

THE 1902 SIAMESE-KELANTAN TREATY: AN END TO THE TRADITIONAL RELATIONS

KOBKUA SUWANNATHAT-PIAN

On October 6, 1902, Lord Lansdowne, the British Secretary of State for Foreign Affairs, and *Phraya* Sri Sahadheb, the special envoy of the Siamese Government, signed the declaration and the secret Notes annexed to the Draft Treaty of 1902 to be signed between Siam and the two Eastern Malay States of Kelantan and Trengganu¹. These documents marked the beginning of a new era in the history of Siamese-Kelantan relations, which had begun in the eighteenth century.² Both the Siamese and British Governments expected that the Treaty would be signed without further delay by the Sultans of Kelantan and Trengganu and the representatives of Siam in order to put into effect the plan to systematise the vague and loosely defined tributary relations between Bangkok and these States.

After minor hitches, the Treaty was signed by the Bangkok Government and the Sultan of Kelantan on December 5, 1902.³ Thus was brought to a fruitful conclusion the most strenuous and bitterest negotiations ever entered into by the Siamese

1. See contents in Appendices A and B, pp. 134-138.

2. Leslie Ratnasingam Robert, "Kelantan 1890-1939: Government in Transition", unpublished M.A. thesis, University of Malaya, 1973, quotes some Chinese sources to show that in the eighteenth century Kelantan came under the Siamese empire. (p. 20)

Thai sources of the Bangkok period state that Kelantan was under Trengganu but after power struggle at the beginning of the 19th century, i.e. during the reign of Sultan Mohammad I (1800-1837), Kelantan sent an emissary to Bangkok requesting to become a direct tributary state of Siam. Rama I granted the request and put Kelantan under the administrative supervision of Nakorn. ("Phongsawadan Muang Kelantan" in *Prachum Phongsawadan* vol. 2, Bangkok, 1963. pp. 318-20)

3. The first time the Treaty was signed by the Ruler of Kelantan was October 16, 1902, in both English and Malay versions in front of Sir Frank Swettenham (FO 422/56 Swettenham to Chamberlain, October 20, 1902 secret). The Siamese however found it unacceptable to send their representative to Singapore to sign the Treaty to which the Sultan had affixed his seal as "the course suggested for the signature of the agreement appeared to the Siamese Government derogatory to their dignity" (FO 422/56 Paget to Lansdowne, December 13, 1902). The Siamese eventually sent their commissioner, *Phraya* Sukhum, to Kelantan who, together with the Sultan, signed another two copies of the Treaty in Thai and Malay. From this date, the Treaty went into force since they were the only versions properly signed by both parties concerned.

and the British since the commencement of official relations between the two countries in 1826. The significance of the 1902 Siamese-Kelantan Treaty cannot be overstated, though perhaps it had not quite been realised at the time, or since the signing of the treaty in spite of the strong and exhaustive diplomatic fight put up by Bangkok on the one hand, and the joint pressure brought to bear upon Siam by the Colonial and Foreign Offices on the other. This was probably due to the fact that the Adviser system, the principal aspect of the new era which was implemented in Kelantan, did not seem to have either satisfied the expectations of the British, particularly the colonialists in the Federated Malay States, or completely ruined the Siamese position in the Malay Peninsula as feared by Bangkok.

Yet the 1902 Treaty brought to an end the traditional relations between the two Southeast Asian States, which had long existed within the established framework of regional political system. It will not be inaccurate to state that the Siamese-Kelantan relations during the Bangkok period was in fact a model of contemporary relationship between any two Southeast Asian States of not equal status. This political relationship, symbolised by the gold and silver flowers – the famous *bunga mas dan perak* – was the sole political system within the traditional context known to the peoples of this region that ensured the survival of a weak and smaller state facing the threats and designs of the more powerful and bigger one.⁴ It was also the only system that allowed the existence of friendship and alliance, on unequal terms naturally, in this part of the world which understood well the privileges of strength, the world which confirmed that might was virtue and right. In 1902 Siam had been somewhat forced to sign the first treaty with one of her tributaries which had willingly acquired an unofficial protection from her rival in order to be free from her. The Treaty set up a new administrative

4. Captain Henry Burney explained about the practice of sending of *bunga mas* as follows :

“Among the Indo-Chinese nations, the badge or symbol of tributary dependence consists, in the periodical transmission by the inferior to the superior of two *Mas dan Perak*, sprigs of flowers, one wrought in gold, and the other in silver called by the Malaya *Bunga* or gold and silver flowers . . . [the system was not limited to the Siamese Malay relations but] the custom has long been known to the Burmese, and all the Shan states . . . Mohang Kemrat was at the time tributary to the King of Ava, [and yearly sent the tribute consisting of] two small shrubs, one having its leaves and flowers of gold, and the other of silver . . . The obligation, which the token of vassalage involves, is regulated by the wants, caprice, and power at the time of the Super State. There is no question that Ava and Siam consider those chiefs who sent these flowers as subject and dependent on them; . . . that they demand from them and enforce the demand whenever they are able, . . . that they exercise the right of disposing these tributary chiefs and appoint others, if they proved refractory, contumacious, or unpopular among their own people”. [CO 273/1 Capt. Burney to James C. Melville, July 24, 1841]

and political system alien to both Siam and Kelantan and thus stresses the claim that the 1902 Treaty in substance brought to an end, as far as the Siamese-Kelantan relations were concerned, the ancient feudalistic Southeast Asian political system.

I

The long-term cause of the 1902 Treaty went as far back as 1867 when the Straits Settlements were transferred from the Indian Office to the Colonial Office. The Anglo-Siamese relations which focussed on the affairs of the Malay Peninsula, fluctuated between friendly co-operation and fierce rivalry for the paramount influence and control over the States lying to the north of the Peninsula, particularly the States of Kelantan and Trengganu. The struggle became complicated by the existence of conflicting viewpoints held by the Colonial and Foreign Offices. Nevertheless, it could be said that from 1867 to 1876 the British Government pursued the hands-off policy in the Malay Peninsula. In 1876 Lord Carnarvon issued a definite instruction for the Singapore Government to set up a policy which would ensure the maintenance of peace, law and order in the Malay States in order to safeguard British commercial interests, property and lives.⁶ From then, it was evident that the advancement of the British from the south and the Siamese influential position in the north of the Malay Peninsula would soon clash. In fact, the Siamese authority and the Straits Government frequently engaged in disputes over the rights of their respective local chiefs against each other.

Between 1882-1897, Siam managed to maintain an advantageous position over the Straits Settlements officers through her very good and cordial relations with the Foreign Office which had the final say in matters concerning the Siamese position in the Malay Peninsula. The main contention was the States of Kelantan and Trengganu, the position of which was ambiguous. The oft-quoted Article 12 of the Burney Treaty—which was intentionally vague and open to “suitable” interpretations⁷—was

6. Sir Frank Swettenham, *British Malaya, An Account of the Origin and Progress of British Influence in Malaya*, London: Allen & Unwin, 1948, pp. 174-5; 216-18.

7. In Burney's own words, “as my instruction did not authorise me to pledge the British Government to protect those States [i.e. Kalantan and Trengganu] and as I believe that a free and uninterrupted commerce and intercourse with them was all we immediately required, I persuaded the Siamese Ministers by the 12th. Article of the Treaty to engage that Siam shall not go and obstruct or interrupt commerce in those States, and that English merchants and subjects shall have trade intercourse in future with the same facility and freedom as they have heretofore had . . . Whenever Siamese interference produces such an inconvenience, this Article of the Treaty will render it open to the British Government to interpose or other wise in favour of those States.”

(CO 273/1 Burney's Letter to James Melville, Secretary to the Court of Directors of the East India Company, July 24, 1841)

used as evidence in support of the Singapore Government to intervene in the two States against Siam by various colonial officers in the Straits Settlements.⁸ The Siamese were not slow either in bringing forth their own interpretations of the said Article and other historical evidences as well as Treaty obligations to reinforce their claims over Kelantan and Trengganu against British proponents of the forward policy in the Malay Peninsula.⁹

Probably the most significant encounter concerning the British and Siamese position in Kelantan and Trengganu in the 1880's occurred in 1889 when the Colonial Office put forward the recommendation of Governor-General Sir Cecil Smith of the Straits Settlements to extend British protection to Trengganu and British insistence upon the independent status of Kelantan be recognised by Siam.¹⁰ The Foreign Office ruled in favour of Siam by adopting the policy of *status quo*.¹¹ The rationale of the

The Article 12 of the Burney or Bangkok Treaty of 1826 runs, "Siam shall not go and obstruct or interrupt in the State of Tringano and Calantan. English merchants and subjects shall have trade and intercourse in future with the same facility and freedom as they have heretofore had, and the English shall not go and molest, attack or disturb those States upon any pretence whatever."

8. For example, Sir Frederick Weld, Sir Cecil Clementi Smith, Sir Charles Mitchell, Sir Frank Swettenham, and Hugh Clifford, to mention only the most outstanding ones.
9. For example, Chao Phraya Sri Suriyawongse's Letter to Sir Robert Schomburgk, British Minister at Bangkok, CO 273/6 December 18, 1862 "[Kelantan and Trengganu] have been tributary to Siam for years, and many generations of Rulers past; this fact is universally acknowledged.

In 1859 the Governor of Singapore sent a complaint of Chin Yong Yang, a Singapore trader, to you, relating to some matters connection with Kelantan, you consequently wrote to the Siamese Government about it.

The Siamese Government and Her Britannic Majesty's Consul arranged and settled the affairs . . ."

10. FO 422/21 Gov.—Gen. Sir Cecil Clementi Smith to Lord Knutsford, December 3, 1888.
11. FO 422/21 FO to CO, March 29, 1889 in which Lord Salisbury explained, "The meaning of the Article [12 of the Burney Treaty] does not apparently imply that the assumption by Siam the control over these States [Kelantan and Trengganu] would, by itself, amount to a violation of the Article, whereas it might be asserted that the conversion that conclusion of a Protectorate Agreement by Her Majesty's Government with Tringganu, would be a violation of it on our part.

But however the Treaty might be interpreted, there is no doubt that the assumption by Great Britain of a Protectorate over Tringganu would excite the bitterest animosity in Siam and it would provoke the utmost resistance the Government of that country are capable of offering . . . Such a step might precipitate an embarrassing Agreement between Siam and France and does not appear to offer any advantages sufficient to compensate for the hostile feeling it would arouse in Siam."

Foreign Office was based mainly on the wider perspective of British interests in the East and the Far East and not simply and naively in the terms of commercial and local benefits in the Malay Peninsula alone as seemed to be the basic reasons forwarded by the Straits Settlements officials. According to this rationale, the security of the Indian Empire was most important. This meant that its borders could not be allowed to become "coterminous" with those of French Indochina. It followed that the maintenance of Siam "as an independent power" to act as a buffer against the two empires, and also as a close and trusting friend of Great Britain, was essential. If Britain were to commence a policy of encroachment or expansion into the Siamese Malay States as suggested, this would destroy the basic policy of the Empire and, in the process, would lose a friendly and trusting ally.¹² A compromise was then struck whereby Siam's independence was maintained while no measures were taken to strengthen Siam's claims over the two States either. This compromise worked for a while. But when it appeared that the Bangkok Government steadily and systematically advanced and strengthened its authority over the Siamese Malay States, as shown in the visit of King Chulalongkorn to Kelantan and Trengganu in 1889, to be followed three years later by the re-organisation of Siamese provincial administration, the colonial party in the Peninsula became increasingly alarmed and vigorously endeavoured to influence London to adopt positive measures to safeguard British interests in the Malay Peninsula, but to no avail. In fact, between the years 1889-1897, Lord Salisbury's policy stood unchallenged and for a time the forward policy was put in cold storage in spite of the Singapore Government's complaints of Siamese breaches of Treaty obligations.¹³

In 1896, Great Britain and France arrived at an understanding concerning Siam in relation to the two empires. As a result, the Menam Valley was recognised and its sovereignty guaranteed by the colonial Powers, leaving roughly the southern and northeastern parts of Siam outside the buffer zone set up by the Anglo-French Conven-

12. FO 422/12 Satow to Earl Grenville. January 23, 1885.

13. FO 422/30 Gov.-Gen. Sir Cecil Smith to Lord Knutsford, August 25, 1891;

FO 422/31 Gov.-Gen. Sir Cecil Smith to Lord Knutsford, June 1, 1892;

FO 422/36 The Marquis of Ripon to Gov.-Gen. Sir Cecil Smith, 22, 1893, and September 6, 1893 in which the instruction was strongly worded as "under no circumstances is the Governor or Acting Governor of the Straits Settlements to visit either of these two States [Kelantan and Trengganu] or any other States outside the British Protectorate without first seeking and obtaining authority from the Secretary of State."

FO 422/40-43 Accusations against the Siamese authority during the Pahang Rebellion by the Singapore Government.

tion of 1896. The principal effect of the Convention on the Siamese-Malay relations was quite obvious. The signing of the Anglo-French Declaration insuring the sovereignty of the heartland of the Siamese Kingdom took away the main rationale of the Foreign Office's stand in support of Siamese position in the Peninsula, in opposing the forward theory advocated by most of the Straits Settlements officials. On the one hand, the Anglo-French Declaration assured the safety and smooth administration of the Indian Empire as far as the eastern border problem was concerned. On the other hand, it raised new problems regarding the safety of British interests in the Malay Peninsula now that the southern portion of the Siamese Kingdom was theoretically opened to Europeans seeking to establish political and economic advantages.¹⁴ The British colonial authority in the Malay Peninsula was not slow in bringing up the new danger and requested that certain measures be taken to safeguard British position as pointed out by a despatch from the Colonial Office to the Foreign Office as early as February 1896.¹⁵

Lord Salisbury concurred with the proposal and De Bunsen, the British Minister at Bangkok, was instructed to submit a draft Convention for British guarantee of the Siamese territory south of Muang Bang Tapan against third power attack in return for British special position and privileges to be negotiated between Great Britain and Siam.¹⁶ The consequence was the Secret Anglo-Siamese Convention of 1897 which was concluded with great satisfaction by both parties concerned. From the Siamese viewpoint, British recognition of Siamese suzerainty over Kelantan and Trengganu put to rest the anxiety and apprehension as to the designs of British agents in the Malay Peninsula over the two States; it also accorded Siamese freedom of action in re-adjusting her feudal relations with her Malay vassals. For the British, the Secret Convention rid them of the nightmare of having a third power subverting their interests and influence in the region; it also afforded Great Britain a legal stand for the launching of her administrative and diplomatic attack against Siamese rule in Kelantan and Trengganu later. The situation became congenial for such attacks as a result of two significant happenings.

