

BRUNEI REVIVAL *of* 1906

A POPULAR HISTORY



B. A. HUSSAINMIYA

ABOUT THE AUTHOR

Dr B. A. Hussainmiya is an Associate Professor of History at Universiti Brunei Darussalam. He is a well-known author of books on Brunei History and his research articles have appeared in many international and local journals. His books



Sultan Omar Ali Saifuddin III and Britain: The Making of Brunei Darussalam, Kuala Lumpur: Oxford University Press, 1995, and *The Brunei Constitution of 1959: An Inside History*, Bandar Seri Begawan: Brunei Press 2000 (2nd Edition 2001) have enriched the historiography of Brunei. The author has also written extensively on Classical Malay Literature, the Sri Lankan Malay Community and military history of the Ceylon Rifle Regiment.

BRUNEI
REVIVAL *of* **1906**
A P O P U L A R H I S T O R Y

B. A. Hussainmiya



Brunei Press Sdn Bhd
Bandar Seri Begawan
2006

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First Published 2006

Cover Photograph:

His Highness Sultan Hashim Jalilul Alam visiting the Cutch Factory situated on the banks of Kampung Ayer, in the company of Dato Edmund Roberts, the manager of the factory, c. 1902

Published by Brunei Press Sdn Bhd
Lot 8 & 11, Perindustrian Beribi II,
Gadong, Bandar Seri Begawan
Negara Brunei Darussalam
Tel: +673 245 1468
Fax: + 673 245 1460
Website: www.bruneipress.com.bn
Email: cps@bruneipress.com.bn

Designed and printed by
Commercial Printing Services
Brunei Press Sdn Bhd

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ISBN 99917-32-15-2

For Laila and Ariana

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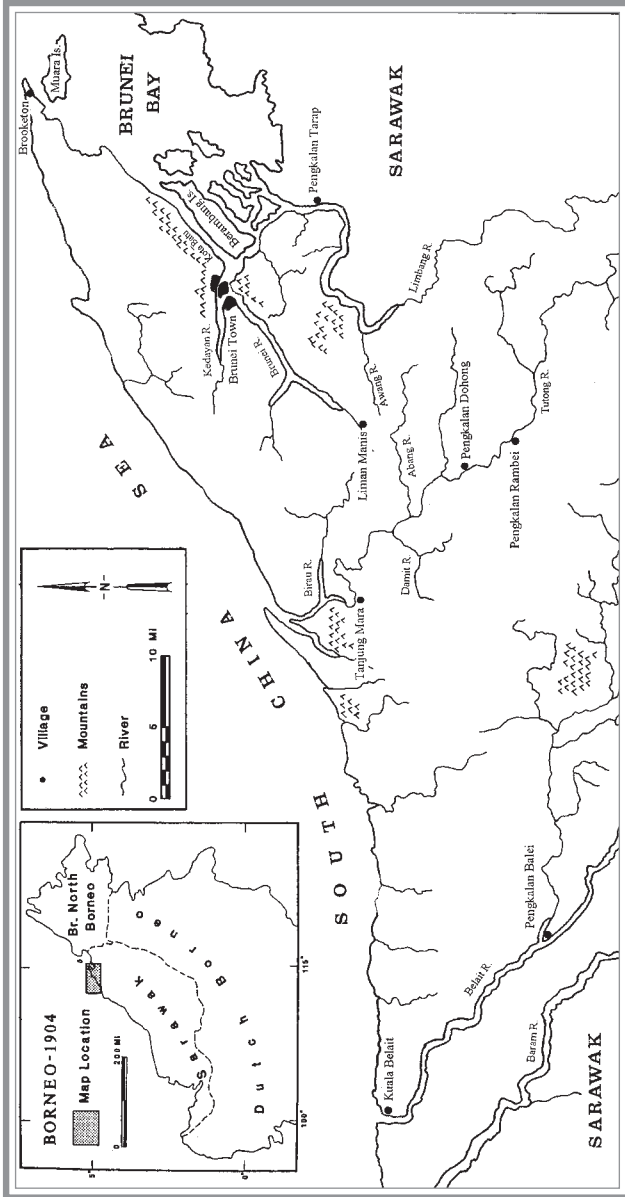
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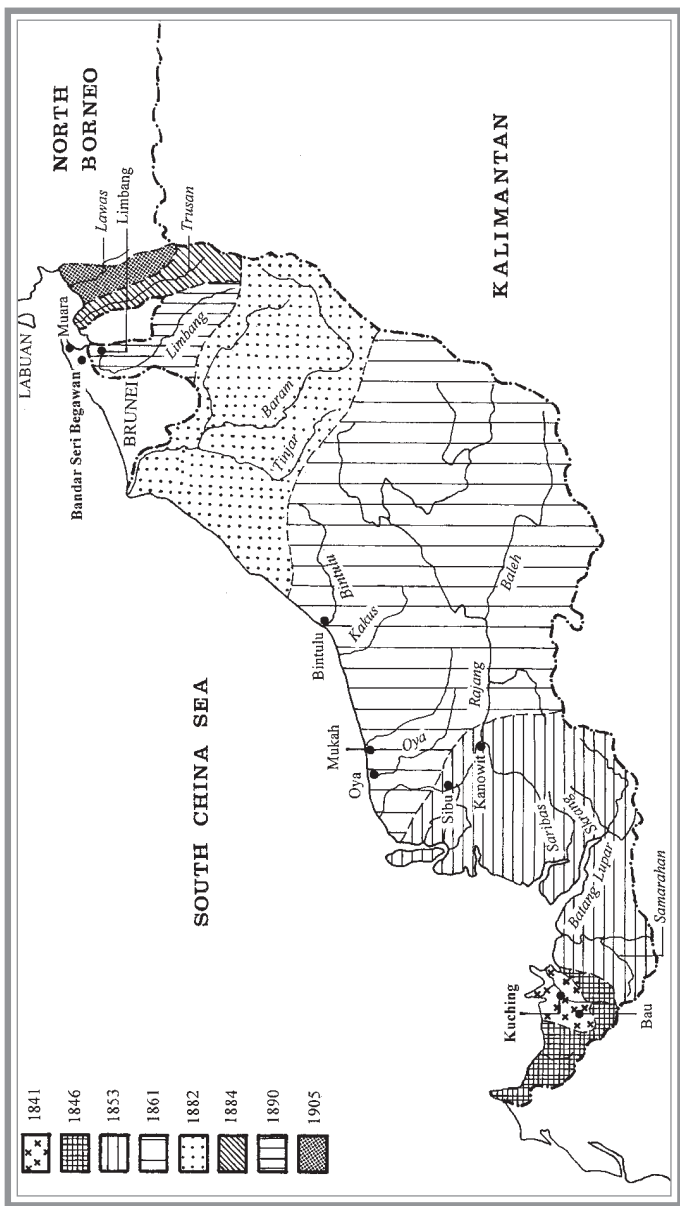
Photos and Illustrations courtesy of:

Brunei Museum, Brunei History Centre, British National Archives
and Universiti Brunei Darussalam Library.

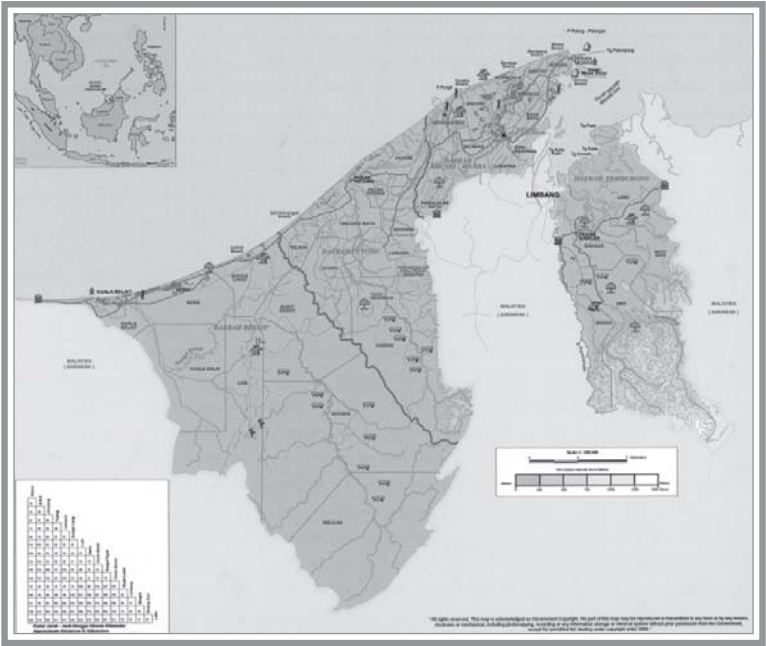
Hinterland of Brunei Town about 1904



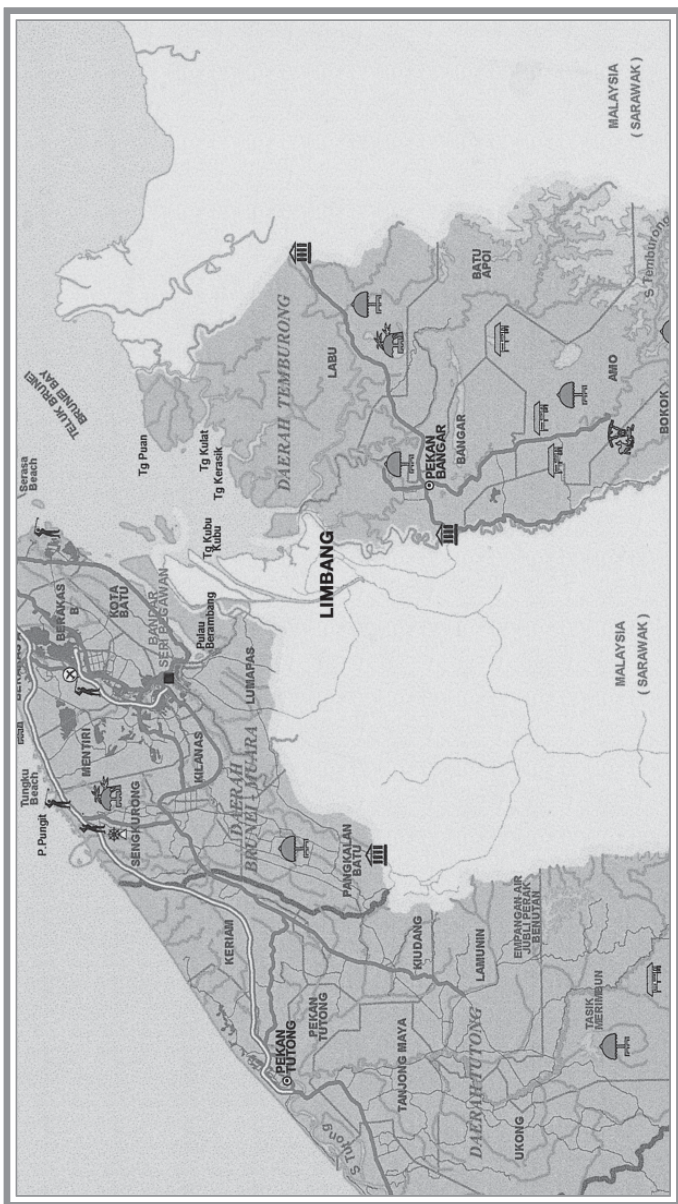
Selected place names (Source: A. V. M. Horton's Edition of the *McArthur Report of 1904*)



Territories Lost to Sarawak 1841-1905



Map of present day Brunei



Map of present day Limbang

Timeline of Brunei History

10,000	Apparent beginning of prehistory.
95 BCE	Carbon date from Kota Batu.
By C7 CE	Known existence of a state called Vijayapura somewhere in north-west Borneo.
C7 – C17	Occupation of Kota Batu archaeological site.
C9	Known existence of a state referred to by the Chinese as P'o-ni.
977	King of P'o-ni paid tribute to China.
1225	Account of P'o-ni by Chau Ju-Kua.
1264	Tomb of a Chinese Muslim in Brunei.
1350-1510	Occupation of Sungei Lumut archaeological site.
1365	Javanese source (by the poet Prapanca) mentions that "Buruneng" was tributary to Majapahit.
c. 1368-1369	Brunei sacked by the Sulus but rescued by the Javanese.
1371	Account of P'o-ni by Sung Lien.
1405	P'o-ni sent tribute mission to China.
1408	Death of a Rule of P'o-ni in China.
1408-1425	Several mission from P'o-ni to China.
1432	Muslim tombstone in Brunei.
1499	Another Muslim tombstone.
1505	Ludovico de Varthema (c1465/79-1517) – first recorded European visitor to the city of Brunei.
1511	Fall of Malacca.
1512	Formation of the Sultanate of Johore.
1521	Account of Brunei by Antonio Francesco Pigafetta (1491-1534).
1578	Spanish expedition against Brunei. Death of the sixth Muslim Sultan of Brunei – the first corroborated date of any such Sultan.
1579	Another Spanish fleet appeared in Brunei waters but departed without engaging in hostilities.
c. 1590	First extant attempt to write a history of Brunei.
1600-1601	Visit of Admiral Olivier van Noort to Brunei.
1602-1682	Factory of the English East India Company at Bantam, Java.

Mid C17	Civil war in Brunei.
c. 1680-1690	Datuk Imam Ya'akub compiled a <i>Silsilah Raja-raja Berunai</i>
1775	Account of Brunei by John Jesse. Labuan temporarily occupied by the British East India Company after the failure of the Balambangan station.
1776	Thomas Forrest's visit to Brunei.
1803-1805	British East India Company's second but failed attempt to set up a station on Balambangan; Likewise, the re-cession of Labuan did not result in the establishment of a permanent British settlement on the island.
1819	Foundation of modern Singapore.
1839	Appearance of James Brooke in Borneo.
1841	James Brooke appointed Governor of Kuching (Sarawak).
1846	(24 Dec) First Official Brunei-UK Treaty (cession of Labuan).
1847	(27 May) Brunei-UK Treaty of Friendship and Commerce.
1850	Brunei-US Treaty.
1878	Cession of Sabah to Baron von Overbeck and Mr (later Sir) Alfred Dent (1844-1927).
1881	British North Borneo (Chartered) Company set up to govern Sabah.
1885	Oath of <i>Umanat</i> or <i>Amanat</i> taken by the Brunei nobles.
1888	Brunei, North Borneo, and Sarawak became British Protectorates. The year of the first Britain-Brunei Protectorate Treaty.
1890	(March) Forced annexation of Limbang by Sarawak.
1895	(22 Jul) Brunei issued its first known postage stamp.
1899	First seepage of oil discovered in Ayer Bekunchi near Brunei capital.
1901-1904	Operation of the Cutch Factory in Brunei.
1903	Sultan Hashim's Letter to the Turkish Khalifa.
1904	M. S. H. McArthur in Brunei to write the Report.
1905-1906	Signing of the Brunei-Britain Supplementary Treaty.
1906	Beginning of the British Residency Rule and the State Council.
1907 and 1909	Introduction of Land Reforms.
1911	First census of population in Brunei.

- 1912 First Chinese vernacular school in Brunei (Brunei Town), and probable date of the appearance of the first Government Malay Vernacular (primary) school.
Passing of the first Mohammedan Enactment.
- 1913 Passing of Mohammedan Marriage and Divorce Enactment.
- 1914 Rubber exported from Brunei for the first time.
- 1921 Foundation of a separate Brunei Police Force.
- 1924 (Nov) Closure of the Brooketon Coal mine.
- 1929 Discovery of Seria oil field.
- 1932 Crude petroleum exported for the first time.
- 1936 Liquidation of National Debt.
- 1941-1945 Japanese Military Administration in Brunei.
- 1945-1946 British Military Administration in Brunei.
- 1946 North Borneo (Sabah) and Sarawak became British colonies.
- 1948 (May) Governor of Sarawak became High Commissioner for Brunei (until September 1959).
- 1949 State Education Officer appointed for the first time in Brunei.
Formation of the first Mohammedan Advisory Council under the Pengiran Bendahara (later Sultan Omar Ali Saifuddin III).
- 1950 Death of Sultan Ahmad Tajuddin: Sultan Omar Ali Saifuddin III becomes the Sultan.
- 1951 First Government English (Secondary) School established in Brunei.
- 1953-1958 First Brunei Five Year Plan.
- 1953 (7 Nov) *Borneo Bulletin* debuts – first commercial newspaper in the Abode of Peace.
Defeat in the State Council the State Treasurer's Incorporation Act.
- 1954 Creation of the Dept of State Custom, Religion and Welfare.
- 1956 (Jan) Formation of *Partai Rakyat Brunei* (PRB).
(Feb) Launch of *Pelita Brunei* (official Government newspaper).
- 1957 (May) Radio Brunei began broadcasting.
(Sep) Failure of PRB "Merdeka Mission" to London.

- 1958 (26 Sep) Opening of Sultan Omar Ali Saifuddin Mosque (Brunei Town).
(Same week) Completion of the Brunei Town-Seria trunk road.
- 1959 (Sep) End of the British Residential Era; promulgation of Brunei's first written constitution and a new Brunei-UK treaty.
- 1961 Formation of Brunei Malay Regiment.
- 1962 (Aug) First general election.
(Dec) Crushing of PRB-led uprising. Constitution suspended. Emergency Rule declared.
- 1963-1966 Konfrontasi/Confrontation (Indonesia-Malaysia).
- 1963 (Sep) Formation of Malaysia (Brunei did not join, Singapore left in 1965).
- 1967 Brunei dollar introduced.
Abdication of Sultan Omar Ali Saifuddin III (r. 1950-1967), who then became known as the Seri Begawan Sultan (d. 1986). Also widely regarded as the "Architect of Modern Brunei."
- 1968 (1 Aug) Coronation of Sultan Hassanal Bolkiah II (b. 1946).
- 1970 (4 Oct) Brunei Town renamed Bandar Seri Begawan in honour of the Seri Begawan Sultan.
Brunei Legislative Council and elections suspended; Suspension of some key constitutional provisions.
- 1971 (23 Nov) Amended Brunei-British Agreement Signed giving full internal self-government to Brunei.
- 1979 (7 Jan) Amended Brunei-Britain Treaty of Friendship and Cooperation.
- 1984 Independence for Brunei resumed. Menteri Besar system ended and the introduction of full (nominated) cabinet form of government with the Sultan as the Prime Minister.

ABBREVIATIONS

C	Century
c	circa
BCE	before the Common Era
CE	Common Era

Preface

When the Weekend Edition of the *Borneo Bulletin* carried a series of my articles (in ten parts) on “Why did Brunei accept British Protection in 1906?” published from March to June this year, the response from the public was once again overwhelming. I present this book as a revised and improved version of the articles due to popular demand. Six years ago, Brunei Press released a similar compilation of my articles in a book entitled *The Brunei Constitution of 1959: An Inside History* that sold out in two editions within a short period of time after its release. That too, was an indication of how much Bruneians look forward to reading books about their past. Despite this interest, bookstores in the country carry very few books on history, especially in English, for interested locals and visitors to the country.

The idea to write this book occurred early in the year as Brunei commemorated the centenary of Residency Rule. The Brunei History Centre held a special history seminar at the International Convention Centre, from 1st to 3rd March. Scholars from Brunei presented papers delving into many aspects of British presence in Brunei. The seminar highlighted the fact how Brunei, on the eve of Residency rule, presented a fascinating example of a small state’s determination to ward off an avalanche of overpowering imperial designs. It is a familiar story related in many books, articles and dissertations. This book attempts to recapture the story for a general reader, minus the frills of footnote references and citations, and aims at a popular audience seeking entertainment as much as enlightenment. I believe that the study of the past can be made fun as well as informative. In writing this book I have consulted relevant writings by Nicholas Tarling, Pehin Dato Haji Jamil al Sufri, L. R. Wright, A. V. M. Horton, Graham Irwin, R. H. Reece, D. S. Ranjit Singh, Graham Saunders, K. G. Tregonning and others.

I am sure there will be criticisms for the way in which the facts are presented and interpreted in this work. In view of its brevity, needless to say, discussions have to be succinct and selective. Specialist readers who want to know the story in its entirety should consult primary sources and academic writings cited in the bibliography.

Acknowledgements

It is my pleasure to express my gratitude to all those who supported this project. I received much encouragement from Ybh. Pehin Jawatan Dalam Dato Haji Dr Jamil al Sufri Mohd; he also gracefully consented to write the foreword to this book. Ydm. Pehin Orang Kaya Laila Wijaya Dato Awang Haji Abdul Aziz Omar, a quintessential Bruneian who facilitated the collection of historical material on Brunei. Mr. Rex de Silva, the editor of the *Borneo Bulletin*, and his staff share my enthusiasm for Brunei history. Dr Awang Haji Mohd Yusop Haji Damit provided invaluable moral and material support for my writing ventures. Dr Haji Mohd Hadi Abdullah advised me on the subtleties of emerging Brunei historiography. Dr Awang Haji Asbol Mail for sharing his specialist library with me. Dr A. V. M. Horton, who is a walking encyclopedia of modern Brunei History, provided critical comments and prepared the index for this book. Professor Allen Maxwell and Dr Frank Fanselow made stylistic improvements to the draft.

My wife Zahra and daughter Laila have been the inspiring sources behind the writing of this book.

I must express special thanks to the Brunei History Centre for assisting me in many ways and also for supplying many photographs appearing in this book. It is a pleasure to acknowledge the supporting role of Universiti Brunei Darussalam in providing me with the perfect research environment in which to pursue my writings. I have also received valuable assistance from the Brunei National Archives and Museum Library, and the British National Archives.

Finally, I thank all those who are not named and still helped in many ways for the success of my writings, especially the many readers of *Borneo Bulletin* who sent in encouraging and kind comments which gave me the courage to bring out this publication.

B. A. Hussainmiya
Universiti Brunei Darussalaam
July 2006



فوسة سجاره بروني

KEMENTERIAN KEBUDAYAAN, BELIA DAN SUKAN
NEGARA BRUNEI DARUSSALAM

Foreword

I am happy to write a foreword to this latest book by Associate Professor Dr Haji B. A. Hussainmiya. He is a well-known historian who has written already two fine books on Brunei's modern history and several articles to local and international journals. The inspiration for this book came from a Conference organised by the History Centre from 1-3 March 2006 to commemorate the centenary of the 1906 Residency Agreement. It brought together historians from various local organisations to discuss and evaluate the impact of British presence in Brunei. One of the participants at the conference was Dr Hussainmiya from Department of History, Universiti Brunei Darussalam, who was inspired by the conference to produce a series of articles for the *Borneo Bulletin* aimed to present a balanced view of the period.

Dr Hussainmiya is indeed eminently qualified to write on Brunei history. He has been teaching and researching history at UBD for nearly two decades. He is also an unofficial consultant to the History Centre. I benefited from his critical reviews of some of my own books, including *Brunei Darussalam: The Road to Independence*. He has been an important member of the Brunei History Centre team assigned to the collection of historical documents by visiting (some headed by myself) and searching the archives in many countries including the UK, USA and in the ASEAN region.

In contrast to Dr Hussainmiya's academic publications, his present book has adopted a "popular history" narrative aimed at a wider audience to awaken an interest, both inside and outside the country. He provides us with some interesting insights with which one might or might not agree, but his writings seem quite convincing.

