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The Sultanate of Banten AD 1750-1808: A social and cultural history

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Abstract

There are two contrasting scenes in the history of Banten: a history of a prosperous port sultanate in the sixteenth and seventeenth century, and a history of a dark and oppressed nineteenth-century society. The eighteenth century represents a gap between the two scenes. Historians have understood that during this period the Dutch East India Company (VOC) turned Banten a backwater of Java. Only a limited numbers of historians, however, have paid their attention on the study of Banten history during the second half of the eighteenth century.

It is the aim of this thesis to study Banten society in this period to demonstrate its dynamics in both upper and lower strata. The thesis focuses only on the social and cultural aspects of the late-eighteenth-century Banten society. Indigenous sources, the law-book and the records of the *Kadi* Court, are mainly examined to draw up the picture of a living Southeast Asian society.

The study begins with the examination of the two authorities holding the sovereignty over the sultanate, the Sultan and the VOC. Although the two authorities did not fight against each other in their rule over the state, it is worth studying the art of expressing the supremacy employed by both camps. Traditional Javanese kingship, Islam and the prosperity of the royal court were concentrated in the hands of the Sultan to secure his authority and to retain the recognition of his subjects. The VOC, on the other hand, applied a traditional overlord-vassal relationship to transform itself into a 'hybrid creature' - at once a merchant and a prince. The components of the VOC settlement in Banten are examined to prove its success.

The study of the indigenous sources improves our understanding of the system of law and justice in the Sultanate of Banten. The *Shari'a* law officially still played its role in people's way of life, while the state law and royal decree were created to secure the state administration and the ritual order at the centre of the kingdom. The examples of offences given in the law-book and the records of the matters brought before the *Kadi* Court are invaluable sources to help reconstruct the conditions in Banten society during the late eighteenth century. The life-style of people, material culture and prevailing social values can be drawn from these sources. The result shows Banten society as part of dynamic Southeast Asian world rather than an example of an ideal Muslim community.

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Introduction

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โอ่วบัดนี้เอย เสียแก่ลันดา
ทังตัวพระยา ไม่ระพ้นมือเขา

เมื่อจากบันตัน
ใจพี่กระสัน รัญจวนป่วนใจ
เห็นเมืองนี้เอย ดุจเห็นเมืองไทย
แต่นี้จักไป ไกลเมืองแลนา

Our ship reached Bantam. This city is the land of the Javanese. Oh, the city is now conquered by the *Wilanda* [Dutch]. Even her King could not survive this invasion.

I now have to leave Bantam. My heart feels so sad. To see this city reminds me of *Muang Thai* [Siam]. From now on we will see nothing, apart from the ocean.

(Ton taang Farang-set [The Way to France] 1686)

The Javanese kingdom called Bantam or Banten first entered my awareness at a young age, when I read the poem, 'Ton taang Farang-set' or 'The Way to France', composed in 1686 by an anonymous poet who was a member of the delegation from King Narai of Siam (r.1656-88) to the court of King Louis XIV of France (r.1643-1715); the poet intended this work to be an account of the delegation's voyage from Siam to France. The story begins on Saturday 22 December 1689, when the French vessel called *L'Oiseau* took the delegation on board and left the port of Ayuthaya. The vessel cruised along the Chao Phra Ya River to the Gulf of Siam, and having passed through Bangka Strait, put in at Banten to buy food and fresh water, before it continued the journey across the Indian Ocean to the Cape of Good Hope. The poet notes that at the time he

arrived there Banten had been conquered by the Dutch East India Company (VOC). The ruler of Banten, Sultan Ageng Tirtayasa (r.1651-82), had been captured by the Company and taken into custody in Batavia. The poem suggests that the poet sadly understood that the whole kingdom at that time was completely ruled by the VOC.

The poet mentions that nobody on board the French vessel was allowed to enter the city; they were probably only permitted to leave the vessel to visit the port of Banten. [1] In this port, the Siamese delegation enjoyed the various sorts of food that villagers had brought for sale. The poet emphasises that the fruits, vegetables and other kinds of foods were the same as those he had been familiar with in Siam. This made the delegation feel at home in Banten, and the poet expresses his sadness at having to leave such a port city where the atmosphere was similar to that of Siam. Banten was the final port of call in Asia for the *L'Oiseau* before she crossed the Indian Ocean to the Cape of Good Hope.

The impression left by this poem made me curious to find out more about this port state whose atmosphere had been considered as similar to that of Siam. At the time I doubted whether the atmosphere in a Buddhist society like Siam could be similar to that of a Javanese Muslim society like Banten. The study of South-East Asian history at university made me realise that both societies shared the commonality of being South-East Asian. Despite the different language and religion of the people of Banten, they shared with the Thai people the basic characteristics of South-East Asian societies.

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[1] François Timoleon de Choisy, a Jesuit priest who was also on board the *L'Oiseau*, mentions in his account that the vessel reached the Bay of Banten on 11 January 1689 (Van der Cruysse 1995: 606). Le Chevalier de Sibois, second in command of the *L'Oiseau*, left the vessel for the Banten customs house to buy food and ask to take on water. The request was turned down by Sultan Abul Fadhal or *Sultan Yahya* (r. 1687-90), the ruler under the VOC's protectorate. The Sultan also prohibited everybody on board the *L'Oiseau* from entering the city. They could leave the vessel only for the harbour (probably at *Pasar Karangantu*) which was then the largest market in Banten, where crews from visiting ships were allowed to buy food from local people.

1. Studies on the history of Banten

The Sultanate of Banten existed from the early sixteenth century to the beginning of the nineteenth, when it was finally abolished by the decree of Governor-General Willem Daendels in 1808. Banten reached its apogee during the first half of the seventeenth century, and during this century it held sway as one of the two formidable realms of Java, the other being Mataram. The capital of the Sultanate, Banten Lama, became one of the most successful emporia in South-East Asia, as well as a major centre for Islamic studies.

There are three main types of source for the study of Banten history before the seventeenth centuries: the indigenous history *Sejarah Banten* or *Babad Banten*; various accounts written by the Portuguese, Dutch, and British; and data from archaeological excavations. To reconstruct the history of the 'rise and demise' of the Banten sultanate, postcolonial historians, both European and Indonesian, who have written books, theses, or articles, rely on these three kinds of material for their accounts. The following paragraphs provide a brief discussion of the nature and extent of these materials.

We begin with an indigenous source. The *Sejarah Banten* was composed at the capital of Banten in 1662-1663, in the reign of Sultan Abdul Fatah or Sultan Ageng Tirtayasa (r. 1651-1682) (Djajadiningrat 1983: 8). The language is Javanese. This piece of literature was composed by an anonymous author in the form of a conversation between two brothers, Sandisastra and Sandimaya. The younger brother, Sandisastra, keeps asking his sibling, Sandimaya, questions about the past of the kingdom. Sandimaya answers his brother's questions by narrating different stories in a chronological order. The aim of the *Sejarah Banten* is to form a chronicle, part legitimising myth and part more objective history of the Banten Sultanate, discussing the origin of the Banten royal family, with special emphasis on the contribution to the kingdom of Sunan Gunung Jati, its putative founder, and the rulers of Banten from Maulana Hassanudin

(r.1527-1570) to Sultan Ageng Tirtayasa (r.1651-1682). The author praises Sunan Gunung Jati as the great man who brought Islam to enlighten the local people of the Banten area and who established the dynasty to rule over them. The rulers of Banten are eulogised by the author for their magnanimity in stabilising and expanding the kingdom, defending of the faith of Islam, being merciful to their subjects, and bringing prosperity to the kingdom. It appears that the author intended his work to be used to teach behavioural norms to members of the royal family and to the nobility of Banten, and to serve as a reference book apprising them of their duties and rights. A part of this chronicle highlights the importance it attaches to its readers' knowing and understanding the history of their country and being aware of the achievements of their ancestors (Kumar and McGlynn 1996: 118). This is perhaps not the place to embark on an in-depth discussion of the nature and function of Indonesian historiography, but it may not be irrelevant to mention a similar work, namely the *Babad Tanah Jawi*, the chronicle of the Mataram dynasty, which has been described in an excellent article by Ras (1986), while we can also refer to Teeuw's more general discussion on the study of so-called historical texts in Indonesian languages (1976).

The *Sejarah Banten* consists of two parts. The first part describes the Hindu kingdoms which had existed in Java before the coming of Islam, namely Medang Kemulan, Pajajaran, and Majapahit. The second part forms a chronicle of the Sultanate of Banten from its inception until 1659, when the kingdom came into conflict with the VOC at Batavia. As is common in such South-East Asian royal chronicles, it appears that the first part is legendary and the second is more historical (Djajadiningrat 1983:4-7).

The *Sejarah Banten* is the first piece of historical writing concerning the past of Banten, and since the late eighteenth century this chronicle has been the primary source for various studies of the early history of Banten. De Rovere van Breugel mentions in his report, *Beschrijving van Bantam en de Lampongs* or 'Description of Banten and the

Lampungs', a history of the Sultanate since its earliest times. He also describes the genealogy of the Banten dynasty as set out in the *Sejarah Banten*. It is possible that in the early nineteenth century Raffles (1817: 136-41) used data from the *Sejarah Banten* to compose the first part of Chapter Eleven of *The History of Java*, concerning the establishment of Islam in Java. Raffles gives the credit for the successful introduction and spread of Islam in Java to the Sultanate of Demak, and discusses the establishment of the two Islamic states in West Java, Banten and Cirebon. It is likely that Raffles drew on data from the *Sejarah Banten* when discussing the roles of Sunan Gunung Jati and his son, Maulana Hassanudin, in the conversion of the people in the westernmost area of Java.

The *Sejarah Banten* became the main source for another historical study at the beginning of the twentieth century. Hoesein Djajadiningrat (1913) in his dissertation, *Critische Beschouwing van de Sadjarah Banten, Bijdrage ter kenschetsing van de Javaansche geschiedschrijving* or 'Critical appraisal of the *Sejarah Banten*: Contributions to the characterisation of Javanese historiography', applies a historical approach in examining different parts of the *Sejarah Banten*, and identifying the main characteristics of traditional Javanese historical writing. His argument regarding the identification of Sunan Gunung Jati with Falatehan, and their role as religious proselytizers and upholders of Islamic authority in Cirebon and Banten has influenced the writing of Indonesian history until the present.

A scholar who recently drew on the *Sejarah Banten* as a main source for her study is Titik Pudjiastuti (1991). In her work, *Sadjarah Banten: suntingan teks dan terjemahan disertai tinjauan aksara dan amanat* or 'Edition and translation of the *Sejarah Banten* for the observation of script and instruction', Pudjiastuti translated the *Sejarah Banten* from Javanese into Indonesian. As an expert on early Javanese manuscripts, she studied the *Sejarah Banten* from the perspectives of script and language, rather than history.

It should be pointed out here that, although our study focuses on the sultanate of Banten, this is merely one example of an indigenous 'state' in this part of South-East Asia. Banten's closest links were with Cirebon (Cerbon), and from there with Demak in Central Java, and thence with the other states of Java's northern *pasisir* (coast), especially with Giri/Gresik and Surabaya in East Java. Beyond Java, there were clear links with Palembang, Aceh and also Patani (in southern Thailand). These states thus form a context, but the links between them do not form part of the subject of this thesis, interesting and important though they may be.

Turning now to European writers, in his collected essays *Indonesian Trade and Society*, Van Leur describes the establishment of the sultanate as follows:

> Bantam, originally a port of little significance under the control of the Hindu-Sundanese inland state of Pajajaran, was in 1527 forceably (sic) occupied together with the region around Jakarta by the Moslem zealot Faletehan in the name of the Sultan of Demak (Van Leur 1955: 137).

Van Leur focuses on the importance of 'the sea route' which shaped the history of relations between Europe and Asia. He proposes that 'the sea route' played a significant role in forming the early history of Indonesia, and argues that important episodes in Indonesian political and cultural history are closely linked to trade and 'the sea route'. Van Leur mentions Banten as one of the ports in the Indonesian archipelago whose rise was a direct result of the trade and the sea route. Leaning heavily on the VOC *Daghregister* or daily reports, Van Leur reconstructs Banten's commercial history and its relations with the VOC during the sixteenth and seventeenth centuries.

Another European study of Banten's history during the seventeenth century is David Bassett's PhD thesis for the University of London (1955): *The factory of the English East India Company at Bantam 1602-1682*. In his thesis, Bassett researches the role of the English settlement at Banten as 'Presidency and Agency' of the English government of the East Indies until 1682. He attempts to describe the efforts made by the British East India Company (EIC) to continue its trade in the South Seas after it had lost the

Spice Islands (Bassett 1955: i). Bassett focused on the British archives from the Far East, so this thesis can be considered a study from the British perspective. This thesis can be used as supporting evidence for the study of the conflict between Banten and the VOC, which 'ended tragically' with the conquest of the sultanate by the Company.

Meilink Roelofsz (1962) in *Asian Trade and European Influence in the Indonesian Archipelago between 1500 and about 1630* was influenced by Van Leur's idea of the significance of 'the sea route' and sea trade, but she discusses in more detail how the Europeans took advantage of their discovery of the sea route to South-East Asia. She mentions Banten as one of the spice trading ports along the north coast of Java affected by the expansion of the Portuguese and, later, by the advent of the united companies of the British and the Dutch. In Chapters Ten and Eleven, Meilink Roelofsz cites the history of Banten's struggle to maintain its control over the pepper trade as an example of the response of the Javanese ports to the expansion of the VOC's trading supremacy in the archipelago. Using the VOC archives, she provides various data on Banten's trade during the seventeenth century, expatiating on products and the discussing government's trade policy.

The history of Banten as one of the famous port states of South-East Asia was taken up again by Kathirithamby-Wells in her book *The Southeast Asian Port and Polity: Rise and Demise*. Kathirithamby-Wells pays less attention to the influence of sea trade and of the Europeans on the formation and survival of the state, and defines Banten as a commercial state rather than a maritime kingdom (Kathirithamby-Wells 1990: 120). By combining data from both the *Sejarah Banten* and European sources, she writes an autonomous history of Banten from its establishment until its submission to the VOC in 1682. Kathirithamby-Wells argues that its strategic location on the main trade route, as well as the political and administrative talents of its rulers, were more important to Banten's rise to supremacy and international importance than was the availability of

pepper. She argues that the rise of Banten originated from its stable polity and the ruler's ability to exercise authority in controlling the pepper production in the hinterland.

Of all the postcolonial scholars, Claude Guillot has studied the history and archaeology of Banten most intensively. Having spent a decade during the 1970s conducting archaeological surveys and excavations in the Banten area, Guillot has written various articles on the archaeology and history of Banten from the pre-Islamic period onwards. His contribution to the study of the archaeology and history of Banten since the 1970s has stimulated other scholars, both Asian and European, to expand the circle of research on Banten. In *The Sultanate of Banten* (1990), Guillot reconstructs the early history of Banten, based on data from the *Sejarah Banten*, the VOC accounts, and data he collected from archaeological survey excavations. He attempts to show the rise of the sultanate as a continuation of the previous civilisation created by a Hindu community which had existed in the Banten area before the sixteenth century. Although part of a continuum, the establishment of the Sultanate of Banten was a high point in the history of the westernmost part of Java. Guillot emphasises the glory of Banten under its Muslim rulers, which surpassed that of the Hindu period, focusing on the 'golden age' of Banten in the sixteenth and the seventeenth centuries. In my opinion, this book presents a balanced approach with can be used as a basis for a preliminary study on Banten (and is valuable for its wonderful illustrations).

The Sultanate of Banten is cited by Anthony Reid as an example of one of the port states in South-East Asia which reached their golden age during 'the Age of Commerce'. Reid (1988 and 1993). In his two volumes of *South East Asia in the Age of Commerce*, Reid picks up various kinds of data about Banten from various sources to illustrate each topic in his discussion of the Age of Commerce in South-East Asia (1450-1680). In the first volume: *The Lands Below the Winds*, Reid (1988 I: xiii) he

applies an 'omnivorous approach' in writing the 'total history' of the people of South-East Asia. He discusses different aspects of life of the South-East Asians, both noble and ordinary people. In his discussion of local medicine, Reid refers to the accounts of Lodewycksz (1598: 112, 150-57): "The first Dutch fleet recorded fifty-five kinds of spices and herbs in the relevant section of the Banten market. The medicinal uses of many of them were carefully recorded". On page 104 Reid mentions Banten as one of the port states in the Indonesian Archipelago where Chinese ceramics were imported. He also reports that Banten is today one of the major Indonesian sites for Chinese ceramic excavations. Banten is also referred to by Reid (1988 I: 133) as one of the major slave markets in the Archipelago.

In the second volume, *Expansion and Crisis*, Reid refers to Banten more than in the first volume. Beginning on page one by referring to Banten as one of the 'hubs of commerce' in the 'lands below the winds', Reid frequently refers to Banten's leading role in the sea trade. He discusses the pepper trade, in which "Around 1600, Sumatra, the Malay Peninsula and west Java together produced more than 4500 tonnes [of pepper], of which Banten alone was responsible for 2000 in an average year" (Reid 1993 II: 10). On page 77, Reid discusses the structure of the South-East Asian city in the Age of Commerce, with reference to the establishment of the port city of Banten Lama as a 'creation of the Age of Commerce'. He begins his discussion by quoting a dialogue between Sunan Gunung Jati, the mythological founder of the Sultanate of Banten, and his son, Maulana Hassanudin, in which Sunan Gunung Jati instructs his son to build a city on the coast, and indicates where the palace, the market, and the central square should be. Reid discusses this dialogue, in conjunction with the evidence from archaeological excavation, to conclude that Banten 'embodied the contradictions of the period'. Specifically, he notes that:

> Built against the sea to take advantage of shipping, it grew as a cosmopolitan metropolis in which all traders were welcomed and the uncontrolled agglomeration of

> compounds, ditches, lanes, and markets defied all order. Nevertheless, it was heir to an Indic tradition in which the grandeur and layout of the central buildings reflected the cosmic pretensions of its monarch (Reid 1993 II: 78).

All the data on Banten provided by Reid in the discussions scattered through these two volumes of *Southeast Asia in the Age of Commerce 1450-1680* suggest that Reid studied Banten extensively. He provides interesting data on Banten from various sources and applies it to provide examples of most of his major themes. Although Reid does not write the whole history of Banten in this work, it is worth including among the studies about Banten in the twentieth century.

Western scholars did not focus their studies only on trade and relations with the Europeans. In a special volume of the academic journal *Archipel* (vol. 50) printed in 1995 by *Etudes interdisciplinaires sur le monde insulindien* or the Institute of Interdisciplinary Studies on the Indonesian Archipelago, European scholars contribute the results of their researches on different aspects of Banten's history. Most of the articles concern the history of the Banten region in different periods, rather than the history of trade and relations with the Europeans. Guillot, Nurhakim, and Wibisono (1995: 13-24) provide a history of the Banten Girang area which was the location of a Hindu city under the kingdom of Pajajaran. Gabriel A. Rantoandro (1995: 25-40) offers a history of the customs house of Banten and explains its functions and administration. Claudine Salmon (1995: 41-66) provides the results of her archaeological survey and excavation at the seventeenth and eighteenth century Chinese cemetery in the Kasunyatan district, outside the city of Banten Lama. Her article is particularly helpful for the study of the Chinese community in Banten during those two centuries. Martin van Bruinessen (1995: 165-200) offers an article on the administration of law and justice, given added depth by a discussion of the religious institutions in the Sultanate

of Banten, which provides an image of Banten as one of the major centres for Islamic studies in the Indonesian archipelago.

Western scholars are not the only group who have studied the history of Banten. Asian scholars have produced no fewer works on Banten than have their Western colleagues. Hasan Muarif Ambary and Uka Tjandrasasmita are the leading Indonesian scholars who have devoted their lives to archaeological and historical studies on the Sultanate of Banten. Hasan Ambary has conducted archaeological excavations in the Banten area since the 1970s, and has produced several works on the archaeology and history of Banten. The most important are *The Establishment of Islamic Rule in Jayakarta* (1975), *A Preliminary Report of the Excavation on the Urban Sites in Banten (West Java)* (1977), *Catalogue of Sites, Monuments and Artefacts of Banten* (1988), and *Bandar Banten: Kajian Arkeologi-Sejarah* or *Bandar Banten: the Studies on Archaeology and History* (1998).

Unlike Hasan Ambary, Uka Tjandrasasmita concentrates more on the study of Banten history from the pre-Islamic period to the late seventeenth century. In 1967, Tjandrasasmita wrote *Sultan Ageng Tirtayasa: Musuh Besar Kompeni Belanda* or *Sultan Ageng Tirtayasa: the Great Enemy of the Dutch East India Company*. The book discusses Sultan Ageng's attempts to fight against the VOC throughout his reign (1651-82), ending with the Company's victory over Banten. Another book, *Sultan Ageng Tirtayasa*, was composed by Tjandrasasmita (1967) as one of a number of history books published to honour Indonesia's national heroes. In order to help promote the ancient city of Banten Lama to both Indonesian and international visitors, in 1987 he composed a history guidebook, *A Guide to Archaeological and Historical Monument of Banten*, in both Indonesian and English versions. He describes the history of important monuments which are still visible in the areas of Banten Girang and Banten Lama. The book provides an adequate preliminary study of Banten's history. Tjandrasasmita

proposed the idea that the expansion of Banten was a consequence of the stability of the maritime silk-road, in an article *Perkembangan kota Banten Lama hubungannya dengan jalan-sutra* or 'The expansion of the city of Banten Lama in relation with the maritime silk-road' (1990). Recently, he composed a book, *Pertumbuhan dan Perkembangan Kota-kota Muslim di Indonesia* or *The Rise and Expansion of Islamic Cities in Indonesia* (2000), in which Banten is repeatedly cited by way of example.

Lukman Nurhakim is another Indonesian scholar who has used data from archaeological excavations in writing the history of Banten, having taken part in the 1970 excavations in the Banten area with Guillot and Hasan Ambary. His interest is focused on the history of the Banten area before the coming of Islam. In 1991, Nurhakim wrote an article, *Hubungan Banten Girang, Pakuan Pajajaran dan Banten Lama: Pendekatan Arkeologi Sejarah Pada Masa Transformasi Hindu-Islam* or 'The Relation of Banten Girang with Pakuan Pajajaran and Banten Lama: An Archaeological Approach for the study of History of the Transformation Period from Hindu to Islam' (1991). This article puts forward Nurhakim's idea that the Hindu city of Banten Girang was a vassal city of the kingdom of Pajajaran. Three years later, Nurhakim and Guillot composed *Banten avant l'islam: étude archéologique de Banten Girang (Java-Indonesie)* or 'Banten in the pre-Islamic Period: an Archaeological Study of Banten Girang' (Guillot et al. 1994). In this book, Nurhakim puts forward his ideas on the origin and expansion of the Hindu city of Banten Girang and the heritage it bequeathed to the later Sultanate of Banten.

Two Japanese scholars have devoted much attention to Banten as a port where various types of Asian ceramics, including Japanese, were imported. In an article 'The Development of the City of Banten in Sixteenth and Seventeenth Centuries: a Documentary Survey' (1992), Shigeru Ikuta proposes, contrary to the account in the *Sejarah Banten*, that the port city of Banten Lama had already existed in the early

sixteenth century, and that Sunan Gunung Jati did not build a new city to replace Banten Girang, but shifted the centre of the state down to the coast. Ikuta also argues that the economy of Banten relied not on sea trade but on agriculture. He points out that Banten's sea trade could not have flourished without a steady supply of agricultural products such as pepper from the hinterland (Ikuta 1992: 108-20).

Sakai Takashi is a Japanese scholar who has studied the history of Japanese ceramic exports to South East Asia, and since 1990 has conducted excavations with the Indonesian National Research Institute in Archaeology. The purpose of these excavations was to trace the import of Japanese ceramics by Banten; two main sites, the Surosowan Palace and Sultan Ageng's palace at Tirtayasa, were chosen for the excavations. In 1992, Takashi wrote an article, *Ekspor Keramik Hizen Dengan Kerajaan-kerajaan Zheng dan Banten* or 'The exports of Hizen ceramics with the Qing Empire and the Sultanate of Banten' (1992). One year later, his illustrated book on Japanese and Indonesian ceramics was published under the title *Banten, Pelabuhan Keramik Jepang* or 'Banten: Port of Japanese Ceramics' (1993). This book can be considered the first specific study on the history of one of the products imported in the course of Banten's overseas trade.

