



Malay Farmers in Johore in the Wave of Capitalism Economy during the Colonial Period of 1910-1957

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ABSTRACT

In general, during the British colonial period of 1910-1957, the agricultural economy of the Johore Malays consisted of a group of farmers who lived in certain settlement areas, especially in the villages. Their agricultural activities can be defined as a group of people who owned or rented lands in small scale and used the manual system in the implementation of their work. This farming community in Johore was usually made up of the Malays. The agricultural activities in Johore in the early 20th century had played an important role to the economic development in the state. Hence, the purpose of this paper is to discuss the patterns of land tenure system that were practised in Johore during the British colonial period from 1910 to 1957. The system had manifested a form of more complex agricultural activity. In fact, land administration during the colonial period had made 'land' as a commercial asset that could be traded. This situation brought a huge impact to the Malays in Johore because it was different from the traditional system which had been practised for centuries. However, the Malays in Johore still enjoyed certain advantages because they still owned their lands until the 'Malay Reservation Enactment' was gazetted in 1913, which brought great influence to the development of agricultural economy of the Malay community. This action was very important in protecting the rights and position of the Johore Malays as the native community in the state. Generally, lands owned privately by the Malays were in small scale. Thus, the situation indirectly led them to undertake agricultural activities which emphasized food crops. This can be seen clearly in several districts in Johore, such as Batu Pahat, Muar, Segamat and Endau. In order to examine the colonial's land administrative system and the impact

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towards the Malays' agricultural activities in Johore, this study will use primary and secondary sources obtained from the State Archives of Johore. It is hoped that this study can reveal another side of colonialism, the colonial society and socio-economic development in Johore.

Keywords: Agriculture, land, Malay, colonialism

INTRODUCTION

Administrative changes in a government often lead to changes in economic development policies of the government itself. This can be seen in the case of Malaysia. If we read and explore the history of Malaysia, one may notice that the period between the end of 19th century and before the independence was very much shaped by the British colonial administrative policy. The British had full control over the administration of the Straits Settlements, as well as the Federated Malay States. The British influence also had a huge impact on the Unfederated Malay States, such as Kedah, Terengganu, Kelantan and Johore. However, the local authority still played an important role in facing and dealing with the British colonial policies. The state of Johore was chosen as the focus of this study, as it was one of the Unfederated Malay States that attempted to curb the influence of foreign powers in the region of Southeast Asia at that time. Sadly, a few cunning British officers left Johore with no choice but to accept its first General Advisor in 1914. Since then, the British started to

influence Johore's administration patterns while strengthening their position in the state at the same time.

Among a few significant changes that can be seen is the new policy of land management that was introduced to the government of Johore. The policy of indigenous land management had been replaced with a new policy based on experiences, ideas, interests, as well as concepts from the West. Therefore, this paper will discuss the patterns of land management during the British colonial period that were implemented in Johore and also their impact on the agricultural development to the society in the state, especially to the Malay farmers.

BACKGROUND OF MALAY AGRICULTURE

In his study, Gullick stated that majority of the Malay population in the 1870s lived in the villages, which were mostly located along the riverbanks. Back then, the river was actually a means for communication and transportation to carry out their daily economic activities (Jackson, 1965, p. 84 and Andaya, 1975, p.33). In addition, it was also a place for exchanging imported and exported goods. Therefore, if their settlements were located in far remote inland areas, they would have to face economic losses by paying more taxes because they would need to pass through more tax centres. Their settlements were also focused along the riverbanks due the factor of soil fertility. Gullick's analysis explains that the traditional Malay settlements began along

the riverbanks because the area was more convenient and comfortable for the Malays.

In the 17th and 18th centuries, the Malays in Johore were traders, who were in control of the sea. By the 19th century, the population in Johore transformed from a trading society to an agrarian society. The government's economic policy, which focused on collecting forest and agricultural products, had led to the rise of Malay agrarian society. The existence of this Malay agrarian society can be clearly seen after Johore fell under the control of British capitalism economy. According to Amriah Buang (2007), the economic life of the society can be described as "mixed self-sufficiency economy" or "natural economy". Buyung Adil (1971), on the other hand, thinks that the agricultural activities of the society were performed solely for the purpose of supporting the individual family without any commercial motive. The survival of the Malay farmers' families depended heavily on the production of agricultural products, such as rice, fish, vegetables and fruits, both from the wild or cultivated, livestock or wild animals, as well as the production of some commodities for sale. The main crop of the agrarian society was paddy, either the field paddy (*padi bendang*) or the hill paddy (*padi huma*). This was because, apart from planting the paddy, hill farming also allowed crops such as corn, eggplant, bitter gourd, pumpkin, chilly, onion, potato and cucumber to be planted at the same time, thus ensuring food sufficiency for the farmers' families.

The nature of this natural economy also means that the farmers needed to live as one big family or as a group to undertake

a variety of self-sufficiency economy activities. They were heavily relying on each other where cooperation from family members, relatives and friends was crucial for paddy planting activities, fishery, hunting and collecting forest products. The same goes to the implementation of 'public facilities' working routine, such as the construction of irrigation system and new settlements.

In terms of technology, the Malay farmers used only simple agricultural equipment, either by using only animals, or employing human energy which normally came from their family members. As a result, they were only able to produce crops enough for self-sufficiency and no more than that. Besides, these Malay farmers also practised the concept of cooperation in their lives, particularly among the farming community of both the field and hill paddy. Small scale plantation activities were also carried out in the period of 1800-1900. Among the plants cultivated were fruits, coconut, betel nut and vegetables. These activities usually involved land areas of more than 10 acres but not exceeding 30 acres, and they could be found mainly in the west shore of Johore, that was in Senggarang, Batu Pahat, areas around Muar, Kota Tinggi, Segamat and several other districts (Rahimah, 1977, p. 150). However, broader effort and emphasis were placed on paddy cultivation. In 1930, the visit of Rice Cultivation Committee recorded 13,000 acres of paddy cultivation area in Johore, which comprised 6,210 acres of paddy fields. The area extended to cover 25,060 acres in 1932-1933 with

15,800 acres of paddy fields.¹ These ‘hot-spots’ for paddy cultivation were located in the districts of Muar, Segamat, Batu Pahat, Kluang, Mersing and Kota Tinggi.