I can only hope that the publication of this book will be a success, not only in terms of attracting a large readership of its own, but also in terms of stimulating interest among other historians, especially the locally-born, to produce new, original and maybe at times also competing interpretations of our history.

Interestingly by coincidence this book, dealing with one of the important figures in Brunei History, Sultan Hashim Jalilul Alam Aqamaddin, the 25th Sultan who is considered a saviour of the Sultanate in 1906 is being released when his great-grandson, His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaullah, the Sultan dan Yang Di Pertuan Negara Brunei Darussalam is about to celebrate his 60th birthday on 15 July. I take this opportunity to congratulate Brunei Press and all those who are showing interest in publishing valuable historical works on Brunei Darussalam.



Yang Berhormat
Pehin Jawatan Dalam Seri Maharaja Dato Seri Utama
Dr Haji Awang Mohd Jamil Al-Sufri,
The Director, Brunei History Center,
Bandar Seri Begawan,
Negara Brunei Darussalam

15 Jun 2006



His Highness Sultan Hashim Jalilul Alam, c. 1899

Chapter One

FROM “EMPIRE” TO STATE

The year 1906 constitutes a watershed in the history of Brunei. By the simple act of signing the 1905-1906 Supplementary Agreement (to the Brunei-UK Protectorate Treaty of 1888), the ailing but wily Sultan Hashim Jalilul Alam gave a new lease of life to Brunei. Without this Agreement, the kingdom would not have survived its internal dissension and external enemies. The year 1906 also marked the beginning of official British presence in Brunei, when the British Residency Rule was introduced. It ended in September 1959 when Brunei promulgated its first written constitution. Other vestiges of British authority ceased to exist once Brunei Darussalam resumed full independence in 1984.

The Supplementary Agreement came with a price. In exchange for British protection key elements of royal sovereignty had to be surrendered. The treaty paved the way for the British Residents to exercise overriding powers and deprive the Sultans of their traditional responsibilities. If so, what was the *de facto* status of Brunei under British protection? Was Brunei colonised? If so, to what degree? Among the Southeast Asian countries it was only Thailand that remained free of colonial rule. In contrast, Brunei's position remained ambiguous due to variant interpretations of what constituted a colonial protectorate. Under British Protectorate rule, the sovereign powers of the Brunei Sultans were restricted. However, the Sultans remained independent and in fact, they enjoyed elevated status under British protection than they ever did under the traditional system. Britain was always regarded as a true friend of Brunei. Sultan Haji Omar Ali Saifuddin III especially underscored this point at the height of the turbulent politics spearheaded by the People's Party of Brunei (PRB) in the 1950s and 1960s. Apparently, the party thrived on an anti-colonial agenda by emulating the struggle of Indonesian nationalists, and preferred to acknowledge Brunei as a British colony.

By the middle of the 19th century, Brunei had entered a period of terminal decline from having been a regional empire in the 16th and 17th centuries. Illustrious Brunei shrank into a minor riverine state exacerbated by internal strife, dynastic politics, civil wars, piracy and above all – the intrusion of Western colonial powers.

Brunei Darussalam is a tiny sultanate situated on the north coast of the island of Borneo (between 114° 04' and 115° 22' of eastern longitude and between 4° 00' and 5° 03' of northern latitude). Its present total land area is approximately 5,765 sq km covering an anomalous shape of two enclaves (Brunei-Muara, Tutong and Belait on the one side and Temburong on the other side) – each enclave surrounded on the land side by Sarawak, Malaysia.

As a new nation but an ancient country, Brunei Darussalam is arguably one of the oldest sultanates in Southeast Asia. Some scholars acknowledge that references in Chinese sources to a kingdom called P'o-ni (which existed in the first millennium of the Common Era), may be referring to ancient Brunei, a state that maintained tributary relations with the Chinese Empire and later, with the Majapahit Empire. Also the references to Vijayapura and Bun Lai in the region may also point to the very early origins of the Bruneian kingdom. Whatever the case may be, Brunei's early history is shrouded in mystery, and scholarly efforts to unravel toponyms in the multitude of foreign literary sources (especially references in Chinese annals), have not yet yielded many clues.

Brunei's official history dates the establishment of the Muslim sultanate to the middle of the 14th century. Local legends and literary sources lend support to the Islamic origins of the kingdom. Archaeological excavations, however, have demonstrated that Bruneian civilisation could have begun much earlier, at least from the 7th century CE onwards. An extensive sea-trade linked Brunei from Johor (in the Malay Peninsula) in the south to the Vietnamese coasts to the north, and further on into China. No details have emerged as to the political and religious systems of that era. Like many other Southeast Asian states, Brunei seemed to have embraced Indianised Brahmanic values and practices, especially in respect of kingship institutions, although no names of pre-Islamic rulers have come to light so far.

Originally a small cog in the early Southeast Asian trading network, during the 16th century Brunei reached its zenith by gaining an impressive level of opulence, largely due to her participation in the sea-borne trade. The Bruneian Sultanate maintained close commercial ties with the Portuguese based in Melaka. Once Melaka fell in 1511, the Muslim traders fled to other port cities in the region. Apparently, Brunei benefited from this exodus, which possibly increased its population substantially (roughly 25,000 households). This was estimated in 1521 by the Italian traveller Antonio Pigafetta who, as a member of Magellan's fleet, visited Brunei Town and left a most authentic and vivid description of the kingdom.

At that time, Brunei achieved pre-eminence among other Bornean sultanates (such as Sambas), and its hegemony is said to have extended from the southern Philippines to western Borneo. Brunei's coast line extended close to 700 miles long and its land area stretched to about 150 miles. Brunei assumed the role of an Islamic missionary state, spreading and reinforcing Islamic practices, perhaps as far as the Philippines. However, in the face of strong Christian powers – in particular Spain, which was on the way to becoming a dominant force in the region – Brunei's role remained restricted. The number of Spaniards in the Philippines was just enough (the actual number of Spanish military men in 1584 at Manila was only about 329, while in the Philippines it did not exceed 713 as estimated by Henry Kamen, a modern authority) to easily overpower Brunei. Sultan Saiful Rijal in August 1578 tried to enlist Portuguese support when one of their galleons visited Brunei on its way from Melaka to the Moluccas, but they declined because of their close Catholic ties with the Spanish.

With the spread of European entrepôts in Southeast Asia, Brunei also began to shrink in economic importance. Conflicts with the Spanish power based in Manila sapped the energy of Brunei, causing further loss of wealth and territories. The Spaniards tried to subdue Brunei by naval attacks in 1578 and 1579.

The biggest blow to Brunei's prestige and empire status occurred during the civil war in the late 17th century (probably between 1661 to 1673 CE) when the Sulus, their subordinate in the southern part of the Philippine islands, not only asserted their independence but also claimed a large chunk of Brunei's territories on the north of Borneo. For Brunei, the 17th century was a time of great mayhem. Internal political strife led further to the weakening of its hold on its dwindling empire.

Brunei's decline took place gradually. Even towards the end of the 18th century, despite its weak status, Brunei still maintained its hold on regional trade and remained a thriving commercial centre and cosmopolitan city. An account by an English navigator, Thomas Forrest, who visited Brunei in 1776, left an interesting description of ship-building and trading junks that plied the routes between Brunei and China "somewhat like the trade from Europe to America." In order to safeguard the trade, Brunei seems to have been actively courting foreign assistance, especially from the visiting British, and perhaps also as a counterweight to Sulu dominance. But the 19th century spelled doom for Brunei. On the eve of British intervention in Borneo, Brunei had lost its lustre and vibrancy, and was increasingly portrayed in foreign accounts as a moribund state.

THE BEGINNINGS OF BRITISH INTERVENTION

Neither the Portuguese nor the Spaniards succeeded in establishing a permanent hold over Brunei or any other part of Borneo. It was finally left to the Dutch and the British to dominate Borneo, but this process took another two centuries when the colonial contest for Borneo had begun in earnest in the 19th century. Later, the Americans and Germans also joined the fray to gain trading advantages. Where necessary, the colonial powers did not hesitate to impose political supremacy over indigenous weak states. But Britain's interest in Borneo remained marginal until the beginning of the 19th century. The British mainly concentrated on the northern part of the island, while the Dutch sought to extend their political and commercial influence in southern Borneo.

In 1600, Elizabeth I, the Queen of England, established the English East India Company (EIC) under a royal charter so that traders from her country could compete with the Netherlands in the thriving spice trade from the Moluccas. The English, based at Bantam in Java and then Bencoolen in Sumatra, successfully competed with the Dutch for a share in the pepper trade, as noted in various works by D. K. Bassett. As part of their trading initiatives, the EIC formed settlements on the coasts of Borneo as a place of sojourn. But British interest in the spice trade (that was better handled by the Dutch merchants) could not be sustained. Instead, Britain paid serious attention to the tea trade with China. As a result, northern Borneo's importance gradually increased because it flanked one of the vital sea routes to China. The area was well placed as a stopover for their ships arriving from the Straits of Malacca.

Initially, however, the British had little interest to commit themselves to a long-term presence in this part of Southeast Asia. Even after they captured Manila in 1762 from the Spanish (during the Seven Years' War), they returned it to Spain in 1764. In the previous year, Alexander Dalrymple of the EIC had obtained territories on the north coast of Borneo that belonged to the Sulu kingdom, by having concluded a Treaty of Alliance and Commerce with the Sultan of Sulu. As a result, a small British factory was established in 1773 in Balambangan, a tiny island situated off the north coast of Borneo. Balambangan was seen as a suitable location to control British trade in the East, capable of diverting trade from Manila and Batavia. But the poorly managed site was abandoned two years later when the marauding Sulus attacked and destroyed it.

Sulu aggression forced the British to seek refuge in Brunei in 1774. The Brunei Sultan welcomed the British, offering the EIC a site to setup

base. He too, needed protection from the pillaging Sulus, who no longer acknowledged Bruneian suzerainty. But Brunei's offer of Labuan Island did not interest the EIC at that time. They declined alternative sites to their failed factory at Balambangan and did not reestablish any trading stations of significance in the region until Sir Stamford Raffles founded Singapore in 1819.

Singapore's success revived British interest in North Borneo again. After the formation of the British Straits Settlements (Singapore, Malacca and Penang) in 1826, they spread their wings in Peninsular Malaya. The trade route of China from the Malay Peninsula gained further importance. Nonetheless, Britain abstained from open conflict with the Dutch or other powers interested in Borneo. Hence, Sir Stamford Raffles' effort in strengthening British influence in the Dutch-controlled South Borneo failed to receive official support.

The Anglo-Dutch Treaty of 1824 ended the territorial disputes between the Dutch and the British. Under the treaty, the Dutch and British divided their respective spheres of influence in the archipelago, by an imaginary line drawn through the Malaccan Straits. Thus, Britain had rights of possession in respect to territories lying north of the Straits, whereas the Dutch had rights towards the south of that imaginary line. Although Borneo was not explicitly mentioned in the treaty, Dutch influence had already spread to most parts of the island except in the north. Britain now conveniently began to extend its influence in North Borneo, adopting an open policy when dealing with the local rulers. The Dutch raised protests now and then, but for diplomatic reasons turned a blind eye to British activities in the northern parts of Borneo – especially in Brunei.

THE BROOKES AND THE BRITISH NORTH BORNEO COMPANY

Britain had little interest to expand its colonial possessions where it entailed additional expenditure. The main objective of British policy was merely to prevent other Western powers from dominating the northwest coast of Borneo. This was achieved largely through indirect, unofficial involvement, which became a key feature of British policy in the region from the middle of the 19th century onwards. The main beneficiaries of this policy were the Brookes in Sarawak and the British North Borneo Company in future Sabah.

The story of James Brooke (1803-1868), the British adventurer who extended British influence in northwest Borneo, is well documented. He founded a dynasty of White Rajahs in Sarawak just when the Bruneian Sultanate had reached its lowest ebb in political fortunes. Brunei's authority had begun to decline in its far lying provinces, including Sarawak, which was originally the area around present day Kuching. This formed the southern border of Brunei with the Sambas kingdom.

James Brooke, the son of an East India Company servant and himself a former officer of a Bengal regiment, decided to explore the Eastern Seas after retirement from active service. Using a small but substantial inheritance from his father, he bought a yacht (the *Royalist*) to conduct expeditions of scientific and commercial interest. Originally, he planned to visit Marudu Bay, the Sulu Islands and New Guinea. Initially, he had no political ambitions. However, after reaching Singapore in 1838, his ideas changed. Upon hearing of the riches that could be found in Sarawak, especially in antimony ore, he promptly set off for Kuching in August 1839. In Sarawak, he became aware of a protracted rebellion against one tyrannical Pengiran Indera Mahkota, a local Brunei Governor, who became unpopular among the local population due to his oppressive rule and for using forced labour to work the mines.

The Sultan sent a close relative, Raja Muda Hashim, as special envoy to deal with the rebellion. Hashim sought the assistance of the visiting Brooke to quash the uprising. Brooke was, however, reluctant to get involved in local politics and returned to Singapore. When he returned the following year he found the uprising still raging against Bruneian rule, led by Datu Patinggi Ali, a local Malay chief. The Pengiran Indera Mahkota and Raja Muda Hashim were at loggerheads as to how to deal with the rebels. Brooke cleverly used their disunity to his own advantage. He supported Raja Muda Hashim, as he held a higher status in the Brunei royal hierarchy. As a token of appreciation and a price for ending the rebellion, Raja Muda Hashim offered Brooke the administration of Sarawak. Brooke only needed to apply slight pressure on the local Malay chiefs and the Iban rebels, who agreed to call off the rebellion on condition that the oppressive Brunei Governor was removed. At Brooke's request, Raja Muda Hashim pardoned the rebels. However, very soon a conflict now developed between him and Brooke, who learnt of a plot against him by the resentful Pengiran Indera Mahkota who had fallen from grace.

When Raja Muda Hashim refused to keep his promise allowing Brooke to administer Sarawak, the latter threatened to destroy the residence of the former. Under threat and helpless, Hashim confirmed Brooke's appointment in 1841 as the new Governor of Sarawak in place of Indera Mahkota. The following year, Brooke sailed to Brunei, where he was well received by the Sultan and his chiefs, who confirmed the original grant of James Brooke's Governorship. In return, James agreed to pay an annual tribute of \$2,500 and promised to preserve the customs and religion of Sarawak's inhabitants. He also promised not to alienate parts of the country without the Sultan's consent. Thus, Brooke's legal status was that of a subordinate official to the Sultan, similar to the previous Pengiran Indera Mahkota – the only difference being that Brooke happened to be a foreigner and a European.

Once he had acquired a foothold in Sarawak, James' ambitions knew no bounds. Having become a White Rajah, he carefully planned to expand his fiefdom at the expense of Brunei. Like Sir Stamford Raffles of Singapore, James was also a staunch supporter of British expansionism in Borneo. He urged Britain to establish a naval station, colony or protectorate on the coast of Borneo. Like Raffles, James too disliked the Dutch monopolistic trade that deprived British and other merchants of trading opportunities. He also had plans to abolish piracy, so that merchants could freely operate in the Eastern Seas. Lastly, James came to believe that Malay civilisation had declined and that it was his responsibility to restore good government in Brunei.

James' entry into Sarawak in the guise of quashing a domestic rebellion thus turned out to be the worst political threat to Brunei's existence. This threat continued for a long time even under James' successors. He (later Sir James) had two main objectives; firstly, to gain British recognition for his rule; secondly, to wipe out Brunei from the map of the earth. Although he did not receive official British blessings for his activities, he succeeded in obtaining the services of British naval chiefs such as Sir Thomas Cochrane and Captain (later Admiral) Rodney Mundy (who were visiting Singapore) in order to intimidate Brunei and force it to accept his gradual take over of parts of the Bruneian Sultanate.

Note on Currency:

Unless otherwise stated, all references to the dollar (\$) refer to the Straits dollar prior to 1963 and to the Brunei dollar after 1963. The Straits dollar was renamed the Malayan dollar after World War II. From 1904 to 1967, its value was pegged at 2s 4d.

THE YANKEE CONSUL AFFAIR

In 1864, an American named Charles Lee Moses received appointment as the first US Consul General in Brunei. Sultan Abdul Mumin (r. 1852-1885) was much impressed by the ambitious promises made by the US Consul General and agreed to build a consulate building for him. The Sultan believed that Moses would bring economic benefits and American protection to Brunei. Moses succeeded in convincing the Sultan to lease out for ten years almost the entire North Borneo, comprising 21 districts from the Sulaman to the Paitan rivers, and territories from Paitan to Kimanis – including the Balabac and Palawan islands. In return, the Sultan was to receive \$4,500 in annual payments, while Pengiran Temenggung Pengiran Anak Hashim's share was another \$4,000.

For Moses, the concession was purely a profit-making venture. He went to Hong Kong and sold his newly acquired lease rights to W. J. Torrey, an American businessman, who with two other associates formed a company known as the American Trading Company of Borneo. When Torrey came to Brunei to renegotiate the lease, the Sultan appointed him Supreme Ruler and Governor with the title of Raja of Ambong and Marudu with “all other powers and rights usually exercised by, and belonging to Sovereign Rulers.” Torrey's venture to develop Kimanis ended up in heavy losses and he eventually abandoned it. The Sultan too did not receive his payments. Moses soon fell out with his partners and requested the Sultan to cancel the lease which he had transferred to Torrey

Meanwhile, Moses himself became *persona non grata* in Brunei, as he had made empty promises to the Sultan. The Sultan's many requests for British help in recovering the money owed to him fell on deaf ears. Moses promised to recover the dues owed to the Sultan by the China Steamship and Labuan Coal Company that had leased coal mines in Muara. When he found himself unable to recover the dues, Moses demanded that the Muara mines be transferred to his ownership, further complicating matters between him and the Sultan. Moses then set fire to the US Consulate building and tried to implicate the Sultan in order to demand compensation. An American Government inquiry exonerated the Sultan and dismissed Moses from its service. This episode, nicknamed by some historians as “the Yankee Consul Affair”, shows how desperate Brunei's position was at that time.

Baron von Overbeck, an Austrian Consul General from Hong Kong, bought Torrey's rights in January 1875. Two years later, von Overbeck came to Brunei and renegotiated the lease with the Sultan and

received the title of Maharajah of Sabah and Rajah of Gaya and Sandakan. For this, the Sultan was to receive an annual payment of \$12,000 and the Temenggung, a sum of \$3,000. But the Sulu kingdom also claimed rights over the North Borneo territories. Von Overbeck cleverly made another agreement in January 1878 with the Sulu Sultan (worth \$5,000 in annual payments) to safeguard his original lease from the Sultan of Brunei. However, as von Overbeck did not get support from his own Austrian Government for his ventures, he had to sell his lease rights to a British businessman, Alfred Dent of London, and his associates.

Dent and his partners formed a Company in 1881 to develop North Borneo. They acquired a Royal Charter from the British Queen in November of the same year, and their company was henceforth known as the British North Borneo (Chartered) Company (BNBC). Over the following years the Company established its rule over its territories and gradually bought out the territorial rights of other Brunei nobles, who were not included in the original grant. By granting the Charter, the British Government had accepted an overall responsibility for North Borneo. Thus, the Charter restricted the Company's sovereignty. Its foreign relations were subject to British control, and there were clauses to protect the native population from exploitation.

Both the Spanish and the Dutch opposed BNBC control of North Borneo. The Spanish acquired sovereignty over Sulu in July 1878 and in September, their warships steamed into Sandakan harbour. The British Resident, W. B. Pryer, stood his ground and the Spanish had to withdraw. In March 1885, the Spanish Government eventually recognised British presence in North Borneo, in return for British recognition of Spanish sovereignty over Sulu. The Dutch too, objected to the Company's presence, but the British overruled them. In the following years, the Dutch agreed to define the borders between their territory and that of the Company's and in 1912 a final agreement was reached.

Hemmed in by Sarawak encroachments from the south and the Company from the north, Brunei had become too insignificant to cause much concern to British Government policymakers. However, events moved swiftly towards the end of the 19th century, and Britain was drawn towards Brunei to find a diplomatic balance.

Chapter Two

FROM STATE TO MINI-STATE

The territory of Brunei shrank further during most of the 19th century. In part voluntary, and in part forced, Brunei rulers lacked the power or will to hold on to their territorial possessions. A scramble for Brunei went on unabated between Brooke-controlled Sarawak and the British North Borneo Company in the future Sabah.

Sultan Omar Ali Saifuddin II died in 1852 and was succeeded by Sultan Abdul Mumin. James Brooke approached the new monarch to expedite a new Agreement. Sultan Abdul Mumin confirmed Brooke as an independent Rajah and also turned over the Batang Lupar area to Sarawak in 1853. Just two years later, Brooke concluded another agreement with the Sultan leading to further losses. Sarawak's boundaries now extended legally to the Rajang River and included the seven districts of Rajang, Kalakah, Saribas, Sekrang, Lingga, Sadong and Samarahan, a sizeable territory lost by Brunei. In exchange, the Sultan agreed to receive \$1,500 annually and the Rajah agreed to share any surplus revenue from the districts with the Sultan.

James Brooke was nearing the end of his career. He had become disfigured by a severe attack of smallpox in 1853. His reputation too suffered following the Royal Commission of Inquiry of 1854. In 1857, the Chinese settlers in the Bau district rose in rebellion against James's rule. A worn-out James visited England in the same year but failed to win over the British Government into taking over Sarawak as a protectorate.

News of his troubles affected the profitable sago trade of Mukah and the coastal region. There were added problems created by Sharif Masahor, a Brunei Government representative left in charge of Mukah. He was hunted by the British Navy assisted by Charles Johnson (later Charles Brooke), the nephew of James, who had become the Tuan Muda of Sarawak. In 1861 Sir James returned to Brunei to persuade the Sultan to cede the present third division of Sarawak. Britain's support to the Brookes in the Mukah affair put pressure on the Sultan of Brunei. Therefore, he reluctantly ceded all the territories between Rajang and the Bintulu Rivers, including Mukah and Oya. The Brunei Sultan was to be

paid \$4,500 annually for this concession, but Brunei lost the valuable sago export trade to Singapore from this territory. The economic decline of the Sultanate accelerated faster.

When Sir James died in England in 1868, his nephew Charles succeeded him to become the new Rajah of Sarawak, whose territory now extended from Tanjung Datu in the South to Kidurong just north of the Bintulu River. Charles Brooke set out to finish what his uncle began, namely to grab more territories from Brunei. Even while holding the position of Tuan Muda, Charles continued to pester Sultan Mumin to give up more than one hundred miles of coastline up to the Baram River. However, this time the Sultan became adamant. He sought British government assistance to stop further expansion of Sarawak into his territory. The Sultan pathetically appealed to the British sympathy stating that Baram was “the well from which our people drink water.” Charles applied pressure on the Sultan by withholding parts of annual payments due to him. John Pope Hennessy, the British Consul General stationed in Labuan informed the Government that “...the Tuan Muda is resolved to pick a quarrel with the Sultan and thus get Baram and perhaps Brunei itself.” The British Foreign Office placed a ban on the Sarawak Government, preventing it for the next ten years from acquiring any new territories. But in 1874, the Kayans of Baram rebelled against the oppression of Brunei rule, which was used by Rajah Charles as a pretext for further expansion.

