

## **The Structure of Government in the Colonial Federation of Malaya**

by

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The colonial Federation of Malaya, which came into being in 1948 and gave way to self-government in 1957, constituted in historical perspective a major formative influence in state-building. From the standpoint of recent Malayan history, the colonial Federation marked the transition from a variegated imperial pattern to modern state forms. To be sure, the colonial Federation was not the first effort at governmental modernization in British Malaya, however it was the first that combined a joint, British-Malayan design for political development. Just two years prior, a British-imposed Malayan Union, conceived on a secular model of administrative efficiency, floundered precisely because the scheme failed to cope with the suddenly expressive and rapidly changing tenor of Malaya's communal political life.<sup>1)</sup> Its successor Federation of Malaya was conceived more in terms of the reconciliation of fundamental political interests, on one hand colonial and emergent nationalist, on the other the rival claims of the ethnic communities, and so offered a delicately blended governmental structure. The efficacy of this state-building venture may be evidence in its early transformation to independence, after only nine years. Doubtless, the structural dynamics of the colonial Federation merit study as the anvil of modern Malayan political development.<sup>2)</sup>

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- 1) For recent studies of the ill-fated Malayan Union scheme see Martin Rudner, "The Political Structure of the Malayan Union," *Journal of the Malaysian Branch, Royal Asiatic Society* (1970); M. R. Stenson, "The Malayan Union and the Historians," *Journal of Southeast Asian History* (1969); A. J. Stockwell, "Colonial Planning During World War II: The Case of Malaya," *Journal of Imperial and Commonwealth History* (1974); and James de V. Allen, *The Malayan Union* (New Haven, 1967).
- 2) Because of its comparatively short duration and relative smooth transition to self-government, little has been written on the governance of the colonial Federation; but see, e. g., G. P. Means, *Malaysian Politics* (London, 1970), esp. chap. 5 *et passim*; S. W. Jones, *Public Administration in Malaya* (London, 1953); R. O. Tilman, *Bureaucratic Transition in Malaya* (Durham, N. C., 1964); G. D. Ness, *Bureaucracy and Rural Development in Malaysia* (Berkeley, 1967), esp. chap. 3; L. A. Mills, *Malaya, A Political and Economic Appraisal* (Minneapolis, 1958), and L. A. Sheridan, *Malaya and Singapore*, Vol. 9 of G. W. Keaton, ed., *The British Commonwealth* (London, 1961).

## I The Making of the Federation Agreement

Confronted by a Malay boycott, rising Chinese radicalism and increasing Communist militancy, the British Government was impelled to abandon its scheme for a Malayan Union and reconsider the country's political state. Towards this end, a Working Committee consisting of UK representatives on one hand, and the Malay Rulers together with representatives of the United Malays National Organization (UMNO) on the other, met to draw up a new constitution in which Malay political claims would be accommodated with Britain's interests and principles pertaining to Malaya. The main problem confronting the Working Committee was the organization of political power under the proposed federalist arrangement. On the British side, it was deemed essential that a 'strong central government' be established with control over 'all matters of importance to the progress and welfare of the country as a whole'.<sup>3)</sup> UMNO and the Malay Rulers, for their part, sought to uphold the 'individuality' of the Malay States and, while conceding the necessity for strong central government, they envisaged a federalist distribution of powers similar to the Government of India Act.<sup>4)</sup> In the end, the Working Committee recommended a federal constitutional structure having 'comprehensive' legislative authority vested in the central government, tempered by strong State representation in Federal political organs.<sup>5)</sup>

Upon publication of the Working Committee's Report, a Constitutional Consultative Committee was set up to sound out other communal and societal interests on the Federation idea. Most submissions to the Constitutional Committee involved wrangling over allocations of legislative seats, rather than issues of principle.<sup>6)</sup> British business interests supported the federal scheme, though the merchants of Penang and Port Swettenham dissented over the exclusion of Singapore.<sup>7)</sup> Still, British commercial groups asked for enlarged corporate representation on the Federal Legislative Council, in line

3) *Federation of Malaya: Summary of Revised Constitutional Proposals*, London: HMSO, 1947 (Cmd. 7171), Para. 3. A second basic principle adhered to by the UK was that of common citizenship on a non-racial basis for Malaysians.

4) *Report of the Working Committee*, Kuala Lumpur: Government Printer, 1947, Para. 33.

5) *Report of the Working Committee*, Para. 27-31.

6) cf. *Report of the Constitutional Consultative Committee*, Kuala Lumpur: Government Printer, 1947, and K. J. Ratnam, *Communalism and the Political Process in Malaya*. (Singapore, 1965) pp. 51-4. Demands for separate communal representation were articulated by Ceylonese, Eurasian, Indian Muslim and Sikh groups, while Indians, Chinese, non-UMNO Malays and Britons demanded expanded representation for their respective interests.

7) *Report of the Constitutional Consultative Committee*, pp. C195, 257-8. The (British) Penang Chamber of Commerce 'strongly' advocated Singapore's inclusion in the Federation to offset any competitive advantages likely to accrue to the Colony should it retain its free port status. Meanwhile the (British) FMS Chamber of Commerce supported the exclusion of Singapore for peninsular economic, financial and political development. This conflict of interests was also reflected among respective Chinese Chamber of Commerce.

with 'the magnitude of European trading and cultural interests' in Malaya.<sup>8)</sup> By far the most strenuous reaction against the proposed Federation came from the Pan-Malayan Council for Joint Action, protesting the abandonment of what they argued were the progressive features of the previous Malayan Union scheme.<sup>9)</sup> Constitutional provisions for nominated, corporate representation were also criticized by leftwing and nationalist groups wanting a broad-based, elected legislature.<sup>10)</sup> Moreover, the proposed constitutional structure was strenuously attacked by radicals from all communities for accentuating the political authority of the traditional Malay elite.<sup>11)</sup> Tin interests opposed the decentralization of power over land,<sup>12)</sup> while other communal and commercial interests joined to demand the inclusion of Singapore in the new Federation.<sup>13)</sup>

The Report of the Consultative Committee accepted the basic tenets of the Draft Constitution, including the principle of Malay privilege, but suggested a substantially enlarged Federal Legislative Council.<sup>14)</sup> Their recommendations were returned to the Working Committee which sent its final proposals to a Plenary Conference of Rulers, Governor and UMNO. Certain modifications were then made to the original Constitu-

8) *Report of the Constitutional Consultative Committee*, p. C195.