14. FO 422/45 CO to FO, February 28, 1896.

15. FO 422/45 Memorandum on British interests and policy in the Malay Peninsula enclosed in the despatch of February 28, 1896, which stated, "It is submitted that no time should be lost in strongly pressing the Siamese Government to give to Great Britain a formal understanding not to part with any of the territory which they claim in the Malay Peninsula without first giving the refusal of it to the British Government, the British Government . . . undertaking to support the Siamese Government against any attempt of a third power to acquire foothold in the territory as claimed."

16. FO 422/45 Lord Salisbury to De Bunsen, April 28, 1896.

Firstly, the fact that the contents of the Secret Convention was never made known to the Singapore Government which felt at liberty to continue with increasing persistence and efforts to undermine Siamese authority as well as expand British influence in the two States, thus putting Bangkok and London often in difficult and embarrassing position. Situations frequently arose when, on the one hand, the British Government secretly recognised Siamese claims and authority in the two States while, on the other, British agents in the Peninsula publicly demanded that the Siamese be forced to abandon their traditional but "unfounded" claims, and British offers of protection to the native rulers against Siamese designs. Amidst these disturbing and confusing background came another significant happening in London. In 1900, the Marquis of Salisbury, who held both portfolios of Prime Minister and Secretary of State for Foreign Affairs, was forced to relinquish the latter position to the Marquis of Lansdowne. The change meant to the Siamese Government a loss of one of Siam's great allies and supporters. With Salisbury at the helm of the Foreign Office, Bangkok felt it had always met with fair and just treatment. It was no secret that the buffer policy had been adopted on the political strength of Lord Salisbury, who saw the independence of and the friendship and understanding with Siam a key to the safety of the British Empire in the east.¹⁷ It was Lord Salisbury who kept the Colonial Office and British colonial agents in the Malay Peninsula in check with his clear and firm guidance. His departure from the Foreign Office marked the increasing influence of the Colonial Office and its agents over the Foreign Office. As far as the Malay Peninsula was concerned, it gave an opportunity to the advancement of the forward policy so long advocated by the Straits Settlements officials.

From 1897 began the decline of the buffer policy. It also was the time the Singapore Government, through its strong influence with the Colonial Office, engaged in continuous efforts to push to the background the policy of maintaining Siam's integrity and authority in the Malay Peninsula and to substitute it with that of Great Britain. The 1902 Treaty was in part an outcome of this long and strenuous effort of the British Malay agents to transform the Peninsula into a solely British colony.

II

The immediate causes of the 1902 Treaty came from developments in the Malay Peninsula itself since 1899. The most outstanding among them were : the Duff Affairs, the political development in Kelantan at the turn of the century, the Patani Affairs and the attitude of the Straits Settlements officials towards Siamese position in the Peninsula. All these developments offered the proponents of the forward or expansionist policy

17. FO 422/21 FO to CO, March 29, 1889; and
FO 422/45 Marquis of Salisbury to Marquis of Dufferin, January 15, 1896.

sufficient evidences against Siam's incompetence and weakness to safeguard British special position and privileges as accorded her by the Secret Convention. The British Government, on the suggestion of the Colonial Office, initiated the talks with Bangkok. The Siamese Government, perhaps over-confident about their position vis-a-vis Kelantan and Trengganu, readily accepted the argument that the situation vouched for co-operation between Siam and England.¹⁸ Thus began the negotiations for the so-called improvement of Siamese authority in her Malay States.

The Duff Affairs

Robert William Duff, the retired acting superintendent of Police in Pahang, who had taken part in the pursuit of the Pahang rebels during 1894-5 into Kelantan, founded the Duff Syndicates Ltd. to seek commercial mining concessions in Kelantan and Trengganu. His business venture appears to have been inspired by the inside knowledge that there was a pro-British party in power in Kelantan after the death of Sultan Mansur in 1899.¹⁹ Duff had no difficulty in getting a concession from the Sultan. In October, 1900, the Partnership Agreement was signed between R.W. Duff and the Sultan of Kelantan. In return for the huge concessions, Duff promised some financial gains and to present the Ruler's and his party's grievances against Siamese authority to the British Government.²⁰ In his secret letter to the Secretary of Colonies Joseph Chamberlain, Frank Alexander Swettenham, then the Administrator of the Straits Settlements, urged the Colonial Office not to recognise the concessions and to support the Siamese position vis-a-vis Duff Syndicates because, "if Mr. Duff may receive concession in Kelantan without the formal consent of Siam or Great Britain, or both,

18. For example the readiness and ease shown by Prince Devawongse when accepting British memorandum on January 9, 1902; or the willingness of King Chulalongkorn to accept Sir Frank Swettenham's good service, as suggested by the British Government, and to make a trip down to Singapore for a talk with the Governor-General of the Straits Settlements in February 1902 so as to find ways to overcome the dangerous situation.

19. L.R. Robert, "Kelantan 1890-1939: Government in Transition", unpublished M.A. thesis, University of Malaya, 1973, p. 72.

20. *ibid* p. 78.

Earlier Duff went to Bangkok in April to obtain a letter of recommendation from the Siamese Government to the Sultans of the two Siamese eastern Malay States, but was refused the license on the grounds that such concessions might arouse demands from other European states if it were granted to Duff. Duff's direct dealings with the Kelantan Ruler went against the wishes and authority of Bangkok, and this no doubt made him *persona non grata* with Bangkok. The Siamese Government was later convinced that it was Duff who placed Siam in a very difficult position over Kelantan and Trengganu. See FO 422/57 Paget to Lansdowne, September 15, 1903.

an awkward precedence may be set which may quickly be utilised by Russians, French, or Germans."²¹

In order to forestall the Foreign Office's objection to support his claims against Bangkok's refusal to ratify the concessions, Duff secretly proposed to the Foreign Office that the Syndicates would only part with the concessions or any part of the rights to it to a British subject. With this assurance, the Foreign Office decided to support Duff's claims and instructed its Representative in Bangkok to request the Siamese Government to ratify the concessions in the beginning of 1902. Nevertheless, by this time, Lord Lansdowne had already been persuaded to agree with the Colonial Office that Britain's special position in the Siamese Malay States was insecure and still faced the possibility of interference from other European powers whose agents could easily be as successful as Duff in their dealings with the local Rulers in defiance of Siamese authority.²² Lansdowne further instructed Tower, the British Minister in Bangkok, that the existence of such unhealthy situation was contrary to the objectives of the Secret Convention and the British Government was willing to assist the Siamese Government in solving the problem before it became really explosive.²³ One of the ways to put an end to this unsatisfactory situation was to appoint British nationals as Siamese representatives in Trengganu, Patani and Kelantan.²³

The Siamese, accepting the validity of the analysis, were willing to discuss and co-operate with the British authority in the effort to bring about a desirable condition in the Siamese Malay States. So the principle of negotiations for an improved administration of Kelantan and Trengganu was implicitly agreed upon by the Siamese in early 1902. However, the difficulty raised by the Duff Affairs did not end with Siam agreeing to negotiate ways and means to strengthen her authority and to establish an orderly condition in Kelantan and Trengganu. The Affairs continued to be used as one of the pressures to force the hand of the Siamese throughout the negotiations. The ratification of the concessions by Bangkok would be interpreted as a sign of Siam's

21. Swettenham's letter dated November 19, 1900, to Chamberlain, quoted in Alfred P. Rubin, *Piracy, Paramountcy, and Protectorate*, K-L : University of Malaya Press, 1974, p. 100.

22. FO 422/56 Duff to Chamberlain, December 23, 1901, in which Duff stated, "the influence of Siam was so slight that I, a private individual, was able to make arrangements with the Rajah of Kelantan by which I acquired from him the whole of the commercial rights over $\frac{1}{2}$ of his state . . . This was done in direct opposition to the wishes and intentions of the Siamese Government . . . These facts are in themselves evidence that a foreigner might quite conceivably have attained the same objects had he been the first in the field and this danger still exists . . ."

23. FO 422/56 Lansdowne to Tower, January 7, 1902, (confidential).

seriousness in solving the undesirable situation in the two Malay States, while the failure to do so would be taken as an excuse by the British to conduct direct arrangements with them.²⁴

There can be no doubt that, to the Siamese leaders, the Duff Syndicates and its concessions were at bottom the main immediate cause of the British pressure on Siam to set up an administrative system on the British colonial model in Kelantan and Trengganu – a system detrimental to Siam's traditional authority and influence over her Malay tributaries.

The Political Development in Kelantan 1899–1901

Political struggle in Kelantan emerged with the death of Sultan Mansur in 1899. With the passing away of the Sultan, the pro-Thai party suffered a heavy blow from which it never recovered. The anti-Thai party, led by the deceased Sultan's brothers, had long resented being excluded from exercising their political birthright in the administration of the State throughout the reign of Sultan Mansur.²⁵ Tuan Long Senik, Sultan Mohamad IV, Mansur's successor, soon found out that even though he was recognised and supported by Siam, he could not rule effectively without coming to an understanding with his powerful uncles by according them full status as members of the State Council.²⁶ These were the men who opposed the power of Siam in Kelantan for the simple reason that they had been prevented from playing what they considered to be their proper role in the governing of the State by the Sultan and his party with the connivance of Siam. Naturally the State Councillors were determined to strengthen their domestic position by reversing the traditional relations between Kelantan and Siam. This in practice meant a search for a new and powerful ally to ward off Siamese wrath.

The first evidence of such attempts was the partnership with R.W. Duff in 1900 as mentioned above, which the Kelantanese party hoped to mobilise against the authority of Siam. By 1901, the conflict with Siam became so intense because of further attempts by Bangkok to introduce the new administrative system that Tuan Long Senik broached his intention to request for a treaty engagement with Siam to

24. FO 422/56 Lansdowne to Archer, August 19, 1902.

See also Thamsook Numnonda, "The Anglo-Siamese Negotiations 1900-1909", unpublished Ph.D. thesis, London University, 1966, p. 82.

25. For example, in 1896 one of the brothers, Tuan Long Mohamad, appealed to Governor Mitchell to depose Mansur and install "a resident in Kalentan similar to Perak and Klang." Quoted from Robert, "Kelantan 1890-1939" p. 70.

26. Nik Mohamad bin Nik Mohd. Salleh, *Satu Chatetan Mengenai Masaalah Sangketa Atas Takhta Kelantan Dalam Abad-Abad 18-20 Masahi*. n.d., p. 13-19.

ascertain the latter's power and authority vis-a-vis Kelantan. However, the Sultan later changed his mind and chose the traditional means of solving the difficulty by making a trip to Bangkok in person to lay his complaints against the Siamese Commissioner. The Sultan also asked for the recall of the Commissioner and all his troops to Bangkok.²⁷ The move failed to achieve the desired effect. From Kelantan's viewpoint, the situation worsened. Kelantan was visited in succession by Siamese senior officials, *Phraya* Sukhum and *Phraya* Sri Sahadheb.²⁸ The principal objective was to exact an official undertaking from the Raja of Kelantan not to conclude any deal with foreigners without the written sanction of the King of Siam. The Raja finally agreed to abide by this instruction, as recorded in his Memorandum of October 27, 1901.²⁹

By this time, the Raja and the anti-Thai party were convinced that their position and interests could only be safeguarded against the Siamese encroachment, which aimed to incorporate Kelantan into the Siamese Kingdom proper, by asking for help from the Straits Settlements Government whose inclination to interfere against Siamese activities in the two northeastern Malay States must have been common knowledge among them. Once this measure was adopted in May, the Kelantan Ruler became determined to be rid of his traditional overlord, whose suzerain authority he now categorily denied in the legal fashion best understood by his to-be Western patron, though it was absolutely alien to the long-existing intra-regional relations.³⁰

There could be no doubt that Siam's attempts to consolidate her loosely-tied kingdom in the last years of the nineteenth century had a very alarming effect on the Kelantanese leaders, especially among the anti-Siamese party who saw in the strengthening of the Siamese authority in Kelantan the end of their recently acquired ascendancy, and thus were determined to resist Siam to the very end, if need be.³¹ On the Siamese side, the trouble in Kelantan truly began with Duff and the concessions which distinctly brought to the fore the ineffective overseeing power of Siam, which in turn threatened Britain's privileges and special position as well as the Siamese claims in the

27. Robert, op. cit., pp. 82-3.

All the Siamese soldiers stationed in Kota Bahru had been sent at the request of Raja Senik himself in 1899 to protect him and strengthen his position against his political rivals at the time of succession.

28. *Phraya* Sukhum was the superintendent commissioner of *Monthon* Nakhon; *Phraya* Sri Sahadheb was the under-secretary of the Ministry of the Interior and believed to be the most able Siamese official at the time.

29. Tower to Lansdowne, January 31, 1902, quoted in Robert, op. cit., pp. 266-8.

30. FO 422/56, the Sultan of Kelantan to Swettenham, June 4, 1902, "Kelantan has not up to the present had any Treaty with Siam".