The British government had supported the British North Borneo Company in acquiring more territory from Brunei and the Company soon began a contest with Brooke to annex more Brunei lands. But Britain could not adopt two different policies in North Borneo, supporting one party and denying another. Charles used this contradiction to his advantage. In 1882, Peter Leys, the British Consul General in Labuan applied diplomatic pressure on a helpless Sultan Abdul Mumin to hand over Baram to Sarawak. Realising that further opposition was useless, the Sultan gave in. Brunei now lost the areas of Suai, Niah, Sibuti and Bakong, which extended from Kidurong Point to the Baram River. In return the Sultan was to receive an annual income of \$3,000 while another \$2,000 was to be paid to Pengiran Temenggung Anak Hashim and two other Pengirans as cession monies for the lands they owned.

Brunei thus perilously reached the edge of extinction. On the other side, the BNBC was also moving down fast to gain new territories from Brunei which had not been included in the original lease. In 1884, the Company obtained a lease of the Padas region for \$3,000 per year. In the same year, the Temenggung Hashim (later Sultan Hashim Jalilul Alam)

recklessly ceded Trusan and Limbang to Sarawak, but these cessions did not have the Sultan's approval or seal and were therefore legally invalid. The Sultan became extremely worried that the situation had spiralled out of hand, and it was only a matter of time before Brunei disappeared as a State. Something needed to be done to preserve Brunei.

In order to avoid further alienation of Brunei land, the Sultan called a meeting of his chiefs in 1885. He was already old and as ordained by religion, he wanted to offer his last advice (*nasihat*) to his descendants before the death. He made the chiefs enter into an undertaking with him by taking an oath. All those assembled swore not to alienate anymore of Brunei's territories to foreigners. This oath, which came to be known as *Amanah* or *Umanat*, did help a great deal in the preservation of Brunei by the next Sultan. Although, as Pengiran Temenggung, Hashim Jalilul Alam had made mistakes by agreeing to turn over valuable lands to Sarawak, when he became Sultan in 1885, he took steps to conserve the rest of its territory. In doing so he faced greater challenges than any other sultan in Brunei history from internal and external enemies. But he pursued the traditional Brunei diplomatic strategy of playing off one enemy against another very cleverly. So how did he manage to handle the British imperial designs?

THE SURRENDER OF LABUAN AND THE FIRST BRUNEI-BRITISH TREATY

The little island of Labuan in the China Sea which belonged to Brunei took centre stage in British-Brunei relations as the tussle intensified between the domineering White Rajah and the weakened Brunei Sultan. There was also a perceived threat of dominance by the United States in the region. Americans stepped up their search for useful contacts in Borneo. As early as 1830, their envoy Edmund Robert, was ordered to explore trading prospects in China, Siam and Borneo, but he died before he started on his mission. Seven years later, Americans after visiting China reached Borneo looking for pepper. In 1842 the Sultan of Sulu had signed a Treaty of Friendship with the visiting Americans.

An American warship, the USS *Constitution* arrived at Brunei in 1845 seeking a commercial treaty and exclusive rights to work Brunei's coal deposits. This was the time when the Brunei Sultan was still unsure of British intentions towards his kingdom. Recent visits by British naval ships to the coasts of Brunei had overawed the Bruneians. Out of fear or in a genuine search for protection from Britain, Brunei felt it important

to rely solely upon Britain's friendship, rather than seeking assistance from newcomers to the scene. Hence, in 1845, Brunei stayed away from American clutches.

But Britain did not trust Brunei rulers. In 1846, the imperial power used direct coercion to scare the Brunei palace by gunboat diplomacy. Britain compelled Brunei through an agreement dated 24 December 1846 to cede the island of Labuan, the Sultanate's gateway to the outside world. In the following year on 27 May 1847, Britain and Brunei signed a Treaty of Friendship and Commerce. The Treaty also marked the beginning of a definite commitment of Britain to the northwest Borneo region. It also justified any future direct intervention by Britain in Brunei affairs. The treaty clearly defined British commercial and political interests in Borneo and imposed severe restrictions on the Sultan's sovereignty in dealing with other foreign powers. In accordance with Article 10 of the Treaty, the Brunei Monarch would not make any territorial concessions without the consent of Her Majesty's Government. The treaty contained ten clauses of which the following are the most important:

- The Brunei Sultan could not cede any of his territories to another nation or its subjects without the expressed consent of Britain.
- British warships could freely enter Brunei territories at all times and could inspect, investigate and capture any ships or persons acting against the interests of Britain.
- Britain and Brunei agreed to exempt duties and taxes on all imports and exports entering their respective countries.
- British subjects enjoyed special status to enter, reside and engage in trade in any parts of Brunei territories.
- An English Consul-General to be appointed in Brunei, who would have exclusive jurisdiction over British nationals residing in Brunei.
- Both Britain and Brunei would endeavour to suppress piracy in the seas.

Thus the treaty established British paramountcy over Brunei. In fact, Britain did the same with other sheikhdoms of the Gulf States (known as Trucial States) by entering into treaties similar to the one signed with Brunei. Britain wanted to enjoy exclusive rights to trade and prevent other powers from influencing the local rulers of such strategically important territories lying along international sea routes. Despite such restrictions, Brunei soon made fresh overtures to other powers to counterbalance British influence. In 1850, when an American by the name of Joseph Balestier suggested a US-Brunei Treaty of Friendship and

Commerce, the Brunei Sultan readily accepted. It provided for the setting up of an American consulate in Brunei and allowed American warships to harbour in its ports. This action violated the terms of the Treaty that Brunei had signed with Britain in 1847. Britain, however, did not raise immediate objections on diplomatic grounds. It looked as if the Americans were only looking for commercial opportunities and hardly made use of the Treaty for political ends, as the British did. Americans themselves were reticent in acquiring permanent colonies in the Far East.

Three decades later, Britain's fears of other Western powers did still persist. Concerned about Brunei's stand vis-à-vis the United States and Germany, Britain sought further safeguards to bring not only Brunei, but also Sarawak and North Borneo, into a more permanent sphere of influence. Along with Sarawak and North Borneo, Brunei agreed to sign a Protectorate Agreement with Britain in 1888. This was another important turning point in Brunei history that effectively placed Brunei's foreign policy in the hands of Great Britain.

Due to the Protectorate Agreement, there were two distinct limitations on Brunei's ability to recover its lost territories. Firstly, Sarawak and North Borneo – Brunei's former dependencies – were included among the foreign states with which Brunei could deal only through Her Majesty's Government. Secondly, if any disputes arose, the decision of the British Government would be final. This instantly turned out to be a great disadvantage for Brunei when Charles Brooke annexed Limbang in March 1890, only two years after the Agreement was signed. The British Foreign Office endorsed the annexation rather unjustly with no concern for Brunei's geographical and economic predicament – a decision that increasingly proved difficult to retract.

ON THE BRINK OF EXTINCTION

Brunei trusted that the Agreement would help to prevent the acquisitive Brooke from further encroaching on its already shrunken territory. In 1887, Lord Salisbury, in a letter to Sultan Hashim, had promised him protection as a means of reassuring him before he signed the treaty. Earlier in 1881, spurning Brooke's offer of more incentives, Sultan Abdul Mumin wrote to him that "the territory of Brunei was united like unto a man with all his members complete. At present his arms are lost to him leaving his head and feet – therefore let it remain so." So when Brooke aimed at the heart of Brunei by the forcible annexation of Limbang, thereby cutting Brunei into two unconnected enclaves, Brunei was left gasping for breath.

Apparently the Protectorate Agreement of 1888 proved inadequate to safeguard the territorial integrity of Brunei. It was worded in a

sufficiently vague manner to give a free hand to the protecting power. Thus, a Foreign Office minute speaks of the Agreement as not standing “in the way of such a consummation as the absorption, when the time arrives, of Brunei by Sarawak and the BNBC. It would, in fact, enable Her Majesty’s Government to advise the Sultan to accept the inevitable on the best terms procurable.” In other words, the ultimate fate of the Bruneian Sultanate was a matter of indifference to London, so long as its territory remained within the British sphere of influence.

The days of Brunei seemed numbered, especially because the British Foreign Office was already drawing up plans to extinguish the last remnants of the kingdom to be divided between Rajah Brooke and the British North Borneo Company. Internally too, Brunei was getting weaker due to bankruptcy, a conspiracy by Rajah Brooke to foment rebellion in the outlying Tutong and Belait districts, and by unpatriotic attitudes of some influential nobles who were negotiating to sell parts of Brunei to the Sarawak Rajah. No one was more aware of the looming danger than the ailing Sultan Hashim Jalilul Alam (more will be said later). He was heartbroken to have been let down by his protector, Britain, and he complained to King Edward in 1902:

“From the day I set my hand to the Treaty of Protection [17 September 1888], I have not once received assistance or protection from Your Majesty’s Government and I beg, with all deference, for your Majesty’s help. Not a single Consul has done anything to help strengthen my country. They all seem to help Sarawak and to try to hand over my country to Sarawak.”

In fact, the Sultan knew that the British Government would not mind if Brunei ceased to exist. Following the 1899 Tutong-Belait rebellion, Britain sent the Lieutenant High Commissioner, Sir Alexander Swettenham, with instructions to obtain the Sultan’s acceptance of the dissolution of the State to be partitioned between the Rajah and the Company. For some reason, Sir Alexander did not even want to raise the issue with Sultan Hashim. Brunei got a reprieve. The High Commissioner must have become really sympathetic to the cause of the Sultan, who was the aggrieved party. Besides, there were elements of jealousy among top British officials who loathed Brooke and his dominant position in the area. The British authorities in Whitehall were unpleasantly surprised to find that one of their own officers did not carry out the imperial instruction. By early 1901, violence against the Sultan’s authority erupted again in Tutong. This time the British Foreign Office was goaded into action. Time was running out for everyone involved. Some definitive policy was needed to settle the Brunei question in one way or the other.

Chapter Three

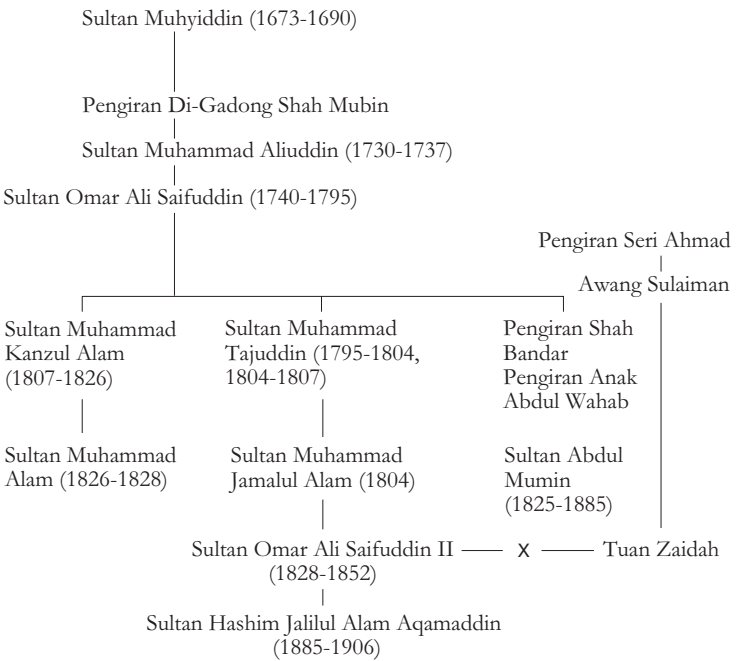
SULTAN HASHIM: A VILLAIN OR VICTIM?

The Tutong disturbances of 1901 gave a strong reason for the British Foreign Office to act decisively with regard to the future of Brunei. It was to be nothing but a final act, a *fait accompli*, for dismembering the sultanate. The Sarawak Rajah was waiting in the wings for the windfall.

Adverse feedback on Brunei (engineered by pro-Brooke sources) flowed ceaselessly in British circles. First, the residents of the rebellious districts of Belait and Tutong had allegedly opted for Sarawak Rajah rule, because it was portrayed as a compassionate government which did not oppress the people with burdensome taxation. Second, the truncated Brunei, following the Limbang fiasco, was seen as a barren wasteland to be better managed by the Sarawak Rajah. Third, complaints by some thriving Chinese shop keepers/money lenders operating in Brunei Town about indiscretion by some members of the palace were taken at face value to prove that Brunei was not a safe place for free trading. Fourth, Brunei had hopelessly become a bankrupt State. The scrambling speculators were left with little to grab by way of concessions, monopolies, mortgages and rights for taxation from the hapless royal family. Fifth, a cynical view spread that Sultan Hashim Jalilul Alam and his ministers were expecting a better price for the final surrender of Brunei than the sum offered by Rajah Brooke. Lastly, Sultan Hashim was suspected of coveting other foreign powers to the detriment of British interests.

All these were exaggerated accusations no doubt but needed investigation. Justice, however was on the side of the reigning Sultan Hashim, notwithstanding his past misdemeanours. No one seemed to have appreciated the deep wounds he was nursing in his mind, as a proud scion of an ancient kingdom. His faith in the British seemed to have vanished. True, his forefathers had made the original and cardinal mistake of hiring a foreigner – James Brooke – to get a toehold in their kingdom. Since then, he and his successor had aggressively extended control over large parts of Brunei. The cash hungry Brunei royalty was mainly responsible for this catastrophe by ceding many lands for money.

Figure 1: Genealogical Chart of Sultan Hashim Jalilul Alam Aqamaddin



Sultan Hashim himself had to bear the blame for handing over key territories while he served as Pengiran Temenggung, during the reign of Sultan Abdul Mumin. The Temenggung sincerely regretted his past when in 1885 he took the oath *Umanat* under the Sultan. For the Temenggung, like others in his shoes, it was like bolting the door of stables after the escape of horses. When he came to power in 1885 as Sultan Hashim, he bore the heaviest responsibility to stand by the *Umanat*. Yet, it was he who lost the last worthy piece of land – Limbang – but this time due to direct and unjust aggression by Brooke. Sultan Hashim thus faced the most perilous situation at the very end of his life. Since then, Sultan Hashim became “battle-hardened” from negotiating any deals. Desperately trying to cling on to his throne, he was “the last man standing” against the might of Brooke.

EARLY CAREER

Hashim Jalilul, or Pengiran Anak Hashim as he was known (not to be confused with his nemesis, Pengiran Muda Hashim, who was the chief minister under Sultan Omar Ali Saifuddin II), was perhaps one of the most important yet contentious figures in Brunei history. Many Westerners visited or had passed through his kingdom during his reign and left vivid accounts of the State, the palace and Bruneian town of Kampung Ayer. Some of their impressions were compiled in a short booklet titled *Pictures of the Palace* by Simon Francis. The Sultan and his surroundings have been described negatively if not disparagingly by some of these visitors at a time when the sultanate had entered the phase of “a dying kingdom.”

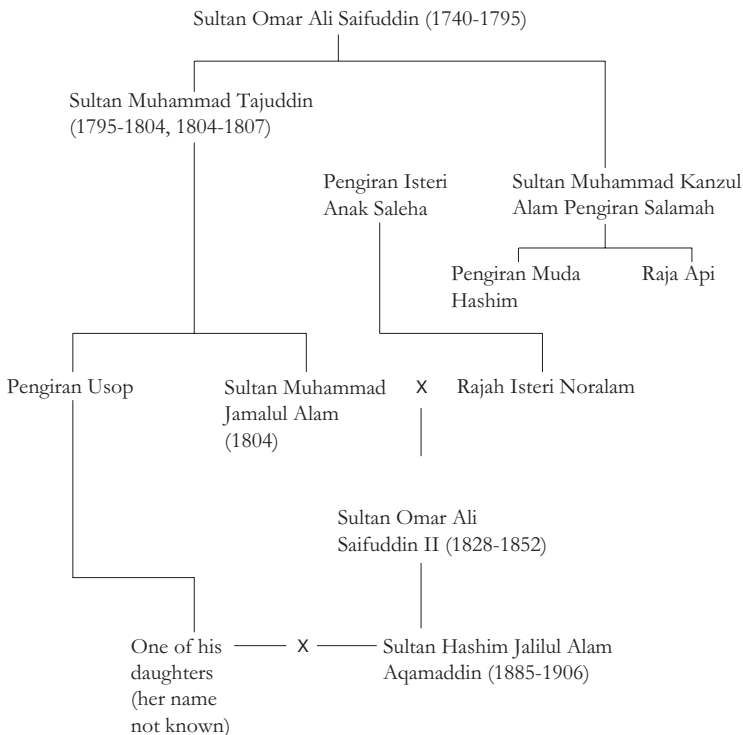
Pengiran Anak Hashim Jalilul was born to Sultan Omar Ali Saifuddin II (d. 1852). However, his mother was not the royal consort. Opinions differ regarding his actual date of birth. It has been placed from a date between the years 1811 to 1835. However, A. V. M. Horton’s estimate of 1824 seems to be more plausible. Years of stress caused by involvement in statecraft had sapped his energy in his octogenarian years. He was an old and feeble Sultan when he was met by McArthur in 1904, who thought his age to be 70 while the Sultan himself told him that he had reached his 80s.

Pengiran Anak Hashim was no ordinary chief; confrontational at times and diplomatic at other times. Contemporary British accounts portray him as a crafty and determined personality who harboured no

Sultan Hashim: A Villain or Victim?

love for foreign imperial personages. Intensely nationalistic, deep in his heart he loathed everything about Britain, largely because of the activities of the Brookes. But there was little he could achieve by a direct conflict with imperialists. Yet, in 1840s while still a young man, he fought a proxy war by eliminating another important branch of Brunei royalty supported by Britain and James Brooke.

Figure 2: The Relationship of Pengiran Muda Hashim and Sultan Hashim



Pengiran Anak Hashim married a daughter of Pengiran Anak Muhammad Yusuf (aka Usop), who was the son of Sultan Muhammad Tajuddin and the grandson of Sultan Omar Ali Saifuddin I. Both Hashim and his father-in-law Yusuf represented the anti-Western faction in the palace. Their opponent, Pengiran Muda Hashim, was the uncle of Sultan Omar Ali Saifuddin II on his mother's side, Raja Isteri Noralam. A tussle broke out between Pengiran Yusuf and Pengiran Muda Hashim for the post of the Pengiran Bendahara, a stepping stone to becoming the next Sultan. It may be recalled that it was Pengiran Muda Hashim who elevated James Brooke as Sarawak Chief, and after initial misunderstandings with him, the Pengiran aligned himself with Brooke to gain his support to lay claim to Brunei throne. At one time, Pengiran Yusuf was made the Bendahara in place of the absentee Pengiran Muda Hashim, who took refuge in Sarawak under Brooke protection. When he returned to Brunei to resume the post, he ran into a storm. Sultan Omar Ali was allegedly informed that the Pengiran was conspiring to take the throne by force. And that was his undoing.

Pengiran Yusuf and his son-in-law Pengiran Anak Hashim received support from the locals, especially the patriotic inhabitants of Kampong Saba (a ward of Kampong Ayer) – for two reasons, as D. E. Brown had learnt from his sources: “For one, that *kampong*, and especially its hero, Haji Saman, took the side of Sultan Hashim even before he held office. Secondly, Pengiran Anak Hashim became the Pengiran Temenggung, the traditional commander of the sea forces traditionally recruited from Kampong Saba.” Haji Saman, the powerful chief who himself staunchly anti-imperialist, influenced the thoughts of the young Hashim and Yusuf against the British, especially Brooke's incursions into Brunei territories. Haji Saman became the arch-enemy of the British occupiers but managed to elude them by stealthily moving between Brunei and North Borneo.

Just when opposition to Brooke and Britain was brewing in Brunei, Pengiran Muda Hashim and his brothers had opted for the support of Brooke who found a golden opportunity to control Brunei resources by helping Pengiran Muda Hashim to ascend the throne. Little did Brooke realise the intricacies of dynastic politics in Brunei. As early as 1824, Sultan Raja Api, the brother of Pengiran Muda Hashim, was murdered by poisoning. In his place was installed Sultan Omar Ali Saifuddin II, the father of Pengiran Anak Hashim. Thus the dynastic squabble had been simmering all this time. In any case, involvement of the foreigner Brooke into Brunei's power politics made it worse for the faction represented by Pengiran Muda Hashim, however legitimate his claim

was to the Brunei throne. In 1845-1846, Pengiran Anak Hashim and his father-in-law (probably supported by the reigning Sultan), put to death Pengiran Muda Hashim, his brother Badruddin (some say committed suicide) and other members of his family. Only his son and two of his brothers survived the massacre. But the surviving sons of Pengiran Tajuddin, one of those perished during the killings, never reconciled with Pengiran Anak Hashim even after he became the Sultan in 1885.

The young Pengiran Anak Hashim earned the wrath of the British after the event, which led to direct British Government involvement in Brunei affairs in 1846. Admiral Thomas Cochrane, the British Navy Commander in the East, called the Pengiran a “man of worthless character.” Besides, the Pengiran’s name was implicated in piratical activities in the region, which the British were determined to stamp out. On the other hand, one British official rated the young Pengiran Anak Hashim quite high. He was described by some as an able and intelligent chief, and enjoyed the friendship of Sir Spenser St. John (1825-1910), the British Consul in Labuan whose tenure of office (1861-1866?) was remembered in Brunei as the “golden age” and whose name had always been mentioned with affection.

PERIOD OF TEMENGGUNGSHIP

However, Hashim’s influence in the palace increased many fold until he was elected the Pengiran Temenggung in 1855. According to Nicholas Tarling, Pengiran Anak Hashim now had the patronage of Sir James Brooke. The Temenggung had been trying to reconcile with his erstwhile rivals by marriage alliance into their family. For example, he gave one of his own daughters in marriage (in 1882) to Pengiran Anak Besar, a son of Pengiran Tajuddin, who was among those killed during the massacre of 1845-1846. Under Sultan Abdul Mumin’s rule, Pengiran Anak Besar was made the Pengiran Bendahara (in c. 1882), typical of appointments to maintain the “balance of power” in the Brunei royal hierarchy. At the same time, Temenggung Hashim himself became one of the regents. This ensured his claim, to a greater extent, on becoming the next Sultan after Sultan Abdul Mumin’s death. The other regent Pengiran Bendahara, who also had a stake to the throne by his seniority in the ranks, lost in the contest and his enmity with the new Sultan continued for years to come.

During his period as Temenggung, Pengiran Muda Hashim became somewhat malleable to British interests. Considerable acres of

Brunei lands, *tulin* (private) property, passed from his hands to Sarawak and the British North Borneo Company. In 1884, he and Sultan Abdul Mumin transferred to Sarawak all the rivers from Kidurong to Baram in exchange for a sum of \$3,000 and \$2,000 a year. In fact, Temenggung Hashim had offered not only Trusan but also Limbang to Sarawak at the time. Originally, the Trusan River had been ceded to Sarawak in 1884. For the Trusan transfer in 1885, he was paid a price of \$4,500 per annum. He transferred the deeds under his own seal and that of the Pengiran Bendahara, without waiting for the seal of the Pengiran Di-Gadong or the Sultan. Behind this transfer seemed to have been a political motive of the Temenggung to become the next Brunei Sultan. Charles Brooke, the Sarawak Rajah, this time countenanced Temenggung Hashim's claim to the Brunei throne, possibly anticipating not only the confirmation of the Trusan cession from BNBC to his own country, but also the Limbang. After becoming the Sultan in June 1885, Hashim Jalilul reneged on his promise to sell off Limbang and again, was demonised by Brooke (On 12 December 1904, Trusan, together with Lawas District, was finally transferred to Sarawak ownership).