9) Led by Malayan Chinese elder statesman Tan Cheng Lock, the PMCJA combined Malacca Chinese interests with those of the Malay Nationalist Party, Malayan Democratic Union, Pan-Malayan Federation of Trade Unions and other minor Chinese and Malay left-wing groups. Later the PMCJA split into Chinese and Malay factions and became known as the PMCJA-Putera coalition. For the political aims of the PMCJA, see Tan Cheng Lock's telegram to the Secretary of State, reprinted in the *Report of the Constitutional Consultative Committee*, p. C281. On the PMCJA itself, see Ratuam, *Communalism and the Political Process in Malaya*, pp. 147-52, and T. H. Silcock and U. A. Aziz, 'Nationalism in Malaya,' in V. L. Hollan, ed., *Asian Nationalism and the West* (New York, 1953).

10) cf. Letter from the Overseas Chinese Association (Johore), p. C210 ; Memorandum of the Malay Nationalist Party, Angkatan Pemuda Insaf, Drivers Union, Electric Workers Union, General Labour Union (Malay Section), p. C185 ; Memorandum of Lembaga Persutuan Melayu, pp. C208-10 ; *Report of the Constitutional Consultative Committee*.

11) cf. Cmd. 7171, Para. 16 ; and Memorandum of the Malay Nationalist Party, p. C484 ; Memorandum of the Lembaga Persutuan Melayu (Johore), pp. C208-10 ; and the Memorandum of 23 Chinese Associations of Batu Pahat, Johore ; *Report of the Constitutional Consultative Committee*. In a letter to the Committee (p. C199) the President of the Lower Perak Malay Rubber Dealers Association charged that recruitment of Malay political representation from the Malay elite operated to the detriment of the Malay populace ; see also the Memorandum of Lembaga Kentuan Melayu, Johore, pp. C272-3.

12) *Report of the Constitutional Consultative Committee*.

13) Demands for inclusion of Singapore crossed communal lines ; *Ibid*, Memoranda of the PMCJA, p. C281 ; Perak Chinese Chamber of Commerce, p. C226 ; (British) Penang Chamber of Commerce, p. C195 ; Malaya Sikh Union, p. C258-61 ; Eurasian Association, pp. C235-8 ; Persutuan Melayu, Illu Trengganu ; Malay Ra'ayat at Daerak Kelantan, p. C242.

14) The Working Committee originally proposed a Legislative Council of 48 with 34 appointed unofficial members. The Consultative Committee favoured a Council of 75 with 52 unofficials, though a Minority Report of its Chinese members proposed a legislature of 66 with 52 unofficials but with 9 fewer Malays. The final proposals provided for a Legislative Council of 75 with 50 unofficial members.

tional proposals with regard to the scope of legislative recruitment, though not its communal balance, and to citizenship proposals.<sup>15)</sup> The constitutional arrangement that emerged was acknowledged by the United Kingdom as the basis for the Federation of Malaya Agreement (FMA).

The resulting Federal Constitution was not the most acceptable to any one community, but it certainly was the least unacceptable to all.

While the FMA defined the federal structure of Malaya, the political role of the component States were laid down in nine identical State Agreements.<sup>16)</sup> Constitutional authority for the Federation accordingly emanated from the 'joint action' of the British Government and Malay Establishment.<sup>17)</sup> This laid down as the guiding principles of the Federal Constitution and Malayan political development, then and since, as strong central government, the 'indivisibility' of Malay Statehood, and creation of a 'special position' for the Malay community.<sup>18)</sup> If the FMA created a Federation in the geo-political sense, it also federated British Colonial institutional interests with the Malay traditional elite represented by the Rulers, and Malay nationalism centred on UMNO, into a new system of political dyarchy. On 1 February 1948 the Federation of Malaya formally came into being.

## II The Federal Structure of Government

Political authority under the FMA was distributed among three interlocking sets of government structures, State/Settlement, Federation and Imperial. Each of these obtained formal jurisdiction over certain aspects of policy, while retaining broader interest in others. Public policy-making for post-war Colonial Malaya extended beyond the machinery of the Federal Government, itself, to embrace the dynamics of Malay federalism and the apparatus of Imperial control.

### (1) *Constitutional Federalism*

Malayan federalism sought to combine the modernizing impetus of central government with the maintenance of traditional cultural patterns lodged in the Malay States. According to the official conception, the Federal Government represented but an 'agent of the State and Settlement Governments for certain prescribed functions'.<sup>19)</sup> Malayan Constitutional principle insisted that 'general policy' required the devolution of power to State/Settlement governments, notwithstanding the desire for uniformity.<sup>20)</sup> Yet if

15) On the citizenship issue see Ratnam, *Communalism and the Political Process in Malaya*, pp. 75-80.

16) The form of government for the British Crown Colonies of Malacca and Penang, included in the Federation as Settlements, was laid down in the *Federation of Malaya Order-in-Council* (1948).

17) *Report of the Working Party*, Para. 20.

18) Cmd. 7171, Para. 1.

19) Chief Secretary Sir Alec Newbould, "The Federation Agreement," in Federation of Malaya, Department of Public Relations, *How the Constitution Works*, (Kuala Lumpur, 1949) p. 3.

20) *Working Committee Report*, Para. 36.

the FMA created a federal system, this was federalism converging on a highly centralized deployment of effective authority.

The strongly centripetal bias of Malayan federalism was most evident in the lists of legislative jurisdiction included in the Second Schedule to the FMA. An extraordinarily comprehensive list of 144 subjects, covering most matters of public policy significance, was assigned to Federal authority.<sup>21)</sup> Exclusive jurisdiction over some ten subjects, mainly to do with land, agriculture and primary and secondary schooling, was given the State/Settlement governments. Regarding seven other subjects, the State/Settlements could exercise such powers as were delegated to them by the Federal Government.<sup>22)</sup> Although residual powers were reserved to the States and Settlements, the FMA took great pains to ensure that little residual scope be left. Indeed, such was the thrust of FMA centralism that even where constitutional jurisdiction was assigned to the State/Settlements, the Federal Government could still intervene 'to ensure common policy and a common form of administration'.<sup>23)</sup> Moreover, ultimate, overriding powers to uphold 'public order, public faith and good government' of the Federation of Malaya were vested in the Federal High Commissioner.<sup>24)</sup>

This centralistic allocation of legislative authority was reinforced by the financial provisions of the FMA. Initially, the Malay Rulers endeavoured to gain control over all excise taxes arising from their respective States, but this was successfully blocked by the (British expatriate) Financial Secretary on grounds of 'uniformity'.<sup>25)</sup> Instead, a revenue list for the States and Settlements was prepared along lines suggested by the Financial Secretary's memorandum to the Working Committee, with remaining fields of taxation and funding left to the Federal Government. As it was clearly unlikely that the revenue base assigned to the State/Settlement governments would suffice for even the limited range of subjects under their jurisdiction, provision was also made for block grants from the Federal Government to underwrite their deficits.<sup>26)</sup> Hence the State/Settlements were obliged to submit their annual budget estimates to Federal scrutiny, and obtain Federal approval for new spending, new State public service posts

21) cf. Schedule II to the FMA. The Federal legislative list has been termed 'extremely comprehensive' by the *Federation of Malaya Annual Report* (1948), p. 166, and as 'extraordinarily comprehensive' by M. Wright, *British Colonial Constitutions*, (Oxford, 1952) p. 74.