TRADITIONAL MALAY LAND SYSTEM IN JOHORE

The land system in the Malay States before the era of British colonialization was deeply influenced by ecological and environmental conditions. The right to own a land depended on the individual’s ability to clear the forest areas as well as the ability to pay for any kind of fees (Gullick, 1987, p. 16). Lower population density compared to the total land area also provided many opportunities for individuals to cultivate and even own lands.

The concept of traditional land ownership can be divided into two categories, which are “live land” and “dead land” (Lim, 1976, p. 5). Maxwell (1884, p.80) underlined five regulations regarding the rights of land owners according to the land laws of the Malays:

- a. Property rights cannot be applied in the case of “dead land.”
- b. “Live land” can be defined as one of the following three: (i) land planted with fruit trees (village land), (ii) paddy fields, and (iii) hill land used for farming and is usually not permanent.
- c. Property rights in the villages can be maintained at present or in the future as long as the land is occupied with fruit trees as evidence that it is a “live land”.

- d. Property rights of the paddy fields can be maintained as long as it is occupied and the next three years after that.
- e. Property rights for hill land can be maintained as long as it is occupied, which is usually one season.

It can be considered that the concept of land ownership according to the traditional land system of the Malay people was very “loose”. It suggests that any individual could own a land as long as he or she was a Muslim, was willing to clear the forest for agricultural activities and did not invade other people’s land. Land ownership was also associated with the types of plants which were suitable to be planted in that particular area. Landlords of fruit growing lands were given the rights for a longer period of time compared to the landlords of paddy fields. In addition, abandoned hill lands were open for anyone to develop either by borrowing or renting. These lands were owned by the Sultan. According to Maxwell (1884, p.89), the rights of the Sultan on these lands were very similar to the rights of the kings during the early Hindu period in India, which included: (1) the right to collect the crops, (2) the right to collect taxes, and (3) the right to sell dilapidated lands. Besides that, the Sultan also had the rights on unused lands. Theoretically, a vacant or unused land would be returned to the ruler of the state. The state’s ruler also reserved the rights in matters such as the removal of undeveloped lands. Thus, the concept of individual ownership did not exist; instead, the overall power upon lands in the state rested with the ruling elite.

¹Report on Agricultural Development in Johore, 1934, in *Journal Tani 1*.

The concepts of renting and mortgage had also been long existed in the traditional land system of the Malay people. Regarding the concept of renting, the laws of the Malay lands stressed that all land tenants must comply with the land owner or they would be fined 10 *tahil* or 1 '*peha*'. The Malay farmers also had the responsibility to contribute voluntarily as human capital to their leaders.² On the other hand, the concept of mortgage refers to the selling of land according to its actual price but the seller would only be paid a deposit. In terms of the land ownership rights, the Malays, king or Sultan, in general, reserved the usufructuary rights (Rahimah Abdul Aziz, p.153). The usufructuary rights here can be defined as the right to use a land which had been obtained by clearing the forest and carrying out agricultural activities on the soil. Thus, by occupying and farming the land for certain period of time without leaving, the individuals would eventually gain their rights over the land.

In the state of Johore, the traditional land system had experienced some changes during the reign of Maharaja Abu Bakar.

²According to Ishak Shari, there was influence of Islam in the land ownership and land taxation system. Many lands in the state dominated by the Muslims were considered as the lands owned by the government (ruler). The land users were only considered as tenants. In addition, one important characteristic of such lands was the taxation system. Those who were using the lands owned by the ruler were required to pay land tax known as Kharaj. This tax was defined according to one of these three methods: (a) based on the width of the land cultivated, (b) based on the total output, and (c) based on the fixed amount of tax (see, Ishak Shari, 1988; *Pembangunan dan Kemunduran: Perubahan Ekonomi Luar Bandar di Kelantan*, Kuala Lumpur: Dewan Bahasa dan Pustaka, 1988, p. 108).

One of these changes was the issuing of certain letters by the traditional rulers to show that a particular individual was given the permission to explore the forest and carry out agricultural activities there. These letters could usually be obtained through the village head (*penghulu*). A more systematic land management system was established by the government of Johore after the opening of pepper and gambier farms, which resulted in the influx of Chinese labourers into the state. This system was also known as the Kangchu System that refers to the system of settlement, cultivation and land tenure (Rahimah, 1997). Permission to open these farms was given through the *Surat Sungai*, which was a grant that allowed the Chinese to establish pepper and gambier farms on some identified riverbanks with the conditions that the area was not yet owned by anyone and the Chinese must control the agricultural activities in the area covered in the grant (Trocki, 1979; Coope, 1979). The Kangchu also received the mandate from the government of Johore to administer and held the rights and authority over their *kangkar*. Through this mandate, the Kangchu became the government's main agent that was responsible for maintaining the safety in the farms. They also gained the monopoly rights on businesses, gambling, pawning, as well as the right to supply opium, alcohol and pork (Coope; Jackson, 1965). In return, the Kangchu paid rental, license fees and other taxes. The management of the land system

was also enhanced with the existence of the Kangchu Code in 1837.³

The development in Johore resulted in the opening of more and more lands by both the Malays and Chinese. In order to prevent disputes and conflicts between the two groups regarding the question of boundary and other land-related problems, administration of these lands was arranged. Reformation related to the registration of land ownership began in 1866 after the end of the Tanjung Puteri controversy. This measure was considered as one useful and profitable action, especially to those who were interested in gambier and pepper plantations.⁴ In 1874, the Department of Land (*Jabatan Tanah*), which was merged with *Kerja Raya*, was established. However, the two were divided into *Jabatan Kerja Raya* and *Jabatan Ukur dan Tanah* after a few years. In 1883, *Jabatan Ukur dan Tanah* was further split into *Jabatan Ukur* and *Jabatan Tanah* (Ahmad, 1988).⁵ In general, the traditional form of land management in Johore had already evolved into a more systematic form of management before the intervention of British colonial power.

