely, that the danger to the administration of the F.M.S. originated from the weakness of the district offices, and that the transfer of power from the districts and states to the Federal Secretariat had confused the priorities in the District Officers' duties. The primary political task of the District Officer was to keep himself acquainted with the thoughts and activities of the people in his district.

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3. A minute by G. Maxwell, 3.3.1920, ibid.

4. Copies of minutes by the Resident of Selangor, 1.3.1920; Resident of Perak, 3.3.1920; Resident of Pahang, 8.3.1920; and the minutes of the Resident of Negri Sembilan, 10.3.1920; N.S. 17/1920, ibid.

Administration from the Federal Secretariat had reduced the district offices to out-station offices which were to carry out the subsidiary works given to them by the Federal Secretariat. This had brought about a profound change in the work of the District Officer. An illustration of the work which was in no way connected with the District Officer's important duties but had to be performed by him all the same at the cost of a good deal of his time, was mentioned by the British Resident of Negri Sembilan. He drew the Federal Secretariat's attention to the "futility....of the hard work that falls on a D.C. in connection with the Rubber Dealers' Enactment". The General Order of the Federal Secretariat which embodied the instruction to the District Officer in this connection, in the opinion of the Resident, "amounts to an instruction to a D.O. to sit tight on the chair"[5] and the D.C. had come to be treated as just another officer on the M.C.S. Although a D.C. should have in theory known his district intimately, the Federal Secretariat was, in fact, transferring the D.C. from one place to another too frequently to enable him to be acquainted with his district at all. In this respect the district offices with junior officers suffered most. (There were too few districts with senior posts to which senior officers could be moved.) The Resident of Pahang gave some instances from his state. There were "four changes of D.O. in the Raub, Temerloh and Kuantan districts in the last four years and

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5. A minute by Resident of Negri Sembilan, ibid.

at least four of the A.D.O. Bentong Sub-district acted" during the same period. The inevitable outcome of the changes in the D.O.'s position was the loss of contact with the Malays. "A D.O. cannot get in touch with the people - particularly with the Malays by sitting in an office. Malays do not frequent Government offices much and the way to get to know them is to visit their Kampongs".[6]

It was no wonder that the British administrators looked at the troubles faced by the Dutch in the East Indies as the outcome of their loss of contacts with the local people. They also found a parallel to the situation in the unsatisfactory condition which agitated the Malay community in the F.M.S. resulting from the centralized rule of the Federal Secretariat. But was there any reason for them to take the situation in the N.E.I. as seriously as they did? To answer this question we shall deviate from our discussion of the Residents' Conference. Malays in the peninsula were susceptible to the influences of the religious and political agitations in the N.E.I. because of their cultural and ethnic affinities with the prople of those islands. The Islamic religious reformists there appealed to them for united action on radical political lines in the guise of religious activities.[7] The Sultan of Johore was known for his sympathies for the movement in Java and we have mentioned in the preceding chapter his refusal to hand

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6. A minute by Resident of Pahang, 8.3.1920, ibid.

7. Radin Soenarno, "Malay Nationalism, 1900-1945", Journal of South East Asian History, March 1960, pp. 8-9.

over to the Dutch a political fugitive from the N.E.I. The dismemberment of the Turkish Empire at the end of the World War I was resented by Muslims in the British Empire. In Java, the Arabs in particular, were suspected for indulging in subversive activities. The report of Captain Lee Warner to the Colonial Office on their activities is relevant in this respect. An M.C.S. officer who was seconded for service under the Foreign Office during the war, Warner had extensively studied anti-colonial and subversive movements in the N.E.I. while acting as the British Vice-Consul in Batavia and Sabang. He submitted a report to the Colonial Office in 1919 on this movement and stated that these Arabs were widening their ring of subversion in the British possessions. He added that "Many of them are entirely in German and Turkish hands. They have a strong connection in Hyderabad, with Aden, and are cultivating civil connection in Cairo and possibly in Constantinople".[8] Warner's report seems to have been received well by the British authorities in Singapore and London and in 1921 the federal administration established the Malayan Bureau of Political Intelligence "to keep the Government informed of all political agitation and movements in Malaya " and also "of all such exterior politics as may affect" the Malays.[9] It may be mentioned in the passing that

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8. Report of Capt. Lee Warner, n.d., 1919, C.O. 537/889. Capt. William Hamilton Lee Warner, M.C.S. Cadet, 1903, held various appointments in Malaya before he was seconded for temporary services under the Foreign office.

9. Gov. Straits to Sec. State, 18 Oct. 1921 (microfilm).

Warner first acted as the Director of the Bureau and then was confirmed in that post.

Now to return to the appraisal of the Malayan situation by the Residents in 1920. Did the Residents put forward any evidence of anti-government sentiments shared by the Malays? The Resident of Pahang complained of the anti-government feelings among Malays of some districts in his state. Such feelings had their origin in the unsettled state of Trengganu. Ungku Saiyd was an influential religious figure in that state who attracted pilgrims in large numbers, among other places, from Pahang. About the influence of the Ungku, the Resident pointed out that "the pilgrimage by Malays of this state to the famous Ungku Saiyd of Trengganu caused us some uneasiness as the pilgrims became infected with discontents with and antagonism to the Government of these States which might spread among an ignorant and credulous peasant population such as that in parts of the Temerloh and Pekan districts".[10] It also appeared from his minute that the Sultan of Pahang and an influential member of the State Councils, Che Wan Mahammad Salleh, discouraged such pilgrimages but failed to wean away the Malays from the Ungku. The situation in these districts was rapidly becoming dangerous as the Malays were left to nurse their grievances. "Unfortunately", wrote the Resident, "The D.O. Temerloh cannot spare time for frequent visits to the down river

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10. A minute by the Resident of Pahang, 8.3.1920, (copy) N.S. Conf., 17/1920.

mukims in which many returned pilgrims live".[11] The Resident of Negri Sembilan submitted the views of the District Officer, Tampin, who "on many occasions" in the recent past had stressed the need to renew closer contacts with the Malays of the state on the ground that such action was required by the situation "now more than in the past".[12]

The Residents' discussion revealed that pockets of discontented Malays who were biased against the Government had come into existence by 1920 in Trengganu and Pahang. The position in this regard did not improve in the two following years. The situation in Trengganu remained unsettled for some years to come, and the dangers continued to increase in these years in Pahang. In Trengganu , following the death of Ungku Saiyd, the leadership passed into the hands of a stronger religious agitator, Haji Drahman who led in 1921-22 groups of dissatisfied Malays into an anti-court rebellion which swiftly assumed an anti-foreign character. We shall return to this point later.

The situation was inflammable when the Residents reviewed their relations with the Malays in their states. In their recommendations they suggested a solution to this political problem at the district level by enlisting the services of the Malays in the district offices as assistants to the District Officers. They realized that Malays should be given adequate training to increase

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11. Ibid.

12. A minute by the Resident of Negri Sembilan, 10.3.1920, ibid.

their efficiency and that the duties of District Officers should be reviewed. With this end in view, each Resident appealed to his District Officers to meet and draw up suitable proposals. The recommendation was that Malay districts should choose District Officers with great care, and their transfer should be avoided as far as possible, in order that they might get to know their districts well. It was also recommended that since "the M.V.I. (Malay Volunteer Infantry) movement...(was) of considerable political importance" great care should be taken in the selection of its officers.[13]

The most important item among the Residents' recommendations was the proposal to appoint Malay Officers at the district offices. The Resident of Pahang, Col. Parr, proposed an improved salary for the Malay Officers, but his proposals were far from comprehensive.[14] The retiring Chief Secretary himself had very little to contribute, but he was responsible for bringing into the Federal Secretariat an officer from the district office, who worked out comprehensive proposals for the participation of the Malays in higher administrative positions. The selection of the Assistant District Officer of Kinta, T. S. Adams, for this responsible task was of significance.[15]

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13. Minutes by the Residents of Selangor, 1.3.1920; Pahang, 8.3.1920; and Negri Sembilan, 10.3.1920; op.cit.

14. For details of the proposal by C.W.C. Parr, dated 29 May 1920, see Phg. 1159/1920.

15. Theodore Samuel Adams, b. 1885; ed. Cantab and Oxford; Cadet F.M.S. 1908; ag. Supervisor of Customs Taiping 1910-11; A.D.O. Klang 1911; D.O. Kuala Langat, 1912; D.O. Ulu Kelantan 1914;

Theodore Adams was one of those British civil servants in Malaya during the inter-war years who strongly believed that the British had a mandate to bring forward the Malays in the F.M.S. He belonged to that generation of civil servants who entered Malaya at the turn of this century and witnessed the advent, on a large-scale, of the plantation and mining industries in the F.M.S. His later writing showed his deep concern for the effects of these changes in the economic field on the Malays.[16] He pleaded for an effective intervention by the government to put things right. He was in favour of vigorous government action "to train up Malays" to meet the economic realities of their states. He also believed that the government should "build up Malay political institutions so that they should have as much influence as

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15 (Contd.) Supdt. Lands Kelantan, 1918; Ag. First Asst. Sec. to Govt. 1920; Chief Asst. D.O. Kinta 1920; Actg. D.O. Ulu Selangor 1922; Actg. D.O. Larut; 1923; Actg. Registrar of Titles, Perak, & Chairman, San. Board Larut & Selama 1923.

16. Adams took the opportunity in 1944, at the request of the Malayan Planning Unit, to formulate his recommendations on the British policy in Malaya in the post-war period. Adams prefaced his memorandum with a critique of the British policy in the F.M.S. in the inter-war years. Running through the memorandum, are Adams' deep sympathies for the Malay aspirations and a well-reasoned case for vigorous British intervention in favour of the Malays to strengthening their positions in the political and economic fields. Adams thought that the control of the road-transport industry, marketing, the town lands, and various trades by the Chinese and Indians created and economic "stranglehold to keep down Malays". He was particularly suspicious of the outcome of the Chinese economic power which, he believed, would be the "occupation of the Malay States as part of Chinese imperium". Such a fear was widely shared among the civil servants. But what the British should do in the face of this problem, was the point on which the civil servants differed. One section believed that since "Malaya was fated to become Chinese - we had better make what we could out of it in the mean time". Adams resented such a view, on the ground that it would bring about a reversal of the objective of the British policy and in his view he took a position which was poles apart from that of this section. "Views on Malayan Reconstruction: A memo. by Sir T.S. Adams", May 1944, B.A.M. Files, RP/1/A.

Chinese, Indian or British Chambers of Commerce and mining industries". Adams' brief posting as the acting Assistant Secretary of the F.M.S. in mid-1920 brought into the Federal Secretariat an officer with distinct sympathies for the Malays and a strong believer in state autonomy.

Adams' proposal was for opening up to Malay Officers all posts of Assistant District Officers (except that of Kuala Kabu, held by a non-Malay) and Second Assistant District Officers.[17] Officers would be appointed to these positions from a special class for Malay Officers. The opening of these posts called for "an immediate increase in the number of Malay Officers". The proposal brought to light the limitations of the earlier schemes for the employment of Malays, and the ineffectiveness of the existing educational facilities of the Malay College. It was proposed to include in the new scheme the Malay Officers recruited earlier and to liberalize the condition of such entry. Under the previous schemes a Malay Officer was required to be in the service for ten years before he could be eligible for entry to the special class appointment offering him an administrative position. The new scheme proposed that a Malay Officer who had served for five years,

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17. Adams' proposals were the subject of his memorandum and draft titled as "Schemes for Malay Officers" (both undated). They were sent round the Federated States by the Under Secretary to the F.M.S., A.S. Jelf, on 7.10.1920. Jelf introduced the scheme to the Residents as one "drawn up with much care by T.S. Adams". Circular Jacket, U.S. to F.M.S. to the Residents, 1.10.1920, Phg. 1159/1920.

including two years performing the work that an Assistant District Officer was required to do, and had passed the cadet's law examination, would be straight away promoted to an administrative position. It, however, appeared that not many among the Malay Officers serving in the Land Offices could meet these requirements. Many of them were believed to be "entirely unsuitable for such work" such as an A.D.O. would be required to do. It also appeared doubtful if the available training facilities of the Malay College would enable it to supply probationers in the right number and standard as required under the new scheme. It was, therefore, proposed that one half of the total number of probationerships created each year would be reserved for the boys at Malay College and the rest would be open to Malay candidates from other English Schools in F.M.S. who were recommended by the Residents of their home states.

The scheme which came to be known as the Malay Administrative Service Scheme was brought into effect from the beginning of 1921.[18] The consent of the Secretary of State for Colonies was secured in June of the same year.[19] The scheme marked a real beginning of Malay participation in the administration of the F.M.S. by opening an unprecedented number of administrative posts to the Malays, by starting recruitment of Malays of non-aristocratic birth, by abandoning the principle of making promotion conditional on the occurrence of a vacancy, and by giving the

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18. Scheme for Malay Administrative Service, Chief Secretary Office Gazette 1865/1921, with effect from 1 Jan. 1921; in High Com. to Sec. State, 14 May 1921, C.O. 717/13.

19. High Com. to Sec. State, 14 May 1921, ibid.

Resident a hand in the recruitment and promotion of Malay Officers. By giving Malays opportunities to share the administrative power in their states previously exercised exclusively by a European Civil Service, the scheme sought to restore a Malay character to at least a part of the administrative machinery. This aim of the scheme appeared from the memorandum which embodied Adams' proposal. It said :

> It is the intention of the Government to afford opportunities to Malays to take their proper share in the administration of the country. The scheme should therefore provide a training and testing period for Malays who are eligible for regular Civil Service posts if they are mentally and morally fit for them.[20]

II. A critique of the Malay Administrative Service Scheme

We may briefly review here the progress in the recruitment of Malays in the first few years following the implementation of the scheme. Reporting to the Secretary of State in mid-1921 that twelve Malay Officers were then performing the work previously done by the cadets, Guillemard held that in view of "the comparatively recent inauguration of the Malay Administrative Service I think that this is not unencouraging".[21] However, in the following years recruitment did not progress at the same rate. In 1922, two probationers were appointed and recruitment continued at the

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20. Cited above.

21. High Com. to Sec. State, 14 May 1921, op.cit.

rate of four in each year between 1923 and 1925.[22] The official papers do not offer to any reason why the rate of annual recruitment of Malay Officers fell after 1921. One reason, however, seems obvious. The 1920 proposal was for opening to the Malays, posts of Assistant District Officers and Second Assistant District Officers. The M.C.S. list for 1922 indicated that there were sixteen such posts in the F.M.S. By 1925, however, twenty six Malays were appointed to the administrative service.

Opening up of administrative positions above the Assistant District Officer awaited a new decision. The latter was bound to be influenced by the local requirement, success in the arrangement for higher training suitable for such positions, and the performance of the M.A.S. officers recruited under the 1921 scheme. The drive for economies in expenditure on the civil service during the trade depression of 1921-1923, seriously restricted any expansion in the district office administration, the place where the largest number of the Malay Officers could be trained. Under the 1921 scheme, the M.A.S. Officers were called upon to pass the cadet's law examination. But his general education ended with the Senior Cambridge Certificate Examination, and it still remained far below the level which a British cadet used to attain before entering the M.C.S. Perhaps, it was assumed that the five years that an

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22. This appears from a minute by the Sec. to Resident, Perak, addressed to U.S., F.M.S., 4.2.1925. Copy in Sel. Sec., 911/1925.

M.A.S. Officer would get, would give him adequate time to learn in harness before he was given an administrative position. But the widsom of any such assumption was doubted by some officers who had been consulted at the time of the formulation of the M.A.S. proposal. G. E. London, Secretary to the Resident of Pahang, observed that :

> I very much doubt that whether [sic] the passing of the requisite examinations coupled with 5 years service.... will prove a sufficiently severe test or a sufficiently lengthy training.

He also added that :

> I do not think the difficulty will lie in discovering officers worthy of advancement, but in discovering them in sufficient numbers properly worthy in every respect for rapid advancement to those high and responsible posts to which it is the present policy of the Government to promote them.[23]

He emphasised that for a long time to come, for "perhaps generations", Malaya would not be ripe for any form of competitive recruitment of the Malay Officers and use must be made in the meantime of the method of careful selection.

In the following years two problems militated against the opening of positions of higher responsibility to the Malays. We have already discussed the position of training facilities for the Malay probationers in the Malay College, and had shown how these

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23. Memorandum by G. E. London, 19 Oct. 1920, on T.S. Adams' proposals. Phg. 1159/1920.

needed radical improvements even before 1920. The college continued to be the centre of training for the probationers after 1921. The training facilities, however, were neither expanded nor improved. The probationers recruited from the Government English Schools were asked not to come to the College and to take their Senior Cambridge Certification Examination from their own schools. The College could not offer suitable courses to help its own probationers through their law examination.[24] It was not until 1924 when the Government started sending a few carefully selected Malays to do their Barister-at-Law course in English that the question of the appointment of Malays to higher positions became worth considering.[25]

Meanwhile, the serious disturbance which took place against the royal court of Trengganu in 1922 might have created some doubts on the question of how far Malaynization could be pushed in the given situation of Malay States. The disturbance had ~~their~~ its origins in the grievances of the Malay peasants against the faulty and corrupt land administration, and the impoverishment to which they were subjected as a result of a very large proportion of the state land being personally owned by some relatives of the Sultan. These grievances were exploited by a powerful religious leader of the state, Haji Drahman, who succeeded in giving the disturbances an anti-British character once they

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24. Memorandum by Under Secretary to F.M.S., 7 Aug. 1923, (copy) Sel. 2330/1923.

25. Annual Address by the Chief Secretary to the Malay Officers, 16 May 1925, Sel. Conf. 80/1925.
It also appears from this address that three Malay Officers had been chosen for this purpose. They were Raja Musa, Rajah Zainal Aznam and Tengku Abdul Rahman.

had broken out.[26] The report of the enquiry into its causes later showed that the British advisor had no effective control over the Land Officer of the state, a Malay, and that the inefficiency of the Malay Officers in the land administration of the state had aggravated the situation. The British Advisor to the state, J.L. Humphreys brought this point to the notice of the High Commissioner.[27] He reported that :

> The point, however, to which I desire to draw particular attention is this : that the ultimate cause of the trouble is the tactless incompetence - and probably corruption - of the Malay Land Officers. The Kelantan rising had a similar origin, and in both cases the same paradox followed an outbreak of anti-foreign feeling, when the source of the trouble was, in point of pact, the lack of European land officer.[28]

The responsibility of the Malay Officers in the Trengganu disturbances was a set-back to the Malay case for opening positions of higher responsibility to them in the F.M.S. At a time when the Malaynization of the Civil Service had just begun the Trengganu affair seemed to have administered a serious warning against transferring administrative control of any department to

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26. The British Adviser's report on the Trengganu outbreak pointed to the influence of Haji Drahman. The Adviser reported to the High Commissioner that "The close parallel to the beginning of Kelantan rising of 1915 has been noted by everyone here. But Haji Drahman's genuine sanctity and high character make him a more dangerous leader than a rustic bravo like To' Janggat; and religious feelings of the more zealous Trengganu Mohammadans, both in town and in country, are more easily roused", J.L. Humphreys to High Com., 24 Nov. 1922. C.O. 717/61.

27. John Lissester Humphreys; b. 1881; ed. Oxford; Cadet, Straits 1905; Deputy Commissioner of Land Revenue, Singapore, 1906; Acting D.O. Aloh Gajah, Malacca, 1906; Third Magistrate Penang 1909; Controller & Magistrate Batu Pahat (Johore) 1911; Third Magistrate, Singapore, 1912; Acting Asst. Adviser to Johore 1915; Acting British Agent to Trengganu 1915; British Adviser to Trengganu 1919.

28. Humphreys to the High Com., 24 Nov. 1922, op.cit.

Malays. It might be asked why the affairs of a state outside the federation should influence the question of the appointment of Malays in the F.M.S.? The M.C.S. being an integrated service since 1920, meant to supply officers to the Colony as well as all the Malay States, opening of higher M.C.S. posts to the Malays was surely not to be viewed in isolation.

On the other hand, we have already seen that the situation in the F.M.S. and particularly in Pahang, was causing anxiety to the British Residents. The restlessness, however, was not limited to the Malays of Pahang alone. In Perak there was an ebb in the loyalist sentiments of the Malays. We have already mentioned that Sultan Iskander had found it necessary to complain to the High Commissioner that regard for religion and Malay custom was abating amongst Malay youth. This was a matter of considerable importance. These two traditional loyalties of a Malay formed the basis of his submission to political authority, - embodied in the Sultan or whoever ruled on his behalf. Malay Secret Societies, fed by the grievance that the Government had failed to protect Malay economic interests during the depression, came into existence in 1922. The most important among them, Kongsi Gelup, preached among its members the importance of self-help on the part of the individual member, and mutual assistance among the fellow members of the society.[29] It was not until a

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29. Very little has been written on the society and few of those who were associated with the society are alive in Perak now. There is, however, a brief discussion of the activities of the Kongsi Gelup in an academic exercise by Ahmad Jahidin who met in 1958 one or two members of the society. Ahmad Sabki Jahidin, Iskander Shah of Perak, 1881-1938, unpublished B.A. Hons. academic exercise in the University of Malaya, 1958, p. 25.

few years later that the society turned to violence, but from the time of its formation it strongly resented the comparatively backward position of the Malays among other communities, and held that there was no chance of improvement in their economic position as long as their rulers remained politically powerless.[30] By 1922 the federal administration had become aware of this widespread Malay sentiment. The Malayan Bureau of Political Intelligence made in 1922 a recommendation of very great consequence. It reported that :

> It is difficult to resist the impression that the Malays, at any rate in the F.M.S., no longer feel that affection for the British that they undoubtedly felt some years ago....the development of administration and perhaps inevitable centralization has lessened the old personal touch, and the Malays can hardly be expected to accept with equanimity the continued diminution of powers of the Sultans and the Feudal Chiefs which had been a feature of the past few years. Whether a restoration of powers is now practicable is not for this Bureau to say, but some steps in that direction would be certainly heartily welcomed by the Malays and many others, and would go far to prevent what is now a feeling of indifference developing into actual hostility.[31]

By the end of 1922 it was clear that the Malays in the F.M.S. would turn away from the existing administrative

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30. Interview with Raja Haji Shuaib bin. Sultan Idris, Kuala Kangsar, 5 July, 1971. Raja Shuaib is the only brother of Sultan Iskander, who is alive. Raja Shuaib who lived through those years in Perak placed considerable emphasis on this point. Raja Shuaib informed me that Sultan Iskander was aware of the sentiments of the Malays in Perak and the former attributed the creation of two new positions in the line of succession to the Perak throne in the 1920s to the desire of the latter to strengthen the Perak Sultanate. The positions were those of Raja Kechil Besar and Raja Kechil Sulong, and the holders of these positions stood below the Raja-di-Hilir in the succession line of Perak.

31. Malayan Bureau of Political Intelligence Bulletin, 1 October 1922, C.O. 273/22.

arrangements if some effective measures were not taken to win back their confidence. The M.A.S., no doubt, had opened the door of the administration in which the Europeans had almost entirely monopolised power, to the Malays of both aristocratic and non-aristocratic birth, and this was a notable result of the policy of decentralization. But the full impact of the new scheme of recruitment of the Malay Officers would be felt only with the promotion of these officers to high posts which would take about a decade. Meanwhile, measures should urgently be taken to devolve some administrative powers upon the Sultan, the Resident and the State Council - or to those among them considered suitable - and rejuvenate them. If state authorities were expected to win back the Malay confidence, they should naturally appear to be entities sufficiently powerful or influential to inspire that confidence. While the undesirable political and administrative effects of the over-centralization of power made the reorientation of the existing administrative system inevitable in the F.M.S., the post-war financial crisis facilitated it by exposing the vulnerability of the financial management of the federal administration.

III. A financial crisis in the F.M.S.

For many years before 1921, the financial condition of the federal administration had been a flourishing one. Public criticism in the press and in the Federal Council had taken the form of objection to the accumulation of revenue surpluses - mockingly termed "worship of balances" during the administration

of Sir Arthur Young. The trade depression of the years from 1920 to 1922, by diminishing the reputation of the federal administration in successful financial management, placed it in a position in which it could hardly defend itself.

The evidence of the Financial Adviser to the F.M.S., A.M. Pountney,[32] before the Retrenchment Commission in 1922 was a comprehensive statement of the financial position of the F.M.S. in that year.[33] The F.M.S. approached the trade depression with a public debt of S$ 45¾ million, an asset of S$ 81½ million (of which only S$ 7 million was atonce realizable at a loss) and a cash of S$ ½ million readily available to the federal administration. The trade depression which reduced the revenue of the F.M.S. by nearly one-third between 1920 and 1922,[34] compelled the federal administration to look round for funds not only to meet their high service charges but also the expenses of the development projects (for the construction of a Dry Dock at Prai and Johore Causeway) which had been thoughtlessly charged to current revenue during the Young-

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32. Arthur Meek Pountney; b. 1896; ed. Oxford; Cadet F.M.S. 1896; Actg. Asst. Protector of Chinese, Singapore 1903; Actg.Protector of Chinese in Perak, Selangor, and Penang between 1905 and 1909; Superintendent of Census, F.M.S. 1910; Treasurer,Straits 1914; officiating Controller General of War Tax 1917; War service recognized by the Sec. State 1918; Treasurer, Straits 1918; Financial Adviser to Government of Straits and F.M.S. 1921.

33. The abstract of evidence by the Financial Adviser to the F.M.S., 22.2.1922; and his two subsequent answers to the questions of the Chairman of the Commission. The following paragraphs are based on this source only. The Final Report of the Retrenchment Commission, Kuala Lumpur, 1923, pp.17-23, H.C.O. 545/1922. The commission was headed by an Unofficial Member of the European community, John Henry Matthews Robson; b. 1870, Surrey; Selangor Govt. Service 1889-1896; founder and first Editor of the "Malay Mail", 1896; associated with estate business; served on the Federal Council as an Unofficial Member on its formation in 1909; reappointed in 1921 and again in 1924.

34. Between 1920 and 1922, the federal revenue came down from S$ 72,277,146 to S$ 52,494,110.

Broackman administration.[35] A loan of £10 million (over S$ 85 million) which the federal administration proposed to float in the London market in 1922 would leave them, after making provision for the payment of their public debt, with £490,000 (S$ 7,990,000) which was less than half the sum needed to meet the deficit in the estimates of the federated states in 1922. Since the sterling loan would not enable the federal administration to tide over the trade depression (as it left nothing to meet the deficit in 1923), the Financial Adviser estimated rationally the revenue that the F.M.S. could hope to collect annually for some years.

In his opinion, the federal administration could not count on more than S$ 37 million as their annual revenue,[36] and if public borrowing was limited only to the purposes of directly remunerative services like the Railways, Waterworks, and Electricity (thus excluding Public Works), the federal administration would have to find annually S$ 47$\frac{3}{4}$ millions. This would leave the federal administration with an annual deficit of S$ 11 million. The

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35. Guillemard informed the Secretary of State in 1923 that "The Government Rice Control policy was inaugurated by Sri A.Young in July 1919, very shortly after the costly Prai undertaking was agreed to". Referring to the post-war railway development works decided during the Young-Brockman administration, and which Guillemard agreed to carry on to completion, the later observed that "It was one of the many important matters on which, though it was his duty to bring it to my notice, Sir E. Brockman gave me no information". On the question of carrying on with the Prai Docks, Guillemard felt that he was not given by Brockman a correct picture of the financial position of the federal administration. Referring to the construction works at Prai, he wrote that "it is by now clear that in the "damnosa hereditas" which Sir E. Brockman left behind him, these works are perhaps the most unsatisfactory item". Guillemard concluded by saying that "hardly a month passes without the disclosure of unforeseen liabilities, of subsidiary works involving heavy expenditure on construction and maintenance". High Com. to Sec. State, 18.3.1923, C.O. 717/27.

36. This excluded such incidental income as the sum of S$ 2$\frac{1}{2}$ millions which the federal administration planned to earn in 1922 by selling to the Colony the Penang Hill Railway and some godowns.

vulnerability of the existing over-centralized system of administration became apparent particularly from the sharp rise in the over-all maintenance charges of the federal administration from S$ 20 million in 1913 to S$ 45 million in 1922. This included the personal emoluments which rose from S$ $6\frac{1}{4}$ million to S$ $16\frac{1}{2}$ million (excluding allowances which amounted to one-thirds of salaries after 1920), over the same period. Since the sources of revenue could not be diversified to yield more, the administration of the F.M.S. had no choice but to reorganize itself to level the expenditure to the estimated revenue.

The Financial Adviser's evidence before the Retrenchment Commission offered the federal administration something more than the advice on how to economise their expenditure. It showed by presenting a clear picture of the financial position of the F.M.S. that an expensive and over-centralized administrative system had brought them into a blind alley. It is possible that the Financial Adviser painted the picture dark,[37] but this was understandable, and perhaps desirable, during an economic crisis. His warning that "unless services were absolutely essential to the life of the community they might have to be abandoned", underlined the need for devising methods of administration which would be more economic than those followed so far.

The federal administration had for long appeared unassailable because all political criticisms directed against it faded into

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37. The Financial Adviser assumed in his evidence that the trade depression would continue for a long time and that the F.M.S. would be called upon to pay off their debts atonce. That was, in fact, not the position. A part of the deficit was "paper deficit". The S$ 75 millions locked up in tin purchase would be recovered as soon as the market improved. Railways could also show some surplus in their earnings.

insignificance before their tremendous success in financial management. Now that this reputation was no longer unblemished, some known criticisms of the existing system of administration were echoed before the Retrenchment Commission. The commission heard from the District Officer of Kinta, Meadows Frost,[38] that the modern administrative system and legislations in the federated states were of no great value to the Malays and they served none other than Europeans and some English educated westernized Chinese, all of whom were expatriates.[39] Frost also pointed out the reason why the Federal Departments could not economise in their expenditure. The expenditures of these departments were agreed between the Heads of Departments and the Chief Secretary; the District Officers and British Residents, who were in much close touch with the local conditions of a district or a state, had no say. Frost said that :

> At present the District Officer knows nothing about what the various Departments are putting down for the next year. All the Federal Officers get what they want direct from the Chief Secretary. A State Officer has got to refer to the Resident and the Resident probably asks the District Officers to scrutinize it. There is some check and only money that is absolutely wanted is allowed. For the Federal Departments there is no check at all.[40]

Several instances of wasteful expenditure by the Federal Departments which came to light during the commission's investigation[41] illustrated this point and strengthened the demands that the

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38. Capt. Meadows Frost, M.C.; b. 1875; ed. Oxford; Cadet F.M.S. 1898; class V 1903; Seconded as Consul for West Coast of Siam 1905; class IV and Adviser to Raja of Perlis 1910; acted as British Adviser Kedah 1911; class III 1912; joined army for general service 1915; discharged 1919; class II 1919; Actg. D.O. Kinta 1920; D.O. Larut 1922; Commissioner, Lands & Mines Johore 1923.

39. Memorandum submitted by Meadows Frost to the Retrenchment Commission, 29 Aug.1922,Final Report of the Commission, op.cit.,p.24.

40. Minutes of Frost's interview with the Commission, ibid., p.30.

41. The commission, in its final report, mentioned eight major instances of what they described as "wasteful and extravagant"

framing of the annual estimates of the states in the federation should be changed so as to give the States Governments full control over the revenue and large parts of expenditure.[42] It was also suggested that the administrative control over various departments, now under the Federal Secretariat, should be redistributed, keeping in view considerations wider than mere administrative efficiency.[43] As land questions were essentially a state matter and all Residents were experienced in land administration, it was reasonable that the Department of Land Commissioner should be transferred to state control. In the Departments of Forests, Agriculture, Medicine and Health, Police, and Public Works, in which there was room for specialists' advice, the Federal Secretariat should have only advisory powers. The officers of these departments, except the experts and specialists, would be State Officers, and the Residents and the District Officers would have full financial and administrative control over them. Departments which could apply common policies in the Colony and the F.M.S., formed a separate category and each of these departments such as Trade and Customs, Post and Telegraph, and Railways should be in charge of one head. The Department of Labour should pursue the same policy not only in the F.M.S. and the Colony, but also in the unfederated states. Though the department should be administered by a single head, the British Residents

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41 (Contd.). expenditure. These included "paying the consulting engineers further commission on enhanced value of a contract recommended by themselves and involving ...no extra work or expense to them"; granting an extravagant contract for the buildings for the European Hospital in Kuala Lumpur at an estimated cost of $ 3,600,000 without the preparation of proper and detailed plans and without calling for tenders, recruitment of cadets in excessive numbers after the War and premature filling of a vacant judgeship both due to oversights in the Federal Secretariat. ibid., p.6.

42. Frost's memorandum to the Commission, op.cit., p. 27. See also the evidence by Cubbit, p. 35.

43. Frost's memorandum, op.cit., pp. 25-6.

and the District Officers should remain responsible for the welfare of the labour in their localities.

The commission, in its report, recommended that there should be a change in the essentials of the policy of the federal administration. "In many ways", observed the commission, "Federation has been extremely valuable but the question now arises whether its principal objects have not been attained and whether some more flexible system should not be instituted". The commission spelt out what they thought should be done. They mentioned that :

> We think a return to the state and district system in many directions would make for efficiency and economy besides possessing other advantages. It is not our duty to enter into the details of a scheme of devolution but we are all agreed on general principles that more power should be given to the State Councils and Residents, and Residents should in their turn rely more on their deputies, the District Officers. The District Officer is the man on the spot and is the direct link between the Government and the people. Much more economy and efficiency could be obtained if he was consulted in the first instance by the local technical officers about all departmental proposals such as roads and buildings. We have recommended that the Public Works Department should return to the former (i.e. state-district) system.[44]

The commission considered that employment of Malays in the higher administrative services was a commendable measure from the point of view of economy, but greater care should be taken in offering them better opportunities for training during their service. Malay Officers were posted in the predominately Malay areas. They had so far no opportunity of serving in big towns or in districts with a wide variety of administrative problems, and on

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44. The Final Report of the Commission, op.cit., pp. 7-8. See also, in this connection, the evidence before the commission by A.S. Haynes, pp. 31-2.

account of this, they were a better training ground. The commission's views on the employment and training of the Malays were influenced by the findings of the Special Committee selected by the Commission to enquire into the administration of Justice in the F.M.S. The committee recommended that, as far as the Malay Officers were concerned, the federal administration should adopt a scheme for their training including facilities for being called to the Bar. Malay Magistrates should start at a large Court, and the committee recommended the appointment of Malay Magistrates in Kuala Lumpur, Ipoh and Seramban. The views of the committee were that :-

> Malays when properly trained make excellent Magistrates. Quite apart from the general desirability of encouraging the employment of Malays in Government Service we think that greater efficiency and economy can be attained by making more use of them.[45]

The commission accepted these views of the committee in their final report. Supporters of Malay participation in the administration on a greater scale could look to the views of the committee for support in the years to come.

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45. Report of the Special Committee on the Administration of Justice in the F.M.S. : An Interim Report of the Retrenchment Commission, Kuala Lumpur, 18.1.1923; Phg. 1578/1923.

CHAPTER - V

DEVOLUTION OF POWER AND THE QUESTION OF POLITICAL CONTROL

Synopsis

During the period from 1921 to 1924 George Maxwell, as the Chief Secretary of the F.M.S., was responsible for devising measures for the decentralization of power in the federated states to facilitate the integration of all Malay States. This chapter discusses the question of political control of the F.M.S. raised during this period, narrates the proposals for devolution of power upon the Resident or the State Council, and delineates some difficulties which confronted these proposals. Maxwell believed that the integration of these states should be achieved by systematic extension of the control of the Federal Secretariat over the Unfederated States and that the authority and status of the Chief Secretary should be enhanced. The powerful support which he extended to the proposal for the revival of the office of the Resident General of the F.M.S. dragged the agreed policy of decentralization into the politics inherent in the former question and put decentralization off its rails for eighteen months. In 1923 the executive and financial power of some Federal Officers was devolved upon the Resident without much difficulty. The tight control which Maxwell maintained over the formulation of proposals removed the chances of any meaningful devolution of the Chief Secretary's power. Maxwell's proposal for devolution of some executive and financial power of the Federal Officers upon the State Council ran into difficulties and his premature proposal for devolution of the Resident's power upon the State Council and the Malay Ruler created a stalemate by the end of 1924.

The appointment of Maxwell as the Chief Secretary, F.M.S. in November 1920 placed him in a position from which he could shape or influence the proposals for decentralization of power in the F.M.S. to prepare grounds for the integration of all Malay States. It was at this stage that the difference of opinion between Maxwell and Guillemard came to the fore. Guillemard's considered recommendation was for taking up the task of the integration of all Malay States in right earnest at the end of war. Maxwell's policy was for moving slow and was supported by the Colonial Office, which gave carte blanche to Maxwell in the task of devising concrete proposals on decentralization and integration.[1]

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1. See Chapter II, pp. 151, 158-9.

It was evident to Guillemard from Maxwell's appointment that the Far Eastern Department which advised the Secretary of State on the administration of the Malay States, was not ready to give him a hand in formulating a policy for the Unfederated States. The Department which had no say in the selection of Guillemard himself as Governor and High Commissioner, was unable since his appointment to get rid of the erroneous idea that since it was Guillemard's first colonial assignment he might involve himself and the Department in some difficulties in the complicated politics of the Malay States. This apprehension about Guillemard's ability to shoulder the responsibility of bringing the Unfederated States into the Federation was completely unfounded. On the reverse side, Maxwell's claim to familiarity with Malay Rulers and of his long experience in Malaya was given undue importance by the Department which believed that Maxwell was better fitted than the new High Commissioner for the task ahead.

The ease and success with which Guillemard sailed through during the initial year of his office were because he had Milner's ear and could communicate privately with him and it was natural that Milner's retirement in 1921 would curtail much of his former influence in London. The appointment of Maxwell brought him more problems because Maxwell was given the authority to divide the responsibility on questions of Malayan integration and decentralization in the F.M.S. These measures meant that Guillemard remained responsible to the Colonial Office only in the sense that he could report to it and that his approval was required to put these measures into practice.

Guillemard showed his willingness to work with Maxwell on his recommendations on decentralization and integration, and on

receiving a copy of Maxwell's memorandum on the policy towards the unfederated Malay States signified his agreement with these measures to be effected immediately in his report to the new Secretary of States, Winston S. Churchill, in July 1921.[2] "Many of his suggestions", observed Guillemard in his despatch to the Secretary of State, "had already taken shape in my own mind as desirable and it is satisfactory to find them confirmed by his long experience". He recommended three measures for the approval of the Secretary of State. First, confidential instructions should be issued to the British Advisers to secure the full representation of their States in any scheme of "friendly combination and cooperation" with the F.M.S. and advise their Governments to follow the policy adopted in the F.M.S. in matters of administration where there were no such schemes in existence. Second, Guillemard wanted to make an announcement of the Government's intentions in his annual address to the Federal Council in December 1921 on the question of extension of the Federation. Maxwell's declaration contained only an assurance to the unfederated states that no pressure would be used against them to join the federation and Guillemard added the assurance that the Government would be ready to consider the request of any unfederated state to enter the federation. Third, power should be restored to the State Councils, Residents and Rulers in the F.M.S. The Secretary of State approved of these measures in August 1921 and suggested in his reply that the High Commissioner should "make

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2. Maxwell's memorandum was sent by the Far Eastern Department to Guillemard in March 1921. See Collins' minute, 17.3.1921, C.O. 717/10. Guillemard reported to the Secretary of State in July that "I have discussed with Mr. Maxwell the policy recommended in his memorandum related to the Unfederated States..." High Com. to Sec. State, 5 July 1921, C.O. 717/15.

it clear that the Government is not opposed to the entry into the Federation of any State which might wish to enter" .[3] The actual announcement was made by the High Commissioner in the Federal Council on these lines in December 1921.[4]

The now historical conflict between these two personalities, Guillemard and Maxwell, now comes to the fore. Guillemard's declaration in the Federal Council of April 1920, stated that the Colony and the Malay States would be treated as one unit for the purposes of developing works. He had even instructed the Acting Chief Secretary to lend money to the needy unfederated states for this purpose and to attract them into joining the federation. Guillemard's initiative was nullified by Maxwell, who, supported by Sir Arthur Young, stated that the unfederated states were unwilling to join the federation, a statement which spiked Guillemard's guns and left the initiative with the unfederated states. It blocked the door of communication so effectively that the Straits Government had now no means left to find out what the unfederated states actually thought about it in the post-war years.[5]

It was not as if Maxwell had no alternative. He could have

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3. Sec. State to the High Com., Conf., 23 Aug. 1921, ibid.

4. See Chapter II, p.159.

5. It can be argued that if some of the Unfederated States were really unwilling at this time to join the federation, the assurance suggested by Maxwell gave them an additional reason to maintain that position. In 1927, after his retirement as the Chief Secretary, Maxwell submitted to the Colonial Office a new memorandum outlining what he called "a constructive policy for Malaya". In this memorandum he dismissed summarily "any idea of the feasibility or desirability of the Unfederated States entering the Federation". One reason which he suggested to explain their unwillingness was, curiously enough, this assurance. See Sir George Maxwell, The S.S. And F.M.S. Fallacy, London, 1927, p. 4. confidential.

preferred an announcement of the Government's intentions to preserve the power and rights of the unfederated states and highlight many of the advantages of integration to them. This would have given the requisitive support to Guillemard's plan. It is clear, however, that Maxwell had no such intention, and reasons why were just as clear. Guillemard's programme of integrating the Malay States might have increased his power over these states, a state of affairs which was highly unpalatable to Maxwell as the Chief Secretary and to the unofficial Malayan lobby in London. Besides this, the direction of Maxwell's ambition lay in his own future plans of the integration of the Malay States and the way it should be brought about.

As soon as it appeared to the Colonial Office that their policy in the Malay States after the World War I should aim at a "Union of Malaya", the reduction in status of the Chief Secretary to give the High Commissioner the direct control over the Residents which he already exercised over the Advisers in the unfederated states appeared desirable. This measure was essential also for the benefit of state authorities in the federation. The first steps in this direction were taken in 1920 when the Colonial Office ruled against the seniority of the Chief Secretary's office to that of the Colonial Secretary, leveled the salary of the latter with the Chief Secretary's,[6] and informed Maxwell that in future ceremonial

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6. Proposing that the monthly salary of the Colonial Secretary should be raised from $ 2200, the Principal Clerk of the Far Eastern Department pointed out that an advantage of this change would be that "it would tend to reduce the somewhat excessive prominance of the Chief Secretary, which especially in comparing his position with the Residents had much to do with tying up the F.M.S. into too tight a Knot. It will be an advantage that his position should be no higher than that of the Colonial Secretary, and that he should be deemed to hold the same relations to the High Commissioner as the Colonial Secretary does to the Governor". Emphasis added. Collins' minute, 20.11.1920.

occasions he would wear the Civil Service Uniform of Class III (instead of Class II which all Chief Secretaries as Lt. Governors had used).[7] Guillemard, at this juncture, proposed to revive the office of the Secretary for Malay Affairs at the Colonial Secretariat because he was determined to undo some of the damage caused by his predecessor in the relationship with the Malay Rulers and personally direct reestablishing amicable communication with them. He and the Far Eastern Department both realised the urgency of reorganization of the administration towards their goal - integration of the Malay States.

Maxwell, however, though expressing himself in favour of the integration, differed from Guillemard and the Far Eastern Department on the fundamental question of decentralization of the Chief Secretary's powers, stating that he did not think it either necessary or desirable as did others. Nor did he think that integration could be achieved in the near future, believing that it could only come about by pursuing a process of "extension of the Federation" in a systematic manner, brought about by extending the control of the Federal Departments over similar Departments in the unfederated states. In the lengthy memorandum addressed to the Colonial Office in 1920, he did not suggest any measures to reduce the Chief Secretary's powers. On the other hand, his recommendation that the federal control be extended over the governments of the unfederated states, could only, atleast in the immediate future, greatly increase the powers of the Chief Secretary.