22) These included factories and trade, statistics, road transport, public health, fishing, veterinary services, and the production, sale, supervision and regulation of agriculture, mining and industry : cf. FMA, Second Schedule.

23) Chief Secretary Alec Newbould, *The Federation Agreement*, p. 1. On the basis of FMA art. 49 the Federal Government was entitled to act in the State/Settlement list when asked to do so by two or more States or Settlements.

24) FMA Art. 52.

25) cf. *Working Committee Report*, Para. 40.

26) Cmd. 7171, Para. 37. On Federal-State/Settlement financial arrangements, and their economic implications, see the IBRD, *The Economic Development of Malaya* (Singapore, 1954), pp. 222-7. About two-thirds of State/Settlement finance came from Federal grants.

or higher emoluments.<sup>27)</sup> Because the State/Settlement governments lacked adequate fiscal capacity to undertake their Constitutional responsibilities, their resulting financial dependency conferred a high degree of political control to the Federal authorities.

As if legislative and financial instruments were insufficient to induce centralization, the State Rulers were also prevailed upon to accept 'Advisers', reminiscent of pre-war Federated and Unfederated Malay State governments. British Advisers were thereupon installed in each State, and sat as *ex officio* members of the State Executive Council. Their advice was mandatory on all matters of government excepting Muslim religion and Malay custom,<sup>28)</sup> though they were less inclined to flaunt their authority following the emergence of elected State Governments in 1952. In the former Straits Settlements of Malacca and Penang, local executive authority was vested in their respective Resident Commissioners, appointed by the Federal High Commissioner.<sup>29)</sup> The Colonial Civil Service served as the thread to bind States and Settlements structurally to the Federal Secretariat in Kuala Lumpur.

So great were these built-in tendencies towards centralization that there was no occasion for recourse to the Constitutional provisions for clashes of law, which, incidentally, also favoured the Federal Government.<sup>30)</sup>

Yet, the federal character of governance underlined the fundamental communal cleavages present in Malaya's incipient political community. The State Agreements accompanying the FMA laid strong emphasis on the Malay character of each State. A 'particular charge' was placed on the State Governments to cater to the economic, social and cultural well-being of their Malay population in particular.<sup>31)</sup> Of special significance in this regard was Malay State control over land. Land policy, including land alienation and land use, henceforth became a jealous prerogative of State Governments, dominated by aristocratic elites in defence of the traditional agrarian structure of Malay society. Out of concern for the welfare of Malaya, the States also exercised their Constitutional authority over education, health and agricultural services to the

27) FMA Art. 121 furthermore provided that yearly surpluses in State/Settlement budgets would revert back to the Federal Treasury. As the fiscal year in Malaya coincided with the calendar year, this provision led to intensified 'Christmas spending' by States and Settlements to deplete their surpluses before reversion.

28) Cmd. 7171, Para. 21.

29) *Federation of Malaya Order-in-Council* (1948), Part V.

30) FMA Art. 66 provided that no court could question the validity of Federal legislation on grounds of incompatibility with the FMA, as such disputes were reserved to the exclusive jurisdiction of a special tribunal which, in the event, had little work to do. On the other hand, State law which was 'repugnant' to Federal law was automatically void (Cmd. 7171, Para. 32). See also L. A. Sheridan, *Malaya and Singapore*, Vol. 9 of G. W. Keaton (ed.), *The British Commonwealth* (London, 1961) esp. p. 11.

31) State Agreements, Art. 13. On the 'Malay' character of the States, see K. J. Ratnam, *Communalism and the Political Process in Malaya*, esp. 105.

limits of their financial capacity.<sup>32)</sup> Indeed the State Governments even turned the tables on the centralizers and publicly decried the unrepresentative nature of the Federal Legislative Council, demanding recognition as the genuine representatives of Malayan societal interests.<sup>33)</sup> Although these demands for State representation on the Federal Executive Council and for participation in Federal policy-making went unattended, they reflected the continuing colonial status of the State Governments as custodians of Malay welfare.

(2) *The Federal Government*

The FMA endowed the Federal Government with a three-tier policy-making structure. Formal institutions of governance for the Federation included the High Commissioner, aided and advised by a Federal Executive Council; a Conference of Rulers symbolizing the traditional legitimacy inherent in the Malay Sultanate; and the Federal Legislative Council of official and appointed unofficial representatives. Taken together, these structures constituted an attempt to fuse at the centre colonial control and Malay nationalism with a movement towards a more responsive (or less authoritarian) political process.

Paramount executive authority in the Federation of Malaya was vested in the Colonial High Commissioner. In this capacity the High Commissioner served as the senior British representative in Malaya and held ultimate responsibility for the government of the country. Indeed, the High Commissioner's political functions extended beyond the mere execution of Colonial Office orders and supervision of administration. By virtue of office and competence, High Commissioners generally enjoyed wide discretionary latitude for decision-making. They could, and did, exercise their Constitutional authority to actually initiate, modify or veto policy.<sup>34)</sup> Federalism notwithstanding, High Commissioners even effected authority with respect to State and Settlement governments.<sup>35)</sup> For all intents and purposes the High Commissioner virtually exemplified *authority* in Colonial Malaya's political system.

Following the assassination of Sir Henry Gurney by Communist insurgents in

32) cf. *The Economic Development of Malaya*, pp. 32-3, 124, on State economic policy and development.

33) Dato Onn, 'Councils of State' in *How the Constitution Works*, pp. 20-1. Demands were also articulated for a greater Settlement role in Federal affairs, cf. address by S. Shumugan, Malacca Settlement Council, 4 September 1952 (*Straits Times*). In fact State and Settlement executive officers began to meet with the Federal Chief Secretary and other Federal Officers in Federal Legislative Council sessions to work out a co-ordinated policy on matters of common interest.

34) On the political role of the High Commissioner, see Cmd. 7171, Paras. 6-13; FMA Arts. 17-19; Wright, *British Colonial Constitutions*, pp. 73-5; and Sir Alec Newbould, *The Federation Agreement*, p. 1.