LIMBANG AND THE WOES OF THE SULTAN

The forcible annexation of Limbang in 1890 hardened Sultan Hashim to make his final stand against all overtures by Britain and Brooke. In 1904 Sultan Hashim was left with only four rivers, having lost no fewer than 18 such districts to Sarawak alone. With the loss of these lands, Brunei had become abysmally poor. Previously, Sarawak produced antimony and Mukah produced sago, while Limbang provided subsistence to the folks in the capital. Now, starvation for both the palace and the ruler had set in.

With the loss of Limbang, the last of economic opportunities in the State (if any), had been wiped out. For instance, almost all the four sago factories in Brunei had to be closed down by 1903 as the trade shifted from Limbang to Kuching. Only the small catch factory was operating on the bank of the Kampong Ayer that gave employment to about 300 men. Its European manager, Edmund Roberts, became a special friend to the Sultan who expressed his gratitude to the European for supplying wooden planks to repair the steps of his rickety palace. The manager, who was secretly conspiring behind the back of the Sultan, not only became his adviser, but also was given the title of *Dato* and a seat in the newly created State Council.

Even under a calamitous situation, the Sultan adamantly refused to give up his country or abandon his dynasty. He felt helpless, despite the hope he placed on British Protection under the 1888 Treaty. Every British Consul had worked against his interest and became his enemies. Brooke was the main beneficiary of their treachery towards the Sultan. In 1904, a heart-broken Sultan Hashim wrote in disgust to the British Monarch King Edward VII about the prejudiced attitude of the British Consuls, especially G. Hewett, a staunch Brooke supporter who wanted to see the end of Brunei. Consul Hewett resorted to unauthorised gunboat diplomacy, but Sultan Hashim stood the ground. Hewett advocated strongly the Sarawak takeover and met the Sultan in 1902-1903, to work out the surrender of the remaining Brunei territories for fixed sums to be paid by Brooke to the Sultan and to his Wazirs.

In accordance with Hewett's deal, the Sultan was to receive \$12,000 and the Pengiran Bendahara and Pengiran Pemancha \$6,000 each, half of these amounts being paid to their descendants after their deaths. The Sultan and the remaining two Wazirs were to retain their honours and titles and would be entitled to annual pensions. It must be remembered that Brooke did not settle the cession money of \$6,000 for Limbang, partly because the Sultan refused to accept it, and partly because Brooke was already deducting monies owed by the palace to some debtors in his territory. It became more than clear that money was not the motive for the Sultan to give up his beloved country.

In fact, Sultan Hashim had become so impoverished that he did not mind borrowing \$10,000 from Charles Brooke in 1901 for very urgent expenses in his household. There was a royal wedding; the palace and the people feasted for a whole year as the Sultan's favourite grandson, Pengiran Muda Tajuddin, was married with great fanfare to the daughter of his tormentor, Pengiran Bendahara Pengiran Anak Besar. The objective was to cement their political alliance (However, the small pox epidemic of 1904 took the lives of the husband, wife and their infant baby, ending the last hope of reconciliation between the Sultan and his Bendahara!).

In a final bid to transfer Brunei to Sarawak ownership, the London Foreign Office suggested that Rajah Brooke raise his offer of compensation to the Brunei palace and to settle the outstanding cession money for the Limbang territory. An overconfident Brooke haughtily replied that Sarawak's revenues could not afford any increase in the offer he had already made for the country. This ended in the recall of the prejudiced and ill-behaved Consul Hewett to London in 1904.

At last, Sultan Hashim's intransigence paid off in preserving his dynasty and his country. He was not without supporters within British circles. Previously C. P. Lucas, an under-secretary of state in the British Colonial Office, minuted his disapproval of the Sarawak Option and instead recommended the installation of a British Resident to oversee Brunei's administration. The Governor of British North Borneo, E. W. Birch, a seconded officer from the Malayan service, made a similar suggestion.

Meanwhile, *The Straits Times* had highlighted accusations that the Government planned to hand over Brunei to Sarawak. And, Consul Hewett in 1903 had inadvertently drawn British attention to the presence of oil in Brunei, and that must have made the officials show some added interest in the country. A new approach was needed to clear the confusion.

The existing British Consulate arrangement based in Labuan, some 42 miles away across a stormy bay, to monitor and guide affairs in Brunei – had failed miserably. There had been no direct or regular contacts between Labuan and Brunei. Consular visits have been few and far between. The British Consul had to depend on interested parties for his knowledge of what was going on in Brunei in which his work ought principally to have lain. Unlike in Malaya where there were cordial relations between the British representatives and the Sultans, Brunei suffered much from an impersonal British approach. As a result the Sultan always came to regard the British Consuls as his enemies. Thus the Sultan, having lost power of initiative or decision he may once have possessed, now had become doubly obstinate in his dealings with the British Government.

There was a greater need to appease the Sultan. And, more importantly, the British Government had to order a substantial study about the Brunei predicament. This time their High Commissioner to the Malay States (cum Governor of Singapore) was instructed to proceed to Brunei. Sir Frank Swettenham was chosen at first, but he was due to go on leave (and in fact started his retirement while in England) and hence could not undertake the trip in 1902. But he advised HM Government in August 1903, "I am more inclined to advise you to leave Brunei alone, but to instruct the (British) Consul to live in Brunei (instead of Labuan) and to endeavour to secure the sympathies of the Sultan and his people and give them good advice, being strictly impartial in all his dealings."

The next British officer from Malaya to visit Brunei in 1904 would change the course of Brunei's history by writing a most fair report that sealed Britain's approach finally in saving not only Brunei, but Sultan Hashim's dynasty.

Chapter Four

THE COMING OF A SAVIOUR

Just when Brunei had reached its nadir in 1904, a saviour appeared on the scene. The British government handpicked their acting consul to report on conditions in Brunei and to make recommendations for the country's future administration. He was Malcolm Stewart Hannibal McArthur (b. 1872 - d. 1934). In view of the fact that he, together with Sultan Hashim, gave a new lease of life to Brunei, it would be useful to say something about his background, who Rajah Charles Brooke treated as some sort of a "new kid on the block."

Unfortunately, very little information is available on McArthur. Unlike many other British colonial officials, whose papers allow us to peep into their life and mindset, no extant collections of "M. S. H. McArthur Papers" have come to light. His voluminous correspondence exists in the British National Archives (formerly Public Record Office), suggesting that he was quite a prolific writer. Only few specialist historians like Nicholas Tarling, D. E. Brown and others have referred to these writings. A. V. M. Horton published an excellent annotated and authoritative edition of *McArthur's Report of 1904*, which is by far the best source to learn about McArthur and his positive vision for Brunei.

McArthur was an Oxford-trained British civil servant who joined the Straits Settlements Service (later Malayan Civil Service) in 1895. Having held important administrative posts in Penang, Selangor and Singapore, he became an acting consul for the British Borneo territories in early 1904. After a brief sojourn in Singapore for a week, he came to Brunei on his reporting mission on 3 May 1904. He had reasons to visit the sultanate on several occasions thereafter. He returned in 1905 in the company of D. G. Campbell, Resident of Negeri Sembilan, to seek Sultan Hashim's agreement to the proposed treaty that followed from his Report. McArthur became the first Resident of Brunei from January 1906 until April 1908. Thereafter, he returned to Malaya to become an Under-Secretary to the Federated Malay States (1916-1919) and Acting British Adviser to Kedah (1919-1922). He retired on 4 October 1922. Horton feels that "his career was by no means unsuccessful, neither was it

outstanding.” But certainly, he achieved what he wanted as far as Brunei was concerned, by convincing his Government to find an honourable solution for the ancient kingdom.

McArthur’s expertise on the country became valuable to the British administration for years to come. His successors reached out to him for his views on knotty problems in handling Brunei affairs. In 1918, he was invited to Brunei to witness the coronation of the young Sultan Muhammad Jamalul Alam. There, the welcome overwhelmed him. Grateful Bruneians did not forget his lasting service to their country. When D. E. Brown visited Kampung Ayer in 1970 as part of his field research for a Cornell University Ph.D., he came across some informants who remembered McArthur very warmly. McArthur’s death occurred on 20 February 1934.

The news of McArthur’s first visit to the Bruneian Sultanate in May 1904 sent shock waves in Sarawak circles. Brunei had been deemed an easy picking for the Sarawak Rajah, which now turned out to be a mirage. His lifetime ambition to own the last remnants of the kingdom was thwarted. He had dreams of becoming the real “white” Sultan of a nation of such antiquity, and to be crowned by equally old monarchic Britain.

Even before McArthur’s Report was released, Brooke had anticipated the outcome. Embittered, he warned London that the new Consul would not be able to prepare a reliable report in less than one or two years whereas in fact, McArthur was expected to finish the task in just three months. Brooke’s message read as follows:

“I don’t wish to imply that Mr McArthur is inexperienced, nor to call into question his abilities, but the Brunei natives and the surrounding of the Sultan are such flatterers and liars that it is as well be guarded when framing a report... Only a knowledge of their character over some years’ experience can enable anyone to know how to deal with them.”

A pretentious Charles Brooke, as always, claimed that he alone knew the character of the Borneans – that included Brunei – and it was he who should be allowed to deal with them. However, McArthur would prove him wrong on most counts. Within the short space of time he spent in the sultanate, the visiting Consul could present an authoritative report that sealed any and all ambitions Charles had towards Brunei. As a matter of fact, McArthur was quite aware of the stereotyped impressions of Brunei among his superiors. More importantly, the British Foreign

Office and the High Commissioner/Governor, Sir John Anderson in Malaya/Singapore, had strongly favoured the Sarawak Option. Nonetheless, McArthur approached the Brunei question without fear or favour. Besides, he had the best credentials of character and judgment – just the kind of perfect British gentleman who followed nothing but instinct and neutrality.

All three previous British Consuls stationed in Labuan, namely N. P. Trevenen (1890-98), A. L. Keyser (1898-1900) and G. Hewett (1900-1904), worked against Brunei's interests while promoting Sarawak's claims. In consequence of the alleged unhealthiness of Brunei Town, the Consuls preferred to reside in Labuan and hence lost touch with popular opinion in the sultanate. Thus, during visits to Brunei on short missions, they spent very little time to empathise with the Sultan or his subjects. To add insult to injury, they were either drunk or brusque, or even discourteous to the Sultan who heartily despised them and by extension, British power.

Compared to them, the new British Consul was a jewel. Like some of his predecessors in the civil service who served in Malaya, including Hugh Low (Resident of Perak from 1877-89), McArthur tried to understand the thinking of the Malays whose etiquette he knew well, besides being able to speak their language fluently. In fact, a contemporary Western observer mistook him for a Malay because of his sallow complexion and when he was seen wearing the native attire. F. N. Butterworth (alias Peter Blundell), former manager of the Brunei cutch factory reminiscing in his book titled *The City of Many Waters*, had this to say about McArthur:

“His knowledge of the Malays... was profound. He loved their company and going to his quarters of an evening, one would usually find some native or other squatting on the verandah, smoking a palm leaf cigarette and talking about Brunei.”

Regarding Brunei, McArthur did not mince his words: “I have been as plain spoken as I can,” was his modest comment. In Brunei, he proceeded with his onerous responsibility with single-mindedness. He brought along with him three Malays from the peninsula who had accompanied him on his earlier mission to Kelantan in the previous year, to help him in interviewing people. They were more acceptable than Europeans to gain the trust and confidence of the locals. It was in the interest of McArthur's mission to keep the objectives in total secrecy,

especially from the residents in the capital. This was because the town folks had become highly apprehensive about their future. Moreover, diplomatic etiquette required a consul to stay away from dabbling in the internal affairs of the State.

One precaution that McArthur took was not to see the White Rajah or defer to his opinion on Brunei. Indeed, Brooke was peeved that the new Consul, unlike his predecessors, did not visit him in Sarawak. C. N. Crisswell, his biographer, remarked that Sir Charles “remained convinced that Mr McArthur was biased against Sarawak.” Horton has questioned this view. There was little need for McArthur to go to any length to find out what the Rajah may or may not have wanted. Nor could he influence an impeccably honest person like McArthur in the same way he might have allegedly bought over the previous Consuls, who did nothing but extol the virtues of Sarawak against Brunei. It seems reasonable for Horton to claim that “the allegations of anti-Sarawak prejudice need not be entertained seriously.” If anything, it was the strict impartiality of McArthur that lends such high credence to the Report.

Although he was given only three months to spend in Brunei, McArthur was forced to extend his stay in Brunei by another three months. A deadly outbreak of smallpox from June to August 1904 had caused many deaths in the capital. Just a day after arriving in Brunei on 3 May 1904, he met Sultan Hashim in his palace, who was very impressed first of all by the warmth and generosity of spirit of the young Consul. McArthur expressed his desire to Sultan Hashim that he was going to make Brunei his headquarters for a few months. His Highness was pleased that a Consul, for the first time, was going to spend more time to make acquaintance with the palace and people. McArthur came across an infirm monarch who had met with a minor accident when the floor of his palace had caved in, hurtling him onto the *nibong* stumps underneath. In fact, after the meeting, the Sultan expressed desire to pay a visit to the quarters of the Consul next time. Their bonding turned out to be a big asset for Brunei. The endearment was so strong that after the signing of the Treaty, it was Sultan Hashim who implored the British Government to appoint the acting consul as the first Resident in Brunei. What a change of events, given that the Sultan had bombarded Whitehall with petitions against most other Consuls who had visited Brunei previously.

Be that as it may, McArthur left no stone unturned during his fact-finding mission. After scouring the small official archives, he toured the State as far as Belait despite the availability of only very poor travel facilities. He met people from all walks of life; the wazirs, the pengirans,

the ampuans, the common people, indigenous communities and recent settlers like the Chinese and all. The true picture of Brunei, hitherto condemned by Brooke as “a blot on civilisation and a canker in the heart of Sarawak” now became very clear to him. He ignored the jaundiced views of the previous consuls who had written so spitefully about Brunei. For instance, about Sultan Hashim himself, G. Hewett had written, “...broken promises, lawless acts and outrages against British subjects, denial of justice or redress, and the protection of wrong doers.” Whether the Sultan deserved the strictures or not, McArthur took a much less unfavourable view of Sultan Hashim, especially in the context of the treacherous politics of the Brooke regime.

Something needs to be said about McArthur’s personal opinion of Sultan Hashim at this juncture. In the first place, he considered Sultan Hashim as a harmless person – proud albeit ignorant. McArthur described the bearing of the old Sultan as “dignified and courteous and sometimes leads one to forget the squalor of his surroundings.” Moreover, McArthur felt he was somewhat weak, trusting and indulging those surrounding him, and “only too willing to evade responsibility and shelve unpleasant questions.” He seemed to have rarely left his palace to hear the views of others and all his knowledge about the outside world came from hearsay. In fact, there was one episode which would have ruined Sultan Hashim’s future had the British taken the matter seriously.

Sultan Hashim, having come to know that a Turkish Consul General had been appointed in Singapore, decided to send a letter through him to Sultan Abdul Hamid II, the Khalifah in Turkey. The letter was dated 27 Safar 1321 AH (equivalent to 15 March 1903). In the letter, Sultan Hashim expressed his willingness to surrender his kingdom to Turkey, because the Islamic religion in Brunei was “being ruined by the *Kafirs* (the unbelievers).” The letter further echoed Sultan Hashim’s angst over the loss of Limbang: “One of your servant’s districts, named Limbang, has even been seized by an unbeliever, one Charles Brooke of Sarawak,” the letter had said. Consul Hewett, who managed to intercept the letter became incensed, particularly by the Sultan’s damaging remarks about the British attitude to Islam in Brunei. The Consul, dismissing the allegations as false and baseless, underlined the fact that in 1902 he assisted in the building of a new mosque in Brunei by obtaining timber from the Sarawak territory, free of cost or duty. The High Commissioner in Malaya/Singapore, Sir Frank Swettenham, refused to be drawn in and wisely chose to ignore the whole matter.

McArthur was aware of the Sultan's misfired attempt, as he was about to leave for Brunei. He too did not take the matter seriously as the letter was written in desperation by a nervous Sultan who had lost hope for Britain's help, and rightly so. Affirming this view, McArthur wrote that: "His (Sultan's) character has so often formed the subject in recent years of the most uncomplimentary reports that I feel bound in common justice to him to point out how much his alleged contumacy and disregard of his Treaty obligations is the result of the unsympathetic ways in which, in my opinion [by the British], he has often been treated."

According to McArthur, the Sultan was at a loss to understand why he could not be accorded a higher status to which ancient sultans of the once powerful State of Brunei might have aspired. However, McArthur did make a tongue-in cheek remark about the Brunei Sultan's alleged megalomaniac aspiration given the desperate situation his country was facing at the time. As McArthur put it nonchalantly, "The Sultan of Turkey's failure to accede to his (Sultan Hashim) request for assistance against the infidels is that his titles are greater than those of the Turkish Sovereign, who is popularly reported to have been amazed at finding he had so mighty a rival in the Far East!" Beyond that, McArthur did not want to make further remarks about the incident.

Notwithstanding, it fell upon the shoulders of the new Consul to investigate many blatant allegations. Who was in the right? Was the Sultan a villain or victim? Malleable or blameworthy? The Consul made up his mind after a thorough investigation. In his Report, he dispelled several misconceptions about the Brunei Sultan, his people and the country. He genuinely turned his attention to find out where the fault was, which had caused such misery in Brunei.

The "evils" in Brunei highlighted by pro-Brooke reporters proved not only to be mere fabrications, but also perversions of truth. For instance, their reports had mentioned the plight of the Belait and Tutong people as if they were in "great misery and want and grave discontent." This was an attempt to discredit Brunei so that the official British conscience could remain clear, should the kingdom be absorbed by the Rajah or the Company. Yet, during his trips to the districts, McArthur discovered no signs of such great poverty. On the contrary, he found that every house seemed to be well furnished; the people had ample food and could even afford small luxuries. This was in contrast with the real poverty prevalent in the provinces ruled by the British North Borneo Company, where people complained bitterly of the oppressive taxation imposed by the Chartered Company. They were full of regrets and as McArthur put it, yearned "for the happy-go-lucky times of Brunei rule."

The Coming of a Saviour

In Brunei Town in particular, where majority of the Malays lived, the people heavily resented the Sarawak Rajah, especially his tactics in terrorising them through the Iban levies. On the contrary, the previous reports had highlighted that the Rajah was popular in Brunei; another canard that McArthur needed to explode. More importantly, he was moved by the intense patriotic sentiments of Bruneians (especially in Kampong Ayer) who loved their monarch and like him, were anxious that the Bruneian Sultanate must be preserved at all cost, and retrieve their country out of the doldrums.

Chapter Five

RECIPE FOR SAVING A “DYING KINGDOM”

McArthur was by no means a yes-man. Himself a son of a general, he possessed the best credentials and the strength of character to speak his own mind. First, he aimed his salvo at his own bosses: “When it is remembered that these evils flourish under nominal British protection, and that it is that protection alone which keeps Brunei in existence as a separate State, it seems obligatory on His Majesty’s government to take some steps to ameliorate them...”

It was a verdict on the failing of his own government for not coming to the aid of Brunei in its time of crisis. The country needed a recipe or formula to relieve “a dying kingdom” (so labelled by Hugh Clifford in *Macmillan’s Magazine*, 1902) instead of pushing it further to the brink of extinction, as many of McArthur’s colleagues would have loved to do.

Brunei, which McArthur visited in 1904, was nearing its end. The people of Brunei, particularly in the capital, seemed to have returned to an era of hunter-gathering. They were experiencing a hand-to-mouth existence, foraging for food in rivers and jungles. The palace people were not better off either. As Consul Hewett had highlighted in 1903, the palace was “face-to-face with beggary”, a far cry from the days in 1521 when Pigafetta found Brunei people drinking from the golden cups. Once considered a *Swarnabhumi*, the Golden Chersonese, Brunei now stood stripped of all its wealth. The concessions, monopolies, cession monies dispensed besides abuses of *tulin* rights by the nobility had caused the evaporation of Brunei’s wealth. There was little to be recovered through taxation.

The ruling class had no way to make anymore money; no more lands to sell or mortgage. All economic activities in the State had come to a standstill. The only thing left was Bruneian pride. The Sultan behaved like the proverbial tiger that will not eat grass to reduce its hunger.

Herculean effort was required to put the country back on track. Before doing so, McArthur systematically dissected the root causes of Brunei’s woes. To begin with, there was little for him to admire in the

country. Many aspects of ailing Brunei came under his scrutiny, ranging from a discussion of the nature of the government to the description of the State's inhabitants. His report followed a logical progression of Brunei's gradual decline. The Report can be roughly divided into two main parts (In fact he had also enclosed another minor report under the title *Notes on a Visit to the Rivers Belait and Tutong* both included in Horton's printed edition). In the first part, from paragraphs 1 to 102, he delineated the problems and prospects for Brunei that needed immediate fixing by outside intervention. In the remaining paragraphs from 103 to 146, he convincingly advocated the solution of reforming the ailing administration of the sultanate – through the inauguration of the Residential System.

McArthur's analysis went far beyond a normal dissection of Brunei's political system. He was probing in depth the political economy of the State. The entry of new elements, introduced by free trade practices under the British, did not stop the rot of Brunei. Thus, he targeted two main groups: the first, the foreign element that was the true beneficiary of trade; the other was the mindless indigenous noble class, perilously unmindful of their own plight or the plight of their countrymen.

First was the Chinese trading community of about 500 living in the State. Most Chinese traders were registered as British subjects in Labuan. McArthur admitted that their numbers would hardly justify a separate mention in his Report "if it were not for the fact that almost all the trade and practically all the revenues of the country are in their hands, and will be apparently, for years to come." He exhibited little sympathy with their methods, "though they seem unimpeachable from a business point of view." They were able to make profits out of the incompetence and extravagance of Brunei's titular rulers, and were very much content with the status quo and thus, averse to any change of government in Brunei. Nevertheless, there were attempts to use the grievances of a few mistreated Chinese traders as *casus belli* for a Sarawak takeover of Brunei. It was not uncommon for the British Consuls to bring gunboats aiming at the palace, to require compliance from the Sultan to return the alleged loans owed to this or that trader. A recently discovered document of 1846, found amongst the East India Company records kept in the Indian National Archives in New Delhi, reveals that the British were urged to invade Brunei because the then Sultan – Omar Ali Saifuddin II – had defaulted on a minor payment to an Eurasian couple!