We may notice that most of the historical studies on Banten focus on sea trade between the sixteenth and seventeenth centuries, probably because of the abundance of source materials. There are only three scholars who have studied the history of Banten during the eighteenth century. Heriyanti Ongkodharma in her dissertation *Tragedi Kesultanan Banten: Suatu Kajian tentang Masalah-masalah Pemanfaatan dan Pengelolaan Lingkungan Berkenaan dengan Kemunduran Kota Banten pada Abad XV-XVIII*, or 'Tragedy of the Sultanate of Banten: A Study on Problems of Exploitation and Management of Natural Resources in Connection with the Demise of the City of Banten Lama during the Fifteenth to the Eighteenth Centuries' (1987), points out the effect of

the exploitation of natural resources on the demise of the sultanate. Ongkodharma starts by citing geographical data to argue that the Sultanate of Banten was established in an area rich in natural resources. By looking at the activities of both the natives and the VOC people in the area, Ongkodharma assumes that natural resources were exploited intensively. She argues that exploitation of the natural environment and resources caused Banten to become impoverished and led to the downfall of the state, although there may not be sufficient evidence to prove this.

Johan Talens in his doctoral thesis for the University of Utrecht *Een feodale samenleving in koloniaal vaarwater; Staatsvorming, koloniale expansie en economische ontwikkeling in Banten, West Java 1600-1750* or 'A feudal society in colonial waters: Economic development, state formation, and colonialism in Banten, West Java, 1600-1750' (1997), investigates the social and economic development of Banten in connection with the process of regional state formation and the effects of colonial relations between Banten and the VOC. As we may notice from the title of the thesis, Talens considers that the VOC during that period already had a colonial relationship with Banten in all but name. He views the Company's conquest of Banten in 1682 as the establishment of 'colonial monopolies'. He concludes that from the mid-eighteenth century the VOC exploited 'the pre-existing system' of the sultanate and it did not want to restructure Banten as 'a feudal society'.

Another scholar who studied the Sultanate of Banten during the late eighteenth century is Ann Kumar. In *Java and Modern Europe; Ambiguous encounters* (1997), Kumar presents a case study of Europe's impact on Java as an old and distinctive non-European region. At the beginning of Chapter Five 'Aristocracy and peasantry in the tides of world capitalism', Kumar cites the case of Banten society in the late eighteenth century as an example of a Javanese society which was turned from 'trade centre to backwater' by the expansion of a modern European authority like the VOC. She

discusses Banten society during the late eighteenth century with reference to De Rovere van Breugel's two accounts: the *Beschrijving van Bantam en de Lampongs* or 'Description of Banten and the Lampungs' and the *Bedenkingen van den staat van Bantam* or 'Reflections on the State of Banten'. However, she relies on the two memoranda only to make a descriptive explanation of various aspects of Banten society.

The history of the Banten area after the sultanate period or during the nineteenth and twentieth centuries has been studied by three historians, Sartono Kartodirdjo (1966), Michael Williams (1982), and Else Ensering (1995). These three historians have studied the social movements of the Banten peasants against the Dutch regime in the late nineteenth and the first half of the twentieth centuries. All these works suggest that the inhabitants of the Banten area were attached to the glorious past of the sultanate, and that they wished to be able to stay independent of the Dutch administration. Influenced by their Islamic studies and, later, the idea of communism, the people of Banten rose up against the Dutch twice: the first time in the peasants' revolt of 1888, and the second in the communist revolt of 1926.

2. Materials available for a study of Banten

The primary sources for this research may be classified into two groups, indigenous and European. Since the core part of the thesis is a reconstruction of a social and cultural history of Banten from the perspective of the indigenous rather than from that of the European, indigenous sources are the most significant materials in my research.

Pigeaud (1967 I: 304) states that Javanese texts on law and jurisprudence are among the most abundant primary sources from the past. These texts contain valuable data on the development of Javanese society, but until the present they have been little studied. Pigeaud's statement motivated me to start searching for any juridical literature from the Banten area during the late eighteenth century. Following suggestions of Professor

Martin van Bruinessen and Dr. Claude Guillot, I was informed that there are a number of the late eighteenth century law manuscripts from Banten kept in the Oriental Manuscripts Section of the Library of the State University of Leiden in the Netherlands.

Two sets of Javanese manuscripts from Banten form the main source for Chapters 4 and 5, which are the core part of the thesis. They are manuscripts in the 'Snouck Hurgronje Collection', which Professor Snouck Hurgronje donated to the University of Leiden in 1906. 'Legal text' is probably the most appropriate term to identify the nature of these two sets of Banten manuscripts. They also present clear evidence of the existence of state law and the administration of the courts of justice in the Sultanate of Banten during the late eighteenth century.

The first manuscript bears the number Cod LOr 5598 and is in the form of a law digest. (see Figure 1) This manuscript is identified by Pigeaud (1968 II: 327) a *lawbook*. It consists of different *Perintah Raja* or regulations issued by Banten sultans from the early to mid- eighteenth century. The aim of this lawbook was to maintain peace and order of the royal court and the *Negara Surosowan* or the capital city of Banten Lama. It refers to several sultans, princes, different rates of fines and penalties. Limited penalties derived from the *Shari'a* are also mentioned. The lawbook is written in *pégon* or Javanese written in Arabic script.

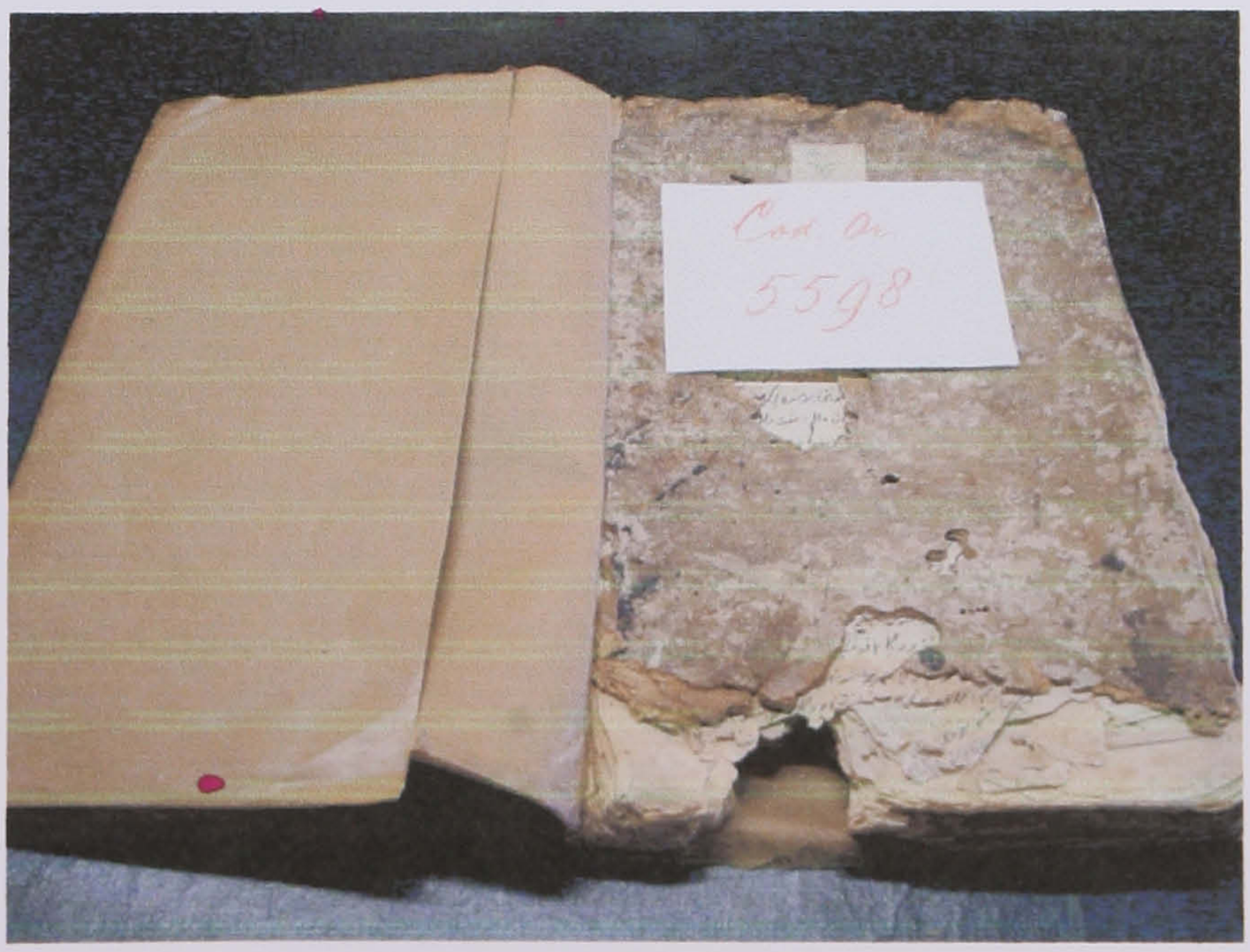


Figure 1: The manuscript Cod LOr 5598

Regulations for peace and order in the Lampung, based on certain treaties or agreements between the Sultanate and the VOC, are recorded in the next section after the capital city law. This section is written in *Jawi* or Malay in Arabic script. (see Figure 2)



Figure 2: Most of law and regulations in the MS Cod LOr 5598 are written in Jawi or Malay in Arabic script

The final sixty-four pages of MS Cod LOr 5598 form a list of different offences against law and order in the capital city, written in *Aksara Jawa* or traditional Javanese script. (see Figure 3)

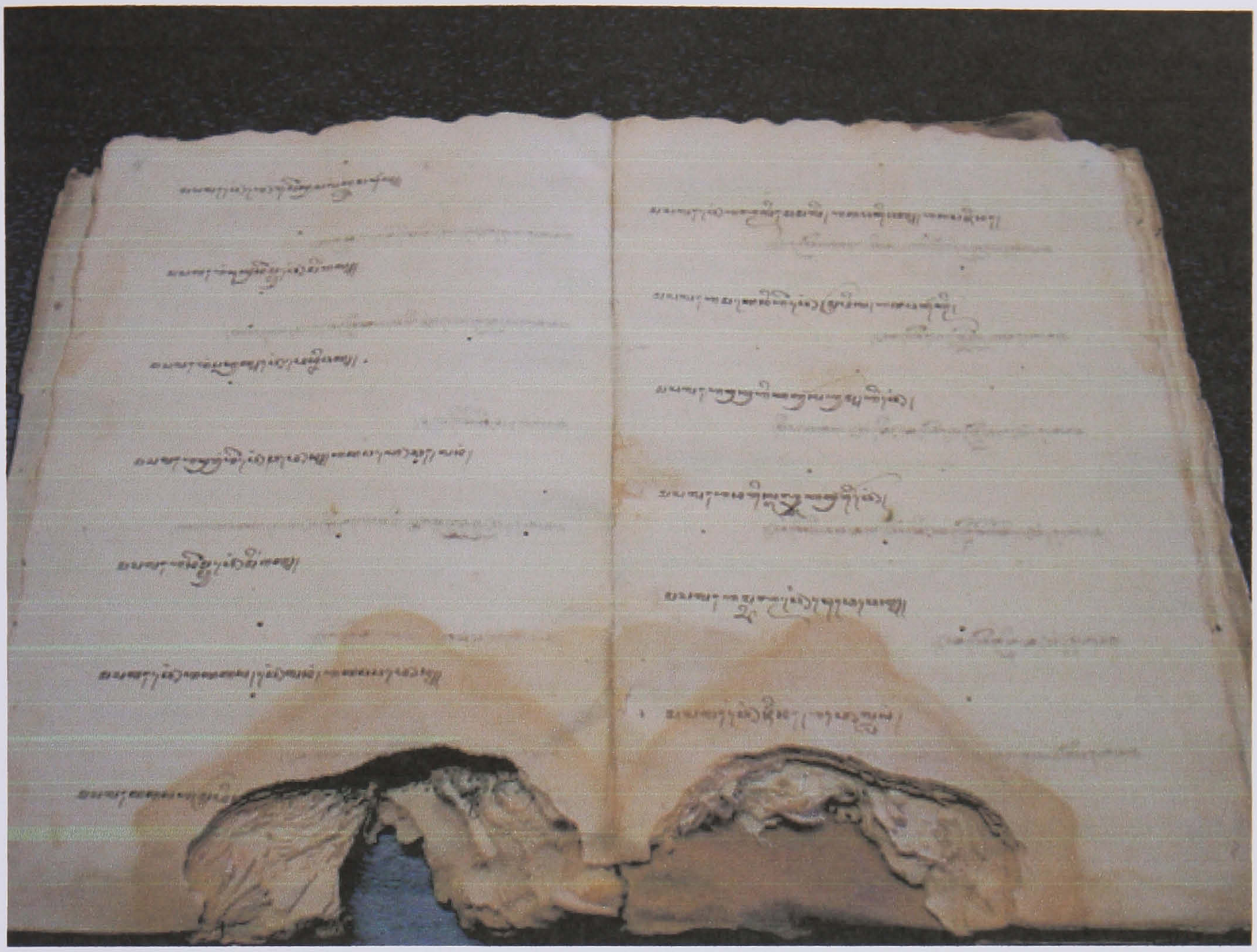


Figure 3: a list of different offences against law and order in the capital city, written in *Aksara Jawa* or traditional Javanese script

Pigeaud (1968 II: 328) believes that the manuscript Cod LOr 5598 is a 'handbook' for the state administration of the sultans. Martin van Bruinessen (1995: 171-2) evaluates MS Cod LOr 5598 as an indicator of the use of a code of law in a form similar to the *undang-undang* of the Malay states. He also states that a thorough examination of this MS might provide more data on Banten society during the late eighteenth century. At the beginning part of Chapter Four MS Cod LOr 5598 will be discussed more in detail.

The second set of Javanese manuscripts for this research consists of the records of the Banten Court of Justice (Cod LOr 5625, 5626, 5627, 5628). (see Figure 4) These four books in folio consist of the register of cases brought before the court of Kyai Fakih Najmuddin or the Supreme Judge of Banten during the second half of the

eighteenth century. The complete set of records is written in *pégon*, and each entry of a case is dated according to the Islamic calendar. (see Figure 5)

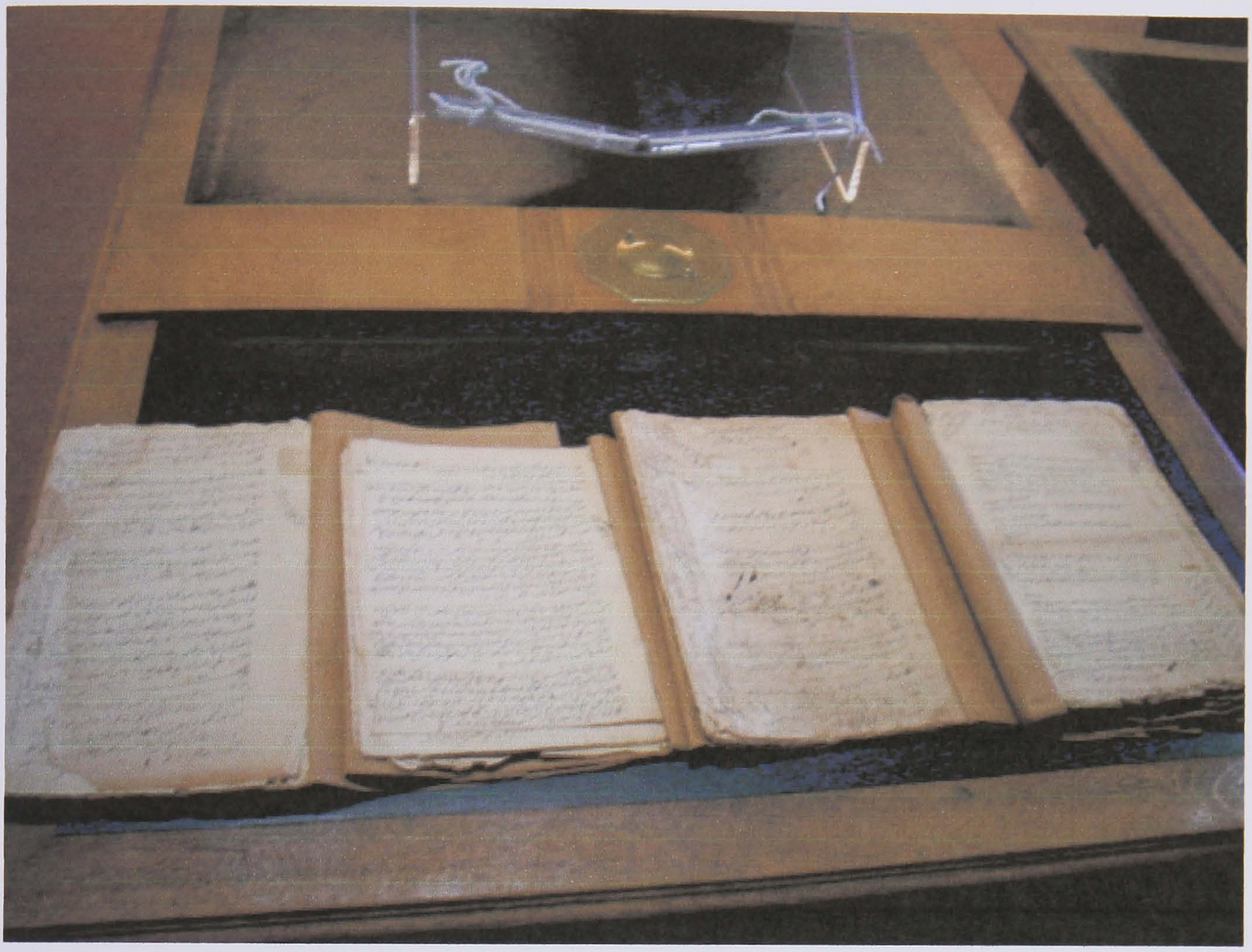


Figure 4: The manuscripts Cod LOr 5625, 5626, 5627, 5628

The registered cases mostly concern the payment of debts, the slave trade, marriage and divorce matters, and inheritance. An analysis of their contents is likely to contribute significantly to our knowledge of social and economic conditions in Banten. A further discussion on these four manuscripts will be found at the beginning of Chapter Five.

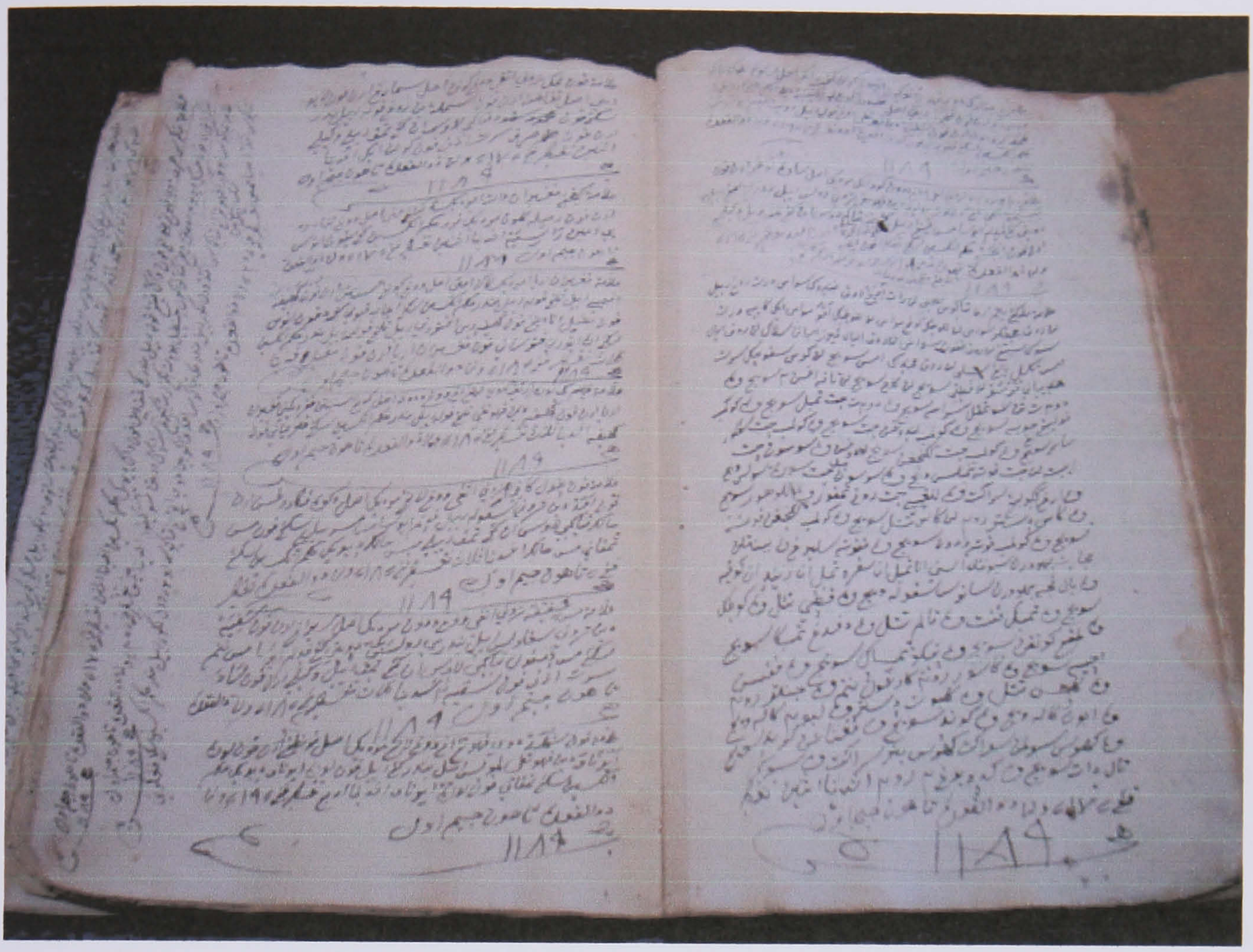


Figure 5: The complete set of manuscripts Cod LOr 5625, 5626, 5627, 5628 is written in *pégon*

Since I am not a native Javanese and have not yet had the opportunity to make a proper study of this language, it was necessary to have these manuscripts translated into Indonesian. I took copies of them to Indonesia in February 2000 and looked for people who could help translating them for me. With the assistance the *Lembaga Ilmu Pengetahuan Indonesia* (The Indonesian Academy of Sciences or LIPI), I was able to contact a group of lecturers and students in the Department of Javanese Language and Culture, the University of Indonesia, who were willing to undertake this translation. The department appointed Dr. Titik Pudjiastuti (who wrote a thesis on this area, see above) and Mr. Munawar Holil, two experts in early Javanese manuscripts, as leaders of the translating team. Ten undergraduate students who were taking courses in the reading of Javanese manuscripts worked together in reading and translating the MSs LOr 5598, 5625, 5626, 5627, and 5628 into Indonesian. After the students had finished their tasks, Dr. Pudjiastuti and Mr. Holil read and checked the translations thoroughly.

Because of the limited time and a large number of the manuscripts, it was not practicable to have them transliterated.

In using the data of the manuscripts in my research, I rely on this translated version. A translation into English had to be made for any details abstracted from the manuscripts quoted in the thesis. Dr. Stuart Robson of Monash University and Mrs. Rosemary Robson-McKillop of the Royal Netherlands Institute of Southeast Asian and Caribbean Studies (KITLV), Leiden, checked the English translation of the parts quoted from the manuscripts.

European primary sources have mainly been used in writing Chapter Two on the evolution of the Dutch sovereignty over the Sultanate of Banten. These primary sources are in Dutch, English and French, and some of them have already been published.