35) cf. Cmd. 7171, Paras. 4-5, and FMA Arts. 17-19. Although his authority emanated jointly from the British Crown and Malay Rulers, the High Commissioner could still issue policy directives to State/Settlement governments. Moreover the British Advisers and Resident Commissioners were directly responsible to him.

October, 1951, a military man, General Sir Gerald Templer, succeeded as High Commissioner.<sup>36)</sup> In order to assure top level co-ordination between counter-insurgency and political measures, Sir Gerald also became Director of Operations.<sup>37)</sup> However, since the new High Commissioner devoted himself primarily to the anti Communist Emergency, a Deputy High Commissioner was appointed to manage the civil administration of government. The appointment to this post of an expatriate British colonial civil servant, rather than a Malayan, disappointed the nascent nationalist movement.<sup>38)</sup> During Sir Gerald's tenure, questions of social and economic policy, in so far as these were separate from the Emergency, fell to the charge of the Deputy High Commissioner.<sup>39)</sup>

High-level deliberations on public policy took place in the Federal Executive Council, whose function it was 'to aid and advise' the High Commissioner.<sup>40)</sup> The Executive Council was subordinate to British Government instructions, and the High Commissioner could only act against the Executive Council after reporting to the Secretary of State. At first, membership in the Executive Council was limited to a small coterie of ranking expatriate officials, joined by eminent political and corporate figures chosen for their symbolic value.<sup>41)</sup> Then, in April, 1951, the Executive Council was restructured and broadened to accommodate the so-called 'Member System'. Introduced against the strenuous objections of British commercial interests,<sup>42)</sup> the

36) In the interim, between October 1951 and January 1952, the Chief Secretary Mr. M. V. del Tufo acted as Officer Administering the Government.

37) Although Sir Gerald recognized that the Emergency could not be fought with arms alone, he himself was a military man whose aim was to mobilize the entire Malayan political system in the counter-insurgency effort (*L. C. Proc.*, 19 March 1952, pp. 8-9). See also *British Colonial Territories* (1951-52), Cmd. 8553, p. 29, and V. Purcell, *Malaya: Communist or Free?*, (London, 1954), p. 13.

38) On the role of the Deputy High Commissioner, see *Legislative Council Paper* 13/52, and Cmd. 8553, pp. 8-9. In appointing a Deputy to Sir Gerald the Colonial Secretary sought out 'a man of wide administrative experience' who could bring 'a fresh mind to bear on the many complexities of the Government machinery in Malaya' (*Hansard*, 27 February 1952, Col. 152). The appointee, Mr. D. D. MacGillivray, former Chief Secretary of Jamaica, had no previous experience in Malaya. His selection was much criticized in the Legislative Council by UMNO, Chinese, Indian and even some British unofficial members who has asked for a 'Malayan' Deputy High Commissioner. The Malays of course wanted a Malay. See *L. C. Proc.*, 30 January 1952, Col. 531-55; see also *Utusan Melayu*, 9 June 1952, and V. Purcell, *Malaya: Communist or Free?*, p. 87.

39) cf. *Malayan Bulletin*, 25 March 1952. This post fell vacant after Sir Gerald's departure in 1954.

40) Cmd. 7171, Para. 11.

41) In 1948 the Executive Council consisted of the High Commissioner as President, the Chief Secretary, Attorney-General and Financial Secretary *ex officio*; four official members: the General Officer Commanding, Malaya, the Economic Adviser, the Commissioner for Labour, and the Resident Commissioner, Penang; and seven appointed unofficial members: 3 Malays, 2 Chinese, and 1 Indian and Briton, divided associationally as 2 State Mentris Besar, and one each tin miner, merchant, doctor, trade unionist and an aristocratic civil servant representing agricultural interests.

42) *L. C. Proc.*, 24 June 1951, Col. 622-9. British commercial interests maintained that the timing of this innovation was premature, opposing as they did the Malayanization of politics.



Member System provided for the appointment of 'Members', unofficials as well as officials, to hold responsibility for groups of government departments. Members answered in the Legislative Council for their portfolios, but were responsible to the High Commissioner and sat in the Executive Council.<sup>43)</sup>

Though marking the beginnings of responsible government in Malaya, this expanded Membersystem Executive Council was nevertheless still limited mainly to high-level deliberations and communications among essentially bureaucratic organs. Effective political control still remained with senior British officialdom, an 'inner cabinet' within the Executive Council, comprising the High Commissioner, Chief Secretary, Attorney-General and Financial Secretary. During the Templer period (1952-54), the Deputy High Commissioner assumed *de facto* charge of the Executive Council, thereby freeing the High Commissioner to concentrate on Emergency matters.

The Conference of Rulers comprised a second, and unique, Federal government structure. Intended to confer traditional legitimacy onto Federal policy, and to serve as ultimate guardian of Malay and States' rights, the Conference of Rulers consisted of the nine Rulers of the Malay States and had broad formal powers.<sup>44)</sup> According to the FMA, the High Commissioner was obliged to consult the Conference of Rulers on all matters of Federal Government policy. It was the Conference of Rulers' constitutional privilege to consider and approve all bills *before* introduction to the Federal Legislative Council, and the Conference was specifically enjoined to review salary schemes for Federal officers, schemes for Federal departmental reorganization, and immigration policy. Moreover, the assent of the Conference of Rulers was required to enact Federal legislation. Yet, however broad their Constitutional powers, and especially their veto potential, the Conference of Rulers seems not to have played a significant role in the actual formulation of Federal policy. In practice, the Conference of Rulers was given a restricted say mainly on immigration issues, and was kept informed of policy affe-

43) Membership of the Executive Council in 1952 included the High Commissioner as President, the Chief Secretary, Attorney-General, Financial Secretary and Deputy High Commissioner *ex officio*; nine Members and five unofficials. The latter were reduced to two by 1954 as additional Members portfolios were created and assigned to unofficials. Communal composition of the Executive Council then became (1954) 4 British officials *ex officio*, 3 British official Members, 4 Malay unofficial Members, 2 Chinese and 1 each Indian and Ceylonese official Members, and 1 Chinese and 1 Malay unofficial. On the operations of the Executive Council and Member System, see *Constitutional Development of the Commonwealth*, London: HMSO, 1954, pp. 46-7.

