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“Borders and the Mapping of the Malay World”

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If we wish to draw a historical border between a time in which political and territorial boundaries in the Malay world, and probably in all of Southeast Asia, were treated in a traditional or indigenous sense and a time when, as at present, they were seen in a "modern" or western sense, it would have to be the Anglo-Dutch Treaty of 24 March 1824. This agreement, signed partly to legitimize British control of Singapore, and also to settle outstanding issues between the British and Dutch following the Napoleonic Wars, effectively divided the Malay world down the Straits of Melaka. It gave the Dutch Sumatra and the islands to the south of the Straits of Singapore, while the British received the Malay Peninsula and Singapore Island. Neither power had very many actual possessions in most of these areas at the time. The treaty did not actually recognize possession or governance, but simply a right to influence, to make treaties and exercise certain responsibilities, such as suppressing piracy.

In Article XII of the treaty itself, the division was only vaguely defined. The Dutch withdrew their objections to the British occupation of Singapore, and the British undertook to make no establishments or treaties with the chiefs of "... the Carimon Isles, or ... the Islands of Battam, Bintang, Lingin, or any of the other Islands South of the Straits of Singapore..."(Maxwell, 1924, p 11). Graham Irwin's discussion

of this treaty, and of its implications for Borneo, make it clear that both the Dutch and the British saw the division in terms of a line. He quotes A. R. Falck, one of the Dutch signatories, who pointed out in a subsequent document: "...their respective possessions in the East Indies are divided by a 'line of demarcation', beginning at the entrance of the Straits of Malacca at the parallel of Kedah (the 6th degree North Latitude) and terminating at the end of the Singapore Straits. A few years later, J.C. Baud, the Dutch Minister for the Colonies defined the end of the Strait of Singapore as 1°30' N. (Irwin, 1954 p 62-4)

Although in 1824, the line was only applied to the area of the Straits, it is clear that even then, the Dutch considered the line as extending across the center of Southeast Asia and dividing the island of Borneo and cutting across northern Sulawesi. It thus supplied the precedent for the division of Borneo into Dutch and British spheres, separating Sabah and Sarawak from what is today Indonesian Kalimantan. In its final form, however, the Dutch (and by virtue of that, the Indonesians) did better than the initial line would have suggested. The border has wandered northward to include the Natuna and Anambas Islands, and then comes back to Borneo at Tanjong Datu and slices off Sarawak, Brunei and Sabah and ends, as it were on the other side of Sebatik Island off the coast of Tawau at precisely 4°10' N. The latter line was arbitrarily chosen to settle a dispute between the British and Dutch in 1891, although it was not clearly defined until 1912. (Tregonning, 1965 , p 23)

The year 1824 was a defining moment in the history of the region. For the first time, European powers had laid down specific lines on the map and fixed them according to precise degrees of latitude and longitude. It was the beginning of

"rationalized" borders in the Malay world. Here we see the European powers in Asia behaving with the rationalist arrogance of modernism characterized by Fredrick Rolfe whose character, Hadrian VII, boasted "...when the Ruler of the World geographically rules the world, He is accustomed to do His ruling with a ruler." (Rolfe, 1993 , p 337) Armed with maps, straight-edges and compasses a few men who had never been to the Straits of Melaka sat in a room in London and divided up the island world of Southeast Asia.

The location of this line, not only constitutes the current border between Malaysia and Indonesia and Singapore, but also connects with the borders between Malaysia, Indonesia and the Philippines. Such a border was not only unprecedented according to Southeast Asian reckoning, but also arbitrarily divided bodies of water and groups of islands which had heretofore been borderless and in fact, which had formerly been the united political territories. These included the ancient kingdom of Johor-Riau, the successor to the Ur-Malay principality of Melaka in the west; and Brunei and Sulu in the east. Both Johor-Riau and Sulu were roughly split down the middle and Brunei was nibbled down to a sliver of its former self. For all practical purposes Johor-Riau, in particular, had virtually ceased to exist, at least in the minds of Europeans. Although it would be many years before the line actually came to function as a border in the European sense, the division was enough to abrogate the indigenous political dynamics that had operated in the region for centuries.