The first group of unpublished European primary sources I came across is the archives of the British East India Company (EIC) in the category of Factory Records. Having read David Bassett's PhD thesis (1955), *The Factory of the English East India Company at Bantam 1602-1682*, I believed that I would be able to draw adequate data from the British archives. I spent the whole of 1998 reading the Factory Records on Bantam and the records from Bencoolen during the eighteenth century in the Oriental and Indian Office Collection of the British Library, but I could gain very little information on the indigenous society of Banten. Around the end of 1998 I found another valuable British source called the Mackenzie Private Collection (Mss Eur Mack Priv). This is a collection of papers relating chiefly to Java and the Dutch East Indies collected by Col. Colin Mackenzie (c.1753-1821). Mackenzie joined the Madras Army in India between 1783-1821 as an engineer, surveyor and collector of antiquities. He spent a short period between 1811-13 serving in Java as Chief Engineer. During this period Mackenzie had a chance to collect and translate both published and unpublished books and documents in Dutch and Javanese. Documents relating to Banten during the

late eighteenth century are among the ninety-five volumes of interesting papers in this collection. The documents most relevant to my research are a translated version of the two accounts by Jan de Rovere van Breugel: 'Beschrijving van Bantam en de Lampongs' and 'Bedenkingen over den staat van Bantam', originally written in 1787. Another interesting document in this collection is 'The Instruction for the King of Bantam' (27 December 1808), which is translated from its Dutch original issued by Governor-General Daendels. This document provides the details of the Sultan of Banten's status after the abolition of the state.

The late eighteenth century archives of the Dutch East India Company (VOC) kept in both the State Archives in The Hague and the National Archives of Indonesia in Jakarta are the second group of unpublished European sources for my research. I spent nearly two years (February 1999 to October 2000) examining these archives. At the State Archives in the Netherlands I examined two categories of the VOC archives from Banten: *Generale Missieven* (general reports), and the *Daghregister* (daily reports). I found that most of the data from the VOC archives in The Hague are irrelevant to my research. The data I found in these archives are no more than reports of general conditions from the VOC base at Fort Speelwijk (Banten) sent to Batavia and records of the passing of ships through the Bay of Banten and the Sunda Strait. Very limited information on the Banten royal court and society could be drawn from these archives. In contrast, the VOC archives kept in the National Archives of the Republic of Indonesia were far more satisfactory to my purpose. In these National Archives, all the archives relating to Banten are listed in the collection 'Banten, 1674-1891'. This system made it easier for me to check whether any interesting documents were available or not. I also found more documents which are not available in the Netherlands State Archives, including eleven reports of the VOC commissioners at Banten to the Governor-General and the Government of the Netherlands Indies, nineteen contracts and agreements

signed between the Sultans of Banten and the VOC between 1684-1808, and fifteen letters written by different officials of the Company relating to special problems in Banten between 1686-1810. Data from most of these Dutch documents were helpful for the writing of Chapter Two of the thesis.

Apart from the VOC archives, I also consult two published primary Dutch sources. The first one is an English version of J.S. Stavorinus' account called *Voyages to the East Indies: the whole comprising a full and accurate account of all the present and late possessions of the Dutch in India, and at the Cape of Good Hope* (1769). Stavorinus wrote this account during his twenty-day visit to Banten from 10-30 May 1769. He was a very perspicacious observer who had a talent for writing down descriptively the details of what he had seen in Banten. Details of the city plan, fortresses, royal palaces and many other places in the city of Banten Lama could be used to reconstruct the image of the capital city of Banten in my thesis. Most of the details also tallied with the results of archaeological excavations and what had been mentioned in MS LOr 5598.

The two accounts of Jan de Rovere van Breugel: 'Beschrijving van Bantam en de Lampongs' and 'Bedenkingen over den staat van Bantam' were published in 1856 in the first volume of *Bijdragen tot de Taal, Land- en Volkenkunde van Nederlandsch-Indië* [BKI]. The first account provides descriptive details of history, politics, the royal court and customs, and the inhabitants of the Sultanate of Banten from its inception down to the late eighteenth century. In the latter account de Rovere van Breugel expresses his opinion on the improvement of different systems in the Sultanate, giving due praise to the Company's administration in Banten, the revenue of the Sultan, and the conditions in the capital city. I also consulted the translated version of these accounts which I found in the Mackenzie Collection in the Oriental and Indian Office Collections of the British Library.

Secondary sources for this research project have mostly been found in the form of printed books and reports of archaeological excavations at the site of Banten, written by both Western and Indonesian scholars. These books are written in four languages: English, Dutch, French, and Indonesian. There are also many articles from various historical journals, such as *Bijdragen tot de Taal-, Land- en Volkenkunde*, *Itinerario*, *Archipel*, *Journal of South East Asian Studies*, and *Indonesia*.

Historical remains and artefacts recovered from Banten Girang, Banten Lama, and Lampung Tulang Bawang were also used as source materials for this research. They were helpful in both supporting and constructing arguments on the data found in written sources. For example, in order to write about the fortresses of the VOC in Banten needs a proper survey of their remains which can be compared to the data in different records. The artefacts kept in the site museum of Banten Lama support the examination of the material culture of the inhabitants of the Sultanate. The survey of the geographical situation of the Banten and Lampung areas helped prove the accuracy of the data gleaned from different documents. A boat trip from Jakarta to Banten was made in July 2000 to investigate the journeys mentioned in Dutch sources. Survey trips to the historical remains and places were also necessary to this research project. Trips to the sites of Banten Girang, Banten Lama, Tirtayasa, the coastal areas of the Bay of Banten and the Sunda Strait, Pulau Panjang Island, the south coast of Banten, the highlands of Banten, the surrounding areas and peaks of Mount Karang and Mount Pulau Sari, and the area of Lampung Tulang Bawang in South Sumatra were made in August 2000. Data from these survey trips were checked with those found in both indigenous and European sources, before they were included in the thesis.

3. Research objectives

From the foregoing what stands out is that studies on sixteenth and seventeenth century Banten have tended to concentrate on the upper strata of Banten society, namely princes and merchants. In contrast, the studies of Kartodirdjo, Ensering, and Williams are modern social histories with a broader scope that includes the lower strata of the society and, in particular, peasants. There is a gap between the studies of these two groups of historians, not only in time, but also in method, theory and concepts. The upshot is two, more or less disconnected, histories of Banten: a history of mercantile greatness and glory, and a history of rebellious peasants and preachers.

This thesis aims to provide an account of the Sultanate of Banten during the final fifty-eight years before its abolition, in order to fill the historical gap between the late eighteenth and early nineteenth centuries, during which period the sultanate was a subject state under the authority of the Dutch East India Company (VOC). This research will also bridge the two disconnected visions of Banten outlined above, namely the history of princes and merchants and the history of peasants and preachers.

The overall aim of this research is to construct an autonomous history of this period for the Sultanate of Banten. By focusing on the use of indigenous sources, my hope has been to reconstruct a new version of the social and cultural history of Banten which differs from the classical style of 'history from the deck of the ship'. This is because I believe that the Sultanate of Banten under VOC sovereignty was able to maintain its status as a sovereign Islamic state, and perhaps was also able to maintain some degree of political autonomy. I also believe that the indigenous world in Banten, of both the higher and lower social classes, remained relatively impervious to VOC intervention.

As far as possible, the picture of the VOC presence in the kingdom will be set aside and the movements in the world of the indigenous inhabitants will be foregrounded.

The main aspects of Banten society and culture which I intend to examine are kingship, the royal court, and the lives of the inhabitants.

4. Methodology

This research is a documentary investigation, focusing on the use of the late eighteenth century Javanese manuscripts from Banten. This methodology provides data on the basis of which I formulate my hypothesis that the manuscripts of the late eighteenth century, namely, the law-book and the records of the Court of Justice, will be able to reflect different pictures of the lives of the members of Banten society. The images of Banten society depicted in the manuscripts will be compared with those reflected in the European accounts, as a basis for discussion.

This research does not pretend to study the Javanese manuscripts in terms of palaeography or philology, but looks at their content as primary sources for history. Since the manuscripts are written in classical eighteenth century Javanese, it was necessary to have them translated into Indonesian before beginning to examine them.

Apart from English, a knowledge of Dutch and Malay was also required for consulting the primary sources. Obviously, this research was quite a time-consuming project, and hence took six years to complete.

5. Structure and contents of chapters

The thesis is divided into five chapters. In the first chapter, I will discuss the development of kingship and the evolution the VOC authority in the Sultanate of Banten. For a well-rounded picture it is necessary to provide a background for the two authorities which had rival claims to the Sultanate of Banten during the late eighteenth century.

Chapter Two will examine the domination of Banten by the VOC during the late eighteenth century, and later by the Government of the Netherlands Indies (after 1799). The purpose of this chapter is to discuss the status and authority of the VOC settlement in Banten, in order to argue that the presence of its officials and soldiers was completely separate from the indigenous world. By putting the Company's presence and authority on one side, we can see that the world of the natives remained relatively unchanged.

In Chapter Three, I will examine the struggle of the royal court of Banten to maintain the kingship and the status of the *kraton* or royal palace as the ritual centre of the kingdom. The transformation of the sultan's status and role under the shadow of the VOC will be discussed first. The royal palace which was then the centre of state administration will be studied, with regard to its ground-plan, architecture, and the functions of each element. This is followed by an examination of royal tradition and state ceremonies which symbolised the authority and dignity of the sultan. The final point on which it essential to expand is the system of ranks and seniority of members of the royal family, courtiers and officials.

Chapter Four will dissect the contents of the law-book part of manuscript LOr 5598. Interesting points will be drawn out and the system of state administration and the application of the *perintah raja* or state law in the capital city will be reconstructed. The imposition of state law on ordinary people will be examined, in order to reconstruct different aspects of the lives of subjects in Banten.

In the final chapter I will let the records of the Court of Justice (LOr 5625-5628) tell their story of the administration of law and justice in late eighteenth century Banten society. The records of different cases and matters of conflict can also reflect people's ways of life and material culture.

The Conclusions will make use of findings from the above chapters in order to argue that it is possible to draw a picture of the social and cultural position of the sultanate of

Banten in the second half of the eighteenth century, and will show that the sultanate was still intact and functioning at that time, despite the presence of the Dutch and their claims to political control over the Sultans.

Chapter 1

The evolution of kingship in Banten before the late eighteenth century

> The succession of the throne of Bantam was generally disposed of by the influence of the Dutch government: but the administration of the country and the collection of the port duties were till very lately entirely entrusted to him [the sultan] (Raffles: 1817 II: 241).

Banten in the late eighteenth century was a state ruled over by two authorities: *Raja* and *Kumpeni,* its own sultan and the VOC. During this century these two powers attempted to propagate their sovereignty over the Sultanate. The line of succession in Banten after 1684 was brought under the Company's consideration, which means that it had the right to nominate any prince to be crowned. The sultans as 'Company's kings' were bound by contracts to follow the VOC's policies, especially with regard to the pepper trade and international relations. If it appeared that any sultan ignored these commitments or was unable to defend the Company's interests in Banten, he would be removed from the throne. However, it appears that the sultans in practice still defended their legitimacy in ruling over the kingdom and their subjects. Their legitimacy was represented by two factors: kingship as such, and the status of native rulers who had inherited sovereignty over Banten through their line of succession.

Kingship is the first topic to be discussed before we start constructing the social history of Banten between the late eighteenth and early nineteenth centuries. The aim of this chapter is to examine the evolution of kingship in the Sultanate of Banten. One of the ideas to be presented in this chapter is that the genesis of Islamic kingship in Banten was not kingship as found in the Middle East, the Persian, Ottoman, or Mughal Empires, but the indigenous pre-Islamic kingship of South-East Asia. As in other Islamic states in Java, the rulers of Banten since the early sixteenth century had assimilated the concept of the ruler in Islam with the elements of Hindu-Buddhist kingship, to produce a unique concept which I call Javanese kingship. The sultans of

Banten during the late eighteenth century still appealed to the strength of Javanese kingship in ruling over their subjects. At the same time, they realised that the mere expression of kingship was not enough to guarantee their survival. To accept the status of being 'Company's king' and to cooperate with the VOC's administration would benefit both their survival and wealth.

1. Islam and kingship in Maritime South-East Asia

The conversion to Islam of Hindu-Buddhist states on the Malay Peninsula, in Sumatra and in Java, starting from the late thirteenth century, did not bring any great change to pre-existing ideas of divine kingship. Islam, instead, reinterpreted South-East Asian notions of divine kingship, based on the relation between Macrocosmos and Microcosmos (Steinberg 1987: 78-9, Reid 1993, II: 170, De Casparis and Mabbett 1994: 332-3). Rulers in the new Muslim states in South-East Asia no longer identified themselves as the incarnations of gods, but as holders of Almighty God's power. The adopted Umayad title of 'Shadow of God on Earth' (*al-sultan zill Allah fi 'l-ard*) was used as a new identification of divine kingship. The Javanese kings in the *Babad Tanah Jawi* were called *warana* (Jav.'screen') or deputy of God on earth. Moertono (1968: 35) compares the rulers of Java of this period with a screen *through which man must pass to reach God and, conversely, through which God must pass to reach man.* He goes further:

> Since the king was seen as the sole intermediary between man and God, it was not strange that his decisions were thought to be unchallengeable, and his power without limitation; his decisions were God's will and his actions were God's management (Moertono 1968:35)[1].

[1] However, Moertono also argues that the status of the Muslim Javanese kings was sometimes went to excessive lengths. For example, Susuhunan Pakubuwono IX of Surakarta identified his ancestor Sultan Agung of Mataram as being of a higher status than is acceptable in Islam: *He was the All-Virtuous who had become the king, just like the Prophet of Allah in olden times.* (Susuhunan Pakubuwono IX 1898:92, quoted in Moertono 1968:55)

The Malay sultans, such as the sultans of Brunei, claimed that they were *Kalipatullah* or *Caliphs*, representatives of God on earth and successors to the Prophet Muhammad (Reid 1993 II: 170). The Javanese rulers of Mataram later also adopted this title, starting from the reign of Amangkurat IV (1719-1724), whose official title was *Prabu Mangkurat Senapati Ingalaga Ngabdu'-Rahman Sayidin Panatagama Kalipatullah* (Moertono 1968:28-9). Arabic terms were exploited to enhance the elegance and sacredness of Islamic kingship in South-East Asia; Reid (1993 II: 170) provides examples of the application of the Arabic terms *daulat* which originally means 'state', and *wahyu* which means 'the divine inspiration of the Prophet'. The meaning of *daulat* was transformed in the Malay states to refer to the essence or magical power of the sultan, while in Java the magical power of the sultans of Mataram was represented by the term *wahyu*.

2. Kingship in the Sultanate of Banten

Although the Sultanate of Banten was officially abolished in the early nineteenth century, people of the Banten area of West Java are still proud of the glorious history of the sultanate. This pride created a unity among the people of Banten for many generations and periodically inspired them to rise up against the Dutch administration (Guillot 1990: 9). Banten during the nineteenth century was a base for devout and radical Muslims (Kartodirdjo 1995: 123), and the revolt of the Banten peasants against the Netherlands Indies Government in 1888 was in large part a result of a sense of unity motivated by such historical consciousness.[2]

Moertono (1968:54) interprets the term 'all-virtuous' as referring to God, and points out that Pakubuwono IX had done something 'rather awkwardly to Islam'.

[2] Even earlier than 1888, the rebellion led by Ratu Bagus Buang and Kyai Tapa against the VOC and the Queen Regent or Ratu Syarifa between 1750-2 can also be considered as the first movement of the indigenous people of Banten motivated by their loyalty to the royal family and its sovereignty. The VOC was in this case considered an alien power which had caused the kingdom and royal family to decline.

The royal cemeteries of Banten in the compound of the royal mosque or *Masjid Agung*[3] and at the royal cemetery compounds of Kenari[4] and Pakalangan[5] are now places of pilgrimage, not only for the people of Banten themselves but also for Muslims from other areas in and beyond Java. Even pilgrims from Brunei, Malaysia and southern Thailand come to visit these holy places in Banten. In the perception of the people of Banten, the deceased sultans are venerated in varying degrees. Like the Muslims in Aceh, Palembang, Cirebon, Yogyakarta, Surakarta and Makassar, the people of Banten also believe in the divine and magical power granted to the sultans by God - the more famous a sultan is in the history of his kingdom, the more highly he is venerated at the present day. For example, Sultan Iskandar Muda of Aceh (r. 1607-1636), Sultan Ageng Tirtayasa of Banten (r.1651-1682)[6], Sultan Agung of Mataram (r.1613-1646), and Sultan Hassanudin of Makassar (r.1653-1669) are highly venerated. This is probably because Indonesian Muslims believe that the famous sultans, especially those who are now considered *pahlawan nasional* (national heroes), have more magical powers than other, less famous sultans. In the case of Banten, this kind of faith attracts pilgrims from other parts of Java and other islands in Indonesia to visit to the royal cemeteries of Banten,

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Recently, it was also this historical consciousness which became a motivation for local people to demand the elevation of the status of the Banten area or *Kabupaten Serang* from a part of the province of West Java to that of a new province under the name *Propinsi Banten* in 2001.

[3] Most of the Sultans of Banten are buried here. The cemetery compound is divided into two parts: the first part is a sepulchre called *Sebakingking* in which four sovereigns are buried (Maulana Hassanudin, Maulana Muhammad, Sultan Ageng Tirtayasa and Sultan Haji Abdul Qahar); the second part is located to the south of the mosque where most of the sultans of Banten during the eighteenth and early nineteenth centuries are buried.

[4] The Kenari royal cemetery is located outside the city wall to the south. Here Sultan Abul Mafakhir (d.1651) and Sultan Abul Ma'al (d.1650) are buried.

[5] Located south of the city wall, Pakalangan is the place where Maulana Yusuf is buried. According to the Sejarah Banten, this is also the place where Maulana Yusuf spent his childhood studying Islam and the skills of warfare.

[6] There is a debate among people in the Banten area as to exactly where Sultan Ageng Tirtayasa, who died in captivity in Batavia in 1692, is buried. The majority of people believe that his body was sent back to Banten Lama and buried in the royal cemetery in Masjid Agung Banten. Others believe that he was buried at his palace at Tirtayasa, east of the city of Banten Lama, where he lived after his first abdication around 1677. At the site of the Tirtayasa Palace there is still a tomb called *Makam Sultan Ageng Tirtayasa* in which people in the area believe the body of Sultan Ageng Tirtayasa lies. Although the tomb at the royal cemetery in Masjid Agung Banten is held to be the real one, the one in Tirtayasa is also a place of pilgrimage.

especially on the day after *Lebaran,* the day of celebration at the end of the Fasting Month.[7]

Pangeran Achmad Djajadiningrat, a descendant of the Banten royal family, writes (1936:71) about the Javanese art of living or *elmu kajawan* into which he had been initiated by his mother, in order to counterbalance his Western education in Batavia. One of his poems in Javanese indicates that respect for the sovereign was one of the elements of the 'art of living' of the people of Banten. The poem can be translated into English as follows:

> Venerate and love one's parents.
> Be genuinely devoted to His Majesty,
> The Sovereign, who rules the country,
> Constantly gratify all their wishes.
> Be respectful to them, outwardly and inwardly,
> That is the true *elmu* [knowledge],
> The foundation of chivalry.

2.1 The early stage of kingship: from religious scholar to king

The Sultanate of Banten was ruled by a Muslim dynasty which was established at the same time as the kingdom in 1527. The dynasty had no relations with the Hindu kingdom of Pajajaran which had been the overlord in the Banten area before Islam was brought in from Central and East Java. Instead of being established by a prince or warlord, as had been the mighty Javanese kingdom of Mataram, Banten was founded by Sunan Gunung Jati, one of the nine *Wali Sanga* (apostles of Islam) who played a role as leaders in spreading Islam throughout Java.

Sunan Gunung Jati and his son, Maulana Hassanudin, made a significant contribution to the conversion of the Banten area of West Java to Islam. According to the *Sejarah Banten*, father and son started their task by coming to stay as missionaries in the mountainous part of the Banten area where Hindu ascetics had settled and practised *tapa*

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[7] The Muslim pilgrims' visit to the Masjid Agung Banten at the present time creates a very similar atmosphere to the pilgrimage of the Buddhists in South-East Asia when they travel to pay homage to

(*Javanese*: ascetic practice in order to obtain power). At Mount Pulau Sari they were successful in converting a group of eighty Hindu ascetics to Islam before they moved on to the main city of the area called Banten Girang. There, the conversion plan was carried out with the cooperation of the local elites. After he and his son had spread Islam in the Banten area for more than seven years, Sunan Gunung Jati concluded his long-term task with warfare.[8] With the support of the Sultanate of Demak in Central Java, troops were launched to support Sunan Gunung Jati and Hassanudin in bringing the whole territory of Banten under Islam. Troops from Central Java took control of Jakatra and Sunda Kelapa, then the main ports of the Sundanese Hindu kingdom of Pajajaran, in 1527. Sunan Gunung Jati installed Hassanudin as the first ruler of the new Islamic kingdom and later also supervised the moving and rebuilding of the new capital city.

The *Sejarah Banten* provides a clear image of Banten kingship during the period of the early Muslim dynasty. The chronicle is believed to have been composed around 1662 or 1663, in the reign of Sultan Ageng Tirtayasa. In it, as in the other royal chronicles of South-East Asia, historical fact and myth are combined as a direct attempt to create more special images of Banten's sovereigns, to give them an exalted status and to confirm the legitimacy of the ruling dynasty. The royal chronicle provides strong evidence that the establishment of the Sultanate was a result of the spread of Islam in the westernmost area of Java by Sunan Gunung Jati. This claim is consistent with other sources, especially the *Suma Oriental,* the account of Tome Pires, a Portuguese resident in Malacca between 1511 and 1513 who visited Java at this time.

The status of Banten's rulers during the first three reigns before they began to use the title 'sultan' was that of both religious leader and king. The *Sejarah Banten* states that

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famous pagodas in Thailand, Burma and Laos, or of the Catholics in Europe where they make pilgrimages to the tombs of famous saints.

[8] The conversion to Islam of the kingdoms in Java is not connected with a continuation to expand their sovereignty by warfare: Sultan Agung's expansion of power throughout Java is a good example. Similarly, the expansion of the Sultanate of Demak to the Banten area to support the spreading of Islam of Sunan Gunung Jati and Hassanudin can be seen as a policy to expand the kingdom's territory.

the first ruler, Hassanudin, had spent more than seven years studying Islam and practising *tapa*. After that, he accompanied his father to perform the *Haj* in Mecca and returned to Java to conduct the conversion of Banten under his father`s supervision.

After he became the first ruler of the new Islamic realm, Hassanudin continued using the title *Maulana* which reflected his status as a religious scholar and leader. The Malay term *Maulana* is defined by Pigeaud (1938: 127) as being borrowed from an Arabic term *Maula-na,* which means 'my lord'. This term is also used to address religious scholars and learned doctors of law in the courts of Islamic countries. Islamic states in the Malay and Javanese worlds also adopted this word to address Islamic scholars or leaders.

The *Sejarah Banten* also states that Hassanudin was addressed by another title, *Panembahan Surosowan.* Panembahan literally means 'he to whom one makes a *sembah* (Jav.: veneration)'. *Panembahan* is glossed by Moertono (1968:160) as a 'title of persons of high rank or spiritual knowledge'. The two titles, *Maulana* and *Panembahan,* indicate a stronger concentration on the ruler's status as a spiritual leader than as a political leader. Another Javanese ruler who was addressed by the title *Panembahan* was Panembahan Senapati, the founder of the Mataram Dynasty.

The most important point to note about early kingship in Banten is the focus on the semi-ecclesiastical status of the king. The first three kings of Banten, Hassanudin (r. 1527-1570), Yusuf (r. 1570-1580), and Muhammad (r.1580-1596), all used the title *Maulana,* which reflects an attempt to identify themselves as religious scholars as well as rulers. To honour the king of a new Islamic kingdom as a religious scholar by addressing him with the title *Maulana* was probably equal to the depiction of kingship as an *avatara* or *devaraja*. *Avatara* means an incarnation of a Hindu god and *devaraja* is a deity who rules on earth. Both are Indianised concepts of kingship found in the Hindu-Buddhist states in Mainland South-East Asia and the pre-Islamic Javanese kingdoms. As Van Bruinessen states:

Banten's founder and first ruler, posthumously known as Maulana Makhdum or Sunan Gunung Jati, is considered as one of the nine saints of Java; he and his first three successors, Hasanuddin, Yusup and Muhammad, are given the religious-sounding title of Maulana before their names. This seems to indicate that these early rulers legitimated themselves by claims to sainthood or to the possession of (esoteric) Islamic knowledge and powers (*ngelmu*) – which made them the closest possible Muslim equivalent to the Hindu-Buddhist concept of the *Dewaraja* (van Bruinessen 1995:167).