6(Contd.). This was supported by Gilbert Grindle and Sir George Fiddes. The High Commissioner's approval was obtained in the last week of November 1920. See Gilbert Grindle's minute, 20.11.1920; Sir George Fiddes' minute, 22.11.1920; a minute by the Personal Secretary to Milner, 22.11.1920;and Tel. Sec. State to High Com. 22.11.1920, C.O. 717/10.

7. Grindle to Maxwell, 20.11.1920, ibid.

Maxwell's memorandum of 1920 however, was conspicuous for the absence of any mention of two important matters. He did not touch upon the role to be played by the High Commissioner in the administration of the new federation, nor did he say whether he was in favour of including the colony in the proposed federation, both interrelated matters. He only gave a glancing look at the proposed political entity, describing it in passing as loose-knit federation of all "Malay States". Maxwell's views on this matter did not change in later years.[8]

Maxwell's views on the High Commissioner's future role can be found in the question of the restoration of the title of Resident General to the chief executive officer of the federation resident in Kuala Lumpur. This was long a bone of contention and had set up an agitated flutter in the administrative dovecotes of Malaya and Singapore from 1921 to 1923. The restoration of the title of Resident General would be a step towards giving the chief federal executive officer full control over to F.M.S. administration at the expense of the High Commissioner's powers. Its supporters, fighting for two years for this change argued that this would be the first step towards decentralization of power in the F.M.S.[9]

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8. Long after his retirement, Maxwell transferred a part of his private papers to the Royal Commonwealth Society, London. In an introductory note to his memorandum of 1920 he commented that "this was the first time that anyone had ever proposed a scheme which might lead to a federation of all the Malay States in the place of four federated and five unfederated states".

   In this introductory note, however, Maxwell made some very misleading statements. Referring to his memorandum of 1920 he wrote that "when I returned to Malaya, Sir Laurence never mentioned it to me and I said nothing to him. No action was ever taken on it during the whole period of my service as Chief Secretary to Government, F.M.S. ... if anyone had paid any attention to it, the whole history of Malaya might have been very different". A note by Maxwell, 27.1.1955. Maxwell Papers. The above assertion that no action was taken by Guillemard on Maxwell's recommendations of 1920 was contrary to facts.

9. Unofficial Members of the Federal Council to the Sec. State,

The High Commissioner and the Far Eastern Department, who did not see the change in that light, argued that the revival of the title would be a departure from the policy of decentralization of power. A discussion of this episode will help us see the objective of the decentralization policy in the perspective in which it was seen by the Colonial Office and the High Commissioner.

I. The question of control over the F.M.S.

The moot question was, did the devolution of the High Commissioner's power form a part of the objective of the decentralization policy. Before going to answer that, a brief resume of the existing powers of the High Commissioner and the chief federal executive officer is given.

We have shown earlier how the Resident General, as the chief federal executive officer was known then, acquired statutory powers over a large member of administrative matters between the years 1896 and 1909, enjoying an extraordinary degree of freedom from the High Commissioner's control and taking the place of state authorities in the executive functions in the states.[10] For example, the legislation passed in each of the federated states in 1896 instituting the Judicial Commissioner's Court enacted that the Judicial Commissioner would be appointed by the Sultan with consent of the Resident. In practice, however, the Resident exercised this power with the approval of the Ruler. The Courts Enactmentor 1905, however, provided that the Judicial Commissioner would be appointed by the Resident General. The Courts Enactment was reenacted in

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9 (Contd.). 22.9.1921, C.O. 717/14; also, High Com. to Sec. State, 19.3.1923, C.O. 717/27.

10. See Chapter I, pp. 57 and 69-75.

1918 and Chief Secretary fell heir to the Resident General's power. The Resident General was placed in a key position and the state and the federal officers needed his approval for all their important administrative functions and an astonishingly large number of these, all of purely localized importance, fell under this category. Nor did the change of the title of the chief federal executive officer in 1911 from Resident General to Chief Secretary prevent him from getting fresh executive powers in the following years.

The High Commissioner was not the chief recepient of executive powers from the federal enactments over the domestic sphere of the administration of the federated states. Though he controlled the legislation and the finance of the federated states as the President of the Federal Council, he merely acted as the approving authority in these matters between 1911 and 1920. It was the Chief Secretary who exercised a great deal of these powers in normal situations. The High Commissioner was mentioned in only three federal enactments passed during the period between the constitution of the Federal Council and the enactment of the Public Emergency Enactment of 1914 which gave him some extraordinary powers.[11] At the end of the War however, the Delegation of Power Enactment gave the High Commissioner the power to delegate to the Chief Secretary or any other officer, any part of the powers he had assumed during the emergency of the World War.

The High Commissioner was given in 1912, on the instruction of the Secretary of State, the authority to seal and sign on behalf the Governments of the federated states any agreement which had been approved by the Federal Council,[12] to represent these states

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11. These were the Freight and Steamship Enactment, 1910; The Labour Code, 1912; and The Volunteer Enactment, 1913.

12. Federal Council Enactment No. 2, 1912.

in their external relations. The delegation of this power to the High Commissioner was not systematic in the following years as the Extradition Enactment of 1914 contemplated that the requisitions for the surrender of the fugitive criminals who had entered the F.M.S. should be addressed by the foreign countries to the British Resident or the Chief Secretary, F.M.S. (On Guillemard's arrival in Singapore, however, the 1914 enactment was brought in line with the 1912 enactment. In brief, the High Commissioner had the general control over the F.M.S. administration but it was the office of the Chief Secretary which concentrated the executive powers over the administration of the F.M.S. Decentralization was, in essence, a question of satisfactory redefinition of the Chief Secretary's powers and the proposal for the revival of the Resident General's office to which we shall refer now, was a move to relax the High Commissioner's control over the F.M.S.

Within a few months after Maxwell's arrival in Malaya in 1921 as the Chief Secretary, F.M.S., the Unofficial Members of the Federal Council requested the Secretary of State to change the title of his office to Resident General.[13] It is interesting to note why the Unofficial Councillors and others made this move. The Unofficial Councillors were dissatisfied with the management of the federal funds in which their say was not at all effective. From their protests in the Federal Council it appeared that often as members of the Finance Committee they were not consulted before expenditures were actually incurred and called upon occasionally to approve of expenditures to which they were opposed.[14] A more

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13. The Unofficial Members of the Federal Council to Sec. State, 22.9.1921; The petition was signed by A.N.Kenion, R.C.M. Kindersley, Robert P. Brash, Choo Kia Peng and D.H. Hamshire. Op.cit.

14. The federal administration spent in 1921 an additional sum of $ 967,767 to pay the salaries of the Asiatic members of the

serious ground for their dissatisfaction was the policy of investing the surplus federal funds outside the federation, after the abolition of the title of the Resident General in 1911.[15] Though they were opposed to such investments, they were unable to stop them as long as the High Commissioner had the ultimate say in such matters. Informing the Secretary of State of this long-standing grievance of the Unofficial Councillors, Guillemard wrote that

> ... it must be borne in mind that it was the period following the abolition of the title of the Resident General which saw the development of the policy of using the revenues of the Federation to finance extra-territorial loans and extra-territorial Railway development and it is only reasonable to assume that this fact was present in the mind of signatories to the petition, some of whom had strongly criticised that policy.[16]

Guillemard's own declaration that the F.M.S. and the Colony would be treated as one entity for purposes of development works led them to believe that the High Commissioner would in future call the tune for all-round economic development and the F.M.S. would have to pay the piper. The decisions to lend the federal fund particularly for the purposes of building docks and slipway at Prai, the causeway between Johore and Singapore, and roads in Kelantan and Trengganu, created misgivings among the Unofficial

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14 (Contd.). Police at a revised rate, with effect from 1 January, 1921. Though the additional expenditure had been approved of by the Secretary of State in December 1920, the Finance Committee was not informed until August 1921. The Unofficial Councillors protested on the ground that the salaries had been paid for eight months before they were informed of it. One member observed that "We are now asked to sanction it, and of course the only thing we can do is to do so; but in sanctioning it I must say that it reduces the position of the Finance Committee to a farce and a joke. You can never hope to get unofficials to put their backs into the work if this kind of thing goes on". In his opinion a temporary rise in allowance rather than in salary would have met the case. See A.N.Kenion,Pros.Fed. Council, 13.12.1921, p.B75. Unofficial Members charged the Financial Adviser in 1922 for not informing them in time of an item of expenditure involving $34½ millions in the Railway Department. J.H.M. Robson, Pros.Fed. Council, 19 June 1922, p. B12-3.

15. See Chapter II, p.94 for details.

16. High.Com. to Sec. State, Conf., 19.3.1923, C.O. 717/27.

Councillors.

The selection of Sir Frank Swettenham in 1920 as the President of the Association of British Malaya was a significant event. To the head of an influential association, came a person with a cause to promote. The architect of the F.M.S., Swettenham saw these states as an unalterable political entity, separate completely from the Crown Colony and governed by a powerful Resident General only nominally responsible to the High Commissioner. Swettenham found it difficult to reconcile himself to the abolition of the Resident General carried out by Sir John Anderson. On Guillemard's appointment as the High Commissioner, Swettenham came to believe that as the new High Commissioner had no previous knowledge of the Malay States or the Malay language, the Resident General's post should be revived. While recommending Maxwell for the post of the Chief Secretary in 1920 he had suggested that this office should be "better described as that of Resident General" and Maxwell possessed all the qualifications needed for that office.[17] Maxwell was certain that Swettenham would support any proposal for reviving the office of Resident General and he continued to correspond with Swettenham on this subject after his appointment.[18]

Thus, there were two groups among the British administrators and business lobbies, promoting two distinct concepts of unity affecting the Malay peninsula. The High Commissioner and the Far

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17. Swettenham wrote that "I know nothing about Mr. James. So I can not judge of his fitness for the post which is now called Chief Secretary F.M.S.,but if, as I believe, it means the office better described as that of Resident General it is one which needs special qualifications all of which you possess and the other man must back because he has not had the same opportunities". Swettenham to Maxwell, private, 9 Nov. 1920, C.O. 717/10.

18. Guillemard to Masterton Smith, 21.12.1921; Secret and personal, C.O. 717/14.

Eastern Department stood for an integrated country, Malaya, closely linked with the Colony, with the High Commissioner as the head of its administration. Maxwell, the A.B.M. headed by Swettenham, and the Unofficial Councillors maintained that it was necessary to give the Chief Secretary full control as the Resident General, as a first step to an enlarged federation of all Malay States over which he would preside, virtually independent of the control of the Governor of the Colony. Guillemard's private letter to the Permanent Under Secretary to the Colonial Office, reflected this division of views. He wrote that,

> Maxwell, I understand was appointed mainly on Swettenham's advice. Swettenham represents the fine flower of the old capable junglemen, who started the Federated Malay States. Anderson represented the modern school, working the Federated Malay States as independent of the Colony but on similar lines. The Enactment No.1 of 1911 marked the change. Swettenham protested in vain. The new regime has worked well for 11 years. Maxwell is, half modern, but the other half is Swettenham. He came out here, I feel sure, determined to get back as near as he could to the pre-Anderson regime, and be the real ruler of the Federated Malay States, with me as a practical nonentity.[19]

The Unofficial Councillors and Maxwell were bitterly opposed to measures which might link up the administration and finance of the F.M.S. and the Colony, and give the High Commissioner direct control over these protected states in these matters. The F.M.S., they feared, sooner or later, would form a part of the Colony if a difference was not maintained in these matters. Guillemard's policy, on the other hand, was to deal with the administrative and financial problems of the Colony and the F.M.S.

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19. Guillemard to Masterton Smith, 21.12.1921; ibid. Sir James Edward Masterton Smith, K.C.B. (1919), C.B. (1915) B 1878; Oxford; Home Civil Service, 1901; Private Secretary to Second Sea Lord, 1902-8; Private Secretary to successive First Sea Lords to the Admiralty, 1910-17; Asst. Secretary, Ministry of Munitions, 1917-19; Asst. Secretary, War Office, and Air Ministry, 1919-20; Joint Secretary, Ministry of Labour, 1920; Permanent Under Secretary for Colonies, August 1921; Member of the Official side of the National Whitley Council.

jointly as far as possible. When the Survey, Fisheries, and Sanitary and Medical Departments of the Colony and the F.M.S. were merged and placed under three Heads of Departments resident in Singapore in 1921, the Unofficial Councillors grew suspicious. The circumstances connected with raising of two loans by the Colony for the F.M.S. between 1920 and 1921 led the Unofficial Councillors to act.

The Colony raised a loan of S$ 20 million for the federation in 1920. When the F.M.S. desired to raise another a loan of £10 million in London in 1921 to meet the charges on the capital account over the following five years in the Public Works, Railways, Medical and Education Departments, the Colonial Office found that loans to protected states could not be made Trustee Security as desired by Guillemard,[20] without changing Colonial Stocks Acts.[21] Guillemard requested the Secretary of State to change the law, citing the loans, advances and contributions which the F.M.S. had made since 1909 "to the very great political advantage of the British Empire".[22] But the law could not be changed within the time available, - as one official commented : "I can recollect, it was easier to annex Kenya [than] to pass this camel through the neddle's eye"[23] and the colony floated the loan in London, and lent the money to the F.M.S.

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20. High Com. to Sec. State, Conf., 3.6.1921. C.O. 717/13.

21. This referred to the Colonial Stock Acts of the British Parliament. This difficulty appeared again and again in the minutes of the officials of the Far Eastern Department between June and August 1921. See the memo by Collins, 25.6.1921, C.O. 717/13; and the minute by H. Beckett, 6.8.1921, ibid.

22. High Com. to Sec. State, 3 June 1921, Conf., ibid.

23. Ibid.

Although it cannot be denied that the sterling and the dollar loans subjected the finance of the Federated States to a greater degree of control and supervision than before,[24] there is no evidence to support the fear on the ground that either the High Commissioner or the Colonial Office was thinking in terms of annexing the protected states,[25] but this was what the Unofficial Councillors suspected. They had been persuaded in 1920 to lend money to the Governments of Kelantan and Trengganu to bring them into the federation. Was not the High Commissioner setting for the F.M.S. the same trap? They decided to jump over the trap in time and the revival of the Resident General's office would offer them an opportunity to avoid the union. Maxwell reported to the High Commissioner that

> There is a strong feeling in the Federated Malay States that 'fusion' will, sooner or later, result from the Colony having accepted the position of the F.M.S. Government's creditor. If the title of Resident General is restored the fear of 'fusion' will disappear.[26]

Although finance was their chief grievance, the Unofficial Councillors demanded separation of the F.M.S. administration from the High Commissioner's control as the remedy. Referring to the change of the Resident General's title in 1911 they wrote to the Secretary of State that

> It has certainly led to over-centralization and possibly to procrastination and inefficiency. Under our Federal system there must be the deciding voice of [the] man on the spot, for it is to this man on the spot that the Residents and the Heads of Federal Departments look for their instructi-

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24. Collins' memorandum, 25 June,1921; a minute by Sir George Fiddes, 30.6.1921; Beckett's minute, 6.8.1921, ibid.

25. Guillemard depricated this fear of a forceful annexation of the F.M.S. by the Colony. "The F.M.S.", he commented, "are always inclined to be suspicious that the Colony has sinister schemes of encroaching on their independence and gradually swallowing them. This is a bogey. Fusion may come one day, but if it comes it will be a marriage between willing parties ...." Guillemard to Masterton Smith, private, 21.12.1921, op.cit.

26. Chief Secretary's memorandum addressed to High Com.,19.12.1921, C.O. 717/14.

> ons. No good purpose is served by weakening the authority of the local 'agent and representative of the British Government'.[27] The power and prestige of His Excellency the High Commissioner would not be impaired by allowing the local 'agent and representative' to have a decisive voice in regard to all matters of administration.[28]

When Maxwell's views were sought by the High Commissioner on the proposal he argued for a return to the administrative arrangements set up by the Federation Agreement of 1896.[29] He argued, quite mistakenly, that the agreement had created a new government headed by the Resident General and that the Rulers of the federated states who had been the heads of the Government of their respective states before the Federation Agreement, did not remain so after that agreement. He challenged the validity of the change of the Resident General's title in 1911 by Anderson and observed that the power of the High Commissioner was not in tune with the Federation Treaty. He wrote that,

> Your Excellency's powers, as a matter of fact, far exceed the powers conferred by the Queen's Commission ... it is by reason of those powers, conferred locally, that Your Excellency's power in the Federated Malay States so much exceeds your power in an Unfederated State.[30]

These powers of the High Commissioner, Maxwell further maintained, were the chief obstacles to extending the federation and that these obstacles would be removed by the revival of the title of Resident General. He suggested that the High Commissioner's powers should be "set forth in some formal documents, or even some enactment, at the same time that the title of the

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27. The Federation Agreement of 1896 described the Resident General in these terms.

28. Unofficial Councillors to the Sec. State, 22.9.1921, op.cit.

29. Chief Sec. to High Com., 5.12.1921, C.O. 717/14.

30. Maxwell's memorandum addressed to the High Commissioner, 19.12.1921, ibid.

Resident General is restored".[31]

The question of the revival of the title of Resident General was being confidentially discussed by the Far Eastern Department in January 1922 when the Association of British Malaya launched an attack on the Guillemard administration for deviating from methods of indirect rule. The Association avoided any mention of the issue which was agitating the Unofficial Councillors and Maxwell and accused Guillemard of giving up "the old idea of helping the Rulers of the F.M.S. in favour of methods of more direct rule".[32]

The objective of decentralization as delineated by the Colonial Office, was to devolve the power of the Federal Officers, and the Chief Secretary in particular, upon the state authorities. Those who proposed the revival of the Resident General's office wanted that the full control over the administration of the F.M.S. should be restored to the chief federal executive officer as the Resident General before decentralizing a part of its power. As a prominent Unofficial Councillor, J.H.M. Robson, observed in the Federal Council :

> We all here would like to have the Chief Secretary described as the Resident General.... We do not mind what power the High Commissioner has as long as the local man on the spot is running the administrative machine.... If you decentralize, I think you follow as a matter of course that the Chief Secretary gets back to more or less the position of Resident General.[33]

It is necessary to pursue this episode of the demand for the revival of the Resident General's office as it was tied up with decentralization in the F.M.S. Since the reduction of the

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31. Ibid.
32. Copy of a memorandum from the Association of the British Malaya to the Sec. State, 28.1.1922, Phg. 10/1923.
33. Pros. Fed. Council, 20 June, 1922. p. B45.

Chief Secretary's power was central to its official objective, the outcome of the agitation for the Resident General's office was to determine the scope of the measures which would be devised to carry out the policy of decentralization. Until the agitation came to an end, it was unlikely that the decentralization proposals would affect the Chief Secretary's office. These proposals were likely to affect merely the periphery of the federal administration. The measures for devolving some powers upon the state authorities, as proposed by Maxwell in September 1922, illustrated this point.

It was clear in 1922 that some proposals to strengthen the state authorities were overdue. Guillemard, in response to the criticism of the A.B.M. pledged in April 1922 to initiate measures for "maintaining the authority and influence of the Rulers of the Malay States".[34] In June that year, an Unofficial Councillor had attacked the over-centralization of power in the Federal Secretariat in the Federal Council and had given his own suggestions for strengthening the state authorities.[35] It was in these circumstances that Maxwell turned his attention to the question of strengthening the state authorities, eighteen months after his arrival in Malaya as the Chief Secretary.

His proposals, laid down in a memorandum on 22 September 1922, aimed at giving the State Councils some administrative and financial powers, but none of them would affect the Chief Secretary's existing powers.[36] The councils were to approve of all

34. High Com. to Sec. State, 21.4.1922, Phg. Conf., 10/1923. Later, High Commissioner's reply to the Association was published in the F.M.S. Gazette.

35. Pros. Fed. Council, 20 June, 1922, p. B45.

36. Maxwell's memorandum, 30.1.1923, C.O. 717/27.

applications for "agricultural and mining concessions", matches, China-Clay, wood-distillation and so forth. The estimates of expenditure on Sultans, Major Chiefs, Native Officers, Residents, District Officers, Sanitary Boards and Mosquito Destruction Boards would also be submitted to the State Councils for their approval.[37] The councils would also have the power to vote money for mosques, Wakafs and Penghulus, "within certain limits". Residents would be permitted to submit their state P.W.D. budgets to the Councils. These were essentially state matters and Maxwell went a step further to suggest that he would "welcome any scheme under which the budget of a Federal Department had to be submitted to the State Council before its introduction into the Federal Budget". These proposals were sent to the State Secretariats in the federation in the same month (September 1922) for the news of Residents, but nothing was known about their views until June 1923. Meanwhile, the agitation for the revival of the Resident General's office assumed a political complexion and kept the High Commissioner, Residents, Rulers and Unofficial Councillors occupied.

The first petition of the Unofficial Councillors was rejected by the Secretary of State Winston S. Churchill, in February 1922, on the advice of the Far Eastern Department which stood firm on maintaining the unity of control over the Colony and the F.M.S. in the hands of the High Commissioner.[38] A fresh attempt was made between May and September of the same year to reopen the question, but without any success. During Guillemard's leave of

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37. The Chief Secretary would in advance inform the states the sum which would be made available to them in the annual lump sum federal grants. The State Councils would disburse these grants among the heads of expenditure in the state estimates. Maxwell did not suggest the division of revenues between the States and the Federal administration.

38. A minute by Collins, 12.1.1922, C.O. 717/14.

absence from Malaya, the support of the Rulers and Residents had been enlisted to the proposal. The Sultan of Perak suggested a meeting of Rulers with the High Commissioner to discuss the question soon after the latter had returned to Malaya in October. In the meeting which took place at Kuala Lumpur on 23 November (1922), the Sultan stated his preference for the Resident General to Chief Secretary as the title of the chief executive officer in the federation.[39] The Sultan of Selangor supported this view, and the Ruler of Negri Sembilan wrote to his Resident that "the title should be restored".[40] Guillemard's separate meetings with the Residents and Unofficial Councillors reflected an overwhelming support for the revival of the old office.[41] Supported by Rulers and Residents, the Unofficial Councillors reopened the question in December 1922 and observed in their petition to the High Commissioner that

> We now venture to ask your Excellency to consider the subject from other points of view, viz., that such ... opinion on the subject which has found expression in the F.M.S. has been unanimous in favour of the suggested change; that the mere change of name is regarded as a matter of the greatest importance, constitutionally in regard to the Federation, and politically in regard to Malaya; and that no opinion to the contrary has found expression in the F.M.S. ....[42]

The support of the Rulers and Residents turned the question of the revival of the Resident General's office to one great political significance. Its implication was very serious, though Guillemard had no doubt who had stirred up this agitation. In a

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39. No minutes of the proceedings of these meetings are available. The High Commissioner discreetly reported views of the Rulers in a despatch to the Colonial Office, cited below. Some details appear in Maxwell's printed confidential memorandum to the Secretary of State on the Constitution of the F.M.S., 22.11.1925, pp. 36-7, C.O. 717/27.

40. Ibid.

41. Ibid.

42. J.H. Robson to the High Com., 12.12.1922, in High Com. to Sec. State, 19.3.1923, C.O. 717/27.

private letter to the Under Secretary of State he wrote that "the whole agitation has been worked by the Chief Secretary".[43] He had been apprehensive that Maxwell could exploit his contacts with the Rulers for political purpose and had written to the Under Secretary of State in 1921 that "though the Rulers trusted me, but if Maxwell wanted to make mischief, he could play the deuce with them".[44] Guillemard's reaction to the formidable situation in 1922 was two fold. He speeded up steps towards decentralization, and temporized to gain time on the question of the title of Resident General.

On 22 November (1922) Guillemard declared in the Federal Council his intentions to revise the General Orders of the F.M.S. with the end in view of increasing the power of the Residents, and to give the State Councils the power to consider State Estimates.[45] Next day, he informed the Rulers his decision to appoint a Committee to revise the General Orders and asked the Residents to discuss Maxwell's proposals of September on the extention of the State Council's power and recommend some concrete measures which could be put into practice without delay.

At the same time, Guillemard opened negotiations with the Sultan of Perak and the Ruler of the Negri Sembilan[46] to extricate the question of decentralization in the F.M.S. from the issue over the Resident General's title. Guillemard succeeded in modifying

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43. Guillemard to Masterton Smith, private and secret, 19.3.1923, in High Com. to Sec. State, 19.3.1923, C.O. 717/27.

44. Guillemard to Masterton Smith, private, 21.12.1921, C.O.717/14.

45. Pros. Fed. Council, 21 November 1922, p. B68.

46. High Commissioner's secret memorandum to the Sec. State, 19.3.1923, in High Com. to Sec. State, Conf. 19.3.1923, C.O. 717/27.

the views of the two Rulers in four months at the end of which he reported the matter to the Colonial Office and assured them that "none of the four Rulers would question any decision of mine on this matter which had obtained the Secretary of State's approval".[47] In a private letter to Masterton Smith he requested a firm rejection of the proposal by the Secretary of State for the present.[48]

The officials of the Colonial Office were in complete agreement among them on the issue raised by the proposal for the change of title, and the Secretary of State's reply. They viewed the proposal as essentially a move to form a separate administration for the F.M.S. headed by the Resident General and reaffirmed their intention to maintain the unity of control through the reorganization of the administration in the F.M.S. The basic principles which guided them were recorded in a minute by Sir Gilbert Grindle. He wrote that

> The real objective of the agitation for an apparently insignificant change of name is to make the Chief Secretary to the F.M.S. practically independent of the Governor and High Commissioner and thus constitute the F.M.S. a separate administration. But it seems clear that on the big issues Malaya is one country and ought to be developed under one general control.[49]

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47. Ibid. When compared with Maxwell's account of the views expressed by the Rulers, Guillemard's memorandum appears to have omitted two points. These were that the Sultan of Perak took the initiative in suggesting a meeting between the Rulers and the High Commissioner apparently to express their support for the change of title of the Chief Secretary, and that the Sultan of Pahang supported the views expressed by the Sultan of Perak in the meeting and he did not refrain from expressing his views as Guillemard reported.

48. Guillemard to Masterton Smith, private and secret, ibid.

49. A minute by Grindle, 7.5.1923, C.O. 717/27. Masterton Smith agreed with Grindle and added that "It would in my judgement be a retrograde step to encourage any proposal that in substance - if not in forms - has for its ultimate aim the separation of the Colony from the F.M.S...." The Parliamentary Under Secretary, Ormsby-Gore, and the Secretary of State agreed with these views. Minutes by Masterton Smith, 12.5.1923; Ormsby-Gore, 14.5.1923; and the Duke of Devonshire, 14.5.1923.

They felt so strongly on these points that they agreed that the Secretary of State's reply should be sent away before Maxwell's arrival in London in June 1923.[50] The Secretary of State, in his reply rejected the proposal for change and stressed that "the change would only serve to reintroduce the misapprehension as to a division of authority which led to the old title of the Resident General being abolished".[51]

As instructed by the High Commissioner, the Residents met at the Selangor Residency on 22 January 1923 to consider Maxwell's proposals for giving the State Councils the authority to approve of the applications for agricultural and mining concessions, and vote money for certain items of state expenditure. Residents were the lawful authority to grant concessions in the F.M.S. and they used to decide cases with the prior approval of the Chief Secretary. Maxwell's proposal required of the Residents to obtain the Chief Secretary's consent "before putting certain definite proposalts before the State Councils" whose decisions would be final, "subject to appeal to the Secretary of State".[52] The Residents recommended that all applications for concessions should continue to go first to the Chief Secretary before they were submitted to the State Councils which would have the authority effect "slight modifications".[53] The states estimates were prepared by the Residents from an annual grant made by the Chief Secretary. Though

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50. Smith minuted that "I have conceived whether we should not defer our reply until Mr. Maxwell arrives here in the middle of June on leave. But after consulting Sir Gilbert Grindle I agree with him the proposal had better be 'Scotched' atonce and that delay could only aggravate the mischief". Smith's minute, 12.5.1923, op.cit.

51. Sec. State to High Com., 17.5.1923, ibid.

52. Maxwell's memorandum, 30.1.1923, op.cit.

53. Notes on a conference of Residents on 22 January 1923, in High Com. to Sec. State, 30.1.1923, C.O. 717/27.

the same procedures were to continue, the Residents recommended that the State Councils could make limited adjustments without exceeding the annual grant allotted by the Chief Secretary. These would apply also in case of the proposal for giving the State Council the authority to vote money for mosque and wakafs. The Residents suggested that the Forest reserves questions should be left to be decided by the State Councils. The Residents further recommended that estimates of Federal Departments should not be immediately brought before the State Councils.

The stated objective of Maxwell's proposals was to make the State Councils the approving authority but the restrictions which he laid down, were evidently inconsistent with that objective. These restrictions left the Chief Secretary's control unaffected, but his proposals exposed the Resident's budgetary proposals to the risk of being vetoed in the State Council which might be one reason for their lack of enthusiasm for giving unfettered power to the State Councils. Maxwell's proposals had an edge against the High Commissioner; and as the revival of the Resident General's office could not be ruled out, the Residents could hardly be expected to recommend any reduction of the Chief Secretary's power.

The High Commissioner and the Colonial Office moved fast on decentralization. In January 1923 Guillemard announced in the Federal Council that some services would be submitted to the State Councils in 1924,[54] requested the Rulers to consider the desirability of strengthening the State Councils by appointing additional members and reported to the Secretary of State the proposals of Maxwell and the Residents.[55] The Far Eastern Department advised

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54. Pros. Fed. Council, 23.1.1923, p. B32.

55. High Com. to Sec. State, 30.1.1923, C.O. 717/27.

the Secretary of State they had "approved of general policy of decentralization".[56] The Secretary of State, in his reply, approved of the proposals for strengthening the State Councils and added that he would like to be kept informed of all measures taken in future "in the direction of decentralization and of the working of changes made".[57]

In the week following the Residents' Conference, Maxwell instructed the Under Secretary to take steps to carry out its recommendations on "matters other than estimates" and sought the views of the Finance Committee and the Financial Adviser on the question of extension of the budgetary power of the State Council.[58] On 12 February the Conservator of Forest was asked to suggest "in what respects the Forest Enactment requires amendment to comply with the suggestion of the Residents".[59] The Conservator, in his reply, observed that some of the executive powers of the Chief Secretary could be surrendered to the State Councils and the Legal Adviser was asked to draft an amendment to the enactment of the Forest Reserves.[60] The implimentation of his proposals did not call for any amendment to the existing Land and Mining enactments.

At the beginning of 1923 two Departments were keen to divide their staff for different reasons so that those recognized as purely state officers would appear on the state estimates. The Field Service of the Agricultural Department employed about six

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56. A minute by H. Beckett, 10.3.1923, ibid.

57. Sec. State to High Com., 10.3.1923, ibid.

58. Maxwell's minute, 30.1.1923, Sel. Sec. 732/23.

59. Under Secretary F.M.S. to Conservator of Forests, 12.2.1923, ibid.

60. Conservator of Forests to Under Sec., 15.2.1923; Maxwell's minutes, 20.2.23 and 28.2.23; and Legal Adviser's minute, 22.2.1923, ibid.

Malays in each state as Assistant Agricultural Inspectors, Paddy Inspector and Coconut Inspectors whose services were confined to one state. The Secretary for Agriculture, in his letter to the Residents proposed on 16 January (1923) that all staff of the Department below the Chief Agricultural Officer, should be brought under the administrative control of the state authorities.[61]

The Retrenchment Commission reported the instances of incompetent financial management by the Public Works Department, expressed their doubts in the ability of the Department to economise and recommended that the federal administration should let the state authorities control their P.W.D. expenditure. Maxwell asked the Residents in September to work out a proposal with this end in view.[62] The Public Works Department, in their attempt to wash their hands of some incomplete works in Kuala Lumpur which had to be abandoned on account of the financial stringencies, handed them over to the Selangor Government.[63] This measure made it inevitable for the federal P.W.D. to place some of its engineers under the control of the State Government.

II. Some problems of devolution upon the State Council

Between September 1922 and March 1923 some items of expenditure were brought on to the State Estimates. The transfer of votes from the Federal to the State Estimates was one matter, relaxation of the Chief Secretary's control over the latter was a

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61. Acting Secretary for Agriculture, S.S. and F.M.S. to the Secretary to the Resident, Negri Sembilan, 16.1.1923. N.S. Sec. 231/23.

62. We have mentioned these instances of financial mismanagement by the P.W.D. in connection with the findings of the Commission in a preceding chapter.

63. A minute by the Resident of Selangor, 11.2.1923, Sel. Sec. 771/23.

quite different one. It was evident that the State Councils should be given some financial powers, otherwise the transfer of votes from the federal to the State Estimates would merely mean transfer of votes from one book to another. There were some difficulties in moving in this direction, and we shall mention some of them here.

The Thirty-Fourth Interim Report of the Retrenchment Commission pointed out in October 1922 that there was room for economy in the money already voted on road maintenance in the State Estimates for 1923. In their opinion "only 90 p.c. of the approved total for next year [should] be spent in Selangor and 95 p.c. in the other three states".[64] Maxwell supported this recommendation and asked the Residents to consult the State Council in case Residents disagreed with the Commission's recommendation.[65] In reply, the Resident of Selangor raised the big question of giving the Ruler-in-Council the authority to decide the P.W.D. vote. He wrote to the Chief Secretary that

> If the matter can be <u>decided</u> by the Ruler-in-Council I shall be glad to follow the course indicated ... but I am entirely adverse to referring the matter to the Ruler-in-Council for his 'views'. Such a course would, in my opinion, be deplorable.[66]

The Resident's reply implied devolution of the financial authority of the Chief Secretary in the state Public Works Department to the Ruler-in-Council. This was not what Maxwell had bargained for. He informed the Resident after weeks' silence that "it will not be

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64. The Thirty-Fourth Interim Report of the Retrenchment Commission, 26.10.1922, Sel. 496/23.

65. This virtually meant the withdrawal of a part of the sum already voted to the state estimates on road maintenance for the year 1923. Maxwell's memorandum, 21.1.1923, emphasis added; a minute by the High Com., 4.1.1923, <u>ibid</u>.

66. A minute by the Resident, Selangor, 1.2.1923; emphasis in original. See also State Engineer to British Resident, Selangor, 28.1.1923, <u>ibid</u>.

necessary for you to effect any reduction upon the votes for the current year".[67] Maxwell's reply left no doubt about his unwillingness to reduce the financial power of his office to give effect to the policy of decentralization. A disappointed Resident commented: "So much for decentralization".[68] In another minute he added that, "If this is a sample of decentralization (about which we hear so much now-a-days) the less we say about it the better"![69]

Soon after this, the Selangor Government learnt that the Secretary of State had approved of the proposals for giving the State Councils the powers proposed by Maxwell. The Selangor Government seriously considered if the State Council should be informed of the Secretary of State's decision. Maxwell's unwillingness to reduce any power of the Chief Secretary's office created grave doubts about the feasibility of the extension of the power of not only the State Council but also of the Ruler. In July, the Resident and the Sultan agreed that a declaration of the policy of extension of State Council's power should be postponed.[70]

No other significant measure was taken by Maxwell before going on leave in May 1923. During his period of absence, the Resident of Negri Sembilan, E.S. Hose, acted as the Chief Secretary.[71]

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67. Chief Secretary to Resident, Selangor, 12.3.1923. See also Maxwell to Stonor, 12.3.1923; Secretary to the Resident, Selangor to Under Secretary,F.M.S., 5.2.1923; Secretary to the Resident, Selangor to Under Secretary, F.M.S., 27.2.1923; and 12.3.1923; a minute by the Resident, 12.3.1923, ibid.

68. Resident's minute, 12.3.1923, ibid.

69. Resident's brief comment on 12.3.1923 on Maxwell to Stonor,ibid.

70. Resident's minute, 9.7.1923, Sel. 732/23.

71. Edward Shaw Hose, C.M.G. 1924; B. 1871; Junior Officer, Perak 1891; Actg. Financial Assistant , Kuala Kangsar, 1893; Actg. District Magistrate, Batang Padang, 1899; Assistant Secretary to Government, Perak, 1898; Actg. D.O. Larut and Krian, 1903; Officer Class III, S.S., 1904; Actg. Commissioner Trade and Customs, F.M.S., 1912; Actg. Controller of Labour, 1913; Actg. Director of Agriculture, 1915; Director, Food Production,F.M.S.,

Hose who held moderate views had not distinguished himself in the civil service and his appointment as the Chairman of the Decentralization Committee was only because he was a friend and confidante of Maxwell. This committee, aiming at giving the Residents a larger measure of power after reviewing the functions of the Heads of Federal Departments, was sitting when Hose took over. Hose was to face a number of important and critical discussions during the months in office, one of which was the delegation of financial power to the State Councils and the other the devolution of the statutory powers of the Chief Secretary

Soon after taking over, Hose started a fresh round of consultations on Maxwell's proposals for giving the State Councils the power to vote money and apportion a lump-sum annual federal grant to meet political pensions and some other state expenditure. The official whose views were sought first was the Financial Adviser, a critic of the financial administration of the F.M.S. Having consulted the Financial Adviser, Hose minuted that

> I think we shall have to content ourselves for the present with consulting the State Councils with reference to proposed expenditure for the purposes indicated in Mr. Maxwell's memorandum.
>
> As to the larger question of dealing with State Estimates, there again we must await the reorganization of the financial machinery before attempting any material change.[72]

Hose recorded a suggestion which had been made by the Ruler of the Negri Sembilan who had wished that the "State Estimates should be

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71 (Contd.). 1919; Actg. Resident, Selangor, 1920; Resident, Negri Sembilan, 1921; Actg. Chief Secretary,F.M.S. 1923; Colonial Secretary, S.S. 1925, Officer administering the Government,S.S., 1925.

72. A minute by the Actg. Chief Secretary, Hose, 27.6.1923, ibid. See also Actg. Chief Secretary to the Financial Adviser,N.S. 1398/23. The memorandum in which the Financial Adviser gave his views is not available.

laid before the State Councils for approval, not necessarily to be considered in details, but in order to afford an opportunity of discussing any new or important proposals". Hose thought that "a beginning might very well be made on those lines".[73]

When Residents were consulted on this question in July (1923), the Resident of Selangor observed that it would be very difficult to devise any satisfactory method by which the State Council could be given the financial powers. He merely stated by way of reason that "the ground was all gone over by our earlier predecessors, and the matter considered from every aspect, before the present system was evolved".[74] The Acting Resident of the Negri Sembilan observed that "as the State Councils have no powers of decision on supply they cannot 'approve' it". To ask the State Councils to discuss the State Estimates without giving them the power to approve of them might become, in his opinion, "a source of difficulties and trouble".[75]

The Residents had agreed in January 1923 to give the State Councils the authority to make limited adjustments in the votes without exceeding the annual federal grant, but by July they were totally oppose to giving the State Councils any say in the State Estimates. It is not difficult to pin point atleast one reason motivating this change of attitude because the Residents had encountered a new consideration which threw a different light on the question and changed the perspective. The magnitude of the difficulty which would follow a granting of financial powers to the State Council of Negri Sembilan was adoirtly pointed out by the

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73. Acting Chief Secretary's minute, 27.6.1923, op.cit.
74. Copy of minute by the Resident, Selangor, 9.7.1923,N.S.1398/23.
75. A minute by the acting Resident, Negri Sembilan, addressed to the Chief Secretary, 6.7.1923, ibid.

Secretary to the Resident of Negri Sembilan, C.A. Vlieland.[76] He raised the issue in a discussion with R. Scott, the Acting Resident to the state.[77] He pointed out that if the councils were given the power to vote money for mosques and Wakfs, a situation would soon develop when the State Councils would "call the tune and the Federal Council would have to pay the piper".[78] In the memorandum drawn up by the Resident after his meeting with Vlieland, he stated that

> ... I consider from all I have heard that the powers to vote money for political pension, conpassionate allowances and special allowances would probably lead in Negri Sembilan to considerable heart burning and trouble. Negri Sembilan is not one state but for all practical purposes one, and there are a very large number of state officials in each state....[79]

It was naturally feared that if the State Councils were given the power to decide political pensions and other allowances at a time of financial depression, they would be unable to resist the new claims for these payments or the demand for the rise of the existing ones. Although the conditions in the Negri Sembilan were special, such conditions existed, though in less acute form, in the

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76. Charles Archibald Vlieland; B. 1890; Oxford; F.M.S. Cadet 1914; Asst.Sec. to Resident, Selangor, 1917; Third Asst. Secretary, F.M.S.,1919; Secretary to the Resident, Negri Sembilan, 1922; Private Secretary Officer Administering Government, S.S., June 1925; First Asst. Secretary, Singapore, 1925; Officer Class III 1926; Acting D.O. Batang Padang, 1927. Best known as the author of the Report on the 1931 Census of Malaya.

77. A minute by the Resident, Negri Sembilan, 10.5.1923, N.S.1398/23;Ralph Scott, B. 1874; London; Cadet, S.S. 1895; Acting Controller, Land Revenue, Singapore, 1897; A.D.O. Malacca, 1897, A.D.O. Dindings, 1903; Acting Second Magistrate, Singapore, 1906; Collector of Land Revenue, Penang, 1907; Acting Senior D.O., Wellesley, 1911; Sensor, Penang, 1916; Acting Resident and President Municipal Board, Malacca, 1920; District Judge and First Magistrate, Penang, 1921; Acting Resident, Negri Sembilan, 1923.

78. Vlieland's minute, 10.5.1923, N.S., ibid.

79. Resident, Negri Sembilan to the Chief Secretary, 12.5.1923, ibid.

three other states as well.[80]

Vlieland was opposed to any change in the existing practice whereby the State Estimates were decided by the Federal Council and then sent to the State Councils. He opposed Hose's suggestion that the councils could be given opportunities for discussing new and important proposals. He minuted to the Resident that

> To submit the Estimates to the State Councils for consideration and discussion (for 'approval' in the strict sense is not possible) would, it seems to me, only tentalise its members as they have no power of decision on supply. It follows, I think, that there would be a grave danger of only provoking dissatisfaction.[81]

Vlieland's views shaped those of the Resident as expressed in July.

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80. The Ruler and Chiefs of Negri Sembilan were indebted to private money lenders but it is difficult to gather information on their loans. Often the federal administration lent them money to enable them to pay off some of their private creditors and thus save them from being prosecuted in courts. This was because only Perak and Pahang had Orders-in-Council which placed the Rulers and members of their families above the civil proceedings, but there was no such Orders-in-Council in Negri Sembilan and Selangor. The debt of the Ruler of Negri Sembilan to the federal administration amounted to S$ 54,000 in 1919 and S$ 21,000 in 1924 and that of Dato Klana Petra amounted to S$ 30,000 in 1923. Seven other Chiefs of the state were also indebted to the federal administration. The general price rise during and after the war affected all Rulers and their political pensions were revised upward in 1919 and 1924. In 1924 the pension of the Sultan of Perak was raised from S$ 8,400 to S$ 10,000 p.m., that of the Sultan of Selangor from S$ 6,333 to S$ 8,000, that of the Ruler of Negri Sembilan from S$ 3,375 to S$ 5,000 p.m., and that of the Sultan of Pahang from S$ 5,150 to S$ 6,500 p.m. In the same year (1924) the Sultan of Perak made a number of suggestions to the Colonial Office for the improvement in the financial positions of the Malay Rulers and Chiefs. These included private means for Rulers administered by the government, entertainment allowances for Rulers and Chiefs, pensions for children of Rulers, pensions for wives of Rulers and Chiefs, reopening of gambling farms and re-introduction of opium monopolies for the Sultan, and increased pensions for Chiefs. Increased emoluments of the Sultan and certain Chiefs, Phg.2036/1919; Pros. Fed. Council, 6 March 1924; Sultan Iskander's memorandum to the Colonial Office, August 1924, C.O. 717/36; Loans to the Yam Tuan, N.S. Conf. 57/1920; and a statement of debts of the Chiefs and the Rulers of Negri Sembilan, N.S. 1419/1924.