Pre-Colonial Borders

Prior to the nineteenth century, the Malay world was still governed largely by the indigenous political cultures of the past. Malay "states", where they existed were

often merely collections of thinly-populated centers at river mouths, held together through trade, kinship; shared ceremonial or religious practices; various forms of clientship and dependency; violence and intimidation; and possibly language. These polities included, not only Johor-Riau, but also Sulu, Brunei, Palembang-Jambi, Siak, Mindanao, Pontianak, Sambas, Aceh, the states of the Malay Peninsula and many other principalities of the island world of Southeast Asia. They were representative of what Jaya Kathirithamby-Wells and John Villiers have called the port-polities of Southeast Asia. (Kathirithamby-Wells, 1990) I argue that this particular form of state seems to have been unique to island Southeast Asia. (Trocki, 1992 #244) Others, such as O.W. Wolters and Pierre-Yves Manguin, have made similar observations. (Manguin, 1993 ; Wolters, 1999) Wolters has gone so far as to suggest that such states were “borderless”. I would hasten to interject that this did not mean that rulers did not recognize distinctions between territories that were “theirs” and those that were beyond their control. On the other hand, the very concept of borders, seen as *lines* dividing one state from another, did not really exist in the region.

To European observers, these territories, or multi-centered states often seemed ephemeral, and with some justification. For instance, in 1512, the great polity of Melaka seemed to disintegrate almost completely once the Portuguese took the city. Its successor, Johor-Riau seemed to flicker like a poorly-wired light bulb for the next three centuries as it clung to the lower end of the Melaka Straits (Andaya, 1978) States like Aceh rose in the seventeenth century and collapsed in the eighteenth. Brunei, an important center in the sixteenth and seventeenth century had declined sharply in the eighteenth. The same might be said of Maguindanao. Its place was taken by Sulu in the eighteenth century, a state seen by Europeans as a piratical

upstart. (Warren, 1981) Similar periods of fluorescence and decay were evidenced in Palembang and Jambi as Barbara Andaya has demonstrated. (Andaya, 1993)

Although Europeans attempted to represent such polities on their maps, it seems clear that the resident Southeast Asians, did not see them the same way.

At any given time, these territories varied in both shape and structure, including islands, river mouths, stretches of coastline, shoals, reefs, and parts of the surface of the sea. More important than territory, however, was the influence exercised over the peoples who lived in the subject areas, as well as the ability to demand their services and to tap the economic resources that they controlled. Also, significant were relations of dependency that might exist between the chiefs of subordinate centers and more powerful patrons in the dominant centers. Such states tended to overlap, and expand and contract, concertina-like over time. There could, at any time, be hundreds of nautical miles of open sea between the components of such polities. These considerations rarely appeared on European maps, and when these states were represented on European maps, they often took on a false aspect, which presumed a solidity, and connectedness that did not exist.

The basic unit of maritime Malay political structure seems to have been the *negri*. This was the seat of a chief, perhaps a Sultan, perhaps only a raja or pengulu, depending on the size and importance of the polity. With luck, he controlled the *ulu*, or upriver area, mainly by physically blocking access to the region on the river. With even more luck, he might even control some of the seacoast on either side of the river mouth. Between one *negri* and another, there was often a vast expanse of forest, swamp and sea. This was sparsely inhabited by “tribal” peoples, hunter-gatherers,

orang laut, swidden farmers and even wet-rice growing peasants, most of whom were in some sort of dependency relationship with a nearby chief or raja.

As maritime states, Malay negri tended to be bound together by water rather than separated. Rivers and straits tended to be the core of states and were rarely the edges. These were, in the words of Pierre-Yves Manguin, “ship-shape societies”, built around boats and water-borne communications. They were made up of royal residences, ports, markets, foreign traders, outlaws, pirates, navies and maritime as well as land-based gatherers and collectors. Large maritime states probably resembled Tambiah’s “galactic polity”, being organized, at least, conceptually, by those at the center, as grouped in mandalas, or rings. Within these far-flung centres, traders and raiders, both indigenous and foreign seemed to roam at will.