44) cf. FMA, Art. 6 (1); Cmd. 7171, Para. 18, and *Federation of Malaya Annual Report* (1948), p. 168. On the role of the Conference of Rulers, see Wright, *British Colonial Constitutions*, pp. 73-4. In Conference of Rulers deliberations decisions were to be taken by simple majority vote. Disagreements between the High Commissioner and Conference of Rulers on immigration matters were to be referred to the Legislative Council wherein only unofficials would vote, giving Malays an absolute majority. Some Chinese greatly resented the supplementary powers accorded Malays through the Conference of Rulers. cf. B. H. Onn, *L. C. Proc.*, 30 January 1952, pp. 543-4.

cting the Malay States.<sup>45)</sup> With regard to general policy matters concerning the Malays and the States, the role of the Conference of Rulers was effectively eclipsed by the growth of Malay political parties, chiefly UMNO, on the one hand, and by the movement towards representative government at the State level after 1952 on the other.<sup>46)</sup>

Colonial Malaya's third Federal structure, the Legislative Council, was designed to aggregate the interests of recognized societal political groups.<sup>47)</sup> Provision was made for the incorporation of four types of interests, institutional, regional, communal and occupational. Institutional representation included officials from the Federal Government (14), members of its 'inner cabinet' as well as department heads whose presence was conducive to the efficient dispatch of Legislative Council business.<sup>48)</sup> Federalism was also incorporated in the Legislative Council by the presence of Representatives of the State/Settlement Governments (11), the Mentris Besar (chief State officer) of the Malay States and elected delegates of the respective Settlement Councils.<sup>49)</sup> All these were thus officials, members of the colonial administration. In addition, 50 unofficials were nominated by the High Commissioner on the basis of a constitutionally-prescribed order combining occupational, communal and regional elements.<sup>50)</sup> It was typical of the conception of colonial government in Malaya that the Federal Legislative Council was then unique among British dependencies in having the majority of unofficials representing corporate, mainly business interests.

The pattern of appointment to unofficial places in the Federal Legislative Council was hardly representative of Malaya's political community. From the outset, the problem of maintaining a politically acceptable communal 'balance' cut into representation on the Legislative Council.<sup>51)</sup> Thus Britons and Malays were proportionally over-

45) *The Economic Development of Malaya*, p. 6, and *Colonial Office List* (1948) London: HMSO, 1948, p. 163. In addition the Conference of Rulers dealt with problems of Malay custom and Muslim religion.

46) Although UMNO was far from a mass party, its populist leader Dato Onn b. Ja'afar successfully challenged the Rulers over the issue of Malay leadership, asserting the primacy of the 'people' as represented by the party: see J. M. Gullick, *Malaya*, (London, 1963) pp. 111-2. Unfortunately no studies exist on the political role of the Rulers in modern Malaya.

47) On the organization of the Legislative Council, see FMA arts. 36, 38; Cmd. 7171, para. 16; and Wright, *British Colonial Constitutions*, p. 47.

48) cf. *Working Committee Report*, pp. 15-6. The Chief Secretary, Attorney-General and Financial Secretary sat *ex officio*, while the composition of the other official seats changed over the years to reflect the changing focus of Legislative Council business and interest.

49) cf. *Working Committee Report*, pp. 16-7. These quasi-official State/Settlement representatives were not, however, bound by official discipline and were able to speak and vote freely.

50) Cmd. 7171, para. 16, allocated unofficial Legislative Council seats as follows: Commerce 6, planting 6, mining 4, agriculture and husbandry 8, professional and cultural 4, Malay States 9, Settlements 2, Chinese 2 and Eurasians, Indians and Ceylonese 1 each.

51) Even during the drafting of the Federation Agreement particular attention was paid the communal distribution of unofficial representation. The proposed ordering was deemed 'likely to yield' 22 Malays, 14 Chinese, 5 Indians, 7 Europeans, 1 Ceylonese and 1 Eurasian. This communal distribution of unofficial Legislative Council seats was rigidly adhered to throughout the period. In terms of population, in mid-1953 Malays constituted 49 %. Chinese 38 %, Indians 12 %, and all others 1 % (*the Economic Development of Malaya*, p. 9)

represented relative to population, and the Chinese under-represented. Since the High Commissioner in practice appointed nominees of recognized societal organizations, their interests were assured aggregation in the Legislative Council.<sup>52)</sup> Others, not so favoured, suffered silence or, at best, indirect, remote representation. Among occupational group interests, representation was strongly weighted in favour of urban, export capital as against rural, subsistence sectors and trade unions.<sup>53)</sup> To be sure, political parties were included in the Legislative Council, but none of these were genuinely popularly-based mass parties and, in any case, they tended to focus on ultimate constitutional questions rather than on current issues of public policy.<sup>54)</sup>

The role of the Federal Legislative Council was defined by the FMA as tendering 'advice and consent' to the High Commissioner and Rulers in the making of law.<sup>55)</sup> This was essentially a formal structure for the sounding of opinion, certainly the most universalistic such institution in the Colonial Federation, notwithstanding its obvious shortcomings.<sup>56)</sup> Yet the Legislative Council was something more than just this. Although political power remained concentrated in the hands of the High Commissioner

52) UMNO reserved to itself the right to name the 9 Malay unofficials (*Working Committee Report*, Para. 62) while all Chinese representatives were automatically members of the MCA. Neither of these were popularly based, mass parties, but were highly elitist, geared to the landed aristocracy (UMNO) and the mercantile class (MCA): cf. Silcock and Aziz, *Nationalism in Malaya*, p. 45. Likewise representation for associational seats was conventionally reserved to such organized interest groups as the FMS Chamber of Commerce, FMS Chamber of Mines, Rubber Growers Association.

53) Although planting interests obtained six unofficial seats, three of these were to go to estate companies, two to proprietary estates and one to smallholdings (Cmd. 7709, Para. 18). In fact the number of public liability company estates in 1949 was 618, of which 95 % were British, as compared to 1659 proprietary estates and about 258,000 smallholdings. By way of acreage, the public companies owned 35 % the total, proprietary estates 23 % and smallholdings 42 %. The latter produced some 40 % of Malayan rubber (*Rubber Statistics Handbook* 1949). Hence in terms of unit holdings, acreage and output British company estates were heavily over-represented and smallholders seriously under-represented in the allocation of planters' seats in the Federal Legislative Council. For labour seats, the Pan-Malayan Federation of Trade Unions, which controlled the overwhelming majority of organized labour in spring 1948, was offered no seats while less-militant non-Communist trade unions obtained six. Concerning the peasantry, rubber smallholders and padi cultivators' representatives were nominated not from respective associational interest groups but from lists prepared by UMNO, a landlord party. This state of affairs moved the Association of British Malaya journal *British Malaya* to comment, 'Malaya is a land of contrasts, and the gap between the peasant and those who purport to represent him in the Councils of Government is far wider than in most countries' (April 1948, p. 368).