McArthur loathed punishing the Sultan and his people collectively based on such trivial charges. On the contrary, he urged London not to take the Chinese traders' grouses too seriously, because in his view it was

they who stood to benefit the most by amassing wealth, and willingly taking risks in an unsettled country. The rulers virtually had come to depend on these foreign traders who acted as mini-bankers, like the Indian *Chettiyars* in British Burma. As money lenders, the Chinese *Towkays* obtained mortgages on the revenues of Brunei for many years ahead. For example, in exchange for small cash advances, the rulers granted them rights to collect a certain amount of revenue such as import duty on products that reached Brunei. At the beginning of 1906 most of Brunei's revenues were in the hands of such monopolists, who had rights to collect them by payments of advance cash to the Sultan. Besides the monopoly of trading in certain goods, they exercised the right to charge duty on imports and exports with no limit set for the amount to be levied. The original monopolists sublet it to others and got a fixed income without incurring any administration costs. As a result of the letting and subletting, retail prices ballooned in Brunei. Many goods sold in the Sultanate not only were of inferior quality but also as McArthur observed, "cost more than double of what better kinds would fetch in Singapore." Two Chinese traders, namely Chua Cheng Hee and Cheok Yu, were two of the well-known monopoly traders who enjoyed an additional privilege of importing their own goods free of tax. The latter came up the hard way and earned a good name in the community as a philanthropist. Peter Blundell devoted few pages of his book *City of Many Waters* to document the rise of this enterprising Chinese, referred to also as Si Hock, who once owned prime property in Brunei Town.

Despite their privileged situation, the Chinese approached the British authorities to make complaints against the ruler himself. The Sultan alone was not responsible for the debts owed to the traders, but was made to pay for the loans taken by his royal followers as well. In McArthur's mind, Sultan Hashim was not the villain but rather a victim accused of trumped up charges of misrule on this account – among other things – for his inaction to compensate the losses of the traders. Previous consuls had exaggerated such occasional losses. McArthur became more circumspect in this regard. While admiring the Chinese for their thrift and industry, he referred to them as aliens and not the real inhabitants of the country. To him, Chinese cupidity was responsible for much of the poverty in the country since they had bought up, at very little cost, all the revenues of the sultanate for many years to come, causing the economic slump in Brunei. Unable to cope with the high cost of living, Bruneians migrated in droves to neighbouring lands in search of livelihood and employment. The establishment of the catch factory in 1900-1901

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brought some relief to the unemployed Kampung Ayer folks and did curb the exodus to some extent. McArthur's remarks were bad enough but little did he realise that his Government would later one day (in the 1950s), during the run up to Brunei's first written Constitution and framing of the nationality laws, abandon their obligation even to the genuine Chinese settlers in the Sultanate.

The Consul's harshest words, however, were reserved for the recalcitrant noble class of Brunei who were "incorrigibly idle and constitutionally dishonest", as McArthur put it. Like the nobility in medieval Europe, many led an indolent life while their alleged rapine and cruelty were attributed to and affected the already battered image of the Sultan. The latter was helpless because of the country's curious traditional constitution that rendered him powerless, as his status was nothing but a *primus inter pares* – first amongst equals. It must be noted that Sultan Hashim once complained that his authority did not even extend beyond the Brunei River, around which his palace was situated. McArthur pointed his finger at the nobility as the most dangerous and discontented among the population, some of whom lived off the earnings of Kedayans and Bisayas (described by him as industrious indigenous people). His comments were particularly harsh on the chief minister of the State, Pengiran Bendahara Pengiran Anak Besar (1829-1917?), who according to McArthur was an alleged "Sarawak hireling" and "greedy, unscrupulous and cruel." However, his comments must be taken with a pinch of salt. There was no love lost between the young Consul and the old Pengiran Bendahara who had been a thorn in the flesh of Sultan Hashim, whom McArthur supported. According to McArthur, during his visit to Brunei the Pengiran Bendahara rarely came forward to meet him. Pengiran Bendahara feigned illness whenever McArthur wanted to see him for an interview. An irritated McArthur, however, could not help but comment on the Islamic fervour of the Bendahahra who regularly attended the compulsory Friday congregational prayers in the Jumma Mosque in the Town. Furthermore, the evasive Pengiran Bendahara, gave a hard time until last to McArthur and his successors by non-cooperation with the British administration. The Pengiran even fomented protests against the Resident's rule in Brunei for and on behalf of his erstwhile friend, Charles Brooke. Not surprisingly, McArthur's counsel was to curtail the privileges of the pengirans while bolstering the authority of the Sultan as the supreme Ruler. But it was easier said than done.

Despite this wishful thinking, neither McArthur nor his successors were ever able to do away with the roles of the wazirs in the traditional

administration of the kingdom, as long as monarchic rule lasted. This became very clear later during the Brunei-British negotiations in the 1950s, when the British authorities tried to do away with the participation of the wazirs in the State Council. Sultan Omar Ali Saifuddin III opposed all such moves that would have undermined not only his authority in the State, but also the very tenets of a neo-traditional government which he was trying to formulate.

McArthur, however, was not averse to the commoner Malays. More importantly, he demolished the myth of lazy Malays often highlighted in British accounts; one which he read lampooned the case of a Brunei Malay who cut down a coconut tree to get a coconut. He contradicted the ludicrous story as to how much labour this would have cost that poor Malay. He found, on the other hand, that Brunei Malays were willing to work hard given the right atmosphere, as “in the face of the work which they cheerfully perform day and night shifts in the cutch factory and in their daily avocations such as sea fishing.”

Other groups discussed briefly in the report were the Kedayans, Bisayas and Muruts. McArthur was concerned that these groups, especially the Bisayas, were looking forward to a Sarawak merger – anathema to him. Their ignorance of other forms of government was the principal reason as to why they rated Brooke rule so highly. Something needed to be done to convince them and the higher authorities in Britain to provide an alternative to Sarawak rule. It was up to McArthur to turn around the argument of people like Brooke, Hewett and others, who persisted in saying that Brunei would submit only to Sarawak rule. McArthur, in fact, was flabbergasted by the intense opposition and dislike of the Rajah by most Bruneians, particularly the indigenous Malays. A criminal usurper of their lands, he was resented by them for his high-handed attitude. Of course, if the Rajah really had wished to act firmly, going by past examples, there was nothing Brunei could have done to stop him. Perhaps the British Foreign Office would have looked the other way conveniently, as they did during the takeover of Limbang by Sarawak.

Under the circumstances, McArthur reiterated the fact that the British Government had a clear obligation to act decisively, one way or the other. If not, he knew that this would “only postpone for a short time the final loss of Brunei independence and in the meantime to increase the suffering of the inhabitants of the State, while encouraging the squandering of all its resources.”

The alternative was to hand Brunei over to the White Rajah, who was personally despotic. The British North Borneo Company was

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nothing but a white elephant. A British Consul on the spot, who had no means of enforcing his advice, would quickly lose prestige not only for himself but also for the British Government.

The best option, therefore, in McArthur's view was to introduce a British Residency system. Sultan Hashim himself seemed to have given the green light for him to go ahead with the recommendation. As McArthur wrote:

"As far as I am able to ascertain, His Highness is most unwilling to part with his remaining territory, but I gather from hints which he dropped from time to time that he would not be averse to a large measure of British protection so long as he was left nominally in supreme control."

McArthur, therefore, firmly concluded that "if any action is to be taken with regard to the future of Brunei, the choice must lie between absorption by Sarawak and British protection somewhat on lines of that which has proved so successful in the Federated Malay States." He went on to argue for the latter course.

Despite the imperative of eroding into the traditional powers of the monarch, the Sultan's willingness to accept British overlordship (in the form of the Residency system and direct protection) was by far the "less obnoxious" choice for Bruneians than to lose their Sultan and their *Jati Diri*, the much touted Bruneian identity. McArthur was altruistic enough to admit that such an arrangement would "bring maximum of justice to the oppressed with the minimum of interference with rights and susceptibilities of those in power." Never before had a British officer been so forthright in his opinion. The British Government finally listened to the good counsel coming from their farsighted Consul. The Brunei Sultanate was about to bounce back with a new spirit.

Chapter Six

UNLOADING A WHITE MAN'S "BURDEN"

McArthur did paint a bleak picture of Brunei in 1904. If the real objective of the Consul's mission was to recommend administrative reforms in a failing sultanate, this was to be anticipated. Many of his predecessors had sung in chorus the ills of a decrepit state, with an eye for its absorption by Sarawak. Portrayal by them of the characteristics of Brunei State and its government were invariably biased, inconsistent and of doubtful veracity.

As early as 1854, the British elements had highlighted the political weakness of the country in saying that "Brunei is in a state of anarchy and the Sultan too mixed up with trading affairs and piracy to care for administration of justice or the welfare of the country." Similarly, such a less than sanguine description was followed up almost twenty years later in the *Sarawak Gazette* as "[T]he picture that has been presented to us is of an aged prince devoted to the unscrupulous pursuit of wealth..."

Such negative Western observations about local societies certainly were not off the mark. But it must not be forgotten that the colonial methods in the East in amassing wealth for their mother countries by dominating the local sultanates for political purposes exacerbated the weakness of the indigenous societies. If the Eastern Rulers ventured into challenging Western methods of domination, their wings were clipped. The foreign traders patronised by their respective imperial governments reaped the benefits from the weakness in the indigenous systems.

At any rate, Western bureaucratized systems were comparatively superior to the personalised and hierarchy based institutions in the Malay world as highlighted by Heather Sutherland, who cited the case from the Malayan State of Trengganu which was "unable to mobilise the necessary popular commitment, [an] administration fragmented, personal and cumbersome, while the established custom limited the demands [that] a chief could make."

Despite Brunei's claim to imperial greatness during the medieval reigns of the legendary rulers like Bolkiah, the 5th Sultan and Hassan, the 9th Sultan, no great names occur thereafter – say for example, as in a

monarchic country like Thailand. Thai monarchs such as King Mongkut (1804-1868) and King Chulalongkorn (1850-1910) were powerful and farsighted leaders, who not only pursued an astute foreign policy of adapting to the changing world, but also laid the basis for domestic reforms to preserve and ensure Thailand's cherished independence in the face of a colonial blitz. Brunei was indeed nowhere near to stand comparison with a country like Thailand. Nor had the Bruneian Sultanate produced strong intelligent monarchs in asserting their theoretical supremacy in its long history. Their power had been progressively declining in relation to the rising importance of the district chiefs.

Sultan Hashim's reign symbolised the flaws of Brunei in its most glaring form. His authority became so brittle that he possessed by his own admission insufficient power to compel obedience to his orders – beyond his immediate surroundings. Though respected for his leadership and for the title, the Sultan had virtually lost all command although he still was the sovereign ruler. So, how did he survive for so long? If not for the White Rajah's appearance in the scene, he could have still gone on and the Brunei system of government would have looked after itself, despite the inherent weakness at the top. This was the context in which McArthur's Report could be better assessed.

McArthur, in comparison to his immediate predecessors, was not virulently anti-Brunei, although he mumbled that it was a pity that Brunei "was not finally disposed of years ago." Like others before him, he commented judgmentally, albeit disparagingly, on the government, its revenue methods and more importantly, of its shaky judicial system. No outside observer in his shoes could have ignored the structural weakness in the Brunei government.

Brunei "had no government in the usual sense of the term – only ownership" as McArthur put it, "...No salaried officials, no police, no coinage, no roads, no public works (except a wooden mosque) and only the 'semblance' of a judicature." In reality, Brunei was but a collection of small and semi-independent fiefdoms acknowledging one head of state, much akin to the primitive feudal system practiced in medieval Europe.

The Sultan and his pengirans held all the land and people lived on it divided under three forms of tenure: *kerajaan* (crown lands), *kuripan* (lands held by the wazirs as appanages) and *tulin* (private hereditary domains). Although the system looked simple, it was difficult to differentiate the results of ownership and the revenues which would accrue to the government in a properly governed country. Therefore, "to talk of a government seems ridiculous" was his verdict where the privileged class

was competing “for cash advances from foreign governments (i.e. Sarawak and North Borneo) or private speculators, seizing all they dare from their luckless subjects, and valuing their position solely as a means of self indulgence and extravagance.”

There was no state treasury; everything earned went into the pockets of those in command. Peter Blundell, in his book *City of Many Waters*, relates an interesting story as to how Sultan Hashim, seated on the open verandah of his *Istana*, focused his binoculars (received as gift from the cutch factory manager) on the trading vessels entering the mouth of the Brunei River. The officials, such as the harbour master, Pengiran Shahbandar and others, were known to have been expropriating the tolls and taxes for themselves instead of paying the dues to the Sultan.

McArthur, being a Westerner, seemed to have had no patience to appreciate the plight of a Malay government in crisis and hence his tirade on such a loose government in Brunei. He must have taken into account the conditions in Brunei, which unlike Malaya, was yet to be transformed and properly managed like other Malayan States under British tutelage. In other words, what he witnessed in Brunei was a government in its raw – and putrid – form.

Early British intervention had already begun to produce the undesirable results. Evidence suggests, for instance, that the original Protectorate Treaty of 1888 not only deprived the Sultan of his prerogatives in external affairs, but also restricted his freedom of action in certain internal matters as well. Even on such petty issues, the Sultan was made answerable to the British Consuls. For instance, the visiting Consul was expected to investigate an alleged complaint of a foreign man, a confidential clerk to Sultan Hashim, about the non-payment of his three month contract pay. It turned out to be that the man, a Ceylonese (Sri Lankan) Sinhalese, was sheltered in the house of a Bengali man expecting the appointment. The foreigner had access to a British official and the audacity to lodge a false complaint against the head of the state – and the complaint was investigated duly by the Consul!

It would be of interest to note the fact that McArthur, in fact unashamedly acknowledged that things were alright in Brunei whenever the British Consuls personally visited the Sultanate. The Chinese Traders in particular wished that the Consular visits could take place more often so that their interests would be safeguarded. They informed McArthur, for instance, that during his stay everything went smoothly in Brunei because the Sultan and his people were afraid to misbehave when there was a Consul on the spot to watch them. Edmund Roberts, the cutch

factory manager too affirmed this opinion to McArthur. So, in effect, although Britain had no formal suzerainty over Brunei before 1906, the Sultan's authority remained stymied even under a Consular system that had no political authority. The only statutory power which Consuls enjoyed, however, under the 1847 Treaty, was to be present at trials of the British subjects before the Sultan.

Another major criticism by McArthur towards Brunei was its sagging judicial system. Traditionally, Brunei followed the *Hukum Shari'a* (the Islamic law based on the Qur'an) and Hadith (the Prophet Muhammad's sayings and examples), together with *Hukum Kanun* (the customary law). A Spanish document (published as the *Boxer Codex*) of 1599 CE lays out neatly an elaborate and complex blueprint of Brunei's justice system, presided over by the Sultan. To some extent, the system resembled the practice followed during feudalised medieval Europe that catered to the needs of a hierarchically based society. In McArthur's time, the British justice system had evolved to emphasise equality and equanimity before law.

In contrast, Brunei's system not only had deteriorated, but seemed to have reverted to rudiments to say the least. Cases were heard and tried occasionally before the Sultan or Pengiran Bendahara. But appearance by the public before these courts were prohibitively expensive affairs, for the fees had to be paid – not so much for a hearing as for a verdict in the Bendahara's court. And as a rule ordinary folks preferred the cases to be settled by a system of arbitration among the recognised, if unauthorised Headmen of *kampung* (villages).

What irked McArthur most was the fact that the Sultan would not punish culprits – from murderers (if only a handful of cases) to petty thieves – in his kingdom. He faulted the Sultan for being too “weak and too prone to treat offenders, even against his own laws, leniently.” The Sultan, however, was not totally blameworthy. If he overdid his role, the chiefs as powerful as him would be alienated from him. In other instances when he made his best effort to perform his duty, he was held back ironically by the British over lordship that restrained him from pursuing miscreants in his kingdom.

In some cases the culprits fled from Brunei to neighbouring Sarawak, in order to escape punishment from Brunei justice. They boldly returned to Brunei flying the Sarawak flag. If action was taken against them, there remained the possibility that the Rajah might retaliate violently. For example, a Brunei Malay named Si Radin had run into a debt of about \$177 to Teoh Ah Gau, a most respected Chinese trader in

Brunei. He held the title of Pehin Bendahari and a seat in the Sultan's Council. Only a part of the loan was recovered by the Sultan's initiative by selling a set of brass gongs valued at \$60, left behind by Si Radin. When pressed further, he fled to Limbang and returned with the Sarawak flag. McArthur highlighted the details of this incident about the Sultan's failure to punish the wrongdoers in the kingdom, which was but an admission by the visiting Consul about the dilemma faced by a hapless Sultan. At any rate, it cannot be denied that the Sultan scarcely wished to cross swords or sit on judgment with his own kin and the privileged pengirans for their wrong doings for fear of being politically alienated, much to the annoyance of the self-righteous visiting Consuls. Moreover, by "the constitution and custom of Brunei", the Sultan could not interfere in other peoples domains, another fact underscored in the McArthur Report.

On the other hand, McArthur was surprised to find that Brunei was free of most crimes. He was impressed by the fact that "... [T]he offence against person and property are not more frequent, when it is remembered that there is no police system, and that the public peace is allowed to look after itself." This was the crux of the Brunei justice system, attributable to the checks and balances that prevented people from committing blatant crimes. Brunei people by nature were law abiding. In serious cases, D. E. Brown referred to two alternatives available to the Sultans for punishment of crimes. They could encourage a segment of the population to take up arms on his behalf, or he could give a permit to an aggrieved party which allowed that party to seek its own retribution. For worse crimes, the sultanate had practised trial by ordeal, as detailed in the 16th century Spanish account (in the *Boxer Codex*). It is not out of place to mention that Bruneians were known for their good behaviour during the Residential era, and there was no reason why they should have behaved differently before that era. In 1913, no crime was reported in town. At most, cattle rustling in Tutong district produced some problems. As late as the 1930s, W. M. Johnson, a member of the Brunei Malayan Petroleum Company staff (in a 1984 letter to author Horton), appreciated the fact that he never lost anything, even after leaving large sums of money about when he went out to the oil fields – and so were his friends.

Returning to McArthur's condemnation of the Sultan's government, it deserves some rebuttal. Elsewhere, I have argued in my book *Sultan Omar Ali Saifuddien III and Britain: The Making of Brunei Darussalam* that Brunei did have government in a form that was not

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peculiar to it. In the Malay States in general, government was conducted more on a personal basis than in a bureaucratic style. In the words of Heather Sutherland, a modern scholar of the Malay States, "authority was not specific, functional and institutionalised, but personal and generalised." Such government was different from that found in the West. R. H. Hickling, then the Acting Attorney General of Sarawak who came to Brunei on a fact-finding mission in 1954 (prior to the drafting of the first written Brunei Constitution), contested the views of some of his predecessors.

He pointed out that not only was the government in Brunei based on customary law, but it also had its own (unwritten) constitution. To illustrate, Hickling quoted extensively from a letter written by Sultan Abdul Mumin (r. 1852-1885) in which the Sultan described key features of the Brunei "Constitution" and said, "Since we became Sultan this long time we have followed the ancient custom of former Sultans. After our death our successor must follow these customs, in order that no complications may arise in the country."

McArthur was a by-product of the British imperial power at its zenith when writing the Report, just six years after the humiliation of the French at Fashoda and seven years after Queen Victoria celebrated her Diamond Jubilee. No wonder McArthur shared the prejudices of his time and class; for example, detesting all non-British methods of administration. In this respect, he was no different from the White Rajahs of Sarawak who claimed that they came to civilise Brunei. So, by recommending a Residency System, did McArthur intend to unload one of those white man's "burdens" – Brunei?

Chapter Seven

A “DO-NOTHING” IMPERIAL POWER

Pangs of conscience over the failure to protect Brunei under the 1888 Treaty hung over the British officials operating closer at home (i.e. in Malayan establishments compared to those based in the metropolis of London). The Whitehall policymakers had exhibited injurious ignorance about the geography of the Bruneian Sultanate and consequently were led into making harmful decisions about its territorial boundaries. For instance, the British allowed the Brooke State to acquire Trusan (1884-1885), as they thought that it extended the Sarawak frontier from Baram to Brunei Town, instead of realising that Sarawak rule was being established on the other side of Brunei. Unavailability of a proper map of Brunei for the policymakers to make their decisions made it worse for Brunei. Even as late as 1956, an officer at the Colonial Office (identified by initials as E. D. only, in the minutes) who was asked to comment on the feasibility of building an air-conditioned 175 bed hospital in Kuala Belait for the oil workers, scoffed at the proposal saying that it was absurd to provide such amenities to people who were used to desert life. He was under the impression that Brunei was an oil-rich Sheikdom situated in the Middle East!

McArthur specifically referred to this lack of geographical knowledge in London that impacted the history of Brunei significantly. It was one of the reasons why Whitehall was hoodwinked by Brooke to approve his unjust annexation of Limbang, that bisected Brunei into two enclaves with no land links. Apart from that, deep inside Brunei, Brooke obtained land rights in Muara Damit (which he named Brooketon), ostensibly to develop a colliery (coal mines) around the mouth of the Brunei River where he set up his own civil and legal administration. He also owned 3,500 acres of prime land in Kota Batu, the seat of the ancient capital in Brunei. It needs to be pointed out that only in 1914 was the first map of Brunei State drawn up by a survey ship (H. M. S. *Merlin*) as map sketches, depicting parts of British North Borneo or Sarawak that proved incorrect. Thus, the Temburong valley was depicted to be larger

than imagined, while the Limbang and Trusan districts were rendered much smaller!

It was a British official in Malaya, Sir John Anderson (the High Commissioner who signed the Supplementary Treaty on behalf of his government), who echoed McArthur's opinion by admitting, "[Brunei] ...a country which has certainly not derived any benefit in the past from its position under British protection, and indeed, suffered, because of its position and its regard for British protection has rendered it easy for its neighbours to encroach on its territories with serious results to its resources and revenues."

Even before the introduction of the Residency System, the urgency remained for people like McArthur as a means of easing the imperial burden "to right the wrongs" done to Brunei. The first wrong was the takeover of the Brunei-owned Labuan Island by Britain in 1847. The second was their tacit approval for Charles Brooke's unilateral annexation of Limbang.

In regards to the first issue, McArthur proposed to release the island of Labuan from the clutches of the bungling British North Borneo Company and join it with Brunei – with a view to be administered by the Crown. The British Government accepted his recommendation in regard to Labuan which came under Crown administration in 1905-1906. Labuan and Brunei were tied together under one administration until 1921. Until that year, the Brunei Residents had their seat of administration in the island but it was not returned to Brunei as originally proposed. Again in the 1950s, Sir Anthony Abell, the Governor of Sarawak cum High Commissioner for Brunei, had urged the British Government to restore it to Brunei in the hope of seeking the Sultan's compliance for the setting up of a British-Borneo Federation, as well as for promoting the Brunei Constitution. But it never materialised. Even today, Labuan Island remains as part of the Malaysian Federal Territory.