The systems of land-management, particularly for agriculture, that were seen as fundamental to European administrative establishments, were largely absent in the cultural repertoire of the maritime Malays. The idea of drawing lines around bits of territory, or of dividing one ruler’s sphere from another by means of a line, to say nothing of drawing a line through the middle of the sea, seem to have been foreign concepts at the beginning of the nineteenth century in this part of the world.

Nonetheless, it is clear that even Malay rulers, whose experience may have been little more than seafaring, were quite capable developing certain forms of land management. Moreover, at bottom, there was always the ability to manage a piece of land from the seacoast or by means of its riverine access. And, since riverine access was the key to land, then the river valley bounded by its natural watersheds was seen as the general unit of land division.

The example of the rulers of Johor in the nineteenth century is a case in point. After 1840, as the Temenggong of Johor took possession and control of the territory that today makes up the state of Johor, he systematically divided the state by river valleys. This was the foundation of the kangchu system, by which the state was parcelled out to Chinese pepper and gambier planters from Singapore. The term “kangchu” is a Chinese term which translates as “lord of the port”, or more appropriately, riverbank landing. In the second half of the nineteenth century, as the state became more densely settled, some of the larger rivers were divided by the giving one kangchu the left bank and another the right. (Trocki, 1976 ; Trocki, 1979) Undoubtedly, this system of territorial management owed something to traditional Malay administrative culture.

We get another view of this sort of division-by-watershed in the memoir of Mohamed Ibrahim bin Abdullah, the son of the well-known Munshi Abdullah who had served as Raffles’ scribe in the early nineteenth century. In 1871, Md. Ibrahim then an official in the Johor government, accompanied Engku Abdul Rahman, the ruler’s brother, to settle some disputes among Chinese tin-miners at Bukit Mor, not far from Muar. He offers a short dissertation on the rationale for parcelling out the riverbanks and “rivermouth” areas of these small creeks running off of the hillside. (Mohamed Ibrahim, 1975 , pp 22-24)

What I have described as rivers are not like most rivers, big and deep and flowing into the sea, but are merely creeks or rivulets. Every stream invariably flows to low ground or a swamp (kuala), and always runs between two hills, and rises on a hill. Whenever a stream flows down from a hill, passes between hills and reaches a swamp, it ceases to flow and empties itself there. This point is called its mouth, and outlets of this sort always have hills to the left and right of them. It has been decided that the limits of a river-mouth are where the hills on either side come to an end. It has also been decided where the boundaries of the rivers are, and that each river shall be owned by one towkay. Each river shall extend from the farthest point upstream to the mouth, excluding the hill in which it rises. The width shall be

300 feet from the river-bank to the left and right, and no more. If there is another river or stream nearby, then the boundary must be half-way between the two. The boundaries of a swamp must not go beyond the foot of the hills on either side of it nor must its length exceed 1,800 feet square. (Mohamed Ibrahim, 1975, p 23)

In general, we can probably conclude that for nineteenth century Malays, hilltops and watersheds were the keys of land division. On the whole, these were not lines on a map, but tended to be rather remote and thinly populated zones, where travel was slow and difficult and the rule of the raja was rarely exercised with much effect.

It is worth noting that, despite British and Dutch expectations about the 1824 line in Borneo, the actual extension of it was, to a great extent, done by neither power. The British adventurer and empire builder, James Brooke, who carved out the state of Sarawak from the holdings of Brunei, was largely responsible for the final border between British and Dutch spheres. One of the big differences in the line that Brooke drew was that it did follow the watersheds. Brooke, of course, was actually there on the spot, and in a series of treaties with the Brunei ruler over about three decades, he successively annexed one river valley after another. In each case, the decision was made by individuals on the spot, and who were engaged in the dynamics of local political-military situations. It is also clear from the treaties which he and his agents signed with the rulers of Brunei and other chiefs, that the cessions were generally made in terms of “states” or “districts” or “provinces” which were already seen to exist prior to the cession. These territories apparently already had defined boundaries so far as the local rulers were concerned.