54) On political parties and their role in pre-independent Malaya, see K. J. Ratnam, 'Political Parties and Pressure Groups' in Wang Gungwu (ed.), *Malaysia*, (London, 1964), pp. 336-7, as well as his *Communalism and the Political Process in Malaya*, p. 143; see also Silcock and Aziz, *Nationalism in Malaya*, pp. 26-8. and Gullick, *Malaya*, Chapter 2.

55) FMA Art. 48.

56) Vid. Inaugural address of the Chief Secretary, declaring that the Legislative Council 'will become a forum for the expression of the views of the various interests and communities which go to make up the population of this country', *L. C. Proc.*, 24, February 1948, p. B3.

and his bureaucracy, the very strength of State, communal and corporate representation lent the Legislative Council some influence in policy-making.<sup>57)</sup> Legislative Council instrumentality stemmed largely from the activities of its committees. Select Committees played a significant part in policy making, through the initiation of new policies and the modification of existing policy. Most potent of all was the Standing Committee on Finance, dominated by British commercial interests, which exercised considerable leverage over public expenditure and, therefore, over economic policy generally.<sup>58)</sup> However, these embryonic legislative instruments were hardly equal to the task of subjecting the Colonial bureaucratic apparatus to political control.

The introduction of the Member System in 1951 was largely intended to help close the gap between colonial legislature and administration.<sup>59)</sup> Now, Members from the Federal Legislative Council, including unofficials, were put in charge of groups of government departments, and all departments came to be directly represented in the legislature. This was still not responsible parliamentary-style governance, since Members were responsible to the High Commissioner alone. Although the Member System did not imply meaningful Legislative Council control over policy, at least it meant improved political communications and feedback between executive organs and the Malayan political community,

### (3) *The Imperial Mechanism*

The Imperial tie operated on Malayan public policy through the agency of the Colonial Office. Reflecting the colonial stewardship of the Federation of Malaya, the High Commissioner was directly responsible to the United Kingdom Secretary of State for the Colonies for the administration of his government.<sup>60)</sup> The FMA accorded the Secretary of State powers of veto ('disallowance') and initiation, including authority to issue binding instructions for the 'due performance or proper exercise' of policy.<sup>61)</sup> In addition the United Kingdom retained full constitutional jurisdiction over external

57) Under FMA Art. 59 the Legislative Council could initiate resolutions, petitions and bills other than money bills, though were subject to High Commissioner's veto. Previously the Malayan Union Advisory Council was limited to articulating interests through adjournment resolutions only.

58) According to the Attorney-General, the Budgets which came before the Legislative Council were more the product of the Finance Committee than of the Government, *L.C. Proc.*, 31 August 1955, Col. 47.

59) On the purposes and operations of the Member System, see the *Memorandum on the Introduction of Member System*, *Legislative Council Paper* 49/50; *Federation of Malaya Annual Report* (1951), p. 289, and *British Colonial Territories* (1951) (Cmd. 8243), Para. 35. Of the nine initial Members, six were filled by unofficials, all Malaysians, and three by expatriate officials, including the key Member for Economic Affairs.

60) *Federation of Malaya Order-in-Council*, 1948, Art. 6. On the relationship between High Commissioner and Secretary of State, see Wright, *British Colonial Constitutions*, pp. 73-6.

61) FMA Arts. 13, 55. Disallowance was less a means of controlling the Colonial legislature which was already subject to the High Commissioner's veto, than for exercising Colonial Office restraint over the acts of the Colonial Administration itself. In the event disallowance was never used in post-war Malaya.

affairs and defence, and by virtue of appeals to the Privy Council, over political adjudication as well.<sup>62)</sup>

Much in the way of legislation and administrative measures followed systematically from the initiatives of the U. K. authorities.<sup>63)</sup> Furthermore, 'informal' controls operated between the Colonial Office and local Financial Secretariat to induce compliance with sterling area balance of payments requirements.<sup>64)</sup> In addition, and at the same time, there also existed eminently subtle, though nonetheless effective Imperial means of influences over Malayan policy-making. A Federal Government practice of referring complex questions of public policy to Colonial Office 'expertise' allowed direction to come in the guise of recommendation.<sup>65)</sup> The presence of discreet lines of political communication with senior British expatriate officers serving in the Malayan Civil Service enabled the Colonial Office to impose its 'guidelines' on Federation policy.<sup>66)</sup> This effective translocation of policy authority to the Colonial Office implicitly confined Malayan policy options within the boundaries of Britain's own political, and especially economic, strategies.

Whereas the United Kingdom Government exercised a predominant influence over Malayan policy, access to its own centres of authority remained typically restricted. Organizations of British corporate interests operating in Malaya, such as the Association of British Malaya, the Rubber Growers Association, the British Association of Straits Merchants and the Malayan Chamber of Mines, generally had little difficulty gaining access to the Colonial Office. Especially after the election of the Conservative Government, these associations undertook regular deputations to the Secretary of State to put forward their claims on Malayan public policy. Often these proved more effective than the counterpart representations in Malaya's own legislature. Of course, the

62) FMA Arts. 4, 83; Cmd. 7171, Para. 10.

63) *Interim Report of the Joint Co-ordinating Committee, Legislative Council Paper* 37/55, Para. 43.

64) cf. Cmd. 7715, Para. 124. In British Colonial practice all measures concerning banking and currency required Colonial Office sanction, while the UK Government assumed responsibility for external economic relations. Thus Malaya remained indirectly represented at the crucial 1952 Commonwealth Finance Ministers Conference as well as at early Rubber and Tin International study Group Conferences. See Ida Greaves, *Colonial Monetary Conditions*, (London, 1953), pp. 20, 29, 87; for an overall study of Imperial influence over colonial Federation economic policy see Martin Rudner, 'The Draft Development Plan of the Federation of Malaya, 1950-1955,' *Journal of Southeast Asian Studies* (1972).

65) See the *Interim Report of the Joint Co-ordinating Committee*, Para. 43, on this point.

66) On structural linkages between the Colonial Office and British MCS officers, see: The Colonial Office, *Reorganization of the Colonial Service*, London: HMSO, 1954, Col. No. 306, and Tilman, *Bureaucratic Transition in Malaya*, pp. 63-4. These informal ties prompted G. L. Peet to comment that government in Malaya still means 'just what it has always meant; a hierarchy of European officers, recruited and controlled by the Secretary of State for the Colonies, and holding all authority for general administration, public finance, legal affairs and the professional and technical departments,' *Political Questions of Malaya*, (Cambridge University Press, 1949), p. 23.

