

The Malay Sultanates as the Impetus for the Formation of Malaysia

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ABSTRACT

This paper investigates the history of the Malay Sultanates. The study on the Malay Sultanates will effectively assist us in understanding the concept of Federation because it served as the impetus for the emergence of the Malay States which constitute what Malaysia is today. It is found that Malaysia was not a creation from the alleged social contract established by the so called 'forefathers' in many popular writings but it was the Malay Sultanates who had delegated some of their powers and executive rights for the formation of a strong central government.

Keywords

Sovereignty, Confederacy, Dissolution, Affiliations and Federation.

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Introduction

Since the advent of the Melaka Empire or Sultanate in the fifteenth-century, the Malay Peninsula has been regarded as the stronghold of the Malay sultanates. They had been the backbone of Malaysian history. In fact, there is no single major historical event, either before the coming of British, during the British administration or at present moment, that does not involve the Malay Sultans. Importantly, the history of the Federation of Malaysia could be correctly construed as the historical development of the Malay Sultanates. As articulated by Wan Ahmad Fauzi (2020) about the local nationhood, this Malay traditional institution has been incorporated into the modern Malaysia. Malaysia is a Federation that includes the states of Johore, Kedah, Kelantan, Malacca, Negeri Sembilan, Pahang, Perak, Perlis, Sabah, Sarawak, Selangor and Terengganu. Kuala Lumpur, Putrajaya and Labuan are regarded as Federal Territories. Hence, it is important to articulate the history of the emergence of the present Malay Sultanates in greater detail as the existing literature does not sufficiently explain how and why the Malay Sultanates have survived and become the

pillars of the Federation of Malaysia as they are today.

The Indigenous Malay Confederacy

With its strategic position at the southern-most tip of the Asian mainland, at the center of the East-West ancient maritime commercial route, there can be no doubt that there had been a great civilization in the Malay World since the ancient times. In the northern Peninsula, namely Patani, Kelantan, Terengganu and Kedah, due to their locations, are believed to be the remnants of the ancient Chih-tu, Langkasuka and Kadaram which had existed in the early millennium (Rentse 1934; Braddel 1936; Sheppard 1972). Hence, even though the Melaka Sultanate inherited the Melayu-Sriwijaya Kingdom's confederacy, its tributaries such as Patani, Kelantan and Kedah had existed much earlier. The Melaka Sultanate was a stable kingdom with many tributaries, dependencies and vassal-states. According to the Portuguese records (Alfonso De Albuquerque 1512: 71-78; and Tome Pires 1512: 151-155) almost immediately after Melaka was established in c.1400 A.D., Parameswara (d. 1413-14), the founder of the Melaka Sultanate, had expanded his sovereignty

and territorial control to its neighboring states such as Bertam, Muar, Clang, Jeram, Perak and the southern Kedah. Then, the territorial expansion was widened by his successors. According to the *Malay Annals/Sejarah Melayu* (John Leyden's edition 1821: 107-108), Sultan Muhammad Shah's (1424–1444) reign:

Was extremely just and the protector of all vassals. For a long period the country of Malacca continued to flourish, and its domains to encrease (sic., increase) constantly, so that on the west its boundaries extended to Bruwas Ujung-Carang; and on the east as far as Tringano. All rajas came to Malacca to be introduced to Sultan Muhammad Shah who received them all with the highest respect, and invested them with honorary dresses of the highest value.

The extension of Melaka's political territory during Sultan Megat Iskandar Syah's (d. 1423-24) reign were Kuala Lingga, Kuala Kesang, Naning, Sungai Ujong and Rembau. During Sultan Muzaffar Syah's (d. 1459) reign, it extended to Dinding, Muar, Singapura, Bintan, Pahang, Inderagiri, Kampar and the Minangkabau interior. During Sultan Mansur Syah's (d. 1477) reign, Bernam, Perak, Kelantan, Terengganu, Patani, Rokan, Aru and Siak also became part of the Melaka Empire. Sultan Alauddin Rakyat Syah (d. 1488), later extended the empire to include the Riau-Lingga archipelago, Bintan, the east coast of Sumatra, and the islands of the South China Sea adjacent to his tributaries and dependencies. During its golden age, especially during Sultan Mansor Shah's reign with his celebrated Prime Minister, Bendahara Tun Perak, beside being the centre for Islam and culture-literature, along with trade and territorial expansion which encompassed the entire Malay Peninsula, Riau-Lingga islands, and eastern part of Sumatera, the Melaka Sultanate was able to transform those different states into a relatively unified empire under a paramount ruler through; 1) recognition of the Melakan ruler's overpowering grandeur, 2) the dispatch of Melakan princes to create new states, 3) the conquest, and 4) political marriage (see Walker 2004: 227). More importantly, the Sultanate managed to expand because it was a well organized empire. It had a set of well-defined and uniformed written laws consisting of *Undang-Undang Melaka* (Laws of Malacca), *Hukum Kanun Melaka*, *Risalat Hukum Kanun*, and the *Undang-Undang Laut Melaka* (the