By way of example, in the 1853 treaty giving Brooke the district of Sarawak, the area is described as “...the district of Sarawak, and its outlying territories, extending from Cape Datu to the mouth of the River Samarahan,...” (Maxwell, 1924

p 187) In the 1855 treaty, Brooke received the right to collect taxes from seven more “districts”: “firstly Rajang; secondly Kalaka; thirdly Serebas; fourthly Lingga; fifthly Sakarang; sixthly Sadong; seventhly Samarahan...” (Maxwell, 1924 p188) In most cases, it appears that the districts were seen as river valleys. In other cessions to Sarawak or to the British North Borneo Company, river valleys seemed to be the general limitation of a district. When the cessions were described in terms of coastlines, then headlands and river mouths were often taken as the operative boundaries. The 1877 treaty between Brunei and the British North Borneo Company, reads:

...all the territory and land belonging to the Sultan on the West Coast of Borneo comprising Gaya Bay from Gaya Head to Loutut Point including Sapangar Bay and Gaya Bay, and Sapangar Island and Gaya Island and all the other islands within the limits of the harbour and within three marine leagues of the coast, likewise the province and territory of Pappar adjoining the Province of Benoni and belonging to His Highness as his private property...(Maxwell, 1924 p154)

The other treaty, done the same day, for the east Coast, reads similarly and “...assigns all the following territories belonging to the kingdom of Brunei and comprising the States of Paitan, Sugut, Bangaya, Labuk, Sandakan, Kina Batangan, Mumian and all the territories as far as the Sibuco River with all the islands within three leagues of the coast...” (Maxwell, 1924, p 155). Here the territories are actually called “states” in the English-language version of the treaty. It would be interesting to know what word was used in the Malay version.

Borders and Stateless Peoples

Perhaps the lesson that might emerge from these examples is that borders made on the spot are not usually made as straight lines, but whether that made them any more suitable, or palatable to the local residents is questionable. In the case of

Sarawak we find ourselves in the midst of other problems. Sarawak and British North Borneo (Sabah) came into being as a result of the dealings of Brooke, Overbeck and Dent with Brunei. These can be seen as matters occurring between *states*, or at least governments. And, as James Scott tells us, borders are part of seeing like a state, the state's vision may not coincide with that of the inhabitants. While Sarawak and Sabah became new states made from territory that was separated from the state of Brunei, (and from Sulu in the case of Sabah) the populations of the new states were not consulted and were not exactly prepared to discover that they now "belonged" to a state, which was invested ...

...with the power of life and death over the inhabitants with all the absolute rights of property vested in us over the soil of the Country and the right to dispose of the same as well as the rights over the productions of the country whether mineral vegetable or animal with the rights of making laws coining money creating an army and navy levying customs rates on home and foreign trade and shipping and other dues and taxes on the inhabitants as to him may seem good or expedient together with all other powers and rights usually exercised by and belonging to sovereign rulers...(Maxwell, 1924, p 157)

Whatever the treaty said, however, in these areas, away from the coasts, behind the ranges, in the ulu, the dynamics of the port-polity broke down. It is probable that peoples such as the Kayan, the Kenyah, the Kelabit, the Murut, the Kadazan, Penan and others also observed the natural boundaries of watersheds and the significance of riverine access. Despite this, their borders, where they existed, were matters of long-standing negotiation and conflict between themselves and their immediate neighbors, and none of these were states. The absence of large-scale polities in the rain forests, and more distant archipelagos of the Malay world did not prevent the indigenous peoples of these regions from marking out their own divisions and laying claim to useful bits of territory and specific features of the landscape that might have ritual or economic importance. Such things as durian groves, camphor