³This code explains the administrative responsibility of the *Kangchu*, who administered on behalf of the government. In addition to the 1873 code, there were also *Undang-Undang Kesejahteraan Kerana Gambir Lada (1868)* and *Undang-Undang Nombor Satu Kerana Memelihara Hak Yang Bergantung Atas Gambir Lada (1875)*.

⁴Logan to Secretary of Government. 21.11.1864. CO273/16. PRO.

⁵One of the new tasks of *Jabatan Ukur* was to handle the affairs of gambier and pepper plantations. However, the registration of gambier and pepper farms was still operated by the Office of State Police Commissioner, while *Jabatan Tanah* led by Datuk Bentara Luar was responsible in work measurement for the whole state of Johore.

However, even with the legally assignation of a General Advisor in Johore, the British only continued and further expanded the existing system by introducing the function of capitalism into the system.

JOHORE UNDER THE BRITISH INFLUENCE

Johore was one of the member states of the Unfederated Malay States. There were five Malay states classified as the Unfederated Malay States, namely, Johore, Kedah, Terengganu, Kelantan and Perlis. These states were influenced indirectly by the British colonial rule. How did these states differ from the Federated Malay States? According to Rupert Emerson, there was no one single ruling method in terms of politics in the Unfederated Malay States (Emerson, 1979). Although the rulers still enjoyed autonomy in their states, the truth was these states were under the dominance of British Governor and High Commissioner. The Unfederated Malay States, together with the Federated Malay States and the Straits Settlements, all resided under the dominance of the British colonial power. However, these five members of Unfederated Malay States did not develop any special relationship among themselves. Apart from their participations as members of the Malayan Commonwealth, the five states maintained their status as Malay states which practised the monarchy system freely in Malaya. Even though they were not located under one common administration centre, the five states did cooperate with one another in their effort to ensure their independence respectively, as well as to

curb the invasion threat from Singapore and Kuala Lumpur. They learned their lessons from the Federated Malay States which were under the British dominance, and this was crucial for their decision to adopt a separation policy organized by Johore and Kedah.

According to Rupert Emerson, Johore was a state in which its nature was difficult to describe easily and clearly. Although its formal position was no different with the other Unfederated Malay States, it had its own unique administrative structure that distinguished it to its own characteristic. This uniqueness was what made Johore the last state to accept a British advisor, even though it was the only Malay state that had developed the longest and closest relationship with the British. The reason for this was because the government of Johore depended mainly on the characteristic and strength of its rulers, who had occupied the throne since Raffles's intervention in Singapore. These rulers had talent in the field of politics and knew when to give in, in order to get the best benefits for themselves. During that time, the elites and administrators of Johore knew how to adapt themselves to the needs of the new imperialist world which pressured the East. Meanwhile, they also had good understanding of the British colonial tactics used in bargaining various interests between

the Europeans and Asians.⁶ The utilitarian characteristic of Johore at that time had made it a sovereign state that had successfully established a modern image through its local administration. Although there were interactions between the government of Johore and British colonial power, Johore had set its own interests as the priority in the Johore-British relations, and at the same time, making British as its only protector from the threat of other imperialist powers.

THE INFLUENCE OF ENGLISH LAWS IN JOHORE

During the ruling period of Maharaja Abu Bakar in 1873, Johore already had a State Council which served as an advisor to the Maharaja. In addition, there were also eight other separated government

⁶The wisdom of Johore's administrators, especially during the era of Temenggung Daeng Ibrahim and Sultan Abu Bakar, was evident because they realized that Singapore was not the centre of the empire. The Sultan of Johore felt more comfortable in dealing directly with London. With that, the government of Johore was able to resist the influence of British officials in Malaya. With the consent of Queen Victoria, an agreement was made and it was stated in its content that the emperor would be recognized as the Sultan, while his state would be officially placed under the British protection (see Maxwell dan Gibson, *Treaties and Engagements*, p. 132-133). This agreement was not signed by the Governor of the Straits Settlements, but it was instead signed by the Secretary of State for Colonies, which was different with the agreements made with the other Malay states. The third clause of the agreement mentioned about the appointment of a British officer in Johore as the representative of the consul. Therefore, Johore's action in dealing directly with the British government in London without going through the Governor of Straits Settlements had a huge impact on the government of Johore in terms of politics and economy. Johore's freedom lasted until 1914 where the government had to accept its first British General Advisor.

departments in the state including the Treasury, Court, Police, Prisons, Surveyor, Medical and Railways.⁷ The Maharaja also appointed a British named William Hole as his personal secretary (Hasrom Harun, 1971). These administrative developments could be seen through the strengthening of the ruling Maharaja's position in a more comprehensive manner. By the last half of the 1870s, Johore was still a despotic state under the control of Maharaja Abu Bakar, where his orders or words were obeyed and respected by the citizens of Johore. This situation continued until 1910 when Johore's glory began to fade as the British influence strengthened in the state due to its near location to Singapore (Wu, 1984). The government of Johore had several legislative bodies that played a major role in the state's administration. These bodies were made up of the *Majlis Mesyuarat Kerajaan Jemaah Menteri* and *Majlis Mesyuarat Kerja*, which were established in 1912.⁸ It is important to examine the tasks performed by these bodies because they played a major role in Johore's legislative system in approving, amending or drafting the laws.