Maritime Laws of Malacca). The kingdom had also a well-organized government. With the Sultan at its paramount ruler, the Kingdom was governed by four major ministers (Major Chiefs) known as *Orang Besar Ber-Empat* at the central government. They consisted of the Bendahara, Temenggong, Penghulu Bendahari and Laksamana. They formed the legal framework for the empire (Lopez 2001: 11-12). Under those central ministers, there were the *Orang Besar Lapan* (the Eight Chiefs) at the State level, and this group was followed by sixteen and thirty two lesser Chiefs. The main principle remained, namely, that they ran in descending order, from the Sultan downwards to the Penghulu, the village headman, an absolute autocracy. Each chief or Penghulu in his respective capacity was a miniature sultan (Radin Soenarno 1960: 1; and Lopez 2001: 11-12). The kingdom had a set of trustworthy officers. The most famous were its Bendaharas Tun Perak and Tun Mutahir, and Laksamana Hang Tuah. Under their advice, Melaka succeeded to expand to its greatest extent. The most important factor that strengthened the Melaka Sultanate's solidarity was that its Sultans were respected with full obedience. They were believed to have *daulat*, a receptacle of the divine essence with sacred values which were only possessed by the ruling house who were descendants of Iskandar Zulkarnian (Alexander the Great) who had come down to earth on the ancient Bukit Siguntang. During the Melaka Sultanate (1400-1511) the term 'Kerajaan Melayu' (Malay Kingdom) exclusively referred to the Melaka Sultanate, whereas all the other States which were its tributaries, dependencies and vassal-states had never been identified as Malay Sultanates but by their respective states such as 'Negeri Perak,' 'Negeri Terengganu,' 'Negeri Pahang,' 'Negeri Siak,' 'Negeri Aru,' 'Negeri Patani,' 'Negeri Kelantan' and so forth.

Dissolution of the Old Melaka Empire

In 1511, the Melaka port-city was invaded by the Portuguese, the land territory under the control of Portuguese was only in present Melaka Tengah, a narrow stripe of about 314 km². Sultan Mahmud, the Melaka Sultan safely escaped to Kampar, Sumatera a dependency of the Melaka Sultanate and later set up his new capital in Johor, in 1528. Valentyn, who was in Melaka in 1687, stated that

the Johor Sultanate still exercised sovereignty over the former Melaka Sultanate's tributaries, dependencies and vassal-states that included Kampar, Siak, Indragiri, Linggi (Negeri Sembilan), Kelang (Selangor), Pahang, Terengganu, Sedili, Dungun, Rembau, Muar, Bengalis, Pulau Tinggi, Tioman, Pulau Auer, Pulau Temaja, Siantan, Bunguran, Pulau Laut, Sarasan, Subi, Tambelan, Sudala and Lingga (Valentyn, 1934, new publication). Eredia also stated that in 1613, all the territories around Melaka were under the Crown of Johor. As there was still a strong central government, during the seventeenth-century Johor Sultanate (1528-1699), those other States were not yet identified as Malay Sultanates as they are today, but rather as tributaries, dependencies and vassal-states, and were called according to the names of their respective states—continuing the Melaka tradition. This is a strong evidence that the Melaka Sultanate continued in existence even after 1511. The death of Sultan Mahmud II—or popularly known as Sultan Mahmud Mangkat Dijulang in 1699 had marked the fall of the Melaka Sultanate, which resulted in the emergence of the present Malay Sultanates as independent sovereignties as they are today. Alexander Hamilton (in 1717 and in 1720s), an English-captain, who was in Johor during the reign of Sultan Mahmud II alleged that he personally knew the Sultan, stated that the internal disorders in the Kingdom of Johor was caused by the weird behavior of the Sultan. In fact, he called the Sultan a tyrant (Hamilton 1930 new edition of 1717: 95). The internal disorders in Johor was exacerbated by the demise of Bendahara Tun Habib Abdul Majid in 1697, and further worsened when Sultan Mahmud II was assassinated, leaving no heir. The Johor throne was assumed by Bendahara Tun Abdul Jalil, the son of Tun Habib Abdul Majid, stylised as Sultan Abdul Jalil Riayat Shah IV. The new Sultan did not improve the state affair as his accession to the throne was also disputed as being the first time in Melaka Sultanate history the sovereign was replaced by a son of Bendahara. However, it is necessary to emphasis that even though he was from the Bendahara's line, Sultan Abdul Jalil Riayat Shah IV also possessing the royal blood. This is because the Melakan Bendahara line was originated from same blood line with the Sultan as they were both the descendant of Sri Tribuana, the forefather of Melaka Sultanate's founder. *The Malay Annals*