81. A minute by Vlieland, 5.7.1923, N.S. 1398/23.

III. Devolution of Power upon the Resident

The central matter of the decentralization policy was the devolution of some statutory powers of the Chief Secretary upon the Residents. January 1923 saw a proposal on this line made with regard to the Forests Reserves Enactment in the Residents' Conference. The question could be dealt with in two possible ways. The Chief Secretary could, by a single federal enactment, himself assume legal authority to dispense with his powers. The Delegation of Powers Enactment, 1919, which gave the High Commissioner similar authority, was a legislation of this kind. This course was the most expedient one from the point of view of the Chief Secretary as it would place him in the position to decide which part of his powers he would choose to dispense with, but a limited result could be expected from this course. The other course involved the re-enactment of each of the state and federal enactments which gave the Chief Secretary, in the place of the Resident, powers in matters affecting a state in particular, and in each case power would be transferred to the latter. This course would call for re-enactment of a large number of federal and state laws.

Maxwell proposed, taking the easiest course open to him, an enactment in line with the Dispensing of Powers Enactment of 1919 in April 1923. When the views of the Residents were invited in May (1923), they criticised the objective of the measure as being a limited one. One Resident supported it only "as an interim measure", and observed that it was "a somewhat clumsy expedient".[83] The Legal Adviser, when asked to draft the bill, observed that

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82. Maxwell's memorandum on the Constitution of the F.M.S., 22.11.1925, p. 20, C.O. 717/45.

83. Copy of a minute by the Resident, Perak, 18.5.1923, N.S. 1357/23; see also a minute by the Secretary to the Resident, Negri Sembilan, 4.5.1923, ibid.

> ...the question of delegation to the Residents of powers conferred by law on the Chief Secretary, ... has deviated into the different, though closely allied question, of eliminating the approval of the C.S. G. (Chief Secretary to Government) in cases where the power is conferred on the Resident but can only be exercised with that approval.[84]

The Decentralization Committee which had been formed with Hose as its Chairman, to reduce the powers of the Heads of the Federal Departments with the end in view of giving the Residents some administrative powers, reported in August 1923.[85] The Committee described some Federal Department like the Railways, Post and Telegraph, and Customs as unsuitable to be controlled by states. The recommendations of the committee therefore, were not to affect these departments.

The committee however, made their recommendations with regard to the departments in which the state authorities had to take their instructions from the Federal Administration on a wide variety of administrative questions. They found that the state authorities received their instructions from the Chief Secretary in non-technical and local matters, and from the Heads of Federal Departments, in the technical departments. The Committee recommended that the Chief Secretary would continue to give executive instructions on matters concerning more than one state, but in respect to the matters in which the Head of a Federal Department had an advisory role, his (the Chief Secretary's) instructions would be conveyed straight to the Resident and not through the Federal Head as had been the case. Consequently, the actual executive orders

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84. No date appears on this minute by the Legal Adviser addressed to the Chief Secretary. As it was in reply to the Chief Secretary's minute of 11.6.1923, it was probably written in June 1923.

85. Report of the Decentralization Committee, August 1923, C.O. 576/29.

in matters of this category would from now on emanate from the Resident.

The Committee recommended that the role of the Federal Heads of Department in the state administration should become advisory rather than executive. They observed that

> The Federal Head will be adviser of the Government and as such his advice will be at the disposal of each Resident in matters affecting any state exclusively, besides being at the call of the Chief Secretary in matters affecting the Federation generally.[86]

The Committee recommended another measure to make this change evident. They observed that "if the proposed decentralization of the executive power is to be effective, it must be accompanied by some decentralization of the control of finance at present exercised by the Federal Heads". The Committee also proposed that "the collection of revenue and state expenditure and other charges can properly be transferred to the states", without naming any department in which this recommendation could be tried out. They, however, endorsed a suggestion of the Chief Secretary in which he had named certain departments, and observed that,

> "We understand, however, that the Chief Secretary wishes that, if possible, in the case of Survey, Forests, Police, Medical and Public Works Departments, all Revenue and Expenditure Estimates - Personal Emoluments as well as other charges - except provision of the Head Office Staff, shall be shown in the State Estimates instead of Federal Estimates as at present.[87]

It is however, doubtful if the Committee was alive to the fact that the suggestion that certain items of revenue and expenditure "be shown in the State Estimates" could not give full effect to their own proposal for "transfer".

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86. Ibid.

87. Ibid.

Maxwell returned to Malaya in October (1923), and by that time it was known that the Financial Adviser and the Residents were opposed to the devolution of financial powers to the State Councils. The opinion in favour of giving whatever financial powers were delegated only to the Residents was so strong that Maxwell's re-appearance on the scene did not improve the State Council's chances for getting financial powers in the near future. It is evident from the minutes of the Secretary to the Negri Sembilan Residency that the State Councils could not exercise in 1923 any of the proposed financial powers over the State Estimates for 1924, and that the proposal to submit in 1924 the State Services to the council was abandoned after it had been opposed by the Finance Committee.[88]

The proposal for giving the Residents some executive and financial powers, however, made some rapid progress when in November the recommendations of the Decentralization Committee were endorsed by Residents meeting in a conference, which decided that they "should be adopted forthwith as a first step to decentralization". Two measures followed without any delay to give effect to the recommendations of the committee. First, a committee was appointed with the Financial Adviser as the Chairman to make recommendations on three important matters connected with decentralization of financial powers - namely, "the transfer of certain expenditure from Federal to State Estimates, the question of changes in the

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88. Vlieland minuted on 2.11.1923 that "the question of the State Estimates has settled itself for this year! The Approved Estimates should be "tabled" or otherwise laid before Council..." N.S. 1398/23. In April 1924, Vlieland returned to the subject and minuted (8.4.1923) that "Since the Finance Committee turned down the proposal for decentralization of the 1924 Estimates we have heard no more ...." N.S. 1109/24.

89. Report of the Decentralization Committee, op.cit.

format of Revenue Estimates, and the apportionment of Federal Revenue among the states".[90] Second, the General Orders which outlined the powers and functions of the Heads of the Police, Public Works, Forests, Medical and Survey Departments were revised during November and December (1923) with the result that the Resident's control was extended to these Departments situated in the state. It should be noted here that the Decentralization Committee had made specific recommendation for the revision of the General Orders with the end in view of decentralizing a part of the executive power of the Head of the Federal Departments in favour of the Resident. Let us now see in what ways the revised General Orders improved the position of the Resident.

The existing General Orders gave the Heads of all these five Federal Departments the executive control of their Departments. This meant mainly two things. First, the Heads of the Departments exercised control over all important matters in the Departments. They were responsible for maintaining discipline and efficiency; they appointed, alloted and moved officers in and between states; and framed estimates of their Departments. Second, they were responsible to the Chief Secretary in all these matters.[91] They could, as they in practice did, run their Departments in the states without maintaining laision with the Residents. The revised General Order, however, made some significant changes in the positions of the Resident and the Heads of these Federal Departments. The Heads

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90. Maxwell's memorandum on the Constitution of the F.M.S., 22.11.1925, op.cit.

91. See the General Orders on the Powers And Duties of the Director of Public Works, the Conservator of Forests, The Principal Medical Officer, the Surveyor-General and the Commissioner of Police. G.O. 101(iii); F.M.S. General Orders, Kuala Lumpur, 1921.

of the Federal Departments remained responsible to the Chief Secretary for the general policy for the guidance of the Departments, maintenance of efficiency, the administration and the financial provision of the headquarters staff. They now became responsible to the Resident for the efficiency in their Departments in the state. The Resident could issue instructions to these Departments, control the movement of the staff in the state and submit to the Chief Secretary the state portions of the estimates of these Departments.[92] Along with these changes, the power of the Secretary to the Department of Agriculture was redefined to follow the same pattern.[93]

Some General Orders were quite distinctive and they assigned the Heads of the Federal Departments some special duties. The Estimates of the Federal Police Department were to include the personal emoluments of the staff in the state.[94] The Conservator of Forests retained a greater say in the forest affairs in the state than was expected of a Head of a Federal Department in the state. The Secretary to the Department of Agriculture was given the special task to ensure that the Assistant Agricultural Inspector who would be borne on the State Estimates, "keep in close personal touch with the people of the country". These Inspectors should cooperate with the Agricultural Department in implimenting

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92. See the General Orders on the Powers and Duties of the Director of Public Works, the Conservator of Forests, The Principal Medical Officer, and the Surveyor General, G.O.101(iii), F.M.S. General Orders, Kuala Lumpur, 1924.

93. Powers And Duties of the Secretary For Agriculture,G.O.101(iii), ibid. The General Order on the powers the Controller of Labour was also revised in 1924. The Controller of Labour was responsible for affairs related to labour in the F.M.S.,the U.M.S.and the Colony. The revised General Order put the Residents move closely in touch with the activities of the Department in their states than before. Powers and Duties of the Controller of Labour, G.O. 101(iii), ibid.

94. This was to keep the Police in all States as one Force.

its schemes "encouraging and training Malay Officers to qualify for appointment to the higher posts in the Departments".[95]

In the last week of November (1923), Maxwell drafted a report to inform the Colonial Office of these changes and requested the High Commissioner to send it to the Secretary of State. Maxwell reported that the revised General Orders had "been approved and will shortly be published", adding that they were "a very important step in the direction of decentralization".[96] The haste in which the revised General Orders were put into practice by the Chief Secretary was possible because his office had nothing to lose from these changes. However, the significance of these changes can hardly be overestimated. The revised General Orders seemed to have placed these Departments under a system of dyarchy by making their Heads responsible to the Resident in state matters and to the Chief Secretary for matters concerning states in general and the headquarters. These arrangements might not be free from the usual difficulties arising out of dual control. It should be mentioned that these arrangements were an attempt at extending the state control over the Departments without completely breaking them up or sacrificing uniformity and efficiency in their administration. The separation of the State Estimates from the Federal Estimates had an important outcome for the state. The Departments which now had separate State Estimates defined their officers serving in the states as State Officers. All in all, the Residents now controlled nine Departments including the Departments of Mines, Lands

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95. Powers And Duties of the Secretary For Agriculture, G.O. 101(iii), op.cit.

96. Chief Secretary to the High Commissioner, 4.12.1923; High Commissioner approved of the draft on 6.12.1922, and it formed the text of the High Commissioner's despatch of 23.12.1923 to the Secretary of State. Sel. 723/23.

and Prisons which had already been under their administration.

The question is whether the civil servants opposed in 1923 the measures of decentralization suggested by the Decentralization Committee. As these measures involved devolution of some powers of the Heads of the Federal Departments, a degree of resistence from them could be taken for granted. It should, however, be mentioned atonce that there was no attempt by them to block these measures altogether. These measures were worked out by the acting Chief Secretary, Hose, and the Heads of all Federal Departments. In the despatch drafted by him, Maxwell mentioned that the Committee "devoted the greatest care to their task and were loyally supported in the policy of decentralization by the Heads of the Federal Departments concerned".[97] The Committee's recommendations had "in every case been accepted by the Head of the Department concerned. Such acceptance has, however, not been entirely without demur in some cases".[98] They strongly advised against any further attempt in haste at devolution of the powers of the Federal Departments for the present.

Among the Departments which demurred the division of responsibilities for one reason or another, was the Medical Department. Since 1905 the Department had been built up under a specialist Head, and as late as 1922 the report of a committee headed by Dr. A.E. Horn had recommended the formation of a Malayan Medical Service under one Head of the Department.[99] The proposed Service

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97. Chief Secretary to the High Com., 4.12.1923, op.cit.

98. Report of the Decentralization Committee, op.cit.

99. Maxwell recounted in 1927 briefly the history of the Department in his printed memorandum titled "The S.S. And F.M.S. Fallacy", op.cit., pp. 8-9.

would control the Medical Departments of not only the F.M.S. but also Unfederated Malay States. Although the recommendation of this Committee appeared at that time to be premature, a Medical Committee for Malaya, headed by a Chairman with advisory powers, was functioning in 1923 with the Principal Civil Medical Officer of the Straits Settlements as its head. The decision ~~for~~ to decentralize the control over the State Medical Departments was a call for a change of direction in mid-stream. The other Department which found it difficult to divide responsibilities was the Department of Surveys which had been placed in 1920 under the control of a Surveyor-General. The functions of all, except the Revenue branches of this Department were complementary to one another's - a fact which was incompatible to decentralization.[100]

The report of the Decentralization Committee was laid before the Federal Council in March 1924. In the same month "The Chief Secretary to Government (Dispensing of Powers) Bill" was enacted in the Council empowering the Chief Secretary to declare by notification the type of matters to be decided by the Residents without referring to the Chief Secretary. The restrictions which this enactment sought to remove appeared clearly from the Legal Adviser's introduction to the Bill in the Federal Council. He said that

> It is absurd that the Resident may alienate State land, he cannot alienate town or village land without first obtaining the consent of the Chief Secretary. He cannot impose a drainage rate without first getting the consent

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100. The other branches of the Department included the Trigonometical Branch, the Topographical Branch, the Map-making Branch and the Instrument making Branch.

> of the Chief Secretary. He cannot prescribe a water rate to be charged for private suppliers without the consent of the Chief Secretary. Without such approval, he cannot even restrict or prohibit the use of traction engines on specified public thoroughfares or in localities which he considers dangerous ....[101]

In 1924 and 1925 notifications were issued under seven enactments, namely, the Courts Enactment, 1918; the Drainage Rate Enactment, 1918; the Pawnbrokers Enactment, 1914; the Poisons Enactment,1911; the Sanitary Boards Enactment, 1916; the Traction Engines and Motor Cars Enactment, 1912; Mining Enactment, 1911; and the Land Enactment, 1911.[102]

IV. A Stalemate

The proposals for decentralization in 1923 created some differences between Maxwell and the Residents because the Residents considered Maxwell's proposal for giving the State Councils some financial and executive powers an ill-considered move. The Residents considered the devolution of the Chief Secretary's statutory powers to be essential for decentralization but this was not achieved by Dispensing of Powers Enactment. The differences between Maxwell and the Residents came to the forefront on the question of the revision of the Land Enactment and the stalemate reached in 1924, created a new handle for pushing forward the proposal for the abolition of the office of the Chief Secretary.

In January 1924, Maxwell proposed that the existing Land Enactment of the F.M.S. giving the Residents the authority to alienate land and sign all land grants, be revised "so as to make the Ruler, and not Resident, the alienating authority".[103] In

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101. Pros. Fed. Council, 6.3.1924, p. B 14.

102. Maxwell's Memorandum on the Constitution of the F.M.S., 22.11.1925, op.cit., p. 21.

103. Ibid., p. 24.

proposing this change, Maxwell apparently wished to revive the provisions of the Land Enactments which had existed in the four federated states before 1911, when the existing enactment was passed. The Malay Rulers, however, were not required to carry the burden of the administrative work associated with the land alienation, according to Maxwell's proposal. This enactment gave the Malay Ruler "the power to delegate his powers" - depending on the size of the land to be alienated - to the Land Officers, the Residents, and the State Councils,[104] but in all cases land grants were to be signed by him.

Maxwell's proposal to withdraw the authority from the Residents to alienate land, a suggestion bound to be dislike by the Residents, was the first step towards a gradual devolution of their powers to the Malay Rulers. Maxwell observed that

> The problem of 'decentralization', which is now engaging the attention of the Government to such an extent, is really only one aspect of the problem of the restoration to the Rulers of powers which they have lost, partly owing to the 'Resident' system and partly owing to the 'Federation' system.

Explaining the implication for the Residents of the restoration of power to the Malay Rulers, Maxwell wrote that

> If the 'Resident' system is to be a success, the Residents must, in my opinion, cease to administer the country, and must take up the task of advising the Rulers how to administer.[105]

Maxwell's proposal called for a drastic reorganization of the state government. The Residents had acted as the executive authority in the states and this proposal raised by implication a big question indeed. No doubt, one objective of decentralization

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104. According to Maxwell's proposal Land Officers would have the power to alienate land not exceeding 25 acres; Residents would be able to elienate land upto 100 acres; and bigger areas would be considered by the State Council.

105. Maxwell's Memorandum on the Constitution of the F.M.S., 22.11.1925, op.cit., p.24.

was to restore power to the Malay Ruler, but the rule by the Malay Sultan was, if at all, a distant goal. The Colonial Office and Maxwell had separately suggested in 1920 the restoration of power to the Residents, the Malay Rulers and the State Councils, evidently in each case at the cost of the federal authorities because it was clear that the problem was one of over-centralization of administrative authority at the Federal Secretariat. Devolution of the power of the Residents upon the Malay Rulers had not been suggested in 1920 or since.

The opinions of the Malay Rulers were the deciding factor in this matter. Assuming that the Residents were ready to accept Maxwell's proposal, it required the readiness of the Malay Rulers to rule. The evidence that we have on the Rulers' views on decentralization point to the fact that they desired to see the state power extended; there is nothing to suggest that they wished at this time to replace the Residents in the administration of their states. It was not surprising that none of them had complained against any concentration of power in the Resident's office to the High Commissioner. Maxwell's proposal for giving the Rulers the authority to restore and delegate power was a diplomatic ploy because he must have been aware of the unwillingness of the Rulers to bear the burden of this responsibility. Though Maxwell proposed that the Residents should "cease to administer the country", he gave no alternative suggestion for returning a part of the power of land alienation to them.

Maxwell's proposal to the Sultans had sharp reactions. The Sultan of Perak, as reported through the Resident, flatly refused to accept the responsibility of alienating the land and would not sign grants. In the Sultan's own words he refused "to be burdened with details of alienation of land", and the Resident did not think

it "advisable to impose this duty on him". The Sultan merely wished to be "kept informed of the general policy in land administration and the trend of alienation" and he was not dissatisfied ~~against~~ with the existing arrangement of alienation of land by the Resident. On the central aspect of Maxwell's proposal, namely, the question of restoration of the executive powers of the Residents to the Malay Rulers, the views of the Sultan, as reported by his Resident, deserved to be reproduced here. The Resident minuted that

> The present (Resident) system has stood the test of time, and His Highness the Sultan has repeatedly told me that he is quite satisfied with it. He reaffirmed his satisfaction only a few days ago.
>
> He is quite content to leave the actual administration of his state in the hands of the Resident, so long as he is informed of what is going on, and is consulted in important matters.[106]

The views of other Rulers of the F.M.S. are not known on this question. As Perak was the state in which the plantation and mining activities were very intensive, the views of the Sultan and the Resident of that state proved decisive for Maxwell's proposal. Unwilling to give up, Maxwell made an attempt to persuade the Residents to accept his proposal in July (1924). Having failed to do so, he sought a ruling from the High Commissioner on the question. Guillemard, who was influenced by "the very decisive opinions of the Resident and also the Sultan of Perak", decided against the revision of the enactment and observed that

> So far as I am aware, no Ruler has suggested that he has insufficient power vis-a-vis his Resident. The problem may arise some day, but Decentralization is stiff enough problem for us to face, without complicating it by such considerations now.[107]

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106. Quoted by Maxwell in his memorandum, ibid.

107. A minute by the High Commissioner, 1.12.1924, ibid.

That was the end of Maxwell's proposal and it was only he who was responsible for it being flatly turned down because he had neglected to prepare the ground. He should have foreseen that his proposal to bring about such momentous changes in the state government could not be introduced without top level discussions with and a concensus of opinion among the Sultans and the Colonial Office. It was apparent that Maxwell's principal object had been to enhance the power and status of his office as Chief Secretary and that he was well aware of the importance of wooing over the Malay Rulers, the Sultan of Perak in particular, to support the scheme for reviving the office of the Resident General. He had succeeded in gaining their support to some extent, but had been worsted by the masterly diplomacy of Guillemard who had dissuaded the Sultans from such a step. Maxwell's influence with the Sultans deteriorated specially in the case of the Sultan of Perak, who disliked Maxwell's meddling in his affairs[108] and deprived him of their support when he put forth his claim as Chief Secretary, for precedence on state occasions over the Malay Rulers of the F.M.S.[109] The Sultans naturally resented this and their unfavourable reaction when reported to the Colonial Office did much to ~~debauch~~ dispel the image of Maxwell as a veteran 'Malayan' who was supposed to be well conversant with the workings of the Malay mind and who enjoyed the confidence of the Malay Rulers. This was taking place while the tension was

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108. The Sultan of Perak applied in 1923 for a loan from the Federal Administration. Maxwell first suggested that the Sultan should give up his polo and racing, and then asked the Sultan to disclose the financial results of these games. The Sultan was embarrassed. Maxwell recommended that the motor-allowance of the Ruler should be cut down. He turned down the Sultan's application for a mounted body-guard. The Sultan of Johore had an army. Ibid.

109. High Com. to Sec. State, 22.10.1924, Secret, C.O. 717/34.

rising between Maxwell and the High Commissioner and their relationship was rapidly deteriorating and Maxwell realized that his only hope lay in winning back the Sultans to his point of view. His desparate move was to launch the theme of "restoration of power to the Sultans which they have lost", which if accepted would win them back and even if rejected would still present him as their most ardent supporter. Maxwell's move however, was nullified by the High Commissioner's decision and produced results which Maxwell had not bargained for.

What happened was that the revision of the Land Enactment confirmed that the Residents enjoyed the confidence of the Malay Rulers, and the High Commissioner ruled against any change in the existing form of the state government for the present. The Residents, emboldened by the High Commissioner's ruling, now turned against Maxwell's new proposal for the devolution of the power of the federal authority upon the State Council. The tussle between Maxwell and the Residents, which had been going on for a year over the proposal for the revision of Land Enactment, was accentuated, and resulted in a Resident vocalizing the demand that Chief Secretary's power be clearly defined and the occasion for this was the proposal for the revision of the Forests Enactment of the F.M.S., 1918.

The revision of the Forests Enactment had been under consideration for some time. The Residents could take some actions under the enactment with the approval of the Chief Secretary. Maxwell proposed to give the State Councils this power to approve of the Residents' actions in the revised enactment. He later wrote that "I had no objection to transferring the powers formerly under my control to the State Councils, but ... I objected to transferring

them to the Residents".[110]

Maxwell expressed his view on this line on 14 December (1924), some days after the High Commissioner's ruling had become known to the Residents. They were in no mood to accept Maxwell's proposal. The most forceful protest came from the newly appointed Resident of the Negri Sembilan, E.C.H. Wolff.[111] Wolff argued in a memorandum addressed to the Chief Secretary that the policy which aimed at the readjustment in an over-centralized and top-heavy federal administration was being confused with the unrelated question of "bringing the Malay Rulers and their Councils into the Official machine".[112] In order to carry the policy of decentralization further, he thought that the powers of the federal and state executives should be more clearly defined than had been done before. Since the power of the Heads of the Federal Departments had already been defined,it was now essentially a question of division of power between the Residents and the Chief Secretary. The point which should be noted was that the Resident viewed the Chief Secretary as nothing more than the co-ordinating authority among the states and attributed to him no power of direction. He argued that the reason for which the Resident General's office was created (in 1896) was not because the Residents could no longer be trusted with the administration of their states. "The raison d'etre of the Resident

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110. Ibid., p. 26.

111. Ernest Charteris Holford Wolff; B. 1875; Oxford, 1897; Cadet, Pahang, 1897; Actg. Superintendent of Posts and Telegraph, Pahang, 1898; Actg. Asst. D.O. Pekan, 1899; Secretary to the Resident, Negri Sembilan, 1901; Actg. Assistant Secretary to the Resident General, 1909; D.O. Kuantan, 1909; Actg. Secretary Sanitary Board, Kinta, 1911; Actg. D.O. Upper Perak, 1911; Actg. Asst. Colonial Secretary,S.S., 1915; Actg. Director, Education, S.S. and F.M.S., 1921; ~~British Adviser, 1923;~~ British Resident, Negri Sembilan, 1924.

112. Wolff's memorandum was dated 16.2.1925. The full text of the memorandum was reproduced by Maxwell in his memorandum on the Constitution of the F.M.S., 22.11.1925, op.cit.

Malay bodies and most of their members had no knowledge English.[113] Wolff believed that the language problem itself posed a problem and made any immediate participation by the councils in the administration "out of the question". He mentioned that "this difficulty is at this moment reaching a critical stage" in the Kedah State Council. In his own state, the leading members of the council were hereditary Chiefs, elected from particular families. Most of them knew no language other than Malay; one could not read or write even Malay. Efficiency in administration was a matter which did not receive any importance from some chiefs and their electors.

Wolff's arguments swept Maxwell off his ground as he was largely unaware of the peculiarity of the situation in Negri Sembilan. In a memorandum in which he submitted to the Secretary of State on decentralization in 1925, he observed that "Mr. Wolff's outspoken remarks on the efficiency of the State Council of Negri Sembilan are justifiable, and deserve the most serious attention". He believed that the State Councils in the F.M.S., in general, were inferior to those in Johore and Kedah, and that "75 per cent of the difference lies in the lower intelligence of the Malay Members in the Federated Malay States".[114]

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113. In 1925 the Perak State Council had 15 members, of which eleven were Malays, two Chinese, in addition to the Resident and the Secretary to the Resident. The Selangor State Council had eleven members, including seven Malay, two Chinese and the Resident and his Secretary. The Negri Sembilan State Council had ten members of whom eight were Malays, one Chinese and the Resident. Apart from the Resident, the Pahang State Council had six Malay members. There were no Indian or Unofficial European Members on any State Council. The language of all the Councils was Malay. F.M.S. Year Book for 1925, Kuala Lumpur, 1925, pp. 7-8.

114. Maxwell's Memorandum on the Constitution of the F.M.S., 22.11.1925, op.cit., p. 28.

General (or Chief Secretary)", he maintained, "was uniformity of policy". This power of coordination could be exercised by the Chief Secretary under the federal enactments, or there was no need for coordination at all for states. The State Council of a state could not be given the power to coordinate the policies of other states.

Wolff maintained that the State and the Federal Councils should have their legislative spheres defined accurately. State matters, such as Forests, should not be the subjects of Federal legislation. They should be reserved for the State Councils.

The Resident did not rule out the delegation of executive powers to the State Councils. He, however, maintained that the question of bringing the Malay Rulers and their councils into the administrative machine should be taken up at a later date. The existing situation created two main difficulties for giving the State Councils any executive power. First, it would give the councils the power to veto a proposal placed before them by the Residents whose advice the Rulers had undertaken to follow. Second, the State Councils, as they existed, were unsuited for exercising executive powers. The first difficulty awaited a satisfactory settlement either by the change of the treaty or by means of a new administrative arrangement, but the matter was not urgent, as the State Councils had to be reformed in the first instance. The existing administrative machine of the F.M.S. was too complicated to be conducted by the existing State Councils and could hardly be expected to deal with the enactments and rules governing such matters as Bankruptcy, Bills of Sale, Companies, Custom, Probate and Administration Public Trustee, Finance and Currency. The reason was partly historical; if the former administrators wished the State Councils to take an active part in the administration they would have planned the development of the state administration on a different line. The existing councils were predominantly

By the end of 1924, however, a deadlock had been reached with regard to the decentralization of the powers of the federal administration. On the one hand, Maxwell had refused to devolve any power of the Chief Secretary upon the Residents. The Residents, on the other hand, were of the opinion that the reorganization of the state administration could be taken up at a later date, and that the problem of decentralization of the federal administration's powers should be remedied first. The powers of the Heads of some Federal Departments had already been defined; it now remained for the Chief Secretary's powers to be reviewed. In their opinion the Chief Secretary should have merely the role of a coordinator of the state policies. The new initiative which was taken by the Colonial Office and the High Commissioner to break the deadlock in 1925 will be subject of the following chapter.

CHAPTER - VI

A NEW INITIATIVE

Synopsis

The revision of the power of the Heads of the Federal Departments logically raised the question of devolution of the Chief Secretary's power. The Sultan of Perak personally requested the Secretary of State in 1924 that the power of the Chief Secretary should be reduced radically and his state should have financial and administrative autonomy. The Far Eastern Department was convined of the need for the High Commissioner atonce coming to a settlement with the Sultan of Perak, but full autonomy for the federated states was to wait till a loose type of federation of all Malay States would replace in future the existing federation of four states. The proposal for decentralization, sought by the Colonial Office from Guillemard, emphasised on the gradual abolition of the Chief Secretary's office and this was accepted by the Secretary of State in principle. However, no announcement was made in six months when the High Commissioner was in London for consultations with the Colonial Office. A premature disclosure of the proposal during this period in Malaya created there a climate of opinion which was prejudiced against the proposal and deeply suspicious of its outcome.

The history of decentralization in the F.M.S. during the twenties of this century with all its eddies and whirls, its currents and cross-currents, came to a turning point in the year 1924. At this point of time, the Colonial Office, disenchanted with Maxwell, finally turned to Guillemard, the High Commissioner and his specific proposals for decentralization. It was the end of a period of parleys and the circumstances which led to it have historical value.

The preceding chapter has shown some of these straws in the wind, one of which had been the withdrawal of the Head of the Far Eastern Department, A. E. Collin's support from Maxwell. In spite of his sympathy for Maxwell, Collins did not

support his move to create a separate head for the F.M.S. administration free from the High Commissioner's control. The episode which turned away the Far Eastern Department from Maxwell in 1924 was the personal representation made by the Sultan Iskander of Perak to the Secretary of State for Colonies for some specific changes in the administration of the F.M.S.

I. Sultan Iskander's representation to the Colonial Office

Sultan Iskander arrived in England in the spring of 1924 and his visit not only sparked off some significant broadsides against the Chief Secretary which were to have far-reaching effects but also raised a great deal of interest in the Far Eastern Department. No previous Malay ruler's visit had been so portentous.

The Sultan, accompanied by his second wife, Raja Permaisuri, had travelled incognito, but his visit showed all the hall-marks of a state visit. He was granted an audience with the King, attended a ball and was created K.C.V.O. The undertones of his visit to England were undoubtedly political because shortly after his arrival he requested the Colonial Office for a secret interview with the Secretary of State. On 6 August 1924, the Sultan, during the course of his secret interview, placed his grievances against the existing administrative system of the F.M.S. The Secretary of State put him on to A.E. Collins on the following day, when the Sultan had detailed discussions about the administrative problems with both Collins and H. Beckett of the Far Eastern Department. He followed it up by entertaining Collins and Beckett at a private dinner on 12 August and left England two

days later. Repercussions stemming from the Sultan's visit had their origin in two events, and both seemed to have exposed the iron hand of the Chief Secretary and both succeeded in arousing the Sultan's animosity against the Chief Secretary.

One of these events concerned the Sultan financially because the Chief Secretary had recommended only a small sum[1] which was inadequate for covering the expenses of the royal party consisting of five Malay chiefs and eight Malay and Engligh attendants for their sojourn in England.[2] Possibly Maxwell had intended to control the size of the royal entourage by limiting the expenses, but this was taken to be unduly harsh and politically unsound by the Far Eastern Department and the High Commissioner, who recognized this visit as a political one.[3] No Malay Ruler had visited England in the preceding twenty-three years, so they wanted this visit to be a successful one,

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1. High Com. to Sec. State, secret, 22.10.1924, C.O. 717/34.

2. The Sultan was accompanied by Raja Kechil Bongsu, Raja Kechil Tengha, Raja Aznam Shah, Dato Panglima Kinta, and Dato Muda Panglima Kinta. The federal administration had granted a sum of just over £2,000 to cover the Sultan's expenses in England for four months. But the money ran out soon after the royal party had arrived in England. Col. W.P. Hume, a former Resident of Perak had made very elaborate arrangements to make the ruler's stay in England pleasant--leasing out a house at Bourne End, buying and hiring cars, appointing half-a-dozen servants, making arrangements for the Sultan to play polo and visit some public ceremonies. All this was done by the Colonel without asking the Colonial Office. The federal grant appeared to everyone to be a paltry sum in view of the arrangements which had already been made for the Sultan and his party. Col. W.P. Hume to Collins, 11.4.1924; Hume to Collins, 29.4.1924; Collins' minutes, 15.4.1924; Collins to Hume, 15.4.1924; Collins to Hume, 1.5.1924, C.O. 717/40.

3. The Sultan had sought an interview with the Secretary of State soon after his arrival in England. Brockman to Collins, 7.5.1924, C.O. 717/40.

unhampered by crippling strictures on expenditure and promptly countermanding Maxwell's orders increased the Sultan's allowance substantially.[4] The Malayan lobby in London, biased in Maxwell's favour, supported the move to increase the allowance. They took up the issue, preparing to hit at the F.M.S. administration and at Guillemard, whom they thought was responsible for crippling the Sultan's allowance, but had to abandon it when they realized their mistake.[5]

The second event which annoyed the Sultan during his visit and made him threaten to cut it short,[6] was Maxwell's stand on his second wife Raja Permaisuri, who as a commoner, it was stated, could not be expected to be treated as a royal

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4. The financial distress of the Sultan was brought to the notice of the Colonial Office by Col. Hume. Suggesting a substantial increase in the allowance of the Sultan, the Secretary of State observed in a telegram to the High Commissioner,(which was drafted by Collins) that "I have no doubt that generous treatment will be accorded / to the Sultan_7 as it is essential on public grounds that the visit should not be in any respect failure". On the suggestion of the Secretary of State the High Commissioner agreed that the Sultan should get for the period of his stay in England, in addition to his monthly pension and £2,000 which he had already received, an allowance of £1000 per month. Sir Gilbert Grindle informed Col. Hume that "with regard to financial arrangements, the Secretary of State and the High Commissioner are anxious that everything should be done to make the Sultan's position easy and agreeable". Col. W.P.Hume to Collins, 27.4.1924; Sec. State to High Com., tele. secret, 1.5.1924, ibid.; High Com. to Sec. state, tele., secret,19.5.1924; Grindle to Hume, 22.5.1924, C.O. 717/33.

5. Sir E.W.Birch attacked the F.M.S. administration in strong terms. He wrote to Collins that "After the terrific and in one or two cases scandalous waste of hundreds of thousands of dollars the meanness in this matter is amazing and distressing". Birch to Collins, 7.5.1924; C.O. 717/40. It was planned that a strongly worded telegram, jointly signed by Swettenham, James and Birch, would be addressed to the High Commissioner. Perhaps, Brockman who had heard from Maxwell about this time, cautioned them that such a telegram would harm Maxwell, more than anyone else. Hume to Collins, 4.4.1924, ibid.

6. Hume to Collins, ibid.

personage. Maxwell had "strongly advised" the Sultan against taking Raja Permaisuri, who was not of royal birth, to England.[7] Sir Edward Brockman, the Agent of the Malayan States Information Agency in London, acting on Maxwell's information cautioned the Far Eastern Department about the dangers of the lady coming in contact with British royalty. Brockman's warning read : "The people of Malaya would not approve of the Raja Permaisuri being treated as if she was a royal personage and a queen".[8] It can be surmised that the Sultan's decision to visit England incognito was because he thought it only politic as he was determined to have Raja Permaisuri accompanying him. His ire against the Chief Secretary's overriding power must have boiled over when he found that his wife was barred from being presented to His Majesty, King George V, nor was she allowed entry in the Royal enclosure at Ascot. The Sultan appreciated the difficulty of a royal presentation as his wife was a commoner, but the Ascot stricture so enraged him that he denied himself the pleasure of

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7. Brockman wrote to Collins that "I learn that he [the Sultan] was strongly advised not to bring this lady but did so inspite of advice to the contrary and I think you will find that Maxwell's opposition was caused by this". Brockman to Collin, 7.5.1924, ibid. The royal consort of the Sultan was styled as Raja Perempuan. If the Sultan's consort was a commoner, she was called Raja Permaisuri. R.O. Winstedt and R.J. Wilkinson, "A History of Perak", in J.M.B.R.A.S., June 1934, part I, p. 134.

8. Brockman also advised that "The lady should not be invited to meet Royalty. She should not be invited, to the Royal Box at the tournament nor to the Royal Box at Ascot". Collins who was given by Brockman this unpleasant task of keeping the Raja Permaisuri away from the Sultan during their proposed visit to Ascot, hardly liked Brockman's enthusiasm. He wrote to Brockman, "Many thanks for all the trouble you have taken with regard to the status of the Raja Permaisuri". Brockman to Collins, 7.5.1924; Collins to Brockman, 8.5.1924, C.O.717/40. See also Hume to Collins, 17.5.1924, C.O. 717/33.

witnessing this gala social event because his wife was debarred from it.

The Sultan raised a variety of matters related to the federal administration and the state government, in the memorandum he submitted to the Secretary of State and in the discussions he held with the officials of the Far Eastern Department.[9] The main ones were his demands for the abolition of the office of the Chief Secretary as it was then constituted, and the fiscal and administrative autonomy of the state government. He argued that he should have as much power in his state as the Sultan of Kedah had in his kingdom, but reorganization of the state government diminishing the Resident's power was not a part of any of his suggestions.

The views expressed by the Sultan to the Secretary of State on the reduction of the Chief Secretary's power deserve to be reproduced fully. He observed that

> The position and perhaps the title of the Chief Secretary would need to be altered. The Heads of the Departments should be advisers to him in his capacity as an official who co-ordinates the various sections of Administration. It does not seem to be his duty to dictate to the Rulers. The High Commissioner does this and the Chief Secretary is his adviser only. Most of his present powers would be delegated to the Residents.[10]

The Sultan complained against the strong federal executive which had come into existence as a result of the Federation Agreement of 1896. The abolition of the Chief Secretary's office would

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9. A memorandum on the F.M.S. government policy, no date. The Sultan handed this memorandum to the Secretary of State when he met him. Hereinafter referred to as "The Sultan's memorandum". Edward Gent took the notes of the discussion which took place between the Sultan and the officials of the Far Eastern Department. Hereinafter these notes are referred to as "Notes on the Sultan's discussion with the officials of the Far Eastern Department", C.O. 717/36.

10. The Sultan's memorandum, ibid.

call for the revision of that agreement. The Sultan's assertion that the treaty of protection, namely, the Pangkor Agreement, should be followed in its exact terms lend support to this argument.[11] The Federal Council should have no control over state finance, as the State authorities themselves should control their own estimates of revenue and expenditures. In a letter addressed to Collins before his departure from England, the Sultan privately protested against the intensity of the bureaucratic management to which the Rulers were subjected. He wrote that

> There are a few things which perhaps I did not make clear, but my personal feeling in the matter is that a chess - board King is not enviable. We cannot help feeling that we are treated like that sometimes. The last thing we wish is to lose the British influence, but there is that strong desire to have things done on our behalf. I hope you do see that this is really very important at this time.[12]

To the Secretary of State the Sultan regretted the fact "that there should be so great a difference between the positions of the states that are within and outside the Federation". Of all states in the peninsula his state was the first to come under British protection and was the richest; the ruling house to which he belonged had been loyal. He should have, therefore, as great an authority as the Rulers of the Unfederated States. In his memorandum he suggested that "It is perhaps time now that

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11. Ibid.

12. Sultan Iskander to Collins, 13.8.1924, ibid.

something should be done" to give "the States within the Federation much the same control as those outside it possess". In his discussion with the officials of the Far Eastern Department, the Ruler was more emphatic. He observed that "It was clearly wrong that he, the Ruler of the richest and most important State in the Peninsula, should have considerably less authority in his State than e.g., the Sultan of Kedah had in his state".[13]

In his memorandum to the Secretary of State, the Sultan expressed his desire that the States in the Federation should be "fiscally independent". To the officials of the Far Eastern Department he explained that the "estimates of revenue and expenditure of his State should be prepared by Perak authorities". In his view the policy of the state "should be the result of consultation between the Ruler and the Resident aided by the State Council". So far as the execution of the state policy was concerned he wished to leave the task entirely to the Resident. He observed that "the Ruler should be treated as a Ruler and the Resident carry out on his behalf and with his co-operation the polciy arrived at by them and in consultation with a more powerful State Council".[14]

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13. The Sultan's memorandum.

14. The Sultan's memorandum. The Sultan also raised with the Colonial Office the questions of private incomes for the Ruler and the Chiefs, salary of the Malay Cadets, and Muslim Laws.

The Sultan argued in favour of the extension of the powers of the State Council and said that the council should have the power to legislate on matters which exclusively concerned the state. He strengthened his case by pointing to the problem created by the Indian and the Chinese money lenders who could deal with the Malays without any legal restriction. These money lenders charged very high rates of interest, and if they were not prohibited from dealing with the Malays "the effect would be to reduce the Malays generally to a state of poverty and to deprive them gradually of their land and other property". The State Council of the state was unable to prohibit lending of money as the Chief Secretary was against the measure. The Sultan argued that if the council had "the power to enact purely state legislation it would be done forthwith".[15]

These were the main suggestions of Sultan Iskander for changes in the administration of the F.M.S. It is interesting to note that along with these proposals, the Sultan expressed his considered view that should the Far Eastern Department extend Guillemard's term of office as High Commissioner, it would result in further decentralization of the federal administration's powers being satisfactorily carried out personally by him.[16]

To return to the Sultan's memorable visit, the Far Eastern Department's initial reaction to his request for a confidential interview with the Secretary of State, had been one

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15. Notes on the Sultan's discussion with the officials of the Far Eastern Department.

16. Ibid.

of suspicion. It was evident that he wanted to put his grievances before the Secretary of State. It was rare for a Malay Ruler to come on such a mission to London. Moreover, by a twist of fate, the Sultan complained against the administrative arrangement of a British dependency to the Secretary of State for Colonies of Britain's first Labour Government which championed anti-colonialism as its ideology.

The new Secretary of State for Colonies, James Henry Thomas, happened to be a well-known trade union leader in Britain. He had been a critic of Whitehall's administrative policy in the British dependencies before assuming the office of Secretary of State. In his work When Labour Rules he had argued in 1920 against the Crown Colony pattern of administration in those of the British dependencies which did not have their own Parliament.[17] The entire burden of administrative responsibilities in this system of administration was shared between the Governor and the officials on the one hand and the Colonial Office on the other; local elements got no opportunities to have their say in the administration. He had promised that, while in power, the Labour Government would work for changing the existing administrative system in the dependencies with the end in view of progressively giving the local elements a greater share of responsibility in the administration of their own countries.

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17. J. H. Thomas, When Labour Rules, London, 1920, pp. 132-4.

When Labour came to power early in 1924, "The country was perturbed", observed one biographer of the new Secretary of State, "lest Labour, in office for the first time, should attempt rash and sweeping measures".[18] The Far Eastern Department was not free from anxieties on this ground. Although the Sultan had requested a confidential interview with the Secretary of State, Collins privately obtained from the Sultan's Secretary a precis of the matters which the Ruler wished to bring up during the interview.[19] This was perhaps necessary to keep the new Secretary of State informed of the Department's views on the questions of F.M.S. administration which would be raised by the Sultan. But the Department's briefing intended to tie the hands of Secretary of State with a discreet piece of advice that to most of the points of the Sultan, his "obvious answer will be a promise to look into the matter and consult the High Commissioner".[20]

The Far Eastern Department had prepared a memorandum for briefing the Secretary of State on the assumptions that the main ground of the Sultan's dissatisfaction was his exclusion from power and that he might request an immediate restoration

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18. Basil Fuller, The Life Story of the Rt. Hon. J.H. Thomas, London, no date, p. 170.

19. See Collins' minute, 24.7.1925; Welsh to Collins, 25.7.1924; C.O. 717/36. Welsh was the Sultan's Private Secretary.

20. Having received a precis of the Sultan's memorandum, Collins explained the position of the Far Eastern Department in a memoranum, a week before the Sultan's meeting with the Secretary of State. Collins' memorandum, 30.7.1924, C.O. 717/36.

of administrative authority to himself.[21] In this respect the Sultan's meeting with the Collins and Beckett helped them find that the Sultan after all was not asking for greater personal power. They felt that centralization of power had reached the stage in the F.M.S. which was acute enough to drive a loyal Sultan to London to complain. After meeting the Sultan, Collins described the Ruler's demands as "moderate", and was prepared to go as far as possible to meet them. In one respect, however, Collins found the Sultan lukewarm. The Far Eastern Department viewed decentralization in the F.M.S. as a step towards a wider federation of all the Malay States and Collins naturally wanted to ascertain the Sultan's reactions to this proposal. After hearing the Sultan's grievances, he observed that in order to meet the Sultan's wishes it might be necessary to dissolve the present Federation and "substitute it by a much looser association in which all States of the Malayan Peninsula would be represented". The Sultan however, remained reticent and Collins was left with the impression that the Sultan had no enthusiasm for the proposal.[22]

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21. Collins observed that the Far Eastern Department was committed to a policy of increasing the powers of the Residents and the Rulers. The Sultan might be dissatisfied because "the present system discourages the Sultans from taking interest in the details of the administration, and this is not what we wish", he added. "But to carry out a change", he cautioned, "requires time and patience and careful considerations as we do not wish to impaire to efficiency obtained by unifying such Departments as Railways, Public Works, Forestry etc. Ibid.