31. FO 422/56, Swettenham to Chamberlain, May 16, 1902,

1897 Secret Convention. Naturally, the Siamese were equally eager to bring an end to the irregularity practised by the local Rulers in their dealings with foreigners. *Phraya Sri Sahadheb's* mission to Kelantan and Trengganu to exact from the two Sultans that no concessions to foreigners would be granted without the previous written consent of the King of Siam in October 1901 was a move reflecting the concern and anxiety felt by the Bangkok Government of the seriousness of the situation. Until January 1902, the Siamese authority was of the impression that it had managed to establish control over the two States, as seen by the confidence with which Prince Damrong informed the British Minister in Bangkok of the Siamese Government possessing written assurances from the Sultans of Kelantan and Trengganu to abide by Bangkok authority in matters concerning concessions to foreigners.³² But the Siamese were in for an unpleasant surprise when they were informed that the two written assurances had no legal binding effect and thus could not be accepted as evidence of Siamese power in her two dependencies. New arrangements had to be effected to safeguard the interests of both countries in the two Malay States. Siam had no alternative but to agree to negotiate a treaty with her tributaries.

Obviously, Siam could not deal with Kelantan's defiance of her authority in the manner she customarily used to in order to settle speedily the affair, since she was too concerned with British reaction. This feeling of impotence and frustration increased as the negotiations became bogged down at every step. To the British advice that the negotiations should be concluded the soonest possible to the benefit of Siam against possible local insurrection and Britain's direct settlements with the two Siamese dependencies, Prince Devawongse, the Siamese Foreign Minister, retorted that, "if Siam was left to herself, she would have no difficulty whatever in gaining full control over the two States."³³

The Patani Affairs 1899-1903

The political development in Patani, which began with visible and genuine attempts on the part of its Ruler to escape Siamese administrative authority in 1899, became yet another evidence employed by the Straits Settlements senior officials to press for a settlement with the Siamese concerning the Malay States over which Siam claimed suzerainty but possessed no real power over the local Chiefs. In a secret despatch, the Governor-General, Sir Frank Swettenham, reported the request of the Ruler of Patani for British protection.³⁴ Since then it appeared that not only the Raja of

32. FO 422/56, Tower to Lansdowne, January 27, 1902. (telegraphic and confidential)

33. FO 422/56, Archer to Lansdowne, July 15, 1902.

34. FO 422/51, FO to Governor-General Sir Frank Swettenham, January 10, 1899.

Patani alone who tried to escape the Siamese authority, but other Rulers of the tiny States between Kelantan and Siam had followed his example and requested the British to come to their rescue against what they regarded as the Siamese encroachment of their traditional rights.³⁵

The root of the dissatisfaction among these Rulers and their decision to ask for British protection was in the main caused by Bangkok's attempts to reorganise the "Seven Malay Principalities" which had earlier formed the old State of Patani and, up to 1898, were somewhat treated as tributaries of Siam.³⁶ Prior to the introduction of the new provincial administration of 1898, the local Chiefs of these petty principalities were granted autonomy in matters concerning internal affairs, although these rights might from time to time be vetoed by the Commissioner in Songkhla. However, with the introduction of the new administrative system, these tributaries were placed directly under the authority of Bangkok, a change long requested by the Malay Rulers, while they were also answerable to the Superintendent Commissioner, who was the royal Representative and who was endowed with the full authority in all judicial matters save those touching the Islamic religion and Malay customs, foreign relations and revenue. All the local Rulers felt their position threatened and appeared to affect a concert of action against the administrative novelties introduced.³⁷ Before long it was clear that all the attempts made by Bangkok to affect the changes with the minimal inconveniences possible, and with co-operation from the seven Rulers only met with opposition from the latter. By October, 1901, Sir Frank Swettenham wrote to the King informing him of pending untoward happenings in Patani and offered to come to Bangkok to tender to the King in person his opinion and advice on the situation.³⁸

By the end of 1901, the Siamese Government decided to employ strong and decisive measures to bring the area under the direct control of Bangkok and to prevent any interference from the Singapore Government. *Phraya Sakdiseni*, the appointed Superintendent Commissioner of the Seven Malay Principalities, arrived in Patani in December 1901 and announced the decree of the new administration to the Ruler and

35. FO 422/51, Sir Charles Mitchell to the Rajas of Sai and Patani, "as our friends' country is already under the influence of Siam, the British Government is on terms of friendship with Siam, it would not be right for us to grant protection to our friends' country unless we are asked to do so by the Siamese Government."

36. They were Patani (Tani), Yaring, Sai, Rangeh, Raman, Yala, and Nong Jik.

37. For details of the rebellion of the Seven Malay Principalities in 1902 see Tej Bunnag, "Seven Malay Phraya Conspired a Rebellion, R.S. 121" in *Wan-Waitayakorn: History and Culture*, Bangkok Association of the Social Sciences of Thailand, B.E. 2514, pp. 15-39. (in Thai).

38. CO 273/274, Swettenham to the King of Siam, October 29, 1901. Quoted in Tej, *op. cit.*, p. 25.

his Council. Once encountering opposition from the local Ruler, *Phraya* Sakdiseni acted with support from Bangkok. *Phraya* Rangeh was suspended, and another Malay, more acceptable, appointed acting Governor of Rangeh; at Sai, he appointed new officers without securing the consent of *Phraya* Sai. At the same time, *Phraya* Sri Sahadheb was sent to Patani in February 1902; he swiftly arrested *Phraya* Patani and sent him back to Songkhla for detention. Another member of the ruling family of Patani was appointed Acting Governor.

The strong and swift measures employed by the Siamese were much resented by the Straits Settlements Government because it not only showed to the local Malay leaders that the British had no say in matters concerning the conflict between the local Chiefs and the Bangkok Government, but also demonstrated Siam's ability to deal with local disobedience as she saw fit, while these local leaders had no alternative but to comply or face heavy punishment. The case of the Ruler of Patani was a living lesson to other Malay Rulers under the Siamese influence. Anyone who dared solicit British assistance against Siam would have to pay for his crime.³⁹ Swettenham realised the implication of the event, the more so since the arrest was believed to have been executed at the time King Chulalongkorn was visiting Singapore and conducting an unofficial discussion on the Malay problem with the Governor-General. He thus pressed the British Government to demand an immediate release of the Ruler of Patani.⁴⁰ However, the Foreign Office accepted the Siamese explanation that the Ruler of Patani was but an officer of the Crown who had disobeyed the royal command and therefore had to suffer the consequence.⁴¹ In the Government Gazette, March 1902, the Siamese Government announced the deposition of the Ruler of Patani, Abdul Kadir, and the appointment of *Phraya* Pitak Thammasunthorn "Kooday" as the new Governor of Patani. Officially the Patani affairs were brought to an end.

The success of Siam in the Seven Malay *Muang* in 1902, which officially prevented it from being used by the Singapore Government as another reason for the need to re-adjust Siamese relations with her local Malay Chiefs, in fact convinced the Governor-General even more of the belief that Siamese power in the Peninsula had to be effectively curbed and, if possible, eliminated. It was clear that Sir Frank Swettenham became increasingly harsh, exacting and frantic in his opinion of Siam and her leaders, as he realised that his proposals concerning Patani, Kelantan and Trengganu

39. Sultan of Kelantan was nervously frightened that he might suffer the similar fate of Abdul Kadir, and pressed Swettenham to sign a treaty with Kelantan. FO 422/56, Swettenham to Chamberlain, May 16, 1902.

40. FO 422/56 Lansdowne to Tower, March 5, 1902 (telegraphic).

41. FO 422/56, Tower to Lansdowne, March 7, 1902 (telegraphic).

were not to be accepted *en bloc* by the British Government.⁴² What seemed worse for him, a confirmed antagonist of Siam, was that Siam appeared to be scoring some important points against the progress of the forward policy. It can be said that the disappointment in the Patani affairs prompted Sir Frank Swettenham to bring it up as a proof of Siamese high-handed method employed against the local Malay Rulers to the detriment of the British influence and position. Great Britain's failure to conclude a treaty which would prevent such practice in Kelantan and Trengganu would definitely jeopardise the interests and the prestige of the Empire further. This should and, in fact, could not be allowed. Siam had to be forced to conclude the 1902 negotiations or face the consequences. In essence, Swettenham's campaign in 1902 won the approval of the British Government.

The Attitude of the Straits Settlements Government Towards the Siamese Position in the Malay Peninsula

Traditionally, the British colonialists in the Straits Settlements embraced anti-Siamese sentiments and rightly regarded Siam as the only obstacle to Britain's expansion northwards.⁴³ Since the Perak-Raman boundary negotiations in 1899, the anti-Siamese sentiments among the Straits Settlements officials became more pronounced. Swettenham, the then Resident-General of the Settlements, strongly objected to the negotiations, as he feared that the agreement on the Perak-Raman boundary would spoil Great Britain's freedom of action in the disputed area in the Malay Peninsula,

42. In his memorandum of May 28, 1902, Swettenham wrote, after being piqued by the fact that he had mishandled the meeting with King Chulalongkorn, "It is well to speak plainly now, and recognise that we are dealing with people whose word is worthless, and who will resort to duplicity or subterfuge to gain their ends." [FO 422/56].

Again in June he wrote using harsher terms, "the Siamese are the most contemptuous, the most unreliable, the most corrupt. They are cruel and lazy, unjust and untruthful, and they are not even courageous." [FO 422/56, Swettenham to CO, June 11, 1902, (secret)]

One amusedly wonders on what evidence Swettenham based his superlatives concerning the various aspects of the Siamese. After all, his "wide" experience in dealing with Asians, let alone the world, was only limited to the Malays, Chinese, and Indians in the Malay Peninsula, all of whom had to tow his line, since they lived under the British rule. In the Siamese Sir Frank Swettenham met the natives of an Asian State who claimed a status equal to, or even higher, than himself, a claim he could not quite accept. Perhaps this haughty aspect of the Siamese was what Swettenham could not tolerate.

43. Sir Harry Ord, the first Governor of the Crown Colony, and Sir Andrew Clarke were the outstanding exceptions to the long list of anti-Siamese British officials in the Malay Peninsula which included Sir Frederick Weld, Sir Cecil Clementi Smith, Sir Frank Swettenham and Sir Hugh Clifford.

particularly Kelantan and Trengganu.⁴⁴ Yet, in spite of Swettenham's strong opposition, the Boundary Agreement was signed in November 1899. Nevertheless, it did not reduce the suspicion, dislike and distrust the Singapore Government had against Siam.

Between 1894–1899 occurred one important event which convinced the leading proponents of the forward policy in the Malay Peninsula of the expediency in undermining and eliminating Siam and her influence from the State of Kelantan and Trengganu, namely the Pahang rebellion of 1894–95. Accusations of bad faith and connivance with the rebels by the Siamese were frequently registered by the Straits Settlements authorities even at the slightest opportunity.⁴⁵ In fact it can be said that British officials put the blame on the Siamese for their own failure to suppress the rebels.⁴⁶ What was more important, the event confirmed the Straits Settlements officials in their belief that Britain had to extend her influence and power over Kelantan and Trengganu for the safety and interests of the British Malay States.

Swettenham was perhaps the most outspoken proponent of the expansionist policy in the Malay Peninsula. The gist of his argument could be summed up in three main points, all of which were essential to British imperial interests, namely the value of trade and the commercial potentials of Kelantan and Trengganu to Singapore and thus the Empire, British prestige in this part of the world, and the possible loss of British position as result of the Siamese attitude in the Malay Peninsula.⁴⁷ Since his serious and frustrating encounter with the Siamese authority over the Perak-Raman boundary negotiations, Swettenham had consistently advocated the forward policy to eliminate Siam from the Malay Peninsula. To Swettenham, Siam was but a "half civilized" nation that had ridiculously forwarded the grand pretensions of a great power in the Malay Peninsula, which perhaps made it more repulsive to him than any other Asiatic races he had come to deal with. As a capable and ambitious colonial administrator, Swettenham was most dedicated to his cause and had no patience nor understanding of political manoeuvring except with the readily-to-use threat of force. The turn of events in 1900–1902 offered him a chance to realize the dreams of all the Straits Settlements proponents of the forward policy, and Swettenham had no intention of

44. FO 422/51 Memorandum by Swettenham to Governor Mitchell. 1899.

45. FO 422/40 Governor Sir Charles Mitchell to Scott, October 12, 1894; and October 23, 1894; FO 422/42 de Bunsen to Salisbury, April 6, 1895; and de Bunsen to Earl of Kimberley, April 19, 1895.

46. Hugh Clifford, "Expedition to Trengganu and Kelantan", *JMBRAS*, vol. 34; I, May 1961.

47. FO 422/56 Swettenham's Memorandum to CO, May 21, 1902; Swettenham to Chamberlain April 21, 1902 (Secret); Swettenham to CO, June 11, 1902 (Secret); Swettenham's Memorandum on Siamese Relations with Malay States, February 1, 1902; and Swettenham to Chamberlain, August 15, 1902 (telegraphic).

letting it slip away. It can be stated that the 1902 Siamese-Kelantan Treaty was in fact the first substantial triumph scored by the Straits Settlements Government against Siam since the setting up of the Crown Colony in 1776. Much was owed to the tireless efforts and determination of Sir Frank Swettenham and his subordinates, particularly Hugh Clifford, though it must be noted that Swettenham himself felt disappointed at the outcome of the 1902 negotiations as it did not go as far as he had visualised.⁴⁸

By 1902, all the above-mentioned factors were brought to the surface and bore great weight on Siam, which resulted in the Bangkok Government concurring to the British suggestion that means should be explored to find a solution to the dangerous situation that might develop in the Siamese Malay States of Kelantan and Trengganu. Such a situation, if left unattended, would cast doubts on Bangkok's ability to maintain British interests as agreed in the Secret Convention of 1897 and could eventually force Great Britain to negotiate directly with the two States to secure her special position which was essential to the security of the British Malay States.

III

The process of negotiations of the 1902 Treaty likewise reflected a change in the handling of the Anglo-Siamese relations which, so far, had relied principally on mutual willingness and exchange of interests on equal footing. The Perak-Raman Boundary Agreement of 1899 and the Secret Convention of 1897 were good evidences of such undertakings. When the Siamese leaders agreed on principle to discuss the situation in the Siamese Malay States wherein local Rulers tended to act independently of Bangkok in granting concessions to foreigners, especially to Westerners, they did not for once imagined that they had committed themselves to be forced to accept conditions so damaging to their interests, and to the most bitter diplomatic deal ever with Great Britain.