THE PROBLEM OF LIMBANG

Limbang emerged as the intractable problem. Sultan Hashim had made repeated appeals to the British Foreign Office to help him recover the life-giving district and the river, but his requests fell on deaf ears. As a matter of fact, this issue overshadowed the Sultan's entire reign. Following the loss of Limbang, his position as Sultan was but only in name. British protection meant little to him. He expected the Rajah to be evicted from

the territory and until then, the Sultan remained adamant to conduct any other business with the British. In fact, as Horton mentions, the Sultan's "monomania" was represented by the British Consuls as a sign of his senility. However, several British officials at the time implored their Government to reinstate Limbang to Brunei. On 13 February 1906, McArthur wrote to the Colonial Office in detail about the importance of the district to Brunei. He outlined the circumstances of its 1890 annexation by the Rajah and how it contributed to the rapid decline of the Sultanate thereafter. What bothered McArthur most was the Rajah's lie to the Foreign Office that the occupation of Limbang had conferred a benefit on the population of Brunei. McArthur, in describing Brunei Town as "built on what may fairly be termed a delta at the mouth of the Limbang river" highlighted the actual situation. As a result of the annexation, the 12,000 odd population living in Brunei's capital had been suffering, due to not being able to access resources from Limbang as they had done for generations before.

McArthur's report carried a comprehensive discussion on Limbang. For, the Limbang River was the true river of Brunei, described as "the river of life" in his Report. In contrast, the so called Brunei River which had no *ulu* was merely an arm of the sea – salted throughout its length. The large fertile Limbang had served the Kampong Ayer folk in their forays for food, clothing and materials for housing and fishing. Moreover, since its annexation, Brunei had lost vital revenue. The petty traders, such as the collectors of jungle produce, lost their means of livelihood. Above all, Bruneians felt bitterly about the loss of their "soul" in Limbang.

"I cannot help thinking," as McArthur admitted, "that had the intimate connection of Brunei and Limbang been more fully appreciated in the past, the acquiescence of the British Government in the Rajah's seizure of the latter river would have been given with greater hesitation." At any rate, he was cognisant of the fact that the full recovery of the district was out of the question – because of the Rajah's stubbornness. In January 1905, Sir Frank Swettenham, the outgoing High Commissioner in Singapore-Malaya, reiterated McArthur's opinion that it would be "a great advantage to Brunei, if Limbang could be restored to Brunei, paying the Rajah of Sarawak whatever (if anything) he can fairly claim." In fact, the Colonial Secretary hinted of returning Limbang to Brunei by his instruction to the Consul to bear in mind the possibility during negotiation for the 1905-1906 Treaty.

McArthur himself strongly suggested that something needed to be done to reattach Limbang to Brunei, in order for the kingdom to

function as a viable State in the future. His wishful thinking bore no fruit; first, because Brunei did not have funds to compensate the Rajah and second, because Limbang had become an issue of his prestige, something he would not let go easily without a struggle. So the matter was laid to rest there. Many complications arose, however, due to the porous border between Brunei and Limbang. It appears that the Rajah wanted it that way, expecting it to be the last launching pad to absorb the rest of Brunei. In the end, it was the people living in the border areas who suffered the most as they could not move freely between the territories. Under the circumstances, McArthur proposed to form a contiguous territory for Brunei with Limbang that would also satisfy the Rajah's needs for undisturbed possession.

Defining the Limbang boundary turned out to be a nightmare. Even today, it remains an unresolved issue between Brunei and Malaysia. It continued to be a bone of contention and a source of much friction, given the fact that the district was never ceded by Brunei voluntarily. For Brunei, the contour of the country is such that the watershed of Limbang comprised almost all the land between its banks and those of Brunei. McArthur's solution was to make the Limbang River itself form the boundary between (West) Brunei and Sarawak, from its mouth up to the Madalam confluence. By this arrangement, once and for all the disputed ownership of land between Brunei and Limbang and the island of Berembang (returned to Brunei in the 1920s) could be solved. Control of upper Limbang would have given Brunei a means of communication between Belait, Tutong and Temburong. In 1906, R. E. Stubbs from the Colonial Office urged the formation of a joint Sarawak-Brunei Commission to define the borders. The Rajah did not agree to this either.

Brooke's intention to own the remaining rump of Brunei by having a foothold inside its heartland did not work out, as McArthur checkmated him successfully. The Rajah's ownership of Muara Damit had deprived the cash-starved Sultan of all export and import revenues from goods passed through Muara port. Also, the goods that landed in Brooketon were distributed in the Brunei countryside without any taxes paid to the Sultan's government. Similarly, the export of buffaloes from Brunei to Sarawak from this port was also carried out without payment of the usual duty of one dollar per head. These were some of the Rajah's illegal actions condemned by McArthur. He also objected to the stationing of the Sarawak police force and a Sarawak magistrate in Muara Damit. Sir John Anderson was also critical of the situation created by his government's implied recognition of the Rajah's revenue rights in Muara Damit – this became extremely anomalous and made life difficult for the Sultan.

Another sordid problem arose due to the gambling farm set up by Brooke in Muara. The naive Malay folks flocked there in the hope of earning easy money, with many of them ending up as losers and becoming debtors. McArthur opposed this venture vehemently on more than moral grounds. Although he did not win at the time, his opposition bore fruit in 1924 when Rajah Vyner Brooke, successor of Rajah Charles, agreed to abandon the sinful venture. Otherwise, Muara could have assumed the status as a gambling haven – just as Kuala Lurah has become nowadays a notorious drinking haven for Brunei tipplers! Not unexpectedly, Muara generated crimes and civil disputes arising from the immoral gambling activities. A population of only 6.6% in the district accounted for 55.37% of civil cases and 16.14% of criminal cases in 1912.

McArthur strongly resisted a proposal to hand over Temburong to Sarawak, in exchange for surrendering its rights to Muara. Temburong was the only district that did not have *tulin* property (except in Labu), and the incoming administration could manage it without any encumbrances owing to complicated and bogus land rights put forward by fraudulent claimants.

Interestingly, if another suggestion of the British Colonial Office had gone through at the time (1897-1898), Belait and Tutong would have been exchanged for Limbang with Sarawak in order for Brunei to keep its territories in one piece. Had this happened, needless to say, Brunei would be much poorer today sitting over some sparsely populated green hectares of Limbang – instead of reaping the rich benefits of black gold!

In so far as introducing the Residency System to Brunei was concerned, the British authorities apparently applied firm policy. But they did not do so when it impinged upon Brooke's illegal dealings with the Bruneian Sultanate. As the Rajah was very old at the time, perhaps it was thought better "to let the sleeping dog lie." Sagacious McArthur – for fear of rousing his wrath – did not want to clash with Charles Brooke, in order to conserve resources that would facilitate the new British administration in Brunei. For the sake of convenience, the British government had adopted a "do nothing" and "let it develop" attitude, because they had no answer to Brooke's politics. It may be of interest to note that McArthur's report itself would have been shelved if the Colonial Office had listened to one of its own officials, G. V. Fiddes, who minuted in 1905 as follows:

"Imperial interests seem perfectly safe in any event. ...on the merits of the case. The squalid politics of Brunei do not excite enthusiasm and I should have no hesitation in voting...[to] do nothing."

The Colonial Office chose to ignore the minute, but many a time such advice had been given and adhered to. In fact, later in the 1950s, the same "do nothing" attitude by London's Whitehall contributed to many unforeseen hindrances during the drafting of the Brunei Constitution eventually stunting the growth of representative institutions, perhaps half-heartedly advocated by the so called British democrats.

Brunei needed more than the restructuring of its institutions à la the West. True, British intervention saved Brunei from extinction. Yet, a sincere commitment on the part of the British government in recovering Brunei's lost lands (owing to treachery and wheelings-and-dealings by one its own agents) would have added much benefit to the country and its people. Some key British officials believed, perhaps rightly, that the Sarawak Rajah had not abandoned his ambition to own Brunei ultimately, by resorting to strong arm tactics as he had always done. But McArthur was not the one to be ruffled by him. He sealed the Rajah's fate as far as Brunei was concerned. Yet, Brunei was not fortunate enough to win back Limbang and Labuan.

FROM PENURY TO PLENTY

Brunei entered the 20th century wrapped in gloom and penury; hence the British Government's initial lackadaisical approach to aid its revival. Their consuls, especially N. P. Trevenen (1890-1898), had devalued the country's potential – viewing it as unredeemable. It was McArthur, on the other hand, who succeeded in convincing his superiors that Brunei was an economically viable state. Little did he envisage that his own government would one day come to depend on Brunei's petrodollars in the 1960s and 1970s, to prop up the value of the British pound sterling!

As a rule, British colonial policy eschewed incurring their own expenditure in administering her colonies and thereby costing British taxpayers money. Only local resources were to be tapped wherever possible, to manage for their own good and for the administration of territories they ruled. Unlike active colonial intervention as was carried out in India, Burma and Sri Lanka, the Malay Sultanates were subjected to indirect rule – saving Britain from too many fiscal commitments. In Brunei, McArthur anticipated some initial expenses, if protection was to be established.

A minimum sum of \$200,000 had to be borrowed initially from the Federated Malay States to pay off Brunei's debts, including dues owed to foreign moneylenders. The country's only earnings came from the sale

of opium and spirits, import duty on tobacco, and kerosene and matches – totalling a sum of \$12,000 (including minor receipts from mines, posts and poll tax).

McArthur seemed to have had a prophetic mission in salvaging Brunei. His optimism for Brunei and Bruneians paid off handsomely within a few years of introducing British administration. It is important to quote verbatim the last words of his report:

“...it does not seem unreasonable to suppose that with a large and on the whole peaceably inclined population, a substantial volume of trade, a fertile soil, and natural and mineral sources hitherto hardly tapped, its future would ultimately be one of prosperity were present abuses abolished. Whether duty of expediency demands that the task of reformation should be undertaken by His Majesty’s Government it is not for me to decide.”

Ironically, some of Brunei’s hopes were pinned on alleged deposits of gold, diamonds, and antimony, which never materialised – but black gold (petroleum oil) did. Consul Hewett, who was recalled to London in 1904, was the first to report on the discovery of oil in Brunei. It cannot be asserted with any certainty whether or not McArthur wanted to position the British in Brunei for its potential as an oil-rich country; on hindsight one may suggest so. If so, did he and Brooke play a cat-and-mouse game to exploit Brunei oil? Were they simply precursors to the modern-day scenarios we witness today; where powerful countries pledge their protection to weak states, when in actual fact they are simply trying to lay their hands on oil resources?

At any rate, McArthur saw to it that Britain had less reason to worry about the financial future of Brunei. All that was needed was the initial capital to rebuild the sultanate until it became self-supporting – and even that did not necessarily need to come from British coffers.

In 1907, state revenue was equal to a mere \$43,539 (Straits Dollars fixed at 2s 4d). Therefore, the money for start-up costs was borrowed at ten times the amount from the Federated Malay States between 1906 and 1911, reaching a final total of about \$439,750. Thanks to this loan, Brunei’s existing debts could be redeemed, giving it breathing space to formulate a more stable and prudent fiscal policy to rejuvenate the kingdom. This cycle would be reversed and it is of interest to note that in the 1950s, it was Malaya’s turn to borrow from Brunei. There were two loans from Brunei to Malaya; first, a sum of \$40 million, followed by another \$100 million. Thus, McArthur’s faith in Brunei was vindicated when the oil resources launched the sultanate from penury into becoming a land of plenty.

Chapter Eight

COOPERATING WITH THE INEVITABLE

Sultan Hashim Jalilul Alam signed the 1905-1906 Supplementary Treaty in the nick of time. His country and dynasty was in danger of being decimated. When he was still young, he had missed his chance to become the ruler in 1852, though he was son of the deceased Sultan. Instead, Sultan Abdul Mumin ascended the throne. Since 1884, when Sultan Mumin was ailing and his death imminent, Temenggung Hashim nervously awaited his turn to become the next Sultan. Luckily for him, a strong claimant to the throne (the then Pengiran Pemancha) had also died, and this cleared the last hurdle for the aging Hashim to succeed to the Brunei throne. The other contender, the Pengiran Bendahara, Pengiran Anak Besar lost in the race. Aware of court politics, Temenggung Hashim did not mind courting even the “devil” at the time to ascend the throne; he had, of all people, Charles Brooke to countenance his right to become the next Brunei monarch. Previously, it may be recalled, that when James Brooke intervened in 1845-1846 on behalf of the then claimant to the throne, Pengiran Muda Hashim, it ended up in calamity. But Sultan Hashim proved cleverer in outwitting his rivals who could do nothing but conspire behind his back.

As a Sultan, His Highness Hashim must have had suffered heavy mental stress and guilt. Isolated and beleaguered, he rarely received the support of his principal ministers, especially the Pengiran Bendahara, Pengiran Anak Besar, Pengiran Di-Gadong Pengiran Matassan (d. 1899) and the Pengiran Pemancha Pengiran Muhd Salleh (d. 1912). Sultan Hashim was definitely implicated in the killing of the first two Pengirans’ father during the factional fighting of 1845-1846. At the end of Hashim’s reign, he could hardly trust anyone in the kingdom. This called for McArthur to comment:

“He (Sultan Hashim) is surrounded by greedy descendants and unscrupulous parasites and depends on them for the advice which ought to be given by his Ministers...for, though he bears his reputation for lenity among Brunei Malays, he leaves everything to his followers and hangers-on, and they are as disreputable as the system is vicious.”

In the end Sultan Hashim leaned on two Malayan commoners, namely Inche Buyong and Inche Mohsin. The first was the Sultan's secretary from Singapore; the latter was the son of Inche Muhammad bin Kassim (d. 1890), the former British consular agent in Brunei. Subsequently, the Sultan came to depend exclusively upon the advice of Dato Edmund Roberts, the European cutch factory manager in Brunei who himself seemed to have been Brooke hireling.

Did Sultan Hashim Jalilul Alam sign the 1905-1906 Treaty under duress? Probably not. McArthur had little time to waste by waiting for compliance from the palace. Any delay in signing the Supplementary Treaty could have thrown both him and the Sultan off their feet; that would have only allowed Rajah Brooke to emerge victorious.

The Sultan's acceptance of the Treaty exhibited his pragmatism in cooperating with the inevitable. Local scholars like Pehin Haji Mohd Jamil al Sufri, Awang Metassim Jibah and Awang Ismail Naruddin hail Sultan Hashim as a hero of Brunei, because of his role in preserving the country. Putting national historical sentiments aside, there is some truth to this view. For the sake of vanity, the Sultan could have erred at the time by spurning McArthur's offer. As his end had neared, he could have cared less as to what would happen to Brunei, especially when the principal wazirs, supporters of Charles Brooke, were fishing in troubled waters. The fact that he compromised his dignity to accept British suzerainty speaks much about his character. In hindsight, one could say he certainly made the right choice, judging by Brunei's future success. But his tormentors, the two principal wazirs (the Pengiran Bendahara and Pengiran Pemancha), shed crocodile tears and made it appear as if the Sultan had signed the Agreement under coercion. The Pengiran Bendahara in particular, who staked his claim to the throne, was furious but powerless when the British ignored him during the treaty negotiations. He and the Pengiran Pemancha argued rightly that their consent was needed before the enforcement of any serious decisions involving Brunei. And hence, they refused to do anything with the incoming British administration.

The wazirs, along with the Sultan, did stamp their seals to the new Treaty on 3 December 1905. On 2 January 1906, Sir John Anderson, the High Commissioner in Malaya, arrived in Brunei to complete the Agreement on behalf of the His Majesty's Government (and hence referred to as the 1905-1906 Treaty). After signing the document, there was a ceremony during which the High Commissioner made a brief speech. He extolled the virtues of McArthur as a true friend of the Malays and urged the Sultan and Pengirans to heed the Resident's advice and not

think of their own selves, but for the good of their country. A constantly nodding Sultan during this speech led the High Commissioner to conclude that the ruler was very glad to be relieved of the burden of attempting to govern Brunei. The Sultan turned to his Pengirans, beckoning them to express their own views. The only issue that was raised was concerning the status of the Islamic religion; on receiving assurances from the visiting High Commissioner, they continued in silence – *cara Brunei* or the “Bruneian way”.

The signing of the treaty was the last official act of the Sultan, who died peacefully on 10 May that year. On previous occasions when the Colonial Office had been toying with the idea in the 1880s, he had rejected the suggestion to introduce Residency. As early as 1885, W. H. Treacher, the Governor of North Borneo, recommended the Residency system as a means to thwart Brooke’s machination to own Brunei. Two years later, Sir Frederick Weld suggested the same. However, Sultan Hashim bought time, being unwilling to accept the dilution of his sovereign rights while Britain’s response was half-hearted – due to fear of burdensome financial commitments to manage a bankrupt country.

Where others failed, the indomitable McArthur succeeded. The British Government finally accepted his recommendation to introduce the Residency System in Brunei. If Brunei was reluctant to agree to British proposals, McArthur’s instruction was to remind the palace that they would be left to their own fate; a euphemism for the dissolution of the ancient kingdom.

According to historian Horton, the 1904 report of McArthur influenced British thinking in favour of Brunei in at least three ways. First, it revealed Brunei’s deep opposition to Sarawak, which convinced the British Government that “it had become morally indefensible to transfer the Sultanate to the Rajah.” Second, it indicated that Brunei was economically more valuable than Her Majesty’s Government had supposed. Britain had less reason to worry about the financial status of the kingdom than it thought. What may be needed at most was initial capital to rebuild the sultanate until it became self-supporting. Third, Labuan (mismanaged by the BNBC) needed to be taken over by the Crown.

McArthur also received special support from Sir Frank Swettenham, the Governor/High Commissioner (1901-1904), who was inordinately proud of the perceived success of the Residential System in the Malay States. It was he who lectured to King Chulalongkorn of Siam on the subject and did his utmost to secure the appointment of British Advisers/Residents in the Malay States under Siamese suzerainty.

By and large, the Residential System for Brunei looked reasonable and McArthur's recommendations were adopted. Horton aptly commented "that Brunei survives today as an independent state owes much to McArthur." However, it is equally important to give credit to the sagacity of Sultan Hashim, who made it possible – after all, it takes two hands to clap. By accepting McArthur's reforms, the Sultan swallowed his pride and voluntarily agreed to accept the dilution of his own powers for the sake of the continuity of his kingdom.

The British experiment of Residencies to administer Malayan Sultanates began in 1874 with the signing of the Pangkor Engagement in Perak, which, along with the system established in the Federated Malay States (FMS), provided the model for Brunei. But unlike the Pangkor Engagement/Treaty, according to which the Resident's advice must be "asked and acted upon on all questions other than those touching upon Malay Religion and Custom" matters involving Malay "custom" were no longer exempted from the Resident's authority in Brunei's case. The British had learnt their lesson when they discovered that Malay custom had inalienable links to administration of justice and land, matters which were first in their agenda to reform along with other traditional features of administration. In fact, the original draft of the Brunei agreement had contained the word *custom*, which had to be deleted in the final draft to make way for a trouble-free British administration.

The extent to which the Bruneians understood the role of a British Consul/Resident, however, is unclear. According to H. C. Belfield, a British Consul who visited the Brunei Capital in 1905 after McArthur's mission, "the Bruneians have no knowledge of, or interest in, the limitations of Consular Duties, but they want an officer on the spot who will help them in matters of administration while leaving executive authority in their own hands." But the agreement was far reaching in both intent and execution. It included language with crucial importance for the relationship between the Resident and the Sultan, as the following extract shows:

"His Highness will receive a British Officer, to be styled Resident, and will provide a suitable residence for him. The Resident will be the Agent and Representative of his Britannic Majesty's Government under the High Commissioner for the British Protectorates in Borneo, and *his advice must be taken and acted upon on all questions in Brunei, other than those affecting the Mohammedan religion*, in order that a similar system may be established to that existing in other Malay States now under protection."

(Italics mine)

The Malay version contained the word *mesti*, a direct translation of the English word “must”, whereas the locals expected it to be *hendak* or “wish”. That would have given the Sultan much more scope from being subjected to undue coercion by a superior authority. In administering Brunei thus, the British did not require any greater force as required in other colonies. With this one clause that the Resident’s advice *must* be taken, the British virtually achieved everything they wanted in Brunei, both for their own and Brunei’s sake. Every time a Resident’s action caused the Sultan to raise an objection, he would conveniently dangle the Advice clause in front of the Sultan to keep him quiet. In practice, it was the Resident who administered and the Sultan became his adviser in a strange reversal of roles. During the early years of the reign of Sultan Omar Ali Saifuddin III, the Arabic derived Malay word *nasihat* for “advice” became a contentious issue. The Sultan insisted that *nasihat* refers to “good advice” and the Residents could not give unpalatable advice, expecting the palace to comply always. That was one of the main reasons why the British authorities had second thoughts about the clause, when it had lost its clout. The Agreement which introduced the clause was in need of urgent revision; this led the British administration to look for other means of control, such as introducing the Constitution to restrain the resurgence of Sultan’s autocratic powers. From 1906 until 1950, however, the Residents certainly behaved as supreme administrators on the strength of the Advice clause.

BOLSTERING THE MONARCHIC POWER

The Agreement came at a price for the Palace. In exchange for surrendering their revenue and administrative rights, the Sultan and the two principal wazirs received annuities (or royal pensions). Beginning in 1906, the Sultan received a sum of \$12,000 per annum as *santapan* (allowances) while the two wazirs were paid half that amount – \$6,000 each. Their *tulin* properties and lands were also taken over by the British administration, except small parcels of land allotted next to their places of residence (see appendix). All their revenue rights including taxes, monopolies and private income (except some cession monies for lands leased in Sarawak and Sabah) were abolished. In fact, for nearly four decades Brunei’s Sultans were restricted to this paltry annuity under the watchful eyes of the parsimonious Residents, until the late Al Marhum Sultan Haji Omar Ali Saifuddin III (r. 1950-1967) broke that cycle to draw much enhanced royal dues from the newly accumulating oil wealth in Brunei.

After Sultan Hashim passed away, the surviving old wazirs felt the pinch the most. Not only had they lost their means for finances under the new system, but also their political status. Indeed, there could not be two swords in one sheath. Under the Residential System there was place for only one advisor – the British advisor – and not the traditional advisors. It was in British interests to demystify the aura of the wazirs in the country.

Traditionally, four wazirs or principal ministers assisted the Sultans in making decisions, lessening his autocratic powers. In order of rank they were: the *Pengiran Bendahara*, whose function was roughly equivalent to Prime Minister in charge of internal administration; the *Pengiran Di-Gadong* (Minister in charge of finances); the *Pengiran Pemancha* (Minister of State in charge of Council Affairs; and the *Pengiran Temenggung* (Minister of Justice and Defence). At the end of Sultan Hashim's rule in 1899, the posts of *Pengiran Di-Gadong* (when its incumbent Pengiran Matassan died) and *Pengiran Temenggung* (Sultan Hashim's last post) fell vacant in 1885. In view of the desperate financial situation in the state, the Sultan decided to absorb their ministerial or *kuripan* revenues. The posts were recreated under the administration of Sultan Omar Ali Saifuddin III, beginning from the 1960s.

The incoming Resident McArthur loathed the role of the wazirs. So did his predecessors, like A. L. Keyser, who proposed to abolish their powers altogether. McArthur's report made the unkindest remarks on their qualifications, education, attitude and aptitude as men unsuitable for ruling. For example, describing the Pengiran Bendahara in 1904, he lampooned him as a person "devoid of any personal dignity".