trees, bird's nest caves, would all be considered to be the exclusive property of certain individuals, families or villages whose right to exploit the resources in question would be generally recognized by others in the area. Likewise, as resources, they could also be the focus of disputes between neighbors. People certainly acknowledged that such things as property rights existed, but the right usually involved usage of a particular item, and did not fall within the ownership of one or another party because of a line on a map or because of the specific land on which it was located. For other groups, particularly wet rice farmers, such as the Kelabit of the upper Baram or the peoples now known as the Kadazan in Sabah's west coast interior (e.g. Penampang, Tambunan, Keninggau and Tenom) terraced rice fields were certainly owned and were demarcated by lines. Moreover, control over watersheds and water supplies was closely monitored and highly regulated.

In the case of sea peoples or sea nomads, such as the Bajau Laut of Semporna, their ideas of borders and property were even less restrictive. Clifford Sather notes that "Within the district, individual fishing sites are unowned. Neither the village nor its separate families limit access to these sites or exclude others from making use of them." (Sather, 1997, p 106) Priority rights, however, were maintained here. Whoever set up his nets first was allowed to continue fishing undisturbed and latecomers were expected to avoid fishing in the same area. Continued use of a site, and this included the maintenance of *kelongs*, fish-traps and other stationary or temporary devices, kept the area reserved to the first-comer. These conventions were entirely ignored by the colonial governments that took control of the region and neither have they been recognized by the successor states of the Philippines, Indonesia or Malaysia.

This is a topic that Sather barely addresses. He is almost entirely silent on the question of the border between Sabah and the Philippines, and for that matter, Indonesian Borneo. This perhaps reflects the attitude of the Sama Dilaut peoples whom Sather studied, who seemed to live then as if the imaginary line, which separated the peoples of Tawi-Tawi and Sibutu from those of Bangau-Bangau and Sitankai, did not exist. They were not, however, ignorant of the line, and indeed realized the potential for profit that it represented. In the 1960s and 1970s, the area was an important cigarette-smuggling location. The Sabah government freely permitted the import of American and British cigarettes and collected only a nominal duty. By contrast the Philippine government, trying to protect a local tobacco industry and raise a revenue, placed an exorbitant tax on foreign cigarettes. The existence of the border and the differential taxation regimes on either side of it created a situation ideally suited to the sea peoples of the region, who were distant enough from the capitals of Manila and Kuala Lumpur to flaunt their pretensions with impunity for a long time.

Violating the Colonial Borders

The question of smuggling along and across the Malay-Singapore-Indonesian border is a topic that has been given considerable attention by Eric Tagliacozzo in his recent Ph.D. thesis, "Secret Trades of the Straits" (Tagliacozzo, 1999). Tagliacozzo, has shown that the **realization** of the border between the Malay Peninsula, Singapore Island and Sumatra and the Riau-Lingga Archipelago was really a century-long project for both the British and the Dutch. It was obviously not enough for the rulers to rule with their rulers. They had to do more. He describes a process of mapping, exploring, negotiating, cataloging, classifying, collecting, taxing, policing and

administering the borders that divided British Malaya from the Dutch East Indies. And, even with those activities, perhaps in spite of them, perhaps even because of them, the local inhabitants and others persisted in smuggling opium, guns, slaves and other forms of contraband across the imaginary lines. (Tagliacozzo, 1999)

Tagliacozzo spends little time discussing the pre-colonial borders, or lack thereof in the region. He is more interested in the violation of the border as a “modern” occupation. The opium and arms smugglers saw the border as a site of opportunity for gain within the colonial construct. Thus, the free trade and relatively open economy of the British possessions allowed goods and commodities to circulate freely in the Straits of Melaka and around the Borneo coast. The fact that these very same goods were contraband on the other side of the imaginary line, and thus desirable, often because they were forbidden, or forbidden because they were desirable, was a windfall to traders. It should be understood, as well, that these traders were not always traditional Malays who had as yet failed to become border-conscious, rather they were among the wealthiest and most influential and “respected” of Chinese and Southeast Asian traders, and often were the very ones entrusted with the maintenance of the border. (Tagliacozzo, 1999, Ch.5)