The Cabinet (*Jemaah Menteri*) was important in Johore due to its members' role in running the state's administration.⁹ It was stated in *Undang-Undang Tubuh Kerajaan*

Johor, that the Sultan must, should and voluntarily accept the advice of this body in all aspects for the benefit of the people. Among the functions of this body were to run the state's daily administration, draft laws and prepare the framework for budget and policies before they were brought to another body which held the legislative authority for approval. The members of the body were strictly limited to the Malays who were also Muslims. *Mufti* and *Kadi* were also members of Johore's Cabinet. Based on the descriptions above, one can sum up that the Cabinet was a body which functioned in accordance with *Undang-Undang Tubuh Kerajaan Johor 1895*. However, its role was eventually taken over by *Majlis Mesyuarat Kerja* in 1912, headed by the British officers. Meanwhile, *Majlis Mesyuarat Kerajaan Johor* was a body which helped the Sultan and the Cabinet in the state's administration. In theory, this body was responsible to formulate policies to pass a law, except in matters regarding religion and *shariah*, which were the responsibilities of the *Kadi* and *Mufti*. The members of this body were not limited to the Malay Muslims only, but they must also be the local citizens of Johore.¹⁰

At this stage, the Sultan's role was to verify the laws that were approved by *Majlis Mesyuarat Kerajaan Johor*. Not to be forgotten, since the reign of Sultan Abu Bakar, a British advisor was specially employed by the Sultan to serve in the body as an advisor that would help

⁷The Colonial Director of the Straits Settlement, 1873, p.1.

⁸*Undang-Undang Tubuh Kerajaan Johor 1895 dan Tambahannya*, 17hb. September, 1912.

⁹The members of the Cabinet consist of high ranking officers in the government, Government Secretary, Department Heads and Regional Commissioner (*Pesuruhjaya Wilayah*) (refer to Clause 28, *Undang-Undang Tubuh Kerajaan Johor*, 1895).

¹⁰Clause 49, *Undang-Undang Tubuh Kerajaan Johor*, 1895.

to develop Johore. This situation continued until the reign of Sultan Ibrahim. Due to the formulation of *Undang-Undang Tubuh Kerajaan Johor 1895*, the Sultan officially handed over the role of Cabinet and legislation to the body, while the justice system was handed over to the court. Each elite and chief was given certain tasks, and this job division for the Sultan was a restriction on his power to act alone. Before 1910, Johore's administration was made up of Malay officers headed by the Chief Minister assisted by the State Secretary. However, starting from 1910 and the subsequent years, there was a gradual change where the local Malay department heads were replaced by the British officers. The General Advisor appointed in 1913 had expanded his role at the same level of importance as the State Secretary.

The role played by the British officers also gained increasing importance as the administrative officers. Besides, they were given the responsibility to discuss issues or proposals that would be brought up to *Majlis Mesyuarat Kerajaan* and *Majlis Mesyuarat Kerja* with other British officials. The issues or proposals would only be brought up to the two bodies if an agreement was reached among the British officers. Recommendations by the General Advisor were often well-received by the members of the two bodies mentioned above.

In 1910 alone, a total of three British officers were appointed in Johore. On December 25, 1910, M. H. Whintley was appointed as the General Advisor as well as the Legal Advisor of the state, while

J. W. Simmons, on the other hand, was appointed as the Commissioner of Customs on December 21, 1910 (Johor Annual Report, 1911). In 1911, four other British officers were appointed, namely, J. Giffith as the Surveyor Superintendent (*Penguasa Juruukur*) since September 1911, J. L. Humphreys as the Judge of Batu Pahat since February 12, 1911, H. H. Byrne as the Chief Engineer starting February 1911, and W. B. Y. Drapper as the Superintendent of Johor Bahru starting May 1911 (Johor Annual Report, 1911). On May 30, 1913, the Legal Advisor was also appointed as the Judge of High Court. In the subsequent year, a Police Commissioner was positioned under the supervision of British officers (Johore Government Gazettes, 30 May 1913 and 30 December 1912). With more and more British officers being appointed in the administration of Johore, the number of British investors investing in Johore also increased drastically. Following this, the security and safety of these British officers needed to be assured, and thus, a Legal Advisor was appointed to formulate laws to be applied in Johore. The Legal Advisor was also in-charge in monitoring the development of justice in the state's courts. The police force fell into the hand of British colonial in 1913 and in 1914, whereby a Superintendent named M. H. S. Sircom was appointed as Johore's Prison Superintendent (Johor Annual Report, 1914).

Majlis Mesyuarat Kerja was given the role as stated in *Undang-Undang Tubuh Kerajaan Johor* and its amendments in 1912,

which was to give recommendations in the formulation of laws in Johore. This means that the council would have to prepare or draft the laws to be approved by another body, while the courts would enforce the laws once enacted. The responsibility of laws formulation lied in the hand of the Legal Advisor of Johore named M. H. Whintley.

Most of the laws were taken from the Straits Settlements and the Federated Malay States because these states were the first to carry out the British laws before Johore. In the early stage, the General Advisor would ask for the agreement and approval of *Majlis Mesyuarat Kerja* to pass and implement a particular law in Johore. If an agreement could be reached, the General Advisor together with the Legal Advisor and State Secretary would process the law and amend it to suit the situation and condition in Johore. Therefore, it can be seen clearly here that there were three important figures in the field of laws in Johore. These three figures were the Legal Advisor, General Advisor and State Secretary of Johore, where two of them were British officers.