This attempt to create a myth to promote the legitimacy of the Banten royal family is reflected in the way that the *Sejarah Banten* compares Sunan Gunung Jati with groups of *nabi* or prophets of Islam. It traces his genealogy back to Nabi Adam, the first man created by God and the ancestor of all humans. Important prophets of Islam, namely Nabi Yunus, Nabi Idris, Nabi Ibrahim, Nabi Ismail, and the Prophet Muhammad are also included in the list of Sunan Gunung Jati's ancestors (Djajadiningrat 1983:17, Talens 1997:125).[9] This kind of myth was applied in most of the kingdoms in the Malay world and Java, where it helped stabilise the status of the king as a religious or spiritual leader.

According to the *Sejarah Banten*, the Muslim royal family of Banten was initially established through the status of a family of religious and spiritual leaders who were successful in converting people in the Banten area to Islam. Over a longer period, the status of spiritual leader might not be sufficient to stabilise and secure the newly founded state, so that the kingship of early Banten required the first rulers to develop more roles than simply that of a priest-king. Hassanudin, the first king, had to create all the significant elements of his new kingdom, namely the capital city, royal palace, royal family, government, principal place of worship, and a stable economy. All these

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[9] The genealogy of Sunan Gunung Jati, the founder of the Banten Dynasty, is as follows:
Nabi Adam – Nabi Sis – Nabi Yunus – Kinayah – Malik –Pasir – Nabi Idris –Saleh – Lamak – Nuhud – Asim – Paseh –Palih – Runi – Saro – Pakir – Najur – Nabi Ibrahim – Nabi Ismail – Sabit – Yasjar – Yurad – Yarad – Japar – Manawi – Udad – Malab – Malah – Ud – Almuhar – Galib – Asim – Abdulmanap – Asim – Abdulmutalib – Abdullah – Nabi Muhammad – Patimah – Usen – Jenulabidin – Jenulkubra – Jumadilkubra – Jumadilkabir – Sultan Bani Israil – Mahdum Gunung Jati.(Djajadiningrat 1983:17)

elements were important for the secure establishment of his kingship. The Hindu city of Banten Girang, whose inhabitants he had successfully converted to Islam, was considered no longer appropriate to be a centre of the new kingdom. This city was a citadel located on the slope of Mount Karang, about thirteen kilometres inland; the name Banten Girang literally means 'Banten-up-the river' (Sundanese *girang*, 'up-river') as the city lies on the upper part of the river Ci Banten (Guillot 1990:12). This part of the river was too narrow and shallow for all types of vessels. There was no possibility for people to obtain access to the coast of the Java Sea directly and efficiently for overseas trade, if the centre of the new kingdom remained at this site.

Ceramic shards and coins discovered during the Franco-Indonesian archaeological excavation at Banten Girang in 1988 reveal that Banten Girang had traded, directly or indirectly, with Arabia, China, India, and states in the Indochinese Peninsula. Pepper, which was the main cash crop of the Banten area, had attracted merchants from these countries to come and trade with Banten Girang. This shows that the coast around the Bay of Banten had been a port before Hassanudin established his centre of power there. Other excavations carried out by the *Pusat Penelitian Arkeologi Nasional Indonesia* in 1982 and 1987-8 at Banten Lama, where the capital of the Sultanate was located, indicate that the area had been inhabited since the pre-historic period. This means that Hassanudin did not build his new capital on empty land, but on land which had previously been inhabited. The reports from archaeological excavations in both Banten Girang and Banten Lama support an argument against the traditional belief that the main reason for Hassanudin's moving the capital was his intention to build up a sea port for trade (Directorate for Protection and Development of Historical and Archaeological Heritage, 1988:20). This belief automatically leads to a conclusion that international sea trade was introduced to Banten after the Islamic Sultanate was established in the early sixteenth century. On the other hand, it may have been Hassanudin's long-term strategy

to realise the advantage of moving the capital closer to the available seaport and make it famous for overseas trade in order to make the Sultanate of Banten one of the biggest international markets in the Indonesian Archipelago. As an international market, Banten would be able to attract foreign merchants who would bring wealth to the ruler and help stabilise his status.

Political and religious factors may also have played a prominent role in persuading Hassanudin to move the site of his new capital. Tjandrasasmita (2000:52) argues that it was a custom among the Muslim rulers in South-East Asia not to establish the centre of a new kingdom in any defeated or deserted city, or a city which had been the centre of a non-Muslim state, because such locations were believed to be inauspicious for the new dynasty to reside in. It is possible that this traditional belief in Java influenced the *Wali Sanga.*[10] In the case of Banten, it is stated in the *Sejarah Banten* that Sunan Gunung Jati himself supervised the building of the new capital at Banten Lama.

His Holiness Susuhunan arrived
Accompanied with Maulana Judah
His Holiness said "Come here, Ki Mas [Hassanudin]!"
"We are now ready to go and look around the coastal area."
"These are my wishes:"
"Build here a city!"
"Here build a market!"
"Here is a place for the royal square."
"And build the royal palace over there!"

(Pudjiastuti 2000: 357)

According to the *Sejarah Banten*, Hassanudin's first act was to abandon an old city and build a new one. With the support of his father and the other *wali*, he married a daughter of the Sultan of Demak, with whose military support he was successful in establishing the Sultanate of Banten. This intermarriage created a kinship link between the new royal family of Banten and the older and more powerful Sultanate of Demak.

[10] For example, Sunan Ampel pointed to new place for Raden Fatah to build the city of Demak.

Through this kinship, Demak became both overlord and ally to Banten, which helped secure the status of this newly established sultanate.

The *Sejarah Banten* tells us that Hassanudin later no longer acknowledged the sovereignty of Demak over his kingdom. This can possibly be considered as a further step to legitimise his status as an independent sovereign in Java. At the same time, he carried out three more actions to secure the stability of the newly established sultanate and to confirm its independence. These three actions were the storming of the Hindu kingdom of Pajajaran, the major urbanisation of the city of Banten Lama, and the expansion of Banten's power into the Lampung territory at the southern tip of Sumatra which was the main source of pepper and gold. These actions made Banten the sole authority in the westernmost area of West Java and brought overseas trade to the Bay of Banten, which became a much more famous seaport than the one during the pre-Islamic period, and led to the economic prosperity which reached its peak in the seventeenth century (Guillot 1990: 20-1).

Economic growth and the expansion of the territory affected the internal political system and status of the ruler. This can be observed in the case of Maulana Hassanudin himself, in that the *Sejarah Banten* tells us that his ruling status at the end of his reign was different from when the sultanate was first established. Starting as a religious scholar who spent more than seven years converting a group of Hindu ascetics to Islam, he became a sovereign whose status was much more than simply the defender of the faith and spiritual leader. By the end of his reign he was political administrator, religious leader, troop commander and also lord of life over his subjects.

After the reign of Hassanudin, the status of rulers of the Sultanate of Banten evolved further beyond the status of a religious scholar, possibly due to the growth of the economy. The *Sejarah Banten* states that Maulana Yusuf (r.1570-1580), the son of Maulana Hassanudin, still maintained his image as a very pious sovereign. Indeed, he is

still perceived by the people of Banten as having a holy status. His tomb in the Pakalangan district outside the city wall has been a holy place of pilgrimage for Muslims from all over Indonesia. Inside the mausoleum, a number of manuscripts and old books written in Arabic can be seen. Guillot (1990:68) claims that most of these are copies of the Koran and other religious manuscripts and books dating from Yusuf's reign. In the reign of his father, Maulana Yusuf as *Pangeran Anom* or co-sovereign also played a role as the initiator of the construction of the Masjid Agung or the Great Mosque of Banten. In addition to his role as a religious man, *Pangeran Anom* Yusuf had been well trained as an assistant to his father in the development of the city of Banten Lama and in leading troops to conquer the kingdom of Pajajaran and probably also the southern part of Sumatra. According to the *Sejarah Banten*, at the end of Hassanudin's reign, the territory of the Sultanate of Banten covered the whole Sundanese area of Java, except Cirebon, and included the areas of Bengkulu and Lampung in South Sumatra. The *Sejarah Banten* states that Maulana Yusuf had harmonised the roles of religious scholar and state administrator. The chronicle honours him as one of the greatest sovereigns of Banten.

> His Majesty is granted a great spiritual strength by Allah, as if it was the strength of sixty men together. His Majesty is strong and adheres to Allah. Day and night he never stops worshiping Allah, no matter whether it is optional or obligatory worship. His Majesty is also a hard working person. He has new lands and ricefields opened, and also many villages have been built.
>
> His Majesty contributes good things to the state. He has canals dug and river dammed up, to provide benefits to the people. He has the city wall and palace wall made with bricks and coral stones. He has a large quantity of weapons made and accumulated. He recruits all devout people who are clever and appoints them as his officials (Pudjiastuti 2000: 364-5).

2.2 The formulation of kingship in Banten: From Maulana to Sultan

Kingship in the Sultanate of Banten was developed in parallel with the expansion of the kingdom. Pepper plantations brought in a large number of immigrants from other parts

of the Archipelago, namely East Java, Makassar, Madura, Bali, Sumba and Sumbawa, as labour in the plantations and ports (Guillot 1995: 10-11). These migrants made Banten a larger cosmopolitan society. The expansion of the kingdom reached its peak with the prosperity of the kingdom in the seventeenth century when reformation of kingship became unavoidable.

It was necessary for the rulers of Banten as a newly established but rapidly growing domain to gain recognition from other states, especially those in the Islamic world. As a Muslim state, to request superior status from Mecca, the centre of the Islamic world, was an appropriate way to help certify and promote the ruler's greatness. It was the son of Maulana Muhammad, Pangeran Abdul Qadir (r. 1596-1651), who sent an envoy to the Grand Sharif of Mecca, requesting permission to use the title of sultan. His envoy returned to Banten in 1638 with presents from the Grand Sharif and the title *Sultan Abul Mafakhir Mahmud Abdul Qadir*. From the reign of Abdul Qadir, it became the practice in Banten that on the accession of a new ruler, an envoy would be dispatched to Mecca to request the title of sultan (Djajadiningrat 1913: 66-7).

Sultan is an Arabic abstract noun, which originally meant 'power, authority' or 'holder of power, authority'. Apart from the *Qur'an* and *Hadith*, other Islamic literature since the tenth century has used this term mostly in the sense of governmental power. In the *Hadith*, for example, there is a very famous sentence, *al-sultan zill Allah fi 'l-ard*, which means "Governmental power is the shadow of God upon earth." (Encyclopaedia of Islam, 1997 IX: 849).

Generally speaking, the term *sultan* has been used as a title for Muslim rulers in the Middle East since the eleventh century, and it is probably in the Saldjuk dynasty that this title became regular usage (Bosworth 1962: 222-4). During the thirteenth and fifteenth centuries, there was a shift in the meaning of title *sultan* in the Middle East, in that it was used not only to indicate the absolute governmental authority of a ruler, but also to

express his independence. In the *Hadith*, governmental authority is considered the shadow of God, and it was emphasised during this period to make the title and its bearer more sacred. It was the Mamluk dynasty of Egypt and the Ottoman Empire which caused this title to be acknowledged by Muslim communities in their lands (Encyclopaedia of Islam 1997 IX:850). The Encyclopaedia of Islam (IX 1997:850) states that the title *sultan* is a title only in Sunni Islam.

The use of the title sultan by the Muslim rulers in South-East Asia probably started in the thirteenth century when Islam was adopted as the religion of some coastal communities in North Sumatra and on the north coast of East Java. A tombstone discovered in the northern part of Aceh bears the name of Sultan Malik as-Salih who died in 1297. He was a sultan of a state called Samudra which was established from a small coastal community during the late thirteenth century.

There were two different ways in which the title sultan could be adopted among the Muslim rulers in South-East Asia between the late thirteenth and late seventeenth centuries. In most cases the title was not directly granted to the ruler of a state who converted to Islam or who established the state, but was conferred either after Islam had been firmly established or once stability had been achieved in that state. The second way was to adopt the title as part of Islamisation in a kingdom, in order to declare the revolutionary conversion to the new faith.

The rulers did not give themselves the title of sultan. They had to resort to the authority of either Mecca or respected indigenous Islamic scholars to help entitle them. In the first way of assuming the title, those rulers generally still continued to use Indianised or traditional titles in their local language.

The various elements of Banten kingship as discussed above indicate that the status of the sultans of Banten in the latter half of the eighteenth century was not much different from that of others rulers in traditional South-East Asian states at that time. In the eyes

of the rulers and subjects of Banten, all the sultans still fully maintained their status as both political and spiritual leaders. Even though the VOC might maintain its right to nominate its favoured prince to be crowned as sultan, this did not detract from the significance of the sultan's status and position at all.

The discussion of the character of Banten kingship in the late eighteenth century in this chapter forms a foundation for us to move on to an examination of another authority in the sultanate, namely the VOC, in the next chapter. This chapter will look at both the policy and actions of the Company, as it endeavoured to establish itself in the role of 'overlord' over the Sultanate of Banten.

Chapter 2

The Dutch Overlordship

In order to reconstruct an autonomous history of the Sultanate of Banten during the final 58 years before its abolition, it is necessary to put into a proper perspective the picture of the Dutch administration in the realm. By doing this, the picture of Banten as a still dynamic society[1] should become more obvious. There are three things to be discussed in this chapter. First, the evolution of the Dutch administration in Banten before 1750 will be discussed. Second, the development of the Dutch administration in Banten from 1752 to 1808 will be examined. The third part proposes the idea that the Dutch East India Company, and later the Government of the Netherlands Indies, imposed its sovereignty over Banten with a proper administrative system. This unique administration consisted of various components, each of which will be discussed.

1. The evolution of the Dutch Administration in Banten before AD 1750

The establishment of Dutch power in Banten from 1682 might have been influenced by the classical ideas of expanding the 'periphery of power' and creating 'tributary states'. This political ideology was enacted in the ancient Hindu-Buddhist states in South-East Asia, such as Srivijaya, Cambodia, Majapahit, Ayutthaya, and Burma. The later established Islamic states in the Malay Peninsula and Indonesian Archipelago like Aceh, Johor, Demak, Mataram, or Banten itself, also inherited this ancient ideology, and claimed sovereignty over their smaller neighbouring states (Moedjanto 1986: 104; Reid 1993 II: 234; Andaya 1994: 430-1). In such a tradition, a powerful state initially might raise troops to invade and conquer one or more smaller neighbouring or distant states, in order to induce them make them to recognise its sovereignty. After the conquest, however, the inhabitants of those states were not driven away, nor ruled directly under

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[1] The meaning of a 'dynamic society' is a society whose elements are still actively working and relating to each other. In the case of Banten, the term dynamic society is used to represent a society under the sovereignty of the Dutch East India Company (VOC), and later the Government of the Netherlands Indies, whose social structures still continued their full activities independently from the authority of the Dutch overlordship. Elements considered as comprising social structures in this thesis are the king and royal family, the government and officials, and ordinary people.

the authority of the conqueror (Day 1966: 3). Rather, the conqueror kept the native ruler and government in place, and allowed them to carry on the administration according to the same local tradition. The conquered states, in the meantime, had to show that they respected the conqueror as their overlord by paying tribute at fixed times or intervals and making other contributions, according to requirements (Andaya 1994: 429). These contributions normally included sending troops to support the overlord state in wartime[2], presenting a daughter of the vassal king as a concubine to the overlord king[3], or even providing labour and materials for monumental constructions in the sovereign state[4]. In traditional South-East Asian states, the tribute paid to the overlord states was generally in the form of precious artefacts, for example, artificial trees or flowers made of gold and silver, called in Malay '*Bunga mas dan perak*' (Suwannathat-Pian 1988: 19), as well as natural resources or products which were abundant in the tributary state, and also labour or slaves.

The establishment of sovereignty over smaller states by the powerful kingdoms in both Mainland and Maritime South-East Asia is believed to have been partly influenced by religious beliefs, namely those of Hinduism and Buddhism. Kings in the ancient Hindu-Buddhist states generally identified themselves as the '*Chakravatin*' or universal king who conquered and ruled over the smaller states to establish his sphere of power (Coedes 1968: 44). In order to maintain this status, they had to make the smaller states recognise their power, as is depicted in *Deśawar□ana* or *Nāgarak□tāgama*, a work of Old Javanese literature composed in the fourteenth century.[5] It was written to honour King *Rājasanagara* of Majapahit, whose overlordship over other states is described thus:

> As King of the Mountain, Protector of the Protectorless, he is lord of the lords of the world... (Canto 1.1)

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[2] From the sixteenth century onwards, the Kingdom of Ayutthaya or Siam required its tributary states to send troops to help it fight with Burma.

[3] For example, some of the Kings of Siam in Ayutthaya and Bangkok period adopted princesses of their tributary vassals, such as Chiengmai, Laos, and Northern Malay states, as concubines.

[4] A good example is Siam during the Ayutthaya and early Bangkok period. The construction of a gigantic royal funeral pyre for the cremation of a deceased king always needed wood and labour from Northern Malay states.

[5] Composed by Mpu Prapañca, the head of Buddhist monks in the court of King Rājasanagara.

> The illustrious King of Wilwatikta, King Rajasanagara, the supreme prince. He is plainly an incarnation of the Lord Nātha as he removes the impurities of the realm;
> The whole land of Java is most devoted and obedient, extending even to other countries... (Canto 1.3)
>
> More and more the other islands pay homage to the King,
> And regularly bring contributions of product-tax each month.
> From the efforts the King makes to ensure its good management,
> Scholars and officials are always being sent out to carry off the tribute (Canto 15.3). (Robson 1995)

However, the overlordship and tribute systems in ancient South-East Asian states also existed in non-Indianised states such as the pre-Islamic kingdoms in South Sulawesi (Caldwell 1995: 395-398). For this reason, it is not always true that this tradition was the result of an influence of the major religions from India. It may also be considered a local political tradition pertaining to the indigenous people of South-East Asia.

The rise of Islamic states in the Malay Peninsula and the Indonesian Archipelago after the fourteenth century did not cause much change to this old tradition. The newly established Islamic states still carried on the classical tradition of expanding their power and building up their overlordship over smaller states.

> Islam vanquished the Indian religions and became in time practically the exclusive faith of the inhabitants of the island. In its progress through Java it broke up the old states into new ones, but there is no evidence that it changed the character of the political organisation, or added anything essential to it (Day 1966: 9).

Banten, for example, conquered and claimed sovereignty over several regions outside Java: the Lampungs, Silebar, Indragiri and Palembang in Sumatra, and Landak and Sukadana in Kalimantan.

A conflict within the Banten dynasty provided the opportunity for Dutch interference and the eventual establishment of their sovereignty of the kingdom. This chapter will divide the changes of Dutch attitudes and policies towards Banten into three stages: the

first stage between 1682 and 1752; the second between 1752 and 1808 and the third after 1808. In each stage, it may be seen that the attitude and policy of the Dutch became more aggressive, until in 1808 the Sultanate was finally abolished and annexed as part of Batavia.

Apart from the establishment of the Dutch power in Banten in 1682, two other changes were made after failed attempts by either religious leaders or Banten nobles to raise indigenous people up against the VOC and later the Government of the Netherlands Indies. Not even once was the uprising successful in ousting the Dutch from Banten; on the other hand, each uprising was considered a rebellion in the eyes of the Dutch.

The VOC first established its sovereignty over Banten in 1682, when the VOC agreed to support Sultan Abdul Kahar Abul Nassar (better known as Sultan Haji r. 1682-87) in a conflict with his father, Sultan Abdul Fatah or Sultan Ageng Tirtayasa. Sultan Haji agreed to pay six hundred thousand reals to the VOC in exchange for its assistance against his father, and Banten would then become a Company protectorate. The Sultan also had to grant the Company a trading monopoly, and all other European merchants were to be expelled from the Sultanate.[6] After the VOC troops successfully overthrew Sultan Ageng, Sultan Haji, who was maintained on the throne by the Company, had to keep his promises. The VOC was granted a monopoly of the pepper and textile trade in Banten, Lampung and Silebar[7] and allowed to build its fortresses and garrisons in the city of Banten, and in strategic areas along the coasts of Banten Bay and the Sunda Strait. In this case, Sultan Haji might be considered to be what Reid has called a 'Company's king'.

> The favoured VOC tactic in this quest was to find a 'Company's king' who could be bullied into consigning to the Dutch the sole right to purchase pepper exports at low prices and to import Indian cloth at high ones (Reid 1993 II: 280).

The installation of Sultan Haji as the 'Company's king' of Banten suggests that the VOC initially had no intention of ruling the Sultanate of Banten directly. To monopolise

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[6] Four European trading stations had existed in Banten before 1682. There were the stations of the British, French, Danes and Portuguese.

[7] However, the VOC only paid attention to the pepper trade.

the pepper trade in Banten was the major interest of the VOC. The right to monopolise the pepper trade in Banten, which was the first condition proposed by the VOC on Sultan Haji, indicates that the Dutch originally concentrated on their commercial interests. However, they did not take quite so seriously the six hundred thousand real payment they required for assisting Sultan Haji to gain power; this he could pay either in spices or pepper, or by remission of duties. It might be seen that the VOC proposed only the conditions that would profit their trade. To put a Company's king on the throne under the Company's protection was to appoint an agent to guarantee the Company's interest in the Sultanate. The Dutch preferred the local elite to carry on the task of administration in the kingdom. As long as the Sultan and the government ruled the kingdom in accordance with the Company's commercial policy and the internal affairs in the Sultanate did not affect their commercial interests, the Dutch would not interfere.

Several contracts signed by the Dutch and the sultans of Banten between 1684-1691 suggest that the Dutch East India Company during that time had no intention to rule Banten directly, but only to control the Sultan and his government in order to help defend their economic interests in Java. The details of all these contracts in general are similar to the contract signed on 10 July 1659, before the Dutch established their influence in Banten. Indeed, it may be said that the Dutch simply kept renewing the same treaty each time a new Sultan was crowned. In addition, the details of these treaties also showed that the Dutch tried hard to avoid any responsibility for ruling the sultanate directly. Instead, they also tried to profit from Banten as much as possible. Some conditions in each treaty should be mentioned here.

1. The Sultan of Banten had to accept that the sultanate would never give any kind of assistance to the enemies of the VOC, nor engage in any hostile act against the company's allies, namely the *Susuhunan* of Surakarta and the Sultan of Cirebon.

2. Banten would recognise the boundaries between the sultanate and Batavia which were the point from the mouth of Tangerang river up to its source[8], and from there straight down to the south coast. Apart from that, Banten also had to recognise the right of the VOC over the whole Tangerang River, together with six hundred rods of

[8] This river flows northwards to the Java Sea.

land north of Fort Babakan (in Tangerang) to the sea.

3. The VOC had right to build *paggars*[9] or fortresses on the west bank of the river in the territory of the sultanate for security.

4. The sultan's subjects still had the right to fish and to use water in the river for irrigation, but no vessels were allowed to enter the river from the sea without the Company's permission.

5. The Sultan had to give up all claims to the principality of Cirebon.[10]

6. The VOC did not have to pay any rent for the land and factory they were using in Banten; on the other hand, the Sultan had to provide as much ground as the purposes of the factory might require.

7. The Sultan must not sign any treaties with other foreigners.

As a result, after 1682 the Sultanate of Banten was still the domain of the Sultan who now had to recognise the VOC's authority. The company did not do anything with Banten to turn it to a colony, as the Portuguese did with Malacca in 1511. The establishment of the Dutch influence in Banten after 1682 is only one example of how the Dutch managed their power in Java before a genuine colonial policy was introduced in the nineteenth century. It is well described by Day:

> The Dutch have been at all times few in proportion to the mass of natives. Java has been to them not a 'colony' but a 'possession' or 'dependency'. They have kept their place in the island not by driving the natives out, but by learning to work with them and to rule over them (Day 1966: 3).
>
> One man cannot know or govern ten or hundreds of thousands. The.... have had to work and rule through native chiefs, and through the customs of government which those chiefs represent (Day 1966: 3).

Banten lay 73 kilometres west of the Company's headquarters, Batavia, and was also the biggest port for the pepper trade, a trade which could bring a huge income to the VOC each year. To treat Banten as its vassal guaranteed that all the pepper and other kinds of agricultural products from Banten were totally under the Company's

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[9] Malay *pagar*, meaning pallisade.
[10] The claim had been made since the reign of Sultan Ageng Tirtayasa.

monopoly. The conditions concerning the production of pepper were repeatedly proposed in all the agreements and contracts signed by the VOC and the sultans of Banten after 1684. In the accounts and letters written by the Dutch officials, the local officials in Banten, or foreign visitors, the condition of strict control over the pepper production was never been omitted, for example:

> Beside which, there is a strict engagement entered into by the king, not to sell any pepper, or anything else of the produce of his country to other nations. It must all be delivered to the Company, for a certain stipulated price. And this does not solely regard the pepper, produced in his dominions in Java, but likewise all that is grown in his other territories, his conquered provinces, situated in the great island of Borneo, and in Sumatra, which likewise yield much pepper (Stavorinus 1769 II: 212-3).