The wazirs who performed specific duties in the traditional monarchic system in Brunei did not really deserve such denunciation by McArthur. Perhaps their fault lay in their alleged unpatriotic attitude to sell off the country to Brooke, which must have shocked McArthur as it was an act of betrayal towards the Sultan. Under the traditional system, they actually helped to neutralise Brunei's monarchic absolutism in many ways.

In spite of McArthur's harsh words, the Bruneian pengirans did contribute in their own ways to Brunei's revival during the Residency period. Horton quoted extensively from a statement by Sir G. E. Cator, a later Resident, on the role of the pengirans in Brunei:

"In retrospect I marvel at the patience and courtesy with which the proud aristocracy of Brunei accepted the shocks which we young officers must have administered to their sense of fitness. There was much to do and so little material to work with that we could not always tread with a nice regard for

corns. But accept it they did, not with the resignation of despair, but with unfailing goodwill and appreciation that our activities, crude though they might seem, were inspired by a genuine wish to serve their State.”

As for the Sultan, his primary duty as head of State was to govern and ensure the welfare of his subjects, according to their respective status in society. In return, he was entitled to certain forms of revenue collection. Before 1888, he had conducted foreign relations. Other than as a symbol of the unity and legitimacy of Brunei, the Sultan virtually lacked executive powers under the old system. He had little means such as a standing army to seek compliance from recalcitrant chiefs who opted to act independently from the central control.

Customs and unwritten rules formed the basis of a complex form of government in Brunei of considerable antiquity. Although details are scarce, European accounts of Brunei as early as the 16th century refer to the important government officials named above. It indicates that Brunei shared the features of an archetypal Malay model (prevalent during the Melakan Empire during the 15th century) that was widespread in the region. However, according to an 18th century observer (cited by D. E. Brown), Brunei's Sultans enjoyed more “regal power” than in the case of other Malay states, because the Sultan possessed entirely the power of appointing the great officers, and could always influence the public councils. On the other hand, as R. H. Hickling concluded in 1954, “the [Brunei] Sultan has in theory always been regarded as a constitutional monarch, acting on the advice of the Ministers.”

What happened under the British system was that the powers of the wazirs were swept away. In any case, their power could not be sustained, resulting from the land reforms instituted by the incoming administration. With the loss of their *kuripan* and *tulin* income, they struggled in carrying on their extravagant lifestyles. No longer could they patronise or feed their retainers, the source of their power and dignity. In short, the Brunei wazirs lost their fundamental substance of existence.

Ironically, while post-1906 Brunei saw the Sultan's power diminish vis-à-vis the Resident, the Sultan's prestige and dignity was bolstered in relation to his ministers. On the other hand, under the new system, the powers of the Sultan and his officers in the day-to-day administration of the state had effectively passed into the hands of the British Resident, who had simply become the Government – to an extent far more than had been the case with the Sultans in the 19th century. The Resident's powers encompassed virtually every branch of executive, judicial and legislative aspects of the Government. In short, the Resident acted almost

as “the Sultan’s Prime Minister and Chief Justice combined.” It was the Resident who appointed the four District Officers and they were responsible only to him. Even the appointment of most of the traditional officials (*Penghulus and Ketua Kampong*) came under his purview. He played the prominent role in the State Council, which did little more than rubber stamp his decisions – even though carried out in the Sultan’s name. The Resident sat in judgement in the highest court in the State. Thus, the Resident had been virtually in control of all spheres of the administration.

Despite the wide powers of the Resident, in theory the Sultan still remained the highest sovereign authority in the land. The Sultan’s name was invoked in all the Government’s actions, making him appear as the centre of power in the eyes of the populace. The Residents treated the Sultans with deference, even when disagreements arose between them.

Under British protection and the Residency System, the Brunei monarch’s ostensible authority over his subjects began to consolidate itself. Indeed, the success of the Residency System depended on the centralisation of powers exercised through the Sultan’s hands. As indirect rulers, it was a must for the Residents to treat the Sultan, theoretically at least, as an absolute monarch. But once the Resident was gone from the Brunei scene by 1959 (with the promulgation of the first written constitution), the Sultan’s powers crystallised to be absolute, setting the pattern for the future.

There was another reason why Sultan Hashim accepted British protection in 1906. The British had offered the Sultan a package deal. In deference to his last wish, the British agreed to reserve the Brunei throne for the descendants of Sultan Hashim’s line. During negotiations for the original Protectorate Treaty in 1888, the same Sultan had insisted on a similar assurance but after he had affixed his signature to the Treaty, Britain conveniently ignored the issue. However, in implementing the Supplementary Agreement, the British needed greater stability in a state that came under their own administration. For Sultan Hashim, it was the repetition of the old politics of eliminating his rivals from the throne. Both interests coalesced for the better. The age-old problem of unstable succession to the Brunei throne now became a thing of the past.

Hitherto, the choice of a Sultan to the Brunei throne did not follow strict rules of primogeniture, such as inheritance from the father to the son, or from brother to brother. Brunei faced chaos and uncertainty during the choice of many a sultan. As D. E. Brown states, “to a certain extent succession to the throne, similar to affairs of State, was a matter in which many parties believed they had right to determine the outcome.”

McArthur made the following observation, "The Sultanate is not hereditary – each Sultan is in turn nominated and elected, for life, by the Council, subject to the consent of the headmen of various communities."

After 1906, the Resident was obliged to enforce a succession more rigidly hereditary than had formerly been the case. The Agreement also stipulated that "Britain would ensure the due succession to the Sultanate of Brunei." Originally, it was taken to mean that the British were to perpetuate the office of the Sultan and that the then wazirs might succeed. But at Sultan Hashim's request, it was quickly revised to refer only to his own descendants. Later in 1959, the Succession and Regency Enactment that was promulgated along with the first written Brunei Constitution clarified the issue in minute detail. Accordingly, only lawfully begotten Muslim male patrilineal descendants of the Sultan who signed the 1905-1906 Agreement could succeed the Brunei throne thereafter.

POSTSCRIPT

All did not go well, however, when McArthur began his term as the first Brunei Resident in 1906. His authority was nearly undermined by the conspiratorial Rajah Charles Brooke and his local lackeys, the Pengiran Bendahara and some of his allied chiefs. The Rajah, having heard the news while vacationing in England, complained bitterly to the Foreign Office about this unjust step to deprive him of his right to take over Brunei and wrote that a Resident "could not really advance the place and people." The Rajah added that Brunei was worth nothing to him, but it would benefit the people of the north-western coast if they were all brought under one administration. But Whitehall would have none of it, and made it clear that the decision was irreversible, and the Rajah need not have been consulted by His Majesty's Government. Some British officials feared that the Rajah was a vindictive old man and "...if he gives the wink, we [the British administration] shall have trouble." In fact, at the dawn of the Residency, the Pengiran Bendahara rushed to meet Brooke when the Rajah returned to Brooketon (Muara Damit) with a large flotilla of boats in a show of power. Although the Colonial Office knew about the brewing intrigues, the officials refrained from ordering him out of Brunei. The Rajah seemed to still have commanded respect from his colleagues and superiors, largely owing to his ripe old age.

The Bendahara had complained to Brooke that no money was available for the funeral of Sultan Hashim. In fact, McArthur had provided the necessary funds. The Rajah's own gift of \$500 was pocketed by the

Pengirans. Brooke's agent, the British M. P. Sir Edward Sassoon, who thought Brunei was in Malaya, tried to raise such issues in the British Parliament. He also tried to highlight the Bendahara's objections to the Foreign Office, that the 1905-1906 Supplementary Treaty was imposed by force. Furthermore, Brooke and the Bendahara got 30 people (out of 10,000 inhabitants) of Kampong Ayer to sign a petition expressing their wish to be placed under Brooke's administration. There was also a minor incident in which a scuffle broke out near the Residency in April 1906, incited by the supporters of a Malay headman who challenged McArthur's imposition of some tax. The crowd dispersed when McArthur ordered the policemen to open fire. Sultan Hashim, who was still alive at the time, was embarrassed and rushed to announce that he felt ashamed about the behaviour of his subjects who had shown such disrespect to a representative of His Majesty's Government. The (London) *Times* reported the tussle as the "Incident in Brunei", on information furnished by Brooke and Sassoon. But McArthur handled not only this incident, but several other incidents, thwarting the Rajah's attempts to torpedo the new administration in Brunei. When McArthur went on leave in 1907, the Rajah took the opportunity to make one last petition for the incorporation of Brunei within Sarawak. On being rebuffed again by the British Government, after September 1907 – the Rajah finally gave up his opposition and refrained from trying to persuade Whitehall to abandon the Residential system and to permit him to incorporate the rest of Brunei.

McArthur continued to face problems created by the Brunei wazirs after Sultan Hashim passed away in 1906 and when his son Muhd Jamal Alam II (b. 1889 - d. 1924) was made Sultan at the tender age of 17. According to custom, the old Pengiran Bendahara and Pengiran Pemancha became Regents to the young Sultan. In July, the British High Commissioner received a petition from the newly installed Sultan who was clearly instigated by the Pengiran Bendahara and his supporters. The young Sultan had demanded revisions of certain sweeping changes brought to the country's traditional administration by the Resident. The petition listed five items for consideration:

1. The local *hakim* or judges must be allowed to try cases involving the Muslim religion.
2. Warrants may not be issued against "persons of standing" without consultation with the Sultan and his Council.
3. The Government should help in the recovery of runaway slaves (*ulun*).
4. The Brunei flag to be flown over the offices of the Government of Brunei.

McArthur was ready to accept requests one to four. The fifth item posed a serious issue. The Sultan wanted that “whatever customs or laws may have been in force in Brunei those customs and laws shall be kept inviolate and unaltered forever”, which he claimed had been assured by the High Commissioner in a January 1906 meeting with the Brunei chiefs. The British administration considered this as a breach of faith by the new Sultan that needed to be nipped in the bud. The young Sultan’s demands struck at the very roots of the reforms they were proposing to carry out in Brunei.

In the end, the High Commissioner’s firm reply came as a chilling reminder to the Sultan and his advisers that a fundamental principle of the new Treaty was to amend or replace the obsolete laws and customs of Brunei. McArthur, as Resident, took it upon himself to ward off a major challenge to British rule by threatening to reduce the stipends and even depose the young Sultan Muhd Jamalul Alam. The Sultan gave in meekly. He and the Regents learnt their bitter lesson. And McArthur was triumphant. In accepting British Protection in 1906, Brunei’s royalty compromised with many changes to the country’s status, customs, laws and administration. Brunei was already on its way to modernity.

Chapter Nine

A SUMMING UP: ASSESSING THE OUTCOME OF BRITISH LEGACY

Brunei historiography tends to suffer occasionally from mild amnesia owing to a tendency towards “presentism” – that is, the tendency to interpret history from the perspective of the present. Cicero once argued that “all history is contemporary history.” However, to view the past in terms of present conditions may lead to a distorted vision, in which truth becomes the casualty. Since Brunei nowadays enjoys great prosperity and stability under an enlightened monarch, a tendency to forget an era of adversity in which Brunei’s fortunes were less favourable is perhaps not surprising. But to view the period of the Residents only in terms of colonialist and imperialist imperatives to be best forgotten – does not do justice to many of the positive outcomes achieved during the Protectorate period.

The British finally had little choice but to bring Brunei under their direct influence in 1906, having failed hitherto in protecting Brunei by honouring the terms of the 1888 Treaty. As Horton has rightly said, “For Brunei to have been allowed to disappear would have been a loss, not only to Bruneians, but to mankind as a whole.” Eventually, an ancient culture and royal tradition blossomed anew under able rulers like Sultan Haji Omar Ali Saifuddin III (r. 1950-1967) and his illustrious successor and son His Majesty Sultan Haji Hassanal Bolkiah Mu’izzadin Waddaulah (r. 1967-). In a way His Majesty’s subjects owe a debt of gratitude to the man who made it all possible – Stewart McArthur. If not for him, the Seria and offshore oil fields would now be part of Sarawak; maybe even the whole of Brunei. His memory in this centenary year perhaps needs more than the naming of a road – the Jalan McArthur – in the capital.

So, how does one evaluate the legacy of British rule in Brunei? Haji Zaini Haji Ahmad, a politician-turned-historian, said that, “1906 was the year that most accurately signified the modernisation process in Brunei.” The British ideals and values percolated into Brunei behind the

facade of a strongly hierarchically ordered social system. For the protecting power had its set norms; the State had to be sovereign, integrated and impersonally managed by a regulatory set of institutions, wherever possible by a bureaucracy consisting of salaried, specialised and impartial personnel. The ideal of separate legislative, executive and judicial branches of government was a far cry from the reality in Brunei. The Residents' administration left mixed results. The early Residents performed their duty in a modest way to reform the Government within the limits set by available funds. In the process, there were achievements and there were failures. On the positive side, the British helped Brunei to develop a cash economy, oil exploration, mini-plantations, a viable public service, health services and many other colonial contributions that brought progress to the Sultanate. Indeed, the monarchy itself received a high boost and transmuted into an almost permanent institution much stronger and steady as never before in its history – untrammelled and unchallenged.

The principal objective of British rule was to create a stable government which would be efficient, impersonal and for all intents and purposes, self-perpetuating. The administration of Brunei needed reorganisation to meet new challenges. Yet, the British did not seek to tear down the existing state apparatus and its institutions. For one thing it would have been too troublesome and expensive. In Malaya they learnt how to adjust British values with the indigenous Malay/Islamic values, and sustain respect for the indigenous ways of life. In essence, they maintained the basic structure and made it work more efficiently, whilst maintaining financial stringency. Among their priorities was the fixing of boundaries, eliminating “feudal” powers so as to produce revenue, and centralising the administration of the state.

The British Resident and his staff on the one side, and the Sultan and local chiefs on the other side – were shackled together by idiosyncrasies of imperialism. Strange bedfellows they indeed were. And the unfolding of that relationship shaped the future pattern of Bruneian society. On the Bruneian side, the relationship between the ruling class and subject class was left undisturbed. As in Malaya, the British showed little interest in interfering with this structure. The people played very little part in the shaping of their lives. Hence, side by side with the Western structure of economic and administrative growth, the form and substance of the pre-Residential Brunei continued largely unchanged, resulting in minimal dislocation to traditional life. In the absence of radical changes, fossilised norms and enactments of the Residential period hinder dynamism in the national ethos.

In a country where the rulers and the men in power were a law unto themselves, the introduction of the rule of law was a significant step achieved under the British administration. The establishment of a legal system in Brunei involved the partial acceptance of existing indigenous law, the enactment of new laws and the creation of a Penal Code – and the institution of a Police Force. Abolishing the territorial authority of the nobles, the British appointed a Malay Magistrate in each of the four administrative districts of Brunei-Muara, Temburong, Tutong and Belait (later styled District Officers to deal with minor cases). The Muslim *Kathi* courts settled religious cases.

A new bureaucratic set up was put in place of the arbitrary administration conducted by the traditional chiefs. Under the British, a proper Civil Service began to take shape. Several departments including public works, customs, ports, agriculture, health, education and forestry came into existence. The country did not undergo major transformations, however, by changing indigenous attitudes. The bureaucracy operated at a sophisticated level that was inaccessible to the common people to say the least. Lacking in skills and education, Brunei Malays hardly qualified themselves to be absorbed in administrative posts, unlike in Malaya. In other ways too, the people per se remained aloof from many new developments that were taking place around them.

Horton, a scholar who specialises in the British residency era, tends to overemphasise the role of the Residents as “an enlightened British administration” of Brunei. Not all the Residents were enlightened nor did some of them have the will to serve Brunei to the best of their ability. Some early Residents were too young to hold such an onerous position and tended to behave brashly towards the Sultans, who ascended the throne while they were minors. Too committed to their orders, many Residents desisted themselves from initiatives. A cordial, personal relationship between the Ruler and the Resident was imperative for the system to work.

As educational levels in the country did not improve much, the lower levels in the bureaucratic service that needed to be conducted in English was largely filled by outsiders, especially from neighbouring Labuan Island and Sarawak. Brunei lacked an English school for Malays until 1952. A handful of missionary schools catered mainly to the needs of the non-Malays, who had little to fear from the religious conversion controversy that bothered the Muslim Malays. The Malay locals at best fitted into roles as vernacular teachers in the Malay schools. Their suppressed frustration over their inability to participate in the British

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administrative setup determined the course of Brunei history to a large extent, when the Residential era was reaching its end in the late 1950s.

Notwithstanding the positive achievements under British administration, there remained a major problem; namely, a lack of official commitment to bring much needed development to the country. In spite of the extreme prosperity with which their country came to be showered, the Bruneians found themselves lagging behind their neighbouring states such as Sarawak and Sabah, which were not so blessed economically, and yet moved ahead in socio-political progress. The oil export income that rolled in from the 1930s and swelled the Brunei coffers steadily was scarcely funnelled into development projects to augment health, educational and welfare needs of the populace. Therefore, apart from their various initiatives and innovations in modernising Brunei, for the most part, the British simply acted but as caretakers of the sultanate's interests, especially in regards to oil revenue.

When income from oil began to rise, the British Government had good reason to loosen up the purse strings to introduce measures for social uplift. Yet, to the chagrin of the locals, the British administration was overly protective of the Sultanate's newly found wealth. Thus, for example, the Resident R. E. Turnbull (1934-1937) hardly approved any expenditure other than that for the basic necessities to run a skeleton bureaucracy. He argued for paying "more attention to revenue-producing departments, and less to financially unremunerative public services" such as medical and health services, and education. The perennial argument put forward was that the income from oil was a limited asset, and that Brunei's oil reserves could dry up in the near future.

This idea persisted right up to the 1950s. It influenced the policymakers, from the High Commissioner onwards to the Colonial Office mandarins, whose sole concern seemed to be to avoid any future risks that might be caused by interruptions to income from oil royalty, and to build up a general fund of substantial character which the Government could fall back on in case of emergency, to ease the change from its present affluence to its old time poverty.

The oil wealth transformed Brunei from a squalid, debt-ridden backwater state into a respectable country. In 1936, the last remaining loan owed to the FMS was paid off, freeing Brunei from all national debt. Thenceforward, a major portion of oil earnings was diverted to the oil reserve fund, which in 1938 stood at \$704,428. Over the years from 1932 to 1959, the Seria oil field alone contributed about \$340m to Brunei's coffers. In 1935, Brunei was the third largest oil producer in the Commonwealth.

One of the lasting contributions of the British lay perhaps in the conservation of Brunei's wealth from oil for its future prosperity. The State's income of \$1.5m in 1932 multiplied to \$276.6m in 1952 – a staggering 18,000% increase. Income from oil alone (\$1.1m) had been 73% of the State revenue in 1932, but in 1952 it was 98% (\$270.1m) of total exports. Government revenue came substantially from the royalty payments and taxes paid by the oil company. Between 1932 and 1941, the royalty payments had been \$8.5m, which then increased to a total of \$75.5m between 1946 to 1952. Since the introduction of a 20% flat tax rate on the income of companies stipulated in the Income Tax Enactment of 1949 (increased to 30% in 1953), the Government received an additional \$81.6m from that source in 1951-1952.

Much of the state income was put into savings by the British administration. Thus, by 1952, there were accumulated assets worth about \$144.5m in the form of bluechip investments in bonds, securities and cash. The Crown Agent in London was responsible for most of the financial decisions relating to Brunei during this period. However, the problem was that the British showed interest in conserving the wealth rather than spending it, say for development needs.

Only limited development projects designed primarily to sustain and increase capital resources, as well as improve the condition of the people, were initiated by the Residents before World War II. Resident R. E. Turnbull proposed a draft plan in 1935 and his successor J. G. Black presented another one in 1938. The latter's comprehensive plan called for improvement of roads, communications and harbour development, together with social services in the fields of education and health. However, it was difficult to convince the higher authorities in the Colonial Office, as they did not favour any acceleration in the development of the state. As a Colonial Office mandarin responded, "progress made in too much hurry is far worse than none at all." Moreover, limitation of manpower in Brunei applied a brake on development. Brunei faced a perpetual problem of finding the necessary labour to implement projects. From the beginning, Brunei was caught in a vicious circle of being unable to improve services, due to the local population's lack of educational skills.

Between 1932 and 1952, only about 10% of state expenditure was spent on health, education and agriculture, in comparison to 30% on roads, electricity and communications. As late as 1950, the Colonial Office was still arguing whether Brunei needed a detailed development plan. At the beginning of 1952, Brunei was covered by a road network of only about 150 miles, of which approximately 50 miles were constructed and maintained by the oil company.

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Several reasons may be cited for the overly cautious British attitude in Brunei. Firstly, as mentioned earlier, they operated on the premise that the oil wealth would run out within a short period, and the country needed to become self-sustainable. Secondly, they did not want to disturb the social fabric in Brunei by hurrying lop-sided development projects. Thirdly, they did not want to see the neighbouring poorer states of Sarawak and North Borneo lagging behind in development.

It was not just the people, but also the palace, that was restricted from accessing the newly accumulated wealth. The first two sultans during Residency, namely Sultan Muhd Jamalul Alam (r. 1906-1924) and Sultan Sir Ahmad Tajuddin (r. 1924-1950), hardly benefited from the British largesse. Their income remained confined to paltry monthly *santapan* (royal allowances) while the British Residents denied them luxuries. The original allowance of \$1,000 a month, fixed for the Sultan of Brunei in 1906, was increased by another \$500 in 1934. Four years later, another increase of \$500 was approved. By comparison, the Malayan Sultans enjoyed better benefits. To give a single instance, in 1929 the Sultan of Perak alone drew an annual allowance of \$150,000.

Sultan Ahmad Tajuddin lamented in 1949, “[T]here is nothing for the State to lose if my allowance is increased as a man after all is not going to live in this world up to 100 years.” The Sultan died just one year later. He also complained that, “I have been helpless because of the Treaties between myself and Great Britain which have forced me to do whatever I was told in all matters... My sole desire is that from a financial point of view a reasonable source... should be available to me to relieve the distress and suffering of my own people in the particular way I think right and not in the way that the British Residents and High Commissioners and agents think right.”

In 1950, with the ascension to the throne of Sultan Haji Omar Ali Saifuddin III, the climate began to change entirely. Slowly, but steadily, he wrested the control of administration from the Resident’s hands. By 1959, he initiated (with British encouragement) the first Brunei Constitution and revised the Treaty for Brunei to reassert its supreme sovereignty. The full story is related in my book *Sultan Omar Ali Saifuddin III and Britain: The Making of Brunei Darussalam* (Kuala Lumpur: Oxford University Press, 1995).

This concise volume is obviously not the last word on the merits or demerits of Protectorate rule in Brunei. It remains true that all that started well did not end well, even if the Treaty had saved Brunei. The British had good intentions to advance Brunei politically as well. But

many snags arose when they tried to put into practice their ideals of a popular government. British policymakers in Whitehall, at critical times of political negotiations, did not see eye to eye with their own colleagues who were on the ground in faraway Brunei. Neither could they outwit the Bruneian sultans through their prevarications, renegeing on promises and practice of conveniently relegating matters with far-reaching political significance to KIV (Keep In View) status.