The negotiations began with the instruction from the Marquis of Lansdowne to Tower, the British Minister at Bangkok, to inform the Siamese Government of British willingness to help solve the dangerous situation before it exploded by lending British officials to act as Siamese representatives in Trengganu, Kelantan and Patani.⁴⁹ This was followed by the significant consent of King Chulalongkorn to discuss the matter with Sir Frank Swettenham, the Governor-General of the Straits Settlement, who had

48. See for example Hugh Clifford's memorandum, September 25, 1902, responding to Siamese claims over Trengganu and Kelantan, as referred to in Appendix C, Robert, *op. cit.*, "Kelantan 1890-1939: Government in Transition". Swettenham later often blamed the failure of the Adviser system in Kelantan for not accomplishing the aim of increasing British authority and interests in that State as being caused by the Adviser's position which was so objectionably dependent on Siam.

49. FO 422/56 Lansdowne to Tower, January 7, 1902, confidential.

earlier offered his services to find an acceptable solution to the situation.⁵⁰ But from the start, the meeting between the King and the Governor-General was a total failure, and instead of sorting things out, it entangled them even more. As Tower reported to Lansdowne in his confidential despatch of March 8, 1902,

“The situation has become more difficult of adjustment since the King’s visit to Singapore, and I can see no chance of improving it till Siam can be brought to agree to the employment of a British officer or officers in the Siamese/Malay States with sufficient power and authority to safeguard our interests . . .”⁵¹

The basic cause of the difficulty was Siamese suspicion of British intention towards her Malay States. This was the direct consequence of Swettenham acting beyond the authority delegated him by the Home Government. It was certain that King Chulalongkorn agreed to meet the Governor-General on the understanding that they would have a frank and sympathetic discussion to safeguard both British and Siamese interests in the Malay Peninsula.⁵² It came as a great shock to the King that Swettenham took this opportunity to press for Siamese cession of territories of her Malay States to Great Britain, as well as to present him with the draft of the Agreement which he intended the King to sign on the spot.⁵³ Apparently Swettenham had, through his ignorance and over-confidence of his own ability, miscalculated the strength and determination of King Chulalongkorn to maintain his position and authority in the Siamese Malay States and thus assumed that he could cajole the King to accept his proposals the way he could with the Malay Rulers he had dealt with. The damage was thus committed. From March 1902 onwards, when the negotiations really started, until the signing of the Note in October of the same year, the Anglo-Siamese negotiations of the Siamese-Kelantan and Siamese-Trengganu agreements met with all imaginable difficulties, arising from the mutual distrust, suspicion and hardened attitude which had never been witnessed before in the history of Anglo-Siamese relations.

50. FO 422/56 CO to FO, February 7, 1902, secret, “[Swettenham] states that he can help Siam to make treaties with Patani, Kelantan, and Trengganu, under which these States will accept Siamese protection and control by Siam of all dealings with foreigners on the consideration that the internal authority of the Malay Rulers is not interfered with . . .”

51. FO 422/56 Tower to Lansdowne, March 8, 1902, confidential.

52. FO 422/56 FO to CO, February 25, 1902, secret, “It will be better that, when Sir Frank Swettenham and the King meet, the situation should be frankly discussed between them . . .”

53. FO 422/56 Tower to Lansdowne, March 8, 1902; and Swettenham to Chamberlain, February 26, 1902, telegraphic, and again March 10, 1902, secret. The Siamese account is reported by Prince Damrong who had acted as the King’s Secretary during the meetings in R. 5 M62/50-61, Memorandum of the Meeting between the King and Swettenham, Feb. 24-25, R.S. 120 [1902], NAT,

After the King-Swettenham meeting, Lansdowne telegraphed his instruction to Tower in Bangkok "to keep His Majesty to his word", namely the agreement he gave to Swettenham to make treaties with Kelantan and Trengganu the basis for further negotiations. Meanwhile, the Siamese Government officially replied to the British *pro-memorid* of January, 1902, which contained British offer to lend British officials to help solve the problems in Kelantan and other Siamese Malay States. The Siamese gave consent to a written agreement to be concluded between Siam and the Rulers of Kelantan and Trengganu, but refused to include Patani in the new arrangement as proposed by Britain. They also agreed to nominate officials of British nationality to serve in the Siamese dependencies of Kelantan and Trengganu.⁵⁴ Once the basic understanding for the negotiations had been reached, the Siamese submitted the draft of the proposed Treaty to the British Government for discussion. The crux of the Siamese proposals was that the Rulers of the Siamese Malay States should "legally" accept Siamese authority over their contact with foreigners, in return, the Siamese promised not to interfere with the internal administration of these States, and to appoint residents to help with the administration of the States. However, Bangkok reserved the right to control the Telegraph, Posts, and Railways Departments as well as the right to a tithe of the gross revenue in place of the traditional *bunga mas*.⁵⁵

The following period between April and October was the time of tough negotiations. The fact that the Draft Agreement of April 9 was discussed and considered sometimes simultaneously at three places, Bangkok, Singapore, and London, spoke clearly for the difficulty encountered by both parties. The negotiations which began between Mr. Tower, the British Minister in Bangkok, and Prince Devawongse, the Siamese Minister for Foreign Affairs, shifted to Singapore where Tower was instructed to go for consultations with Sir Frank Swettenham on the Siamese Draft Agreement. They came up with an amended version of the said proposals which, though accepting Siamese authority over the two States in foreign affairs, including concessions and grants, in return for the Malay Rulers' autonomy in the affairs of their own States, did not recognise Siamese claims over telegraph, posts, and railways, nor did it agree to the Siamese extensive right over the revenue of these Malay States except under a strict and limited condition.⁵⁶ Both Tower and Swettenham urged the Home Government to

54. FO 422/56 Tower to Lansdowne, March 29, 1902, (telegraphic)

55. FO 422/56 Tower to Lansdowne, April 9, 1902, (telegraphic); also see the details of the Siamese Draft in Appendix C.

56. FO 422/56 Swettenham to Chamberlain, April 17, 1902, telegraphic and secret; Tower to Lansdowne, April 19, 1902; and see Appendix D of this article.

insist upon this amended version. Swettenham, in particular, recommended that strong measures should be taken if Siam refused to agree to it.⁵⁷

The Siamese answer to the amended Draft was presented in the form of a memorandum which stated that, "after a careful examination of the proposals of Her Britannic Majesty's Minister Plenipotentiary, that the acceptance of those proposals would not be conducive to the object of the two Governments, namely the maintenance of the integrity and the independence of Siam, and they therefore express their regret that they are unable to accept them."⁵⁸ Tower wired in the same despatch recommending a tough stand by warning the Siamese Government of the possible clash of force if Siam were to use force against the two States, namely the British support for the Malay chiefs. At this stage, Tower was fully supported by Swettenham who, in a separate despatch, urged the Secretary for the Colonies to overcome Siamese tactics of not negotiating by affecting a direct deal with Kelantan and Trengganu "to protect our own interests and theirs".⁵⁹

Finally Lansdowne decided to apply more pressure on Siam and instructed Tower by telegram to present the matter to the King in such a way that His Majesty would understand clearly that it would serve his interest to accept the amended Draft without being compelled by British acts. Nevertheless, Lansdowne seemed to tone down his tough approach after his interview with the Siamese Minister in London. Yet to make certain that the Siamese were not simply employing delay tactics, he informed *Phraya Prasiddhi* that the Siamese would have to accept the appointment of British subjects as advisers to the Malay Raja and also ratify the Duff concessions to indicate that "the Siamese Government were in earnest . . . [and] unless this were done without further delay, we should certainly be pressed to come to terms with the Rajahs without further reference to the Siamese Government."⁶⁰

Nevertheless, the difficulties faced by the negotiators were so great that eventually the Siamese found it impossible to continue the main negotiations in Bangkok as the British Minister was, in their opinion, totally under the influence of the Governor-General of Singapore.⁶¹ They requested to hold the main negotiations in London and, by the end of June, the Siamese special envoy with full powers to conclude

57. FO 422/56 Swettenham to Chamberlain, April 21, 1902, secret, namely British independent action to come to arrangements with Kelantan and Trengganu and put an end to Siamese authority and pretension in these States.

58. FO 422/56 Tower to Lansdowne, May 15, 1902, (telegraphic).

59. FO 422/56 Swettenham to Chamberlain, May 16, 1902, (telegraphic).

60. FO 422/56 Lansdowne to Tower, June 5, 1902, (confidential).

61. See Chulalongkorn to Suriya, R.S. M62/79-89, March 17, R.S. 121 (1903), NAT.

the agreement with Whitehall left for England.⁶² It was only during the direct talks between *Phraya Sri Sahadheb*, the special envoy, and Lord Lansdowne and the top officials in the Foreign Office that the 1902 Siamese-Kelantan, Siamese-Trengganu, Treaty was brought to a fruitful conclusion. The complexity of the negotiations lay in the fact that even though it was the Siamese-Kelantan Treaty, there were no direct negotiations nor communications between the two signatory parties. In fact, Kelantan, as well as Trengganu, were kept mostly in the dark about the terms of the Agreement until the signing of the Treaty.⁶³ Even the Siamese efforts to affect the signing of the Treaty without going through the British authority in the Straits Settlements, in accordance with the understanding between *Phraya Sri Sahadheb* and Lord Lansdowne, were opposed most strongly by the Singapore Government.⁶⁴ Thus arose a very complicated and inexplicable diplomatic situation, whereby the British took it upon themselves to negotiate in order "to safeguard" the interests of a state which Great Britain had recognised as a tributary to another nation, and in so doing denied that suzerain state the right to exercise its political power over its tributary to the ridiculous point of

62. *Phraya Sri Sahadheb*, the appointed special envoy, was by this time acknowledged as the most capable official of the Ministry of Interior. He held the position of the under-secretary of that Ministry. According to Tower, "Phya Sri Sahadheb, as the right hand man of Prince Damrong, is closely identified with all the more recent reforms that have given the Ministry of Interior the reputation of the most efficient and progressive Department of the Siamese Government. The King has, moreover, shows his confidence in him . . . he may be regarded as the embodiment of Prince Damrong's policy of foreign exclusion, the leader, after the Prince, of the large section of Siamese officials [who believe in] 'Siam for the Siamese' . . . of a crafty and unscrupulous disposition." [FO 422/56 Tower to Lansdowne, June 23, 1902, confidential], but according to *Phraya Suriya*, the Siamese Minister in Paris, he was rather a vain and self-centred person who created more problems during his trip to England and Europe. [*Phraya Suriya* to Prince Devawongse. R.S. T. 1/46-61, February 20, R.S. 121, NAT].

63. FO 422/56 FO to CO, May 31, 1902; June 6, 1902; Chamberlain to Swettenham, October 8, 1902, (telegraphic), in which instructions were given as to how far the latter was allowed to part with the contents of the Agreement for the Sultan to affix his signature, "You should inform the Rajahs confidentially that Advisers will be of British nationality, and that they will be paid from the funds of the States according to the scale laid down in the Secret Note of Siamese Commissioner to Lord Lansdowne. Otherwise you should not communicate the contents of the Secret Note and all the documents for the present should be treated as confidential."

Phraya Sukhum, the Siamese representative to sign the Treaty with the Sultan of Kelantan, likewise allowed the Sultan to see only the Treaty itself. See Sukhum to Damrong, R.5 M62/79-89, December 7, R.S. 121 (telegraphic); Secret Despatch, December 7, R.S. 121, NAT.

64. Chulalongkorn to Suriya, op. cit., footnote 61.

objecting to Siam affecting the signatures of the two parties directly concerned.⁶⁵ Siam was compelled to acquiesce to most of this kind of manoeuvring mainly because of the apprehension that, if she refused the British "good will", it would offer the Straits Settlements Government an opportunity to press successfully for a separate and independent agreement with the Malay Rulers and, in so doing, would bring about the disintegration of the Siamese Kingdom.⁶⁶ Notwithstanding, Siam fought hard to maintain as much as possible her prestige and political position in the Malay Peninsula, which eventually paid off by the terms of the Agreement and the Exchange of Notes between Siam and Great Britain.

IV

The difficulties which threatened the breakdown of the negotiations were manifold. First among them was the disenchantment of the King-Swettenham encounter. The hostility mutually entertained became almost an insurmountable obstacle to the conclusion of the negotiations, as seen in the talks about the Adviser System and personnel to fill the post in Kelantan and Trengganu. The attitude and efforts of the Sultan of Kelantan in 1902 also led to further difficulty in the negotiations. The sudden doubt of the British Government of Siamese suzerain rights in Kelantan and Trengganu likewise had to be overcome through various clauses of the Draft Agreement. Perhaps from the Siamese viewpoint, the hardest problem was the change of attitude and approach adopted by the Foreign Office under the Marquis of

65. FO 422/57 Paget to Lansdowne, December 1, 1902, which explained the grounds for Britain to have a say in the Siamese-Kelantan affairs as, "whilst it is true that the Agreement is between Siam and Kelantan, it is, nevertheless, an Agreement brought about by negotiations between His Majesty's Government and the Siamese Government, an Agreement in which the former are closely concerned, and that they are therefore entitled to have full cognizance of all that take place between Siam, Kelantan and Trengganu"; Swettenham to Chamberlain, December 30, 1902, (secret), "I feel sure you will agree with me that the Siamese should not be allowed the petty triumph of ignoring the Agreement to which the Sultan affixed his signature and seal under the advice of His Britannic Majesty's Government."
66. FO 422/56 Devawongse to *Phraya Prasiddhi*, May 25, 1902; and Archer to Lansdowne, July 15, 1902, in which he reported that, "The Prince remarked repeatedly that the Siamese were anxious only to maintain the integrity of Siam; and if that was to be infringed, it was a matter of indifference to them whether it was done by force, or by indirect interference with the control of a portion of Siamese territory . . . I urged that an early definite settlement was of urgent necessity in the interests of Siam to guard against the two fold danger that confronted her . . . [the possibility of an uprising against Siam in the two States; and the British direct deal with the two States without Siamese consent]. The Prince . . . said . . . if Siam was left to herself she would have no difficulty whatever in gaining the full control of the two States . . . The impression left upon me by this interview was that the Siamese are prepared to comply eventually with all just demands of the British Government, but will resist to the utmost any proposal that may imperil the integrity of their territory."