(Leyden's edition: 47-48; and *Sejarah Melayu*, edisi A. Samad Ahmad page: 44), relates that Sri Tribuana had two sons, Raja Kechil Besar and Raja Kechil Muda. While the elder became the Sultan, the younger brother became the Bendahara. There was also an incident that further weakened Sultan Abdul Jalil Riayat Shah IV's position. His ministers' conspiracy against his prowess admiral, Paduka Raja Laksamana had succeeded in influencing him and as a result thereto, Paduka Raja Laksamana was murdered in Seberang Takir, Terengganu. Alexander Hamilton (1930 new edition of 1717: 53-54) also alleged that the Johor people complained to him that the Sultan 'was too religious to make him a good king, and that he might retire to *Pahaung* or *Trangano*. He went himself to *Trangano*, where I afterward had the honour to see him.' His assertion that the Sultan was too religious meant that the Sultan was much more concerned about religious ritual matters compared to the administration of his kingdom. Because of the internal disorders, Sultan Abdul Jalil Riayat Shah IV's reign was disrupted with civil wars. In order to secure his position on the throne, he liberalized the tributaries, dependencies and vassal-states of Johor Sultanate. Wilkinson (edition of 1971: 291-292; 1932: 30) asserts that due to the civil wars and troubles that were distracting the Government of Johor between A.D. 1700 and 1720 (*sic.* 1719) the Sultan was willing to bestow titles and concessions on any chief who would recognize him, and made it impossible for him to act effectively in the internal affairs of the states of its dependencies and vassal-states. The liberalization policy further decreased the tributaries and dependencies of the former Melaka Sultanate. For instance, in 1705 he bestowed the insignia of rank to the Chief of Naning. In A.D. 1707 the second *de facto* ruler of Rembau obtained a hereditary title and a seal from Johor 'By The Grace of Bendahara Sri Maharaja, 1707'. A few years later, the Dato' Bandar of Sungei Ujong—and probably the Penghulu Mantri or Ruler of Sungei Ujong—obtained similar recognition. The title of Penghulu Mantri had been in existence for a very long time but was held—in its early years at least—by deputies from Johor. Now it began to be held by a local hereditary chief. These were the signals the central authority was losing control and power. Sultan Abdul Jalil Riayat Shah IV had also bestowed the state of Terengganu, one of the

tributaries of the former Johor-Melaka Kingdom, to his brother, Tun Zainal Abidin (Mohamed Anwar Omar Din and Nik Anuar Nik Mahmud 2009). In 1708 A.D. Terengganu emerged as an independent state as it is today with Tun Zainal as its founder, styled as Sultan Zainal Abidin Shah I. One of the leading factors that ruined the Johor Kingdom (the successor of the Melaka Sultanate) was the invasion of the Minangkabaus under Raja Kechik Siak, who self-claimed to be the legitimate heir of Sultan Mahmud II, in 1703-1719. Raja Kechik, styled Sultan Abdul Jalil Rahmat Shah, ruled Johor for about four years, 1718–1722. The invasion had resulted in the political structure of Johor Sultanate being slowly dismantled. The capital of the Johor kingdom was then moved to Riau island. The late Sultan Abdul Jalil Riayat Shah IV's prince, Raja Sulaiman, in his attempt to acquire the throne, had asked for the help of the Bugis warriors. The Bugis warriors succeeded in dethroning Raja Kechik Siak in 1722, and Raja Sulaiman was installed on the throne as Sultan Sulaiman Badrul Alam Shah (r.1722-60). As a reward, the Johor Sultan appointed the Bugis as the nobles in the ruling house of the Johor Sultanate. The Bugis were then given influential positions in the Malay political hierarchy, including that of Yamtuan Muda (junior ruler or crown prince). The intervention of the Bugis into the administration of the Kingdom of Johor had led to their dominance and they became the *de facto* ruler of Johor for a few decades. Subsequent thereto, the 1824 Anglo-Dutch Treaty had politically divided the islands south of Singapore, including Java and Sumatra into Dutch influence, and Malay Peninsula into British, thus contributing to the dissolution of the Johor-Pahang-Riau-Lingga Empire.