22. Notes on the Sultan's discussion with the officials of the Far Eastern Department.

The Secretary of State was preoccupied at this time with the preparations for the British Empire Exhibition of 1924 at Wembley, and he left on a South African tour soon after his meeting with the Sultan. He had for the officials of the Far Eastern Department no instruction beyond that they should report to him on the F.M.S. administration after meeting the Sultan.[23] He had, however, to cut short his tour to return to England just before the coalition Labour Government was voted out of office in September 1924. It was doubtful if he ever had again a chance to discuss the Malayan question before leaving the Colonial Office. Perhaps, the introduction of an element of urgency into the question of decentralization was the only direct outcome of the Sultan's meeting with the Secretary of State.

The course of action which the Colonial Office pursued following the Sultan's representation, was outlined by Collins. In a minute on 13 August, he assessed the position with regard to decentralization in the F.M.S. and offered his recommendations.[24] So far, the Far Eastern Department had viewed decentralization in the F.M.S. largely as a side-problem arising from the larger question of the integration of all Malay States. This had not taken decentralization far enough. Collins observed

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23. A minute by E. Marsh, 6.8.1924; C.O. 717/36. Marsh was a Private Secretary to the Secretary of State.

24. Collins' minute, 13.8.1924; C.O., ibid.

that "The policy we have aimed at in recent years has been a policy of devolution to lead upto a wider and looser confederation but nothing very tangible seems to come of it". The striking feature of Collins' assessment was that it was his first attempt at looking at decentralization as a problem on its own merits. Emphasis was now given to the task of identifying the difficulties connected with decentralization and the question of the integration of the Malay States was given a low priority.

In his assessment of the position of the F.M.S. administration, Collins showed complete disenchantment with Maxwell. In his views, the existing system of administration had become unworkable largely because of Maxwell's unsatisfactory personal relations. He observed that not only was the administrative system wrong, "but the man who works it, Sri W.G. Maxwell, the Chief Secretary, is using his practically autocratic powers in an arbitrary manner, and is showing less and less tact and sympathy with the Rulers". He strengthened his argument by pointing out how bad had been Maxwell's relations with the former Colonial Secretary (Sir Frederick James) and the High Commissioner. It culminated in Collins being in favour of Maxwell's removal from office. He observed that

> Sir W. Maxwell, if he does not go before, can be required to retire under the age limit during 1926. I think he is the chief obstacle to a complete political reorganization in Malaya, which is becoming urgent.25

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25. Ibid.

In the wake of this recommendation, came Collins' record of the limitations of the decentralization measures which had been carried out since Maxwell's appointment as the Chief Secretary. He pointed out that the Far Eastern Department had given their approval to all decentralization proposals received by them. Although transfer of some powers to the State Council was one of Maxwell's principal proposals of 1920 and an announcement on these lines was made by the High Commissioner in early 1923, they did not know anything about the outcome of the proposal. He maintained that the position of the Residents had changed only slightly as a result of the revision of the General Orders. They were now "to be informed and consulted, but the powers of the headquarters and of the Federal Departments acting under its instructions remain almost unimpaired". Collins did not mention at all the Chief Secretary to the Government (Dispensing Power) Enactment in his minute of 13 August. Later, he commented on it in the despatch which he drafted to inform the High Commissioner of the Sultan's complaints. He observed that the Chief Secretary had retained in the enactment "the full power of deciding what function may be exercised by the Residents and of revoking such decisions at his pleasure".[26]

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26. Lord Arnold to the High Com., 26.8.1924; ibid. This despatch was drafted by Collins.

Rt. Hon. Sydney Arnold, P.C., First Baron created 1924; b. 1878, Parliamentary Private Secretary to the President to the board of Education and to the Finance Secretary to the Treasury, 1914; Liberal M.D. for Holmfirth, 1912-21; Parliamentary Under-Secretary for the Colonial Office, Jan-7 Nov. 1924.

Two points stood out from Collins' assessment of decentralization. First, his statement of the outcome of the revision of the General Orders of the F.M.S. administration gave a misleading account of the most important decentralization measure taken during Maxwell's term of office. Second, the Far Eastern Department at this time was unaware of the difficulties which were thwarting the attempts of giving some power to the State Council.[27] Neither did the Sultan's meeting with the Far Eastern Department take them far. The Sultan observed that the council should be given the power "to deal with everything that does not concern the Laws of the country or the Administration of the Railways". The Department was left with the impression that the Sultan wished to bring the council into the administrative machine. The notes which were taken in the Far Eastern Department on the Sultan's meeting with the Department's officials mentioned that the State Council "was the paramount authority in the state under the Sultan and it was essential that its authority should be restored".[28]

The Far Eastern Department, having recommended the termination of Maxwell's term of office, was faced with two alternatives, so far as the decentralization policy was concerned. They could either take the task in their own hands and direct

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27. Discussed in the preceding chapter. see pp. 258-9, 261-63.

28. Notes on the Sultan's discussion with the officials of the Far Eastern Department.

the High Commissioner to carry out certain measures, or give the High Commissioner the authority to direct decentralization. There were two main difficulties in taking the first course. First, the F.M.S. were protected 'sovereign' states, and the Whitehall's direct initiative in the reorganization of their administration should be thought of as the last resort. Second, the Department, being inadequately informed of the Malayan situation, were not in a position to suggest concrete measures, even if they wished to.

There seemed to be no alternatives for new proposals for decentralization. The Far Eastern Department had already suggested to the Secretary of State that they would like to consult the High Commissioner before agreeing to any request of the Sultan. It was also clear that Guillemard enjoyed the confidence of the Ruler, as the latter spoke of "Sir Laurence Guillemard and Lady Guillemard as real friends".[29] But the Department still did not see eye to eye with Guillemard, and was not in favour of giving the High Commissioner the same sort of authority and support with regard to decentralization as they had given to Maxwell in 1921. Although they were committed to consulting the High Commissioner, they continued to have doubts about Guillemard's ability to reorganize the administration and naturally did not receive the Sultan's request for an extension of Guillemard's term of office with enthusiasm.[30] Referring to the task

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29. Ibid.

30. The Sultan at first requested the Far Eastern Department to extend Guillemard's term of office for "a few years". Collins did not tell the Sultan anything to suggest that the Department would agree with the Ruler. The Sultan

of administrative re-organization, Collins observed that

> For this purpose we require a new Governor and High Commissioner if possible a strong man who has been in the Malayan Service and knows intimately the country people and language. Meanwhile we can only carry on.[31]

Collins' recommendations were accepted on 15 August (1924) by the Parliamentary Under-Secretary, Lord Sydney Arnold. In a despatch, drafted by Collins, he informed the High Commissioner of the purport of the Sultan's complaints. He added that the policy recommended in Maxwell's memorandum of 1920 was adopted by the Colonial Office. It was "decided to restore power to the Sultan and State Council" and proceed with decentralization with the end in view of the creation of a loosely knit federation of all Malay States into which "the F.M.S. would enter as a Unit if they continue to be constituted as they are at present". But in view of the Sultan's complaints "it seems clear that the transfer of power cannot have proceeded far". The Colonial Office was now ready to take a step forward. The framework within which they were looking for a remedy of the problem of centralization of power was spelt out in this despatch, and it deserves to be reproduced in full. It was pointed out that

> As the Sultan of Perak has now come forward and, taking his stand on the Treaty of Pangkor and on the assurances

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30 (Contd.) repeated his request in his private letter to Collins but left the period of Guillemard's extension to be settled by the Department. Collins assured the Sultan in his reply the Guillemard would be given, in any case, "plenty of time for discussion and change". Collins' minute, 13.8.1924; Iskander to Collins, 13.8.1924; Collins to Iskander, 13.8.1924; C.O. 717/36.

31. Collins' minute, 13.8.1924, ibid. This was an indication that Collins had Sir High Clifford in his mind as Guillemard's successor.

> given from time to time in connection with the Federation, has requested that he may be placed in a position of authority comparable to that of the Ruler of Kedah and the Sultan of Johore, it will in my opinion be necessary to come to a comprehensive arrangement with him as to the future government of his State in the affairs of local concern. I do not see how all his aspirations could be realised without a break-up of the present Federation, which will be very regrettable from the point of view of efficiency and economy in the administration and of co-operation and uniformity of law and practice in the States now federated although in the future it may be desirable to take that step as a measure preliminary to a new and wider federation with complete re-organization of the administration of Malaya as a whole.[32]

The Sultan of Perak's firm stand should be recorded in history as a catalyst of change. His firmness of purpose and vocalized protest was a stone thrown in the bee-hive. Colonial Office had to sit up and take notice. After all, the suggestion for the enlargement of the federation had been mooted in the 1920s and had been gathering cob-webs. They realized what the breaking up of the existing federation meant in terms of loss of efficiency and stability. All the same, the decision would have to discount the disadvantages and take it as a sacrifice worth the end in view - that of the establishment of an enlarged federation of all Malay States. The Sultan's lack of enthusiastic response to the suggestion for an enlarged federation was a straw in the wind. The Colonial Office realized that the ground was not yet ready for it. On the other hand, if Collins had revealed to the Sultan his desire that the F.M.S. would join the all Malayan Federation "as a Unit", that would have been enough to scare away the Sultan. This would make the Sultan's state inconspicuous as a part of a part of

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32. Lord Arnold to High Com., 26.8.1924; ibid.

a federation, would end his dream for a position comparable to that of the Sultan of Kedah, and would add sanctity to the existing structure of the federal administration which he was trying hard to alter. The idea of a federation of all Malay States was mooted in the Colonial Office for the second time in the 1920s and it was put on ice. As far as decentralization of power in the F.M.S. was concerned, it was evident that measures had to be worked out without breaking up the existing federation.

II. Guillemard outlines his proposal

Guillemard, replying promptly to the Colonial Office despatch, wrote that he was well aware of the Sultan's views and reaffirmed his own view that it was high time that a fresh look be taken on the relationship existing between the Rulers and the federal administration. He said that he had been formulating his own recommendations on the question for some time and intended meeting the Sultan for further parleys. Guillemard's objective was to have a non-controversial discussion in which he would not tread on the Sultan's toes by referring to the Colonial Office despatch or "to any representation made by the Sultan" to the Colonial Office and the High Commissioner.[33] He realized the importance of caution on the touchy and contentious subject of a proposal for change in the federal-state relations.

Shortly after this, Guillemard laid down his proposals,

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33. High Com. to Sec. State, secret, 25.9.1924, C.O. 717/34.

backing up his recommendations for decentralization with a mass of historical facts on the administrative policies and methods since the early days of the federation. He outlined the factors contributing to the centralization of power in the F.M.S. He showed how the influence and pressure of alien capital had created demands for uniformity in law and administration and had come to give the Resident General of monopoly of administrative power, often exercised at the expense of the Residents'.[34] Guillemard went on to show that the federal administration did not protect Malay interests fully, nor could the Malays, lacking education in English, keep pace with the rapid growth of material prosperity, resulting in "the most prized posts in the subordinate service" in the F.M.S. being filled by non-Malay Asiatics. The federal administration did not have enough communication with the Malay population.

The picture was a different one in the unfederated states. A predominantly Malay bureaucracy ran the administration with the help of European officers. The State Councils were engaged in the useful functions of administration. The Malay Rulers enjoyed a considerable degree of authority in the administration of their states and their relations with the High Commissioner

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34. Guillemard observed that "Federation and the pooling of the capital of the four states first protected tightened the reins of their efficient non-Malay bureaucracy : the claims of commercial interests became so insistent that it was no longer convenient to leave even to the Residents any real powers to exercise : and the demand for uniformity handed all authority to the Resident General". High Com. to Sec. State, 21.10.1924; ibid.

were direct.

The crux of the matter was therefore, that the existing administrative arrangement was passé and unacceptable. Guillemard gave two vital reasons for this, first, the resentment of the Rulers against the federal administration because of over-centralization of power and the Chief Secretary's claim of precedence over the Rulers and second, the unpopularity of the federal administration which made the Rulers unwilling to enter the federation. Guillemard pinpointed this as "the central fact of the political difficulty"barring the door to the future development of the British policy in the peninsula. Guillemard mentioned the efforts made in recent years to decentralize some powers of the Federal Officers in euphemistic justification, calling these measures inadequate and though taken in the right direction, limited in scope. As such, he said, these changes "will never give to the Rulers, the Councils and the Residents the same measure of power and dignity as are enjoyed by their counterparts in the unfederated states".[35]

The changes proposed by Guillemard aimed at correcting these. The most important of these aimed at a gradual devolution of the power of the Chief Secretary of the F.M.S. on which subject his own words were :

> I am convinced that the only effective decentralization in the Federated States and the only cure for the dissatisfaction of their Rulers lie in such devolution of

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35. Ibid.

> the Chief Secretary's powers to State Councils, Residents and, if necessary to Federal Heads of Departments, as will in fact abolish the appointment and substitute for it an office analogous to that of the Secretary to High Commissioner for the unfederated states.[36]

Many improvements suggested itself. The State Councils for example, could be strengthened by making it obligatory on the part of the unofficial members of the Federal Council to sit in the council of their respective state. The Rulers could be persuaded to withdraw from the Federal Council, and they could meet periodically in a Durbar presided over by the High Commissioner. Guillemard believed that once the reasons for which the federal administration was unpopular were removed, the unfederated states would not take a long time to see the advantages of administrative co-operation with the federated states.

Guillemard could easily anticipate the furore that would be raised in "certain quarters" over his proposal for the abolition of the Chief Secretary's office, and was fully alive to the show of determined effort such an opposition demanded. He knew how the step would be branded as a "retrograde step involving loss of efficiency, division of authority" and flaunt a red rag to the bull by adding "inconvenience to commercial interests". The bogey of a transfer of the executive authority of the F.M.S. administration to Singapore would be raised.

Guillemard's reply to these broadsides of criticism was pragmatic. He pointed out that a division of authority was not

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36. Ibid.

likely to affect the F.M.S. administration for long and that the Resident of each state, with his secretariat would certainly have the incentive to show their efficiency in administering their state and be no less zealous and vigilant than a Chief Secretary, who had to shoulder the responsibility of a whole federation.

In reply to those who feared a re-centralization of administrative power to Singapore, Guillemard suggested a couple of measures. He knew that reason for these apprehension were rooted in the appointment in recent years, of some Heads of Departments in the Colony as Heads of similar Departments in the F.M.S. To add to this, was the fact that the Colonial Secretary of the Straits Settlements had a commission, though dormant to act as the High Commissioner and in that capacity he could preside over the Federal Council. The placatory pill which Guillemard offered to quieten these apprehension was that in future, the Heads of joint administrative departments should have only advisory power in the F.M.S. and that only a senior Resident should preside over the Federal Council in the absence of the High Commissioner. He reminded then that the strongest guarantee against re-centralization in Singapore lay in the proposal to devolve the power of the Chief Secretary on to the state authorities. The High Commissioner, on the other hand, would direct the F.M.S. administration with kid gloves.

Guillemard's proposals for furthering decentralization and taking it a step further lay in distributing the Chief

Secretary's powers among state authorities and Heads of Federal Departments. The Decentralization Committee had already reviewed the powers of the Heads of Federal Departments apart from that of the Chief Secretary. Guillemard was stepping with caution when he further suggested that the appointment of one more Chief Secretary after Maxwell would be necessary in order to carry out a devolution of the Chief Secretary's powers.

A separate despatch followed in which Guillemard argued that this work could not be carried out by Maxwell either as the Chief Secretary or even as a High Commissioner.[37] He enforced his argument with some examples of Maxwell's failure in furthering the progress of decentralization for which he had been appointed in 1920. One of these was apparent in the Sultan Iskander's complaint to the Colonial Office. Guillemard gave two reasons for Maxwell's failure, first, Maxwell's belief that the F.M.S. administration was "an unalterable entity" which he was not prepared to reshuffle and reorganize, second, the fact that Maxwell was "at heart a more determined centralizer than any of his predecessors in office".[38] Guillemard drew upon this second reason to show how Maxwell's appointment as High Commissioner would prove to be a failure and a disaster for decentralization plans as he might then abolish the office of the Chief Secretary and gather all power over the F.M.S. administration in his own hands.

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37. High Com. to Sec. State, secret, 22.10.1924; ibid.

38. Guillemard observed that his own conclusion was that Maxwell's sympathy for the Rulers was "nothing more than paper sympathy, as the decentralization he aimed at was nothing more than "paper decentralization". ibid.

The consequence of such a move would deal a lethal blow at the ideal of one federation and the unfederated Malay States would drift away "further than ever".

This was not the last plausible arrow in Guillemard's full quiver. He was far more conversant than the Colonial Office with the feelings of resentment the Rulers expressed against Maxwell's policy. As the Colonial Office's man on the spot, he could report their true sentiments on the subject of centralization and their apprehension of the possibility of Maxwell being appointed High Commissioner, with greater veracity. Sultan Iskander's protest against Maxwell was but a pale copy of what the ~~red~~ real feeling of the Rulers ~~really~~ was, and Guillemard added that no High Commissioner could be expected to make any headway with the decentralization policy, with a Chief Secretary in office who was palpably not sympathetic to that policy.

Guillemard had laid all his cards on the table. It was now the Secretary of State's deal, should he approve of it in principle. If he did, agreeing with the proposed measures of decentralization, Guillemard expected him to give him a free hand in selecting suitable officers to carry out the proposal. The Malayan approval was vocalized by the Sultan of Perak, who begged Guillemard to extend his stay at the end of his term of office to see through the decentralization plans.

The end of 1924 and the beginning of 1925 found the Colonial Office faced with two important issues pertaining

to Malaya, one, whether the office of the Chief Secretary should be abolished and two, should Guillemard be entrusted with the task of decentralization. The two questions were met by two personalities, the first one answered by Sir Gilbert Grindle and the second by Collins himself. Sir Gilbert was naturally swayed by the vociferous demand of the Ruler of the most important state in the federation and backed by the High Commissioner's recommendation that the Chief Secretary's office be abolished. Sir Gilbert observed "We cannot within measurable time govern Malaya without the Sultans".[39]

The other weighty consideration was that Guillemard's proposal offered a chance of integrating the unfederated Malay States into the federation. Developments in the past had left Malaya sadly split into no less than three separate entities, i.e. the Colony, the F.M.S. and the unfederated States and Sir Gilbert observed that if Guillemard's proposal succeeded in creating "a loose Federation of all the protected states and if the three entities merged into at least two, then "our policy would in reality have made a step in advance". He, however, forestalled criticism by adding that the changes proposed by Guillemard would be sure to be called as "a retrograde step" by some hide-bound traditionalists.

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39. A minute by Sir Gilbert Grindle, 31.12.1924; ibid.

The pragmatic character of Guillemard's proposals, supported as they were by personalities in power, by the Rulers in Malaya and by the Colonial Office had but a logical conclusion, - Maxwell was abandoned on the way and the new policy accelerated into motion. Collins drew the Secretary of State's attention to ineffectuality of the remedies proposed by Maxwell in 1920 on the problems of centralization of power and Guillemard, by his self-confident alacrity to shoulder the responsibility of translating his proposals into practice, won him the approval of the Colonial Office. Collins wrote that

> It is not really his own policy as previous correspondence will show; but he takes upon his shoulders the responsibility of putting it forward as his own and of facing the considerable agitation against it which can be expected in certain quarters. I do not think that there can really be much question that his policy is in the main right....[40]

The Far Eastern Department played a canny game. On one hand, they advised the Secretary of State to entrust Guillemard with the responsibility of carrying out the proposals but made no secret of the fact that they looked forward to the end of Guillemard's term of office. They gave him an extention only upto 1927 to carry out the proposal.[41]

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40. Collins' minute, 12.12.1924; ibid.

41. Collins observed that "Sir L. Guillemard's term expires in February 1926. If Sir W.G. Maxwell departs in August next year only a short extension of Sir L. Guillemard's term will be necessary and in any case one year's extension would be all that is necessary even if Sir W.G. Maxwell hangs on. The Far Eastern Department looks forward with no great unwillingness to the termination of the Guillemard regime, but during the second half of his administration he has been much more reasonable and amenable than during the first half". Ibid.

The new Parliamentary Under Secretary to the Colonial Office, William Ormsby-Gore agreed with these recommendations.[42] In the second week of February 1925, they received the approval of the Secretary of State.[43]

III. The initial difficulties

It was the month of February in 1925 when Guillemard got his green signal from the Secretary of State but he had a long, arduous way to go before he could work out his proposal in practice or even make a public announcement of it. He asked to come home for consultations but before leaving Malaya for London in the summer of 1925 he had to make certain readjustments in the administration and lobby for his proposal in the influencial circles of the F.M.S. One of these was about the salaries of the Residents, which had differed from one state to another but were levelled in 1925.[44] It could be argued

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42. A minute by Ormsby-Gore, 6.1.1925; ibid.
William George Arthur Ormsby-Gore; b.1885; educated, Eton and Oxford; late Capt. Shropshire Yeomanry; intelligence officer, Arab Bureau, 1916-7; Asst. Sec., War Cabinet 1917-8; Asst. Political Officer Palestine, 1918; British Member to the Permanent Mandate Commission, 1921-2; M. P. for Stafford since January 1910; accompanied the C.O. mission to the British West Indies, 1921-2; Parliamentary Under Secretary of State for Colonies, 19 Nov. 1922 - Jan. 1924; and since Nov. 1924.

43. A minute by Amery, 9.2.1925; ibid.

44. Before the revision, the Residents of Pahang and the Negri Sembilan used to receive S$ 1300 p.m., the Resident of Selangor used to receive a monthly salary of S$ 1400; and the Resident of Perak had a monthly salary of S$ 1450. The salary of each Resident was S$ 1400 p.m. after the revision with an addition to the pensionable salary of the senior Resident, in whatever state he was, of S$ 50 a month. High Com. to Sec. State, Conf., 12.3.1925; Sec. State to High Com., tele., 20.4.1925; C.O. 717/42.

that the four Residents would now receive equal salary for vastly different volume of work. But as the policy of decentralization was now expected to throw on the Residents greater responsibilities than before, the real objective of this change was to prepare the residencies of the two comparatively backward states (namely those of Pahang and Negri Sembilan) to receive more senior officers as Residents than before.

The attitude of the officials of the Federal Secretariat towards Guillemard's proposal was of curcial importance. The actual measures which should be adopted by the High Commissioner and the Colonial Office were to be worked out by the civil servants, and Guillemard had emphasised on the need for another Chief Secretary after Maxwell to guide the work of devolution of the powers of that office. "The new policy will depend for its success on personnel", Guillemard wrote to Sir Gilbert in private, "and I must look ahead and get the best men into the top ranks".[45]

The selection of the officer who would succeed Maxwell as the Chief Secretary was of great importance. Extraordinary care had to be taken in the selection of this officer. In 1925, it was believed that as far as decentralization was concerned, the selection of Maxwell in 1920 had been an error. Guillemard chose Hose for the post. Hose had built up a reputation by his success as the Chairman of the Decentralization Committee, and

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45. Guillemard to Grindle, private, 27.2.1925; C.O. 717/41.

he had subsequently succeeded Sir Frederick James as Colonial Secretary of the Straits Settlements. While in London in early 1925, Hose had written to Collins to say that the abolition of the Chief Secretary's office was the next logical step in decentralization in the F.M.S.[46] On his return to Malaya, he supported Guillemard's proposal and offered his services to carry it out. Guillemard believed that the selection of Hose "would more than anything else contribute to the success of the new policy".[47] The Far Eastern Department tempered their opinion of him. They did not regard him as a brilliant officer, but they thought that he was "a shrewd, sensible and reliable man".[48] The department hoped that the office of the Chief Secretary would be abolished by the end of 1926, and the selection of an officer who was due to retire at about that time, as Hose was, would be an advantage. These considerations, in addition to the desire of Sir Gilbert that Guillemard should be given a free hand in having the officers of his own choice, helped the Colonial Office to make up their mind in favour of Hose. It was agreed that the High Commissioner would be given the opportunity to select the officer of his choice, but a definite offer should be made to Hose only at a date nearer Maxwell's departure from Malaya.[49]

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46. A minute by Collins, 18.4.1925; C.O. 717/47.
47. High Com. to Sec. State, secret, tele., 16.4.1925; ibid.
48. Collins' minute, 18.4.1925; ibid.
49. Sec. State to High Com., secret, tele., 20.4.1925; ibid.

This was the peg on which the Colonial Office could hope to hang up the question of the devolution of the powers of the Chief Secretary on the state authorities and it could never be attempted while Maxwell held that office. They had agreed with Guillemard on the choice of Maxwell's successor also, but dealing with Maxwell's departure from Malaya was a thorny problem. Various normal avenues were looked into, specially as Maxwell himself had written to Collins at the end of 1924, expressing his interest in the post of the Agent of the Malayan States Information Agency in London which would be acceptable to him after retirement. Collins recommended his appointment to this post with the proviso that he ~~takes~~ took it up in November 1925.[50] Guillemard saw the advantage of the proposal and arranged to meet Maxwell on 28 February and 8 March 1925, in order to settle the date and terms of Maxwell's premature retirement.

The meetings might have proved satisfactory to Guillemard but for a matter which had considerably strained relations between him and Maxwell. This episode affected the attitudes of both.

What had happened was a confrontation by the Financial Adviser with the Chief Secretary, Maxwell over estimates of the federal P.W.D. votes for 1925. The Financial Adviser, at a meeting of the Finance Committee on 29 September 1924, cut down

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50. A minute by Collins, 12.12.1924; C.O. 717/34.

these estimates proposed by Maxwell[51] which he took as an encroachment on his authority and quoted back figures in support of his contention that the financial position of the F.M.S. was too sound to warrant the reduction.[52] Maxwell's love for statistics, however, sometimes did not equal his capacity for remembering them correctly, with the result that the Financial Adviser riposted by pointing out the two mistakes in the Chief Secretary's figures.[53] Maxwell protested against the cut to the High

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51. Minutes of the meeting of the Finance Committee on 29 September 1924, in High Com. to Sec. State, 2.1.1925, Conf., C.O. 717/41.

52. Chief Secretary's memorandum to the Financial Adviser, 4.10.1924; ibid. Maxwell sent a copy of this memo. to the High Commissioner.

53. The Financial Adviser in his minute of 7.10.1924, pointed out that figures for the rate of interests on the deposits of the federal administration in London, and the sums which were received from Siam and Kelantan in repayment of their loans, were higher than the Chief Secretary had suggested. Ibid.

Maxwell hardly took adequate care with statistics even in making public statements. One example, which caused him considerable embarrassment in 1923, may be mentioned here. A Federal Councillor enquired in the Federal Council on 9 January 1923 about the sums of money that the government had spent on the incomplete European Hospital buildings in Kuala Lumpur. The sum which Maxwell mentioned in his reply in the Federal Council on 23 January, was S$ 425,295. The Resident of Selangor drew the Chief Secretary's notice to the fact "that the figure given (S$ 425,295) does not by any means imply that that amount was actually put into the unfinished buildings"; the amount spent on the buildings was S$ 252,631. The sum mentioned by Maxwell did not describe the total expenditure incurred in connection with the construction work either; the total expenditure was S$ 553,705, according to the Public Works Department. The High Commissioner insisted on Maxwell's correcting his own previous statement in the Federal Council. "I will arrange for another question to be asked, in order to clear up the matter", Maxwell minuted on 22 March 1923. But as no question was asked by any Councillor in the following session, there was some disappointment. Later, Maxwell himself asked the Councillor who had made

Commissioner, which was not only ignored but chalked up as an official censure against Maxwell for the inaccuracy and careless recording of his minutes.[54] Maxwell, in his ire, sent off a lengthy memorial to the Secretary of State and requested him to withdraw the censures and refused point blank to seek the High Commissioner's permission to make the contents of the memorial known to the Unofficial Councillors.[55]

Maxwell had taken pains to describe at length those events leading to the censures but he had not made any case against the High Commissioner's action. Guillemard's despatch however, quoted chapter and verse on instances recorded in his office exposing the "careless and impulsive" manner of Maxwell's minutes to the High Commissioner.[56] On one instance, the High Commissioner had even attempted to have censures issued against Maxwell by the Secretary of State but the Far Eastern Department had played it down because such a censure would be sure to affect Maxwell's chances of promotion to a Colonial Governorship.[57]

It stood to reason therefore, that the High Commissioner's latest censure would be an ominous threat to Maxwell's future

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53 (Contd.). the enquiry in January to come forward with the question supplied by Maxwell himself. Maxwell's minutes, 13.1.1923 and 22.3.1923; a minute by the Resident of Selangor, 2.3.1923 and 28.3.1923; a minute by the Director of (Federal) Public Works, 23.2.1923; and Maxwell memorandum with the draft question, no date; Sel. Sec. 771/23. High Commissioner's minute, 13.3.1923.

54. High Commissioner's minutes, 8.10.1924 and 16.10.1924; C.O. 717/41.

55. Maxwell's printed confidential memorial to the Secretary of State, 18.12.1924; ibid.

56. High Com. to Sec. State, 2.1.1925; ibid.

57. A minute by Collins, 6.2.1925; ibid.

promotion. The Secretary of State upheld these censures and Maxwell was instructed in February, 1925 to work "in harmonious subordination" to the High Commissioner, failing which, the Secretary of State would permit him to go on pension under the newly adopted regulation which permitted officers to retire on reaching their fiftieth year.[58] Indications of Maxwell's ineptitude in conducting satisfactory political relationship with the Sultans as embodied in the Sultan of Perak's complaint had already marred Maxwell's image and Guillemard's despatch did the rest. It culminated with Maxwell being told of the Secretary of State's dissatisfaction with the progress he had made in the direction of decentralization followed by the thunderbolt that the decision had been taken to abolish the office of the Chief Secretary. This was perhaps the moment when one could exclaim, "what a fall there was my countrymen", because it was the same Maxwell who had received much adulation from Whitehall on his competence in the M.C.S., now, in 1925, being censured out of office. He was almost at the top, an adventurous mountaineer who suffered a disaster with the summit within his reach.

Maxwell was offered a consolation prize, the post of Agent in London, which he could take up in November, 1925. It was not possible for Maxwell to accept it and with his refusal, the duel started. He refused to co-operate with the High Commissioner and disassociated himself from the new policy and made

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58. Sec. of State to High Com., 17.2.1925; ibid.

it known that he would leave Malaya three months after the announcement of the policy in November, 1925, whichever date was earlier. His hopes for promotion to the office of the Governor of Kenya so that he could leave Malaya quickly was nipped in the bud by the Colonial Office.[59]

The two meetings between Maxwell and Guillemard, proved to be unsatisfactory, because it gave rise to a deep suspicion in Guillemard's mind about Maxwell's future intentions. He expressed this in his report of 11 March to the Secretary of State, saying that Maxwell's next move was sure to be aimed at alieniating the Unofficial Councillors against the proposal as long as no announcement was made and he would act openly against it after the announcement.[60] To make an announcement before he left for England would free Maxwell from the bond of secrecy and give him, during Guillemard's absence a free hand to influence opinion in Malaya in the manner he wished. Though he realized the risk of leakage if the announcement was postponed, Guillemard thought that this was the lesser evil of the two alternatives and accordingly so advised the Colonial Office. He also

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59. Minutes of the meetings between the High Commissioner and the Chief Secretary on 28 February and 8 March 1924, and initialled by them, in O.A.G. to Sec. State, 19.6.1925; C.O. 717/42.

60. Guillemard observed that "So long as policy remains secret I am certain that short of actually disclosing official secrets he (Maxwell) will use every endeavour to alienate all concerned from it. I feel sure that his aim and object will be by engineering them into false positions in the meantime to make it as difficult as possible for them to agree to the new policy when they are asked ultimately to consider its introduction. I should prefer apart from this danger to defer public announcement or even consultation with others than the Rulers and Residents until my return but risks of postponement may well be found too great". High Com. to Sec. State, secret, tele., 11.3.1925; C.O. 717/47.

asked for the Secretary of State's permission to move to the next round of confidential consultations.

The Far Eastern Department agreed with some of Guillemard's suggestions, but it became clear in March that they were not ready to go with him as far as he would like them to. They permitted the High Commissioner to consult the Rulers, Residents and the Unofficial Councillors confidentially. On 17 March, the King was requested by the Secretary of State to extend the term of Guillemard's office for another period of three years (after February 1926 when it was due to expire) "in order that he (the High Commissioner) might carry through and complete a reorganization of the administration of the Malay States" which, in the opinion of the Secretary of State, "will be greatly conducive to the welfare of the peninsula". But as the Far Eastern Department was not willing to keep Guillemard in Malaya for more than a year or so, they advised the Secretary of State against informing Guillemard of the exact duration of the extension agreed by the King; they thought it might be necessary to select a new High Commissioner within the next three years.[61]

The Far Eastern Department settled another question of importance in March. The outcome of the two meetings between the High Commissioner and the Chief Secretary gave them grounds to think that a request from the former for recalling the latter

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61. Memorandum prepared by Collins on 14.3.1925, and signed by the Secretary of State on 17.3.1925, for submission to the King; and Sec. State to High Com., secret, tele., 23.3.1925; C.O. 717/47.

would soon arrive. On 12 March, Collins met Sir Gilbert and persuaded him to accept the view that the King had no authority to remove the Chief Secretary, F.M.S. Only the Rulers of the federated states had the power to remove the Chief Secretary by using their "collective sovereignty", and this power again, had to be used on the advice of the Chief Secretary himself![62] This advice was kept ready for the Secretary of State, two weeks before Guillemard had actually made the request. Having imposed this restriction on the Department's power to act, Collins still believed that it was possible to compel Maxwell to withdraw from the scene by making a public announcement of his impending retirement.

Guillemard was encouraged by the outcome of his confidential consultations in March with the Rulers the Residents and some Unofficial Councillors. He considered that it was too early to ascertain the views of the Rulers of the unfederated states. In a meeting with the High Commissioner (from which Maxwell was excluded) the Rulers and the Residents of the F.M.S. unanimously expressed their agreement with the proposal; the Rulers urged the High Commissioner to carry out proposal as soon as possible.

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62. This arguments appears to be unsound. The Chief Secretary incorporated the powers of the Resident General who was described by the Federation Treaty of 1896 as "the agent and the representative of the British Government under the Governor of the Straits Settlements". Power of removal seems to follow as a natural corollary from the power of appointment. This argument was not repeated by Collins when the Colonial Office agreed to recall Maxwell should be openly criticise the new policy in the Federal Council after its announcement. A minute by Collins, 12.3.1925; C.O. 717/47; and Guillemard to Collins, 10.12.1925, private, C.O. 717/52.

Guillemard took four Unofficial Councillors into his confidence; three out of four Councillors welcomed the proposal but the fourth did so only with reservations.[63] Encouraged by the support of most of those whom he had consulted, Guillemard thought that he would be in a position to keep control over events and give the policy a good start, if Maxwell were away from the scene. He wanted to appoint secret committees to work out concrete proposals which would be adopted by the government, but as these committees would include officers who were Maxwell's subordinates in the Federal Secretariat, it was possible that they would not get a fair chance to recommend measures freely in view of Maxwell's hostility to the new proposal. Moreover, the danger of leakage had increased as one of the Unofficials, a personal friend of Maxwell, had refrained from extending a full measure of support to Guillemard's proposal. Maxwell's ability to influence some of those Unofficial Councillors who supported the proposal in March could not be altogether ignored. Although Guillemard bound the Unofficial Councillors by oaths of personal secrecy on the subject of consultation, the barrier between Maxwell and the Unofficials appeared to be as fragile as a thin glass.

Guillemard's next move was to request the Secretary of State in a telegram on 26 March to call Maxwell to London in

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63. High Com. to Sec. State, 26.3.1925, secret, tele., ibid.

June (1925) to explain his views to the Colonial Office.[64] The Colonial Office, in reply, permitted the High Commissioner to postpone the announcement until his return to Malaya, and appoint secret committees to work out concrete measures. They, however, declined to agree to the proposal for recalling of Maxwell from Malaya.[65]

The position remained unsatisfactory on the eve of Guillemard's departure for England for consultation with the Colonial Office. Guillemard did not appoint any committee, and no announcement was made. Maxwell has asked for some special concessions for his premature retirement.[66] Guillemard advised the Secretary of State that Maxwell's request should be treated liberally as a "security for his good behaviour"[67] and reiterated this advice on his arrival in England.[68] The unsatisfactory nature of the state of things became apparent even before Guillemard had actually left for England. The Unofficial Councillor R. C. M. Kindersley, who had refrained from supporting Guillemard's proposal, protested to Guillemard in May against "the method" by which the consultations had been carried out. Kindersley complained on the ground that the Unofficial Councillors

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64. Ibid.

65. Sec. State to High Com., secret and personal, 31.3.1925; tele., C.O. 717/47.

66. Maxwell asked for certain concessions regarding his pay and passage to England. High Com. to Sec. State, secret, tele., 8.4.1925; ibid.

67. High Com. to Sec. State, Secret, tele., 8.4.1925; ibid. This was the second telegram sent on the same day.

68. A minute by Grindle on his discussion with Guillemard on 30 June 1925 in the Colonial Office; ibid.

were not in a position to discuss the proposal among themselves, and with the Chief Secretary.[69] Guillemard assured Kindersley that there would be opportunities in future for "fuller and wider confidential discussion" as well as "open discussion in the Federal Council".[70] Kindersley was not satisfied and repeated his protest. He expressed his resentment against "the exclusion of Maxwell" from the High Commissioner's consultations, and "informed" the High Commissioner that he would communicate his views to the Secretary of State.[71] Kindersley's letter did not reach the Colonial Office until the end of June.

Meanwhile, the prospect for a settlement with Maxwell seemed brighten for a while when the acting High Commissioner, Hose privately asked Guillemard in June if he would agree to Maxwell's retiring in due course (in 1926) if Maxwell should climb down from the position of unqualified opposition to the new proposal to one of subordinate co-operation.[72] Guillemard atonce agreed, and Hose was asked by a telegram to consult Maxwell.[73] The Far Eastern Department spent the last week of June in the hope that a modus vevendi between Guillemard and Maxwell was atlast within sight.

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69. R.C.M. Kindersley to the High Com., personal, 27.4.1925; ibid.
70. High Com. to Kindersley, 1.5.1925; ibid.
71. Kindersley to the High Com., 6.5.1925; ibid.
72. O.A.G. to Sec. State, 18.6.1925; C.O. 717/42.
73. Guillemard to O.A.G., secret and personal, 17.7.1925; ibid.

This proved to be a short-lined hope because events were developing in June on a line which held out little hope for reconciliation. The Parliamentary Under Secretary, Ormsby-Gore, received a letter from Kindersley complaining against Guillemard's "method" of consultation. Kindersley claimed that in view of Maxwell's "close personal friendship with the Rulers" his exclusion from consultations would create misgivings among the Rulers. He pointed out that the Chinese Councillors had been excluded by Guillemard from the consultation. He requested that all Unofficial Councillors should be informed of the new proposal, and that they should be permitted to hold immediate discussions among themselves and with the Chief Secretary, the Residents and the Rulers.[74] The Colonial Office did not reply to this letter until the third week of September. A few days after Kindersley had sent his letter to the Colonial Office, Maxwell addressed a petition on the same lines, to the Secretary of State complaining against his exclusion from the consultations between the High Commissioner, the Rulers and the Residents in March. The objective of this petition was to add substance to Kindersley's complains. This petition was noteworthy in two respects. The first one was that Maxwell qualified the nature of his opposition to the proposal, which he had already expressed in March and secondly, he expressed his regret at not been given the opportunity, due to him in fairness, to communicate his opinion of the proposal directly to the Secretary of State.[75]

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74. Kindersley to Ormsby-Gore, 26.5.1925; C.O. 717/47.

75. Maxwell enclosed to his petition to the Secretary of State, his notes on his conversations with the High Commissioner

This petition led Hose to think that Maxwell could be persuaded to abandon his opposition to the proposal and it perhaps inspired Hose's proposal for a conciliation on 18 June.[76]

The month of June 1925 however, brought a plethora of protagonists in the ring, and they were no less than the Fifth Estate. It was the prestigious Times which published the news that something was rotten in the state of Malaya. This was because the post of the Chief Secretary of the F.M.S. was about to be abolished, and the office "will not be continued" on the retirement of Sir George Maxwell. The report continued, on thoroughly misleading lines, to describe the motive behind the

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75 (Contd.). taken by himself after the meeting and of which he left no copy in the High Commissioner's office. His notes mentioned that what he had told the High Commissioner in explanation of his attitude was :- "I could not possibly say that I agree to the new policy. I think it will be a terrible change". This statement differed from the minutes of the conversations which were taken down at the time of the conversations and initialled by Maxwell and Guillemard. According to these minutes Maxwell said that "I must make it clear that I could never agree to the policy". To this Guillemard said : "That, of course, I did not know, but I thought your ideas were the other way". Maxwell replied: "No, I have never said it". This, and a few other discrepancies were brought to Maxwell's notice by Hose when the latter received the petition in June. Hose requested Maxwell to come to Singapore and consult the minutes. Maxwell declined and wrote that he "trusted my memory". Consequently, Hose sent the minutes of the meetings to the Colonial Office together with Maxwell's petition. Maxwell to the Secretary of State, 8.6.1925; in O.A.G. to Sec. State, secret, 8.6.1925; statements read out by Guillemard to Maxwell in the meetings on 28.2.1925 and 8.3.1925, and minutes of subsequent conversations, initialled by Guillemard and Maxwell; O.A.G. to Maxwell, 17.6.1925; and Maxwell to O.A.G., 22.6.1925 in O.A.G. to Sec. State, 8.7.1925; C.O. 717/42.

76. Maxwell's petition of 8 June was received by Hose on 1 June. O.A.G. to Sec. State, 10.6.1925; C.O. 717/42.

move. They said, "It is suggested that with the abolition of the Chief Secretaryship, the administration of this large and important territory would be undertaken direct from Singapore by the Governor of the Straits Settlements".[77] What was most amusing was the report bewailing the fact that finding out a competent successor on whom "Sir George Maxwell's mantle can worthily fall" was going to be a difficult one, but "that should not be the ground for abolishing the post". "If", it went on, "on the other hand, the measure was contemplated to carry decentralization a step ahead, it would be a violation of the undertaking which the British Government had given to the Malay Rulers to appoint a Resident Councillor" [sic] in the federation. In this respect the movement for the revival of the office of the Resident General in the recent past "should have served as a warning" to the authorities as to the strength of the public opinion which would again "find very loud expression at no distant date if and when the proposal is put forward officially".[78]

It is not difficult to guess the source of this report, originating as it did in Kuala Lumpur. A blatantly premature disclusore of a secret proposal, it was a dangerous mixture of falsehood, only tinctured by a modicum of truth. Moreover, The Times' report reached Malaya at a time when - as one Malayan paper observed - "startling rumours of projected political

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77. The Times, 15.6.1925.

78. Ibid.

changes in the F.M.S. had been floating around the country for months".[79] The fact that the report appeared in an early edition of The Times and that it failed to appear in the paper's later edition, were presented in Malaya as evidence of its verity and subsequent suppression by an intervention of the Colonial Office.[80] The report was printed in Malaya first on 15 July by The Straits Times and the next day, the High Commissioner and his proposal for administrative change were bitterly attacked by The Straits Times and The Malay Mail. In their attack, both the papers covered the grounds already trodden by The Times' report, but they went a step further.[81] They criticised the alleged unsatisfactory manners in which Guillemard had carried out the preliminary consultations, - by consulting some but not all Unofficial Councillors, placing them under oaths of individual secrecy, and leaving "the very highest officer of the Government now on the spot in the dark" about the actual position of his discussions with the Colonial Office.[82]

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79. The Malay Mail, editorial, 16.7.1925. The Straits Times wrote on 16 July that accounts of Unofficial Councillors' meetings with the High Commissioner reached them weeks ago. The Straits Times, editorial, 16.7.1925.