Lansdowne, which was totally alien to Siam and thus caused great suspicion in Bangkok as to the true intentions of the British Government. The fact that the negotiations began in an atmosphere incongenial to any real sense of understanding and sincere co-operation was in itself another difficulty which had to be carefully handled. When all these are considered, it is quite extraordinary that the intensely-conducted diplomatic talks managed to produce a most significant treaty in the Siamese-Malay relations.

Hardship caused by the King-Swettenham Meeting

As mentioned above, the wrong handling of the King by the Straits Settlements Governor-General caused immediate negative effects on the effort to bring about the Siamese-Kelantan/Trengganu agreement. Even though Lansdowne had instructed the British Minister in Bangkok to ignore Swettenham's proposals to the King and to commence the talks with the previous suggestion of British help to strengthen Siamese authority in the two Malay States so as to safeguard both British and Siamese interests, the damage caused by Swettenham went deeper than was realised at the time by the British Foreign Secretary. Siamese attitude underwent a sudden change, and it was clear that they were in no mood for genuine negotiations until they were certain of British intentions. This was distinctly shown by the Siamese answer to the amended Draft which was in the main the work of Swettenham.⁶⁷ Not only Swettenham but also Tower were suspected by the Siamese of harbouring designs on Siamese territory. Tower, in particular, was regarded as being under the influence of Swettenham and thus could no longer be considered a reliable person to conduct the negotiations with.⁶⁸

Probably the highest degree of the damage done by the meeting between King Chulalongkorn and Swettenham was in the negotiations of the Adviser System, which dragged on even after the signing of the 1902 Treaty and was only brought to an end after a most strenuous and bitter diplomatic manoeuvring.

The question of the appointment of the Advisers for Kelantan and Trengganu, following the terms of the Agreement, was most important to both Siam and England, since the system introduced was the key to the British policy of strengthening their position in the Siamese Malay States without appearing to be in violation of the

67. This Draft curtailed Siamese authority over Kelantan/Trengganu while making the Resident (Adviser) the sole executive and administrative authority in the State. See Appendix D.

68. FO 422/56 Devawongse to *Phraya Prasiddhi*, May 25, 1902, "the British Minister who now is thoroughly influenced by the Governor of the Straits Settlements, endeavoured to force us to a kind of dual control over the two States, which proposal, if agreed upon, would not only be the mere peril of the two States, but will surely cause immediately a similar claim made on the other side of Siam [which will finally cause] the disruption of the whole Siam . . . Go and see the British Minister for Foreign Affairs and explain the gravity of the situation."

Treaties of 1826, 1856 and 1897.⁶⁹ The mutual Agreement was finally concluded in March 1903, nearly one year after the commencement of the negotiations, and five months after the signing of the Exchange Notes between Lansdowne and *Phraya* Sri Sahadheb.⁷⁰ The Adviser conflict became the central problem in the negotiations because of the valid suspicion on the part of the Siamese as to the real intentions of the British who fiercely insisted upon forcing the Siamese Government to appoint the persons chosen by Swettenham and unknown to the Siamese authority. The Siamese found this insistence a serious threat to their national security and sovereignty, as well as a personal insult to the King and his Government, which had blatantly made known to the British Government that, since the February meeting between the King and Swettenham, the King and his Government had come to regard the Straits Settlements Governor-General as a person of unfriendly and biased sentiments towards Siam.⁷¹ To be forced to accept a nominee of so unacceptable a person as the royal representative of the King in Kelantan and Trengganu would mean, in essence, to surrender the two Malay States to the Straits Settlements authority, and Great Britain. This the Siamese Government could never accept. Furthermore, the Siamese felt that they had been badly treated by the British throughout the negotiations concerning the appointment of the Adviser, to the point that if they now accepted the British proposals, they would be instrumental to the dismembering of the Siamese Kingdom.⁷²

-
69. FO 422/56 Tower to Lansdowne, April 26, 1902, (telegraphic), specified the terms of the appointment of Advisers to Kelantan and Trengganu as of British nationality; to be removed only with the consent of the British Minister in Bangkok; to have to serve between 3 to 5 years; that instructions given to advisers must not contradict the terms of the Agreement; and the power of the Adviser to grant concessions of less than 10,000 acres of agricultural land, or 2,000 acres of mining land without the written consent of the Siamese Government.
70. FO 422/57 Lansdowne to Paget, February 26, 1903, (confidential). In return for the British acceptance of W.A. Graham, the Siamese nominee, the Siamese Government agreed to nominate H.W. Thomson, the British nominee, as Graham's assistant in Kelantan.
71. FO 422/57 Memorandum of the interview between *Phraya* Visutr Kosa, the Siamese Minister, and Sir Thomas Sanderson, February 3, 1903, "The Minister replied that Siam would never appoint anyone who could be Sir Frank Swettenham's man, and Dr. Campbell is one of those. The Siamese did not consider that Sir Frank Swettenham had recently shown himself to be friendly towards Siam; and therefore they would not appoint anyone who had been his subordinate"
- See also Chulalongkorn to Suriya, R5. M62/190-101, January 21, 1903, NAT.
72. *Phraya* Visutr Kosa, in the above Memorandum, summed up the development of the talks on the appointment of advisers as follows, "The original understanding was that an Englishman should be appointed for each province, now two for each were suggested, and later on that although the appointments were to be made by Siam, the 'concurrence' of the British Government to their appointment must be procured. So step by step, the Siamese had, for the first time in their political connection with England, been experiencing this kind of increasing presence, partly on finance and partly on political grounds, utterly unlike treatment to which

By this time the tension created by the conflict of interests over the appointment of the Advisers became so critical that a new channel had to be found to overcome the impasse. The Siamese found the British Minister in Bangkok determined to force them to accept the unacceptable, while the Siamese representative in London was handicapped because of his inability to speak English. In February, *Phraya Suriya*, the Siamese Minister in Paris, had a private conversation with Mr. de Bunsen, formerly the British Minister in Bangkok and now of the British Legation in Paris, to sound out the new approach to solve the impasse. In this conversation, *Phraya Suriya* revealed the King's feelings concerning the British efforts to force Campbell on him, on the recommendation of Sir Frank Swettenham. To King Chulalongkorn, such an appointment would be regarded by all, especially France, as "equivalent to a British annexation of the Rajah's territory". And the King "would be profoundly humiliated if he were now forced to accept a Resident for Kelantan at his [the Governor-General] hands".⁷³ It was always understood by King Chulalongkorn that the Advisers were to be selected by friendly agreement and not by compulsion. As the matter stood, the King wanted *Phraya Suriya* to seek an interview with Lord Lansdowne and to explain frankly the root of the impasse. Lansdowne agreed to meet the Siamese Minister on February 26. What followed was the softened attitude of Lansdowne, and a compromise was agreed upon whereby the British Government concurred to the selection of a Siamese nominee to the post of the Adviser for Kelantan, while the Siamese consented to appoint a junior Straits Settlements official as the Assistant Adviser for the same State.⁷⁴

they have been accustomed from the British Foreign Office under any of the Foreign Ministers, from Lord Granville down to, and including, Lord Salisbury. In the meantime, the original report . . . that Siam was going to part, through one of her Rajahs, with an outlying portion of her territory in the Malay Peninsula, has been allowed to drop altogether. It was absolutely without any solid foundation from the first, and it will never be revived as long as Siam is allowed by her neighbours to exercise her own rightful authority in the Malay Peninsula over the Rajahs, of whose allegiance she is certain enough to ask no help from outside in dealing personally with them". And see Visutr Kosa to Lansdowne, February 20, 1903, "It is obviously impossible with any regard to justice or the comity of nations for a foreign Government to think of imposing the presence of an official of their own nationality upon a neighbouring, friendly Power. In the present case, it could not be done without a breach of the Treaties [1826 & 1856] . . . [and as] an infringement of the independence of Siam which cannot be accepted by any loyal Siamese . . . Any infraction by Great Britain of the rights of Siam over any part of her dominions . . . would be much against the interest of the one country as against that of the other, and would constitute a breach of that international friendship." See also Chulalongkorn to Suriya which clearly showed the bitterness the King felt for the British official as well as personal handlings of the affair. See footnote 61.

73. FO 422/57 Sir Edward Monson to Lansdowne, February 20, 1903, (secret).

74. FO 422/57 Lansdowne to Paget, February 26, 1903.

The difficulty over the appointment of Advisers was only solved when the Foreign Office abandoned Swettenham's insistence that the Advisers for Kelantan and Trengganu had to be British subjects who possessed knowledge of the Malay language and customs, which had become the basis of British demand since the matter was seriously discussed. By so doing, Lansdowne implicitly recognised the rights and justice of Bangkok's resistance to such demand which not only violated treaty obligations but also meant in essence the loss of Siamese position in the two Siamese Malay States. The resistance to the unreasonable demand of the British was not simply Siamese diplomatic tactics, as alleged by Swettenham and the British Minister in Bangkok, to gain further advantageous concessions. Once this was understood by the Foreign Office, the tension dispersed, and the matter was concluded.

The Kelantan Affairs

In 1900, Tuan Long Senik was supported by the Siamese to succeed his uncle and overcome opposition from his powerful relatives. But the Raja soon found out that the internal political situation required him to reverse the pro-Siamese stand and to cultivate friendly and close ties with the Singapore Government.⁷⁵ It was only natural that Tuan Long Senik and his Council would be seriously alarmed at the turn of events in Patani, in which the Patani chief was summarily arrested, deposed and sent to live in exile in a northern province of Siam when he opposed the new provincial administration introduced by Bangkok. Considering himself as the next target of the Siamese offensive, and realising the failure of Duff to provide him with an alternative protection against Siamese displeasure, Tuan Long Senik decided to go to Singapore to seek British protection while announcing his intention to oppose Siamese interference with his administration, if necessary, by force.⁷⁶ The arrival of the Raja of Kelantan in Singapore in the midst of the Anglo-Siamese negotiations for the Kelantan/Trengganu-Siamese agreement brought more complications and difficulties to the already sensitive and tense atmosphere.

It became evident from his despatch that the Governor-General was ready to exploit this development for the benefit of Great Britain and the forward policy, to which he so totally subscribed, and to compel the Siamese Government to accept the change.

75. Details see Robert, "Kelantan 1890-1939", *op. cit.* pp. 55-83 for the early role of these local dignitaries and their disappointment and fear of the Siamese Government. Also see Secret Documents, Reign V, M62/200-207, The Appeals of the Five Tengku to Siam, Sept-October, 1890, NAT.

76. FO 422/56 Swettenham to Chamberlain, May 16, 1902, (telegraphic). Also The Kelantan Affairs, R.5 M62/62-78. Sukhum - Damrong, July 28, R.S. 121 (1902), (Secret), NAT.

"I submit that if there were no Secret Treaty, Siam would not be allowed to interfere with Trengganu and Kelantan . . . unless Siam now accepts the British proposals to make the Secret Treaty effective, I recommend that we deal directly with Kelantan and Trengganu to protect our own interest and theirs".⁷⁷

In spite of specific instructions from the Colonial and the Foreign Offices that he should not encourage the Raja to expect British protection while the negotiations were still being conducted with Siam, Sir Frank Swettenham continued to keep the Raja in Singapore and entertained the latter's desire to be under British protection.⁷⁸ Eventually, he submitted his further recommendation about British policy towards Kelantan in his telegram to the Colonial Office.

"I venture to repeat the following points – Kelantan declares its independence and asks for British protection and Resident. British interests in danger while Siamese integrity and commerce not affected by extending our protection over Kelantan . . . In every transaction hitherto Siam has gained, Britain never . . ."⁷⁹

As expected, the Foreign Office turned down his suggestions and gave directives that the Raja should only be assured of his authority over the internal administration of Kelantan and that he should be sent back to his State. Nonetheless, the attitude and the open support of Swettenham to the Kelantan Raja had annoyed the Siamese extremely. They saw it as yet another act on the Governor-General's part to subvert the Siamese authority over her Malay Chiefs. Bangkok officially complained of Swettenham's action of intriguing with the Siamese Malay Raja, and requested the Foreign Office to send directives prohibiting Swettenham to repeat such conduct ever again.⁸⁰

Before the Siamese annoyance and irritation with Swettenham and the Raja of Kelantan dissipated, the Sultan of Kelantan again found an opportunity to request British assistance against Siamese encroachment. Swettenham telegraphed London by the end of August reporting Siamese interference with the collecting of duties at

77. FO 422/56, *op. cit.* ft. note 76.

78. FO 422/56 Swettenham to Chamberlain, June 3, 1902, (telegraphic); Sultan of Kelantan to Swettenham, 4, 1902.

79. FO 422/56 Swettenham to Colonial Office, June 4, 1902, (telegraphic). These suggestions were completely in violation of the 1897 Secret Convention and the instructions the Colonial Office sent to the Straits Settlements Governor in December 1896, which stated, "I have now to instruct you definitely that in future you should not in any way question their [Kelantan and Trengganu] dependence on Siam . . . It is essential that Siamese sovereignty over Trengganu and Kelantan should not be questioned; otherwise there would remain a part of the Malay Peninsula which might be seized by a foreign power with hostile interest . . ." [FO 422/45 Chamberlain to Mitchell, December 2, 1896]

80. FO 422/56 Thai Minister to Lansdowne, July 8, 1902.

Kelantan ports, and Siamese soldiers' assaulting Duff's men without cause.⁸¹ Lord Lansdowne then agreed partly to Chamberlain's suggestion that the British Government should send Swettenham to Kelantan and Trengganu to examine and report on the situation, but rejected the proposal that the Governor-General should also make agreements with the two Sultans on the terms already approved by Lansdowne. Again the Siamese strongly protested against the sending of Swettenham into Kelantan and Trengganu as an infringement of the Secret Convention of 1897 and as an act prejudicial to the negotiations.⁸² The Siamese insisted on the *status quo ante* concerning their refusal to pay tax at Kelantan ports. This was finally accepted by the British negotiators who deferred the solution of tax-collecting to the final agreement of the negotiations. The British Minister in Bangkok also reported that the fighting incident referred to in Swettenham's telegram had in fact occurred some time ago and had been "of no importance."⁸³

It was clear that, in the affairs of Kelantan, Sir Frank Swettenham, the British authority and principal adviser on the Malay Peninsula, had over-reacted to the situation. This experience was most irritating to the Siamese who objected to Swettenham's intrigues with the Raja of Kelantan and on personal grounds. The Siamese reaction to the affair likewise nearly wrecked the negotiations. Lord Lansdowne even contemplated making a separate deal with the two Malay States in question.⁸⁴ It was in truth a credit to *Phraya* Sri Sahadheb, who read correctly the British mood and, realising how close Siam came to lose Kelantan and Trengganu after Swettenham's mission, the Siamese Commissioner quickly engaged himself in a series of serious and constructive talks with his English counterparts.⁸⁵ As a result, the Exchange Notes between the representatives of the two Governments were signed, and the main and difficult part of the negotiations brought to a satisfactory end.