At the same time, the Malay rulers of the region, particularly those of Johor, Riau and Aceh, quickly came to understand the significance that borders now gave them in their positions. (Tagliacozzo, 1999, p 68) They too saw possibilities for profit and self-aggrandizement in the new international constructs around them. In the early 1860s the young ruler of Johor, Abu Bakar, sought to claim a greater share of the revenues produced by the Chinese pepper and gambier planters who were moving into his state from Singapore. His understanding that he was the ruler of a

sovereign state separated from Singapore by a line running through the Johor Strait was the basis for his enacting a set of regulations which would have required trading boats from Singapore to stop at his new port of Tanjong Putri (now Johor Bahru). The British in Singapore retaliated with the claim that the 1824 treaty with Abu Bakar's predecessor gave them a claim on all waters within ten miles of the Singapore shoreline. Abu Bakar successfully challenged the British claim by appealing to international law, which placed the border at the midway point in the straits. Although he was ultimately forced to relax his Tanjong Putri regulations, he had successfully met the Europeans on their own border, as it were. (Turnbull, 1959; Trocki, 1979)

Both the rulers and the revenue farmers of Riau and Johor quickly appreciated that the value of their revenue farms were greatly enhanced by their proximity to Singapore, just on the other side of very porous borders. It was clear to the opium farmers of Singapore, the wealthiest and most respectable of all Chinese merchants in the colony, that they could grow immensely wealthier by acquiring the opium farms of Johor or Riau. These territories made ideal bases from which to surreptitiously move contraband opium into Singapore. The Chinese tax farmers were able to do this at virtually no risk or exposure to themselves. They only needed to manufacture smokeable opium (chandu) in, say Tanjong Pinang in Riau, and offer it for sale at a rate some ten or twenty percent below the Singapore price, and they would be flooded with eager customers who would be willing to undertake the risk of moving the chandu into Singapore. (Trocki, 1990)

The border in the Straits of Melaka continued to be the site of an active smuggling trade throughout the twentieth century. The long coastline and the fringing mangrove swamps has, over the centuries, provided shelter for entire navies of

smugglers and pirates. During the Indonesian revolution, an active arms trade sprung up once again, with Sumatran patriots trading the produce of the plantations for weapons and supplies to assist them in their struggle against the Dutch. The restrictive trade policies put into place by the Sukarno government after independence created a continued reason for the illicit export of Sumatran produce. In Singapore and Penang, such goods were received as part of the “barter trade” that existed between Singapore/Malaya/Malaysia and Indonesia. Cloth, guns and manufactured goods returned across the Straits from the free ports on the Malaysia/Singapore side and surreptitiously passed the customs stations on the Indonesian side. Similar trades were carried on by Buginese barter traders between East Kalimantan and Sulawesi and the east coast of Sabah. Indeed, in many respects and in more modern mediums of communication and transport, such trades continue to exist. By far the most pervasive forms of modern smuggling, and the piracy that often accompanies it, seem to have been carried out by the agents of the very states that attempt to enforce these borders. It is no secret that the most active smugglers in the Straits of Melaka today are agents of Indonesian military commanders in the region.

Perhaps because the borders were created by Europeans, perhaps because there was so little involvement of local peoples in their construction, we might easily blame the difficulties resulting from these borders on colonialism. On the other hand, it is probable that even without colonialism – if that is a possible reconstruction of the past – states would have come into being in Southeast Asia and those states would have had borders like other states in the world. Nevertheless, the possibility that borders in the Malay world have been so peculiarly arbitrary and the fact of very different historical precedents in the region have made them all the more problematic today. It

is clear, however, that the bordered territories which have emerged from these colonial projects have been fully embraced by the succeeding national states.

Territory is no longer simple “real estate”, but once inside the national border, it becomes part of the indivisible and sacred unity of the nation, a *pusaka*, or treasured inheritance which can only be divided at the cost of unthinkable terror and violence, such as we have seen in places like East Timor, Aceh and West Papua or Irian Jaya.

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