There is, however, another action reflecting the Company's concern regarding its economic interests in Banten. Apart from strict contracts or agreements, its way of guaranteeing that all the Company's requirements would be followed was to maintain some armed forces in the city of Banten and some other main dependencies, as well as to appoint a commandant as the Company's representative to supervise the Sultan and his government (Stavorinus 1769: 69-70).

Although the VOC strongly defended its economic interest in Banten through all the abovementioned arrangements, there is evidence that the company still recognised the Sultan's authority over his realm and did not intervene in the way of life or the individual lives of the natives. As long as their economic interests were not affected, the Dutch were happy to let all internal affairs be decided and administered by the traditional regime. On 15 February 1686, the Dutch accepted an agreement proposed by the Sultan on the company's role and the appropriate behaviour of the Dutch in Banten. Certain conditions in this agreement should be mentioned. The first condition was that the Dutch should not leave their factory during the night. Second, they were not allowed to go out of the city of Banten without the Sultan's or the Resident's permission. Third, they should not enter the natives' houses during night time. Fourth, they should not take away any goods from markets without paying. Fifth, they should not enter any gardens or premises without asking for permission from the owners. Sixth, they should not enter

any places of worship without permission. Seventh, they should not detain any females in their houses, nor stop them in the streets. Eighth, they should pay the Sultan proper homage when they saw his procession passing along the streets. Ninth, they should not stop whenever they saw the Sultan and the Queen bathing in the river, but they must pass without looking at Their Royal Highnesses. Tenth, they should not interfere in any disputes or juridical proceedings of the natives. Lastly, offenders of either side should be punished according to their respective laws, and each by his own nation (Heeres 1907: 392-406).

A likely reason for the Sultan of Banten's requesting the VOC to accept the agreement regarding the proper behaviour of the Company's men in the capital is that unacceptable actions were repeatedly being committed by them. The conditions suggest that there might have been some, or perhaps many, of the Company's staff in Banten who did not respect the local customs and way of life, and still behaved in their own way. Improper actions also indicate disordered conditions in the VOC community, as the Company's men always behaved like this in all the cities of the East Indies they entered (Day 1966: 97-8).

2. The Dutch administration in Banten between A.D. 1750 and 1810

No aggressive action was performed by either noble or ordinary people for more than sixty years after the Dutch had established their influence in Banten in 1682. In the reign of Sultan Zainul Arifin (r.1733-48), events happened in the court of Banten which later made the VOC strengthen its administration in the kingdom. The coming to power of Ratu Syarifa[11], the Arab Queen of Sultan Zainul Arifin, in late 1748, with the support of the VOC and later, in 1750, the rebellion against the Company and Ratu Syarifa led by Ratu Bagus Buang and Kyai Tapa created dangerous disorder in the Sultanate which the VOC found they could not ignore. The uprising spread to various areas in the realm and caused much damage. Even the Buitenzorg estate, south of Batavia, where the Governor-General Baron van Imhoff had a luxurious retreat built, was devastated. The Company wasted two years in launching troops from Batavia to subdue the rebellion in

[11] Her official name was Ratu Syarifa Fatimah.

several areas and to restore peace in Banten.

The support which the VOC gave to Ratu Syarifa in order to gain power in the sultanate may also stem from the Company's concern for its economic interests. It is obvious that Ratu Syarifa, after being established as *Koninginne Regentesse* or Queen Regent, offered many concessions to the Company. The surrender of the rich agricultural area of Cisadane to the VOC, which is believed to have been one of the main causes of the rebellion, derived from the VOC's economic ambitions. Moreover, it may be seen that the Dutch did not hesitate to remove Ratu Syarifa from power as soon as they realised that the person they had put into power in the sultanate was no longer able to guarantee their economic interests, but that her appointment caused disturbances instead (Ricklefs 1993: 104-5). The new Company's kings, the 'Sultan Regent' Adi Santika,[12] and later Sultan Zainul Asyikin (reigned 1753-77) were like their predecessors - put on the throne of Banten to secure the Company's interests.

On 17 April 1752, the Sultan Regent also had to sign a contract with the VOC to submit his kingdom to the Company's sovereignty. The twenty-three points in this contract indicate several changes which the Dutch intended to cement their status in Banten after the rebellion. Of course, the aim of improving their policy and administration in Banten was still mainly to protect their economic interests, but several reductions in the Sultanate's control of its internal affairs may be seen in this treaty. Some conditions should be mentioned here.

In point three, the Sultan was not allowed to construct any fortress in the kingdom or even in the territories under Banten's sovereignty, such as Lampung Tulang Bawang, without permission from the Company. Nor, in future, would any correspondence with other countries be allowed without the Company's consent.

In point seven, the produce of pepper or other crops which might be grown in the kingdom must be delivered to the VOC. The prices of pepper were fixed at 3 Spanish reals per pikol for black pepper and 10 Spanish reals per pikol for white pepper.

According to condition ten, the Company would help the sultan in any case of

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[12] He was a younger brother of Sultan Zainul Arifin, and was appointed Sultan Regent following the return of Sultan Zainul Asyikin from his exile in Ceylon.

emergency, including helping Banten fight both its internal and its external enemies. It is stated, on the other hand, in point eleven, that the sultan must also help the Company fight its enemies and keep its own kingdom in order.

In point twelve, should the sultan or anyone under his rule rise up against the Company, the whole kingdom must be abolished and put under the Company's sovereignty.

In point thirteen, the VOC considered all the Chinese in the Kingdom of Banten to be under its control.

In point fourteen, the Muslim inhabitants were also considered to be under the Company's protection, but their old way of life might be carried on. They still had to respect the sultan and pay taxes to him.

In point fifteen, the VOC also included the other ethnic groups in Banten, namely Malays, Bugis, Makassarese and Balinese, under their control and protection.

In point sixteen, the Company considered children of European men and Banten women in two ways: sons were under the Company's control, while daughters were considered part of their mother's kin group.

In point seventeen, the VOC required the sultan to pay financial compensation for their losses during the rebellion (1750-52). These payments were to be spread over twenty-five years.

In point twenty-two, the sultan must show that he accepted the Dutch overlordship by paying tribute in the form of 100 *bahar* of white and black pepper to Batavia each year.

The recognition of the Dutch overlordship was also required again in point twenty-three. The sultan must respect the Prince of Oranje-Nassau and the United Dutch East India Company as his lords (Heeres 1907: 547-63).

The 1752 contract is only one of more than twenty contracts which the VOC signed with the sultans of Banten. Normally, the contracts were written in three languages: Dutch, Javanese, and Malay. The 1752 contract and the other three contracts signed on 22 September 1753, 29 August 1777 and 18 December 1793 are similar in details and they are good indicators of the Company's more stringent policy towards the Sultanate

of Banten.

Among the conditions stated in the 1752, 1753, and 1777 contracts, more than a half are requirements concerning Dutch economic interests in Banten. Apart from the yield of pepper and other products, the Company was also concerned about the Lampung area on South Sumatra which was then the largest source of pepper in the Archipelago. The Company even required the Sultan to pay good wages to the Lampung people who worked in the pepper plantations, and to help construct and maintain new fortresses in this area. The significance of the Lampung area to the VOC was also mentioned in 1769 by J.S. Stavorinus:

> These are subordinate or conquered provinces of the Kingdom of Bantam and yield a considerable quantity of pepper annually. The officers of the Company who reside there, are chiefly stationed, in order to keep watchful eyes upon the spice, that it do not fall into any other hands than their own (Stavorinus 1769: 70).

The Dutch paid no less attention to the control of labour, which was also a very important economic resource, than to the control of products. This labour force included most of the inhabitants of the Sultanate and also the other ethnic groups living in Banten as the Company's subjects. In addition, the Sultan must pay attention to labourers under Dutch control, and if they attempted to escape or betrayed the Company, have them arrested.

After 1752, the VOC continued making profits from the monopoly of the pepper trade in Banten by using the traditional political structure, namely the Sultan and his government to exploit the kingdom for them. The Sultan was still the ruler of the semi-independent state of Banten and had full power over his government and subjects. The fall of the VOC at the end of the eighteenth century, and the later period of the Batavian Republic, did not bring much change to this policy which had been practised for over two centuries. The government of Batavia adhered to the same overall policy as the VOC, namely to protect 'the wealth of the fatherland'.

> [...] rather a system of oversight (Bestuur van Toezicht) than a direct government, so that the natives will be left to the authority of their own manners and customs, under their

own laws and legal system (Day 1966: 143).

The arrival of the new Governor-General, Herman Willem Daendels, who was appointed by King Louis Napoleon, may be considered the last turning-point for the Dutch administration in Banten. 'A man of energy', who sought actively to reform the Dutch administration in the East Indies, Daendels' policy had a strong effect on the status of Banten. The reforms and development projects which Daendels intended to introduce in all parts of Java, including Banten, have been considered the main reason for the disorders which were later to make the Dutch Government change their policy with regard to the administration of Banten.

> With regard to the causes of the troubles which occurred in Bantam last year, in my opinion they are to be found only in the general change of the Government & Administration on the whole island of Java & the different new places & alterations introduced by Marshall Daendels after his arrival at Anjer on 1 January 1808.
>
> But to return to the affairs of Bantam, I do not believe it will be very surprising when I say that the extraordinary alterations & the very severe measures His Excellency adopted in the time of one year in the affairs of this country which never had been accustomed to such arbitrary measures gave it a severe shock & brought about the troubles & misery we have witnessed. He required things which were never heard of either in Bantam or any other part of the Island, such for instance as the conscription of the recruits for the army; but the grand cause of the tumult, the outrages, the murders & desolation in Bantam was the scheme of an establishment of a harbour in Merak Bay (Raffles 1965: 241-2).

The construction project of a habour at Merak Bay began in June or July 1808. However, the Dutch were unable to finish this project as soon as they had expected. It was said that the project was undertaken without good planning and later it encountered several problems. In addition, people were forced to work in very unhealthy conditions, which led to outbreak of infectious diseases, which decimated the work force.

The harbour project at Merak Bay was only a part of the plan of the Dutch government under Daendels to draw additional benefit from this part of West Java. The introduction of a massive coffee plantation in the highland of Banten and the construction of new roads to link the north coast of Banten to the highland and the south

coast also *"imposed new and unusual burthens on the people "* (Raffles 1965 [1830]: 242).

The failure to complete the Merak Bay project disappointed Governor-General Daendels and he blamed the Sultan for being backward and unwilling to cooperate and assist him. As a result, Daendels felt he had to do something to devalue the status of the Sultan of Banten. Daendels ordered the Resident of Banten, Du Pui, to take an ultimatum to the Sultan. The command consisted of three conditions:

1. The Sultan must abandon and then demolish Kraton Surosowan or the royal palace.[13] Daendels gave as the reason that the Fort Diamant and the palace complex were in an *unhealthy* condition.
2. The Sultan must dismiss his first minister and send him to Batavia.
3. The Sultan must introduce a coffee plantation in the highlands of Banten in the same way as had been done in Jacatra. In doing this, the Sultan must provide security to the Europeans who would be sent to supervise the cultivation.

Daendels' envoy, Mr. Du Pui, obtained an audience with the Sultan in November 1808. The Sultan accepted the second and third conditions, but he adamantly refused to comply with the first article. The Sultan's refusal led to heated words:

> [...] and they rose to such high words on the subject, that the people in the palace became tumultuous. Mr. Du Pui ran out without taking any precautions and assembled some soldiers of his guards whom he led on to the palace, took himself a musket from one of the soldiers and fired at the Sultan, who was standing at the gateway. The concourse of people without was so great that everyone within endeavoured to make their escape and in the first uproar Mr. Du Pui with some of his soldiers were murdered and the rest of them together with Lieutenant Kool were imprisoned by order of the Sultan. The Lieutenant was killed during his confinement by the hands of the late first Minister (Mackenzie Collection).

The murder of Du Pui led to the Dutch government's aggressive reaction as described by Raffles:

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[13] The royal palace was built by the first King of Banten, Maulana Hasanudin around 1527.

> In carrying these orders into execution, the resident having imprudently risked his person, was murdered. This fatal accident was the occasion of sending a considerable military force to Bantam, by which an immediate and thorough change in the native government was effected. The reigning Sultan was removed from the throne and banished to Amboina, and a relative was raised to the sovereign power (Raffles 1965 [1830]: 242).

It might be said that this event marked the official abolition to the Sultanate. As Daendels himself stated:

> Although the infamous and treacherous manner in which Mr. Du Puij, the first officer of the Dutch Government at the Court of Bantam and other inferior servants have been murdered with the absence of the late King of Bantam, Paduca Seri Aboel Mahomet Izlak Molukein and his councellors, at the particular instigation of the Prime Minister seemed sufficiently to justify on the part of the Dutch Government the **total abolition** of the Kingdom of Bantam (Instruction for the Sultan of Bantam, 27 December 1808).

However, 'the total abolition' in this instruction does not mean that the Dutch intended to uproot all the traditional social structures in the kingdom, especially the Sultanate and the traditional government. They just caused the old political institutions to lose their sovereignty and legitimacy over Banten. The first step in reducing the significance of the Sultan and his government was to destroy Banten Lama, the political and spiritual centre of the kingdom. In this regard, the Dutch administration claimed that:

> And although His Excellency the Marshall Daendels, Governor General, has been obliged to adopt military measures in consequence of which the Castle the Diamond, the residence of the sovereign of Bantam, has become a property of the conqueror (Instruction for the Sultan of Bantam, 27 December 1808).

The destruction of the royal palace and the removal of the centre of the administration to Serang[14] was a crucial act aimed at making the capital of the once

[14] Serang is still the centre of the Banten area at present.

flourishing and powerful kingdom meaningless. The additional act of putting the Sultanate of Banten under the superior rule of the Dutch government is stated in the main part of this instruction.

In minimising the territory of Banten, the Dutch declared that the sultanate had no more right of rule over its two main domains. The Lampung area in South Sumatra, which had been the largest source of income from pepper plantation to Banten for centuries, was (as set out in condition one) no longer considered to be part of the sultanate, but was now under the direct possession of the Government of the Netherlands Indies. Meanwhile, it was stated in condition two that the lands along the river Cidame, as far as three rods to the eastward of the river Cimondree, were no longer a part of Banten , but a part of Batavia (Instruction for the Sultan of Bantam, 27 December 1808).

In the administration of the sultanate, the government at Batavia would appoint a prefect to be head of the administration in the Banten area. The Sultan was forced by the 1808 instruction to respect and obey the orders of the prefect as a representative of the government at Batavia. He could not frame any new regulations for his subjects without the advice and approval of the prefect. In condition six, the Sultan no longer had the right to appoint the *Rijkbestierder* or chief minister. The government in Batavia would appoint someone appropriate for that post and the chief minister would be the one who put any policies or orders from the government into practice. In the same point, the chief minister had to swear that he would never take direct orders from the Sultan other than those given by the prefect.

The revenues of the kingdom, which had previously been received by the Sultan, were to be directly administered by the government. The Sultan would be paid only 15,000 Spanish reals, but he was able to draw 5,000 Spanish reals additional income from farms and markets which belonged to him.

3. Composition of the Dutch administration in Banten

The Dutch East India Company, and later the Government of the Netherlands Indies, imposed its sovereignty over Banten through its own administrative system. The

administration consisted of various components, which were significant for its security and stability. The core of the administration was the settlement or base which was located separately from the native communities. The other parts of the administration which will be discussed are officials and troops, and protocol in dealing with the native government. These components existed in every unit of the Company's administration throughout the Archipelago.

The term 'Dutch administration' does not mean an administration which consisted of one hundred per cent Dutch people from the Netherlands. As in the other bases of the VOC in and outside the Indonesian archipelago, the 'pure' Dutch might have formed only a small part of the whole settlement in Banten. In Batavia, the largest part of the 'Dutch' community consisted of the *Mestizo* or people of mixed birth, as described by Taylor:

> It underlines the fact that the migrants on Dutch ships represented many states in Europe and that the local people amongst whom they lived included Indians, Japanese, Indonesians of all sorts, and people descended from an earlier meeting for East and West, from unions between Asians and the Portuguese (Taylor 1983: 54).

In addition to the Mestizo Dutch, who may have comprised the majority of the population in other major Dutch settlements, there were also many Europeans or part-Europeans from other parts of Europe. As a result, the VOC's bases were melting-pots of assorted cultures which had been integrated under the dominant Dutch way of life.

3.1 Headquarters and bases

The VOC's headquarters in Banten was Fort Speelwijk. The construction of this fortress began around late 1682, after the civil war between Sultan Ageng Tirtayasa (r. 1651-82) and his son, Sultan Abdul Kahar Abul Nassar (r. 1682-87), which ended with the VOC intervention. According to the promise he gave to the Company, Abdul Kahar Abul Nassar (or Sultan Haji) had to bring the kingdom under the VOC's protection. The

Company was granted royal permission to erect a fortress. The VOC built fortresses in the cities in the East Indies it had conquered and settled. Fort Speelwijk was named after Governor-General Cornelis Speelman, who occupied his post between 1681 and 1684. It was used as both office and residence for the Company's officials. The Company's main garrison was also located in this fortress.

Fort Speelwijk's location was strategically important. The fortress was built on the east bank of the river Pabean[15] and close to its mouth. From the top of the wall, a panoramic view of the Bay of Banten could be had, and this enabled the Dutch to keep watch over any ships coming into or passing the bay. According to the 1752 contract, the land where Fort Speelwijk was located was considered Dutch territory (*Overgekomen brieven* 1754 XIX: fol. 332).

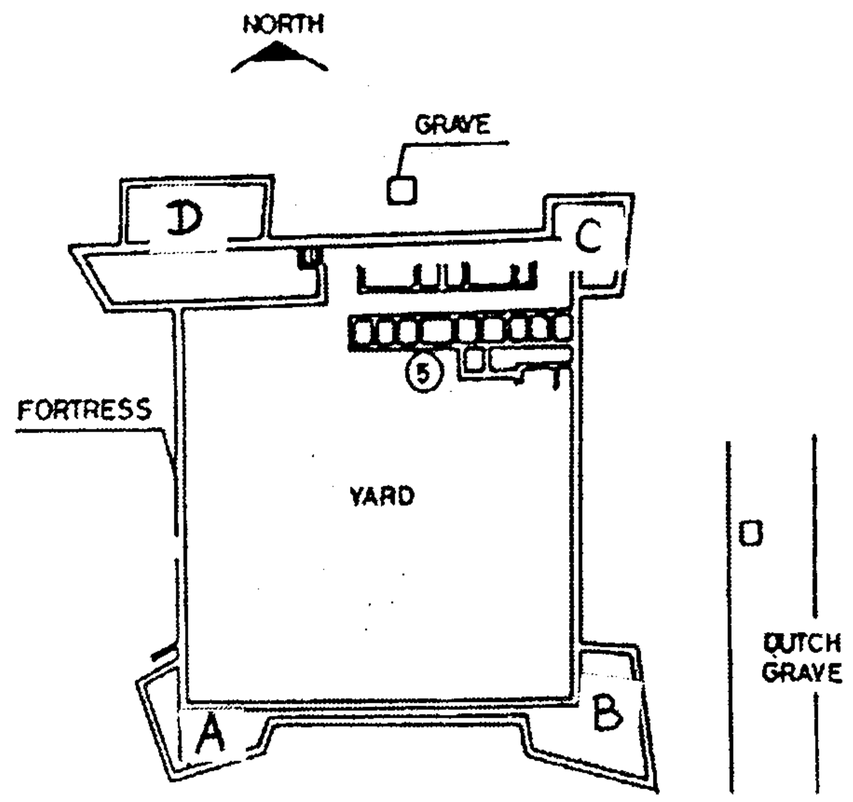
It appears in a British record that part of the land where Fort Speelwijk was located had formerly been the location of the British trade station in Banten.

> The Hollanders have possessed themselves of the port, and the rebels of the city. We are everyday threatn'd to be turn'd out, and a Dutch factory and consul establish'd in our place (A short account of the siege of Bantam 1683).

To reconstruct the image of this VOC's headquarters in Banten from ruins can only be done by consulting the archives and maps, as well as by comparing the data with other contemporary fortresses which still remain in a good condition, such as Fort Rotterdam in Makassar. Fort Speelwijk's plan forms a square with four bastions on the corners called in Dutch *Rivier Punt* (A), *Nieuw Punt* (B), *Zee Punt* (C), and *Klokke Punt* (D) (see Figure 6.). The wall on the north side is actually a part of the former city wall which was integrated into the fort. It is the only remaining part of the whole city wall of Banten, demolished after the VOC conquered the city in 1682. Coral stones were the main materials used in the construction of Speelwijk. It was an abundant natural resource along the coast of the Sunda Strait and the Java Sea.

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[15] It was actually an old branch of the river Ci Banten.



GROUND PLAN OF SPEELWIJK FORTRESS

Figure 6: Ground plan of Fort Speelwijk
Remark: A = Rivier Punt (Southwest Bastion)
B = Nieuw Punt (Southeast Bastion)
C = Zee Punt (Northeast Bastion)
D = Klokke Punt (Northwest Bastion)

During the late eighteenth century, the condition of Fort Speelwijk is described in several archives and accounts of the VOC's visiting officials from Batavia. In 1769 Jan Splinter Stavorinus, a Dutch official, joined a delegation to Banten to take a cargo of pepper on board. Stavorinus recorded what he had seen in the city of Banten Lama during his stay of nearly one month. His account helps build up the image of many historical sites in the city of Banten Lama, including Fort Speelwijk.

> It [Speelwijk] is situated on the east bank of the river, a very little way from its mouth. It is a square, defended at three of its angles by regular bastions, and at the fourth, by a demi-bastion. It is mounted with forty-eight pieces of cannon, of various calibres. The north, south, and west sides are covered by a wet ditch, which is, however, neither broad nor deep; and which has a communication with the river that washes the east side. The walls are constructed of a heavy and hard kind of stone and are thirteen or fourteen feet in height, but in some places they are beginning to decay (Stavorinus 1769: 68).

Stavorinus provides details of the constructions and the management of space inside the fortress which cannot be found in any other archives and maps.

> In the interior of the fort, there is an open square, planted with trees in the middle, the sides of which are formed by several buildings, in which part of the Company's servants reside. Amongst these, the house of the commandant is

> distinguished above the rest, having lately been handsomely rebuilt, and amply provided with roomy apartments; one of which serves for a chapel. The other buildings consists in, barracks for soldiery, warehouses, etc (Stavorinus 1769: 68-9).

Concerns over security might have prevented the VOC's officials from mentioning many details of the interior of the fortress. Similarly, none of the company's archives provided full details of the management of space in the fort. Stavorinus, however, states that the space within the ramparts was unable to accommodate all the company's servants. As a result, more rooms had to be provided outside the fort, on the opposite side of the river.

> The gate [of Speelwijk] is very near the riverside, over which there is drawbridge, and opposite to it is a pretty long street, in which the Company's servants reside, for whom there is no room in the fort, together with few Chinese (Stavorinus 1769: 69).

In addition, the map of Banten suggests that in the same area there was the house of the *Kapitan Cina* or head of the Chinese middlemen [Arsip Nasional Republik Indonesia (ANRI), Cartography No. G40: Kaart van de Hoofdstad, Negorije en Environs van Bantam] who worked under the Company, as well as a *Klenteng* or Chinese Buddhist temple dedicated to *Kuanyin*, the goddess of mercy. The *Klenteng* of Kuanyin is still standing today.

When delegations were sent over from Batavia to attend any functions in Banten, they were accommodated in Fort Speelwijk. In August 1753 Petrus Albertus van de Parra, as a High Commissioner attending the investiture of Sultan Abul Naszar Mohammad Arif Zainul Asyikin, stayed in Fort Speelwijk. He even held a returning banquet for the new Sultan and members of the royal family there (ANRI. Arsip Bantam/Banten 1674-1891, No. Inv. 24 VIII: 1-31). Sixteen years later, when he visited Banten in 1769, Stavorinus mentioned that the commandant at Bantam arranged to accommodate Mr. Van Tets, head of the delegation, and his wife, in his house (Stavorinus 1769: 59).