81. FO 422/56 FO to CO, September 2, 1902, (secret).

82. FO 422/56 Sri Sahadheb to Lansdowne, September 8, 1902.

83. *ibid.* Archer to Lansdowne, September 4, 1902; and M62/62-78, Kosha-ishak to Damrong, August 17, 1902, (telegraphic), NAT. (Secret Documents).

84. FO 422/56, FO to CO, September 2, 1902, (secret), wherein Lansdowne agreed to give the terms of the separate deals to Swettenham to sound out the Sultans on his supposed inspection tour of the situation in Kelantan and Trengganu but stopped short of allowing Swettenham to conclude the treaty there and then.

85. Between September 10-26, *Phraya* Sri Sahadheb conducted 5 sessions of talks with senior FO officials which brought about the conclusion of the negotiations on October 6. *Phraya* Sri Sahadheb's anxiety over the British making a separate deal with the Malay Chief was evident as shown in his first session with Sir Francis Bertie on September 10.

The Argument over Siamese Suzerain Rights over Kelantan and Trengganu

Another difficulty put in the path of the Anglo-Siamese talks in 1902 was the reversal of British attitude concerning Siamese suzerain rights over Kelantan and Trengganu. In 1896, Great Britain had officially recognised these two States as tributaries of Siam.⁸⁶ But, in spite of the signing of the Secret Convention of 1897, the increasing influence of the forward policy of the Straits Settlements officials and the imperialists-unionists within the British Government had caused an implicit change of opinion among the leading members of the Cabinet, outstanding among them were Chamberlain and Lansdowne. The Duff incident afforded the British Government a seemingly legitimate reason to re-examine British policy towards the Siamese Malay States.

Amidst the new atmosphere, Siam found it necessary to spell out the King's suzerain rights and privileges over the two northeastern Malay States. In a Memorandum dated May 3, 1902, these rights and privileges were listed as:

“The right to nominate the successor to a deceased Raja.

The nomination of Raja Muda.

The right to call for returns and reports upon state matters.

The right to maintain troops in Kelantan.

The right to put down local disturbances.

The right to adjudication upon disputes between the Rajas of Siamese dependencies.⁸⁷” Likewise, in accordance with her claims, Siam insisted on the use of the word “sovereignty” in the draft Agreement because “the Rajas of the States have always been in the habit of alluding to themselves as subjects of His Majesty, and have never disputed his sovereignty. His Majesty is unable to permit his rights in this respect being challenged by the Raja”.⁸⁸

Against these claims, the British, relying mainly on Swettenham's recommendations and knowledge, emphasised the vagueness of the relations which made it liable to various interpretations. Lansdowne held firm on objection to the use of the word in the preamble of the draft Agreement, as “it seems to me to claim too much for the Siamese Government, and I much preferred a wording which would describe the Malay States as ‘dependencies’ of Siam”.⁸⁹ The British Foreign Secretary was also of the opinion that Article VII on which the Siamese insisted as the safeguard of their suzerainty should be completely left out. He gave as his reason to the Siamese Minister in London an explanation that,

86. FO 422/45 FO to CO, November 27, 1896.

87. FO 422/56 Memorandum in connection with the amended draft Agreement with the Raja of Kelantan and the Sultan of Trengganu, May 3, 1902.

88. *ibid.*

89. *ibid.*, Lansdowne to Tower, June 30, 1902.

“although the formal assent of the Siamese Government to the appointment of the Raja may have been given, it was a mere formality, and that I did not believe for a moment that the Siamese Government were in a position so far, at all events, as Kelantan and Trengganu were concerned, to dismiss the Ruler or to interfere with the succession”.⁹⁰

90. *ibid.* This was in fact the typical argument put forward by leading proponents of the forward policy in the Malay Peninsula, especially Swettenham and Clifford. It not only demonstrated the insincerity of the argument but also the genuine ignorance of British politicians as to the historical development in the area under dispute. The insincerity of the argument was clear as the British had in their own possession the written evidence of Siam's unquestioned power and position as the suzerain of Kelantan and Trengganu. In the despatch sent by the then Straits Settlements Governor, Sir Charles Mitchell, to the Colonial Office reporting a conversation with the Raja of Kelantan, Long Mansur, in 1896, it was recorded,

“Gov. — Am I to understand then that Your Highness considers Kelantan to be part of Siam ?

Raja — Yes.

Gov. — and not entitled to any independence whatever ?

Raja — . . . There may be occasions, Your Excellency, which I may act on my own authority, and others on which I have to follow orders from Siam.

Gov. — . . . We have so far looked upon Your Highness as only sending the ‘bunga mas’ to Bangkok as a token of friendship. I have come to see the Raja of Kelantan, and not a Raja or officer (Pegawai) of Siam.

Raja — Not I only, but my . . . father [i.e. Sultan Ahmad 1880–89], and my elder brother [i.e. Sultan Muhammad III, 1889–90] also were in the same position . . .

Gov. — Am I to regard Your Highness as an officer of Siam ?

Raja — Yes, Your Excellency, as I said before, I am an officer of Siam.”

[F0 422/45 Despatch, Mitchell to CO, September 7, 1896] Various historical evidence showed also the Siamese right to intervene, such as the case of the famous Long Senik Mulut Merah or Sultan Muhammad II (1838–86) who ascended the Kelantan throne with the consent and direct intervention of Siam [Nik Mohamad bin Nik Mohamad Salleh, *op. cit.*, pp. 5–7; Cyril Skinner, *The Civil War in Kelantan in 1839*, Monograph of the MBRAS no. 2, Singapore: MBRAS, 1965, pp. 23–67; “Phongsawadan Muang Kelatan” in *Prachum Phongsawadan 2*, vol. Bangkok: Kurusabha, B.E. 2506, pp. 321–332]. Even as late as 1900, the Siamese Government exercised its authority in arranging the succession in Kelantan [Nik Mohamad, *op. cit.*, pp. 13–14].

The Siamese authority in Trengganu had been likewise recognised, particularly during the time of Baginda Omar. The Sultan himself admitted that Trengganu was a vassal state of Siam [CO 273/6 Macpherson to the deputy Secretary to the Government of the Straits Settlements, November 17, 1862; and Baginda Omar to Macpherson, November 18, 1862]. The London Government itself accepted Siamese suzerainty over Trengganu [CO 273/32 Ord to CO, December 22, 1869; CO 273/42 FO to CO, February 9, 1870; R. 4 KH Documents of the Kalahom Department vol. 39, C.S. 1221–1228 NAT]

The Siamese attempted to counter-argue such sentiments by using the treaty rights accorded them in the Secret Convention of 1897 and the understanding expressed in the despatch of July 15, 1896 of Lord Salisbury, when he was still the Secretary of State for Foreign Affairs. However, these were quickly put aside by the British, and it became the task of Siam to provide evidence acceptable to the British of her authority over the two Malay States. It was, needless to say, the weakest aspect of the Siamese claims as they possessed practically no written documents to prove the historical relations with the Siamese Malay Chiefs.⁹¹ Such traditional relations depended on no written agreements or treaties, which were the basic element of legal or legitimate rights within Western understanding and acceptance, all of which were totally alien to them. Siamese-Malay relations, like those of other Southeast Asian States, developed and declined on certain conditions and circumstances understood by and well-acquainted to local rulers. In spite of the great odds, the Siamese were able to preserve intact the implicit suzerain rights of the King of Siam over Kelantan and Trengganu. In the final draft of the Agreement, the much objected Article VII of the Siamese original Draft was retained.⁹² Siam had, nonetheless, to agree to the change of the word "sovereignty" in the preamble as Siam had earlier accepted the use of the word "dependency" to describe the political position of Kelantan and Trengganu.⁹³

Naturally, the Foreign Office stand, so much reflecting the position of the proponents of the forward policy, became the source of alarm for Bangkok. It contributed to Siamese reluctance to proceed with the talks for fearing that they might be trapped into relinquishing their political claims over the two States.

The Change of Attitude and Approach by the Foreign Office under Lord Lansdowne

The Foreign Office's handling of the negotiations for the Siamese-Kelantan/Trengganu Agreement of 1902 mirrored the new approach adopted by the Marquis of Lansdowne, the new Secretary of State for Foreign Affairs, who came to office in 1900. It was clear from the beginning that Lord Lansdowne's outlook concerning British foreign relations differed in practice from that embraced by Lord Salisbury who had

91. The best example of such a futile and impossible attempt to prove the Siamese case solely in the framework of the British/Western-accepted standard was Sri Sahadheb's Memorandum to Lansdowne, September 6, 1902, which was easily shredded to pieces by Clifford, who avoided, however, quoting local sources in British possession which supported the Siamese traditional claims.

92. See Appendix B below.

93. Lord Lansdowne still refused at the last minute to change the word "states", in referring to Kelantan and Trengganu, to "Siamese dependencies", the term accepted by the British in the preamble of the Agreement. FO 422/56, Sanderson's Memorandum of the negotiations. September 26, 1902.

been forced by the Unionists to relinquish the Foreign Affairs portfolio to Lansdowne.⁹⁴ This change was felt strongly by Siam during the 1902 negotiations. The Siamese found the new situation very disturbing and a genuine threat to their status as a sovereign state. Perhaps unaware in the early stage of the negotiations of this significant change in the political atmosphere, the Bangkok Government readily consented to the British suggestion of improving Siamese authority in Kelantan and Trengganu with British assistance and co-operation in the similar manner Siam had always responded to British requests in the past in the belief that she could depend on British friendship and fair-mindedness as the leverage to safeguard her interests. By May, however, it became evident to the Siamese leaders that the situation in which they had found themselves was alarming and they needed to move with extra caution. With the return of the amended draft of Swettenham and Tower, together with the draft on the conditions attached to the appointment of the Advisers to Kelantan and Trengganu,⁹⁵ the Siamese

94. Lord Salisbury, the representative of the "old" school imperialists, was not a doctrinal imperialist like his younger colleagues, such as Lansdowne and Chamberlain, in the sense that he did not believe in the existence of a set of positive and constructive formulae for the future of the Empire. Although he agreed with the "new" school imperialists that imperial consolidation was the only real hope in the long run to stave off Britain's decline he was also clear in his mind that the British Empire would overcome difficulties and dangers, not by offering any provocation, but by being quite determined to defend its interests. In practice, he saw good understanding with France and firm resistance to Russian encroachment in the Mediterranean as the solid policy to ensure the British position. The Unionist-imperialists, of whom Lansdowne and Chamberlain were the main leaders, believed in taking advantage of time and circumstances to serve the purposes of the Empire. In practice, this meant adventures and experiments in international affairs and, in stead of coping with and solving problems as they arose, the new imperialists would readily explore new paths in the name of the Empire. The best example was their conduct of the Boer War where the Colonial Office deliberately set about to incorporate the Orange State. They were naturally ready to listen to the advice of the proponents of the forward policy in the Malay Peninsula who repeatedly called for a bold approach in dealing with Siam.

95. The first mention of the conditions attached to the appointment of the Adviser was put forward by Swettenham on April 9, 1902 which included also the demand that the Siamese Government appointed an adviser from a list provided by the British Government, whose consent was needed for his removal. Furthermore, Siamese Government instructions to the Adviser must also be approved by the British Government; the Adviser had the right to refer to the Governor-General of the Settlements for assistance in obtaining information and documents without having to ask permission from Bannkok before hand. These conditions were more or less adopted by Tower before Lord Lansdowne specifically issued a direct instruction to him on the subject 3 months later. Needless to say, the Siamese despaired of Tower's unbending approach. R. 5 M 62/50-61, Chulalongkorn to Devawongse, May 30, R.S. 121, NAT.

leaders were "greatly disturbed by what they conceived to be the extremely aggressive attitude" which the British representative in Bangkok had adopted under the influence of the Governor-General in Singapore.⁹⁵

To be fair, there existed slight differences between the forward policy supporters in the Straits Settlements and the imperialists in the Foreign and Colonial Offices. While Swettenham and other senior Straits Settlements officials advocated the expansion of British authority and prestige regardless of Siam and Great Britain's earlier commitments to her, both the Foreign Office and, to a lesser degree, the Colonial Office were more aware of the damaging consequences of such an extreme stand to British interests in the world-wide context and were only willing to push Siam so far and no further. Thus once the talks in Bangkok reached an impasse because of Tower's uncompromising attitude, Lansdowne, accepting the validity of the Siamese request to continue the main negotiations in London, was willing to grant the Siamese their request.⁹⁷ Meanwhile, he also instructed the Colonial Office to relax its pressure on Siam which was being exercised by the Straits Settlements Government.⁹⁸ Yet it was also Lansdowne who had no hesitation to employ threat as soon as he believed the negotiations were being stalled by the Siamese.⁹⁹

The Siamese made it abundantly clear that they were alarmed by the change they found in the official FO attitude, which pronounced "a menace from its political side, and [had] a grasping character from its financial side, neither of which appeared

96. Lansdowne to Tower, May 27, 1902, (confidential). King Chulalongkorn also recorded his sentiments concerning the aggressive attitude of British officials in his letter to *Phraya Suriya*, Siamese Minister in Paris, "In our long association with England, never before has there been such an experience . . . There has not been a British representative who possesses no sympathy whatever towards us as Mr. Tower and Mr. Paget, the present *Chargé D'Affaires* . . . they are overbearing, ruthless and threatening in the similar manner as the French. It is natural that I should feel disillusioned and fed up with them even more than with the French, since for a very long time we [the Siamese and British] have been able to discuss and work out our differences in a just and fair manner . . . My feeling is that the Foreign Office now exercises no power. It seems that Sir Frank [Swettenham] was the person endowed with all the power exercised by the FO." R. 5 M 62/79-89, Chulalongkorn to Suriya, March 17, 121 (1903), NAT.