80. The Malay Mail observed that "some very powerful authority... must have made very strong representations to Printing House Square as to the desirability of suppressing this particular communication". The Malay Mail, op.cit.

81. Both the papers accused the High Commissioner of devising a plan the dark motive of which was to transfer the administrative power of the protected states to the Colony. While attacking the High Commissioner they pretended to speak for the Malay Rulers and their rights. The Straits Times reminded the High Commissioner that the abolition of the Chief Secretary's office would be "a violation of the King's pledge to the Malay Rulers", while the Malay Mail urged on him to honour the "sovereign rights" of the Rulers. The Straits Times; the Malay Mail, op.cit.

82. The Straits Times wrote that "surprising accounts of Federal

The Malay Mail, perhaps because it was run by an Unofficial Federal Councillor who was acquainted with the essential nature of the proposal, attempted at a reasoned defence of the federal administration.[83] The paper argued that the continuation of a strong central secretariat was an administrative necessity. The departments like the Railway, Post and Telegraph, Custom, and Labour could not be divided among the states. Granted that the federal administration remained, "that government must have a titular and visible head". Moreover, a strong federal administration alone could offer the stability which was largely responsible for the financial prosperity of the federation. As the argument presented the point of view of the European business interest in the F.M.S., it deserves to be reproduced here fully. The Malay Mail enquired :

> And to go outside any departmental aspect of the matter, are the High Commissioner and the Colonial Office in danger of losing sight of the fact that enormous sums of private European capital have been and are being invested in the F.M.S., attracted thereto by the fact that it enjoys the advantages of a firmly established Central Government? The capitalists to whom so much of the development of Malaya and its rapid aggregation of wealth and importance are due have up till now banked with what seemed to them absolute assurance on the enduring character of central Federal authority, and with a few exceptions have been much more chary of venturing their cash and credit in enterprises established in the Unfederated States. In the present, with all its hopeful

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82 (Contd.). Councillors being sent for and put upon their honour to keep secret some communication made to them reached us about six weeks ago". The Straits Times, ibid.

83. The Straits Times, on the other hand, launched a personal attack on the High Commissioner.

> signs of a really prodigious revival in our trade and industry, a really good time to discourage private co-operation in its most valuable and most welcome form?[84]

While the press continued their campaign against the High Commissioner and his proposal in the second half of July an annonymous letter - signed 'Constitutional' - was printed in The Straits Times on 28 July, adding a new dimension to it. The writer argued that "the real question which is now agitating Malaya should be 'Governor or High Commissioner' ". He maintained that the extension of the control of the Government of the Colony over the protected states had started with the change of the title of the Resident General to Chief Secretary, and in the following fifteen years the Governor's interference in the administration of the F.M.S. increased steadily. He added that "Everywhere, without exception, in the British Empire, a Chief Secretary to Government is right-hand man to a Governor, and never to a High Commissioner". In his view the fundamental weakness of the Federation stemmed from the fact that states under it had been denied on officer who could stand up for them. He concluded that

> If the title of the High Commissioner is right, then the title of Chief Secretary to Government is manifestly wrong. If the title of Chief Secretary to Government is right, then let us drop the fiction High Commissioner, and give us a "Governor of the S.S. and F.M.S. ....[85]

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84. The Malay Mail, op.cit.

85. A letter to the Editor, The Straits Times, 28 July 1925. Maxwell reproduced the entire text of this letter in a memorandum which he later addressed to the Secretary of State in support of his argument for reviving the Resident

It was a call to arms to those who in the past had fought for the revival of the office of the Resident General. The best way to defeat the move for the abolition of the Chief Secretary's office.was to renew the campaign for the revival of the Resident General's office. The most notable among those who were to respond to this call, as we shall see in the following chapter, was Sir Frank Swettenham.

The press was far from fair in criticising the main objective of the new proposal. The fact that the main purpose of the abolition of the Chief Secretary's office was to transfer to the state authorities some powers of that office was totally ignored. Though the press appeared to be concerned with the preservation of the rights of the Malay Rulers, the grievances of the state authorities on account of centralization power, were not mentioned at all. Perhaps, the main objective of the press campaign was to force the policy-makers to come out with a statement of what they really wanted to do, and thus offer a more precise target to attack.

The campaign which the Malayan press started in the third week of July brought about significant changes in the attitudes of Maxwell and Hose. Maxwell's position was moderate as late as 14 July. He had regretted the lack of an opportunity to place his views before the Secretary of State, and had disclosed his intentions to publish his retirement in August (1925) and leave Malaya in November.[86] Hose informed the Colonial

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86. Maxwell to Sec. State, 8.6.1925, op.cit., O.A.G. to Sec. State, secret, tele., C.O. 717/42.

Office of the change in the position of Maxwell in two respects in two telegrams in the last week of July and the first week of August. First, Maxwell now wanted an assurance from the Secretary of State that the abolition of the Chief Secretary's office would still remain an open question to give him an opportunity to place his views.[87] Maxwell's first request was bound to give rise to more complications as it would require a modification in the statement of the new policy made by Guillemard to Maxwell in March. At that time the Colonial Office and Guillemard had agreed to meet Maxwell's requests for special treatment with regard to his pay and pension, only as a guarantee of his future good behaviour. Second, Maxwell declined to give a promise that he would refrain from opposing the new policy.[88]

The press campaign had its effect because Hose was unable to stand the mounting pressure of the press criticism and reported the press campaign to the Colonial Office on 28 July. Two days later he sent a draft press communique for the approval of the Secretary of State.[89] Hose's next action was unpredictable because instead of waiting for a reply from the Secretary of State, he took the extraordinary step of communicating "privately the terms of the proposed announcement" to Maxwell. He went

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87. O.A.G. to Sec. State, secret, tele., 7.8.1925; ibid.

88. O.A.G. to Sec. State, tele., no date; ibid. This telegram must have been received on or before 31.7.1925; on that date Guillemard sent Collins this telegram to get it decyphered.

89. O.A.G. to Sec. State, secret, tele., 30.7.1925; ibid.

further and obtained the terms on which Maxwell would make peace, and made two important recommendations to the Secretary of State. The first concerned Maxwell. Hose said that Maxwell's views should be officially considered and he should not be prematurely retired from the service. This meant that the Secretary of State should assure Maxwell that the abolition of the Chief Secretaryship was an open question, in contradiction to the High Commissioner's earlier statement, and he should let Maxwell remain in Malaya after November 1925. Hose warned the Colonial Office that "If Maxwell were to retire prematurely and without being full consulted the door would be open to grave scandal of disagreement, [sic] and manifestations of distrust and suspicion already appearing in the press would be confirmed.[90] Hose's second recommendation was related directly to the proposal and it deserves to be quoted here. He observed that

> I would concur in the view held by some of the officials here whose opinions are most valuable that the Government should not be committed at this stage to any definite administrative change, i.e., that it would be wiser at the present time merely to insist on more rapid decentralization leaving open for subsequent decision in the light of the progress made the question of what changes it is possible to effect.[91]

This complete about-face by Hose and his turn-coat attitude disgusted Guillemard and Collins.[92] Hose's draft statement

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90. O.A.G. to Sec. State, secret, tele., 7.8.1925; ibid.

91. Ibid.

92. Hose's telegrams inspired Collins to make some pungent remarks. He wrote to Guillemard that he thought that Hose should not have used the word "scandal", nor should the latter have showed Maxwell the unauthorised draft communique. It appeared to Collins that Hose was "drifting into arms of Maxwell". He minuted later that "Mr. Hose is a life-long friend of Sir W.G.Maxwell, and though he agrees with the new policy is trying to run with the hare and hunt with the hounds". Collins to Guillemard, personal, 10.8.1925;Collins' minute, 12.8.1925; ibid.

was not accepted, and Guillemard and Collins jointly drafted a statement in the first week of August, which was more straightforward than Hose's. The Collins-Guillemard draft, unlike Hose's, clearly stated that the existing powers of the Chief Secretary was at the root of the problem of centralization, and that the outcome of the High Commissioner's current discussions with the Colonial Office would be a solution which would "necessarily involve a considerable rearrangement of the functions now centered in the Chief Secretary".[93] It added that the High Commissioner had carried out "some preliminary consultations with the Rulers and Unofficial members of the Council" in Malaya. This statement was approved of by the Secretary of State on 8 August.[94] The Far Eastern Department waited for five days in anticipation of hearing any new development from the acting High Commissioner, before sending it to him with the instruction to issue it to the press as it stood.[95]

The official announcement on decentralization was made on 18 August in Malaya and its immediate outcome was both unexpected and contrary to what Collins had expected. Hose telegraphically informed the Colonial Office on 19 August that the two Chinese members of the Federal Council had asked him to transmit to the Secretary of State their "emphatic protests".

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93. The draft statement finalised by Guillemard and Collins in a meeting on 7.8.1925; ibid.

94. Amery's minute, 8.8.1925; ibid.

95. Sec. State to O.A.G., secret, tele., 13.8.1925; ibid.

The official statement had wrongly claimed that Guillemard had consulted them, and their real ground of discontent was that the High Commissioner had taken "Malay and European members into confidence while excluding them from it". The Chinese members claimed that "influential persons of all races" had brought pressure to bear on them to protest publicly against the High Commissioner's act and threatened to hold public meetings for this purpose. Hose cautioned the Colonial Office that unless the Secretary of State returned to the Chinese Councillors a conciliatory reply, "the Asian, particularly Chinese opinion would be seriously disaffected".[96]

Three days after he had informed the Colonial Office of the protests of the Chinese Councillors, Hose sent the Secretary of State another telegram. Hose informed the Colonial Office that he was not proceeding with the action against the K.M.T. - which he had earlier been asked to take - until he had received from the Secretary of State a reply to his telegram of 19 August.[97]

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96. O.A.G. to Sec. State, secret, tele., 19.8.1925; ibid.

97. O.A.G. to Sec. State, secret, tele., 22.8.1925; ibid.

The Government of the Straits Settlements had been instructed by the Secretary of State in July 1925 to take steps to suppress the Kuo Min Tang (K.M.T.) branch in the Malay States. It has taken about three years to reach an agreement among the departments of the home government on the question of suppression of the K.M.T. in Malaya. The proposal was first made by the High Commissioner in 1922. It was feared in 1922 that such a decision would affect the British trade in Hong Kong, and bring about serious reactions in China; the War Office advised the Colonial Office to move cautiously in view of the weakness of the British military position in the Far East. Guillemard renewed his request for the suppression of the society in November 1924, and with new evidence of the Bolshevik influence over the society he convinced the Colonial

The postponement of the action against the K.M.T. was perhaps calculated to convince the Colonial Office that the exclusion of the Chinese Councillors from consultations on the proposal for the abolition of the Chief Secretary's office would have grave repurcussions on their community, and that no such measure should be carried out at that time.

The question is why had Guillemard excluded the two Chinese Councillors from preliminary discussions? Guillemard was of the opinion that the political settlement was a matter to be agreed between the High Commissioner and the Malay Rulers, and that the Chinese (and for that matter any Asian) community could not have any say in it. He wrote to Collins that "As a matter of fact the Chinese ought to have no voice in a matter of policy

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97(Contd.). Office to act. The Secretary of State was in favour of the proposal, the opposition of other departments was largely cleared in a meeting of the representatives of the War Office, Foreign Office, Colonial Office, Admiralty, Chinese Protectorates of the Straits Settlements and the F.M.S. in February 1925. In June the Secretary of State for the Foreign Affairs and the Secretary of State for the Colonies submitted a strongly worded joint memorandum to the British Cabinet. The memorandum proposed that "in view of the increasingly dangerous character of the society's activities which, with the extremist elements in power, are now definitely aimed at the destruction of British authority in the East, steps should be taken forthwith to suppress the Malayan branches of the society". The Cabinet, in a meeting on 1 July, authorised the Governor to take steps to suppress the society in Malaya, and this decision was conveyed by the Secretary of State for Colonies to Hose in the second week of July. It was left to the O.A.G. to decide the suitable time and devise adequate steps. Governor to Sec. State, secret, 21.11.1924; minutes of the meeting on 25.2.1925 of the representatives of the Admiralty, War Office, Foreign Office, Colonial Office, and the Chinese Protectorates of the Straits Settlements and the F.M.S.; a memorandum by Grindle, 15.5.1925; joint memorandum of the Secretary of State for Foreign Affairs and the Secretary of State for the Colonies, June 1925; extract of the Cabinet decision on 1.7.1925; Sec. State to O.A.G. 8.7.1925; C.O. 717/45.

between British and Malays, but I do not think it would be politic to say this out loud".[98] One can go a step further and say that Guillemard's views on the rights of the Unofficial Councillors in general was not very different, because a few months ago he had told Kindersley, an Unofficial Councillor, something on the same lines.[99] Guillemard went on to explain to Collins that he had consulted only those Unofficial Councillors who, he thought, could be trusted on with confidential matters.[100] Whether anyone whom Guillemard had consulted failed to keep his confidence, was a different matter. It is interesting however, to note that the ground on which the Guillemard had decided not to consult the two Unofficial Chinese Councillors was the reason for which he had excluded Maxwell from his confidential consultations.

The overall effects of Hose's attitude, his championship of Maxwell's cause and the nature of his two unexpected telegrams not only changed Guillemard's attitude towards Hose and Maxwell but affected future events. In the first place, Guillemard was too old a hand in Malayan affairs to take too serious a view of the threat of dissatisfaction among the Chinese. He had strong doubts about the willingness or the capability of the two Chinese

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98. Guillemard to Grindle, private, 23.8.1925; C.O. 717/42.

99. Guillemard had written to Kindersley that the alternative to the method of confidential consultation "was to keep the Unofficial Members in complete ignorance at this stage, I do not think that if I had adopted this alternative they could have objected, on constitutional grounds". High Com. to Kindersley, 1.5.1925; C.O. 717/47.

100. Guillemard to Collins, 23.8.1925; op.cit.

Unofficials to take any significant part in the political discussions.[101] Guillemard had already drafted a reply to Hose's first message of 19 August before he had received Hose's second message of 22 August and he thought fit to send off the reply without modifying it on 29 August.[102] It was concilliatory in tone, reaffirming Guillemard's former assurances to Kindersley and said that a fair chance would certainly be given to the Unofficial Councillors to express their opinions on the proposal. This was followed by a request to Hose to proceed with the pre-planned action against the K.M.T.[103]

Guillemard's real apprehension, after receiving these two telegrams from Hose, was that if Maxwell and Hose were aiming to involve a third party into the political areana, it might give Maxwell a new handle to twist Asian opinion to his own advantage.

The Far Eastern Department and Guillemard thought it advisable not to give Maxwell the opportunity to say that his opinion on the proposal had not been given a fair hearing, therefore they decided to permit Maxwell to retire in due course and allow him to express his opinions freely to the Secretary of

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101. Guillemard believed that they were neither willing nor capable. Had it not been for Maxwell's inspiration, which he strongly suspected, the two Unofficial Councillors would not have protested at all. Ibid.

102. A minute by Collins, 27.8.1925; Sec. State to O.A.G., 29.8.1925; C.O. 717/42.

103. A minute by S. Wilson, 28.8.1925; ibid.

State.[104] Hose's handling of the situation, specially that of backing the protests of the two Chinese Unofficial Councillors had blotted his political copybook and Guillemard naturally began a fresh search for Maxwell's successor.[105]

Once it was settled that Maxwell's views would be considered by the Secretary of State, it appeared tactically sound not to emphasise the fact that the proposal for the devolution of the Chief Secretary's powers leading to the abolition of that office, had already been agreed upon in principle by the Secretary of State. This became clear at first from Ormsby-Gore's reply to Kindersley's letter of May (1925). Collins had drafted a reply before Hose's telegrams of August arrived. It explained that Maxwell was excluded from confidential consultation because he was opposed to "the policy which Secretary of State had felt obliged to approve".[106] This draft was now cancelled, and the reply which was drafted by Collins on 26 August and which was sent to Kindersley on 16 September explained the same point as follows :

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104. Collins observed on 26 August that "we now know that he (Maxwell) is stying on and we may expect to receive from him 'a full and frank expression of his views' ". A minute by Collins, 26.8.1925; C.O. 717/47.

105. On his return to Singapore in November 1925 Guillemard removed the grievances of the Chinese Councillors, He explained the matter to one Unofficial Councillor, Choo Kia Peng. He privately wrote to Collins later that "I have squared the Choo Kia Peng trouble about which Hose made such an ass of himself". Guillemard to Collins 10.12.1925; C.O. 717/52.

106. The reply drafted by Collins on 14 July 1925, to Kindersley's letter to Ormsby-Gore of 26 May 1926; C.O. 717/47.

... Sir G. Maxwell was then understood to be so completely opposed in principle to the policy to the consideration of which the Secretary of State has felt it necessary to agree that there seemed no alternative but to proceed with the preliminary consideration of how far the new policy could be adopted ....[107]

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107. The revised reply drafted by Collins on 26 August 1925 which was sent as Ormsby-Gore to Kindersley, 16.9.1925; ibid.

CHAPTER - VII

THE ADMINISTRATIVE RE-ORGANIZATION OF THE FEDERATED MALAY STATES.

Synopsis

The year 1925-26 continued with Guillemard's proposals for curtailing the Chief Secretary's power and brought in its wake, much criticism from both Britain and Malaya. The critics of the proposal, however, were not united. The Association of British Malaya in Britain and Maxwell in Malaya criticised the policy from two extreme positions. The former lobbied for the revival of the administrative scheme of 1896 in its original form. The latter denied the existence of the problem of centralization and resisted any change in the administration of the F.M.S. The English press in Malaya and the non-Malay Unofficial Councillors acknowledged the problem of centralization, but they agitated for the maintenance of the existing power of the Centre and the improvement of the efficiency of the Federal Council. While the Association of British Malaya and Maxwell isolated themselves from this main body of opinion in Malaya, Guillemard took it into his consideration, and worked out measures of administrative re-organization accordingly. Thirty-one Services were defined either as State or Federal Services; twenty-two were left to be defined in future. States were delegated power to allocate funds in twelve services, although the Federal Council retained the over-all control over the finance. The Federal Council was strengthened in order to meet the demand of the Unofficial Councillors. The administrative machine re-adjusted itself to these changes during the short period of office of Sir Hugh Clifford.

I. Malayan pressure groups and the proposal for the devolution of the Chief Secretary's power

The controversy over Guillemard's proposal for the devolution of the Chief Secretary's powers reached a new phase in the last quarter of the year 1925 when the Malayan lobby in London entered the scene. The views of the lobby could not be ignored either by the Colonial Office or by the High Commissioner in formulating a policy affecting the administration of the Malay States. Naturally, the question which particularly interested

the lobby was that of decentralizing the Chief Secretary's power and its importance in policy-making can be gauged from Guillemard's action of taking some of the lobbyists into his confidence. There were, however, no responses from the lobby to Guillemard's proposals and it is interesting to know why. The composition of the lobby will give a clue to it.

The Association of British Malaya (A.B.M.) represented the most influential body of unofficial opinion on Malayan affairs in London. The reason for this was partly historical. The Association was formed in 1920, and at the time of its formation incorporated into it the Straits Settlements Association which had been in existence for the previous fifty-two years.[1] The new Association, therefore, at once became the rallying ground for men who by then had developed considerable interests in Malayan industries. In the twenties of this century, we find two groups of people in the forefront of the Association. The first group included men like Sir F. A. Swettenham, Sir E. W. Birch, W. H. Shelford and a few others who had established themselves firmly at the London end of Malayan business concerns before the outbreak of World War I.[2] Swettenham and Birch were

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1. British Malaya, in its May 1926 issue, published an account tracing the development of the Straits Settlements Association. The Association was established in 1868 and its first President was John Crawfurd. During the fifty-two years of its existence, the Association interested itself in a large number of matters concerning the growth of the colony and its public life such as the constitution of the Legislative Council, the defences of Singapore, questions dealing with currency, prisons, railway construction, land tenure and the Crown Lands Act, and the like. British Malaya observed that in 1920 "it was considered advisable to wind up the Straits Settlements Association and constitute another body which could watch over the combined interests of the Straits Settlements and the Malay States". British Malaya, London, May 1926, pp. 31-2.

2. W.H. Shelford was, in 1914, a director of Paterson, Simons and

well known for their service in the administration of the Malay States and the Colony in the past. The former became the Chairman of the A.B.M. in 1920 and 1929, and the latter in 1923.[3] Shelford who had been the Chairman of the Straits Settlements Association for six years from 1914 to 1919, later became the Chairman of the A.B.M. in 1926.[4]

The other group included those who joined the A.B.M. in the nineteen twenties. Some of them had been active in the Malay States and in the Straits Settlements in business before and during the war, but they moved to London at the end of the war. Some of the influential members of the A.B.M. in the years of our interest came from this group. C. W. Darbyshire, who was elected Chairman of the A.B.M. for 1921, had been associated with an important business house in the Straits Settlements before 1919. He was the Managing Director of Paterson and Simons Co. Ltd.; in addition, he held some public offices in Singapore between 1910 and 1919. Eric (later Sir Eric) Macfadyen was a member of the Federal Council between 1911 and 1916, and 1919

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2 (Contd.). Co. Ltd., Cheran Jeloh Coconut Estates Ltd., and Malayan Rubber Loan and Agency Corporation Ltd., and the Chairman of Henrietta Rubber Estates Ltd.

To avoid repetition, it may be pointed out here that unless otherwise attributed, all information on the business connections of the persons mentioned in the following pages is taken from The Directory of Directors for the years from 1914 to 1930. (Thomas Skinner ed., London)

3. The Colonial Office List (ed., Sir W. H. Mercer, A.E. Collins, and A.J. Harding) from 1921 onwards mentions the names of the Chairman of the A.B.M. who had been elected the year before. Names of the Chairman of the A.B.M. are taken from the Colonial Office List from 1921 to 1940.

4. The Colonial Office List, 1914-1919, ibid.

and 1920. In addition to being the Chairman of the Planters' Association of Malaya, he was a director of three companies which were engaged in the production and marketing of rubber, the most notable of them being the Harrison and Crossfields Ltd. Macfadyen was closely associated with the A.B.M. after 1920 and was elected Chairman of the Association in 1931 and 1940.[5]

The most influential figure in London outside the A.B.M. having Malayan interests was Frederick George Penny, later 1st Viscount Marchwood.[6] Starting his career as a master in mercantile marine, Penny joined in 1903 Fraser and Co. Ltd., a firm of exchange and sharebrokers. At the end of the World War I, he was a senior partner of the firm, the General Manager of the Eastern Smelting Co. Ltd., and was on the Committee of the Penang Chamber of Commerce. Penny moved to London after 1919, as the Director of the London Committee of the Eastern Smelting Co. Ltd. and he represented the F.M.S. in the post-war negotiations

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5. Eric Macfadyen, b. 1879; ed. Oxford; Cadet M.C.S. 1902-5; Contractor and Planter 1906-16; Chairman, Planters' Association of Malaya; Member of the Federal Council, 1911-16, and 1919-20; Director of Brooklands Selangor Rubber Co. Ltd. and Chembong Malay Rubber Co. Ltd., 1914; Chairman, Rubber Growers' Association, 1927; M.P. (Liberal) Wilts (Devizes) 1923-24; Chairman, A.B.M., 1930 and 1940; Kt., cr. 1943.

6. Frederick George Penny, K.C.V.O., 1933; 1st. Baron Marchwood, 1937; 1st Viscount of Marchwood and of Penang, 1945; b. 1876; Master Mariner; M.P., Kingston-upon-Thames, 1922-37; Parliamentary Private Secretary to Financial Secretary to War Office, 1923; Conservative Whip, 1926-37; Lord Commissioner of the Treasury, 1928-29; and 1931; Vice-Chamberlain H.M. Household, 1931-32; Comptroller, 1932-35; Treasurer, 1935-37; Hon. Treasurer of the Conservative Party, 1938-46; Freeman, City of London.

with the Dutch in Java on the liquidation of the war tin stocks, in the F.M.S.[7]

The emergence of these new elements was important for the Malayan lobby in London for two reasons. First, they soon joined the pre-war group as a result of which the Malayan lobby emerged as a pressure group, more influential than the Straits Settlements Association had ever been. We find that in the years following 1919, W. Duncan (Chairman of the Association for 1924) was a Director of three companies of which Swettenham was the Chairman; Penny, the Managing Director of the Eastern Smelting Co. of which Birch was the Chairman; and Darbyshire a Director of two companies of which Shelford was also a Director.[8] Second, the new elements opened for the lobby new channels to exert political pressure. Darbyshire and Macfadyen were liberal M.P.s, respectively for Westbury and Wiltshire.[9] Penny was the Conservative M.P. for Kingston-upon-Thames between 1922 and 1937,[10] and his views carried great weight in the Colonial Office

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7. High Com. to Sec. State, 5.8.1921; C.O. 717/13.

8. Swettenham and Duncan were connected with Lumut Rubber Estates, Ltd., Nanette Rubber Plantation Ltd., and Layang Rubber Plantations Ltd. Shelford and Darbyshire were connected with Malayan Rubber Loan and Agency Corporation Ltd., and Rampah Coconut Estates Ltd. Major Ronald J. Cargill, Secretary of the A.B.M. for 1923-24, was a Director of British Malayan Tin Syndicate and Selayang Tin Dredging Ltd. Birch, Cargill's father-in-law, was the Chairman of both the companies. Maxwell after his retirement as the Chief Secretary, F.M.S., became a Director of Bajoe Kidoel Rubber and Produce Co. Ltd., and Macassar Plantations Ltd.; Macfadyen had been a Director of both the companies for some years. Directory of Directors, 1914-30, op.cit.; and Birch to Collins, 7.5.1924; C.O. 717/40.

9. Dod's Parliamentary Companion, London, 1920-37.

10. Ibid.

under the Conservative Cabinet of Stanley Baldwin between 1924 and 1929. Partly because Penny held under the Conservative Government important offices of Whip of the Parliamentary Party and the Lord Treasurer for Treasury, and partly because he was personally well known to the Parliamentary Under Secretary of State, Ormsby-Gore, the Colonial Office looked to him for advice in dealing with persons and groups connected with Malaya. For instance, the Parliamentary Under Secretary advised the Secretary of State on one occasion that "I understood that Mr. Penny, M.P. now a Government Whip was regarded by European interests in Malaya as their chief unofficial representative in this country".[11]

The main source of the influence of the Malayan Lobby was their economic muscle. It is, however, impossible for practical reasons to measure their financial strength with precision.[12] In one place the Association claimed that they spoke for "the great British interests which have invested £ 100,000,000 in tin and rubber industries of British Malaya".[13] If their position in the business houses and companies connected with the Malayan industries is accepted as an indicator of the extent of their influence, the following table would suggest their respective positions.

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11. A minute by Ormsby-Gore, 15.3.1927; C.O. 717/55.

12. The British Association of Malaya Historical Collection in the Royal Commonwealth Society, London, which includes the papers of some of the members of the former Association of British Malaya, offers little useful information on the financial strength of those members. These are select papers of those who deposited their papers with the association.

13. Sec. to A.B.M. to Under Sec. of State, 26.6.1924; C.O. 717/36.

Names	Number of Directorships held in companies with interests in Malayan tin and rubber. Figures in brackets show the number of Chairmanships.[14]					
	1914	1919	1921	1923	1926	1929
E.W. Birch	13(6)	16(10)	18(12)	14(10)	19(16)	22(21)
F.A. Swettenham	11(9)	10(9)	10(9)	10(9)	10(9)	12(11)
W.H. Shelford	5(1)	6(1)	13(1)	3	3	4
A.G. Wright	3	3	3	3	3	3
Eric Macfadyen		4(1)	14(1)	17(1)	18(2)	18(2)
W. Duncan			8	9	14	20
C.W. Darbyshire		1	9	9	-	-
R.J. Carghill					2	2
Total	32(15)	39(20)	56(23)	65(20)	69(27)	81(34)
F.G. Penny		1	1	1	3	1

From its inception, the A.B.M. sought to play two roles which were not always in harmony with each other. The declared objective of the Association was to represent the important British commercial interests in the Malay States.[15] They also appeared to be keen on safeguarding the rights of the Malays and their Rulers which followed from the special position of

14. This table is based on information collected from the Directory of Directors, 1914-29, op.cit.

15. The Colonial Office List, 1921, p. XIi, op.cit.

these states as protected states. In that role they acted as a watch dog on the activities of the protecting authorities in Whitehall and Malaya.[16] In 1922, the Association initiated a protracted correspondence with the Colonial Office attacking the High Commissioner on the alleged ground that he was overlooking the interests of the Malay Rulers in the F.M.S.[17] Guillemard refuted their charge and gave a spirited reply in which he pointed out that the interests which the Association essentially represented not only created special difficulties for the government of any protectorate in safeguarding the local interests, but also made it absurd for the Association to pose as the defender of Malay rights against the government.[18]

The Far Eastern Department however, before the year 1924, had showed their tacit approval of the Association's continuous attacks on Guillemard's administration. The Colonial Office bag sent to the High Commissioner was often full of the Association's critical representations to Whitehall against him. It was only when the Far Eastern Department realised the importance of Guillemard's role in reorganizing the F.M.S. administration, did

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16. Writer's interview with Hugh Patterson Bryson at London, 24.8.72. Mr. Bryson, M.C.S., was the Secretary of the Association of British Malaya from 1953 to 1963. He retired from the M.C.S. as the acting Under Secretary of the Colonial Secretariat in Singapore in 1946.

17. Copy of a memorandum from the A.B.M. to the Secretary of State, 28.1.1922; Phg. 10/23; E. Brockman to the Under Sec. of State, 29.8.1922 and Arthur Young to Under Sec. of State, 21.9.1922; C.O. 717/27; Sec. to A.B.M. to Under Sec. of State, 27 and 29 June 1923; C.O. 717/36; For an informative summary of the exchanges between the A.B.M., the Colonial Office, and the High Commissioner for the years 1922-27, see the notes prepared by J. Paskin, dated 7.2.1927; C.O. 717/55.

18. High Commissioner's address to the Federal Council, Dec. 1924; Pros. Fed. Council, 1924, appendix 4.

they attempt to keep the Association at arm's length.[19] The Department was quite aware of the fact that the Association would set its face against the decentralization proposals because its interests would be served more effectively by a strong central government in the F.M.S.

The Association reacted immediately as their letter to the Under Secretary of the Colonial Office shows. Their attack was directed against the principle of lump-sum grants to the states introduced in the F.M.S. that year (1924).[20] Unfortunately for them, this attack made them lose face with the Unofficial Councillors in the F.M.S. and weakened their influence there considerably. The Colonial Office was also in a dilemma because Far Eastern Department was not going to countenance a criticism of the principle of the devolution of power and thought it highly improper of the Association to send criticisms of the F.M.S. administration over the High Commissioner's head. All the same, the Association had to be given a satisfactory reply or else

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19. Guillemard took the criticisms of the A.B.M. quite seriously as he was conscious of the fact that the Far Eastern Department was more than normally willing to lend its ears to some of the retired Governors. A little change in the Department's attitude towards the A.B.M. appeared in the minutes of the officials in 1924. H. Beckett minuted on the Association's letter of 26.6.1924 : "Another long letter written mainly to tell us that they intend to bother us in future. I would pass over that part of the business in silence". Beckett's minute, 3.7.1924; C.O. 717/36.

20. The Association observed that 'lump sum' items did not describe the actual position in expenditure. They recalled assurances sought by, and given to, Sultan Idris to the effect that "the revenues of the four states should be kept separate" and that assistance to other states should be given in the form of loans. The Association observed that "a perusal of the present estimates seem to show that Sultan Idris's stipulation is now disregarded". Sec. to A.B.M. to Under Sec. of State, 20.11.1924; ibid.

they might raise the question in Parliament itself.[21]

The Department had to be placatory on both these fronts which they did by first sending off the views of the Association to Guillemard and by requesting the Association, on the other hand, to communicate their views and criticisms directly to the High Commissioner in future. They suggested the medium of the Unofficial Councellors for this purpose[22] but the Association turned it down, observing that they would prefer communicating directly to the Colonial Office. The Unofficial Councillors, in their opinion, had little actual influence over the F.M.S. administration and were capable only of making quite ineffectual speeches in the council.[23] The Unofficial Councillors did not take kindly to this slur on their efficacy and promptly expressed their resentment. They condemned the Association's practice of by-passing the High Commissioner and dealing directly with the

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21. In fact, however, the Association used to get a good deal more from the Department. In response to the enquiries on specific points, the Department used to send copies of the entire text of the High Commissioner's confidential despatches to the Secretary of State touching the points - which gave the Association fresh grounds of attack or for further enquiries. For example, a copy of the High Commissioner's confidential despatch on the F.M.S. estimates for 1924 was sent to the Association. The Association's criticism of the principle of the lump sum federal grant to the state came in response. A minute by Beckett, 21.3.1923; C.O. 717/27; Under Sec. of State to Sec. to A.B.M. 15.2.1924; C.O. 717/31.

22. Under Sec. of State to the Sec. to A.B.M., 15.2.1924, ibid.

23. The Association also pointed out that "the responsibility and status of the Federal Councillors" should be increased; that "the Unofficial Members are not necessarily representative of the interests this Association claims to voice"; and that the Secretary of State should be willing to receive representations from the Association. Sec. to A.B.M. to Under Sec. of State, 26.6.1924; C.O. 717/36.

Colonial Office. In a speech in November 1924, in the Federal Council, an Unofficial Councillor remarked with bitterness that :

> ... it is entirely wrong that this association should meet from time to time and criticise the administration of this Government and not only criticise it in their meetings, but record their criticism through the Colonial Office to Your Excellency. ... We should in some way record our displeasure at the action which the Association of British Malaya has taken in pouring into your Excellency's letter box to a perfect flood of written evidence of the pratings of the prehistoric Pro-Consuls.[24]

The incident isolated the A.B.M. from the Unofficial Councillors of the F.M.S. just on the eve of the announcement of the High Commissioner's proposals for decentralization. The Far Eastern Department was not unhappy about this outcome. One official of the Department minuted on the report of the Council's proceedings that "Splendid - especially 'the pratings of prehistoric Pro-Consuls' ".[25]

Guillemard, in the mean time, met Swettenham and Birch during his visit to London in 1925, and discussed the problem of centralization in the F.M.S. Evidently, it cut no ice with Swettenham who, soon after this meeting, told the Secretary of State that he had his doubts about the practicability of Guillemard's proposal. Actually, a chain of events, generated by this meeting, followed. One is tempted to quote here an American scholar who says : "One of the oldest puzzles of politics is who is to regulate the regulators".[26] Swettenham countered by offering

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24. High Com. to Sec. State, 23.12.1924; C.O. 717/34.

25. A minute by H. Beckett, 17.1.1925; ibid.

26. John Kenneth Galbraith, The Great Crash, 1929 (London, 1961) p. 51.

the Secretary of State his own suggestions to remedy the existing problem of the F.M.S. administration, and requested him to receive a deputation of individuals who were "deeply interested in the Malayan affairs".[27] Perhaps, the objective of the request was to demonstrate the weight that his views carried with the A.B.M., but Swettenham was not sure of his ground with the Secretary of State because he observed later that he had got the impression that the Secretary of State had already made up his mind to accept Guillemard's proposal. He was right because on 20 October, the Permanent Under Secretary of State informed him that "in view of the fact that the Secretary of State had not yet received any proposals from Sir Laurence Guillemard", it would not be possible for the Secretary of State to receive a deputation[28] and invited Swettenham to set out the views of the A.B.M. in a memorandum. Swettenham replied that he had understood the Secretary of State to have said that "the Colonial Office had the question of devolution of the Chief Secretary's power under consideration for about twelve months and had practically come to a decision".[29] The Under Secretary's letter created an impression with the A.B.M. that the Colonial Office was concealing not only the actual position with regard to the proposal, but the extent to which the Secretary of State and the High Commissioner intended to move in devolving the power of the Chief Secretary. Swettenham agreed to submit a

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27. Swettenham to Wilson, 23.10.1925; C.O. 717/47.

28. Wilson to Swettenham, 20.10.1925; ibid.

29. Swettenham to Wilson, 23.10.1925; op.cit.

memorandum to the Secretary of State. He had in his impatience however, already addressed a letter to the Editor of the Malay Mail on 6 October 1925, warning the public in Malaya that "surprising changes" in the administration of the F.M.S. were under way, and that it would be too late unless the Unofficial Councillors acted promptly.[30]

Swettenham had but one exercise in mind when he submitted the memorandum of 31 October 1921 and sent off his letter to the Malay Mail which was to crusade for the revival of the Resident General's office (first established in 1896) to head the administration. He placed the existing administrative arrangements in the F.M.S. under fire, blaming the unsatisfactory state of affairs on the three deviations from the original scheme of administration, (1) the abolition of the office of the Resident General, (2) the creation of the Federal Council with the High Commissioner as its President and (3) to quote his words, "the gradual pooling of the finance of the four states" in the federation.[31] These changes, he opined, had resulted in a cetralization of power and though he refrained from naming the office of the High Commissioner, his argument pointed clearly to it. In his spate of arguments, Swettenham however, had to admit that a former Resident General, Sir W. Taylor had unduly assumed

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30. Swettenham to the Editor of the Malay Mail, 6.10.1925. The letter appeared in the Malay Mail on 31.10.1925. The latter had been written before Swettenham met the Secretary of State on 12 October.

31. Swettenham's letter to the Editor of the Malay Mail, 6.10.1925; op.cit.

power over the Residents, but tempered his censure by saying that Taylor, a man recruited from outside the M.C.S. could not be expected to have a real understanding of the division of power. Swettenham's concluding remarks were that all changes carried out since 1910 gave grounds for complaint and that it should be righted by reviving the office of the Resident General and restoring the administrative scheme of 1896 in toto.[32]

There was one dissenting voice in the A.B.M. and that was Birch's.[33] Birch, a former Resident, was in some respects better equipped than Swettenham in Malayan affairs and in a position to appreciate both Guillemard's problems and the critical situation in Malaya. As a Resident he had served in the state residencies and had personally witnessed how the rapid economic development of the country had speeded it towards centralization. There was a time when Taylor's encroachments over the Resident's power had brought him into conflict with Birch. Birch's reaction to the meeting with Guillemard therefore, produced different results because he wrote to the President of the A.B.M. asking them to give adequate thought to the problem of centralization of power in the office of the Chief Secretary.[34] His letter went on to refute the view held by Swettenham. He questioned the validity of Swettenham's views that Taylor had overstepped his mark only because he had not been in the M.C.S.

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32. A memorandum by Swettenham, 31.10.1925, in Swettenham to Wilson; C.O. 717/47.

33. Swettenham to Oliver Marks, 27.10.1925; The British Association of Malaya Historical Collection, box 1/20. Oliver Marks was the Secretary to the A.B.M. from 1926 to 1929.

34. Birch to Shelford, 7.10.1925; C.O. 717/46.

before his selection as the Resident General quoting the case of Maxwell, an experienced officer of the M.C.S. failing to gain the goodwill of the Malay Rulers. He argued that the A.B.M. should not take any particular administrative arrangement in the Malay States as sacrosanct if that arrangement had lost the support of the Malay Rulers; nor should the Association oppose the changes proposed by Guillemard just because he came from outside the M.C.S. Birch maintained that the Chief Secretary's office should be replaced by that of a Federal Secretary who should be an officer junior in rank to the Residents. He informed the A.B.M. that he would not support their move for the revival of the office of the Resident General; he asked the A.B.M. not to make efforts in that direction as these would prove futile.

The A.B.M., in the year 1925, though divided in opinion, demanded a revival of the office of the Resident General as soon as the proposals for limiting the powers of the Chief Secretary was made known to them. It was in essence a move to place the chief executive office of the F.M.S. in a position free from the High Commissioner's control. Swettenham's call for the revival in 1925 was an echo of the same demand by Maxwell, the A.B.M. and the Unofficial Councillors first made in 1921 and would have been stronger had not the A.B.M. been divided on the question. We shall now discuss the reactions of the Colonial Office, the Unofficial Councillors and Maxwell to the call.

The response of the Colonial Office can be dealt with briefly. Having decided against the revival of the office of

Resident General in 1923 the Colonial Office did not look back. Swettenham's suggestions appeared completely unrealistic to them; Collins' main problem was how to reply to Swettenham without giving him offence. A copy of Birch's letter to the President of the A.B.M. which had been sent to the Far Eastern Department by Guillemard before his departure for Malaya, was welcomed by the Department as "an important expression of opinion in favour of the present policy", and it was brought to the notice of the two Under Secretaries and the Secretary of State.[35] Collins sent Swettenham a copy of Birch's letter (knowing well that Swettenham had already read it), and expressed his own agreement with the views of Birch.

The views of the Malayan press, Maxwell, and the Unofficial Councillors on the question of the revival of the Resident General became clear as they gave their opinions on the whole question of administrative change during November and December 1925. Swettenham's letter of 6 October, published in the Malay Mail on 31 October, had a cold reception from the Malayan press. Swettenham had two important things to say in this letter. He not only argued in favour of the revival of the office of Resident General, but went further and said that in his opinion the formation of the Federal Council and the institution of federal control over the States' finances were mistakes. The unofficial

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35. A minute by J. Paskin, 4.10.1925. The Parliamentary Under Secretary observed that Birch's letter to Shelford was "very interesting and valuable". The letter was read by the Permanent Under Secretary on 20.10.1925, and by the Secretary of State on 25.10.1925; ibid.

European business community was in favour of a strong federation with central control over finance and some legislative powers. Acceptance of Swettenham's ideas would mean to this community greater sacrifice than gain. An influential English daily The Malay Mail which reflected the views of this community, observed in an editorial entitled "A reply to Sir Frank" : "We cannot agree with Sir Frank Swettenham who apparently thinks that the creation of the Federal Council was a mistake". The Mail defended the common purse and pointed out the advantages which were derived from it.

> It was the common purse which was the security that enabled these States to borrow nearly ninety-five million dollars for development work at a comparatively low rate of interest, it is the common purse which guarantees pensions to people who have been or still are employed by the Government, it is the common purse which makes up the annual Pahang deficit.... At the end of each year all surpluses are credited to the three Western States in a definite proportion. The Federal Government does not keep one cent as the nucleus of a common purse....[36]

Other influential newspapers extended their support to the views expressed by the Malay Mail.[37]

The response to Swettenham's call for the revival of the office of the Resident General lacked enthusiasm. Although The

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36. Editorial, the Malay Mail, 2.11.1925.

37. The Straits Times observed editorially on 4 November 1925 that "We have read with extreme interest the letter of Sir Frank Swettenham to our contemporary the Malay Mail.... We have read with equal interest the able reply in our contemporary, from the pen, we think, of one who has quite exceptional right to speak on behalf of residents in the federal area". The Straits Times, 4.11.1925. See also The Times of Malaya, 3.11.1925; Singapore Free Press, 11.11.1925.

Straits Times had suggested in August that the office or Governor of the Straits Settlements should be separated from that of High Commissioner for the Malay States, the press in general did not think it feasible.[38] The Malay Mail which represented the widely shared views on the question commented editorially :

> We are in almost complete agreement with the views of our contemporary. We also would like to see a restoration of the title and independence of the Resident General. But we have ceased to advocate this particular ideal for several reasons. The Colonial Office absolutely refuses to entertain the proposal, and neither Their Highnesses the Rulers nor the British Residents have, so far as we know, ever expressed the slightest desire for such a restoration. And as usual the public are apathetic.[39]

However, Swettenham's warning that the "surprising developments" in the administration of the F.M.S. were imminent, was taken seriously by the Malayan press in general. The Malayan press reflected local opinion on the question of change in the F.M.S. administration. Certain points emerged clearly from the press reports. These were as follows :

1. Nothing should be done to change the federal structure of the government of the F.M.S., or weaken any of the federal institutions like the Federal Council or the central control over the finances of the states;

2. Railways, roads, telegraphs, posts and other services which had to be planned for the advantages of the peninsula as a whole, should remain under the federal control;

3. The Federal Council should be reconstituted in order to make it a more efficient and representative body; and

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38. The Straits Times, 1.8.1925; and 4.11.1925.