Stavorinus observed forty-eight pieces of cannon of various calibres on Speelwijk's

ramparts (Stavorinus 1769: 67). No source states that these cannon had ever been fired in anger since the construction of the fortress. Their only regular use was to fire salutes, according to the diplomatic protocol which will be discussed below.

Although Fort Speelwijk was the VOC's headquarters in Banten, its garrison was smaller than that in Fort Diamond. This might have been due to the limited space. The Speelwijk garrison in the late eighteenth century was in poor condition.

> The garrison is nearly equal to that of Fort Diamond, but a considerable number are generally confined by sickness; this place being considered as even more unhealthy than Batavia (Stavorinus 1769: 68).

Like the other VOC bases in the East Indies, Speelwijk formed a separate and different world from the native communities outside its compound. Behind the wall it was a small, distinct realm of the Company's servants in Banten. They carried on their way of life according to their own culture and traditions. Despite their relations with outside native communities, such as the sultanate's government or markets, there is little evidence of any change in the Indies Dutch way of life at Banten. On the other hand, the Dutch in Speelwijk brought many social and cultural changes to the city of Banten during the eighteenth and nineteenth centuries.

3.2 Other bases of the Dutch in Banten

The headquarters, Fort Speelwijk, was not the sole base of the Dutch in the Sultanate of Banten. From an examination of the VOC archives, it is clear that the company had at least five bases in this kingdom. In the capital city of Banten Lama, they had built Fort Diamond and Fort Karangantu to guard their interests, while outside the capital their officials were sent out to establish regional stations along the coast of the Sunda Strait and in the Lampung area. These bases or offices were assigned different responsibilities by the headquarters, Speelwijk, and all significant events had to be reported back. Any significant issues needing decision-making were forwarded for consideration at Speelwijk, or even further to Batavia.

3.2.1 Fort Diamond

The construction of the largest fort in Banten initially had nothing to do with the establishment of the VOC in the Sultanate. According to Guillot, it was internal conflict in the court which led to the construction of this fort (Guillot 1990: 64). In 1678, Sultan Ageng Tirtayasa retired from government and installed his son, Sultan Abdul Kahar Abul Nassar (or Sultan Haji) to rule the kingdom.[16] The young Sultan failed to gain the trust of members of the royal family and the nobility, and later came into conflict with his father.[17] In 1680 Sultan Haji had a fortress constructed around the Surosowan royal palace to protect his court from attack by his father's troops, on the recommendation of his favourite Dutch courtier, Hendrik Lucasz Cardeel.

> The Dutch (in whose eyes Bantam hath been for many years an Agreevance) making use by several Instruments, viz. Great Men under the King (one of which is a Dutchman turned Mahometan, and preferred to great Honours at Court) first persuaded him to build a Fort for his Defence (The True Account of the Burning and Sad Condition of Bantam, 8 March 1681).

Hendrik Lucasz Cardeel is also mentioned by Stavorinus, who visited Banten in 1769, as the supervisor of the construction of Fort Diamond, although his name is given as *Henry Louwrents*.

> On a stone over the gate, is an inscription in Dutch, by which it appears that the fortress was built by one Henry Louwrents, a native of Steenwijk in the province of Overyssel. This man, fearing the consequences of some crime or other which he had committed, quitted the service of the Company, and entered into that of the King of Bantam, who finding he had some knowledge of fortification, employed him in building this castle, after he had abjured his religion, and embraced the Mahomedan faith (Stavorinus 1769: 64).

The construction of this huge coral stone fort was completed in less than one year. The British in Banten at that time stated that Sultan Haji used it as the base for his fight against his father.

> His father was patient, not thinking it his Kingdom's

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[16] After his abdication, Sultan Ageng moved to stay at Tirtayasa Palace which he had built outside the city to the east.

[17] The Dutch and British sources mentioned the cause of this conflict in different ways.

Interest to quarrel, only seemed a little angrily to resent his usage, his fort being done, and he in his own conceit sufficiently strong with his own Forces, and promised aid from the Dutch.

The young King, finding all his Brothers and Kindred, and most of his great Men, fly to his Father, and having nothing but the possession of the Town or City of Bantam and his Fort therein left him; immediately sent for the Dutch, who with as much speed attended him with about 18 Sail of Ships in the Road (The True Account of the Burning and Sad Condition of Bantam, 8 March 1681).

The British in Banten also mentioned that the VOC troops sent from Batavia to support Sultan Haji were even welcomed to settle in the new fort.

> [...] thinking instead of fighting their way, to have Reception on Shore into the Fort which we are informed they had Orders only to possess themselves of without offering violence to any (The True Account of the Burning and Sad Condition of Bantam, 8 March 1681).

As a result, Sultan Haji's new fortress was the first Dutch settlement in Banten, even before the construction of the headquarters, Speelwijk. The name Fort Diamond or *Diamant* in Dutch does not appear to refer to the shape of the fortress, but appears to have been named after an ancient royal palace *Intan Surosowan* located inside the fort. The reason why the Dutch did not use Fort Diamond as their headquarters in Banten is obviously because the fort was at that time the location of the royal palace which was the residence of the Sultan and the centre of the kingdom's administration.

Unlike Fort Speelwijk, the plan of Fort Diamond was well described by Stavorinus in his 1769 account.

> The royal palace, which stands on the west side of the Pascebaan, is built within a fortress, which is called the Diamond. This is an oblong square, eight hundred and forty feet in length, and nearly half as broad. It has regular bastions at the four corners, and several semicircular places of arms on the sides (Stavorinus 1769: 62).
>
> The four bastions point to the four middle points of the compass, N.E. S.E. S.W. and N.W. The walls are built of hard stone, and are fourteen or fifteen of height (Stavorinus 1769: 63).

Fort Diamond was surrounded by a wet ditch, which in the late eighteenth century was in a poor condition.

> A wet ditch runs around it, but this would be trifling obstacle to the operations of European enemy; for it is entirely neglected, and in many places almost dry (Stavorinus 1769: 64).

The survey of the northern wall of Fort Diamond made by the Indonesian Directorate for Protection and Development of Historical and Archaeological Heritage during a ten-year project for preserving the historical site of Banten Lama (1977-1987) reveals that the fortification of the Surosowan palace was not totally completed in 1680. Three layers of walls were discovered inside the ramparts. They help indicate that there had been three or more stages of construction before the whole fortress was completed.

A brick wall with clay mortar forms the innermost layer in the north rampart. It is a plain brick wall without any bastions. Indonesian archaeologists believe that it was the original wall of the palace. If this assumption is true, it should be the palace wall depicted in a Dutch bird's-eye view map of Banten drawn in 1635. The map shows the palace before the fortification, surrounded by brick walls and with a main gate facing the square.

In the second stage, the original palace walls were enlarged by the fortification of the palace in 1680. Coral stone blocks were constructed with whitewash mortar to cover the original brick walls. (see Figure 7) Bastions were also added on the walls at this stage.



Figure 7: Coral stone blocks were constructed with whitewash mortar to cover the original brick walls.

of Fort Diamond

Rooms for officers and soldiers were built along the north wall in the third stage (see Figure 8). Brick stairs were also made to provide access to the ramparts and parapets. The modification of the north and eastern gates was probably the fourth phase. They were transformed from ordinary gateways to curved entrances, probably to prevent the fortress from being fired at directly through the gates.(see Figure 9) Another gate on the southern wall was presumably added in this stage, but later it was closed up.



Figure 8: Rooms for officers and soldiers were built along the north wall in the third stage



Figure 9: A curved entrance of Fort Diamond

Another stage might have been to add more rooms along the base of the north wall inside the fort. At the same time, another brick wall might have been constructed to mark the division of the fortress and the *dalem* or innermost part of the palace compound and also to prevent any outsider from seeing inside.

Like the other Dutch fortresses, Fort Diamond was also surmounted with cannons, which Stavorinus examined. He reports that:

> I counted fifty-six pieces of cannon in this fortification, the greatest part brass, and mostly artillery, but old, and few of them serviceable. The touchholes of some were so worn away, and that a small teacup could easily be passed through them. There were several with the arms of Portugal, and a few with those of England; likewise five or six brass cannon, founded by the Javanese. The last and two strong iron rings, round the chace, at the mouth, and two at the chambers, to secure the piece from bursting. They appeared to me to be twelve-pounders (Stavorinus 1769: 62-3).

Stavorinus does not mention the origin of those assorted cannons at Fort Diamond. It is interesting that not all of them were made by the VOC. Those cannons bearing Portuguese and British arms might have been taken from the deserted Portuguese and

British trading stations. Another possible explanation is that the cannons were presented to a king of Banten, possibly Sultan Ageng Tirtayasa, as gifts from the Portuguese and British companies, and later placed in this fort. As in the case of the cannons at Fort Speelwijk, no accounts indicate that the cannons at Fort Diamond were ever fired against any enemy. The only function of these cannons mentioned was to fire gun salutes in various ceremonies.

Not many details of the use of space in Fort Diamond are mentioned directly in the VOC archives and maps. To draw up a plan of Fort Diamond, one needs to consult a report by Petrus Albertus van de Parra on the survey of the conditions of the three forts at Banten in September 1753. At that time, Fort Diamond had been standing for seventy-three years, and was already in such poor condition that Van de Parra stated that repairs were necessary (Arsip Bantam/Banten, No. Inv. 24, IX: 49-56).

In his report, several constructions in Fort Diamond are referred to, and this makes the reconstruction of its appearance possible. It is obvious that all the constructions in Fort Diamond were built close to and on the top of the walls and bastions, which made the fort look like a castle. This is because most of the space in the fort was dominated by the royal palace, which will be discussed in the next chapter. As a result, the fort was repeatedly called *de Kasteel Soerosowan* in the VOC archives.

Although the 1753 report does not provide full descriptions of Fort Diamond, it does mention several other buildings in the complex, and is not too difficult to locate their position. The first is a complex of buildings referred to as *de officiers corps de garde,* a group of buildings consisting of an office for officers, guardhouses, and a dormitory for non-commissioned officers and soldiers. The location of this group of buildings was most likely on the ground alongside the ramparts. The ruins of this group of buildings were still visible in 2000. Their form suggests a number of long brick buildings, probably with only one floor, built close to and alongside the length of the ramparts. Many pieces of terracotta roof tiles scattered all over that area provide evidence that they once covered the roofs of these buildings. The guardhouses were located at the north and east gates, which are the only entrance and exit of the fort, as Stavorinus states:

> At the gate of the fort, an officer and four and twenty men, mount guard night and day. The palace is about twenty paces from the *corps de garde*... (Stavorinus 1769: 65).

Stavorinus confirms that the *corps de garde* was located in the space between the ramparts and the inner walls of the royal palace. The survey of the ruins of these buildings and the artefacts discovered from the excavation provides interesting information on the daily lives of the soldiers in Fort Diamond. Apart from the guardhouses at the two gates, the other buildings, which look similar to the long galleries along the ramparts, were divided into several oblong square rooms. Most of these rooms once housed the non-commissioned officers and soldiers, while others were kitchen and washrooms. Even traditional stoves and wells built with bricks are still visible. Artefacts discovered in this area include shards of Chinese ceramics and local earthenware, wine bottles, and some metal kitchen utensils, such as knives, spoons, and forks.

There was a building or tower on top of each bastion, called in Dutch *West Punt, Klokke Punt, Zuid Punt*, and *Vlagge Punt* (see Figure 10). In each tower there were rooms for sergeants and officers, together with a guard post on top of the bastion. The four bastions were also linked with galleries, which covered the top of the ramparts. The two semicircular bastions or *Halve Maan* at the middle of the north and south ramparts were the armouries.

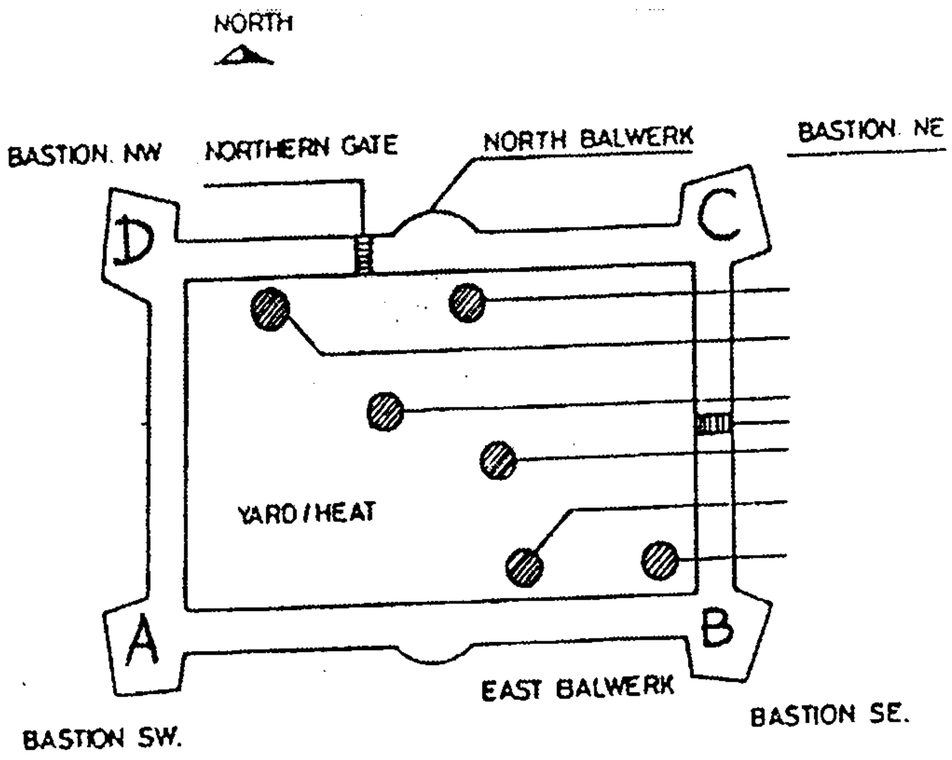


Figure 10: Ground plan of Fort Diamond
Remark: A = Vlagge Punt (Southwest Bastion)
B = Klokke Punt (Southeast Bastion)
C = West Punt (Northeast Bastion)
D = Zuid Punt (Northwest Bastion)

The function of Fort Diamond in the Dutch administration in Banten was as a place where a garrison was maintained to exercise control over the Sultan and his government. Stavorinus provides a good description of this garrison.

> The Dutch East-India Company keep a garrison in it, consisting of one captain, three subalterns, and one hundred and thirty privates. This force serves nominally to defend the person of the king from all hostile attempts; but, in fact, to have him always in the Company's power. None of his subjects, either high or low, not even his sons, are allowed to approach his person, without the knowledge of the captain of the Dutch military, who receives information respecting the king's visitors, from the guard at the gate, and transmits it, from time to time, to the commandant at Fort Speelwijk. No Javanese or Bantammer is ever allowed to pass the night, within the walls of the fort (Stavorinus 1769: 63-4).

Various accounts show that the garrison at Fort Diamond also doubled as a royal guard or guard of honour to the sultan in ceremonial functions, to line up to receive official guests who came to pay the sultan a visit, or to march in the royal procession. Although it was by now the effective ruler, the Company still honoured the sultans of Banten by maintaining the court traditions and applying some European traditions and protocols to create an elegant and pompous image of the sultan. The garrison at Fort Diamond, then, had a ceremonial function which differentiated it from the garrisons at the other two forts at Banten.

3.2.2 Fort Karangantu

Karangantu is the name of a village outside the city wall to the east of the city of Banten, where a branch of the Ci Banten River flows into Bay of Banten.[18] During the period of the sultanate, Karangantu played an important role as an international port and market. There was a second port at the village of Pabean on the west side of Fort Speelwijk. Karangantu was a place where traders from China and the Far East, India, and the Middle East gathered to trade, as well as being a provisioning station for VOC

[18] The river Ci Banten forks into two branches in the southern part of the city of Banten. One branch flows to the sea at Pabean, and the other has its mouth at Karangantu.

vessels. According to Guillot, Karangantu was an important commercial centre for the sultanate, in which the Chinese and Muslims played an important role as middleman (Guillot 1990: 45). In this area there were also the naval dockyards of the Sultan and the living area of the sailors and fishermen, as well as salt pans. Nowhere is it mentioned, however, that there were any European trade stations or warehouses in Karangantu. Europeans were granted their settlements separately in the Pabean area, where later, in 1685, the VOC who had been granted the trade monopoly in 1683, constructed Fort Speelwijk.

The economic importance of Karangantu automatically made it a strategic point in the capital city. From any map of the city of Banten, it may be seen that Karangantu was located exactly at the north east corner outside the city wall. From pre-1682 maps and drawings made by the VOC and other Europeans, it may be noticed that at the east corner of the rampart, stands a fort mounted with cannons.[19] This fortress was located on the mouth of the river Ci Banten, and on the east side of it was the port of Karangantu. This means that Fort Karangantu must have been erected before the VOC established its power in Banten in 1682. After 1682, the VOC put its garrison in this fortress to guard the port, as well as to supervise commercial activities.

The exact year in which the company installed its garrison in Karangantu has not yet been established. However, it is stated as part of the contract between the VOC and Sultan Abul Mahasim Mohammad Zainul Abidin of Banten, signed on 16 August 1731, that the Sultan acknowledged the Company's authority over both the western side of the river opposite to Fort Speelwijk (Pabean), as well as the eastern side of the mouth of Ci Banten at Karangantu. One or more Dutchmen, whether clerks or others, would be appointed to guard the sultan's servants, and to be on the alert for any smuggling or underhand activities to do with pepper, and to ensure that no extra tolls were extorted from the petty traders. Furthermore, the Sultan agreed that as soon as possible a guard post would be built for the king's men and those of the Company who had to do the patrolling (Heeres 1907: 102-3).

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[19] For example, J.P. Cortemunde's drawing of the ship of the Danish delegation in Banten habour in 1673 and a bird's-eye view of Banten published in the famous book by F. Valentijn, *Oud en Nieuw Oost Indien* (1724-1726).

It seems unlikely that any VOC garrison was installed in Karangantu before 1731. So the bastion at Karangantu might have been converted to a Dutch garrison around 1731, and it is possible that a guard post, mentioned in the contract, was built in the fort. A plan to put a garrison in Karangantu must have been proposed before 1731, otherwise the Company might have been expected to have the bastion at Karangantu demolished at the time it dismantled the city ramparts after it gained power over Banten in 1682.

The VOC demolished most of the city wall in 1682, but some parts appear to have been left standing, such as the northwest corner bastion which, in 1685, became part of Fort Speelwijk (Guillot 1990: 64), and a northeast corner bastion, which later was called Fort Karangantu. Both Fort Speelwijk and Karangantu were fortresses on the west and east end corners of the city wall along the coast of Banten Bay. They guarded the two strategic points of the city: the mouths of the rivers Pabean and Ci Banten. It was reasonable for the VOC to build a larger fort like Speelwijk on part of an old bastion as the headquarters in Pabean area where the Company and the other Europeans had built a trade station. It was also appropriate to retain the eastern bastion and leave some soldiers to keep watch over the area.

The name *Fort Karangantu* is mentioned in several VOC accounts during the mid eighteenth century with regard to the gun salutes. It is possible that during the mid-eighteenth century the VOC might have been concerned more with the smuggling carried out in Karangantu, especially the underhand trading of pepper, the most important commodity of Banten, which the Dutch had monopolised since 1682. It appears in the 1753 contract that the Company required Sultan Abul Moghali Wasie Halimin to acknowledge that the land in Karangantu area was the Company's property (Heeres 1907: 553). Full authority over this commercial district might have enabled the Company to control all the activities there.

Compared to Fort Speelwijk and Fort Diamond, limited evidence remains on Fort Karangantu. Even the fort's ruins are no longer visible, nor has any excavation been carried out on it.[20] The 1753 report of Van de Parra, however, provides some details of

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[20] Interview with Head of Kantor Suaka Peninggalan Sejarah dan Purbakala, Jawa Barat 7 August 2000, Serang, Banten.

the buildings in the fort complex. It is obvious that Fort Karangantu was a small fortress, compared to Speelwijk and Diamond. Cannons were definitely installed in this fort, as gun salutes from this fort were mentioned many times.[21]

The importance of Fort Karangantu was less than that of Speelwijk and Diamond. It was smaller than the other two, in both size and the number of its garrison. Moreover, it is noticeable that the garrison in the fort declined in importance and perhaps was abandoned in the late eighteenth century. The name Karangantu, either as a commercial area or fortress, is not mentioned at all by Stavorinus. In his account of 1769, Stavorinus mentions all the Dutch bases or stations both inside and outside the city of Banten, except Fort Karangantu. It is highly unlikely that this descriptive report would omit one of the three bases of the Company in the city, if the place was still used at the time of Stavorinus'visit. The monopoly of the pepper trade which the Dutch had held in their hands after 1682, and the strict control over the trade activities in this port, might have caused the decline of trade, and after the first half of the eighteenth century, the port was no longer attractive to foreign merchants. The abandonment of Fort Karangantu might also have been a result of the uprising of the people of Banten against the VOC and Ratu Sarifa during the years 1748-1752. It is possible that the role of Karangantu as an international port and market disappeared in the late eighteenth century, despite the fact that the pepper trade was still carried on under the Dutch monopoly. Even Stavorinus himself also visited Banten for the purpose of pepper trade. As he said, "*I received orders from the governor general, to go to Bantam, to take a cargo of pepper on board*" (Stavorinus 1769: 55). However, this activity was not carried out at Karangantu, but at Pabean, where the headquarters and the warehouses of the Company were located.

Karangantu is now a port for the delivery of wood from Sumatra and Kalimantan, and also the fishing industry, whereas Pabean is no longer a port, due to the silting up of the river. Even the mouth of the river, where the trading stations and warehouses of the Dutch and other Europeans were once located, no longer exists. Although there is no longer any trade, a historical atmosphere may still be felt when one pays a visit to the

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[21] The most famous cannon of the Sultanate of Banten called *Ki Amuk* was once placed at Fort Karangantu. Now it has been moved to the Banten Site Museum.

area. Apart from the Masjid Agung, Karangantu is still a living historical place in the dead city of Banten Lama.

3.2.3 Pulau Panjang supply station

Pulau Panjang[22] is the largest island in the Bay of Banten. The island gets its name from its long shape, as seen from the shore. The location of the island is not exactly opposite the city of Banten, but is much closer across the bay from a coastal district called Bojongnegara[23], to the west of Banten. It is evident that the Bay of Banten played an important role in enabling a small kingdom on the western tip of Java to become one of the glorious port sultanates of the Indonesian Archipelago during the sixteenth and seventeenth centuries. The Bay of Banten occupies a vast area which is bounded by Banten and Pontang Points. The bay is free from large waves and numerous large ships may easily anchor there. The many large and small islands scattered in this bay also offered a good barrier to protect the ships from strong wind and waves, as well as providing convenient outposts for crew or supply stations.[24]

In 1769 Stavorinus stated that Pulau Panjang was the only inhabited island on which fishermen's villages were located (Stavorinus 1769: 57). However, this description is in contrast to what Jonkheer Jan de Rovere van Breugel saw in 1787. De Rovere van Breugel stated that there were Malay, Buginese and Mandarese villages which grew bananas for sale in Banten markets (Van Breugel 1856: 106-170). At Pulau Panjang coral was also collected and made into coral-stone blocks and whitewash to support building construction in the capital (Ongkodharma 1987: 151-2). The Commandant of Banten had a lime kiln on the island which according to de Rovere van Breugel produced three to four thousand baskets or ten thousand sacks of whitewash every year (Van Breugel 1856: 104). Apart from that, Pulau Panjang also provided wild products such as kapok, cubeb pepper, and *bengkudu,* which gave a red dye (Van Breugel 1856: 104).

The VOC must have paid attention to Pulau Panjang and intended to use this island for their trade activities. In August 1731, the *Hooge Regeering* at Batavia sent Michiel

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[22] The meaning of the word *panjang* in English is long.
[23] During the sultanate period, Bojongnegara was a small suburban district of Banten.
[24] The other famous islands in the Bay of Banten are Pulau Babi and Pulau Hollandse Kerkhof.