97. FO 422/56 Devawongse to Prasiddhi, May 26, 1902; Lansdowne to Tower, May 30, 1902, (telegraphic).

98. *ibid.* FO to CO, May 31, 1902; FO to Co, June 6, 1902. One of the measures to reduce the pressure was to send the Sultan of Kelantan back to his State with no promise of British protection.

99. FO 422/56 Lansdowne to Archer, August 19, 1902, telegraphic, "I added . . . that within a reasonable time, say, the end of September, we expected a reply, and that His Majesty's Government would, failing that, have to resort to other means of settling the question".

to the Siamese to bear the stamp of the old trusted friendly relations of Great Britain towards Siam."¹⁰⁰ They likewise were determined to resist such extreme demands which might bring about the downfall of the Siamese dominion, even in the face of strong threats from the Foreign Office. The distrust mutually entertained by both negotiating parties which was caused by, in essence, the change in the attitude of the FO and the ascendancy of the CO thinking over the British-Siamese-Malay issues, became the main factor of the bitter and heated talks throughout 1902 and the early part of 1903.

The Unionist-imperialist approach in the 1902 talks could have very likely led to an end to the good relationship between Great Britain and Siam had Lord Lansdowne not realised the extent to which Britain could exercise her influence and exert pressure on her weaker ally. It was Lansdowne's ability to recognise the determination of the Siamese leaders to resist what they regarded as "unjust demands", which helped to save the negotiations and to bring about the 1902 Siamese-Kelantan/Trengganu Treaty. However, it was also undoubtedly the CO approach adopted by the Foreign Office which created more obstacles and difficulties to the negotiations, as well as to the implementation of the Treaty, since such an attitude aroused the already hyper-sensitivity of the Siamese leaders concerning imperial designs on the territory of Siam.¹⁰¹ They then threw in every possible excuse not to concede to the British demands, for fear of conceding too much. It needed the realistic handling of one of King Chulalongkorn's most capable diplomats, namely *Phraya Suriya*, the Siamese Minister in Paris, to bring the Foreign Office and Lord Lansdowne around to accept the justice of the Siamese opposition to their extreme demands on the question of Advisers and thus diverted the path mapped out by the Colonial Office and Swettenham.¹⁰²

100. FO 422/57 Memo of the interview between *Phraya Visutr Kosa* and Sir Thomas Sanderson, February 3, 1903; and *Phraya Visutr Kosa* to Lansdowne, February 20, 1903.

101. KT. 99.3/1-2, Prince Damrong's correspondence, Jan. 1902, NAT.; R. 5 M 62/79-89 Chulalongkorn to Devawongse, November 27, R.S. 121 (1902), NAT.

102. KT. 93.3/6-11 NAT., Sri Sahadheb to Devawongse, September 19, R.S. 121 (1902), reported on the strong influence of the CO over the FO; "Nowadays the Secretary of State for Foreign Affairs must listen to the advice given by Mr. Chamberlain, the Secretary for the Colonies, about all matters concerning the Malay Peninsula. Mr. Chamberlain is one person who entertains no sympathetic nor flexible sentiments towards Siam . . . Even if Lord Lansdowne wished to be lenient and accommodating to Siam, he would find it hard to undertake such stand . . ." See also R. 5 M62/79-89, 90-101, Chulalongkorn-Suriya Correspondence between December R.S. 121 (1902) and March R.S. 121 (1903), NAT.; FO 422/57 Monson to Lansdowne, February 20, 1903, secret, and Lansdowne to Paget February 26, 1903. (confidential), which recorded Siam's objection to the British attitude, "they thought it unfair that we should, by the exercise of our veto, seek to force upon them the person of Mr. Campbell, whom we had recommended as Adviser to Kelantan, an officer who was unknown to them, and whom the Siamese Government naturally regarded with some suspicion on account of his connection with the administration of the Straits Settlements . . ."

V

The Siamese-Kelantan Treaty was eventually put into force fully in July 1903 when both Graham and Thomson were sent to Kelantan as the Siamese Adviser and Assistant Adviser to the Raja of that State, and after the tussle between Siam and Great Britain over the correct procedure for the signing of the Treaty as well as over which of the copies that had been signed by the Sultan was the original copy of the Treaty.¹⁰³ As far as the Treaty tussle was concerned, the Siamese took the matter in their hand and sent a commissioner in a Siamese gun-boat to Kelantan, requesting the Sultan to affix his seal on both the Siamese and Malay copies.¹⁰⁴ The Treaty brought to an end the traditional relations between Siam and Kelantan, which had depended in the main on accepted customs and circumstances, and re-arranged their superior-inferior relationship on the Western legalistic framework of protection and adviser system. The main differences between the traditional and modern system lie in the rigidity of the new as opposed to the vague, flexible and loose ties of the old system. By the terms of the Treaty the rights and authority of Siam were clearly defined. Bangkok in principle was prevented from directly exerting its authority and had to depend on the Adviser to supervise and administer the State on its behalf. Since the Adviser was of British nationality, it was expected that Great Britain could subtly but effectively increase her influence over Kelantan at the expense of Siam. As a matter of fact, this did not happen, as W.A. Graham administered Kelantan more for the benefit of that State and accorded little special treatment to British nationals.¹⁰⁵ Graham's objectives appeared more to be to prove his own ability as an administrator to meet all the challenges in his task to improve the socio-economic conditions in Kelantan than to champion the interests of either Britain or Siam.¹⁰⁶

If Siam had indirectly lost much of her prestige in Kelantan by the 1902 Agreement, she was not the lone loser. Kelantan became the real victim, with her freedom of action particularly in internal affairs curtailed and supervised under the

103. FO 422/57 Paget to Lansdowne, December 1, 1902, and December 3, 1902, (confidential); and R. 5 M 62/90-101, Damrong to Sukhum, November 27, R.S. 121 (1902).

104. FO 422/57 Devawongse to Paget, December 7, 1902; and December 9, 1902; R. 5 M 62/90-101, Sukhum to Damrong, December 7, R.S. 121 (1902), NAT.

105. Thamsook op. cit. p. 109; 195. His attitude was fully supported by Prince Damrong, the Minister of Interior, who threatened to resign himself if Graham lost his job because of his unbiased stand. Swettenham, on the other hand, became disenchanted with Graham so much so that he made a trip to Kelantan in October 1903 to persuade the Raja to accept British protection but to no avail. Prince Devawongse was accurate in his assessment of the Kelantan Ruler that, "if he was really given a chance to choose, he would choose no one as he wanted no adviser."

106. R. 5 M 62/112-123, Graham's Reports on Kelantan, 1904, 1905, NAT.

Adviser system. Within the context of the traditional tributary relations, Siam had left the Kelantan ruling class free to deal with her internal affairs especially those concerning land, revenue, and judicial authority. Occasionally, Siam intervened to restore order or in support of her nominees. Nevertheless, the questions of land, revenue, and judicial autonomy, so much valued by the ruling clique, had been left undisturbed, as the main aim of the Siamese policy was the political and not the economic well-being of the Siamese dominions. After the appointment of Graham, Kelantan leaders, most probably for the first time came to realise the true meaning of the system they had so much supported and worked for in order to get rid of the Siamese sporadic but direct interference in their affairs. It became clear that, instead of a free-hand in their own affairs, the Kelantan ruling clique now had to submit to the "advice" of the Siamese Adviser of British nationality. The experience must have been very informative for the Raja and his supporters that when Swettenham, to whom the Sultan had earlier eagerly urged for British protection, visited the Sultan about a year later with a proposal for the Sultan to change Siamese protection for British protection, the Sultan wisely declined the offer on the ground that he was opposed to British intervention in the internal affairs of the State on the same model as in Perak and Pahang.¹⁰⁷

The picture becomes even clearer when a comparison is drawn between Kelantan and Trengganu after the implementation of the 1902 Treaty. Trengganu under Sultan Zainal Abidin III successfully avoided the signing of the Treaty, in spite of great pressure from the Governor-General of the Straits Settlements.¹⁰⁸ From the talks which began directly after Sultan Zainal Abidin had refused to sign the 1902 Draft without consultation and clarification with Bangkok, it appears that Trengganu likewise was in favour of concluding a treaty with Siam but not the one finalised by the Siamese and British Governments. As the Sultan put it in his official letter to Prince Damrong, "[the terms of the Agreement] are too inflexible and precise. Also they appear totally contradictory to the conditions bestowed on me by His Majesty the King".¹⁰⁹ It was made blatantly clear that the Sultan's main objection to the Treaty had everything to

107. King Chulalongkorn was, in retrospect, accurate in analysing the attitude of the Malay Chiefs, "the Malays, like other nationalities, hate foreign interference. It is a big misconception when the British say the Malays support them . . . If the Malays have sought British assistance, it is because Great Britain is a great power." [Chulalongkorn to Suriya, March 17, 1903, NAT.]

108. R. 5 M 62/79-89, Sukhum to Damrong October 1, 1902, (telegraphic), NAT.; R. 5 M 62/50-61, Memorandum of the conversation between King Chulalongkorn and Sultan Zainal Abidin III, June 9, R.S. 124 (1905), NAT.; and R. 5 M 62/90-101 Chulalongkorn to Suriya, January 23, 121 (1903), NAT.

109. R. 5 M 62/168-174, Phraya Trengganu to Damrong, May 6, 122 (1903), NAT.

do with the power and position of the Adviser.¹¹⁰ In his attempt to safeguard the authority and the position of the ruling class of Trengganu, Sultan Zainal Abidin, on his own initiative, submitted to King Chulalongkorn a draft of the Agreement to be made between Trengganu and Siam, which aimed at the preservation of the traditional relations at the same time as making it hard for Siam to interfere directly in the internal administration of Trengganu. In sum, here is a classic document which reflects, on the one hand, the fear and concern of the Malay Ruler over the policy of Siam relative to her Malay tributaries, yet, on the other, the desire not to change the fundamental elements of the traditional ties, which, most of the time, had worked so well for the Malay ruler, and adopt the administrative reform in the form of the Western-originated Adviser system.¹¹¹ Since Siam was then under the obligation of the Exchange Notes signed with Great Britain, the Siamese Government, which was likewise disenchanted with the 1902 Treaty, found it more congenial not to press the Sultan to sign that Treaty and kept an option open for the direct conclusion of the new Siamese-Trengganu

110. R. 5 M 62/90-101, Chulalongkorn to Suriya, *op. cit.*, states that, "Phraya Trengganu declined to sign the Treaty with Phra Kocha because he felt averse to the Adviser system. What he really desired was the similar system now in force in Johore. With this in mind, he had sent Tengku Besar, his brother-in-law, who once acted as his Regent, together with his letter to Bangkok . . . to present his case officially."

111. See the Draft sent by Sultan Zainal Abidin to Bangkok which was received on January 24, R.S. 121 (1903), NAT., which stated the following :

"Both parties undertake not to cede a part of, or the whole of, the State of Trengganu to any other Power.

3. It is hereby re-affirmed that the Sultan of Trengganu is obligated to send the tribute of *Bunga mas* [to Bangkok] once every three years.
4. . . . The Sultan of Trengganu undertakes not to conclude whatever agreement or to come into contact with any foreign government or officials of a foreign government without the prior consent of the Government of Siam.
5. . . . The Siamese Government undertake not to alter the already existing customs concerning the appointment of the Ruler of Trengganu. Nor will they alter their traditional authority in appointing the Sultan of Trengganu. The Siamese Government undertake to select a candidate only from the Muslim Malay descents of Sultan Zainal Abidin I to be appointed the Sultan of Trengganu.
6. . . . The Siamese Government undertake not to interfere in the affairs concerning the Malay customs. The Sultan of Trengganu is hereby recognised the sole authority over the Malay customs and the Islamic religion throughout the State of Trengganu.
7. It rests solely upon the Sultan of Trengganu the power to appoint and to terminate the membership of the State Council only those who are the natives of Trengganu. In the case wherein the Sultan desires to appoint foreigner (s) to the position of State Councillor, the prior consent of the Siamese Government will have to be secured."

Treaty at a later time.¹¹² But the later time never presented itself, and when the King made a tour of Trengganu in 1905, it was agreed between the King and the Sultan to maintain the existing traditional ties, with Siam further confirming her role as the Power responsible for Trengganu to the world while the Sultan confirming his willingness to consult Bangkok in all matters concerning concessions and foreign relations, particularly with the Europeans.¹¹³

The traditional relationship maintained between the two States was most gratifying for the Trengganu ruling class, as they were the party benefiting from the loosely defined supervision of the Siamese suzerain to manage their own affairs at the same time as exploiting the Anglo-Siamese rivalry in the Malay Peninsula to ensure that neither Bangkok nor Singapore would venture to press the Sultan too much, for fear of losing Trengganu to the other.¹¹⁴ Trengganu, between 1902-1909, became a *de facto* free and independent State as she had always been throughout her relationship with Siam before the drive of the Straits Government to win Kelantan and Trengganu from Siam. Kelantan, by the signing of the 1902 Treaty, suffered the fate of a modern protectorate which deprived her ruling class of the exercise of real power.