Malayan government had channels through which to communicate its own institutional interests to Whitehall. However, Malayan societal interests were seldom able to approach the Colonial Office directly on ordinary policy issues, though they were sometimes successful in getting backbench MPs to take up their cudgels in the British Parliament.

Criticism of, and opposition to Whitehall's controls over the Federation's public affairs were widespread in Malaya. On basic economic issues, even the Federal Government felt compelled to comment that 'the extent of Malaya's contribution to the recovery of the Commonwealth and other countries of the world would seem to qualify her for a right to be represented in the discussions and negotiations that take place for the disposal of the products in which she is interested'.<sup>67)</sup> This refrain was quickly picked up by corporate and communal spokesmen in the Federal Legislative Council, who demanded separate Malayan representation in international economic conferences and commodity groups,<sup>68)</sup> as well as the right to consider international agreements entered into by Britain and which affected the Malayan economy. Moreover, British commercial interests expressed resentment at certain measures, especially innovations introduced under the aegis of the Labour Government, notably planning and trade unionism, attacking 'the existing system of remote control'.<sup>69)</sup> Dato Onn, Mentri Besar of Johore, and then head of UMNO, took exception to Whitehall-inspired economic planning as a threat to Malayan federalism.<sup>70)</sup> Some Malaysians even blamed Imperialism for Malayan communal conflicts, arguing that these enabled Britain to intervene as 'referees and umpires in the political game'.<sup>71)</sup> Not that anti-colonialism was an unpopular rallying cry for Malayan nationalists: no less a personage than UMNO leader Tunku Abdul Rahman felt moved to declare that independence alone could free Malaya from being economic 'slaves of the imperialist'.<sup>72)</sup>

67) *Federation of Malaya Annual Report* (1948), Introduction.

68) *L. C. Proc.*, 3 August 1949, pp. 184-94: addresses by Sir Sydney Palmer and H. H. Facer (estate companies); Khoo Teik Ee (proprietary estates); Tuan Sheikh Ahmad (smallholder); J. D. Mead (tin); H. S. Lee (Chinese tin); P. P. Narayanan (labour); Enche Zainal Abidin (Malays); Mentri Besar, Johore.

69) *L. C. Proc.*, 2 September 1948, pp. B451-4, addresses by J. Martin and C. T. Pyke; see also J. K. Swaine report to Sungei Kruit Rubber Estate Ltd. annual general meeting, 24 July 1951, bitterly attacking the economic policies initiated by 'men ignorant of Malaya and steeped in the teachings of the London School of Economics. . .' These responses are treated in detail in my 'The Draft Development Plan of the Federation of Malaya' and 'Financial Policies for post-war Malaya: The Fiscal and Monetary Measures of Liberation and Reconstruction, *The Journal of Imperial and Commonwealth History* (1975).

70) *L. C. Proc.*, 2 September 1948, Col. B455.

71) Dr. Ong Chong Keng, *L. C. Proc.*, 24 February 1948, p. B86. Dr. Ong was a leading figure in the Malayan Chinese community and was later assassinated by the Communists.

72) *Warta Negara*, 20 February 1953; see also F. H. H. King, *The New Malayan Nation*, (New York, 1954), p. 166.

### III Bureaucratic Organization

The colonial Malayan bureaucracy could not remain aloof from the changes that affected Malaya's post-war political system : the adoption of the Federal Constitution, growing popular involvement in the political process, and accompanying rising political social and expectations. While the historical legacy of the Federal civil service was that of a homogenous, highly institutionalized administrative apparatus, latterly significant differences in value orientations and operational norms had crystallized at various levels of bureaucracy in the process of change. These led to bureaucratic discontinuities marked by differential performance patterns and administrative practices.<sup>73)</sup>

Recruitment and socialization styles imbued the colonial bureaucracy with its distinctive operational values. In Malaya, different recruitment patterns had long been utilized for various rungs of the public service. Expatriate officers, mainly British plus a few from other White Dominions, traditionally dominated the most senior posts.<sup>74)</sup> At the beginning of 1948, fewer than 15 percent of the top-level Malayan Civil Service was locally recruited, exclusively from among the Malays.<sup>75)</sup> These senior Malay officers represented a communal elite, stemming mainly from the traditionally conservative, religious, aristocratic, land-owning class.<sup>76)</sup> In the classical manner of the British civil servant and the Malay aristocrat, this style of socialization and recruitment was to endow the upper echelons of the Malayan Federal bureaucracy with an essentially custodial ethos.

At the same time, differentialized recruitment introduced a cultural gap into the bureaucratic structure between elitist professionalism at the top echelons, and more traditional operational values at the bottom. The prevalence of more localized, traditional recruitments to vulnerable posts rendered administration liable to corruption.<sup>77)</sup> Moreover the very fact of a cultural gap within the bureaucracy implied differential commitments to the goals of government at various levels of policy implementation.

Expatriate predominance in the Federal public service aroused strong feelings among politically-conscious Malaysans. Even during the Malayan Union period, demands

73) On bureaucratic organizational values and performances, see Fred Riggs, *Administration in Developing Countries : The Theory of Prismatic Society*, (Boston, 1964).

74) cf. Tilman, *Bureaucratic Transition in Malaya*, esp. pp. 60-2.

75) H. Trusted, *Report of the Public Services Salaries Commission*, Kuala Lumpur : Government Printer, 1947, Para. 49. In 1950 of 254 officers on the MCS seniority list only 31 were Malays (then the only locally domiciled group eligible for MCS appointment), *Malayan Establishment Staff List*, 1950. It is interesting to note that locally-recruited Division I officers suffered a salary abatement of 20 %, and MCS officers 10 %, under expatriate pay levels.

76) Such officers were typically educated in the English public school style at the Malay College, Kuala Kangsar II R. See Tilman, *Bureaucratic Transition in Malaya*, pp. 111-13, on this point.