39. The Malay Mail, 5.11.1925.

4. The power of the federal authority should be defined clearly, with the ends in view of enhancing the dignity of the Rulers and increasing the authority of the State Councils.40

What of the king-pin Maxwell? The year 1925 saw him addressing the Colonial Office the first of a series of memoranda on the proposals against the curtailment of the Chief Secretary's powers. Making use of the freedom he had been given to criticise the proposals, Maxwell devoted the major part of the memorandum to challenge the administrative decisions taken before 1925 by Guillemard and the chief target of attack was the cessation of the Resident General's post. He demanded a revival of the office unequivocally. What was noteworthy were his views on the proposal for the devolution of the Chief Secretary's power, when he maintained that centralization was not, and had never been, a problem in the F.M.S. He went on to assert that since this was so, it could not be a ground for the discontent expressed by the Rulers. He based his argument on the claim "that the Residents themselves never, at any time, made any

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40. The Malay Mail had suggested on 2.11.1925 that it was a mistake to include the Rulers in the Federal Council. The Council should be reorganized and the Rulers should withdraw to "a Royal Council to act as a sanctioning body". The Straits Times observed on 4.11.1925 that "If any new departure is contemplated a very earnest effort should be made to define and classify federal subjects. We may not be able to follow all the precedents set in the United States, Canada, Australia or South Africa, but each of them has State Councils and a Federal Council, and they should give atleast the outlines of what have to be reserved as federal". The paper added that "we are all in favour of the restoration of these (i.e. State) Councils to their full authority. The idea is to give full local autonomy within each state in regard to all matters which are purely domestic". The Malay Mail emphasised on 2.11.1925, on the necessity of "the rehabilitation of the State Councils as regards power,

protest against the centralization in Kuala Lumpur of the power of the Resident General (or the Chief Secretary to Government) or of the Heads of the Federal Departments".[41] Maxwell went on to state that since the problem of centralization was a non-existent one, there was no need for changes, and even if any were being contemplated, the European and Chinese communities should have a right to be consulted.[42] It is strange that he gave the important question of the reduction of the Chief Secretary's power a mere glance, relegating it to one paragraph in his fifty-six page memorandum, where in a vague vein he defended the existing power of the Chief Secretary.

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40 (Contd.). responsibility and financial control". The gapore Free Press added together all main demands reflected in the English press when it wrote on 11.11.1925 that "we stand by local autonomy for the individual States, a strong federal administration devoted to purely federal affairs, the maintenance of the power and prestige of the chief executive officer of the Federal Government, the adding to the dignity of the rulers by inviting them to join a sanctioning council instead of sitting in the Federal Council, and the making of this latter body even more representative than it is at present".

41. Maxwell's memorandum on the Constitution of the Federated Malay States, with particular reference to the policy of decentralization, and the appointment of the Chief Secretary to Government, Printed,Confidential, 22.11.1925, p. 13.

42. Maxwell observed that "the European and Chinese communities of the F.M.S. can demand, as of right, to be consulted before any important change is made in the constitution of the country", Ibid., p. 55.

The memorandum was a futile exercise because of some glaring discrepencies and distortions of the real facts and a dishonest attempt to deny the problem of centralisation. His statement that the Rulers were not disappointed was given a direct lie by the facts that Sultan Idris had protested against centralization soon after it had started to operate[43] and Sultan Ishkander had complained against it as late as 1924, to the British authorities.[44] Birch had protested against the same point and Maxwell himself had brought the problem to the notice of Guillemard and the Colonial Office.[45] Further, it was Maxwell himself again, who had appointed a committee in 1922, to look into the powers of the Heads of the Federal Departments and in 1925 had recommended the appointment of still another committee to review these powers.[46] His argument against the devolution of the Chief Secretary's power was most unconvincing. He made reference to "the large sums of money" which had been invested by European and Chinese investors; he pointed out that the prosperity of the F.M.S. was "the result of the public confidence in the Federal administration"; and then he observed that the devolution of the Chief Secretary's power would have disastrous results.

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43. See Chapter I.

44. See Chapter VI.

45. See Chapters I and II. Also Maxwell to Guillemard, private, 24.6.1920, C.O. 717/51.

46. See Chapter V. The suggestion coming from Maxwell in 1925 was turned down as premature by the Acting High Commissioner, Hose. Minutes by Maxwell, 22.8.1925, and Hose, 23.8.1925, Sel. Sec., 5342/25.

There were no reasons to doubt the first two statements. One could also see that the prosperity of the F.M.S. and the existence of the federal administration were related. But it was not clear why the devolution of the Chief Secretary's powers over matters affecting the states individually, should affect the financial stability of the F.M.S.? Maxwell did not spell out how the maintenance of the existing power of the Chief Secretary was an administrative necessity.

Maxwell's intentions in writing and circulating this memorandum[47] can be analysed in a two-fold manner, first, to supply a weapon through his criticisms of administrative decisions taken before 1925 with which the Unofficial Councillors could fight the High Commissioner's proposal and secondly, by denying the existence of the problem of centralization, to create an impression that Guillemard's proposal was motivated by his personal animosity to Maxwell. Some of his supporters had previously attempted to present the High Commissioner's proposal in that light. In November, Charles Watney who acted as the London correspondent of the Singapore Free Press, asked Sir Gilbert Grindle in the Colonial Office : "Are we at all nearer the time when Sir George Maxwell will give out a statement"?[48] In December, the Secretary of State heard from George Penny. The latter wrote that he had been informed by his friends in the F.M.S. and the Colony that "there is very strong

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47. Maxwell's memorandum, 22.11.1925, op.cit., p. 2

48. Charles Watney to the Asst. Under Sec. of State, 9.11.1925; C.O. 717/42.

antagonism against Guillemard in regard to his attitude towards Maxwell" and that "there was a very general desire that I should take up the question on behalf of the latter". Penny was aware that Maxwell lacked the support of the Colonial Office and as a member of the Government in power in Britain, had a delicate task to perform in his letter.[49] Penny sought to exert friendly personal pressure on the Secretary of State by presenting a favourable image of Maxwell hoping to influence the Colonial Office in favour of Maxwell. Penny wrote that "Maxwell is far and away the better man [than Guillemard], with a far greater knowledge of the country and its requirements, imbued at the same time with a keen desire to uphold the dignity of His Majesty's Government".[50]

II. The announcement of the decentralization policy and Guillemard's future strategy

The press played a part in the crucial week before Guillemard announced his proposal. Singapore was alive with rumours in early December 1925, when a section of the press, hostile towards Guillemard, said that "certain Unofficials" were

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49. Penny wrote to Amery: "My position is a very delicate one, for as you are aware, I am a keen supporter of the Government, at the same time the people out there look to me to represent their interests, in view of my long residence and personal friendship". Penny to Amery, 10.12.1925; C.O. 717/47.

50. Ibid. The Secretary of State assured Penny that Maxwell would be given "every opportunity of bringing his point of view to my attention". Amery to Penny, 24.12.1925; ibid.

about to resign. That Guillemard himself went through a bitterly disturbed time is seen by his frequent epistles to Collins, apprehensive as he was of the spate of public criticism that would gush forward if Maxwell criticised in public "like Ajax in the limelight defying lightning".[51] The Secretary of State and the Colonial Office, convinced by Guillemard's call of distress, agreed to recall Maxwell if he should force a show-down by criticising the policy in public. In a tense atmosphere, Guillemard announced the proposal for the curtailment of the Chief Secretary's power in his address to the Federal Council on 14 December 1925.[52]

The announcement, however, caused no tempest in the council. Maxwell did not criticise the proposal in public, Robson, in a statement which he made on behalf of all European Unofficial Federal Councillors, restricted himself to keeping their demand to the minimum. One reason for this moderation was evident. Unlike Sir John Anderson who had first changed the title of the Resident General and then merely announced the new title of Chief Secretary, Guillemard did not confront the Unofficial Councillors with a fait accompli. Guillemard expressed his regret for not having consulted the Chinese Unofficial Councillors; one Chinese Councillor went to the extent of suggesting

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51. Guillemard to Collins, 10.12.1925; secret, two letters on the same date; Guillemard to Collins, 31.12.1925, secret, C.O. 717/52 and 48.

52. The High Commissioner's Annual Address to the Federal Council, 14.12.1925; in High Com. to Sec. State, 18.12.1925; C.O. 717/48.

that the High Commissioner's proposal would not go far enough in placing the administration of the F.M.S. on the same footing as that of the unfederated states.[53] The High Commissioner praised "the moderate and statesmanlike attitude" of the Unofficial Councillors. Maxwell, disappointed by the lack of fire in the speeches of the Unofficial Councillors, regretted that the proposal which significantly affected the office of the Chief Secretary had been discussed with other matters of day to day administration.[54] All this prompted Guillemard to write to Collins at the end of the month that he was "on the whole satisfied with the position as to the new policy".[55]

Guillemard's address followed the lines of his proposal of October 1924. The Malay Rulers as anticipated supported the policy. The Sultan of Perak made it clear that the new policy had been decided by the High Commissioner after full consultation with the Rulers.[56] The Yam Tuan of Negri Sembilan launched a direct attack on the administrative centralization in the F.M.S. The English translation of his address read as follows :

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53. See note 60. The views of the Unofficial Councillors are discussed below.

54. The Chief Secretary's Address to the Federal Council, 17.12.1925; ibid.

55. Guillemard to Collins, private, secret, 31.12.1925; C.O. 717/48. Guillemard had earlier reported the proceedings of the Federal Council to the Secretary of State. High Com. to Sec. State, 18.12.1925; ibid.

56. An Address by the Sultan of Perak to the Federal Council, 17.12.1925; ibid.

> His Highness recollected personally the Treaty of Federation being explained to him by Sir Frank Swettenham. The intention as then stated was to provide for mutual help by the various States and at the same time to provide for uniformity of law and administration. The intention was not unification or amalgamation, which later appeared to have been the policy.[57]

The Ruler added that in 1909 he had at first declined to give his consent to the draft agreement on the constitution of the Federal Council to register his protest against centralization. He was then persuaded by Sir William Taylor to agree and was given an assurance that the Federal Council would function in accordance with "the original scheme of Federation". Raja Chulan, the only Malay Unofficial Councillor, expressed his hope that the High Commissioner would be remembered as "a great administrator who had bound the Protected States in strongest ties to the Protecting Power, the British Empire".[58]

The Unofficial Councillors emphasised two main points in their joint statement and their speeches in the Council. First, they would support "any scheme which will increase the dignity, importance and influence of Their Highnesses the four Rulers in their respective States". Two Councillors supported the reduction of the federal powers in explicit terms. Second, the Federal Councillors were convinced that "in order to preserve the stability, credit and unity of the F.M.S. it is absolutely essential that there should always be a Resident Executive Head of the Federal Government, having a status equal atleast to that

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57. An Address to the Federal Council by the Yam Tuan of Negri Sembilan, 17.12.1925; ibid.

58. Raja Chulan's speech in the Federal Council, 17.12.1925; ibid.

of the Colonial Secretary in the Straits Settlements".[59]

The Unofficial Councillors argued that the continuation of the office of the Chief Secretary with power no less than that of the Colonial Secretary was necessary for the integrity of the F.M.S. It is difficult to assess why they thought that the integrity of the federation was dependent upon the equality of power embodied in these two offices. In some respects, however, the Unofficial Councillors were more conciliatory in their attitudes than Maxwell and Swettenham. They, unlike Maxwell, acknowledged the problem of centralization of power, and certainly wanted a measure of decentralization carried out. Unlike both Swettenham and Maxwell, they had accepted the High Commissioner as the head of the F.M.S. administration and had abandoned their support for the revival of the office of Resident General at the head of the administration. They stood for the integrity of the F.M.S., a strong central administration, and financial stability; they would not run with the A.B.M. and Maxwell once they were certain that these essential points were not threatened by the proposed administrative changes.

Guillemard decided his own strategy for future action, following the announcement of the proposals in the Federal

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59. A statement made by J.H. Robson on behalf of all European Unofficial Councillors on 17.12.1925 in the Federal Council; ibid. Speaking on behalf of the Chinese Councillors, Choo Kia Peng, said that he and his colleague "would like to see the Rulers feel, in practice and fact, that they are the Rulers of independent States under British protection". He asked the High Commissioner if his scheme would go as far as placing the F.M.S. on the same footing as the unfederated States. Choo Kia Peng's speech, 17.12.1925; ibid.

Council. Since his return to Malaya in November (1925), he had kept himself informed of the various important shades of opinion. A few days after the announcement of the proposals, he outlined his plan in a private letter to Collins[60] in which he stated that he would concentrate at first on the devolution of the Chief Secretary's powers to the state authorities to the extent necessary to enhance the dignity and power of the Rulers. He would move with caution and be certain of his ground before taking further steps in that direction. When he had gauged the time to be ripe for action, he would "consider" the reduction of the Chief Secretary's power and lower it below that of the Colonial Secretary. A question may be asked about this change in Guillemard's strategy, because initially it had been his intention to achieve the devolution of the Chief Secretary's power within Maxwell's successor's term of office. Did this mean a change in Guillemard's position?

The answer to that is that certain developments in 1925 did influence Guillemard's strategy, though abolition of the Chief Secretary's office at one fell stroke had never been a part of his proposals. The present strategy was moulded by several things, the opinions of the Unofficial Councillors being an important one. Guillemard immediately set about to clear the air of suspicions generated for months by the press agitations and the personal lobbying of his adversaries. This he could do by concentrating on that part of the policy which had received the support of the Unofficial Councillors. In all his operations,

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60. Guillemard to Collins, private and secret, 31.12.1925; op.cit.

he kept his weather eye open for Maxwell's departure from Malaya, scheduled for May 1925, knowing how his presence made it impossible to keep the issues straight and longing for the time when his absence from the scene would make it possible to deal with the devolution of the Chief Secretary's power.[61]

The launching of Guillemard's policy, as we have mentioned before, was on troubled waters, a turbulent wave being the opinion of a section of people, who elected themselves as guardians of the country's fiscal problems, and gave voice to their fears and doubts that Guillemard's policy would be prejudicial to investors and hit at the financial stability of the F.M.S. The press, and the Federal Councillors shared these fears kept alive assiduously by the Chief Secretary himself.

Guillemard's reply to these Cassandras of financial disaster was that if the financial interests could be safe in the Chief Secretary's hands, there was no reason to believe that they would not be so in the hands of the High Commissioner. He did not believe that considerations of finance and investment should predominate over political considerations in shaping the British policy. Neither did he give credence to the criticism which said that a reduction of the Chief Secretary's power would

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61. In his private letter to Collins, Guillemard expressed his hope that the "atmosphere will improve" with the departure of Maxwell. He added that "The press was still hostile, but not honest. They write as if I was going to abolish the Chief Secretary's post atonce and leave no machinery for controlling Federal as distinct from the state matters". He stated that one reason for this wrong impression was "the propaganda by Maxwell's friends on personal grounds". Guillemard to Collins, private and secret, ibid.

jeopardise the financial stability of the F.M.S. At the same time he had to pay serious heed to the criticism voiced by important sections of opinion. To Collins he clarified his views on "the fear of those engaged in business that their interest will suffer". He wrote :

> It is even stated that the first duty of the Government is not to the Malays, but to the Europeans and the Chinese who have capital invested here. Milner, when he sent me out, impressed on me that this idea was too strong out here and must be controlled. It... may develop into protests to the Secretary of State. If it does, I can meet them. Business interests and financial stability will be safeguarded.

Guillemard, therefore, in the face of these problems, decided to go slow. There was another cogent reason for waiting for some time before reducing the administrative power of the Chief Secretary, which was that the pace and extent of the measures of devolution had not been wholly defined when he had put up his proposals to the Secretary of State. His proposal to appoint a few committees to resolve this question had not materialized by the time of his departure for England in the Spring of 1925. He had seen to the appointment of these committees soon after the public announcement of the policy in December 1925.

The Colonial Office received Guillemard's reports on the announcement of the policy in January 1926 and it is interesting to note its reaction. Collins, for one, vacillated between approval of the policy, saying it has got a "decidedly good start" and his strong doubts about the wisdom of reducing the power of the Chief Secretary. He was apprehensive about it, saying that it would meet strong opposition and that its outcome would be

uncertain. He did not want the Secretary of State to stand firmly on the Colonial Office's own proposal or to give full support to the High Commissioner on this point. His advice to the Secretary of State "Until things develop, the less we say the better",[62] clearly indicated this vacillating mood and injected a measure of uncertainty about the support which the High Commissioner could expect at this time. It may be pointed out that Collins' irrational behaviour on this issue, inexplicable as it sounds, was characteristic of him. His vacillations over a policy which he had himself approved in 1920 and had supported as 'the right policy', was symptomatic of the man's primary concern with personalities. He had done so many times in the past as his record shows and may be Penny's letter of 10 December to the Secretary of State sounded to him like a warning that a storm was about to break. Collins, on the eve of his retirement from the Colonial Office did not relish the idea of keeping to his word and breasting that storm. He retreated behind the facile wisdom that discretion was the better part of valour.

Grindle, who had been promoted to the position of deputy to the Permanent Under Secretary, took a more positive attitude than Collins. He reminded his seniors of the political objective behind the policy, and urged them not to retreat in the face of the possible opposition from the non-Malay Councillors. He observed that

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62. Collins' minute, 21.1.1926; ibid.

> The Rulers of the Federated States want the same degree of authority in their own States as the Rulers of the Unfederated States have. Until we can assure them of this, and show in practice that we mean it honestly, it is hopeless to think of getting the Unfederated States to join the Federation. Therefore, in any clamour that may be raised by the European Unofficials, we must not forget that it is the views and wishes of the Sultan that really matters.[63]

Grindle's views were appreciated by the Permanent Under Secretary of State and he requested the Secretary of State in February (1926) to read Grindle's minute.[64] The Secretary of State's reply to the High Commissioner, however, was framed on the lines suggested by Collins.[65] The brief reply, drafted by Collins, welcomed the initial good start of the policy and suggested that the Secretary of State was keeping his fingers crossed about further developments. In one respect, however, Collins and Grindle were in agreement. The High Commissioner had pointed out that Maxwell's memorandum of November 1925 had wrongly stated the position of the Government in many ways, specially with regard to the problem of centralization and had therefore rendered itself useless for the purpose of the solution of that problem.[66]

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63. A minute by Gilbert Grindle, 23.1.1926; ibid.

64. A minute by Samuel Wilson, 1.2.1926; initialled by the Secretary of State on 5.2.1926; ibid.

65. Sec. State to High Com., 18.2.1926; ibid.

66. Guillemard's comments on Maxwell's memorandum were as follow: "It presents examples of all the peculiarities which characterise Sir George's writing: the verbosity, the copious irrelevancies, the exaggeration of trivialities, the inaccuracies, the resort to 'supressio veri' and 'suggestio falsi', the ventilation of personal grievances and the general flatulence of the style".... I cannot regard the memo. as a whole as an honest attempt to state the problems to be faced and to assist in their solution...." High Com. to Sec. State, 10.12.1925; C.O. 717/52.

On these grounds Guillemard said, Maxwell's memorandum should not be circulated among the Unofficial Councillors. Collins and Grindle agreed with the High Commissioner and suggested that a carefully worded reply should be returned to Maxwell. This course of action was approved of in January 1926 by all senior officials of the Colonial Office.[67]

Maxwell's opposition to Guillemard's policy was now more or less a private war against the High Commissioner, while that of Unofficial Councillors was the concerted voice of commercial interests in jeopardy. The opposition from the press veered between championing one or the other. In 1926 however, they were all to undergo a modification of their earlier opinions. To take these point by point. Maxwell, as the chief opponent of the policy had stated the grounds on which he did so in a memorandum in February 1926.[68] He said that, firstly, no power should be transferred to the State Councils because they "had never taken an active part in the government of their states before 1896". Secondly, he felt that the reduction of the Chief Secretary's power would undoubtedly cause loss of administrative efficiency.

To take Maxwell's first point first. That the State Councils could not be interested in administrative power in

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67. Tel., Sec. State to High Com., 17.2.1926; C.O. 717/48. The draft of this telegram was initialled by Collins and all other senior officers in the Colonial Office.

68. Maxwell's memorandum of 4.2.1926, in the High Com. to Sec. State, 18.2.1926; C.O. 717/48.

1926 because they had not exercised such power before 1896 seems to be an untenable and incorrect statement. In support of his argument, Maxwell appended an abstract of the minutes of the State Councils meetings in 1895, the year before the Federation came into existence.[69] This abstract showed that seventy-two items were dealt with in that year by the Perak State Council in six meetings; and nineteen Orders-in-Council were issued on matters including questions connected with Perak telegraphs, State Savings Bank, firearms, Trials by Jury, Indian immigration, recognition of Chinese Laws and Pension. Maxwell's abstract itself showed that the State Council was active. Maxwell's own proposal of 1922 for decentralization aimed at giving the State Council the power to vote money for mosques. In 1924 he extended the original proposal and suggested that the State Council should not only vote money for mosques, but it should have power to lend money for the same purpose.[70] When the Legal Adviser opposed his proposal on the ground that the Federal Council had the exclusive control over finance, Maxwell held the view that the State Councils were "Supreme bodies".[71]

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69. An abstract of the minutes of the State Councils in the year 1895, prepared by Maxwell, 8.2.1926; ibid.

70. In a memorandum dated 15.12.1924, Maxwell wrote to the High Commissioner that "the proposal that the State Councils should have power of voting money for certain purposes such as mosques and wakafs was made by me in a minute dated 11.9.1922,.... I should like now to vary the original recommendation made by me, and to extend it to the power of lending money. I think that the power, both of voting and lending money, should be confined to such purposes as mosques and wakafs". Maxwell wrote this memorandum in response to a minute by the High Commissioner. The latter enquired from the Chief Secretary earlier in December (1924) "what action had been taken to carry into effect proposals made by you (i.e. Maxwell) in 1922". A minute by the High Commissioner, 5.1.1925; Sel. 832/25.

71. Legal Adviser's minute, 4.8.1925; and a minute by Maxwell, 12.8.1925; ibid.

That was in August 1925, and the controversy continued till October 1925.[72] It is evident that Maxwell moved away from his previous position of a strong supporter of the increased powers for the State Council after Guillemard's return to Malaya in November 1925.

Maxwell's second point that the reduction of power of the Chief Secretary would destroy the administrative efficiency in the F.M.S. was indeed a matter having a strong appeal to the commercial community. Although Maxwell's contention was a serious one he did not care to explain his point nor did he spell out what he meant by 'efficiency' in administration or demarcate the sphere in which Chief Secretary's responsibility could not be discharged by Residents and Heads of the Federal Departments. His silence on these points was bound to create great suspicion and fear of the new proposal among the commercial community. The definition of administrative efficiency by Grindle as "uniform and centralized action by a strong bureaucracy", help test the validity of Maxwell's point.[73] The reduction of the Chief Secretary's power, as proposed by the High Commissioner, would have neither weakened the bureaucracy nor left behind a vacuum of

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72. Maxwell's proposal for giving the State Councils the power to lend money was rejected by the Finance Committee on 29.8.1925. (The Finance Committee was headed by the Financial Adviser, and it included the Unofficial Councillors.) The proposal was finally turned down by the Acting High Commissioner, Hose, on 2.10.1925; ibid.

73. A minute by Gilbert Grindle, 1.4.1926; C.O. 717/48.

authority in the state or the federal administration. It would have, no doubt, diminished the absolute uniformity in purely state matters but this would not be prejudicial to efficiency in the long run as the Residents were no less sticklers for efficiency than the Chief Secretary. It can be argued that in the long run the Residents would administer state matters more efficiently than the Chief Secretary could possibly do. The Heads of the Federal Departments could not only run their Departments under the over-all control of the High Commissioner but they could also ensure the necessary coordination among the State Departments.

The views which Maxwell expressed on other points in his memorandum had little relevance to decentralization. Maxwell, however, continued to press the High Commissioner that his memorandum should be circulated among the Unofficial Councillors.[74] The High Commissioner and the Colonial Office considered that the substance of the memorandum and the purpose for which Maxwell had actually written it, made it unsuitable for circulation among the Unofficial Councillors, and its circulation was prohibited.[75] Unabashed, Maxwell produced two more

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74. High Com. to Sec. State, 18.2.1926; op.cit.

75. Guillemard observed on Maxwell's memorandum that "I found nothing in it to lead me to doubt the soundness of the general lines of the proposed new policy". Copies of the memorandum were circulated among the Legal Adviser, the Financial Adviser, and the Residents. Collins' successor in the Far Eastern Department, Walter Ellis, commented that "the form of this memo. is in my opinion more offensive than the earlier one". Guillemard had maintained that the Unofficial Councillors, playing the role which was assigned to the opposition in the British Parliament, could not expect to have access to the memoranda which Maxwell had been permitted to write to submit his views confidentially to the Secretary of State. In February 1926, George Penny obtained from the

memoranda in quick succession without any new arguments in them. They too were relegated to the same fate. Maxwell's repeated initiatives, however, did create an erroneous impression in unofficial circles in Malaya and London that his criticisms were incontrovertible and therefore had to be suppressed, otherwise, as one Malayan newspaper wrongly assumed, the new policy "would have collapsed like a child's castle".[76]

The opposition which the Unofficial Councillors offered to the new proposal was much more productive and meaningful from their point of view than that of Maxwell. They acted with a view to safeguarding the existing machinery of the federal administration, and strengthening at the same time the most important of the federal institutions - the Federal Council.

Now we come to the opposition of the Unofficial Councillors which in reality was much more productive and meaningful from the context of their point of view. This was their apprehension about the financial stability of the F.M.S. in the light of the proposed changes. They still held the opinion that the Chief Secretary's power should not be reduced below that of the Colonial Secretary and their chief aim was to see that the change did not affect the financial stability of the federation. Between December 1925 and March 1926, they mobilized in their

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75 (Contd.). Secretary of State an assurance in the Parliament that the Unofficial Councillors and Maxwell would be brought together in a meeting. The High Commissioner was asked to arrange the meeting. Ibid.; a minute by Ellis, 1.4.1926; Sec. State to High Com., 22.4.1926; C.O. 717/48.

76. The Times of Malay, editorial, 29.6.1926.

favour the support of almost the entire tin and rubber plantation interests. In February (1926), under the auspices of the Planters' Association of Malaya, all influential bodies of these two industries passed in their meetings similar resolutions. Besides, supporting the views of the Federal Councillors, these demanded that all the federal services should be maintained and their efficiency improved.[77] The Unofficial Councillors attempted in March 1926 to get an unofficial resolution embodying all these points adopted by the Federal Council. Guillemard accepted all the points of the Unofficial resolution, except one. He refused to commit his government to a definite status for the Chief Secretary. A division was pressed on this point in the Council, and the Unofficial Councillors lost to the official majority. Guillemard kept his choice flexible to determine the actual position of the Chief Secretary, but the defeat of the Unofficial Councillors turned out to be, as we shall see in the following paragraphs, one of no real consequence for some time.

The Unofficial Councillors were keen to take the advantage of the administrative re-organization to get the Federal Council strengthened. Proposals had been mooted since 1920 to make the Council more representative than it was but for one

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77. The Times of Malaya, 11.2.1926; and Kindersley's speech in the Federal Council, 8.3.1926. Printed speeches made in the Federal Council on the subject of Decentralization and Political Development of the F.M.S., 1926, p.9. Hereinafter referred to as Printed Speeches in the Federal Council on decentralization.

78. High Commissioner's statement in the Federal Council, 8.3.1926; ibid.

reason or another, no proposal had been put into practice.[79] There had always been a felt need, before 1926, for a more efficient council. There was an enhanced public interest in the proceedings of the council because of the increased wealth of the F.M.S. and the growth of political awareness among the inhabitants of these states. The absence of the Heads of many Federal Departments from the Council which compelled the Chief Secretary to answer most of the questions addressed to them added an air of unreality to the proceedings and proved to be unsatisfactory.

The Unofficial Councillors saw the question of reorganization of the Federal Council in a new light since the announcement of the new policy. The reduction of the power of the Chief Secretary or the abolition of his office was believed to be the

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79. A select committee was appointed in 1920 to advise on the Constitution of Federal Council. The Committee recommended that the council should be enlarged and that the principle of racial representation should be followed. In the opinion of the committee the council should have 5 Europeans, 1 Eurasian, 3 Chinese and 2 Indians. No Malays were to be added. The proposals of the committee were rejected by the Residents in April 1922. We learn from a memorandum of the High Commissioner on the question of Indian representation in the F.M.S. that from 1922 pressure on his government had been increasing to place Indian representatives on the Federal Council. The representatives of the Indian community met the Chief Secretary and the High Commissioner in 1923 to place their case; there was some pressure from the Government of India on the Colonial Office to place Indians on the Federal Council. In reply to a question in the House of Commons in April 1923, the Parliamentary Under Secretary of State gave a questioner an assurance that the High Commissioner was considering "what can best be made for securing the representation of Indian immigrant labourers in the States comprising the Federation". The question of placing Indians on the Federal Council had to be abandoned mainly due to the opposition of the Sultan of Perak which influenced the High Commissioner's attitude towards the question. A memorandum by the High Commissioner on the question of Indian membership to the Federal Council, 4.1.1924; Phg. Conf. 2/24.

first step towards disintegration of the federation. Guillemard's announcement contained nothing to assure them that the existing power of the federal administration would be maintained. On the other hand, the Council might suffer a loss of its legislative power as a result of the proposed withdrawal of the Malay Rulers. The non-Malay Federal Councillors were alarmed. The reconstitution of the Federal Council, even if it increased the official members, was essential for safeguarding its existing power and consolidating the federation.

In the March 1926 session of the Federal Council it was apparent that Guillemard was keen to reach a reasonable settlement with the Unofficial Councillors regarding the extent to which the decentralization measures should go during his term of office which was coming to an end. This was essential for the High Commissioner so that he could define exactly the terms of reference of committees which were to recommend measures for administrative reorganization. The Unofficial Councillors have spelt out their essential demands in this session of the Council. They have expressed their "sympathy with the policy of restoring to each of the Federal States full control over all its purely internal affairs", and have acknowledged the necessity for delegating to the State Councils some of the powers of the Chief Secretary.[80] On the other hand, they were of the opinion that

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80. "We all agree", said an Unofficial Councillor," that certain powers of the Chief Secretary to Government of a local character should be delegated to the State Council as far as possible...." A Speech by Choo Kia Peng, 8.3.1926; Printed speeches in the Federal Council on decentralization, p. 10.

the new policy "need not and should not affect the maintenance of a strong Federal Government which is absolutely necessary for the continuation of credit and confidence in the F.M.S." Three things were essential in order to maintain a strong federal administration, first, "the rank and salaried status [sic] of the Chief Secretary should not be reduced below those of the Colonial Secretary", second, all the federal services should be fully and efficiently maintained, and third, the Federal Council should be strengthened.[81]

The question of reorganizing and strengthening the Federal Council was discussed in a conference on 26 March (1926), attended by the Unofficial Councillors, the Residents and the High Commissioner. The High Commissioner agreed in this conference that the Council would be placed on a sound footing. As he had agreed to give Unofficial Councillors the opportunity to know the views of the Chief Secretary on the policy, Maxwell was also present in this conference. A memorandum drafted by Maxwell on 3 March was circulated among the Unofficial Councillors. This memorandum cut little ice with them and they were of the opinion that the substance of the memorandum made it unsuitable for publication, and that it offered very few constructive ideas as far as the administrative reorganization was concerned. They gave Maxwell a chance to justify his views on

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81. A resolution moved by R.C.M. Kindersley in the Federal Council on 8.3.1926; ibid., p. 9.

the question of the reorganization of the Federal Council[82] but Maxwell, in his final attempt to prove that there was no need for change in the administration of the F.M.S., turned down their request. This proved fatal because after this there remained no common ground between Maxwell and the Unofficial Councillors. He had lost their sympathy and support.

The views expressed by the High Commissioner and the Unofficial Councillors by the end of March (1926) pointed to an understanding on four main points :

> First, the Unofficial Councillors had accepted the autonomy of the federated states and the devolution of some powers of the Chief Secretary upon the state authorities.
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> Second, the High Commissioner had given the Unofficial Councillors an assurance that the impending changes in the F.M.S. administration would leave behind "a resident chief officer under the High Commissioner of high status". (He had however, kept his hands largely free in deciding the actual power of that officer. It might appear that the High Commissioner had given in to some extent to the Unofficial Councillors on the question of the status of resident executive officer. But it should be pointed out that by accepting the official assurance, the Unofficial Councillors had modified their previous position in two respects, namely, that they would not press either for the revival of the office of Resident General or for the separation of office of the High Commissioner from that of Governor.)
>
> Third, the High Commissioner had accepted the view expressed in the resolution of the Unofficial Councillors that all the federal services should be maintained. (It was not the objective of the new policy to dissolve the existing Federation within the term of office of Guillemard, and the acceptance of this demand did not, in fact, involve any sacrifice in the policy. It was still possible to extend the control of the states over those services which would be considered essential for the autonomy of the states.)

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82. High Com. to Sec. State, 6.5.1926; C.O. 717/52.

Fourth, the High Commissioner had agreed to reconstitute the Federal Council. (The objective of the reorganization was to strengthen the Federal Council and by obtaining the High Commissioner's agreement on this point, the Unofficial Councillors had scored a significant success in safeguarding the existing power of the Federal Council.)

These points of understanding foreshedowed the shape of things to come and laid down the measures of administrative re-organization worked out by the Guillemard administration.

III. The administrative re-organization

Three committees were appointed in 1926 to work out the specific recommendations to give effect to the policy of devolution of power. The first committee was asked to give their views on "the financial aspect of the devolution policy".[83] The second and the third committees were asked, respectively, "to consider the subject of the extension of the legislative powers of the State Councils", and to make recommendations for "the alteration of the present Constitution of the Federal Council with a view to increasing [sic] its efficiency".[84] The terms of reference of

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83. Report of a Committee appointed by the High Commissioner to make recommendations in regard to Financial Devolution, Federal Council Paper No. 28 of 1926; C.O. 576/31. Hereinafter referred to as the report of the Financial Devolution Committee.

84. Report of a Committee appointed by the High Commissioner to consider the subject of the extension of the legislative powers of the State Councils; Federal Council Paper No.37 of 1927; and Report of a Committee appointed by the High Commissioner to make recommendations in regard to the present Constitution of the Federal Council; Federal Council Paper No.38 of 1926; ibid. Hereinafter referred to respectively as the Committee on the Power of the State Councils and, the Committee on the Constitution of the Federal Council.

the second committee were vague. These committees were not informed that the Government had decided to abolish the office of the Chief Secretary by any fixed date. On the contrary, these committees proceeded with their work with the knowledge that the power of the Federal Council should not be diminished, and that the extent to which the High Commissioner would decentralize the powers of the Chief Secretary would depend on their success in clearing his way of administrative difficulties. The findings of the first committee therefore, were of great significance.

The Financial Devolution Committee reviewed the estimates of expenditure of the F.M.S. and in their opinion, some services were connected with the Federation as a whole, and these were classified as the Federal Services.[85] On the other hand, there were some services which were clearly domestic in nature to the states, and the Committee grouped them as the State Reserved Services.[86] On the border line between these two categories

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85. The Federal Services, marked Schedule A, included : 1. the High Commissioner and the Chief Secretary to the Government; 2. Charges on the Public Debt; 3. Pensions, etc.; 4. M.C.S., 5. Treasury; 6. Audit Office; 7. Commissioner of Lands; 8. Customs and Excise; 9. Exchange; 10. Geological Department; 11. Museums; 12. Labour; 13. Legal Adviser; 14. Post and Telegraphs; 15. Printing Department; 16. Railways; 17. Office of Directors; 18. Supreme Court; 19. Miscellaneous (Federal) Services.

86. The State Reserved Services, marked Schedule B, included: 1. Rulers and Chiefs; 2. Political Pensions; 3. The Residents; 4. District and the Land Offices; 5. Settlements Officers; 6. Magistrates' Court; 7. Sanitary Board; 8. Mosquito Destruction Boards; 9. Governments gardens and plantations; 10. State Bands; 11. Miscellaneous (State) Services; and 12. Purchase of Land.

of services, were a large number of services, some of which had been included in the state estimates in 1926, and others had appeared in the federal estimates. The committee recommended that all these services should appear for some years in the federal estimates. Later, some of these services would belong entirely to the State or the Federal List while some others would be divided into states and the federal parts and each part would appear in the respective list. The committee included nineteen services in the Federal List, twelve in the State List, and twenty-two in the third category, described by them as Unreserved Services.[87]

The committee recommended that as the State Councils gained experience in financial management and expanded their membership, services should be transferred from the Unreserved to the State Reserved Services. They, however, advised that this process should be a gradual, slow and cautions one. On the other hand, they admitted that it was probable that one State Council would become competent in financial management faster than another. The committee, therefore, recommended that services should be transferred to the State Reserved List as soon as a State Council qualified in competence.

As far as the control of the finances of the Federated

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87. The Unreserved Services, marked Schedule C, included : 1. Town Planning; 2. Transport; 3. Chinese Protectorate; 4. Military; 5. Marine; 6. Agriculture; 7. Surveys; 8. Forests; 9. Prisons; 10. Mines; 11. Clerical Service; 12. Public Works Department; 13. Education; 14. Medical; 15. Public Works Annual Recurrent; 16. Public Works Special Services; 17. Co-operative Societies Department; 18. Fisheries; 19. Official Assignee and Public Trustees; 20. Police; 21. Malay Officers; and 22. Valuer-General.

States was concerned, two points in the recommendations of the committee were noteworthy. First, the state estimates, in addition to the federal estimates, continued to receive the legislative sanction from the Federal Council. In practice, the annual Supply Enactment passed in the Federal Council would no longer include detailed provision for the services included in the State Reserved List. Instead, the Council would pass a resolution each year in July, voting a lump sum for each state, as requested by the Resident. The Resident would prepare the draft estimates for the state which he would submit to the High Commissioner for the approval of the latter. The draft estimates, as approved by the High Commissioner, would be introduced by the Resident in State Councils as the State Appropriation Bill for the year. The bill would then be passed to become the State Supply Enactment. The State Councils, in brief, were given the power to allocate money to twelve State Services. Second, the State authorities derived their new limited financial power from the Federal Council; the measure of financial devolution, as recommended by the committee would proceed within the framework of the existing Constitution of Federal Council. The services included in the State Reserved List would be reserved for a State by a resolution passed by the Federal Council under Article 10.[88] Subsequent resolutions would add or delete services to, or from, the State Reserved Services.

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88. Article 10 of the Agreement for the Constitution of the Federal Council (1909) gave the Council the power consider the draft estimates of revenue and expenditure of the four states in the federation.

Although the financial devolution committee was not directly concerned with the reduction of the Chief Secretary's power, the revised estimates worked out by them went a long way in settling the question whether in the near future the office of the chief resident executive of the F.M.S. could be abolished. It has been noted that the exclusive power of the Federal Council to give the legislative sanction to the state and the federal estimates was reaffirmed by the recommendations of the Financial Devolution Committee. All expenditure, in one way or another, was required to be covered by the legislative sanction[89] which, in turn, required an executive action to make it fully operative. The Chief Secretary had a key role to play in operating the Federal Supply Enactment. Warrants (i.e., the executive orders to the proper officer to incur certain liabilities on specific services and to the Treasury to meet those liabilities) for those expenditure which had already appeared in the Supply Enactment were signed by only the Chief Secretary - or, the Under Secretary, F.M.S. on his behalf. In the case of the expenditure included in the state estimates the warrants were issued by the Resident of the State.

The financial machinery of the F.M.S., left unaltered by the Financial Devolution Committee, gave a new lease of life to

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89. The Federal Council sanctioned all expenditure in three distinct ways. First, the Council gave the legislative sanction to the expenditures for the services for the year in a Supply Enactment. The legislative authority for incurring expenditure, not or insufficiently, provided for in the Supply Enactment of the year was given by a Supplementary Supply Enactment. (The final Supply Enactment gave the final legislative sanction to all amounts actually disbursed in

the office of the Chief Secretary. Neither the Financial Adviser nor the High Commissioner took over this responsibility. The committee also left the Centre for the present in charge of a large number of services. Forty-one services would appear in the federal estimates, as compared to twelve services in the state estimates. This ruled out the reduction of the financial powers of the Chief Secretary immediately, let alone abolishing his office. Significant progress in the transfer of the services from the Unreserved to the State Reserved Services should be achieved before any radical alteration in status of this office could be carried out. A period of time, therefore, had to be permitted to pass before the matter could be reviewed. On the other hand, it could be argued that as services were transferred from the Unreserved to the State Reserved Services, the Chief Secretary's office would automatically lose basic responsibilities. The Financial Devolution Committee reported to the High Commissioner in April 1926 and it was significant that the High Commissioner gave an assurance that the power of the Chief Secretary would not be substantially reduced for some time to come in June 1926 in the Federal Council.[90]

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89 (Contd.). excess of those already provided. In addition, the Council delegated in the General Orders the authority to the High Commissioner, the Chief Secretary, and the Residents, to approve of expenditures of different sums of money. This authority was provisional, and it had to confirmed by the Council by a resolution.

90. The High Commissioner's assurance was that the chief resident executive officer in the F.M.S. would be "an officer different from, though not necessarily less powerful than, the present Chief Secretary". Pros. Fed. Council, June 1926; p. B98.

It was clear that a strong centre would exist even if the transfer of the Unreserved Service to the State Reserved Services would progress satisfactorily. Some of the services like the Military and Marine, were certain to move on to the Schedule of Federal Services. The distribution of such services as Public Works, Medical and Forest was likely to create contentions between the Centre and the States. The allotment of the service of Education would determine the strength of such concepts as the 'State' and 'Malayan' consciousness among the principal communities in the F.M.S. On the whole, the approach of the committee was one of delegation rather than division of the power of the Centre. The Federal Council retained the power to add services to the State List or withdraw them. The responsibility of the federal administration, as a result, was not diminished. On the contrary, the federal authorities would now have to discharge their responsibility in a system which was made more complicated than before.[91]

The committee which had been appointed to consider the subject of the extension of the legislative power of the State Councils submitted a brief report. They recognized the fact that there had been a sharp fall in the legislative activities

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91. The Federal Council would now have to pass four resolutions, months before passing the Supply Enactment, to appropriate the sums requested by the Residents. These sums were to be included in the Final Supply Enactment. The State appropriations would receive the approval of the High Commissioner as a part of the F.M.S. Estimates. The allotments made by the State Councils would also be submitted to the High Commissioner. The Chief Secretary retained his power to make to the High Commissioner his own recommendations on the estimates of the State Reserved Services.

of State Councils since the institution of the Federal Council, and that this was due to the very sweeping nature of the legislative authority which the Federal Council had been vested with.[92] They pointed out that "a real federation marked by a rigid division of powers and allocation of subjects between the States and the Federal Governments" should be the ideal, but that "public opinion is not yet ripe" for such a federation in the F.M.S. In their view "for the present no effective extension of the legislative powers of the State Councils can be made".[93]

The committee which was appointed to recommend measures for improving the efficiency of the Federal Council suggested four important changes.[94] First, the membership of the Council should be increased from its existing strength of twenty to twentyfour. The reconstituted Council should include the Heads of the Medical, Education, Labour and Public Works Departments; in addition, the Head of one more Federal Department would be appointed by name. Second, the Rulers should withdraw from the Federal Council. Following their withdrawal, each Resident would consult the Ruler of his state on the agenda of the Federal Council and represent him at the meeting. He should report

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92. The committee pointed out that the average number of Enactments passed each year by a State Council of the federated states between 1900 and 1909 was eighteen, and between 1910 and 1925 one. The exact figures have been cited in Chapter I, p.77.