The 1902 Treaty can be regarded as evidence of the success of the British forward policy so ardently propagated by the Singapore Government under various Governors. Yet British "success" was in reality so limited in practice that it became the cause of frustration to its most loyal proponent, Sir Frank Swettenham, particularly when he realised that the Siamese Adviser of British nationality was hindering the subtle expansion of British influence in Kelantan, an act contrary to the expectation of the British negotiators. It could be speculated that his early retirement might have had some connection with two significant events in 1902-3 which summed up Swettenham's disappointment and frustration with his professional life, namely the resignation of Joseph Chamberlain from the Colonial Office and the unexpected development

112. Memorandum of the conversation between the King and Sultan Zainal Abidin, *op. cit.*, in which Chulalongkorn explained to "Phraya Trengganu" that Siam and Trengganu would eventually have to conclude a Treaty "But I do not think that now is the time for the discussion . . . [Nevertheless] Phraya Trengganu must always remember that whenever we discuss the matter we will only discuss it between ourselves, and will not talk through the British again . . . Phraya Trengganu will have now realised the significance of mutual understanding and knowing well each other . . . If we would not talk straight to each other, and do not familiarise with each other's thinking we would certainly become estranged, and would damage our own interests."

113. *ibid.*

114. Leslie R. Robert, "Malay Ruling Class and the British Empire: the Case of Trengganu, 1881-1941", unpublished Ph.D. thesis, Monash University, 1977, pp. 370-373.

in Kelantan.¹¹⁵ If Siamese influence was checked, so, as it turned out, was the British hope to reap benefit from the Adviser system they had so insistently forced upon the Bangkok Government. Kelantan and Trengganu remained under the Siamese sphere of influence. In spite of much effort to obtain a new Treaty, Great Britain gained no more than she had already got when signing the Secret Convention in 1897, except for the suspicion, distrust, and disillusionment of Siam.

115. K.T. 99.3/18 The London Daily Mail, July 31, 1903, NAT, commented that, "[Swettenham] has . . . been less successful latterly in the policy pursued by him in several respects, and more especially with regard to Siam and Johore. In the former case the Singapore advocates of a forward policy wished to take over the control of the States of Kelantan and Trengganu, but recently a treaty was concluded by which both were recognised as under Siamese protection."

APPENDIX A

Exchange Notes Annexed to the 1902 Treaty

1. Declaration

The Undersigned duly authorised by their respective Governments, after careful examination of the present condition of the States of Kelantan and Trengganu, and of the arrangement which is expedient to make with regard to their administration, have agreed upon the terms of a draft agreement, of which a copy is annexed to the Declaration, to be concluded between His Siamese Majesty and the Rajahs of those States.

It is agreed that this draft shall at once be communicated to the Rajahs for the purpose of procuring their adherence to it.

As the common object of both Governments throughout the negotiations has been to maintain the security and stability of the Kingdom of Siam and its Dependencies, and to promote the good government of those Dependencies, and the contentment and prosperity of their peoples, His Britannic Majesty's Government undertake to instruct their Representatives and officers in the Malay Peninsula to co-operate cordially for the successful working of the Agreement, His Siamese Majesty's Government, on their part, undertaking that its provisions shall be faithfully observed by their officers, and there shall be no interference in the affairs of the States otherwise than as provided for in the Agreement.

Done at London, the 6th. day of October, 1902.

(L.S.) LANSDOWNE.

(L.S.) PHYA SRI SAHADHEB.

(Maxwell & Gibson, *Treaties and Engagements Affecting the Malay States and Borneo*).

2. Note from Lord Lansdowne to the Siamese Plenipotentiary.

(Very Confidential)

The Undersigned, His Britannic Majesty's Secretary of State for Foreign Affairs, has the honour to make the following communication to in regard to the Agreement relative to the Siamese Dependencies of Kelantan and Trengganu, the terms of which have been arranged between His Britannic Majesty's Government and that of His Siamese Majesty:—

The British Government, having throughout these negotiations been actuated by the same sincere desire to respect the Treaty rights of His Majesty the King of Siam in the Malay Peninsula, and to promote the stability and security of the Kingdom of Siam and its Dependencies that has hitherto characterised the policy of Great Britain, undertake to instruct their Representatives in the Malay Peninsula to use their influence

to secure the peaceful adoption by the Rajahs of Kelantan and Trengganu of the Draft Agreement, on the understanding that the Siamese Government, on their part, will strictly observe its terms and instruct their officers to carry them out faithfully.

The Undersigned thinks it right, however, to observe that, in order to insure the successful working of the Agreements, and having in view the immediate propinquity of the Malay States under British protection to the two States in question, it will be essential that the officials appointed to be the Advisers and Assistant Advisers of the Rajahs, as mentioned in the Article 2 of the Agreement shall be of British nationality, and that the concurrence of His Britannic Majesty's Government shall be confidentially obtained for their selection, removal, and the renewal of their appointments.

Foreign Office. (signed) Lansdowne, October 6, 1902.

(FO 422/56)

3. Note from the Siamese Plenipotentiary (Phraya Sri Sahadheb) to Lord Lansdowne (Very Confidential)

The Undersigned . . . has the honour to acknowledge the receipt of the note of the Marquess of Lansdowne of this date in regard to the Agreements relative to the Siamese Dependencies of Kelantan and Trengganu, the terms of which have been arranged between His Siamese Majesty's Government and that of His Britannic Majesty, and in reply to the assurances and considerations therein set forth, he is authorised by his Government to give the following confidential assurances:—

In view of the interest which His Britannic Majesty's Government must necessarily have in the peace, order, and good government of these States on account of their immediate propinquity to the Straits Settlements and to the Malay States under British protection, and in consideration of the mutual relations which have been established by previous Treaties between Great Britain and Siam in respect of the Malay Peninsula, His Siamese Majesty's Government will appoint officials of British nationality to be the and Assistant Advisers of the Rajahs of Kelantan and Trengganu as mentioned in Advisers Article 2 of the Agreement. These officials will be selected from among persons of British nationality who have seen service under the Siamese Government, or are favourably known to the Siamese Government, and who are also favourably known to the British Government by service or otherwise, and His Siamese Majesty's Government will, in all cases, previously consult with His Britannic Majesty's Government in regard to their selection, removal, and the renewal of their appointments by confidential communications with His Britannic Majesty's Representative at Bangkok.

The appointment will be made in each case for a term of not less than three years nor more than five years subject to removal by the Siamese Government, and the salaries to be paid by the Rajahs will be appropriately on the following scale:—

Adviser, Kelantan	£1,000– 1,100
Assist. Adviser	500– 600
Adviser, Trengganu	800– 900
Assist. Adviser	500– 600
London, October 6, 1902	(signed) Phya Sri Sahadheb.

(FO 422/56)

APPENDIX B

Final Draft Agreement 1902

Whereas the State of Kelantan/Trengganu has been recognised to be a Dependency of Siam, and whereas it is desirable to define the principles under which the Government of that State is in future to be conducted, it is

hereby agreed between
the King of Siam and
Trengganu, as follows:—

representing His Majesty
the Rajah of Kelantan/

ARTICLE I

The Rajah of Kelantan/Trengganu engages to have no political relations or political dealings with any foreign Power or Chiefs of States, except through the medium of His Majesty the King of Siam.

ARTICLE II.

His Majesty the King of Siam reserves the right to nominate officers to be Adviser and Assistant Adviser in the State of Kelantan/Trengganu to act as the Representative (or Agent) of His Majesty. The Rajah of Kelantan/Trengganu engages to pay the Adviser and Assistant Adviser such salaries as may be required by His Siamese Majesty's Government. The Rajah also undertake to provide them with suitable residences and to follow the advice of the Adviser, and, in his absence, of the Assistant Adviser, in all matters other than those touching the Mahommedan religion and Malay custom.

ARTICLE III.

The Rajah of Kelantan/Trengganu engages not to enter into any agreement with, or to give any concession to, or to allow any transfer to or by, any individual or Company other than a native or natives of the State of Kelantan/Trengganu, and not to employ in any official position, with a fixed salary of more than £400 per annum, any individual other than a native of Kelantan/Trengganu, without having previously

obtained the consent in writing of His Siamese Majesty's Government. Provided that, should the area of the Grant or Concession not exceed 5,000 acres of agricultural land, or 1,000 acres of mining land, the written consent of the Adviser shall be sufficient. Such written consent shall be sufficient for the employment of officials of a lower rank, who are not natives of Kelantan/Trengganu.

ARTICLE IV.

As soon as, and whenever, the gross revenue of Kelantan/Trengganu amounts to 100,000 dollars, one-tenth of the gross revenue shall be annually paid into His Siamese Majesty's Treasury. Provided that the maximum amount thus payable on account of any one year shall not exceed the sum of 100,000 dollars. So long as, and whenever, the gross revenue of Kelantan/Trengganu is less than 100,000 dollars, the usual Bunga Mas shall continue to be sent to His Majesty the King of Siam.

ARTICLE V.

His Siamese Majesty's Government undertake not to interfere with the internal administration of the State of Kelantan/Trengganu, otherwise than as provided for in this Agreement, so long as nothing is done in that State contrary to the Treaty rights and obligations that His Majesty has with foreign Governments, and so long as peace and order are maintained within the State, and it is governed for the benefit of its inhabitants with moderation, justice, and humanity.

ARTICLE VI.

The Departments of Posts, Telegraphs, and Railways, as being part of the internal administration of the State of Kelantan/Trengganu, will be under the control of the Rajah of Kelantan/Trengganu, but the Rajah of Kelantan/Trengganu engages to co-operate at any time with the Government of His Siamese Majesty in the construction and management of any section of a trunk line of railway or telegraph which may come within the confines of Kelantan/Trengganu. The conditions of such co-operation shall in each case be the subject of special arrangement. Should any stamps be used, they shall be procured from Bangkok, and shall bear the effigy of the King of Siam, but they shall be issued solely by the Rajah of Kelantan/Trengganu, and the revenue derived from them shall accrue solely to the State of Kelantan/Trengganu. The Rajah further undertakes not to grant to any Company or private individual any privilege for the construction of railways in Kelantan/Trengganu without the written consent of His Siamese Majesty's Government. This stipulation, however, shall not apply to private lines of railway constructed by the the owners of concessions which have been granted under Article III, and intended for the conveyance of minerals or other natural products.

ARTICLE VII.

Nothing in this Agreement is intended to curtail any of the power or authority now held by the Rajah of Kelantan/Trengganu, nor does it alter, otherwise than as provided for in this Agreement, the relations now existing between the Rajah and His Siamese Majesty's Government.

(Maxwell & Gibson, *Treaties and Engagements Affecting the Malay States and Borneo*).

APPENDIX C

Draft Agreement submitted by the Siamese Government April 9, 1902

- Article 1. No relations may be entered into with foreign Powers except through the Siamese Government.
- Article 2. No concessions shall be granted to subjects of foreign Powers, and no foreigners shall be employed in an official capacity, unless the consent of the Siamese Government... has been signified in writing.../and/no transfer of such concessions... valid until such consent has been given.
- Article 3. The King of Siam reserves himself the right to nominate officers as residents in Kelantan and Trengganu to act as advisers to the Rulers, who shall follow the advice of the Residents in the matters of administration, except in those touching the Mohamedan religion.
- Article 4. Siam shall retain control of the Department of Telegraphs, Post, and Railways.
- Article 5. The "Bunga Mas" to be abolished and a tithe of the gross revenue to be substituted for it, payable to the Treasury of Siam.
- Article 6. Siam shall not interfere in the internal administration of those States, as long as just government, peace, and order are maintained.
- Article 7. The Agreement shall not curtail the power of the Rulers of Kelantan and Trengganu.

(FO 422/56, Tower to Lansdowne, April 9, 1902)

APPENDIX D

The Amended Draft Agreement by the British Government in Reply to the Siamese Draft., April 19, 1902.

Whereas the State of Kelantan is under the protection of His Majesty the King of Siam, and whereas it is desirable to define the principles under which the Government of that State is in future to be conducted, it is hereby agreed between representing His Majesty the King of Siam, and the Rajah of Kelantan.

- Art. 1. The Rajah of Kelantan undertakes to have no relations or dealings with any foreign Power or chiefs of States except through the medium of His Majesty the King of Siam.
- Art. 2. His Majesty the King of Siam reserves the right to nominate an officer or officers to be Resident or Assistants to the Resident in the State of Kelantan, to act as the Representative (or Agent) of His Majesty, and as the adviser to the Rajah of Kelantan, who agrees to pay to the Resident and his Assistant such salary as may be required by His Siamese Majesty's Government. The Rajah also undertakes to provide them with suitable residences, and to follow the advice of the Resident in all matters other than those touching the Mohammedan religion and Malay customs.
- Art. 3. The Rajah of Kelantan engages not to grant concession, or grant or lease of land to any European, American, or Japanese without the written consent of the Resident.
- Art. 4. The Rajah of Kelantan engages to render every assistance to the Government of His Siamese Majesty in the construction of railways within the confines of Kelantan. The Rajah of Kelantan further undertakes not to grant to any company or private individual any privileges for the construction of railways in Kelantan without the written consent of His Siamese Majesty's Government.
- Art. 5. The practice of sending the "bungamas" to Bangkok will be discontinued and the Rajah of Kelantan undertakes to pay His Siamese Majesty's Government of the gross annual revenue of Kelantan so soon as the revenue amounts to 100,000 dollars, and will continue to pay the said tithe until the gross revenue amounts to 1,000,000 dollars. The amount payable under this section shall under no circumstances exceed of the annual revenue of 100,000 dollars, as a maximum payment for any one year.
- Art. 6. His Siamese Majesty's Government undertakes not to interfere with the internal administration of the Sultan of Kelantan otherwise than as provided for in this Agreement, so long as nothing is done in Kelantan contrary to the Treaty rights and obligations which His Majesty has with Foreign Governments, and so long as peace and order are maintained in Kelantan, and the State is governed for the benefits of its inhabitants with moderation, justice, and humanity.

(Drafted by Sir Frank Swettenham and Mr. Tower, FO 422/56,
Tower to Lansdowne, April 19, 1902).