Westpalm to Banten to ask Sultan Abul Machasin Mohamed Zinul Abadin to cede Pulau Panjang to the Company, giving as its reason that they considered the island an appropriate location to build a place for storage of ships' equipment such as anchors, ropes or chains.[25] It is important that the store be located as near as possible to where ships would anchor. It was needed because the ships sometimes lost their anchors and ropes in storms. It was not appropriate to build a ship equipment store on the coast of Banten Lama, as ships were unable to anchor close to the shore. Apart from that, Pulau Panjang would also provide a safe harbour for ships when there was a storm, and the crews would be able to land and rest on the island. The Sultan agreed to the Company's proposal; he ceded the whole island to it, according to his letter dated 18 August 1731.[26]

It might be noted that the VOC had followed the same practice wherever it founded a base at any port state in the East Indies. One or more fortifications were erected on the shore of the conquered capital, to be headquarters and garrison. Warehouses were always built at the mouth of a main river or at the seaport where markets were located. Apart from that, different kinds of station which were necessary for shipping and navigation were also built on one or more islands in the bay of that port state. After the Dutch established Batavia as their headquarters in the East Indies, Batavia Castle was erected as the Company's headquarters. Warehouses were placed along the mouth of Kali Besar and the Pasar Ikan area (Heuken 2000: 44). At the same time several necessary stations for ships and crews were constructed on some islands in the Bay of Batavia which are part of *Kepulauan Seribu* or Thousand Islands (Heuken 2000: 44). The most famous island in Batavia Bay is *Pulau Onrust*, now called *Pulau Kapal*. On this island the VOC built various facilities for shipping and navigation, namely shipyards, cranes, godowns for ammunition, food and drink, sawmills, a smithy, and even accommodation for crews (Blussé 1986: 56). *Pulau Kayangan* in the Bay of Makassar is another example of an island used as a supply station for the Dutch settlement at Fort Rotterdam.[27]

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[25] Algemeene Rijksarchief, *Overgekomen brieven 1732*, 34ste boek, afdeeling Bantam, folio 303 e.v.
[26] Algemeene Rijksarchief, *Overgekomen brieven 1732*, 34ste boek, afdeeling Bantam, folio 303 e.v.

[27] Interview with the Head of the Kantor Suaka Peninggalan Sejarah dan Purbakala, Sulawesi Selatan, 13 August 2000, Fort Rotterdam, Makassar

Stavorinus (1769: 89) did not mention any station on the islands in the Bay of Banten, apart from an anchorage for the Company's ships at *Pulau Babi*. On the other hand, De Rovere van Breugel said that there was another island, apart from Pulau Panjang, called *Hollandse Kerkhof*, which was used as an anchorage for the Company's vessels as well as the site of a shipyard for repairing the Sultan's ships (van Breugel 1856: 340). However, De Rovere van Breugel did not provide any description of a station on Pulau Panjang or other islands. He just stated that drinking water had to be brought to Pulau Panjang from Banten and this was the main obstacle to the development of the Pulau Panjang station (van Breugel 1856: 341). Some ruins of the Pulau Panjang supply station still exist, but proper archaeological excavation has not yet been carried out. The *Kantor Suaka Peninggalan Purbakala dan Sejarah Jawa Barat*, which is the responsible authority, has only put up a sign at the site to prohibit the local people from spoiling the ruins. It is expected that a proper excavation may more or less reveal the plan of this supply station.[28]

3.2.4 The Anyer and Cerita outposts

Apart from the three fortresses in the capital city, the VOC also had another two military posts outside the city, at Anyer and Cerita.[29] These were at that time small towns on the coast of the Sunda Strait and still exist. The Sunda Strait was the gateway to Java from the west. Ships from all the countries west of South-East Asia would normally pass through the Strait, if Java or further islands were their destination.[30] The security of the strait, as a result, could not be ignored.

To understand the significance of the outposts at Anyer and Cerita, it is necessary that the significance of the Sunda Strait to the Dutch East India Company first be examined. Its role as a gateway to Java was not the only cause of concern of the VOC regarding the Sunda Strait. Another important reason was the desire of the Company to keep control of both sides of the strait, both of the Sultanate of Banten, and of the

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[28] Interview with the Head of the Kantor Suaka Peninggalan Sejarah dan Purbakala, Jawa Barat, 7 August 2000, Serang, Banten.

[29] In most of the Dutch archives the names are of course written with the spelling *Anjer* and *Tjerita*.

[30] There is evidence in Siamese Chronicles that the French and the British also used the Sunda Strait, instead of the Straits of Malacca, to go to Siam.

Lampung area, on the east coast of South Sumatra, which was under Banten's sovereignty. These lands on both sides of the Sunda Strait were for the VOC the main source of pepper, the trade which it had successfully monopolised in Banten since 1682.

The Company had realised the strategic significance of the Sunda Straits, at least since the establishment of their administrative centre at Batavia in 1619. It had also made a survey of the Sunda Straits; it had a good knowledge of geography of the strait, as well as other data for navigation, such as depths and currents in the strait, and seasonal wind directions. Evidence of the VOC's interest in the strait is reflected in Stavorinus' account. At the time of his visit to Banten, the VOC had already claimed sovereignty over the strait.

> The Dutch East-India Company claim an absolute sovereignty over the Straits of Sunda, and this is acknowledged by all the other powers. The Company require the salute, and have the right of interdicting this passage to all other nations, though they do not put their right in force. This right is maintained as proceeding from the circumstance, that the land on both sides of the straits in tributary to the Company; viz. the Kingdom of Bantam on the Java shore, and on the other side the land of Lampon, with that which lies father westward, being conquered provinces belonging to Bantam (Stavorinus 1769: 208-9).

However, the claim of the Dutch over the Sunda Strait had never been made openly. It was, rather, stated in the form of secret orders in the resolution made by the Council of India. This resolution was distributed to all the Company's ships sailing westwards to show to the ships of other countries who failed to fire gun salutes to the Company when they entered the Sunda Strait (Stavorinus 1769: 209). As a result, it is not clear in which year the Dutch initiated their claim over the Sunda Strait. However, it seems that the claim must have been introduced after the Dutch had established themselves in Banten in 1682. Their overlordship over Banten gave them the opportunity to gain sovereignty over all the Sultanate's conquered and claimed lands.

Certainly, the VOC must have become more concerned over the security of the Sunda Strait after it had conquered Banten. Now the VOC had to involve itself in affairs

in the territories on both sides of the strait. For this reason, the Company kept its eyes on this strategic channel by building two posts along the coast at Anyer and Cerita, Javanese coastal villages under the sovereignty of Banten (Stavorinus 1769: 208). The villages were perfect locations for the Company to put guard posts to overlook the Sunda Strait. Anyer was located on a very narrow part of the Sunda Strait and the land there was high enough, so that on a clear day the area called Rajabasa on the Sumatran side might be seen. Lying on a bay of the same name, Anyer was an ideal place for passing ships to call in for supplies.

> Ships passing out through the Straits of Sunda, often anchor in the bay of Anjer, in order to take their last supply of fresh water, from a rivulet which runs from the mountains into the sea (Stavorinus 1769: 207-8).

Ships calling for supplies at Anyer could also be examined by the VOC. This is probably the main reason why the Company chose Anyer as a place for an outpost to the Sunda Strait. Stavorinus mentions the outposts at Anyer and Cerita, and says that neither of them was a large station, but only a post with a couple of guards, who were from the main garrison in Speelwijk. The main responsibility was to keep watch on the passing ships, especially those which had entered the Strait from the west, heading for Batavia.

> There are two other outposts, which are likewise taken from the garrison of Bantam, one at Anjer, or Aniar, and the other at Jeritta, both places in that kingdom, but each consists of no more than two men. They are chiefly set, for the purpose of watching the ships that arrive, of which they note down the names, and the places whence they come, and immediately give information of them, to the commandant at Bantam, who, in his turn transmits it to the governor general at Batavia. This is done with respect to Dutch, as well as to foreign vessels (Stavorinus 1769 I: 71).

Another role of the two outposts was to keep watch on the movement of the British, who had been expelled from Banten in 1682 and later in 1685 settled in Bengkulu on

the west coast of Sumatra. Stavorinus also mentions that the British in Bengkulu also carried on a smuggling trade in pepper with the people of Banten, with the connivance of some corrupt officials of the VOC. This smuggling trade must have been carried out in part at the main port in Banten, such as Fort Karangantu, as well as at ports along the coast of the Sunda Strait. Even the Commandant at Banten, J. Reinouts, was once suspected of involvement in the smuggling of pepper to the British. Apart from curtailing the smuggling trade with the British (Stavorinus 1769 I: 69), the two outposts might have had another function, namely to report illegal activities along the coast to Fort Speelwijk, especially piracy, which despoiled both sides of the Strait during the seventeenth and eighteenth centuries. As a result, the Dutch administration in Banten at the end of the eighteenth century decided to strengthen the Anyer outpost, as stated in a letter dated 8 March 1800. In order to defend the coast of the Sunda Strait from any attack, more soldiers and weapons were allocated to the Anyer outpost. Only two watchmen, some European gunners two indigenous shooters, and two Christian indigenous soldiers were sent to guard the outpost. Four cannon with gunpowder were also provided at the same time (Resolutie van Politie, Bantam/Banten 1790-1804, Saturday 8 March 1800).

What the two outposts of Anyer and Cerita looked like is still unknown, for they were not mentioned in any archives. However, each of them must have been only a small construction. The ruins are no longer visible, and may have been destroyed at the time of the great eruption of Mount Krakatau in 1883. This eruption caused enormous loss to historical and archaeological studies of Banten, for many historical sites along the coast of the Strait were destroyed by a tsunami.[31]

3.2.5 Fort Valkenoog and Lampung outposts

In the late eighteenth century, Lampung was a territory on the most southern part of

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[31] Interview with the Head of the Kantor Suaka Peninggalan Sejarah dan Purbakala, Jawa Barat, Serang, Banten, 7 August 2000.

Sumatra, consisting of thirteen main districts.

1. Lampung Samanca (Semangka)
2. Lampung Calanda, Ligoh and Sino
3. Lampung Silleboe (Silleba)
4. Lampung Pamat
5. Lampung Niboeng and Pagadoengang
6. Lampung Poeti Depaaytan (Seputih)
7. Lampung Tellok (Telukbetung)
8. Lampung Menanga
9. Lampung Sacampong (Sekampung)
10. Lampung Radja Baja (Rajabaya)
11. Lampung Poegong
12. Lampung Calombayang
13. Lampung Toelang Bauwang (Tulangbawang)

(Overgekomen brieven 1754, 19de boek, fol. 332)

To the east Lampung faces the Java Sea, and to the south faces the Sunda Strait. This vast area is now a province of the same name. The Sultanate of Banten, from its early days[32], had expanded its power into Lampung. This attempt by Banten caused a conflict with the Sultanate of Palembang which had also tried to dominate this fertile area. However, it was Banten that held the sovereignty over this territory from the beginning of sixteenth century. The main motivation for the expansion of Banten's power over Lampung must have been the two natural resources, pepper and gold, which were then abundant there. The land in Lampung was broader and more fertile than in the Banten area, so that pepper plantation in Lampung provided a greater yield than in West Java (Bastin 1961: 33). Apart from pepper, another precious natural resource of Lampung was gold. De Rovere van Breugel mentioned that goldmining was carried out in Lampung Tulangbawang.[33]

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[32] The expansion of Banten into the Lampung area appears to have started in the reign of Maulana Muhammad (1585-1596), when Banten and Palembang tried to claim rights to this land.
[33] Archaeologists have not yet discovered any trace of gold-mining in Lampung.

The fertile land of Lampung, especially in Tulangbawang and Silleba, was the main source of wealth to the Sultanate of Banten from the late sixteenth century (Bastin 1961: 33). This must have been realised by the VOC, which had become a great rival to the Sultanate after the establishment of its headquarters at Batavia. The success of the Dutch in establishing their overlordship over Banten and the exclusion of the British and other Europeans from Banten in 1682 created the opportunity for them to make a profit from Lampung. Apart from its right to monopolise the pepper trade, the VOC repeatedly inserted claims to the Lampung pepper plantations and goldmines into contracts signed with the sultans of Banten from 1684 onwards. The Company still retained the Sultan's sovereignty over Lampung, but indirectly profited from the pepper yield through his power. Pepper from Lampung had to be delivered to Banten to sell to the Company at a fixed price (Bastin 1961: 35).

It was the concern of the VOC for its interest in the pepper yield in Lampung that made it build two outposts there. The first VOC outpost was in Lampung Tulangbawang, which was at that time the area from which most of the pepper yield came. The VOC in 1730 constructed a fortress there called Fort Valkenoog. It is stated in the 1752 contract that the fort was to be under the responsibility of the Sultan, which meant that all the cost of maintenance had to be borne by him (Heeres 1907: 555). Another post was in Lampung Samangka on the coast of the Sunda Strait. At each of these two posts a small garrison was also on duty.

> To the Commandery of Bantam also belong the residencies, or factories which the Company possess, at Lampong Toulan Bauwang, and Lampong Samanca, both situated in the southern part of the island of Sumatra. These are subordinate or conquered provinces of the Kingdom of Bantam, and yield a considerable quantity of pepper annually (Stavorinus 1769: 70).

The purpose of having two outposts in Lampung was primarily to supervise the cultivation and delivery of pepper (Bastin 1961: 33), even though the pepper culture there was under the direct control of the Sultan. All problems related to pepper cultivation would be reported to the commandant at Fort Speelwijk, before being

forwarded to Batavia (Stavorinus 1769 II: 70).

Apart from that, Fort Valkenoog at Lampung Tulangbawang and the garrison in Samangka would have been constructed to guard the area from a possible invasion by Palembang, or the British in Bengkulu, and piracy along the coast, as well as to protect the pepper production from the smuggling trade.

> The officers of the Company who reside there, are chiefly stationed, in order to keep a watchful eye upon the spice, that it do not fall into any other hands than their own. They have both the rank of bookkeepers, and have each few soldiers, and a non-commissioned officer with them (Stavorinus 1769 II: 70).

Stavorinus noted that at the station of Fort Valkenoog there were officials from both the VOC and the Sultanate working together. The head of the station on the Company's side was called the resident, while his deputy was an official of the Sultanate. From Stavorinus' account, it may be seen that conflicts between these two groups of officials also happened, and that once it became serious.

> The resident at Toulan Bauwang had been publicly beheaded at Batavia two or three years before; he had caused one of the grandees of the king of Bantam, and who was his deputy there, to be shot dead in cold blood. The governor general did all that could be done to save his life, but the remonstrances of the court of Bantam were so strong and pressing, that at last he was obliged to be put to death. He underwent the punishment with the greatest fortitude and composure (Stavorinus 1769 II: 70-1).

It is stated nowhere what these two outposts looked like. According to the head of the *Kantor Suaka Peninggalan Purbakala dan Sejarah, Jawa Barat dan Lampung*, the ruins of Fort Valkenoog are still visible, but no excavation has been conducted at all.[34] Although there is now very little pepper cultivation left in Lampung, there are several sites in Tulangbawang where the inscription stones of the sultans of Banten can be

[34] Interview with the Head of the *Kantor Suaka Peninggalan Sejarah dan Purbakala, Jawa Barat*, Serang, Banten, 7 August 2000.

seen. These inscriptions are in Jawi, recording royal grants of land to noblemen or even local villagers, and permission for them to cultivate the pepper vines.[35]

3.3 Officials and troops

The establishment of the Dutch overlordship in the Sultanate of Banten was only one instance of the fate that befell the kingdoms in Java and other islands. Its independence and authority were diminished by the Company during the seventeenth and eighteenth centuries. Officials and troops were a significant element of the VOC's presence in Banten, as they enabled the Company to dominate the sultan and his government, as well as to protect its economic interests.

As mentioned before, the Javanese kingdoms came under various forms of the Company protectorate. However, the sultans were retained and the Company still let them continue ruling their realms as what Day called 'the regents' of the VOC (Day 1966: 110, 155, 196, 218, 297, 420). As a result, the Sultan of Banten and his government may be included as part of the Company's administration. However, it was not until 1808 that the Dutch officially considered the status of the sultan as one of the Company's officials (Raffles 1965 [1830]: 242). A Dutch official was appointed by Batavia to be head of the administration in the Sultanate. Between the late seventeenth and the first half of the eighteenth centuries, this head official was known as the *senior merchant* or *commandant* (Stavorinus 1769 II: 69). The position of the commandant was reserved for a Company official who was a Dutchman (Stavorinus: 70).

The official establishment of the VOC at the Commandery of Banten consisted of three groups of servants: the administrative officials, the troops, and the sailors. All were under the commandant's leadership. According to De Rovere van Breugel, in the late eighteenth century there were 372 positions in Banten: 22 administrative officials, 327 military officers and soldiers of various kinds, and 23 sailors. However, De Rovere van Breugel points out that the Company then lacked men to be fill all positions. Only two-thirds of the 372 men were available (van Breugel 1856: 339-41).

The commandant or the First Resident was also a political officer whose

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[35] Interview with the Head of the *Kantor Suaka Peninggalan Sejarah dan Purbakala, Jawa Barat*, Serang, Banten, 7 August 2000.

responsibility was to supervise the native government, as well as to guard against any abuses of power among the native rulers (Day 1966: 112, 194). Apart from the commandant, there was no express requirement that anybody else in the Dutch administration at Banten must be a Dutchman. However, there must have been other Dutchmen appointed to work in Banten as the deputy commandant or officers and soldiers in the troops. Stavorinus mentions, regarding the position of commandant in Banten, that he was responsible for the management of the trade, mainly of pepper (Stavorinus 1769 II: 70). He was under the direct control of the Governor-General and the local government at Batavia. Any significant decision to be made, as well as all the events in the Sultanate, must be reported to Batavia as often as possible. Stavorinus also notes that the reports from the commandant at Banten were sent to Batavia nearly every day, and this was more frequent than reports from other kingdoms more distant from Batavia. This can be explained by the fact that Banten was situated next to Batavia, so that the Dutch treated it as a dependency of their capital (Stavorinus 1769 II: 71).

The commandant did not hold absolute power over the administration in Banten, but had to work in cooperation with the Sultan and Banten government, as well as to work with a council. The council consisted of a group of people including a deputy commandant, a first surgeon, a bookkeeper, an assistant and a boatswain (Stavorinus 1769 II: 71). It is possible that some members of this council were Dutchmen and some might have been Indies born Mestizo. The offices and residences of the commandant and counsellor were located in Fort Speelwijk. Apart from the council, there was another group of officials appointed to examine the pepper trade, in order to prevent illicit trade (Stavorinus 1769 II: 69).

The VOC was a remarkable form of trading company, as it maintained assorted kinds of troops to defend its settlements and economic interests, as well as to increase its negotiating power with the indigenous kingdoms in the East Indies (Blussé 1986: 1-2). When the Company had settled in Batavia, its status was no different from that of a kingdom in Java. The VOC archives refer to several sorts of soldiers being in service at Banten. It is important to note that not all the Company's soldiers were Dutchmen. On the contrary, it seems that Dutch soldiers were only a minority, compared to others

recruited from other European countries or different parts of the Indonesian archipelago (Day 1966: 50, 80). The local groups who formed the troops of the VOC in Banten were Malay, Javanese, Balinese, Sumban, Sumbawan, Makassarese, Buginese, and Banjarese. These ethnic groups might have migrated or been brought as slaves from their places of origin to Batavia or Banten and were recruited and trained by the Company to be soldiers. They received military training in either the indigenous or European military tradition. The Company's soldiers in Banten were, as has been mentioned before, divided into three garrisons. The largest garrison was placed in Fort Diamond, consisting of one hundred and thirty-four men in 1769 (Stavorinus 1769 II: 67). The numbers of soldiers in Fort Speelwijk and Fort Karangantu are not recorded. It is certain, however, that the three garrisons in Banten consisted of no more than 327 men, according to De Rovere van Breugel (1856: 340).

The Sultan of Banten, under the VOC sovereignty, possessed no troops. Only a group of female bodyguards escorted him in the inner household. The Company provided him with European guards and other kinds of soldiers for ceremonial functions, and also to keep him under its supervision. The VOC probably intended to make it impossible for the Sultan to gather his own troops to fight against it. The indigenous soldiers were also included under the VOC's control, even though they were commonly called the King's lifeguards.

> Although, when he appears in public, he is accompanied by his Bantam lifeguards, yet they are never admitted within the gates of the fortress [Fort Diamond]. These, besides their ordinary sidearms, crisses or long daggers, are provided with pikes, the iron heads of which are very long and broad; and the king is likewise attended, when he goes abroad, by a guard of Europeans from the garrison (Stavorinus 1769 II: 66-7).

Apart from commissioned and non-commissioned officers, soldiers under the Company were classified into different battalions, based on European and indigenous military customs. The soldiers recruited from indigenous men were normally not trained as European-style soldiers to use modern weapons such as muskets or firelocks (Stavorinus 1769 II: 88). They were still trained in the traditional way and were given

traditional weapons which were not as harmful as muskets. From the Company's archives, the Dutch troops in Banten during the late eighteenth century might be classified as follows:

3.3.1 Musketeers

They were the majority of the soldiers in each of the Company's settlements, as well as the most effective among all the kinds of soldiers (Van Breugel 1856: 335). According to the Company's report on 11 December 1753, there were 224 European musketeers out of 460 soldiers launched to fight against the rebellion (Arsip Bantam/Banten 1674-1891, No. Inv. 23). This kind of soldiers armed themselves with muskets and they were responsible for fighting on the battlefield. In peacetime, the musketeers in Banten were used as guards of honour for the Sultan at Fort Diamond. They also marched in the procession of the Sultan or the Commandant in state ceremonies (Stavorinus 1769: 88). At the coronation of the Sultan of Banten on 17 April 1752, two groups of Dutch musketeers marched behind the carriage of the Company's High Commissioner, who was the Governor-General's representative at this ceremony. The other three groups of musketeers, in red, blue, and green uniforms, stood as guards of honour for the new Sultan in the royal square or the *Passeban* where the ceremony was conducted (Arsip Bantam/Banten 1674-1891, No. Inv. 23).

In Stavorinus' account, he mentions a group of guards to the Sultan who armed themselves with firelocks. From the word *firelocks*, this type of royal guards could not have been any other kinds of guards, apart from musketeers.

> When he came near to the fort, his guards, part of whom were armed with firelocks, fired four volleys, which were answered by a gun from the fort (Stavorinus 1769: 87-8).

3.3.2 Grenadiers

This group of soldiers was used as guards, or *lijfwagt*, to the Sultan and the Dutch Commandant at Speelwijk, and also to any senior officials from Batavia who might be sent to visit Banten. Like the musketeers, the grenadier guards were mostly Dutch and other Europeans (Arsip Bantam/Banten 1674-1891, No. Inv. 23). It is not stated in the archives that the grenadiers were deployed to fight against any uprising. Their duties

were mostly to guard the headquarters and to march in ceremonial processions. In the royal procession for the coronation of Sultan Abul Moghali Mohammad Wasi Halimin on 17 April 1752, a group of 48 grenadier guards from Speelwijk marched behind the state coach in which the new Sultan and the High Commissioner from Batavia sat together (Arsip Bantam/Banten 1674-1891, No. Inv. 23). When the coronation of another Sultan, Abul Nassar Mohammad Arif Zainul Assakhin, was held on 24 September 1754, it was stated that twelve Dutch grenadiers stood behind the Sultan's coronation throne as a guard of honour (Daghregister 1754).

Stavorinus mentioned a procession when Mr. Van Test, the senior merchant sent from Batavia and his company, including Stavorinus himself, went to the royal palace to pay their respects to the Sultan on 17 May 1769. The grenadiers were also on duty in this procession.

> In the second [coach], was the commandant Reinouts, and Mr. Van Test, escorted by the usual guard of the former, consisting in twelve grenadiers... (Stavorinus 1769 II: 76).

3.3.3 Hussars

These were soldiers who fought on horseback. It was found in the Company's archive dated 11 December 1753 that 49 hussars were mobilised together with other kinds of soldiers to put down the rebellion (Arsip Bantam/Banten 1674-1891, No. Inv. 23). It is unclear, however, whether these hussars were part of the garrisons in Banten or whether they had been sent from Batavia to fight against the rebellion. Another assumption is that these hussars were actually the musketeers or grenadiers who were also trained to fight on horseback. It is unlikely that there would have been more VOC soldiers in Banten than were mentioned by Stavorinus or De Rovere van Breugel. Moreover, the hussars were not mentioned among the different kinds of soldier who joined the royal procession when there were state ceremonies.