The Emergence of the Present Malay Sultanates

At the turn of the eighteenth-century there was a dramatic appearance of new independent States on the political map of Southeast Asia, and it was the threshold of the emergence of the present Malay Sultanates. This was because the Johor Sultanate, the successor of the old Melaka Sultanate and the descendant of Melayu-Srivijaya, had collapsed. Andaya (1975: 285) notes: The Kingdom of Johor was effectively partitioned in 1719 into three loci of power: Terengganu and

Pahang under Sultan Abdul Jalil Riayat Shah IV of Johor; Siak, Bengalis, and Batu Bahara under Raja Kechik; Selangor, Kelang, and Linggi under Daeng Marewah and Daeng Menompok.

In a nutshell, the fall of the Johor Sultanate at the end of seventh century meant the Malay central authority had ceased to exist. As there was no Malay central government, the power of Malay politics and authority were then returned to the former tributaries, dependencies and vassal-states of the old Melaka Sultanate. It was the re-emergence of the old tributaries, dependencies and vassal-states that had brought about the establishment of the present Malay Sultanates. Most of the present Malay Sultanates could in fact, trace their blood ties with the ancient kingdom of Bukit Siguntang. Notably the sultanates of Perak, Terengganu, Johor, Pahang, Riau-Lingga, along with Siak and Indragiri were the descendants of the Melaka ruling house. The Patani ruling house also had blood ties with the Melaka Sultanate. Eredia in 1613 (1930: 57) recorded:

Permicuri, by birth a Jao (Java) of Palimbam in Samatta or the Golden Chersonese allied himself in marriage with the lords and monarchs of Patane and Pam who belonged to the family of the Malaios, and was succeeded by the following Malaio Kings: Xequé Darxa, Soltan Medafarsa, Soltan Marsuse, Soltan Alaudin, and the last Soltan Maahumet, who was overthrown and destroyed by the invincible captain Affonso de Albuquerque, when his royal state was conquered and Malaca subdued on the 15th of August in the year 1511.

These affiliations are well recorded in the indigenous classical texts in the respective Malay States. For example, *Silsilah Perak* (1826) stated that the nineteenth-century Perak Sultanate line as from the Bendahara of Johor (Sultan Abdul Jalil Riayat Shah IV): “Adapun Bendahara Johor itu senasab juga dengan raja Melayu karena asal bendahara itu Melayu itu dari Singapura.” The *Hikayat Johor Serta Pahang* stated that the Pahang ruling house was the descendant of the Melaka ruling house. *Hikayat Siak* duplicated *Sejarah Melayu* in the whole of its first part of book to show that Raja Kechik Siak had royal blood connection with the ruling house of the Old Melaka Sultanate. *Peringatan Salasilah dari Raja-Raja Johor hingga ke Riau Lingga, Singapura, Pahang dan Terengganu* stated that the founder of Terengganu Sultanate was the young brother of Sultan Abdul

Jalil Riayat Shah IV of Johor. Those who had not had royal blood connection with the Melaka ruling house had established the ties through two ways, marriage and royal endorsement in order to acquire the sovereignty over the Malays and for the official endorsement as a ruler. The royal endorsement took place in two manners, either by personal endorsement of the other ruler or upon bestowment of royal regalia. As Pahang, Terengganu and Johor evolved to become independent sovereignties from the collapse of the Malay central kingdom, they maintain their identity by affiliation with Melayu as their states are called 'Negeri Melayu' in the sense that the states belong to the Ruler who descended from the Melayu ruling house or the state was formerly under/belong to the ruling house of Melayu while their subjects shall carry the reference as Orang Melayu-Johor (Johor-Malay), Orang Melayu-Terengganu (Terengganu-Malay), Orang Melayu-Kelantan (Kelantan-Malay), Orang Melayu-Pahang (Pahang-Malay), Orang Melayu-Patani (Patani-Malay) and so forth.