One may notice that, although *Majlis Mesyuarat Kerajaan* was given the role to pass laws that would be implemented in Johore, its role can be best described as a “rubber stamp”. This means that, even though the council held the highest legislation power in Johore in theory, practically, a huge part of its role was taken over by *Majlis Mesyuarat Kerja* made up largely by the British officers. The treaty signed between Sultan Ibrahim

and the government of Britain in May 18, 1914 further strengthened the British power and influence in Johore. The treaty officially appointed a General Advisor to be stationed in Johore.¹¹ According to the treaty, the recommendations or advice of the General Advisor must be required in all administrative matters. As a result, the ruling power was fully passed to the General Advisor from the Sultan of Johore.¹² Therefore, it is undeniable that the position and conditions of Johore, the Sultan and his officers were just the same with the other Malay state.

Although the Sultan was recognized as the Head of the State, his position was rather symbolic. The political power that had been the pillars of the state’s administration and legislation system was taken over by the British through the General Advisor and other British officers. Furthermore, the 1914 Treaty also officially caused the Malay elites to lose the power that they used to have in *Majlis Mesyuarat Kerja*. It was stated in the treaty that if there were disagreement between the Sultan and the General Advisor, the advice of *Majlis Mesyuarat Kerajaan* would be sent to the Governor for consideration. Thus, it is clear that the government of Johore was dominated by the British since 1914 where all matters regarding decision-making had to be referred to the British Governor.

¹¹Anderson to Campbell. 28 February 1910. CO273/360.PRO.

¹²See telegram from CO to Young. 28 April 1914. CO273/406, Anderson’s minute dated 16 September 1913 in Young’s delegacy. 7 August 1913. CO273/396. PRO.

TRANSFORMATIONS IN COLONIAL LAND MANAGEMENT

To ensure that the British could influence the policies, plannings and administration of Johore, *Mesyuarat Kerja Dewan* was established on September 17, 1912 through the extension of *Undang-Undang Tubuh Kerajaan Johor* (Emerson, p.205; Mohamed Said Haji Sulaiman, 1950). This *Mesyuarat Kerja Dewan* was an executive body in charge of matters regarding land, agriculture, mining, public work, job promotion of government servants, legislation and other important fields (Mohamed Said Haji Sulaiman p.80). In 1914, D. G. Campbell formulated a new land management law in order to overcome the weakness in the existing traditional land system in Johore. These changes were done for several reasons. Firstly, the existing traditional land system gave the Sultan or even his government officers the potential to misuse the authority and power they had on the land. Secondly, the existing traditional land system might lead to the collapse of norms practised in relation with land. Through this, the British would be able to introduce changes that would bring benefits to the people by eliminating unclear elements in the existing traditional system (Lim, 1976). The British also thought that the existing land management system in the 19th century was confusing because there were no standard procedures in relation with land application. As a result, the power of the government was limited since it was unable to impose its rights in collecting taxes.

D. G. Campbell urged for the Land Law that was approved and adopted by *Majlis Mesyuarat Kerajaan Johor* on September 17, 1910 to replace the land rules formulated based on the Malay customs. This 1910 law adopted the Western law concepts regarding land ownership. In early 1910, there were few categories of land ownership: (i) land owned forever and was not subjected to any cultivation conditions and did not have to pay rent, (ii) land solely for the purpose of planting pepper and gambier, (iii) land acquired through long-term rental, usually given to the Europeans, and (iv) small sized land occupied by mostly the Malays based on the custom law. In general, changes that occurred in the land management system in Johore were in line with capitalism economic requirement, as well as the colonial economic and political policies in the state, which were no different with the policies implemented in the Federated Malay States.

In 1890, the price of coffee had dropped significantly, while the price of rubber increased drastically due to the high demand which exceeded its production as a result of the development of automobile industry (Lim, 1967). Since then, rubber became one of Johore's primary exports. The high demand of rubber had led the British to offer land ownership with loose terms and conditions as well as capital loan assistance to anyone who wished to cultivate rubber trees in August 1897.¹³ In fact, the British administration in the Federated Malay States

¹³Secretary to RG to BR of Negeri Sembilan, 16 August 1897, NSSF 2139/97.

allocated \$4,000 for rubber experiments in 1900 (Lim, 1976). As a result, many western and local capitalists converted their agricultural activities to the planting of rubber trees (Badariyah, 1990). In 1899, the first delivery of rubber commodity from Malaya to the market in London was accepted with a very high price and this further encouraged the cultivation of rubber trees. Due to the increasing demand for rubber, the British restructured their land management policy in all their colonies, including the state of Johore.

The British colonial land law combined the law of land ownership, land registration, land revenue, as well as a number of administrative instructions to the land valuation and land registration officers. The purpose of such law was to simplify the procurement and ownership transfer process to give a sense of security and gain confidence from the investors. The law also aimed to examine, evaluate and register all occupied lands, and issue ownership certificates to all Malay land owners stating the type and total taxes they had to pay. The land management system introduced by the British was similar to the Torrens System in Australia (Lim, 1977). Through this system, the Land Department was given the task to verify and control ownership of land, as well as to increase annual rental registration and register land with the same possession letters.

Meanwhile, the grant system was established for large holdings, while small farms (10 acres and below) would be registered with the County Registration.

Possession of all large sized land blocks for rubber cultivation and other agricultural activities was given through grants. These two types of land possession were subjected to annual land tax. With this, it was hoped that all privately owned lands could be registered and the boundaries of all holdings could be evaluated for the purpose of mapping (Rahimah, 1997). The interesting part in the colonial land management system was that, individuals could now have their own land. This was a significant change to the traditional Malay land management system. Besides owning the land, the individuals also had the power to sell, loan and pass down the land without difficult legal formality. Any unowned land or land kept for public use, which was not a reserved forest, was regarded as the 'state land' that belonged to the Sultan.