93. Report of the Committee on the Power of the State Council, op.cit.

94. Report of the Committee on the Constitution of the Federal Council, op. cit.

back to the Ruler after the meeting of the Council. Third, it was recommended that the Rulers should meet each year in a Durbar which would be attended also by the High Commissioner, the Chief Secretary and the four Residents. Finally, three Malay Unofficial Councillors should be added to the Council. As the only Malay Unofficial Councillor in the existing Council was from Perak, the new Malay Councillors would be selected from the three other states in the federation.

The Unofficial Councillors as has previously been showed, had expected to strengthen the federation by re-organizing the Federal Council. The High Commissioner was broadly in agreement with the Unofficial Councillors on this point, but he was not at this stage prepared to change the principle of official majority in the Council.[95] Guillemard ruled out a change of such importance by asking the committee to consider some definite proposals which were supplied by the Government and make their recommendations from those proposals.[96]

In some other respects though, the recommendations of the committee were satisfactory to the Unofficial Councillors as they would be more evenly balanced in the new Council than in the existing one. The existing Council included eight Unofficial

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95. An Explanatory Memorandum on the Draft Agreement on the Constitution of the Federal Council, 1927, no date, in High Com. to Sec. State, 3.3.1927; C.O. 717/55.

96. Report of the Committee on the Constitution of the Federal Council, op.cit.

as against twelve Official Members; in the new Council there would be eleven Unofficial Members as against thirteen Official Members including the President.

The new Council was designed to transact its business more efficiently than the existing one. The withdrawal of the Rulers would "expedite business in the Council".[97] The introduction of the Heads of some important Federal Departments in the Council would make them accountable to this body. The Public Works and the Railways were the two Departments which handled very large sums of money, sometimes creating grounds for criticisms for misuse of public funds. Though Federal Council was responsible for the expenditure of these Departments, the General Manager of the Railways was accountable to the Railway Board and the Head of the Public Works Department had not been directly accountable to the Federal Council. Though the Unofficial Councillors were critical of the working of the Public Works Department, they had to remain satisfied previously with the insufficient explanations which the Chief Secretary could extract from him for the information of the Unofficial Councillors.

The question arises if the legislative authority of the Federal Council was affected as a result of the withdrawal of Rulers from that body. The committee observed that legislative authority belonged to the Rulers (and not to their Councils) and

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97. The Chief Secretary's speech in the Federal Council, 28.2.1927, The Malayan Daily Express, 1.3.1927.

that this authority be preserved. The Rulers remained theoretical sovereigns. In practice, however, the power would be delegated to the Federal Council and the latter would continue to legislate on matters affecting more than one state, except on matters affecting Malay religion and customs.[98] The committee recommended a new enacting formula by which all Bills of the Federal Council would be required to be signed by the four Rulers.[99]

By the end of 1926 two important measures had been worked out both of which followed from the Guillemard administration's goal of a united country. The financial devolution was an experiment which, if successful, would extend the state power. The reformed Federal Council was expected to discharge the responsibilities of a central legislature more efficiently than before.

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98. The matters related to Malay religion and customs were reserved for the legislation by the State Councils. Article 9 of the Agreement of 1909 for the Constitution of the Federal Council stipulated this. It was understood in 1927 that this was an anomaly in view of the comprehensive and exclusive financial power given to the Federal Council. Guillemard advised against the removal of this anomaly on the ground that it would create suspicion among the Rulers of the F.M.S. The Legal Adviser to the Secretary of State, J.S. Risley, suggested an alteration which implied that the State Councils' legislative power would be limited by the higher financial control of the Federal Council. An Explanatory Memorandum on the Draft Agreement on the Constitution of the Federal Council, 1927, op.cit.; and a minute by Sir J.S. Risley, 24.3.1927; C.O. 717/55.

99. The committee recommended that the enacting clause should be framed on the model of the same clause of the Acts of the Imperial Parliament. It ran as follows "It is hereby enacted by the Rulers of the Federated Malay States by and with the advice and consent of the Federal Council". Report of the Committee on the Constitution of the Federal Council, op.cit.

The committee on the constitution of the Federal Council recommended the institution of an annual Durbar of Malay Rulers to help achieve the central political objective of the Guillemard administration, namely, a United Malaya. The Durbar would facilitate mutual contacts not only among the Rulers in the Federation, but also, at a later date, between the Rulers of the F.M.S. and those of the unfederated states.

Guillemard's remaining period in Malaya, his departure being scheduled for May 1927, was concentrated on giving a measure of permanency to these measures and he was able to gather a consensus of influential opinion in their support. He succeeded in winning the unanimous approval of the financial devolution and the reconstitution of the Federal Council in December 1926 and what was a greater achievement and a measure of his success, was the unanimity reached in the Federal Council on these measures.[100] It was agreed that the Federal Council would be reorganized forthwith, and that the financial devolution would be

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100. In December 1926, the Chief Secretary moved a resolution in the Federal Council approving of the financial devolution. Speaking on behalf of the Unofficial Councillors, Robson stated that he was "glad to support the motion for several reasons". He observed that it was "consistent with maintaining the financial stability of the Federation" and that "a measure of this sort had long been overdue". The Malay Mail, 23.12.1926. In March 1927, another resolution to the effect that the Federal Council approved of the report on the Constitution of the Council was moved. The Rulers supported the motion. The Sultan of Perak welcomed the proposal for the re-constitution of the Federal Council, and said that he was glad that his position in the Council would be taken by the Resident. He himself had sat in that Council "for long and weary hours and as far as he could see, entirely for his own benefit". Raja Chulan observed that the proposal for the reconstitution of the Council "had the support and confidence of the Malays". The Malayan Daily Express, 1.3.1927. The extent of consensus satisfied

given effect in the estimate of 1928. Guillemard sealed his triumph with an assurance to the Unofficial Councillors that no other proposal for devolution of power would be forthcoming during the remainder of his term of office.

IV. The Sequel : 1927-29

The task of forming a federal union of all Malay States could not be taken up by Guillemard during the term of his office, but he certainly prepared ground for it by atleast partially removing the grievances of the Malay Rulers in the federation against the central authorities. Though a supporter of the concept of a united Malaya, the Malayan business lobby in London did not want that entity to be headed in future by the Governor as the High Commissioner for Malay States. The A.B.M. therefore, started a fresh campaign for the revival of the Resident General's office on the eve of the assumption of his office by a new High Commissioner. The retirement of Maxwell did not end his involvement with this issue and he openly extended his support to the Malayan lobby in London. In its August issue of 1926, of the A.B.M.'s journal, British Malaya, Maxwell divulged the views which the Rulers of the F.M.S. had expressed in a confidential conference in 1922 in support of the revival of the Resident General's office.[101] His objective was to draw the Malay Rulers into the new

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100 (Contd.). Guillemard. He observed that "It is a matter of great gratification to me that the Resolution of the reform of this Council, has like the former Resolutions on finance, been passed unanimously by this Council... these two Resolutions taken together constitute a substantial measure of Constitutional Reform, which will make for more efficient administration and also go far to satisfy the legitimate aspirations of the Rulers of these States. And this reform has been carried without haste, after discussion, leading up to agreement, finally to unanimous approval by this Council, and as far as I can judge, the concurrence of public opinion outside this Chamber". The Malayan Daily Express, 1.3.1927.

101. In the August issue of the British Malaya, Maxwell wrote that

movement.[102] Swettenham did not waste this opportunity of repeating in the same journal his arguments in support of the proposal. Guillemard rightly felt that the work of his administration was threatened. He had been developing a policy which would establish the Malay States on the road to a United Malaya and the appointment of a separate head of administration for the F.M.S. might reverse his policy. Guillemard expressed this apprehension in a despatch in which he drew the attention of the Secretary of State to the article of Swettenham. He wrote that

> The policy of a united Malaya, towards which I have consistently worked is an infinitely more important project today than the introduction of a scheme for securing uniformity between the four States in 1895-4-5, and nothing more fatal to that policy could be devised than the appointment as the Head of the Federated Malay States Government of an officer whose authority would in Sir Frank's opinion be 'almost unlimited and uncontrolled'.

Explaining the ground of his apprehension, Guillemard added that

> While, with all respect to Sir Frank's long experience and admitted abilities, I feel that he has lost touch with present conditions and existing public opinion here, I recognise that his words carry weight, and may carry special weight at home, and may not only influence those who are genuinely interested in the welfare of Malaya, but may also supply ammunition to those who are more concerned with putting awkward question to yourself as representing His Majesty's Government... I am confident that it is unnecessary for me to emphasise further the danger of looking at Malayan politics through the spectacles of twenty years ago.[103]

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101 (Contd.). "all four Rulers in the meeting in November 1922 had unanimously declared themselves in favour of the restoration of the title of the Resident General". Guillemard drew the attention of the Secretary of State to the disclosure which was in breach of the condition under which the latter had permitted Maxwell to express his views on the policy without giving away confidential matters. High Com. to Sec. State, 18.9.1926; C.O. 717/49.

102. Grindle observed that "we have tried, so far successfully, at the risk of weakening our case, to keep Their Highnesses out of it (i.e. the controversy over the devolution of the Chief Secretary's power). Indeed we could not betray their confidence. It will be intolerable if Sir George Maxwell tries to drag them in". A minute by Grindle, 27.9.1926; ibid.

103. High Com. to Sec. State, 28.8.1926; ibid.
At the beginning of 1927, the A.B.M. made strong representations against two financial acts of Guillemard. The Association urged that the Secretary of State should let the public know

Guillemard's anxiety might have been partly because he could not be quite sure whether the Far Eastern Department would give him the same measure of support which he had received from it since 1924. There had been changes as Collins had retired at the beginning of 1926 as the Head of the Department and his position has been taken by Walter Ellis.[104] Ellis unfortunately, was unfamiliar with the Malayan situation and he made no secret of it in his minutes.[105]

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103 (Contd.). if he had authorised the local authority of Malaya "to dispose of the funds of the F.M.S. for the purposes outside the control of the communities whose industry supplied them". The A.B.M. described Guillemard as the "local official Machiavelli" and referred in particular to the offer which Guillemard had made in 1926 of two million pounds towards the construction of the Singapore Naval Base and to the liquidation of Kelantan Government's liabilities by the use of the funds of the F.M.S. and the Colony. The Association reminded the Secretary of State that "the practice of a Protecting Power - or its officers - advising the Protected State to make contributions to the Protecting Power has been studiously avoided elsewhere". As a result of their frequent criticisms, Guillemard was compelled to keep an eye fixed on the A.B.M. in 1926-27. (The exchanges over the contribution for the Naval Base continued until after Guillemard had left Malaya. The Colonial Office told the Association that they should not concern themselves in future with the use of F.M.S. funds for the imperial or other purposes. The Association was very unhappy as they felt that their advice was not given sufficient importance in the Colonial Office.They explained the role that they were trying to play, and cautioned the Colonial Office that "Malaya could be another Egypt if the Protecting Power or its officers committed mistakes". Tel.High Com. to Sec. State, secret, 21.3.1926; C.O. 717/52; Sec. to A.B.M. to Under Sec. of State, 20.1.1927, Under Sec. State to the Sec. to the A.B.M., 21.4.1927; Sec. to A.B.M. to Under Sec. State, 5.7.1927; C.O. 717/55.

104. Walter Devonshire Ellis; b. 1871; ed. Winchester and Oxford; M.A. 1897; Clerk in C.O. 1895; Private Sec. to Lord Selborne, 1897; 1st. Class clerk, 1899; Principal Clerk, 1909; Member of Indian Emigration Committee 1909; Member West African Lands Committee, 1912; Asst. Sec. in C.O., 1920; delegate to Imperial Forestry Conference, 1920; Asst, Principal Under Sec., 1929-31; Asst. Permanent Under Sec., 1931.

105. This observation is based on several minutes written by Ellis between 1926-27. For example, having received the High Commissioner's despatch on the reports of the Committees on Financial Devolution and the Constitution of the Federal Council, Ellis observed that "I confess I am a little in the dark as to what extent and at what stage the approval of the Secretary of State is required to these proceedings". This observation was made about a year after Ellis had taken over from Collins. Another minute of Ellis was modified by the Legal Adviser to the Secretary of State on the provisions of treaties between the Straits Government and the Malay States. A minute by Ellis,

There is little to suggest that he was aware of the political necessity which compelled the Colonial Office and the High Commissioner to take the task of decentralization in hand; the evidence however, pointed to the contrary[106] and it was doubtful if Ellis realised the difficulties which the High Commissioner was facing. Ellis' attitude created an uncertainty in the attitude of the Department itself. The criticisms of the opponents of the policy swayed Ellis in 1926-27 from one position to another. We have mentioned that in 1926 Maxwell had warned that Guillemard's policy would result in inefficiency. Grindle had not taken this criticism seriously, but it left Ellis wondering if anything of substance would result from the High Commissioner's efforts.[107] In 1927, Ellis gave expression to his disappointments that the devolution policy was not going far enough.[108] It was Grindle, with his greater understanding of the situation who helped the Department to consider the essentials

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105 (Contd.). 18.1.1927; a minute by J.S. Risley, 24.3.1927; C.O. 717/55.

106. Grindle wrote several minutes in 1926 and 1927 explaining the development of the policy before 1926. Grindle's objective was to keep Ellis informed of the earlier developments. For example, in response to the Ellis' minute of 18.1.1927 (quoted in note 105) Grindle wrote a long minute explaining the position of the Colonial Office with regard to the administrative changes in Malaya. A minute by Grindle, 19.1.1927; ibid.

107. Ellis observed that "personality I am disposed to think very little will come of the Governor's policy. But it will be sufficient to save the face of the Sultans and that I imagine ~~that~~ is what is desired". Grindle corrected Ellis' impressions and observed that it was not true that the point which Maxwell had made was unknown to the Colonial Office or the High Commissioner; in fact it has been taken for granted that some loss of efficiency would result from the new policy. He added that "the new polciy is based on the conviction that efficiency is bought too dear at present by the estrangement of the Sultans who are federated and the determination of those who are not, to remain outside solong as federation involves loss of power and status", A minute by Ellis, 1.4.1926; a minute by Grindle, 1.4.1926; C.O. 717/48.

108. As only a few items of the twelve State Reserved Services were mentioned in the draft Agreement on the new constitution of the Federal Council, Ellis assumed that the High Commissioner had no intensions of giving the States the Control over other

of the new policy and to see the High Commissioner's acts in a fairer perspective without reference to the individuals who were involved.[109] Fortunately, Grindle's advice led the Colonial Office to assure the High Commissioner in 1926 that they would not change their mind on the question of the revival of the office of the Resident General under the pressure from the A.B.M.[110] They also gave their approval to the financial devolution and reorganization of the Federal Council in the second week of February 1927.[111] Guillemard's last significant political act before his departure from Malaya in early May 1927, was the signing of an agreement in last week of April, with the Rulers of the F.M.S. on the new Constitution of the Federal Council.[112]

Sir Hugh Clifford, the new High Commissioner, took over after Guillemard's retirement.[113] Clifford was well known in Malaya and in

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108 (Contd.). services which had been recommended by the financial devolution committee. Ellis pointed out that "this seems rather a small mouse when the moutain has so long been in labour". Ellis' assumption was not correct. A minute by Ellis, 24.3.1927; see also Ellis' minute of 12.4.1927; C.O. 717/55.

109. A minute by Grindle, 28.6.1926; C.O. 717/52.

110. A minute by Grindle, 27.9.1926; and Sec. State to High Com., 2.10.1926, C.O. 717/49.

111. Ellis in his minute of 5.2.1927 summed up the changes which were awaiting the approval of the Colonial Office. The High Commissioner's proposals were submitted on 10.2.1927 by the Permanent Under Secretary of States, S.H. Wilson, to the Parliamentary Under Secretary of State and the Secretary of State with his own recommendation that they should be approved. Ormsby-Gore, and Amery approved of the proposals on the same day. Minutes by Ellis, 5.2.1927; by Grindle, 7.2.1927; by Wilson, 10.2.1927; Ormsby-Gore, 10.2.1927; and Amery, 10.2.1927; C.O. 717/55.

112. Tel. High Com. to Sec. State, Conf., 29.4.1927; ibid.

113. Sir Hugh Charles Clifford; G.C.M.G., 1921; G.B.E. 1925; b. 1866; joined Perak Service, 1883; Controller of Land Revenue, Kuala Kangsar, 1885; acting Government Agent to Pahang, 1887-8; Resident Pahang, 1890-1; took the leading part in the suppression of the Pahang rebellion, 1892; led armed forces to Kelantan and Trengganu to effect capture of the fugitive rebel leaders; Resident Pahang, 1896; Governor North Borneo and Labuan, 1899-1901; acting Col. Sec., Trinidad and Tobago, 1903; Governor,

prime of his career in the Malay States in the nineteenth century, had successfully conducted the Pahang War. He had filled several high offices in the Colonial administration thereafter and had achieved a strong-man image. He had been Collins' choice in 1924 as Guillemard's successor but the reorganization in the administration had been carried out solely by Guillemard. The main duties of Clifford at this period of transition, were to preside over the administration and further the progress of the decentralization policy in time. Matters were still fluid and the reorganization of the Federal Council was not complete when he took over.[114]

A few months after Clifford had taken over as the High Commissioner, the first Durbar of the Malay Rulers took place in August 1927. That the Rulers were satisfied with the decentralization measure carried out by Guillemard appeared from the fact that no Ruler complained against centralization. The Yam Tuan of the Negri Sembilan observed that "now that His Excellency had come the other States (outside the Federation) would join".[115] Other Rulers shared his hopes. Clifford, in his address, assured the Rulers that the Malay character of their states would be preserved, and that the Unfederated States would be invited in future to send their representatives to the Durbar.[116]

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113 (Contd.). Gold Coast, 1912; Governor Nigeria, 1919; Governor, Ceylon, Nov. 1925; Governor, Straits Settlements and High Commissioner for Malay States, June 1927.

114. The Unofficial members of the Federal Council were as follow: A.S. Bailey; H.B.E. Hake; A.J. Jones; J.H. Rich; C. Ritchie; Raja Muda of Selangor; Tungku Suleiman bin. Almerhum al Sultan Ahmed, Tengku Besar of Pahang; Abdullah bin. Haji Dahan Dato Penghulu of Rembau; Cheah Cheang Lim; and Wong Yick Tong.

115. Printed Proceedings of Durbar held at the Istana Negara, Kuala Kangsar, 11.8.1927; Conf. Phg. 57/1927.

116. Ibid.

A few days after the conference, Clifford requested the Secretary of State to raise the status of the Chief Secretary to that of a Lt. Governor, and to describe his office as that of Resident General. His request, made in reply to the Colonial Office circular on the occasions when the national anthem should be played, was very poorly argued. He merely pointed out that the change was necessary "on account of too much pressure of work on the High Commissioner".[117] He did not point out in what respects the work of the High Commissioner had increased within three months of Guillemard's departure. The request was turned down by the Colonial Office. During the term of Clifford's office, no services from the Schedule of Unreserved Services were transferred either to the State or to the Federal Reserved Services.

It could safely be assumed that Clifford was aware of the existence of a body of opinion in London which favoured the revival of the office of the Resident General for the Malay States. His request might have been influenced by his personal predicament, which certainly made it difficult for him to take direct responsibility for the administration of the F.M.S. Clifford had a nervous break-down in Nigeria which had been followed by symptoms of insanity. He had suffered another breakdown in Ceylon. By the time he arrived in Malaya, Clifford was a sick man.[118] Within a few months of his arrival in Malaya, Clifford surprised the Far Eastern Department, by springing telegrams on the Secretary of State which raised important questions of administration and policy. Although his telegraphic request to raise the status of the Chief Secretary would

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117. High Com. to Sec. State, 20.8.1927; Phg. Conf. 56/1927.

118. H.A.J. Hulugalla, British Governors of Ceylon. (Colombo,1963) p.179. The writer quoted Clifford's doctor in Ceylon to have said that one day while the latter was waiting in the Government House to see his patient, "he (Clifford) walked into the sitting room wearing only his socks". Sir Alan Burns who acted

reverse a decision which had been taken recently, Clifford did not adduce adequate reasons for his proposal.[119] The Permanent Secretary of State complained that he was getting tired of hearing the same argument from Clifford over and again.[120] It was apparent that Clifford was fast losing his capacity to attend to serious matters of administration. Ultimately, he was compelled to retire in 1929 after displaying imbalance of mind and behaving in an abnormal manner while giving evidence in front of a commission considering the conditions of civil servants in colonies.

During Clifford's term of office the federal administration rejected two requests for the transfer of the Unreserved Services. The Surveyor General suggested in 1929 that the Survey Department should be transferred from the Unreserved to the Federal Services; in the same year the Unofficial Malay Federal Councillor from Perak, Raja Chulan, requested that some of the Unreserved Services should be included in the Schedule for the State Reserved services. Both

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118 (Contd.). as Clifford's Private Secretary in Nigeria, and Leonard Woolf who knew Clifford as the Governor of Ceylon, offer some information on the social aspect of Clifford's life. Sir Alen Burns, The Colonial Civil Servant, (London 1949) p. 55; and Leonard Sidney Woolf, Growing: An autobiography of the years 1904-11 (London, 1961), pp. 170-1.

119. Guillemard had decided against the nomination of an Indian in the Federal Council on the ground that it would mean that the Government agreed to the principle on racial representation. In October 1927, Clifford sent a brief telegram requesting the Secretary of State's agreement to the nomination of an Indian on the Federal Council to represent the Indian and the Ceylonese communities in the F.M.S. Ellis observed that "I rather wish that he (the High Commissioner) did not spring such question on us by telegrams. I am not clear whether a definite representation by race is desirable. And I am puzzled at the suggestion of a Ceylonese representative". Grindle added that the High Commissioner's request puzzled him too. Tel. High Com. to Sec. State, 29.11.1927; minutes by Ellis and Grindle, 2.11.1927; C.O. 717/58.

120. Wilson minuted that "Sir Hugh Clifford has no right to spring on us those questions by telegraph at any rate without giving

the requests were turned down on the ground that it was too early to review the Schedule of the Unreserved Services.[121]

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120 (Contd.). more explanation. I am getting tired of the argument that graceful voluntary concession is better than concession ultimately granted as a result of agitation". A minute by Wilson, 2.11.1927; ibid.

121. A minute by the Chief Secretary, 17.5.1929; N.S. 347/29. Also Pros. Fed. Council, pp. B67, B80, 1929.

CHAPTER - VIII

DECENTRALIZATION IN THE 1920S : AN EVALUATION

The task of evaluation is a debt of honour one must pay. This study aims at examining the grounds for the policy of decentralization of power in the F.M.S., its origins and development in the 1920s. This phase of decentralization merits an intensive study because most controversial of decentralization measures were mooted, and reactions to this policy articulated and known, in this period. This study shows that decentralization raised some significant issues in the politics of the F.M.S. in the 1920s. It reveals not only the role of the local and metropolitan authorities in the making of this policy, but also the part played by some personalities and business lobbies behind events, both in London and Kuala Lumpur. Certain problems inherent in the historical enquiry presented a challenge, and they should be mentioned in this chapter. Decentralization led to readjustments in the existing system of administration in the F.M.S., and as such, an estimate of the policy is not possible without a statement of how it qualitatively improved the administration. The development and execution of the policy brought to the surface some problems of devolution of power upon the indigenous authorities in the F.M.S. These again makes a comparison with the situation in analogous British protectorates and colonies worth attempting. Decentralization had certain impacts on the future politics of the F.M.S.

We made an introductory study of the indigenous institutions of the Malay States and their functions in the Resident's administration which succeeded in setting up strong governments in these states.[1] We found that the Resident's office was the real seat of

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1. See pp.

administrative power, the Malay Ruler merely served as a figure head of an autonomous state administration under the British control, and the State Council was the Ruler's advisory body. This was the framework of an administrative system which kept the state authorities satisfied for the larger part of the period from 1874 to 1896. We then discussed the problem of over-centralization of power in the federal administration which developed in the first two decades of this century, and altered the Resident-dominated state administration.

It was evident that the British administrators, with their administrative know-how and rational outlook had created before 1919 an administrative structure which was far in advance of the needs of the indigenous community. By introducing a high standard into the administrative functions, they stimulated the development of modern industrial enterprises, particularly in tin and rubber which not only assumed a vital role in the well-being of the country, but also influenced the future development of the administrative structure itself. Economic progress led to the enlargement of the sphere of administrative activities, and the two important industrial enterprises demanded a smooth and efficient functioning of the administrative machinery. It is unfortunate that this led to over-centralization of the administrative power which steam rolled over all other considerations. This new administrative system had no social relevancy for the Malays. They lived in states and districts; their social and political needs were such that these could be more effectively satisfied by authorities in districts and state than by the remote federal administration.

I. Development of the Decentralization Policy

We first attempted to answer two questions in our study of decentralization - what was, or were the grounds for decentralizing power in the federated states, and, what were the motives of the

authorities in London, Singapore and Kuala Lumpur in supporting the new policy. The attitudes of some unofficial groups also interested us. These were the British Malayan business lobby and the retired Malayan Civil Service (M.C.S.) officers in London, and the unofficial Federal Councillors in the F.M.S. who vocalized the needs of the local British and Chinese business communities.

Political, personal and economic considerations have been enumerated as the powerful motives behind decentralization by the one scholar who has so far studied this question. Professor Rupert Emerson came to the conclusion that Malay Rulers had been "pushed too far into background" in the federated states, the rivalry between the High Commissioner and the Chief Secretary, and the economic distress of the F.M.S. during the post-war trade depression were "the main considerations" which led to the policy of decentralization.[2] Although he expressed the view that the economic factor was the main reason for decentralization, he did not relate it to any significant measure in the programme of decentralization. Personal rivalries between Guillemard and Maxwell were given nearly as much importance as the economic and political considerations because Professor Emerson based, to a large extent, his account on the writings of Maxwell who was biased against Guillemard.[3]

To recapitulate, we found that four specific situations had arisen in the F.M.S. after the World War I.

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2. Rupert Emerson, Malaysia - A Study in Direct and Indirect Rule (Kuala Lumpur, 1964) p.155. This is a reprint of the book first published in 1937.

3. Emerson seems to believe that the proposal for the abolition of the office of the Chief Secretary need not have been made. One gets the impression that the proposal was not directly connected with decentralization in the F.M.S., and that in making the proposal Guillemard was influenced by his personal hostility towards Maxwell. Emerson wrote that "the wheels were already turning with some speed in the direction of decentralization, primarily, it appears, under the impulsion of Chief Secretary Maxwell. In 1925, however, an abrupt shift took place when the High Commissioner formally announced a new policy the key of

First, the European community in the F.M.S. was dissatisfied with the existing pattern of government. The crown colony pattern of financial and administrative control for the protected Malay States appeared intolerable to the European business community in the Malay States. Over-centralization had been in the interest of the European civil servants, only upto a point. At the end of the war they were discontented not only on the ground of inadequate pay, but also because of excessive centralization of power at the Federal Secretariat.

Second, a review of Anglo-Malay relations was urgently required. The administration of Sir Arthur Young had left some Malay Rulers estranged. The secretariat-based administration seemed to have failed to give satisfaction to a significant section of the Malay community.

Third, an administrative union of all Malay States under British protection appealed to the High Commissioner for the Malay States on economic and administrative grounds. The unfederated states were too poor to pay for their development works, but the European officers in those states enjoyed a greater measure of autonomy from the High Commissioner's control than Residents in the federated states. An administrative union would not only make the granting of loans for the development of the unfederated states from any surplus revenue of the F.M.S. an easy task, but would also give the High Commissioner the same measure of control over the administration of the unfederated states as he exercised over that of the F.M.S. These considerations gained in weight at the end of the war. Development plans devised then for the F.M.S. could be economically carried out if the area they were to serve was larger than the

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3 (Contd.). which was the abolition of the Chief Secretaryship". Emerson based his view on a letter written by Maxwell to the Malay Mail, published on 11 October 1932, and quoted in his book. Ibid., p.161.

F.M.S. and the colony.

Fourth, the continuation of the high degree of bureaucratic efficiency produced a situation which was inconsistent to the one mentioned above. Such efficiency attained by the Federal Departments called for the regular employment of European officers entailing heavier expenditure. During the years of financial difficulties which resulted from the post-war trade depression, it was feared that the service charges of the existing system of administration could not be met from the declining revenue of the country.

These were the concerted situations providing stimuli for the wind of change in the administration of F.M.S. Having located these factors which called for change, we then tried to find out the ones which were directly related to decentralization in the 1920s. It is interesting to know how each situation gave rise to a demand or set of demands which could not be met without changing the existing pattern of administration. Some of these were destined to lead directly to decentralization, and we tried to find out the links between these situations and decentralization through a process of elimination.

The situation in which the European business community found itself at the end of the war, made it critical of the financial administration of the F.M.S. The representatives of this community desired that a large part of the surplus revenue of the F.M.S. should be spent locally on development works. Arising out of this were their demands for a place in the decision-making machinery in financial matters and autonomy for the authorities in Kuala Lumpur from the administrative and financial controls of the High Commissioner. A systematic devolution of federal powers upon the state authorities was not intimately linked with these demands. What would then account for the public endorsement of the

proposal for decentralization by the representatives of this community in the Federal Council in 1923, and their opposition to the High Commissioner's proposal for the abolition of the Chief Secretary's office in 1925? In the first place, the demands of this community appeared to be compatible with the position of these states as protectorates. It was a logical reaction therefore that the representatives of this community could promote their demands and still support the case for state autonomy. Their support for devolution of federal power was a part of their general criticism of the existing system of financial management in the F.M.S. which made no room for participation by them. In the second place, the attitude of this community towards the existing power of the Chief Secretary was really ambivalent. In opposing the High Commissioner's proposal for the abolition of the Chief Secretary's office in 1925 what they were really fighting for was the continued existence of the federation. As soon as they were reassured on this matter, they acknowledged the need for decentralization of some powers of the Chief Secretary and left to the High Commissioner the actual task of defining in future the power and status of the Chief Secretary. Though they made enough noise, they did not support after 1925 the proposals of some members of the Association of British Malaya for either the revival of the Resident General's office, or the separation of the office of the High Commissioner from that of the Governor.

Our estimate of the attitude of the European business community towards decentralization differs from that of Professor Emerson. The opposition of this community to decentralization does not appear to us to have been as unqualified as was generally supposed by Professor Emerson.

Professor Emerson traced the origins of the decentralization

policy mainly in the post-war economic depression of the F.M.S. He argued that the trade depression opened "all central problems of Malaya", and maintained that constitutional and political issues would never have been raised "if the financial situation had been different".[4] The economic difficulties in the early 1920s, no doubt, raised a demand for change of the expensive secretariat-based administration in the F.M.S., and a return to the state and district system of administration was favoured. We raised two questions in relation to this matter - was this demand voiced by a substantial number of administrators and, if so, did it become a major consideration with the policy makers.

There were some administrators who thought that a return to the district system of administration was desirable for the bulk of the rural population of the Malay States. Few, however, considered the demolition of the existing elaborate administrative machine feasible. A scrutiny of the official papers related to decentralization further confirmed our view of the relative unimportance of the economic factor. The scheme of Malay Administrative Service resulted directly from the political decision to share the administrative power with Malay Officers at the district level. This decision was taken in the first quarter of 1920, and that year showed a surplus of revenue over expenditure in the F.M.S. In a similar way, the decentralization measures initiated by Guillemard after 1925, were not inspired by economic hardships. There might be some doubts about the decentralization measures which coincided with the trade depression. However, it was clear that Maxwell's proposal of 22 September 1922 for devolution of power upon the State Council, the Residents' recommendations of 23 January 1923 on that proposal, Guillemard's announcement of the

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4. Ibid., p. 155.

appointment of the Decentralization Committee on 24 January 1923, the Residents' recommendations on the committee's report, the appointment of a one-man committee with the Financial Adviser of the F.M.S., and the revision of the General Orders of the federal administration, were a series of inter-connected administrative proceedings. They aimed at extending the budgetary power of the State Council and the executive power of the Resident. The trade depression influenced these proceedings as little as a passing balance of payment deficit of Britain influences the question of adjustment of powers of the authorities of an English county..

We argued that the economic factor could not be taken as the decisive ground for decentralization. But that does not mean that the economic factor did not influence decentralization atall. Although the High Commissioner had always exercised an over-all financial control over the F.M.S. administration, the new economic difficulties now created very strong tendencies in London and Singapore for jointly dealing with the financial problems of the colony and the protected states. The financial power of the High Commissioner suddently appeared to be too rigorous. This prompted the Chief Secretary to make an attempt, with the support of Unofficial Federal Councillors, to seize the control over the federal finance from the High Commissioner. The tussle which followed delayed the devolution of federal powers upon the state governments.

The rivalry for power between the High Commissioner and the Chief Secretary has been overly emphasised but how far in actual fact was this rivalry responsible for the policy of decentralization? This rivalry did not appear to us to be a significant cause of decentralization. It was, on the contrary, decentralization which generated and intensified this rivalry. This appeared from the demands for the revival of the Resident General's office and

the relaxation of the High Commissioner's control over the F.M.S. administration which received full support from the Chief Secretary. These demands were put forward as essential measures of decentralization. Therefore, the proposal for the devolution of the Chief Secretary's power upon the state authorities inspired the allegation of centralization in Singapore. The controversy over decentralization distorted the objective of that policy. Our discusssion of the problem of over-centralization led us to conclude that the Chief Secretary's office concentrated the executive power over the state and the federal administration. Therefore, decentralization, in essence, was the question of devolution of the Chief Secretary's power upon the state authorities. In so far as this policy was prompted by the goal of a larger union of all Malay States, it would surely have made the authority of the High Commissioner more effective than before, but the transfer of the executive power of the Chief Secretary to the High Commissioner was not the objective of the decentralization policy in the 1920s.

It is therefore, necessary to state clearly what did decentralization essentially mean in the context of the Federated Malay States in the 1920s. As a subject of a controversy, it meant different matters in different contemporary circles. Scholars who have subsequently studied the subject presented different interpretations of the policy.[5] This study reveals that atleast three significant matters were covered by decentralization in the 1920s. First, the devolution of power from the federal to state authorities in the F.M.S. In this respect, the questions of decentralization of the Chief Secretary's power and of giving some executive powers to the Malay Ruler were specially controversial. Second, the recruitment of Malay Officers in a new administrative service,

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5. See p. 13.

thus starting a period in which the British administrators and trained Malays shared power. Third and perhaps the most intriguing aspect of decentralization, was the question of enhancing the status, though not the actual authority of the Malay Ruler.

It is our considered view that political considerations led directly to decentralization of power in the F.M.S. Two such considerations appeared to us to be particularly important. First, the situation prompting a union of all Malay States made the devolution of power upon the state authorities in the F.M.S. inevitable. A gulf of difference existed between the positions of the Malay Rulers in the F.M.S. and those in the unfederated states in their respective governments. Devolution of power upon the state authorities in F.M.S. would promote a measure of structural uniformity among all state governments by placing the former in comparable position to those in the unfederated states. Such a structural uniformity of the state governments would facilitate the political integration of all states in the peninsula into a federal union. Second, better political relations with the Malay Rulers in the F.M.S. demanded an improvement in their prestige and influence. The dissatisfaction of the Malays which we have already mentioned, strengthened the case for sharing power with Malay officers at the district offices. While these political considerations called for a change in the policy in the F.M.S. administration, the coming to the Colonial Office of Milner and Amery who firmly believed in indirect rule and the improvement of relations with the British colonies and protectorates, made the British government very receptive to the need for change. At no time since Joseph Chamberlain, had the Colonial Office been so keen to listen to local grievances as it was under Milner and Amery.

The political considerations suggested by us raise one

question. We have stated that the administration of the F.M.S. was too complicated to permit the Malay Ruler to assume the role of a sovereign executive. What useful purpose would then be served by strengthening his position? Two motives were generally attributed to the point of view of the British administrators. First, British felt that they owed him 'a debt of honour' having once taken over the administration of his state; the decentralization policy therefore, aimed at 'restoring' to him a part of the power which he had 'lost' to them.[6] Second, it was also suggested that the British motive was to deceive the Chinese community.[7] Pressed by the Chinese demand for political concessions, the colonial administrators desired the Malay Ruler to appear as "the nominal centre of power" so that they could "proclaim that since these were Malay States under Malay Rulers the concessions which the alien ask are beyond the British granting".[8] None of these suggestions seems to us to be tenable. The power of the federal executive a part of which was devolved upon the state authorities had never been a part of the traditional authority of the Malay Ruler, and it was the Resident and not the Malay Ruler who received it in the 1920s. The second view about Chinese rights appears to be misleading. The claim of the aliens for concessions was actually an outcome of the decentralization policy; for example, the Chinese demand for entry into

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6. Curiously, it was Maxwell himself - a centralizer of administrative power - who was the first person among the British administrators in the F.M.S. to use after the war the term 'restoration' of power to the Malay Ruler and his council. Maxwell's memorandum entitled "Notes on the policy in respect of the Unfederated States", 15.10.1920, C.O. 717/10. Emerson also used the term. Emerson, op.cit., p.159. It may be noted that when Maxwell turned away from the policy of decentralization, he commented on the power of the State Council in the pre-federation period in a manner which devalued the concept. He wrote that "If any one believes that the State Council of that time played any part in the administration of the States, let him note that not one of the Rulers consulted his State Council before consenting to Federation". Straits Times, 29.9.1932.
7. Emerson, op.cit., p. 141.
8. Ibid., pp. 140-1.

the civil service was first heard some years after the formation of the Malay Administrative Service.

It seems reasonable to us to conclude that the British authorities desired to augment the prestige and influence of Malay Rulers to promote the cohesion of the Malay community. It is known that the Malay community had been subjected in the first two decades of this century to radical influences coming from the Netherlands East Indies and other countries.[9] We have seen in this study that the unsettling effects of these influences were very strongly felt in the 1920s.[10] Traditional values such as the common custom, religion and loyalty to its Ruler which held the Malay community together, were severely strained. There is ample evidence of the Rulers' anxiety that their community which was caught in the winds of rapid changes, should not have its traditional moorings snapped. In his first interview with the new High Commissioner, Sultan Ishkander of Perak expressed his "distress" at the way in which young Malays were "drifting away from religion". He also requested the High Commissioner "to ensure the retention of Malay customs, dress and habits".[11] He wrote to the Secretary of State in 1924 that "It is the desire of the Rulers that Malays should understand and practise their religion and that their manners and customs be zealously retained", and then urged that the official policy of the F.M.S. Government should be directed to achieve these objectives.[12]

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9. William R.Roff, The Origins of Malay Nationalism (New Haven, 1967) pp. 254-5.

10. See Chapter III.

11. Notes of an interview between His Excellency the High Commissioner and H.H. the Sultan of Perak, 25.3.1920. N.S.Conf.33/20.

12. A Memorandum on the F.M.S. Government Policy, no date. Handed over by the Sultan of Perak to the Secretary of State in August 1924. C.O. 717/36.

Evidence is clear that the British authorities shared with Malay Rulers a concern for preserving the traditional values of the Malay community. They realized that an important way to strengthen these values was to consolidate the central political institution of Malay society, namely, the Malay monarchy. One reason for which external influences easily appealed to a section of the Malay community was its belief that its Ruler was without any significance under the British regime. Malays could be easily led with the help of their Rulers. The Under Secretary of State, Sir Ormsby-Gore, on his return from a visit to the Malay States, minuted in 1928 that "Politically they (Malay Rulers) are a real and to my mind essential asset. But for them the Malays would become a mob".[13] It was on this premise that the British post-war policy towards the Malay Rulers was based. "Politically our policy of late", recorded one official of the Colonial Office, "has been directed towards the ideal of improving the position and dignity of the Rulers, which, it has been felt, have been insufficiently considered since the federation, and encouraging them and their subjects to take a greater part in the administration of their states".[14] This aspect of the decentralization policy had an important legacy for the Malay community, and we shall have an occasion to mention it later in this chapter.

There were two important considerations for the decentralization of power in the 1920s. One was the situation prompting a

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13. A minute by Sir Ormsby-Gore, 14.8.1928, C.O.717/60. The view of the Parliamentary Under Secretary, in fact, reflected the opinion of H.Beckett of the Far Eastern Department. Beckett minuted on 13.8.1928 that "we are not to forget that the loyalty and support (however passive the latter has been) of the Malay Rulers has been in the past a valuable asset and may well be equally valuable in the future". A similar view had been expressed by Sir Gilbert Grindle some years earlier. He had written that "we cannot within measurable time govern Malaya without Sultans". A minute by Grindle, 31.12.1924. C.O. 717/34.

14. A minute by Beckett, 13.8.1928, C.O. 717/60.

political union of all Malay States and the other, the necessity for improving the British relations with the Malays and their Rulers in the F.M.S. We may now show the relationship of these considerations to the decentralization measures carried out in the 1920s. The administrative power of Heads of six Federal Departments over states was defined to extend the Resident's authority.[15] In order to strengthen the ties with the Malays it was decided that power would be shared with Malay Officers in the district administration, and the Malay Administrative Service was formed for the regular recruitment of Malays into the civil service.[16] The devolution of power upon the State Council to allocate money to matters of Malay concern enabled that body to perform some functions useful to the Malay community. The transfer of twelve administrative departments under state control[17] considerably increased the power and prestige of the state government.

These two measures also generally improved the prestige of the Malay Rulers and two principles which seemed to have emerged from the desire to maintain their dignity and influence. These were those of non-interference in his customary rights, and of maintaining him in affluence. Guillemard acknowledged the right of the Malay Ruler to choose his own successor according to the prevailing Malay custom. He succeeded after persistent efforts in getting the ban on Raja Chulan, a son of ex-Sultan Abdullah, modified. The appointment of Raja Chulan as the choice of the Sultan and Chiefs of Perak, to the office of the Raja-di-Hilir of Perak shows a reversal of the policy of interference which Sir Arthur Young had pursued on the question of succession to the Perak throne. Guillemard would not

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15. See Chapter V, pp. 265-66.
16. See Chapter IV, pp. 216-17.
17. See Chapter VII, pp. 384.

have had any success in his efforts, had not the highest political authority in the Colonial Office laid down the principle of indirect rule for the guidance of the Far Eastern Department.

When Clifford, the new High Commissioner, recommended in 1928 a rise in the pensions of the Malay Rulers from July that year, one junior official of the Far Eastern Department had a reservation against the proposal. The latter observed that "there had in the last twelve years been many increases in the emoluments of the Rulers and Chiefs of the Federated Malay States".[18] This, in fact, was also the third rise in the political pension of the Malay Rulers since 1920. The High Commissioner had recommended the revision on the ground that the Malay Rulers should be maintained as figure heads of apparently great importance.[19] The argument which prevailed in the Colonial Office was that the pension should be revised liberally with the increase in the prosperity of the F.M.S. to enable the Rulers to maintain their position of pre-eminence in the eyes of their subjects and the world. The Under Secretary of State observed in this connection that "it is all important to maintain the Malay Rulers and leading Chiefs in considerable affluence".[20]

After isolating the two main considerations which constituted the modus operandi of the policy of decentralization, we raised one other question - what importance should be attach to each of these considerations to get a historically correct account of the development of the policy of decentralization? In order to answer this question we had to clear another debatable point, namely, which

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18. A minute by an official of the Far Eastern Department, 11.8.1928, C.O. 717/60.

19. High Com. to Sec. State, 29.6.1928, Conf., ibid.

20. A minute by Ormsby-Gore, 14.8.1928, ibid. For a proposal for a rise in the allowance of the major Chiefs see High Com. to Sec. State, 16.10.1926, C.O. 717/49.

of these considerations had been the decisive one in the matter of decentralization. We have seen that soon after the federal union of all states under British protection in the Malay peninsula had been proposed in 1920, there was a demand for the relaxation of the High Commissioner's control over the administration of the F.M.S. and the revival of the office of the Resident General, who would be virtual head of the proposed union. The issue of the revival of this office dominated the political scene in the F.M.S. from 1921 to 1923; decentralization was over-shadowed, and its progress slowed down.