77) Departments especially liable to corruption included Public Works, Mines, Road Transport and Supplies : cf. *Taylor Commission Report*, p. 59.

were articulated for the admission of more Malaysians to senior administrative posts. Such demands were typically framed in terms of administrative economy, though sometimes containing a suggestion of political progress.<sup>78)</sup> These demands were stepped up following the introduction of the Federal Constitution and the deepening involvement of UMNO, itself led by civil servants, in political life. In 1952, as part of an inter-communal arrangement, UMNO and the Government agreed to open the ranks of the Malaysian Civil Service to non-Malays as well as Malays, though on a 1:4 quota. Subsequently, a committee set up to consider Malaysianization of the public administration accepted the principle, but insisted that the substitution of Malaysians for expatriates at senior echelons be gradual in order not to upset bureaucratic efficiency.<sup>79)</sup> Actual progress of Malaysianization up to 1956 was very slight, nevertheless.<sup>80)</sup> Although the number of Malaysians in Division I of the Federal government service increased three-fold between 1948-1955, Malaysians comprised only 20 percent of the total. Expatriates still predominated in the key economic departments, holding 643 of 718 senior posts.<sup>81)</sup>

The Malaysian Civil Service enjoyed historical influence over policy-making, owing to a legacy of competence coupled to an aura of 'purity of interest'.<sup>82)</sup> Indeed, the FMA itself was to some extent modelled after this tradition. Official bureaucratic representation in the Federal Legislative Council included eleven departmental heads plus the Chief Secretary, Attorney-General and Financial Secretary *ex officio*, all colonial expatriates. In the Federal Executive Council, membership was weighted in favour of expatriate officialdom.<sup>83)</sup> This style of governance allowed wide policy-making authority to senior departmental personnel, subject to overall review by superior colonial officials and to a minimum of political control from within Malaya.

On economic matters in particular, the senior bureaucracy played a leading role in defining the scope and content of policy within the framework laid down by the UK government. Thus the Economic Branch of the Federal Secretariat was charged

78) cf. address to Khoo Teik Ee, *L. C. Proc.*, 4 October 1947, p. B232.

79) *Report of the Committee on the Malaysianization of the Government Service*, Kuala Lumpur, 1954, p. 6.

80) On the pace of Malaysianization in the pre-Merdeka period, see Tilman, *Bureaucratic Transition in Malaya*, Chapter 3.

81) The Malaysianization Committee reported 181 Malaysians holding Division I posts on 31. 12. 47 and 587 on 1. 2. 54 (for details see Appendices 1 and 2 of the Report). The total number for the latter date was given at 2772 posts. It should be noted that over half the Division I posts held by Malaysians in 1948, and over a fifth of those held in 1954, were in the Medical Department and were presumably held by locally qualified physicians. There remained throughout a great dearth of Malaysians in Division I general administration or economic service departments.

82) Tilman, *Bureaucratic Transition in Malaya*, p. 102.

83) In addition to the High Commissioner, the Executive Council consisted of seven senior expatriate bureaucrats of MCS rank and up to seven unofficials, many of whom were in practice senior members of State public services: cf. J. M. Gullick, *Malaya*, p. 109, on this point. Mr. Gullick was a contemporary in the MCS.



with directing the Executive Council on economic policy questions.<sup>84)</sup> Malaya's Draft Development Plan (1950-55) was itself a product of bureaucratic policy formulation centered on the Economic Branch.<sup>85)</sup> Not even the introduction of the Member System diminished effective bureaucratic control over economic policy. The key portfolios of Financial Secretary, with responsibility for the Treasury ; Economic Affairs, charged with trade, industry, production, co-operatives, power, and planning ; and Industrial and Social Relations, covering labour and trade unions, were all held by expatriate officers of the Malayan Civil Service throughout the Colonial period. Fiscal policy, development planning and labour relations, thereby remained very much the special preserve of the colonial bureaucracy.<sup>86)</sup>

While the Federal bureaucracy claimed for itself the Malayan Civil Service mantle of governmental pre-eminency, the fundamental premise underlying this historical role was no longer there—if it ever existed at all.<sup>87)</sup> Even conceding the competence of the senior Federal bureaucracy, the assumed purity of motive, the so-called illusion of bureaucratic neutrality, was decidedly absent. Goal commitments at the various levels of bureaucracy varied with the operational values of particular incumbents. Even at the top, senior expatriate commitment to distinctly Malayan goals tended to be weakened by their explicit or implicit allegiance to Colonial institutional interests. As Malays gained access to higher bureaucratic echelons, nationalist, communal and even landed aristocratic values were infused into civil service operations. This was essentially a transitional bureaucracy (to use Tilman's term), symptomatic of a transitional political process.

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84) Here the traditional illusion of civil service 'neutrality' was especially well preserved. *Vid.* 'Whenever a decision of policy is required from the Federal Government in connection with the produce of the Federation, that becomes a matter for the economic branch to prepare a brief setting out the factors which should be taken into account in deciding the policy *so that a policy for the benefit of the whole Federation may result.*' (Emphasis mine, M.R.) Economic Secretary A. Heywood Waddington, 'The Economic Branch of the Federal Secretariat', *How the Constitution Works*, p. 27.

85) *Vid.* Martin Rudner, 'The Draft Development Plan of the Federation of Malaya, 1950-1955', esp. pp. 64-67.

86) Note that officials holding Members portfolios were not subject to Legislative Council control through the medium of votes of no confidence as were unofficial Members. This was due to the so-called 'cardinal principle' that 'permanent civil servants should be independent of political pressure', even when performing rule-making functions. Again the 'illusion of neutrality'! cf. Chief Secretary, *L.C. Proc.*, 24 January 1951, pp. 618-9. In fact expatriate senior bureaucrats remained quite free from political control from within Malaya.

87) Cf. James de Verre Allen, "The Malayan Civil Service, 1874-1941 : Colonial Bureaucracy/Malayan Elite," *Comparative Studies in Society and History* (April 1970), pp. 149-178 ; and Gayl D. Ness, "The Malayan Bureaucracy and its Occupational Communities. A Comment on James de Verre Allen's 'The Malayan Civil Service, 1874-1941,'" *Comparative Studies in Society and History* (April 1970), pp. 179-187.

#### **IV The Colonial Federation : An Historical Overview of Political Development**

The Colonial Federation of Malaya thus featured a blend of secular political institutional patterns along with characteristic Malayan communal bearings. This proved to be a remarkable blend, for it permitted a convenient reconciliation of diverse interests and claims whilst advancing towards parliamentary self-rule. Governmental institutions were so structured as to accomodate residual imperial controls with the transition to more representative, and later more responsible governance. Yet, Malayan political development was not wholly secular, since a certain communal, especially Malay ethos continued to pervade its formal structures. The Conference of Rulers, the institutionalized 'special' status of the Malay community and its built-in predominance over the organs of state, pointed to the ethnic direction of Malayan state-building. In its way, the colonial Federation crystallized a distinctively Malayan style of consociational parliamentary democracy, representative and responsible in form, but communal and essentially Malay in substance. The colonial Federation was more than a mere historical episode in Malayan, rather it crystallized the country's political process in a way that outlasted its immediate organizational forms.