THE EFFECT OF BRITISH COLONIAL LAND ADMINISTRATION ON MALAY AGRICULTURE LAND

This backwardness of the third world is caused by how these countries were dragged into the orbit of western capitalism expansion, which could be traced back to Karl Marx's debate on "foreign trade" and "expansion of capitalism". The theory has been further discussed and expanded by a few other prominent scholars, such as Lenin, Paul Baran and Andre Gunder Frank. The fundamental aspect of this theory is the concept about the dialectical relationship between the development of the "first world" and the backwardness of the "third world". The dialectical term shows

us two interconnected causes, meaning the development in the West has led to the backwardness in the third world. This is a result from the unilateral transfer of wealth from Asia, Africa and Latin America to the European's economy. The economic surplus is largely accumulated in the hands of the capitalists, who use it for industrial investments.

In the case of Johore, one may notice that its economy was very much driven by the development of capitalism economy in late 19th century and early 20th century. The functions of land during that period of time were more as an output factor in the field of agriculture. The land could also be traded freely with ownership transfers. Keith Sinclair, who used the assumption of Hobson and Lenin, found out that the development of capitalism economy in Johore lied in the hands of administration groups, such as the "Colonial Office" and "Governor of Straits Settlements", which had been driving capital exports into Johore (Sinclair, 1967). The years between 1896-1910 witnessed an encouraging growth of rubber industry simultaneously with the automobile industry and ended with the peak price of rubber (Chai, 1964). This period also witnessed the influx of British capitalists and engineers into the mining industry in Johore (Wong, 1965). Eventually, Johore became a state which encouraged the entry of capitalists, not only for the sake of development, but also to ensure the interests of its investors.

The most obvious effect of the British colonial land management was the domination in commercial agricultural

activities by foreign capitalists. For example, in 1878, Johannes Mooyer of Gt. Winchester Street, London, was given the permission by Abu Bakar to establish a corporation which was entitled with virtual monopoly of economic development in Johore for 99 years (Sinclair, 1967). The corporation was involved in multiple fields, such as banking, commerce, agencies, farming, and mining. It was also the owner of bridges, ferries and railways. The capitalists in Johore had succeeded in establishing large corporations operated on a large scale (Tate, 1980). The Guthrie & Company Ltd. founded by Alexander Guthrie, which acted as an agent of the Singapore London Banking House and insurance companies, also involved in the rubber industry by 1895 (Allen, Donnithorne, 1954). In 1931, it became the agent of 26 rubber companies with the capital almost reaching 6 millions. In addition, the company was also the owner of 132 acres of rubber plantation area and 10,500 acres of palm oil plantation area. The Kukub Rubber Estate Limited represented by Bruce Petrie Limited, Union Building, Singapore, also involved in the rubber, sago and coconut plantation sectors. The firm owned lands as wide as 12,000 thousand acres, in which 1,328 acres were planted and 575 acres already generated income for the firm (Allen, Donnithorne, 1954). Although there were many other foreign firms based in Johore for agricultural activities, not all had their own land. Some of these firms rented their land under a grant called "Capital Lease", for example, the land cultivated under the possession

of Alsagoff Concession. Thus, we can see a number of strengths in the foreign agricultural economic in terms of capital, land, technology, manpower, organization and market. The domination of capitalism in agriculture was not solely caused by the colonial land management factor, but also due the Sultan's attitude in bringing in foreign capitalists to develop the economy of Johore since the government was having financial problems due the debt it bores during the ruling period of Sultan Abu Bakar. The statistic of the foreign capitalists' domination in commercial agriculture in 1934 is illustrated in Table 1.

TABLE 1
Plantation owners in Johore 1934

Ethnic Groups	Acreage
Europeans	278 000
Chinese	160 000
Japanese	54 000
Indians	14 000
Malays	3 000
Others	1 000
Total	510 000

Source: A report on agriculture department in Johore. H.A. Tempany. Director of Agriculture, SS and FMS. 17.3.1934. GA 248/34

Capitalism based on capital accumulation dominated a large area with economic potential to gain wealth from the resources of Johore. This was the main cause for the shrinking of Malay agricultural activities that were mostly confined to only the cultivation of crops and small scale farming. Basically, the Malay agricultural activities were still under the supervision of the *penghulu* and

orang-orang kaya. Both positions were located under the power of District Office and they only worked in accordance with the instructions of Commissioner Land and Mines. The functions of *penghulu* were reduced compared to the traditional period. During the colonial era, the *penghulu* was only given the right to collect the products from small scale agricultural activities of the Malays and non-Malays.

In addition, the *penghulu* also acted as the middle man in matters related to land management with the superior officer. The colonial land management system that allowed land to be traded had impacted upon the agricultural activities of the Malays in Johore because they could only afford lands of not more than five acres. In addition, there were only a small number of Malay elites who had ventured into commercial farming activities with greater capital. Capital was an important factor in influencing the production area of agricultural activities. To open or cultivate land subjected to the grant of Land Enactment 1910, an individual had to pay as much as 50 cents per acre for the first six years and the payment would increase to \$2.50 per acre for the subsequent years.¹⁴ This was actually a very high price for the Malay farmers during that time because their agricultural activities differed from the foreign capitalists who

¹⁴Johore Annual Report, 1911. Based on the report, there were 63 rubber estate owners, whereby majority of these owners were foreign capitalists. The maximum land area owned by these foreign capitalists measured 106,479 acres, while the minimum land area measured 280 acres. These figures did not include the land area exploited by them in other agricultural activities, such as betel nut, coconut and so on.

had strong capital strength. Notably, the Malay agriculture at that time was cultivated in groups or individually on a small scale. However, the Malays had dominated paddy planting in both field and hill paddy. This can be seen in several districts in Johore, such as Muar, Batu Pahat, Kluang and Endau. An interesting point was that, the function of Malay agriculture grew at a level that only met the domestic needs. Now, the agricultural activities are cultivated by the locals not only on self-sufficiency basis, but also to meet the demand of foreign workers and other foreigners in Johore.