Elsewhere (in the preface to *Sultan Omar Ali Saifuddin III and Britain*) I have used a simile from the game of sports:

“British administrators (in Whitehall) who treated Brunei as yet another playing field in their diplomatic games were indulging in their favourite sport of cricket, whereas the Bruneians were practising the *Silat*, a traditional Malay art of defence at which they were dexterous.”

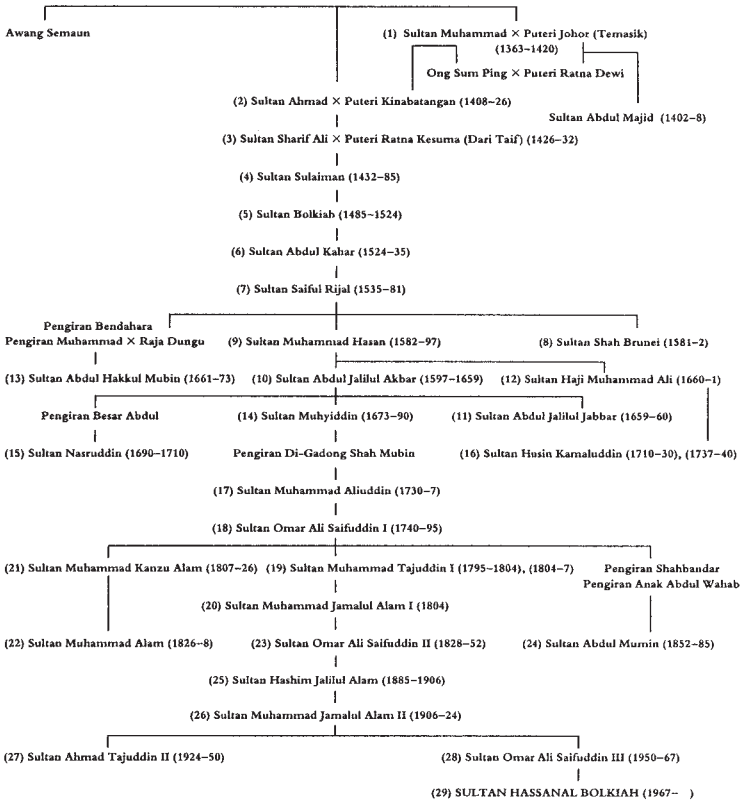
The British Government, having had a colourful history of introducing political parties, parliaments, the cabinet form of government, the universal franchise and other paraphernalia of modern democracy in their erstwhile colonies – could not deliver their message to Brunei with force and conviction. Scholars can argue endlessly whether or not the British, when they left, had really fulfilled their obligations to Brunei, in spite of the lofty ideals they preached as the guardians of constitution and democracy.

From the Bruneian point of view, the experience of the past was succinctly summarised by His Majesty Sultan Haji Hassanah Bolkiah Mu'izzaddin Waddaulah, the Sultan and Yang Di-Pertuan of Brunei Darussalam, during his speech at the United Nations on the occasion of the admission of Brunei Darussalam as the 159th State in September 1984:

“Our country has known peace, but also war; wealth, but also poverty; energetic commerce, but also isolation; development, but also exploitation; self-government, but also foreign rule. All this has not been without benefit to us. It has taught us to appreciate the realities of this world.”

Appendix 1

The Brunei Royal Family Tree



Source: Pusat Sejarah Brunei, 1986.

Note: Many dates are still in dispute and this list has undergone subsequent alteration.

Appendix 2

Borneo (Brunei), 1847

Treaty of Friendship and Commerce between Her Majesty and the Sultan of Borneo (Brunei). Signed, in the English and Malay Languages, 27 May 1847

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland being desirous to encourage commerce between Her Majesty's subjects and the subjects of the independent Princes of the Eastern Seas, and to put an end to piracies, which have hitherto obstructed that commerce; and His Highness Omar Ali Saifadeen, who sits upon the throne and rules the territories of Borneo, being animated by corresponding dispositions, and being desirous to co-operate in any measures which may be necessary for the attainment of the above-mentioned objects, Her said Britannic Majesty and the Sultan of Borneo have agreed to record their determination in these respects by a Convention containing the following Articles:

ARTICLE I

Peace, friendship, and good understanding shall from henceforward and for ever subsist between Her Majesty the Queen of Great Britain and Ireland and His Highness Omar Ali Saifadeen, Sultan of Borneo, and between Their respective heirs and successors, and subjects.

ARTICLE II

The subjects of Her Britannic Majesty shall have full liberty to enter into, reside in, trade with, and pass with their merchandize through all parts of the dominions of His Highness the Sultan of Borneo, and they shall enjoy therein all the privileges and advantages with respect to commerce, or otherwise, which are now or which many hereafter be granted to the subjects or citizens of the most favoured nation; and the subjects of His Highness the Sultan of Borneo shall in like manner be at liberty to enter into, reside in, trade with, and pass with their merchandize through all parts of Her Britannic Majesty's dominions in Europe and Asia as freely as the subjects of the most favoured nation, and they shall enjoy in those dominations all the privileges and advantages with respect to commerce or otherwise, which are now or which may hereafter be granted therein to the subjects(s) or citizens of the most favoured nation.

ARTICLE III

British subjects shall be permitted to purchase, rent, or occupy, or in any other legal way to acquire, all kinds of property within the dominions of His Highness the Sultan of Borneo; and His Highness engages that such British subjects shall, as far as lies in his power within his dominions, enjoy full and complete protection and security for themselves and for any property which they may so acquire in future, or which they may have acquired already, before the date of the present Convention.

ARTICLE IV

No article whatever shall be prohibited from being imported into or exported from the territories of His Highness the Sultan of Borneo; but the trade between the dominions of Her Britannic Majesty and the dominions of His Highness shall be perfectly free, and shall be subject only to the customs duties which may hereafter be in force in regard to such trade.

ARTICLE V

No duty exceeding one dollar per registered ton shall be levied on British vessels entering the ports of His Highness the Sultan of Borneo, and this fixed duty of one dollar per ton to be levied on all British vessels shall be in lieu of all other charges or duties whatsoever. His Highness moreover engages that British trade and British goods shall be exempt from any internal duties, and also from any injurious regulations which may hereafter, from whatever causes, be adopted in the dominions of the Sultan of Borneo.

ARTICLE VI

His Highness the Sultan of Borneo agrees that no duty whatever shall be levied on the exportation from His Highness's dominions of any article the growth, produce, or manufacture of those dominions.

ARTICLE VII

His Highness the Sultan of Borneo engages to permit the ships of war of her Britannic Majesty, and those of the East India Company, freely to enter into the ports, rivers, and creeks situated within his dominions, and to allow such ships to provide themselves, at a fair and moderate price, with such supplies, stores and provisions as they may from time to time stand in need of.

ARTICLE VIII

If any vessel under the British flag should be wrecked on the coast of the dominions of His Highness the Sultan of Borneo, His Highness engages to give all the assistance in his power to recover for, and to deliver over to, the owners thereof,

all the property which can be saved from such vessels. His Highness further engages to extend to the officers and crew, and to all other persons on board such wrecked vessel, full protection both as to their persons and as to their property.

ARTICLE IX

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Sultan of Borneo hereby engage to use every means in their power for the suppression of piracy within the seas, straits, and rivers subject to their respective control or influence, and His Highness the Sultan of Borneo engages not to grant either asylum or protection to any persons or vessels engaged in piratical pursuits; and in no case will he permit ships, slaves, or merchandized captured by pirates to be introduced into his dominions, or to be exposed therein for sale. And her Britannic Majesty claims, and His Highness the Sultan of Borneo concedes to Her Majesty, the right of investing Her officers and other duly-constituted authorities with the power of entering at all times with Her vessels of war, or other vessels duly empowered, the ports, river, and creeks within the dominions of His Highness the Sultan of Borneo, in order to capture all vessels engaged in piracy or slave-dealing, and to seize and to reserve for the judgement of the proper authorities all persons offending against the two Contracting Powers in these respects.

ARTICLE X

It being desirable that British subjects should have some port where they may careen and refit their vessels, and where they may deposit such stores and merchandize as shall be necessary for the carrying on of their trade with the dominions of Borneo, His Highness the Sultan hereby confirms the cession already spontaneously made by him in 1845 of the Island of Labuan, situated on the north-west coast of Borneo, together with the adjacent islets of Kuraman, Little Rusukan, Great Rusukan, Da-at, and Malankasan, and all the straits, islets, and seas situated half-way between the fore-mentioned islets and the mainland of Borneo. Likewise the distance of 10 geographical miles from the Island of Labuan to the westward and northward, and from the nearest point half-way between the islet of Malankasan and the mainland of Borneo in a line running north till it intersects a line extended from west to east from a point 10 miles to the northwards of the northern extremity of the Island of Labuan, to be possessed in perpetuity and in full sovereignty by Her Britannic Majesty and Her successors; and in order to avoid occasions of difference which might otherwise arise, His Highness the Sultan engages not to make any similar cession, either of an island or of any settlement on the mainland, in any part of his dominions, to any other nation, or to the subjects or citizens thereof, without the consent of Her Britannic Majesty.

ARTICLE XI

Her Britannic Majesty being greatly desirous of effecting the total abolition of the Trade in Slaves, His Highness the Sultan of Borneo, in compliance with Her Majesty's wish, engages to suppress all such traffic on the part of his subjects, and to prohibit all persons residing within his dominions, or subject to him, from countenancing or taking any share in such trade; and His Highness who may be found to be engaged in the Slave Trade may, together with their vessels, be dealt with by the cruisers of Her Britannic Majesty as if such persons and their vessels had been engaged in a piratical undertaking.

ARTICLE XII

This treaty shall be ratified, and the ratifications thereof shall be exchanged at Brunei within twelve months after this date.

This 26th day of May, 1847.

(L.S.) JAMES BROOKE

(The Seal of the Sultan)

Appendix 3

British-Brunei (Protectorate) Treaty, 17 September 1888

Whereas, Sultan Hashim Jalilul Alam Akamadin, Sultan and lawful Ruler of the State of Brunei, in the Island of Borneo, has represented to Her Britannic Majesty's Government the desire of that State to be placed under the protection of Her Majesty the Queen, under the conditions hereinafter mentioned; it is hereby agreed and declared as follows:-

ARTICLE I

The State of Brunei shall continue to be governed and administered by the said Sultan Hashim Jalilul Alam Akamadin and his successors as an independent State under the protection of Great Britain; but such protection shall confer no right on Her Majesty's Government to interfere with the internal administration of that State further than is herein provided.

ARTICLE II

In case any question should hereafter arise respecting the right of succession to the present or any future Ruler of Brunei; such question(s) shall be referred to her Majesty's Government for decision.

ARTICLE III

The relations between the State of Brunei and all foreign States, including the States of Sarawak and North Borneo shall be conducted by Her Majesty's Government, and all communications shall be carried on exclusively through Her Majesty's Government, or in accordance with its directions; and if any difference should arise between the Sultan of Brunei and the Government of any other States the Sultan of Brunei agrees to abide by the decision of Her Majesty's Government, and to take all necessary measures to give effect thereto.

ARTICLE IV

Her Majesty's Government shall have the right to establish British Consular Officers in any part of the State of Brunei, who shall receive exequaturs in the name of the Sultan of Brunei. They shall enjoy whatever privileges are usually granted to Consular Officers, and they shall be entitled to hoist the British Flag over their residences and public offices.

ARTICLE V

British subjects, commerce, and shipping shall, in addition to the rights, privileges, and advantages now secured to them by Treaty, be entitled to participate in any other rights, privileges and advantages, which may be enjoyed by the Subjects, commerce, and shipping of the State of Brunei.

ARTICLE VI

No cession or other alienation of any part of the territory of the State of Brunei shall be made by the Sultan to any foreign state, or the subjects or citizens thereof, without the consent of Her Majesty's Government, but this restriction shall not apply to ordinary grants or leases of lands or houses to private individuals for purposes of residence, agriculture, commerce, or other business.

ARTICLE VII

It is agreed that full and exclusive jurisdiction, civil and criminal, over British subjects and their property in the State of Brunei, is reserved to Her Britannic Majesty, to be exercised by such Consular or other officers as Her Majesty shall appoint for that purpose.

The Same jurisdiction is likewise reserved to Her Majesty in the State of Brunei over foreign subjects enjoying British protection; and the said jurisdiction may like wise be exercised in cases between British or British-protected subjects and the subjects of a third power, with the consent of their respective Governments. In mixed civil cases arising between British and British-protected subjects and the subjects of the Sultan, the trial shall take place in the court of the defendant's nationality; but an officer appointed by the Government of the plaintiff's nationality shall be entitled to be present at, and to take part in, the proceedings, but shall have no voice in the decision.

ARTICLE VIII

All the provisions of existing Treaties, Conventions, and Declarations between Her Majesty the Queen and the Sultan of Brunei are hereby confirmed and maintained except in so far as any of them may conflict with the present Agreement.

In witness whereof, His Highness the said Sultan of Brunei hath hereunto attached his seal at the Palace, in the city of Brunei, on the 17th day of September, in the year of Our Lord 1888 being the 11th day of the month of Moharram, in the year 1306 of the Mohammedan era; and Sir Hugh Low, K.C.M.G., British Resident at Perak, in charge of a special Mission to His Highness the Sultan, hath, on the part of Her Majesty's Government, signed this Agreement in the presence of witnesses.

(Seal of His Highness the Sultan of Brunei)
HUGH LOW

Witness to the seal of His Highness the Sultan of Brunei
(Signed in Chinese by the Datoh Temenggong Kim Swee)

Witness to the signature of Sir Hugh Low, K.C.M.G.,
L.H. WISE

September 17th, 1888.

Appendix 4

**British-Brunei (Protectorate) Document, 3 December 1905 and 2 January 1906:
(Supplementary) Agreement between His Majesty's Government and the Sultan
of Brunei Providing for More Effectual British Protection over the State of
Brunei**

(Translation)

Whereas His Highness Sultan Hashim Jalil-ul-alam Akam-al-din son of his late Highness Sultan Omar Ali Saifu-al-din, Ruler of the State of Brunei and all its dependencies is desirous of being fully protected by the British Government and wishes for the assistance of that Government in the better administration of the internal affairs of his country, and whereas His Highness trusts that the British Government will ensure the due succession to the Sultanate of Brunei, now therefore His Highness has represented to His Majesty's Government that the treaty made on the 17th September 1888 does not give him sufficient protection, and the Sultan and His Majesty's Government have accordingly entered into the following supplementary agreement:-

I. His Highness will receive a British Officer, to be styled Resident, and will provide a suitable residence for him. The Resident will be the Agent and Representative of His Britannic Majesty's Government under the High Commissioner for the British Protectorates in Borneo, and his advice must be taken and acted upon on all questions in Brunei, other than those affecting the Mohammedan religion, in order that a similar system may be established to that existing in other Malay States now under British protection.

II. All existing agreements made between the British Government and the Government of Brunei are hereby confirmed and maintained except in so far as any of them may conflict with the present agreement.

2 Jan. 1906

Signature of JOHN ANDERSON

Seal of HIS HIGHNESS SULTAN HASHIM

Seal of the PANGIRAN BANDAHARA

Seal of the PANGIRAN PEMANCHA

Appendix 5

Letter of Assurances, Subsidiary to the 1905-1906 Treaty

D. G. CAMPBELL and M. S. H. McArthur to HH the Sultan of Brunei, n.d. (3 December 1905):

After compliments:

With reference to our friend's expressed intention of entering into an agreement with the British Government on the lines of the draft agreement which our friend has already discussed, we write to inform our friend that we are empowered by His Excellency the High Commissioner to give our friend assurances on the following points.

(i) The cession monies hitherto paid by the Governments of Sarawak and British North Borneo in respect of territories ceded to them will be left to our friend, to the Pengirans Bendahara and Pemancha, and to other Pengirans who now receive shares, no changes being made as regards these revenues.

(ii) All the other revenues of Brunei, such as poll tax, payments for monopoly rights and the like, will go to the Government of Brunei.

(iii) The Government will give to our friend a yearly allowance of B\$12,000 or \$1,000 a month, and will give to each of the Pengirans Bendahara and Pemancha a yearly allowance of \$6,000 or \$500 a month.

(iv) In the future, as soon as the actual expense of the administration of Brunei is fully ascertained, the amounts of these allowances will be liable for revision.

(v) A sufficient tract of land shall be reserved round the sites of the residences of our friend, the Pengiran Bendahara and the Pengiran Pemancha free of all rates, charges or rents.

(vi) No judicial powers may be exercised and no decision on any matter may be given in Brunei unless it purports to be with the approval of the Sultan and the Resident.

Source: CO 273/312 (691/05/6), Enclosure B.

Appendix 6

Further Letter of Assurances, Supplementary to the 1905-1906 Treaty

D. G. CAMPBELL and M. S. H. McArthur to HH the Sultan of Brunei, n.d.

After compliments:

In continuation of our previous letter to our friend we write again on the subject of the allowances of \$6,000 per annum each to Pengiran Bendahara and Pengiran Pemancha. These allowances will take the place of all their tulin and kuripan receipts; but if in the future it is found that their tulin receipts exceed the amount of (\$6,000 a year) now arranged, the amount will be increased in each case to a sum equivalent to the tulin rights taken over.

Source: CO 273/312 (691/05/6), Enclosure C.

Appendix 7

Agreement between the United Kingdom and Brunei on Defence and External Affairs, 29 September 1959

Whereas Agreements subsist between Her Majesty and His Highness:

And whereas His Highness has with the advice and consent of His traditional advisers and the State Council provided by Proclamation for the constitutional development of the State of Brunei, the succession to the Sultanate and for various matters connected therewith:

And whereas the aforesaid Proclamation providing for the constitution development of the State of Brunei will commence to operate on a day to be appointed by His Highness, hereinafter referred to as 'the first appointed day':

And whereas Her Majesty has heretofore had jurisdiction to make for the State of Brunei laws relating to defence and external affairs:

And whereas Her Majesty, in token of the friendship which She bears towards His Highness, the subjects of His Highness and the inhabitants of the State of Brunei, has at the request of His Highness agreed that as from the first appointed day fresh arrangements shall have effect for the protection and defence of the State of Brunei:

Now, therefore, it is agreed and declared as follows:

1. This Agreement may be cited as the Brunei Agreement, 1959, and shall come into operation on the first appointed day.
2. In this Agreement-

'High Commissioner' means Her Majesty's High Commissioner in the State of Brunei, and references to the High Commissioner include any person for the time being discharging the functions of High Commissioner;

'His Highness' includes His Highness's Successors;

'Secretary of State' means one of Her Majesty's Principal Secretaries of State; and 'the State' means the State of Brunei, Darul-Salam.

3. (1) Her Majesty shall have complete control of the external affairs of the State; and His Highness agrees that without the knowledge and consent of Her Majesty's Government of the United Kingdom he will not make any Treaty, enter into any engagement, deal in or correspond on political matters with, or send envoys to, any other State. His Highness further agrees that he will ensure that such legislative and executive action as in the opinion of Her Majesty's Government shall be necessary for the purpose of Her Majesty's exercise of Her control of the external affairs of the State shall be taken within the State.
- (2) Her Majesty shall have complete control of the defence of the State, and agrees at all times to protect the State and the Government thereof and to the utmost of her power to take whatever measures may be necessary for the defence of the State; and His Highness agrees that for these purposes he will ensure that such legislative and executive action as in the opinion of Her Majesty's Government shall be necessary for the purposes of the defence of the State and the Government thereof (which expression in this Article includes defence against any grave menace to the peace or tranquillity of the State) shall be taken within the State; and His Highness further agrees that for the aforesaid purposes Her Majesty's Forces and persons authorised on behalf of her Majesty shall be at all times allowed to have free access to the State.
- (3) Subject as aforesaid, His Highness agrees that her Majesty shall continue to enjoy jurisdiction to make for the State laws relating to defence and external affairs.
- (4) Her Majesty agrees that She will keep His Highness informed of any action taken or proposed to be taken by Her in pursuance of this Article.
- (5) (a) For the purpose of implementing the provisions of this Article relating to defence against any grave internal menace to the peace or tranquillity of the State, Her Majesty and His Highness agree to constitute a Standing Advisory Council, consisting of representatives of Her Majesty and of the Government of the State, which shall consult as necessary on matters regarding such defence. Her Majesty agrees that no measures in exercise of the right of access to the State given by paragraph (2) of this Article shall be taken for the purposes of such defence without prior consultation with the Standing Advisory Council except when there exists a state of emergency of such a nature as to make such prior consultation clearly impracticable, in which case, the Standing Advisory Council shall be consulted as soon as possible after the measures have been taken.
- (b) For the purposes of this paragraph, the expression 'state of emergency' means a situation in which there is compelling evidence of a grave internal menace to the peace or tranquillity of the State.

4. (1) His Highness agrees to receive, and provide a suitable residence for, a High Commissioner to advise on all matters connected with the government of the State other than matters relating to the Muslims religion and the Custom of the Malays as practised in the State, and agrees to accept the advice of the High Commissioner.
- (2) Nothing in this Article shall in any way prejudice the right of His Highness to address Her Majesty through a Secretary of State if His Highness so desires.
- (3) The High Commissioner shall have such other functions (if any) as may be conferred on him by any law in force in the State.
5. The cost of the High Commissioner and his establishment as from time to time agreed between His Highness and the Secretary of State shall be borne by the State and shall be a charge on the revenues of the State.
6. His Highness shall be consulted before any person whom it is proposed to send as High Commissioner is appointed.
7. All persons of whatever race in the same grade in the service of the State shall, subject to the terms and conditions of their employment, be treated impartially.
8. His Highness desires and Her Majesty agrees that it shall be a particular charge upon the Government of the State to provide for and to encourage the education and training of the local inhabitants of the State so as to fit them to take a full share in the economic progress, social welfare and government of the State.
9. (1) The Agreement signed in Brunei on the 3rd day of December, 1905, and the 2nd day of January, 1906, between His Majesty's Government within the United Kingdom of Great Britain and Ireland and His Highness Sultan Hashim Jalilul Alam Akamuddin ibni Almarhum Sultan Omar Ali Saifuddin, the Sultan of the State of Brunei for Himself, His Heirs and Successors, is hereby revoked.
- (2) All other Treaties and Agreements subsisting immediately before the commencement of this Agreement shall continue in force save in so far as they are inconsistent with this Agreement or in so far as they contain provisions relating to the succession to the Sultanate of Brunei.
10. This Agreement is made and expressed in both the English and the Malay languages; but, for the purposes of interpretation, regard shall be had only to the English version.

Appendices

In witness whereof His Excellency Sir Robert Heatlie Scott, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Most Excellent Order of the British Empire, Commissioner General for the United Kingdom in South East Asia, has hereunder set his hand and seal for and on behalf of Her Majesty and His Highness Sir Omar Ali Saifuddin Sa'adul Khairi Waddin, Sovereign and Head of the Most Esteemed Family Order, the Most Honourable Order of the Crown of Brunei, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, ibni Almarhum Sultan Mohamed Jamalul Alam, Sultan of the State of Brunei, has hereunto set His hand and seal.

(Here follow the signature and seals)

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