It was apparent after 1923 that progress in remedying the problem of over-centralization of power in the F.M.S. was unimpressive. It was also clear that without first remedying this outstanding problem of the F.M.S. it was not possible to move towards a federal union of all Malay States. Strengthening the state authorities in general, and improving the position and dignity of Malay Rulers in particular, became the prime considerations of the Colonial Office and the High Commissioner in the F.M.S. This explains the fact that the representations of the Sultan of Perak to the Secretary of State in 1924 produced an immediate result. This led directly to administrative reorganization in the F.M.S. Thus decentralization in the 1920s was more directly promoted by such considerations as the improvement of the power of the state authorities in general and the enhancement of the dignity of Malay Rulers in particular, rather than by hopes for any immediate expansion of the existing federation.

II. Some problems of historical inquiry as revealed in this study

One may face some problems in one's inquiry into a theme of history. Some of these problems, again, might have been faced by other historians. One's own study may focus on some specific problems of historical investigation. Professor C.D. Cowan's study of

the origins of the British political control in the Malay States in the nineteenth century drew our attention to atleast three types of problems which confronted an historian in the task of delineating the evolution of a policy.[21] One was that decisions emanated from not one but different spheres of administration; another was that official papers related to important decisions suggested more than one reason as the ground or justification for a decision, and on occasions, the supposed reason stated on an official paper was found to be not the real reason; and the third was the phenomenon of unauthorized measures sometimes taken by local officials in anticipation of the approval of the Colonial Office.[22] The third type of problem did not pose much difficulty in relation to the period studied by us, but the other two types of problem certainly exist. The facilities for almost instant telegraphic communication between London and Singapore that was available in the 1920s minimized - though not totally removed - [23] possibilities of unauthorized actions by local officials.

After a detailed study of the question, we were unable to attribute the origin of the proposal for the abolition of the Chief Secretary's office to any particular single individual connected with the F.M.S. administration. Guillemard's proposal advocating this step was preceded by Sultan Ishkander's, and Collins's suggestion had been recorded in the Far Eastern Department's papers even earlier.[24] In the presence of these two earlier proposals, any

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21. C.D. Cowan, Nineteenth-Century Malaya: The Origins of British Political Control (London, 1961).

22. Ibid., pp. 263-4.

23. Hose, as the acting Governor, sought without the authorisation of the Colonial Office to open up in July 1925 the question of abolition of the post of Chief Secretary after it had been agreed between the High Commissioner and the Secretary of State. See Chapter VI.

24. See pp. 155-6, 288, 304-5.

suggestion of Guillemard being the sole originator of the proposal[25] is manifestly untenable. And they called for a study of the inter-relationship among these proposals. Did Guillemard or Sultan Ishkander merely echo, at times that appeared suitable to them, the proposal that had already been mooted by Collins in 1920? Events suggest that they might have done so,[26] but this is mere conjecture. Our conclusion is that the three had independently arrived at the same view and so we are of the opinion that these were multiple sources for the same proposal.

Our study also shows that one cannot pin point a particular date as the turning point from a policy of centralization to one of decentralization. The Colonial Office seemed to have accepted decentralization as the objective of the state policy of the F.M.S. administration, with Maxwell's appointment as the Chief Secretary in 1920. But Guillemard had been chosen in 1919 from outside the Colonial Civil Service to be the High Commissioner for the Malay States directly in response to demands for changes in the administration of the F.M.S. And some measures with decentralization of power in view are noticed to have been initiated in the F.M.S. even before Maxwell's appointment. This would tend to point to the conclusion that Guillemard's appointment was closely connected with a decision to decentralize power in the F.M.S. But one cannot be categorical about it as papers available on Guillemard's appointment do not contain the deliberations of the Secretary of State leading to his choice or the specific commission to be

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25. This view was expressed by Emerson and Maxwell. Emerson, op.cit. pp.161,165-6. Maxwell wrote in 1943 that "In 1925 the High Commissioner, Sir Laurence Guillemard, came forth with his own policy....The feature of it was that the only cure (to the problem of over-centralization in Kuala Lumpur) was the abolition of the appointment of the Chief Secretary to Government". Sir George Maxwell, "The Administration of Malaya", in British Malaya, London, April 1943, p.142.

26. It was possible that Guillemard learnt about the proposal from

carried out by him.

It is equally difficult to be certain about the real reason behind some of the important decisions but for a different set of circumstances, as different reasons were adduced by different officials for the same decision. The Far Eastern Department, for example, preferred Maxwell to James for the post of the Chief Secretary, F.M.S. because his experience in the administration of the Malay States was much longer than that of either James or the High Commissioner. However, the department recommended Maxwell's appointment on the grounds of decentralization in the F.M.S. and the formation of a union of all Malay States. The Under Secretary of State sought the approval of the Secretary of States on the grounds of "public interest", and the Secretary of State preferred not to record any grounds for his decision. Though the responsibility for decentralizing power in the F.M.S. rested on Maxwell from 1920-23, decentralization was not the only consideration for his appointment by the Colonial Office.

One of the questions that we took up in our study was to assess the relative importance of organized groups and of key persons in the making of the policy. The decision making agencies in the sphere of colonial policy were confined to a comparatively small circle, but this certainly did not exclude from the process the influence of groups representing special interests, and of the role of personalities. Our study revealed that the Malayan business lobbies, in Malaya and London, were influential pressure groups. The importance of these groups became clear in as much as they played an important role in both the formal and institutionalized, and the informal channels through which the F.M.S. administration was influenced, (such as, Parliament, the Colonial Office and the Conservative Party in Britain in the 1920s) and that they

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26(Contd.). Collins when he was in England on leave in 1923 and the Sultan learnt it from Guillemard in the same year.

were deeply interested in the question of the administrative reorganization of the Malay States. The London-based Association of British Malaya was more influential than its predecessor, the Straits Settlements Association. The papers of this body, and information on business lobbies available in the official papers of the F.M.S. administration and the British Government, revealed to us clearly the links among the important members in these groups, and the weight of their influence. However, apart from Swettenham's reference to the business lobby's full confidence in Maxwell, in a letter which helped the Colonial Office decide in favour of Maxwell's appointment to the office of Chief Secretary, F.M.S., in 1920, and George Penny's informal intervention in favour of Maxwell and against Guillemard in 1925 which refrained the Far Eastern Department from taking a firm stand on their own proposal for the reduction of the Chief Secretary's power, these papers do not reveal how the business lobbies influenced policies in the 1920s.

It is therefore, difficult to pronounce a judgement on the extent of the influence of the business lobbies on Maxwell. A close link between Maxwell and these lobbies is clear. It comes on the surface in their concerted moves in agitating for the revival of the office of the Resident General. However, it is not unlikely that the A.B.M. attached an exaggerated importance to the role which Swettenham's recommendation had played in the appointment of Maxwell, and thus considered the latter as their own man in the Federal Secretariat. It could also be argued that in so far as Maxwell needed the support of the A.B.M. he had to lend a receptive ear to what that body had to say on important political and administrative question in the Malay States. It is evident that the shadow of Swettenham loomed large behind Maxwell on the question of the revival of the Resident General's office. A close link

seems probable because it would enable Maxwell to play upon the fears of these lobbies regarding the unpredictable effects of the abolition of the Chief Secretary's office. But very little of it is real evidence. The High Commissioner's secret warning to Sir George Fiddes in the Colonial Office that Maxwell and Swettenham corresponded on the question of the revival of the Resident General's office, was the only contemporary information suggesting that Maxwell might have been influenced by Swettenham on a question which delayed decentralization by repeatedly appearing on the scene in the 1920s.

The business lobby in the Malay States made a greater impact on the administrative changes which took place after 1925 than the London lobby. They organized a strong opposition to the proposal for the abolition of the office of the Chief Secretary when it was announced by the High Commissioner in 1925. It was to a great extent, due to their opposition, that the post could not be abolished during the term of office of Maxwell's successor, as proposed by Guillemard in 1925; the post was not, in fact, abolished in the 1920s. That the post was not abolished in the 1920s was, however, not wholly due to the sound and fury produced by this lobby. They, no doubt, succeeded in strengthening the Federal Council. As the estimates of revenue and expenditure of each state continued to require the legislative approval of the Federal Council even after the reorganization of the administration of the F.M.S. by Guillemard, and a large number of administrative departments continued to remain with the Centre, it was necessary that there should continue to be an executive officer of a very high position in order to operate the legislative sanction on the federal and state estimates.

The London lobby, however, succeeded in influencing some

important decisions of the Colonial Office in the 1920s in another way. Being unable to agree with the High Commissioner, the officials of the Far Eastern Department sometimes engaged the lobby in the decision-making process to strengthen their hands. They knew, or could predict, the views of some prominent members of the lobby on important questions of policy on the basis of the latter's previous service in the Malay States, and they were adept in choosing the bait to suit the taste of the fish. They succeeded in obtaining the Secretary of State's approval to their suggestion for a go-slow policy in the unfederated states - overriding the wishes of the High Commissioner. The department sought the views of a certain retired High Commissioner for the Malay States and then supported his views. A high official of the Colonial Office reprimanded them for their habit of seeking in confidence the opinion of one or other prominent member of the lobby on the proposals sent by the High Commissioner.[27]

The officials of the department consulted the lobby more often when their relations with Guillemard were unsatisfactory than after the establishment of a rapport with him. This aspect of the matter makes it difficult to assess exactly the role of the different key personalities on the formulation of policy. We came to the conclusion that Guillemard's relations with Collins and Beckett in the Fast Eastern Department had a greater significance than his discordant relations with Maxwell. In our opinion the importance given in the hitherto published literature on decentralization to the relationship between Guillemard and Maxwell is not justified. The work of reorganization of the administrative structure of the F.M.S. progressed in a definite direction when the High Commissioner and the officials of the Far Eastern Department were

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27. See p. 143.

in harmony and the deterioration in the relations between Maxwell and Guillemard could not deflect it. On the other hand, the unsatisfactory relations between Guillemard and the officials of the Far Eastern Department in the initial years of his term of office offered Maxwell an unusual opportunity to promote his own views on decentralization and sponsor a proposal which, in fact, aimed at setting up a separate administration for the F.M.S.

The making of the decentralization policy pointed to the importance of the Far Eastern Department's role in the making of the British colonial policy in Southeast Asia in the 1920s. The Department indicated the directions in which the decentralization policy should move and mooted some of the most controversial changes connected with the new policy. The Department steered the appointment of Maxwell to the post of Chief Secretary, F.M.S., in 1920 and at the same time mooted the idea of reducing the status of that office, and in 1924 suggested the removal of Maxwell from that office. The Department was largely responsible for the appointment of Clifford as the High Commissioner. While the views of the Department on the appointment and then the removal of Maxwell from the office of Chief Secretary, F.M.S., could not be known until official papers were released for public scrutiny, the proposal for the abolition of that office has been incorrectly attributed to Guillemard alone.

Two factors helped the Department influence British policy in the Malay States in a striking measure. Frequent changes in the political leadership of the Colonial Office resulting from the changes in the British cabinet in the 1920s, and the long association of Collins with the affairs of the Malay States enabled the Department to exert more influence on the policy than otherwise would have been possible. But Collins' main concern with personali-

ties and his failure to take a firm stand on measures which he had recommended, were among the important reasons for which the Chief Secretary's power could not be reduced in the 1920s.

III. Indirect rule in the F.M.S., Nigeria and the Gold Coast - a comparative study of problems and achievements

In order to assess the achievements of decentralization in the 1920s, one should take into consideration the inherent problems in fostering indirect rule in the F.M.S. In order to get a perspective, one should also view these achievements and problems side by side with those in some other British protectorates where the system of indirect rule was tried. We have selected for comparison different regions of Nigeria and the Gold Coast where the British colonial authorities took on an analogous system of administration.

The important ingredients constituting the native authority had been enumerated and analysed elsewhere.[28] These were the native Ruler and his council. They were chosen as the instruments of authority to make indirect rule possible. The problem was one of devolving power upon these institutions in order to make them active agencies of government. We know that the idea of using local institutions as instruments of indirect rule is an old one. In recent time the idea of using the native institution as an instrument of modern government can be attributed to the British Resident at Delhi between 1811 and 1819, C.T. Metcalfe.[29] The indigenous institutions which the British Government in India widely used were those of the Indian Princely States. In these states native

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28. Ursula K. Hicks, Development From Below : Local Government and Finance in Developing Countries of the Commonwealth (Oxford, 1961) pp. 12-6.

29. Metcalfe took notice of the Village Councils of Elders (panchayats) which were found in the territory surrounding Delhi. Metcalfe's contemporary, Sir Thomas Munro (Governor of Madras, 1819-27) made use of the traditional village officials for the

governments were left in being so far as their internal affairs were concerned; they were merely influenced by the presence of a British Resident in the Prince's court. However, the idea of using native institutions for indirect rule was employed with spectacular results by Lord Lugard in Nigeria. Lugard later wrote a book entitled The Dual Mandate in British Tropical Africa. He maintained in this book that Britain was the foremost among European Colonial Powers in recognizing the fact that the Colonial Power's rule in the protectorate was inseparable from her responsibilities. In his view, "The moral obligations to the subject races include such matters as the training of native rulers; the delegation to them of such responsibility as they are fit to exercise".[30] These were seen as the main responsibilities of Britain in a protectorate. The system of indirect rule was devised by Lugard in Nigeria after 1894 and it was extended till 1937 to other parts of Africa under the British control. A statement of the problems of indirect rule as experienced in Nigeria and the Gold Coast would enable us review better the problems which we noted in our study of devolution of power upon the Malay Ruler and State Council in the F.M.S.

Lugard was successful in carrying into practice his ideas of indirect rule in Nigeria.[31] Nigeria contained various patterns of the native authority. The Emir was a real monarch in northern Nigeria. The Yoruba chief of the southern part of northern Nigeria was not as absolute in power as the Emir; he ruled in partnership with a council. In western Nigeria the council of chiefs

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29 (Contd.). maintenance of law and order, and encouraged the Village Councils to settle simple court cases.

30. Sir Frederick Dealtry Lugard, The Dual Mandate in British Tropical Africa (London, 1923) pp. 58-9.

31. This statement on the regions of Nigeria and the Gold Coast is based on two works. These are: Hicks, op.cit., pp.91-106, 82-90; and Lord Hailey, An African Survey Revised 1956 (London, 1957) pp. 452-69, 517-28.

exercised real power. Though the structure of the native authority differed in these regions, it provided in each case a stable instrument of government. The Fulani, Yoruba and Beni were peoples with developed institutions; each had its own elaborate structure of authority on which the British could successfully build something like a modern administration. The establishment of a native treasury in each region completed the structure of the native authority as the instrument of indirect rule.

British efforts to develop indirect rule were not as successful in Eastern Nigeria as they were in other parts of that country. An indirect tax was introduced after 1889 as the first step towards setting up a native treasury. But how unstable the arrangement had been was realized when the British Consul General and his companions were massacred in 1897. Another attempt to introduce a poll tax during Governor Clifford's term of office suffered a setback with the outbreak of a revolt in Owerri Province in 1929.

Eastern Nigeria illustrated an important difficulty for the development of indirect rule, - that of building an indigenous authority at the state level where the traditional society offered none. The efforts of Sir Harry Johnson and Sir Claude Macdonald in the closing decades of the 19th century had unsatisfactory outcomes because they failed to locate any solid foundation upon which to build any system of indirect rule. The Ibos and Idibios of eastern Nigeria were non-centralized peoples with little or no organization or leadership above the level of clans. These clans were merely tied together by a network of kinship relationship. Having rejected at the outset the idea of ruling the region directly by expatriate officers, the British were compelled to set up chiefs. It was thought that these chiefs might provide something like a native authority. The shortcomings of this arrangement came to

light with the outbreak of the revolt in the Owerri province. In many cases, these chiefs were alien to the local traditions, and the large administrative districts bore no relations to tribal groupings. The objective of the British policy after 1929 was to get down to the rock bottom to reach a firm indigenous base for indirect rule. Sir Donald Cameron, the High Commissioner and an admirer of Lord Lugard, argued that if no organization existed above the village level, the native authority should be organised at the village level. This step, undoubtedly, was a bold one, but it produced fragmented native authorities which did not meet the needs of a modern system. The Owerri province alone emerged with 245 Native Authorities.

The problems which confronted the development of indirect rule in the Gold Coast differed from those in Nigeria. The progress towards indirect rule in the Gold Coast Colony was slow and unimpressive inspite of the presence of the indigenous authorities. The colony was established in 1874 with an Executive and a Legislative Council. The colonial authorities, however, intended to assign the indigenous authorities an active role in the administration. The Native Jurisdiction Ordinance of 1878 retained the local chiefs' right to fines, fees, stool rent and tributes. The Native Authorities Ordinance of 1883 which went more deeply into the administrative arrangement than the previous one, recognized the rights of the Paramount and Divisional Chiefs. The colony apparently had a base for indirect rule as the Fanti was a people with closely knit powerful chieftaincies at village, division and state levels. But the development of indirect rule was very slow; though efforts to set up a native treasury were made as late as 1931 they did not become effective before 1944.

The main difficulty in developing indirect rule in the Gold

Coast Colony could be found in the position of the chiefs. They appeared to be less inclined than the Emirs in northern Nigeria to take an active part in the administration. As a result, the administration became more direct than the colonial authorities had intended it to be.

An indigenous authority was in existence in the northern territory of the Gold Coast. The Ashantis were more elaborately organized than the Fantis. Their traditional hierarchy of chiefs and states culminated in the Ashanti Confederacy of which the Ashantehene was the "Supreme Paramount". However, in spite of the existence of the native authority, no beginning could be made in indirect rule before 1921, and it was not before 1932 that a simple form of indirect rule could be introduced. The reasons were mainly two. In the first place, the British declined to assume any responsibility for administering this territory ever after the Ashanti War in 1873-74 in which they decisively defeated the Ashantis. The defeat destroyed the organization of the Ashantis and they sank into chaos. It was not until the Germans in Togoland and the French in the Ivory Coast began to hem in the territory that the British awoke to a realization of the need for a proper administration in that region. They assumed some responsibilities of administration in 1901. But the second and important reason was the failure of the colonial administrators to determine the seat of traditional power. The 1901 ordinance mistakenly put into the hands of the priestkings "a good deal more power than had been customary".[32] The result was wide-spread discontent. Following a sociological investigation, the mistake was corrected by placing responsibilities of administration on traditional chiefs and elders; and they acted as the native authority.

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32. Hicks, op.cit., p.88.

The position of the native authorities and the problem of devolving power upon them, differed from one dependency to another. As a result, indirect rule in each dependency was different in pattern and substance. Circumstances proved conducive to an effective collaboration between the colonial authorities and native rulers in Northern and Western Nigeria. Other dependencies illustrated a variety of problems. The main difficulty was the absence of an indigenous authority in Eastern Nigeria, the unwillingness of the chiefs to participate in an effective manner in the process of government in the Gold Coast Colony, and the unfamiliarity of the colonial administrators with the native institutions in the Northern Territories of the Gold Coast Colony. In making an assessment of the decentralization in the F.M.S. in the 1920s one should remember that the situation there was substantially different as regards the position of the indigenous authorities and the problem of investing them with governmental power to serve as an instrument of modern government.

African societies under the British rule had four types of chiefs. The Emir in Northern Nigeria was a real Ruler who controlled his council and could also nominate his successor. The Yoruba chief was elected by a narrow circle of families, and he was primus inter pares in the council. The leaders of Ibo, Ibadan Egba and others were clan heads. Each of them was selected by a circle of families, and each acted as a spiritual head as well. Then there were the civil servant chiefs of non-centralized peoples of Kenya and Tanganyka. The Sultan in the F.M.S. was neither a civil servant nor merely a clan head. His position bore a theoretical similarity with that of the Emir. Like the Emir he was the sole native authority; in Selangor, Pahang and the Negri Sembilan the Ruler was in control of his succession, subject to the fact that the

British reserved the right to interfere in succession. His position in this respect in Perak came close to that of the Yoruba Chief. Like the Emir, he had the traditional right to adjudicate in disputes, impose fines, confirm death sentenses and perform some conciliar duties. However, his position differed fundamentally in one respect from that of the Emir. Though the latter lost some of his traditional rights through the conditioning process of indirect rule, he retained under Lugard his right to collect taxes. Although the Treaty of Pangkor explicitly said that all revenues should be collected in the name of the Sultan as advised by the Resident, the collection and management of revenue were responsibilities of the British authorities in the 1920s. Without his control over the revenue the participation of the Malay Ruler could not carry any significant weight in the administration.

Ursula Hicks in her study of local governments, mentioned three types of councils in these British dependencies in Africa in which the presence of centralized peoples offered foundations for indirect rule. The Emir's council was no more than an advisory body and was completely subordinate to him. The Yoruba council with its hierarchies of civil and military chiefs was a powerful body; it exercised power over the sub-peoples of Yorubaland and over its own nominal head, the Oba. A council could be a body all of whose members were chosen to represent their localities. In the Malay States, the Upper House of the Negri Sembilan Council on which sat the hereditary chiefs of the confederation and which was presided over by the Yam Tuan resembled the Yoruba council in its relation with the Yam Tuan. The State Council in other federated states (including the Lower House of the Negri Sembilan Council which was presided over by the Resident) combined features of more than one African Council. It included appointed members; and as a

wholly advisory body which was subordinate to the Sultan, it resembled the Emir's Council. The position of the council in the unfederated states in this respect was better than this, as the law-making authority was vested in the Ruler-in-Council.

Martin Wight in his study of British Colonial Constitutions, observed that the State Council in the F.M.S. was in the low stage of political development prior to the Second World War. He did not state any reason for this.[33] A study of decentralization in the F.M.S. in the 1920s points to some of the difficulties in immediately extending the power of the State Council and assigning to the Malay Ruler an active executive role. One should not lose sight of the central fact of the Malayan situation stated at the beginning of the chapter, namely, that an administrative system had been developed along modern and rational lines in these states. In certain respects this system was far in advance of the needs of the indigenous people. At any rate, the value of the modern industrial enterprises for the welfare of the country was beyond all doubts. These industrial enterprises were underpinned by the effective functioning of a strong central government. This fact alone imposed limitations on the ability of the colonial authorities to readily devolve a great measure of power upon the native authorities. The later, lacking administrative experience and efficiency, were not ready either to receive power or exercise it immediately. Referring to full Malay participation in the government, one official of the Colonial Office observed in 1928 that "It is an ideal difficult to attain, because it conflicts with efficiency of administration".[34]

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33. Martin Wight, British Colonial Constitutions, 1947 (Oxford, 1952) p. 172. Nor did Emerson state any reason in his book, already cited.

34. A minute by Beckett, 13.8.1928. C.O. 717/60.

In this sense, Guillemard's task of devolving power upon the indigenous authorities in the F.M.S. was a more delicate one than that of lugard in Nigeria. By virtue of his complete military success over the Emirs, Lugard could do without even a treaty, and his hands were free in shaping the instituions in Nigeria. Guillemard's was the difficult task of adapting an administrative system which had developed into an over-centralized one over the previous quarter of a century, into a decentralized system of administration. Guillemard had behind him the Treaty of Pangkor and the Treaty of Federation of Protected Malay States from each of which had followed a distinct pattern of administration. He could choose the one which was better suited to his purpose and shape the existing system to conform to it; but he could not do away with both systems and make a fresh beginning. Guillemard's success in giving the Malay Rulers and State Councils a measured degree of influence and power in the administration of their respective states certainly appears to have been considerable when his administration is viewed in the light of these facts.

Malay Rulers, no doubt, disliked their position in so far as it lacked influence in the administration. However, there was no evidence of their desire for taking atonce an active role in the administrative process. On the other hand, there was one clear case when in relation to Maxwell's proposal of giving the Ruler a specific executive function one Sultan stated that such power be rather conferred upon the Resident. That was the end of the proposal for all states, and that was the only such proposal in the period under study. However, the reason for Sultan's refusal to accept an executive function is not difficult to fathom. It reflected his helplessness in the face of the multitude of complex problems associated with executive functions in a modern administration.

There were some real, constitutional, and theoretical problems in the path of extending the State Council's power. Residents were opposed to giving the council the power to vote money. They feared that, constituted as it was then, the council was unsuited to discharge a financial responsibility. Also, giving the council the power to vote money without giving it the corresponding control over the state revenue was to encourage financial irresponsibility. On these grounds, the Residents believed that decentralization policy would fail to strengthen the state governments if the council received power before being reformed and strengthened first. The exclusive power of the Federal Council over the finances of the federation posed the greatest constitutional problem. The Sultan's position as the sole legislative authority of his state was another problem.

If one bears in mind these difficulties, one can see a pattern in the decentralization measures of the 1920s. They did not alter the structure of state government which was basic to the pre-1896 administrative arrangement. In other words, they took for granted the Resident-dominated state administrative system. The problem which they sought to remedy was one of imbalance in the distribution of power between the state and federal administrations. Most of the British administrators thought that while altering the administrative system which had grown out of the 1896 Agreement, it was safe to anchor the state administration to the system which had once worked well in the West Coast Malay States and which had given then the experience to operate it. This spoke of their caution and wisdom. Three proposals were worked out in the 1920s to devolve federal powers upon the state authorities. These were proposals for giving the State Council the power to vote money on some matters of Malay concern, devolving some of the adminis-

trative powers of the federal officers upon the state authorities, and dividing between the state and federal administrations the control over the administrative services. The questions of decentralizing the Chief Secretary's power and dividing the revenue between the states and the centre were examined, but no proposal was worked out in practice. Proposals which accepted the Resident as the beneficiary of the decentralization of federal powers, were accepted. Others, which sought to alter the Resident-dominated system of government, were rejected. Maxwell's proposals for giving the State Council and Malay Ruler the power respectively for voting money and an executive responsibility fell in the latter category. As twelve administrative services were transferred to the state, the Resident gained an executive control over them. This had one important result. When the actual time for the devolution of the Chief Secretary's powers came no instability would be created in the state administration as there was no doubt as to which office in the government was ready to receive power.

IV. Impact of Decentralization on future political developments in the Malay States

The objective of the decentralization policy in the 1920s was to clear the way towards the goal of the British policy in the peninsula, a united Malaya, by removing grievances of the states and their Rulers in the federation against the central authorities. The Guillemard administration did not place the federated states on the footing of the unfederated states in respect of state power. To achieve this within a short period was to undo the effects of rapid economic development over the preceding twenty-five years. However, coming at the end of the administration of Young which was unpopular with Malay Rulers, the Guillemard administration proved that the Protecting Power could respond to the

legitimate aspirations of the Rulers. With the goodwill which the Guillemard administration generated among the Malay Rulers in the federation, the Protecting Power could look forward to the goal of a united Malay more confidently than was possible in 1920.

Decentralization was significant for the two central institutions of the governments of the Malay States, namely, the Malay Ruler and the State Council. It improved their position in the 1920s, and influenced the future development of these institutions. Though such decentralization as had taken place by 1929 did not turn over the executive power to the Malay Ruler, his status was enhanced and he was in a position to exercise influence over significant administrative questions of 1920s. On such questions as the formation of the Malay Administrative Service, the reorganization of the administration of the F.M.S., and the removal of Maxwell from Malaya, the Colonial Office was guided largely by the desires of the Malay Rulers. Their views assumed a special significance on an issue which divided the High Commissioner and the Chief Secretary. The question of the revival of the office of the Resident General was one such issue in this period. The reintroduction of the Durbar of Rulers brought them into the policy-making process of these states. It offered them an opportunity for initiating proposals which could be scrutinized, approved and carried out by the appropriate state and federal authorities.

Decentralization helped consolidate the Ruler's symbolic status in the Malay community. He has always occupied a key position in a Malay's relations with his country. In the constitutional set-up of the country today, a Malay is a citizen of the Federation of Malaysia by virtue of his being a subject of his Sultan. In other words, he derives his status in the larger national territorial context through the Ruler of his state. The

latter could not have served as this link without himself occupying the position of pre-eminence. Though he had enjoyed such a position in the Malay tradition, the Ruler's membership of the Federal Council created the concept of collective sovereignty of Malay Rulers in the F.M.S. The Ruler's position of individual pre-eminence was compromised. By reaffirming the Ruler as the sole source of his state's legislative authority, and by putting an end to the concept of collective sovereignty by requiring the Rulers to sit no longer in the Federal Council, decentralization secured the position of pre-eminence for each Ruler in his own state. He consolidated his position in the 1930s, and the Malay monarchies emerged substantially unchanged from the turmoils of the Japanese occupation during the Pacific War.[35] The Malayan Union Plan threatened this position of pre-eminence, and the Malays protested against it in 1945-46. The Federation of Malaya Agreement of 1948, and the country's subsequent constitutions guaranteed the position of the Rulers.

The realization of the need to re-organize the State Council was perhaps the main significance of decentralization in the 1920s. The abolition of the office of the Chief Secretary was agreed upon in the 1920s. It was clear that the Malay Ruler was not in a position to exercise executive power. Problems of modern administration and the presence of a large number of aliens with cultural differences seriously limited his ability to rule. From the British point of view, personal power of the Ruler was undesirable too. The outcome of British policy towards the Indian

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35. Yoji Akashi, "Japanese Military Administration in Malaya - Its Formation and Evolution in Reference to Sultans, the Islamic Religion, and the Malay Muslims - 1941-1945", in Asian Studies, Quezon City, April 1969, pp. 81-110.

princes is instructive in this context. By their unqualified support to the princes, the British authorities exposed themselves to the criticism of paying an exaggerated respect to an outmoded political order. Any attempt to build up the personal power of the Ruler would be an invitation to political stagnation in the F.M.S.

So, the development of the State Council appeared to be desirable; but this had its problems. The council could not be brought more actively into the government without being strengthened. In the event of reconsttitution of the council, some tax-paying interests which were not represented on it, had to be given representation. However, a council dominated by non-Malays would put an end to hopes for the political power of the Malays. An advance in that direction must be a cautions one. Again, an attempt to build up the council as the sole recipient of the newly devolved federal powers would upset the relation between the Ruler and this body, as the council was the Ruler's advisory body. So, Ruler-in-Council appeared to be the constitutional authority suitable for development. It would achieve structural uniformity in the governments of all Malay States, and promote the cause of union of all Malay States.[36]

In the 1920s the Residents favoured development along this line. Wilson recommended that the Chief Secretary's statutory powers over state matters should be transferred to the Ruler-in-Council and this was supported by High Commissioner, Thomas.[37]

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36. The Ruler-in-Council was the constitutional authority in the Unfederated States.

37. S. Wilson, Report of a Visit to Malaya, Cmd. Paper 4276, London 1933, p.19. Hereinafter The Wilson Report. A minute by the High Commissioner, 10.2.1936. Sel. General, 22/36. It may be noted that W. Peel, Maxwell's successor in the office

The council was expanded to give representation to non-Malay interests. It was also restructured. An upper chamber was created in Perak and Negri Sembilan, and a sub-committee formed in Selangor to deal with matters primarily concerning Malay customs and religion. The executive responsibilities of the councils were assigned to a Permanent/Standing Committee, a Finance Committee was formed to advise the councils on financial matters. The volume of estimates called 'Unreserved Services' was abolished to include all services in either the federal or the state estimates. The transfer of some Federal Departments to the state extended the councils' authority to allot funds, and the councils' legislative power was enlarged to cover all state matters. The State Councils and the Federal Council were superceded by one Legislative Council under the unsuccessful Malayan Union Plan; but thereafter the development of the councils was remarkable. A Council of State was established in all Malay States under the Federation of Malaya Agreement, and these councils legislated on all state matters defined in the constitution. With the acceptance of the objective of self-government, the office of the Mentri Besar (the Chief Minister) was introduced. The Mentri Besar replaced the Malay Ruler as the President of the council.

Did decentralization in the 1920s improve the quality of administration in the F.M.S.? By defining the powers of six federal officers, and then transferring to state authorities the executive control over twelve administrative departments, decentralization rationalised authority in the federated states. By giving

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37 (Contd.). of the Chief Secretary, F.M.S., had recommended in a memorandum to the Colonial Office in 1926 that "the underlying idea of the change" in the administration of the F.M.S.", is to give each State and its Sultan-in-Council greater interest and control in their own affairs..." C.O. 717/47.

the states a measure of autonomy in financial and administrative matters, these measures called upon the states to build up the necessary institutional infra-structure and indicated their functional spheres. Development along these lines, as we have already stated, took place significantly in the case of the State Councils in the 1930s.

At a comparatively low stage of development of a political system, a single institution performs many functions, and conversely, the same function may come within the perview of more than one institution. Such a system results in inefficiency. It also prevents institutions from becoming specialised, and consequently keeps them weak. By defining the financial functions of the State and Federal Councils, decentralization strengthened these two institutions in the 1920s. The devolution of executive power upon the office of the Resident in each state helped separate the office of the head of government (the Resident) from that of the head of state (the Sultan) with the consequent differentiation of functions of these offices. This promoted specialization of functions and increased efficiency in the state government. This also paved the way for the development of the system of constitutional monarchy in these states. Executive power was concentrated in the office of the Resident. This development enabled the office of the Mentri Besar (Chief Minister of a State under the Federation of Malaya Agreement of 1948) to readily take over these powers with the acceptance of self-government as the goal for Malaya at the end of the World War II. The separation of the office of the head of the state from the head of the government secularised the state executive. By giving the heads of the Federal Labour and Public Works Departments representation on the Federal Council so as to make them directly accountable to the Council, the authority and

efficiency of the federal legislature were enhanced. Thus, the rationalization and secularization of authority, strengthening of state and federal institutions, and differentiation of their functions, brought about a qualitative improvement in the administration of the F.M.S.

Decentralization implies transfer of control to local authorities. Devolution, on the other hand, indicates only transfer of functions. The name of the committee headed by Hose, and the proposal for the abolition of the Chief Secretaryship suggested decentralization of power. However, the measures recommended and carried out after 1923, including those recommended by the Decentralization Committee clearly indicated devolution rather than decentralization of power. This shift was not an unprecedented one; those who studied the changes in the centre-state relations in India "had watched the shift from decentralization in 1909 to devolution in 1919".[38] The Government of India, under the constitution of 1919, devolved legislative power upon the provinces in 1921. Such a shift is not difficult to understand as administrative questions are often closely linked with political or other questions. The Guillemard administration which had gone through a financial crisis in the early 1920s, was concerned with setting the financial houses of the Malay States and the Colony in order through unitary control. The dual control of the finances of the state and federal administrations stood no chance of success in the face of this consideration. The federation which the devolution principle left behind in the F.M.S. in the 1920s conformed to the type, in the words of Professor Wheare, "in which the regional governments are subordinate to the general government".[39]

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38. W.H. Morris-Jones, The Government and Politics of India (London, 1971) p.121.
39. K.C. Wheare, Federal Government (London, 1963) p.33. Oxford paper back edition.

Decentralization helped modernise the Malay elite in the F.M.S. These states, no doubt, had a traditional elite, but it had a very limited opportunity to participate in the administration before the 1920s. By introducing regular recruitment in the Malay Administrative Service, decentralization enabled the traditional elite not only to be familiar with problems of modern administration, but also to have its traditional links with the Malay community transmuted into administrative relationships. Thus, a traditional elite renewed its bond with the people in a changed situation.

One main obstacle to Malay participation on a large scale in the administration was the view of the Malay Rulers that this right of participation was an exclusive privilege of the Malay aristocracy. By opening a part of the recruitment to the principle of merit, decentralization not only made recruitment on a large scale possible in the future, but it emphasised quality of performance rather than hereditary position, as the condition of advancement in the civil service. This emphasis on performance brought about a qualitative improvement in the participation of the Malays in the government, introduced an element of dynamism into the Malay elite, and helped modernise a traditional policy.

Decentralization had an important impact on future Malayan politics. It indicated that it was desired by the British policy to move in a definite direction. Decentralization strengthened the small Malay states. The official statement of policy of 1928 emphasised the sacrosanct nature of the position of the Malay Rulers, and dismissed democratic government as utterly inapplicable in the Malay States with their large immigrant communities.

The reactions of the non-Malay peoples, particularly the Chinese, soon began to be articulated. In 1926, the Chinese

member of the Federal Council, Choo Kia Peng, cautioned the government against rapid transfer of unreserved subjects to the states. He warned particularly against the transfer of Education to the states on the ground that it would result in the rapid growth of "state national consciousness" as distinguished from "Malayan spirit".[40] The leader of the Chinese community, Tan Cheng Lock, suggested in the Straits Settlements Legislative Council in the same year that the goal of the British policy should be a united, self-governing British Malaya.[41] The Chinese also requested entry into the M.C.S. Already there was a movement for giving Indian immigrants some political rights in all parts of the British Empire, including the Malay States, and the Government of India had made representations to the Straits Government in this connection. Again, in view of the emergence of a domiciled Chinese community, a Chinese demand for political rights in Malaya was inevitable. The policy of recruitment of Malays in the administrative service gave a boost to the Chinese demand for equal rights with Malays. In other words, the Chinese had now thrust themselves upon the political stage in the F.M.S.

This development, in its turn, was bound to create considerable dismay among the Malay community. However, we shall review at this point the history of the decentralization policy after the 1920s, and then return to this point.

After the interlude of Clifford's incomplete term of office (1927-29), the policy of decentralization was revived by Sir Cecil Clementi in 1930.[42] This move came at a time when the British

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40. The Malayan Daily Express, Kuala Lumpur, 1.3.1927. Enclosure no. 1 to High Com. to Sec. State, 3.3.1927. C.O. 717/55.

41. David McIntyre, "Political History, 1896-1946", in Malaysia - A Survey, ed., Wang Gungwu (London, 1964) p. 143.

42. Sir Cecil Clementi b.1875; Cadet Hong Kong, 1899; Colonial Secretary, British Guiana, 1913-22; Colonial Secretary, Ceylon, 1922-25; Governor, Hong Kong, 1925-30; High Commissioner for

officials in the F.M.S. were bent on maintaining the existing structure of the federation. The commercial interests too were very hostile to the policy as the country had come under the great depression in the early 1930s. Malay Rulers, however, favoured the move since their discontent with over-centralization had not been wholly overcome by what had been achieved in the 1920s. They appealed to Clementi soon after his arrival in the Malay States, and collectively during the Klang Durbar in September 1930.[43] Because of these divergent attitudes, the decentralization policy under Clementi raised an acrimonious controversy in the Malay States in the 1930s.

The Colonial Office sent out Sir S. Wilson to study the situation created by the controversy and to recommend future measures in connection with the policy.[44] Wilson recommended to the Colonial Office the creation of a real federation in the F.M.S. by the decentralization policy phased over a long period of time.[45] The policy of decentralization in the 1930s was largely influenced by the recommendations of Guillemard to the Colonial Office in 1924. The ultimate goal of the policy, as endorsed by Wilson, remained a Malayan Union. Clementi's principal achievements lay in strengthening of the state governments in the 1930s. Federal

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42 (Contd.). Malay States and Governor Straits Settlements, 1930-34; d. 1947.

43. High Com. to Sec. State, 8.2.1932. C.O. 717/88.

44. Sir Samuel Herbert Wilson; b. 1873; Entered Royal Engineer, 1893; Assistant Secretary, Imperial Defence Committee,1911-14; Secretary, Overseas Defence Committee, 1918-21; Governor, Trinidad and Tobago, 1921-24; Permanent Under Secretary, Colonial Office, 1925-33; retired 1933.

45. Wilson recommended the abolition of the office of the Chief Secretary to give effect to the policy of decentralization. He, however, supported the appointment of a senior executive officer resident in Kuala Lumpur. The Wilson Report, p.20.

Departments of Agriculture, Education, Electrical, Forestry, Medical, Mining, Public Works, Veterinary, Prisons, Drainage and Irrigation were transferred to the states by the end of 1934.[46] As visualised by Guillemard, the post of the Chief Secretary was abolished and in its place the office of a Federal Secretary - junior to that of a Resident in status - was created in the Federal Secretariat.[47]

In 1932 Clementi opened the M.C.S. for the regular entry of the Malays. The M.C.S. posts were divided into "British Reserved Posts" and "Unreserved Posts".[48] The latter, in all about forty-two posts, were opened to Malays, to be filled by promoting atleast two Malays each year from the M.A.S. A number of Malays, in all six, were admitted to the M.C.S. in 1934, followed by another three a year later.[49]

Decentralization in the 1920s produced a nascent self-consciousness among the Malay community. A feeling of nationalism was yet to come to this community, which remained as yet separated by state boundaries. However, the Malays became for the first time conscious of their community's political incapability, economic poverty and ineptitude, and the relative inferiority of their culture to the cultures of the two other alien communities. In this situation, the Chinese demand for equal rights gave Malay feelings

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46. Ibid., p.13, the Report of the Acting Chief Secretary, F.M.S. on the steps taken to implement recommendations of the Wilson Report, 24.8.1934. C.O. 717/102. Also, the printed F.M.S. Annual Report on the Social and Economic Progress of the People of Selangor for the Year 1934, (Kuala Lumpur, 1935) in Sel. General 247/35.

47. Memorandum on the Chief Secretary to Government, F.M.S., by the High Commissioner, 6.8.1935; and High Com. to Sec. State, 23.9.1935, C.O. 717/114.

48. Gov. to Sec. State, 26.10.1932. C.O. 273/584.

49. Minute by Nostar on Gov. to Sec. State, 12.5.1934. C.O. 273/600.

an overtly political and anti-non-Malay orientation.[50] Moreover, the Malays were bound to react in a similar manner to the problems which confronted them as a community. The economic hardships of the community in the depression of the 1930s aggravated by the fear of foreclosures on Malay lands by non-Malay money lenders, the willingness of Clementi's successor, Thomas, to meet the Chinese desire to fill posts in subordinate government services, and the lack of official support to the extent desired by the Malays for their entry into the world of commerce and industry, compelled the Malay intelligensia to feel that unless Malays organized themselves politically their rights were in danger. The result was the rise of Malay nationalism and Malay political organizations in the later 1930s.

A small group of radical Malays formed the Kesatuan Melayu Muda which aimed at overthrowing the colonial power and bringing about a union of Malaya and Indonesia. The westernized Malay elite formed the Malay State Organization which represented the relatively more central stream of Malay nationalism in the 1930s. These nationalists aimed at safeguarding the Malay interest and meeting the non-Malay challenge effectively. They were moderates and chose to rely on the British to advance their political and economic interests till such time when they would be in a position to compete with non-Malays effectively on their own. Decentralization had strengthened the assertiveness and aroused the expectations of the Malay intelligensia. The latter took a strong line

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50. "Malaya for the Malays" and "Yellow Peril" became the slogans of Malay nationalism at this time. The Sultan of Pahang requested the Secretary of State in 1936 to check immigration of non-Malays into the F.M.S. and obtained from him an assurance that non-Malays would not be admitted into the M.C.S. A note by E. Gent, 31.5.1937. C.O. 717/116/36.

in its view of the rights of the other communities, and was prompt to criticise the government. The Malays asserted that the non-Malays remained loyal to their countries of origin and were therefore not entitled to political rights in Malaya. They pressed the government to halt Chinese immigration into the Malay States. They also desired to see Malay made the official language, the exclusion of non-Malays from the public service, and the restriction of land ownership by non-Malays. These demands were not met by the government in the 1930s, and they sharpened the Malay awareness of their comparative backwardness. In a way, the outcomes of decentralization enlarged and overtook its officially defined objectives.

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1. For example, we had statements of two scholars which were not entirely consistent, or credible. "Only a few feet of files", wrote Dr. Burns in 1962, "have survived the War in the Pahang State Secretariat. They cover the latter half of the 1930s and are in such poor condition, it is doubtful that they would be of use to the research student". Writing some years later, Dr. Roff added: "The Pahang Secretariat Papers, like those of Perak, appear to have been burnt entire, in this case by the British just before the Japanese arrived". P.L. Burns, "Introduction to English Language Sources in the Federation of Malaya", in K.G. Tregonning, ed., Malaysian Historical Sources, Singapore, 1962; and William R. Roff, "Malaysian State Council Minutes in New York", J.M.B.R.A.S., December 1969.

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