According to the Torren System, those who wished to own a new land may send in an official application and register at the Land Office or at the *Pejabat Penghulu* for each county. The liberal Colonial Land System actually benefited the foreign capitalists. Most of the lands owned by these capitalists consisted of large grants compared to the Malay farmers, who were mostly with small grants. In general, it can be said that the basis of British colonial agriculture policy in Johore was the development of huge farms or estates, which was very different from the small farms owned by the locals.

Agricultural activities in Johore can be divided into two. The first was huge farms or estates owned mostly by European and Asiatic capitalists, while the second was small farms (Rahimah, 1997). Large scale farming involved the use of vast lands for agricultural activities for export. These activities also required a lot of manpower and capital, which were the

two factors that the indigenous economy failed to meet. These characteristics were different from small scale farming which emphasized simplicity and self-sufficiency with only a little manpower to cultivate the small lands. Generally, the colonial land management system was more systematic compared to the existing traditional system. However, since the 1910, Land Law did not guarantee the rights and positions of Malay agriculture, in which two different development trends had occurred. First, commercial agriculture was growing as it was able to meet the needs of the British colonial economy. The second trend, on the other hand, showed backwardness in the agricultural activities dominated by the Malays. Therefore, Lenin and Hobson assumed that dualism can be seen in the effect of colonialization, which means that, those in favour of the colonists would thrive, while those being colonized would be left behind. This was what happened to the Malay agriculture in Johore during the era of British colonialization.

MALAY RESERVED LAND

Apart from the expansion of plantation area owned by the foreign capitalists, the British colonial land management system also contributed to the land trading activity. The increase in land price as a result of the implementation of 1910 Land Law led many of the Malays to sell or mortgage their heritage lands without thinking of the consequences. This phenomenon worried the Sultan as the lands were sold to the non-Malays, thus, leaving the Malays landless.

Consequently, in 1912, the Sultan of Johore decreed all the Malays not to sell their lands to the non-Malays because the action would bring them harm.¹⁵ This concern became the main issue discussed at that time because there were some dissatisfied Malay elites who tried to defend the position of the Malays. The British were also concerned about this issue because they realized that if they did not protect the rights and position of the Malays, their imperial economic interests would be threatened.

The British also realised that if the matter was not solved wisely, it might bring pressure from the local administrators that would indirectly intervene in the bureaucratic procedures against the principles enshrined in the 1910 Land Law. Thus, in 1913, the Malay Reserved Enactment was passed by *Majlis Undang Negeri-Negeri Melayu Bersekutu*. The enactment consisted of four important parts. Section 3 empowered the resident to select and announce the Malay reserved areas. Section 7 asserted that the lands gazetted as the Malay reserves shall not be transferred to the non-Malays, while Sections 8, 9 and 10 placed several restrictions on the ownership of the reserved area (William, 1975). The background of the policy was related with the development of socio-economy and politics in the Malay states. There were also a few British officers who were sympathetic with the situation faced by the Malays. For example, H. C. Eckhardt, who was the *Pemangku Pesuruhjaya Tanah* for the Federated Malay

States in 1930s, felt that the act of granting land ownership to foreign interests should be prevented. Eckhardt seemed to be more aware of the need to highlight the role of the natives on foreign interests as can be measured through land width in acre.¹⁶ During that time, the District Officer in Ulu Langat, R. C. Clayton said that the Malay farmers should be viewed differently from the Chinese and Indian farmers because they were the indigenous people of the state. This awareness might be the result of the outbreak of peasant movement in a few third world countries in Latin America, Asia and Africa in the 20th century. Among the early revolts was the Mexican Revolution in 1910, which was a war launched against the colonialization of the British, Germany, France, the United States of America and especially Spain.

However, there were also British officers who disagreed with the proposals mentioned above. G. A. Elcum, as the Acting General Advisor, refused to change the Land Law to prevent the sale of land as proposed by the Malay elites. As a result, the instructions to the Government's Commissioner were changed, which stated that, if necessary, the Malays could sell off their lands to pay debts, to go for Hajj and so on.¹⁷ This might seem like an act to defend the position of the Malays, but the colonial policy always emphasized its imperialist economic interests. The policy was influenced by the phenomenon of crops

¹⁵See SUK to PJK Muar. 13.5.1912. GA 145/1912. ANJ. Also see SUK to PJK Batu Pahat. 14.5.1912. CLM680/25. ANJ.

¹⁶Eckhardt, "Malay Reservations", Memorandum 19/5/30, Sel Sec File G1195/1930.