The Reconfiguration of the Present Malaysian Federation

The Melaka Sultanate encompassed the Malay peninsula, Sumatra and the coastal Borneo. These territories formed largely the present Malay States that were formerly the tributaries, dependencies and vassal-states of the Melaka Sultanate. In fact, the word 'Tanah Melayu' had already been used prior to the coming of any European power to this region. For instance, Valentyn (1726, ed. 1885: 64-65) stated:

The people 'below wind' (to eastward), or else 'Easterlings' (above all the other nations in the East), from this name having been given afterwards also to some of their neighbours or other Easterlings. This country has generally been known since that time by the name 'Tanah Malayu,' i.e. 'the Malay territory' or else 'the Malay Coast,' comprising in a larger sense all the countries from that very point or from the 2nd degree till the 11th degree North latitude and till Tenasserim, though, taking it in a more limited sense, only that country is understood, which now belongs under the governorship and jurisdiction of Malacca and its environs; they are, therefore, also called 'Orang Malayu,' i.e. the Malays, whilst all the other Malays, either closely or far, as those of Patani,

Pahang, Peirah (Perak), Keidah (Kedah), Djohor, Bintan, Lingga, Gampar (Kampar), Haru, and others in this same country or on the islands of Bintang, Lingga, or Sumatra, are also called Malays, but always with the addition of the name of country where they come from, as for instance: Malayu-Djohor. Malayu-Patani, &c,&c.

Why the Malay Rulers Agree

One of the authentic observations about the actual historical events to illustrate the position of the British in the Malay States could be found in Frank Swettenham's writing. He could be recognized as "an eye witness" to the historical events during his tenure in Malaya in the early 19th. century. Frank Swettenham (British Malaysia 1906: 273-274):

The Malay rulers cordially approved this scheme, because it did not touch their own status in any way, though it formally recognized the right of the Resident-General to exercise a very large control in the affairs of the States. He was not styled an adviser; his authority, both in the general administration, and as regards the Residents, was clearly defined. Then the Malay Rulers believed that, as a federation, they would be stronger, more important, their views more likely to receive consideration, should a day come when those views happened to be at variance with the supreme authority, be it High Commissioner at Singapore or Secretary of State in England. Two of the States, Perak and Selangor, were then very rich; Negri Sembilan had a small debt, but was financially sound; while Pahang was very poor, owed a large sum to the colony, and, though believed to be rich in minerals, had no resources to develop the country. By federation, the rich States were to help the poor ones; so Pahang and Negri Sembilan hoped to gain by the arrangement, while the Rulers of Perak and Selangor were large-minded enough to welcome the opportunity of pushing on the backward States for the glory and ultimate benefit of the federation. Further, they welcomed federation because it meant consistency and continuity of policy. It meant the abolition of interstate frictions and jealousies, and the power to conceive and execute great projects for the benefit of the partnership, without reference to the special interests of any partner. Above all, they not only accepted but desired federation, because they believed that it would give them, in the Resident-

General, a powerful advocate of their needs and their views, a friend whose voice would be heard further and carry more weight than that of any Resident, or of all the Residents acting independently. In the past, there had been times when they had had experience of the result of references to the Governor in distant Singapore, when the representations of their Residents carried little weight if opposed by an authoritative voice giving different counsel to an inexperienced or not much interested Governor. They foresaw that the future would accentuate the disadvantageous position of the States; for the tried and experienced men would go, and their successors might not be able to command even as much influence in Singapore or Downing Street as those who had helped to steer the Malay craft through the troubled waters of the seventies into the calm of the nineties. Therefore, the Malay Sultans and Chiefs, whether they were clearly to gain by the new arrangement or apparently to lose—at least for a time—unanimously declared for federation.

The above documentary evidence denies the colonization of the Malay States but emphasizes the consent of the sovereign Malay Rulers as the source of authority to legalize the intervention of the British within the internal affairs of the Malay States. The above documentary evidence further re-affirms the findings made by Wan Ahmad Fauzi (2018) that the advisory system by the British residents did not acquire the sovereignty of the Malay Rulers thus maintains their traditional principle of sovereignty being a caliph or trustee of Allah the Almighty God. Under the same pretext, it explained the British's requirement for the MacMichael Treaties 1945 in order to legitimize the introduction of the Malayan Union in 1946.

Conclusion

The Malay Sultanates had always survived throughout the historical times and are still sovereign in their respective states. At a time during the Melaka Sultanate, it was a Malay kingdom with many tributaries, dependencies and vassal-states under a supreme ruler. It is undisputed facts that the Malay Rulers had set their own views in response to the terms of reference established by the Lord Reid Commission. The Perikatan was also consulted as a part of the process to gather the

people (rakyat Raja) of the Malay Rulers' views in order to establish a legal framework for a federal constitution without compromising the position of Islam, the Malay Rulers' sovereignty and the legitimate rights of the Malays. As a matter of facts, the agreement for the formation of a central government and the independence of the Malay States as well as Melaka and Penang from the British administration was signed by Her Majesty the Queen of England and the Malay Rulers. It is a conclusive evidence that the Malay Rulers who formed and established Malaysia as it is today with the British upon consultation with their subjects, not otherwise.

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