¹⁷Government Secretary to Government Commissioner, Batu Pahat. 18.6.1912. CLM680/25. ANJ.

shortage in the end of the First World War. The introduction of rubber industry by the British in Malaya had changed the mind of the Malays to join the new economic field by leaving their traditional agricultural activities or trying to dominate both fields. Due to the increasing number of Malays who were involved in small scale rubber cultivation, the production of crops for domestic needs had decreased. Thus, the implementation of this policy was one of British's efforts to ensure that the Malays would remain their focus in cultivating paddy in order to accommodate those who were in the rubber and mining industry. With the Malay Reserved Enactment 1913, the Malays were expected to continue their traditional agricultural activities and stay away from modern industries. The approval of the enactment reflected the desire of Federated Malay States' governments to help maintain the Malays on their land, and if possible, continue to cultivate their traditional agricultural activities (William, 1975). This also resulted in agriculture polarization among the people of Johore. The Malays were limited to undertake self-sufficiency agricultural activities and as crop producers, but their chance to participate in commercial agricultural activities was relatively thin compared to the foreign capitalists who monopolized the field. There were also effects resulted from the changes in the British colonial administration that was too focused on estates, as well as urban and mining areas. As a result, the rural areas continued to be left behind and this further reduced the functions of Malay

agriculture. Clearly, the liberal colonial land management system had threatened the local economy. International capitalist entrepreneurs played a more intensive role in the state's economy without helping the locals.

The Malay Reserved Land can also be interpreted as an act of the British colonial to help prevent the selling of the Malays' lands to the non-Malays in the reserved areas. In order to prevent the Malay land owners from losing their lands, the General Advisor, G. Shaw in 1929 was instructed by the British High Commissioner, Sir Hugh Clifford, to overcome the situation. On February 24, 1929, Shaw suggested the establishment of two reserved lands in eastern Johore, which were in the southern part of both Endau and Sedeli River.¹⁸ It might seem like this was an effort to help the Malay farmers; however, a question arose - were the lands fertile and suitable for agriculture? The lands in eastern Johore were not suitable for agricultural activities as compared to the lands in western Johore, because the area was more suitable for mining activities. In fact, the area of the Malay reserved land set by the British was incompatible with the status of the Malays and the indigenous people in the state.

The issue of the Malay Reserved Land arising from the colonial land management system lasted till 1933. At one point of view, the effort to help the Malays could also bring losses to them. As in the opinion of Jones¹⁹,

¹⁸CLM to CLR Kota Tinggi. 5.10.1929. CLM101/29. ANJ.

¹⁹Memorandum. S.W. Jones. 19.11.32. CLM101/29. ANJ.

he filed an objection saying that the market value of the Malay Reserved Land decreased due to obstacles relating to matters like the sale, mortgage and rent of the land. As a result, the owners of the Malay Reserved Land could not earn any profit if they were to sell or rent their land. Thus, to address this problem, R. O. Winstedt, the General Advisor of Johore at that time requested the Commissioner of Muar, Batu Pahat and Segamat, as well as Assistant Advisor in every district to get the advice and opinion of the *penghulu* and the village head on the pros and cons of introducing the Malay Reservation Enactment as notified on March 4, 1931.²⁰ The *penghulus*, village heads and the elderly in the villages of all districts agreed for the law to be introduced.²¹ Thus, negotiation for the implementation of Malay Reservation Enactment was brought to *Mesyuarat Kerajaan* on May 30, 1933 by Abdullah bin Esa, the Government Commissioner of Segamat. The reservation scheme for the entire state was approved by *Mesyuarat Kerajaan* in 1935.²²

Broadly speaking, the Malay Reserved Policy was one of the British colonial economic programmes that seemed to be pro-Malay. However, the sincerity of the

colonial power can be disputed. This was because, up till 1932, there were only two Malay reserved lands in the state of Johore. This was not a good solution because it caused the Malay agriculture to remain static without any development and was left far behind compared to the agricultural activities cultivated by the foreigners. This, however, was not the concern of the British. What they desired was to accumulate wealth from Johore's resources and bring it back to London. The Malay Reserved Policy should be implemented state-wide with emphasis on the terms and conditions of the land agreement, and not by choosing a specific area as the Malay reserved land. This indicates that the lands for the Malay agriculture were being narrowed.

CONCLUSION

With the influence and intervention of the British colonial power in the administration of Johore, multiple changes could be spotted in the organizational structure in its economic aspects. This can be clearly seen in the land management system of the state. The British policy assumed that the loose traditional land management system, which was unable to use the land economically, needed to be changed to a land management system in line with the British economic policy. The liberal colonial land policy resulted in the influx of foreign capitalists, especially the Europeans, who carried out agricultural activities in Johore. This phenomenon further limited the Malay agriculture in Johore since there were not many Malay capitalists who

²⁰Winstedt to Government Commissioner of Muar, Batu Pahat and Segamat, and Assistant Advisor of Muar, Batu Pahat, Pontian, Kluang, Segamat and Kota Tinggi. 15.12.1932. CLM101/29/ANJ.

²¹AA Batu Pahat to GA. 21.12.1932.; PJK Batu Pahat to GA. 22.12.1932.; PJK Segamat to GA. 28.12.1932.; AA Segamat to GA. 31.12.1932.; AA Kluang to GA. 28.12.1932.; AA Muar to GA. January 1933.; PJK Muar to GA (not dated); AA Kota Tinggi GA. 16.1.1933. AA Kukup to GA. 15.2.1933, in CLM 101/29. ANJ.

²²AA Muar to GA. January 1933. CLM101/29. ANJ.

participated actively in expanding their agricultural activities. The agricultural structure of the Malays was still focused on individuals who only cultivated the lands owned by themselves. In addition, the *penghulu* and village head still played a role in determining their agricultural activities. The Malay agriculture during the colonial era was unable to grow alongside with commercial agriculture due to the lack of capital. Capital was an important factor in securing manpower, energy use and facilities that would help optimise the production of the agricultural activities. The Malay agriculture in Johore suffered the same fate as the agriculture in the Federated Malay States, which focused only on crop planting and small scale farming. Although not many Malays were involved in commercial agriculture economy, they played a role in domestic agriculture economy. The commercial economy activities in Johore were only profitable for the British colonial. That was why the Malays focused more on crop planting to meet their own needs.

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