3.3.4 Armoured soldiers

These were guards of honour in copper armour and morion. They also bore shields and swords in their hands. This was a European battle uniform dating from the sixteenth and seventeenth centuries, which had already become old-fashioned in the eighteenth

century. However, these kinds of soldiers were still used as guards of honour for the royal family in Europe in the eighteenth century. Soldiers in traditional uniform might have had only a ceremonial function, as they were mentioned as being on duty only at the coronation ceremony (Arsip Bantam/Banten 1674-1891, No. Inv. 23). Similar kinds of guard in traditional armour can still be seen, even nowadays, in Europe. It seems that the Swiss guards who are the guards of honour for the Pope in the Vatican, and the Yeomen of the Guard or the 'Beefeaters' who guard the Tower of London, are the evolution of this kind of royal guards in armour.

3.3.5 Pikemen (Piekeniers)

Pikemen were soldiers who armed themselves with a pike. They were another large group of soldiers in Banten, and mostly consisted of indigenous men from various parts of the Archipelago, such as Buginese and Balinese. The Dutch included them under their control and used them as bodyguards for the Sultan, as well as for marching in the middle and at the end of the royal procession in different ceremonies. Pikemen must have been the Sultan's 'Bantam lifeguards' mentioned by Stavorinus (Stavorinus 1769 II: 66). They were provided, in addition to krisses (daggers) which were their traditional weapon, with pikes as hand-weapons. Stavorinus described the pikemen, who looked very different from the European soldiers.

> They were armed with half-pikes, and were naked down to their middle, which was girded by a piece of dark blue or blackish cotton cloth, which came round between their legs and hung about half way down their thighs (Stavorinus 1769 II 76).

3.3.6 Bowmen

Bowmen were another traditional form of soldiers under the VOC in Banten. Like the pikemen, the bowmen consisted of indigenous men who had been recruited from different parts of the Indies. Bow and arrow were among traditional weapons used in the Indonesian Archipelago, long before the coming of the Europeans. The VOC might have recognised the advantage of maintaining traditional forms of soldiers like the pikemen and bowmen under its control. Probably this was related to its policy, stated in

several contracts, that all indigenous men from different parts of the Indies who had migrated to Banten must be under the Company's sovereignty. Although the pikemen and bowmen were still called in the VOC's archives *the King's lifeguards*, their true commander was the VOC (Arsip Bantam/Banten 1674-1891, No. Inv. 23). Each ethnic group which had migrated to settle in the Sultanate of Banten must have come in large numbers. The *Sejarah Banten* states that men had to be very good in fighting, in order to be recruited by the Sultans of Banten to the Sultanate's army. After the VOC established its overlordship over Banten, it claimed the right to control the Chinese and other ethnic groups in Banten. Inclusion of the traditional Banten soldiers in the Company's troops was not only to make the forces larger, but also to keep the indigenous soldiers using their traditional weapons, which would be safer for the Company than training them to be European soldiers and to use more effective weapons. Apart from that, it was no doubt about the intention of the VOC not to leave many soldiers under the Sultan's control, as it wished to weaken his ability to create any trouble for the Company.

3.3.7 Gunners (Artillerij)

Gunners were soldiers who were in charge of firing cannon at the three fortresses in Banten. It is not clear whether the gunners were Dutch or indigenous men. However, the VOC's archives also often called them *artillerij*, which is a term for artillerymen trained in the European style, not Javanese gunners. In an archive dated 8 March 1800, it is recorded that some *Europeesche cannonier* were sent to defend the Anyer outpost on the coast of the Sunda Strait (Arsip Bantam/Banten 1674-1891, No. Inv. 23). This suggests that the gunners in Banten were probably Dutch or Europeans rather than Javanese or other indigenous groups. The gunners in Banten hardly fired cannons in battle, and then probably only in fighting rebels in the kingdom. On the other hand, they always had to fire gun salutes in state ceremonies, and return the salutes of vessels entering the Bay of Banten.

3.3.8 Sailors (Zeevarenden)

Sailors under the VOC in Banten may be considered a kind of soldiers, as they were trained to fight in battle, in addition to their main duties on board the ships (van Breugel 1856: 338). The 11 December 1753 archive mentioned that seventy *zeevarenden* or sailors were among 460 soldiers sent to fight against the rebellion (Arsip Bantam/Banten 1674-1891, No. Inv. 23). It may be assumed that these *zeevarenden* were trained to fight on the battlefield in the same way as the marine corps nowadays.

Soldiers were the largest *European component* in each settlement of the Company in the Indies. The Dutch and European officials and soldiers in the Banten settlement, similarly to those in Batavia and the other settlements, were men from low backgrounds (Day 1966: 50). Most of them were poorly educated, and they were known for their bad behaviour. The people of Banten people must have been unhappy with the unruly behaviour of the Company's Dutch and European soldiers after the Dutch overlordship was established in Banten in 1682. A contract signed by the Company and Sultan Abul Nassar Abdul Kahar or Sultan Haji on 15 February 1686 listed several kinds of unpleasant behaviour of the Company's European officials and soldiers in the city of Banten Lama. Some of them went out of the city into the inland without any permission. There were some who went into the houses of Javanese people and stayed there overnight as if it were their own house, and some sexually harassed Banten women. Some took goods from stalls in markets without paying, while some went into the gardens of local people and picked vegetables or fruit. Even places of worship and cemeteries were entered by some curious soldiers. The European soldiers even dared to watch the Sultan and the Queen, together with the court ladies, bathing in the river, and some of them who were on duty in Fort Diamond even curiously climbed the palace wall to see what the royal palace looked like. The most unacceptable behaviour was to block the path of a royal procession and fail to salute the Sultan. The Sultan complained to the Company and this was no doubt one of the reasons why the contract was signed (Overgekomen brieven 1687).

Since most of the Dutch and European officials and soldiers were from bad backgrounds, it is not surprising that they behaved like this. Day provides a clear image

of people who had been recruited by the Company to be officials or soldiers in the Indies.

> It took boys who ought to have been at school, men from the poorer callings who welcomed a change because they could not lose by it, and outcasts from the middle and upper classes of society (Day 1966: 97).

Apart from that, the Company also recruited other Europeans who had no future in their homeland, or adventurers. *Bad in Holland, good in East India* was a proverb that the Dutch officials and soldiers in the Indies during the eighteenth century were proud of (Day 1966: 97). The Company's prosperity and success in conquering the kingdoms in the Malay-Javanese world during the seventeenth and eighteenth centuries might have made its men proud of themselves (Stavorinus 1769 II: 68). Although they were unwanted men in Holland, they could help build up a powerful company in the East Indies. However, the Dutch East India Company at last declined at the end of the eighteenth century, partly because of the unpleasant behaviour of its staff, which had been carried on in every generation since the Company's first settlement was established in the East Indies.

In 1769, Stavorinus noticed that the condition of the Company's European troops in Banten was very poor. The garrison of Fort Speelwijk contained a large number of sick soldiers.

> The garrison is nearly equal to that of Fort Diamond, but a considerable number are generally confined by sickness; this place being considered as even more unhealthy than Batavia (Stavorinus 1769 II: 68).

The difference in climate and atmosphere from Europe was the main reason for these soldiers' sickness (Overgekomen brieven 1687). Another reason was the unhealthy condition of the garrisons. De Rovere van Breugel mentioned that the river water was too unhealthy to drink, because it was too muddy and people were accustomed to throwing garbage into the rivers. He then concluded that of 100 deaths of Dutch or

European soldiers since 1757, 24 cases were due to using and drinking dirty river water (van Breugel 1856: 339).

Although there had been several troubles regarding the bad behaviour and sickness of the Dutch or European officers and soldiers at the Banten settlement, the Company was still powerful enough to keep the Sultanate under Dutch overlordship. This was obviously because the Dutch had in many ways higher technology than the natives, and in particular more powerful weapons and war strategy. De Rovere van de Breugel, realising this, proposed that it was a waste of money for the Company to rule Banten as a Commandery with 372 officials and soldiers. He argued that Banten should be only a Residency, with only 185 men. As justification, he points out that Banten was not too far from Batavia and troops might quickly be sent in case of emergency. Apart from that, he argued that the poverty of the Sultan itself would stop him from starting any uprising against the Company (van Breugel 1856: 118).

3.4 Protocol

The status of the VOC after the establishment of its centre, Batavia, as headquarters in 1619 was not different from the other states, in Java or other islands. Batavia was one among three main centres of power in Java, the other two being the kingdoms of Banten and Mataram. Political and diplomatic protocol might have indicated the sovereignty of any state. The Company probably applied protocol to indicate its equality with the two kingdoms of Java. To study the VOC's protocol and diplomatic ceremonies may, to some extent, help us to understand its political attitude and policy towards each state in the East Indies. The Company did not completely conduct its protocol in European tradition, but followed the traditional South-East Asian protocol. This is probably because of the differences between European and traditional South-East Asian protocols. If the Company wished to have a smooth relationship with the natives, it would have to observe traditional South-East Asian protocol. On the other hand, it appears that the native rulers intended to accept and follow some aspects of European protocol, in order to be recognised by the Company or other Europeans, and so enhance

their economic prosperity and political stability (Bastin 1961: 8).

In this chapter, only the Company's protocol in its relation with the Sultanate of Banten will be discussed. There are both similarities and differences of protocol, compared to that used in dealings with other kingdoms. The VOC must have started its protocol with Banten when it first officially contacted the Sultan and his government in 1596, but it was not until the period from 1752 onwards that a more complicated protocol was applied.[36]

After the VOC established its control over Banten in 1682, diplomatic customs were applied towards the sultan and his government. These customs were intended to indicate the difference in status between the Company and the Sultan and his government, in other words, as a sign of the Company's feudal overlordship over Banten.

3.4.1 The tributary system

When Batavia established its sovereignty over Banten in 1752, the simplest way to identify its overlordship was probably to apply the ancient tributary system with the sultan and his government. The ancient kingdoms in South-East Asia, no matter whether they were Hindu-Buddhist states, sultanates, or non-Indianised states, were familiar with the tributary system, which was considered as symbol of the recognition of power between the small and powerful states (Coedes 1968: 34, 137, 141, 157). Tribute was paid by a vassal state to its overlord kingdom at fixed intervals, such as every one, two or three years. The payment of tribute had to be made in an official ceremony by a mission sent to the court of the overlord state (Andaya 2001: 68). The tribute was considered less important than its presentation ceremony. The ceremonial method of paying tribute was the most significant element of tributary system, as it was an official expression of the respect of a vassal state for its overlord in public (Andaya 2001: 68. 70, 90, 105). Overlord kings commonly required their vassal rulers to deliver tribute to their court in a ceremonial way,[37] and often the ceremony for paying tribute took place at a grand audience in the royal palace.[38]

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[36] The year 1752 marked the change in status of Banten under the official control of the VOC.
[37] The kings of Siam in the Ayudhya and early Bangkok periods strictly adhered to this tradition.
[38] For example, King Rama I of the Chakri Dynasty always received delegations from Patani, Kedah,

The VOC probably intended to identify itself like an overlord to the kingdoms in the East Indies, which had been conquered and put under its sovereignty. Following the precedent of the tradition dating from the pre-Islamic era, the Company`s vassal states had to pay homage to the Company with various kinds of tribute, normally in the form of precious products from the agricultural or natural resources in each kingdom (Andaya 2001: 68). The VOC's assertion of its sovereignty over the East Indies kingdoms led it to play the roles of both merchant and prince. Vos (1993: 1-2) even compared the Company with a Janus, a mythical figure with two faces, who had one face as a European merchant and another as an Asian prince.

It was stated nowhere in the 1684 treaty that the Sultanate officially became a Dutch possession. The most important reason for this is that the Company intended to gain from Banten only the pepper trade monopoly. It had no wish to intervene in any internal affairs. On the other hand, it was stated in points 22 and 23 of the 1752 treaty that the Sultan of Banten must respect the Prince of Oranje-Nassau as his overlord, and recognise the Dutch East India Company and the Government of India (*De Heeren Raden van Indië*) as the Netherlands' representatives in the Indies (Overgekomen brieven 1753). Apart from that, it was also stated that the Sultan had to pay homage to the Company annually by presenting tribute in the form of 100 Bharen of pepper. The pepper tribute had to be divided into 50 Bharen of white pepper and another 50 Bharen of black pepper. This tribute had also to be delivered to Batavia by an official delegation, together with a letter from the Sultan of Banten (Overgekomen brieven 1753).

3.4.2 The letter ceremony

Another protocol which the VOC adopted from an ancient tradition existing since the pre-Islamic period was the letter ceremony. With the tribute, a letter from the Sultan of Banten had to be conveyed by an official mission to Batavia. The letter was normally written in Malay, using Arabic script. The paper used in writing this kind of official

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Kelantan, and Terengganu in a grand audience in the Dusit Throneroom in the Grand Palace of Bangkok.

letter was illuminated with gold lettering or colourful hand-painted flower and leaf patterns. This kind of royal letter is called in Malay *surat mas* or golden letter. The golden letter would not complete without one or more red wax seals stamped on it. Before it was brought with the delegation, the letter was put in a special envelope made of yellow silk (Gallop 1994: 98-101).

The mission from the Sultan of Banten would bring the royal letter and pepper tribute to Batavia and present them to the Governor-General and the *Raad van Indië*. The mission was ceremonially received in Batavia when they presented the Sultan's letter and the tribute to the Governor-General (Overgekomen brieven 1753). When the delegation returned to Banten, they took with them gifts and a letter from the Governor-General. These were kept in Fort Speelwijk until an appropriate day, when they would be delivered in procession by the Dutch officials in Banten to the royal palace to be presented to the Sultan and the letter would be read out in the audience hall (Overgekomen brieven 1753).

One protocol which should be noted in relation to the letter ceremony is the status of the royal letter and the ambassador who was the head of the mission. In Asian tradition, the royal letter was considered the most important object in the mission, as it represented the Sultan himself. The ambassador was the only person who could carry it and even he had to pay respect to the letter. The letter had to be awarded the same respect as the King. It must be put in a yellow cover, yellow being the royal colour, and placed on a special bearer such as a golden tray. The golden tray must also be placed either on the throne or royal palanquin when it was delivered, and it was always sheltered with a parasol all the time it was in the procession. The procession to deliver the royal letter was similar in form to the King's procession when he went out of the palace (Lanier 1969: 47-9). Letters from foreign kings or the Governor-General were ceremonially received in the same way.

3.4.3 Official and unofficial visits

When there was any special function in the Sultanate, especially the investiture or coronation ceremony of a new sultan, the government at Batavia would send a

representative to witness the ceremony (Overgekomen brieven 1754). This was obviously because the Dutch East India Company, since 1752, was the true kingmaker to the Sultanate of Banten. The representative from Batavia was known as *De Heer Commissaris* or the Commissioner (Arsip Bantam/Banten 1674-1891).

Apart from the official visit of the Commissioner to witness the investiture ceremony of a new sultan, the Company might also send a group of officials for business purposes, such as the time when Van Test visited Banten in 1769 (Stavorinus 1769 II: 55). This type of visit can be considered unofficial, as the head of the delegation was not the Government of the Indies and the Governor-General's representative.

> Having discharged the cargo of the ship, and taken in ballast, I received orders from the governor general, to go to Bantam to take a cargo of pepper on board. My departure was fixed for the 10th of May, and I was likewise directed to hoist an ensign at the maintop, as soon as we were out of sight of the road of Batavia, because Mr. Van Test, senior merchant, and ex-commissary of inland affairs, together with Mr. De Meyer, counsellor of justice, and some more company, both ladies and gentlemen, were on board, and were to go to the voyage to Bantam with me; although this mark of distinction was not properly due to any one of them, unless they had been on commission in behalf of the Company's government, which was not the case (Stavorinus 1769 II: 55).

Protocol in receiving a visit from Batavia began when the visiting ship arrived in the Bay of Banten. The incoming ship had to honour the Company's administration in Banten with a thirteen-gun salute. The same number of shots were fired in return to honour the guest ship from Fort Karangantu, which was the closest fortress to the coast. After the exchange of salutes, the Commandant at Banten came on board to welcome the guests and took them on board a *perahu* or barge, to go on shore at Pabean or the pier near Fort Speelwijk. The guests were then taken to their residence in Speelwijk. Normally, the head of the mission and his wife stayed in the house of the Commandant, while his entourage were put in other houses in the fort complex (Stavorinus 1769 II: 55-9).

The most important features of each visit were an audience with the Sultan and a state banquet in honour of the delegation. These two functions were arranged by the

Sultan's government, with the approval of the administration in Fort Speelwijk (Stavorinus 1769 II: 75). The arrangements for audience and banquet varied somewhat, depending on the status of the chief visitor. An example of the first is an audience granted to Johan Gidoen Looten who visited Banten as the Government of India's representative to witness the coronation or the investiture ceremony of Sultan Abul Moghali Muhammad Wasi Halimin (r. 1752-3) in April 1752.

After the visitor from Batavia and his entourage arrived in Banten, they were informed of the day the Sultan would grant them an audience in the royal palace. The audience was normally granted in the afternoon, followed by the banquet. Johan Gidoen Looten was granted an official audience with the new Sultan on Monday 27 April, ten days after the coronation and investiture ceremony. The audience ceremony began at 5 o'clock in the afternoon when the two princes, Ratu Bagus Pudjo, a son of the Sultan, and Pangeran Radia Santika, the Sultan's brother, and some other senior courtiers were sent to Fort Speelwijk to escort the Commissioner and his entourage to the royal palace. The delegation from the Sultan was received in front of the fort by two of the Company's traders at Banten, De Wilde and De Prill who led them inside the gate. Inside the gate, the delegation was received by two other officials, De Roth and Van Suchtelen. The Banten delegation took the salute from the soldiers who stood in two rows along both sides of the way to a reception hall. At the reception hall, the delegation was served with tea and sweets, while they were waiting for the Commissioner. After the Commissioner arrived and greeted the delegation, Ratu Bagus Pudjo walked with the Commissioner along the same way out of the fort, accompanied by the entourages of both sides. At the drawbridge in front of Fort Speelwijk, the Commissioner and Ratu Bagus Pudjo got into the first state coach. In the other two state coaches the Banten senior courtiers and the Commissioner's entourage sat together. When the three state coaches started moving, a 17-gun salute was fired from Fort Speelwijk. The state coaches then joined the procession that had been waiting on the route to the royal palace.[39]

The procession moved towards Surosowan Palace in Fort Diamond. At the

[39] *Looten's Rapport,* in *Overgekomen brieven 1752*, 22ste boek, folio 607 en volgende.

drawbridge in front of the fort the Sultan, members of the royal family, and senior officials were waiting to receive the Commissioner. When the state coaches arrived there, the Commissioner was greeted by the Sultan and led into the *dalem* or palace. The Sultan took the Commissioner into an audience hall, after which he invited the Commissioner to sit on his right hand side.

Having talked with the Commissioner for a while in an audience hall, the Sultan then brought the Commissioner and his entourage into the dining hall for an official banquet. The food served on this occasion included both Dutch and Javanese dishes. After the meal followed another protocol, toasts with salutes. The Sultan proposed the first toast for the good health of the Governor-General at Batavia, followed by 15 salutes. After that other toasts and salutes were offered to the Sultan and the royal family, the Commissioner, the Sultanate of Banten, and the relationship between the Sultanate and the Company. When each toast was offered, it was followed by salutes fired from Fort Diamond. After that, the other set salutes were returned from Fort Speelwijk.[40]

Around 8 o'clock, after the end of the toasts and salutes, the Commissioner said farewell to the Sultan before he retired from the dining hall. The Sultan walked along with the Commissioner out of the Dalem to the drawbridge in front of the fortress to escort him to the carriage. On the way back to Fort Speelwijk, the two princes also accompanied the Commissioner and his entourage to Speelwijk. After the Commissioner arrived back at Speelwijk, he presented two bottles of rosewater to the two princes, before they said farewell and retired from the fort.[41]

The details of the official and unofficial visits paid by the officials from Batavia to the Sultanate of Banten in the eighteenth century were not very different from what is stated in the present international diplomatic protocol. Obviously, this type of protocol was not an original South-East Asian tradition at all. On the contrary, it was a new

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[40] *Looten's Rapport,* in *Overgekomen brieven 1752*, 22ste boek, folio 607 en volgende.
[41] *Looten's Rapport,* in *Overgekomen brieven 1752*, 22ste boek, folio 607 en volgende.

tradition that the Dutch East India Company introduced to Banten and other kingdoms in the Indonesian Archipelago.

3.4.4 Salutes

One courtesy in European protocol which might have been introduced by the Dutch to the Sultanate of Banten was the tradition of saluting by firing a gun or cannon. Traditional states in South-East Asia before the coming of the Europeans were not familiar with saluting with such powerful weapons as guns and cannon (Bastin 1961: 5). Rather, the firing of guns or cannon in most traditional South-East Asian kingdoms was intended to avert evil influences from the realm, not as a sign of greeting or paying respect to an honoured visitor at all (Wales 1931: 177). The Europeans might have introduced the gun salute tradition to South-East Asia, because firing cannon as a salute had been a significant sign for navigation in Europe, long before the expansion of the Europeans to Asia. If a ship sought permission to anchor in any port or to pass a strait or channel, it would give the appropriate gun salutes to identify itself and to pay respect to the authority there. For example, in the eighteenth century, all ships passing the Sunda Strait had to fire 13 guns to pay respect to the Dutch East India Company, as it had claimed the sovereignty over that sea route (Stavorinus 1769 I: 208).

By the eighteenth century the native authority of Banten was already familiar with European tradition and protocol introduced by contact with the Europeans, especially its overlord, the VOC, since the sixteenth century. The Banten authority then understood well the significance of the gun salute tradition.[42]

From the *Overgekomen brieven 1752-4*, it appears that there must have been a rule on firing gun salutes, who deserved salutes, and the numbers of shots to be fired in each case. It is appropriate to indicate here the people who could be honoured with salutes

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[42] *Looten's Rapport,* in *Overgekomen brieven 1752*, 22ste boek, folio 607 en volgende.

and the number of shots to which each of them was entitled. The data is shown in the following table.

Table 1: Status of people who could be honoured with gun or cannon salute, and number of shots deserved.[43]

People and status	Number of shots deserved
1. The Prince of Oranje-Nassau	21
2. The Governor-General and the Government of the Indies	21
3. The Sultan of Banten	21
4. The Queen Consort	17
5. The Crown Prince	15
6. The Sultan's representative	17
7. The Company's Commissioner	17
8. Salutes from an incoming ship to the Company's Commandery in Banten	13
9. Returning salutes to the incoming ship	13

However, in the later years before the Sultanate was abolished, it might be noticed that the number of salutes to the Sultan and the Queen consort was reduced, while the Governor-General and the *Raad van Indië* still received 21 salutes. At the coronation of Sultan Abulfatah Muhammad Muhyiuddin Zainal Salikin (r.1799-1802), the Sultan and the Queen were honoured with only 16 salutes (van Breugel 1856: 393-5). This is a clear indicator of the decline in the role and significance of the Sultan, from the sovereign of Banten to only the chief local official under the Government of the Netherlands Indies.

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[43] ARA, *Overgekomen brieven 1752-4*

For more than a century under the Company's sovereignty, the two worlds of the *Kesultanan* (sultanate) and the *Kumpeni* (company) had learnt to live together in peace and happiness. The sultan and the government had to behave themselves as 'good followers' to the Company's policies. The Company itself would not intervene in any of the sultanate's internal affairs, as long as its interests were secured. As a result, the Company had almost nothing to do with the sultan's subjects. They still carried on their lives as if the kingdom were not under the Company's sovereignty. The only thing the Company had to be concerned about was an attempt among the natives to rise up against it. The uprising of the inhabitants in 1752 probably gave the Company a good lesson, namely to be careful in supporting any particular prince to rule the kingdom. If it supported a wrong person like the Queen Regent, Ratu Syarifa Fatimah, it would be opposed by any princes whose interests were threatened. Opposition groups like Ratu Bagus Buang and Kyai Tapa could probably use the subjects as their allies in taking action against the Company. The 1752 uprising might have reminded the VOC to beware of the subjects as 'silent power', and probably led to its policy to leave the world of the subjects intact. Although the VOC claimed its overlordship over the non-Javanese inhabitants of Banten and their children by Banten wives, it would treat them via the sultan as their overlord. This action might have been the Company's intention to avoid stirring up the subjects.

After the fall of the VOC at the end of the eighteenth century, the Government of the Netherlands Indies might have changed its attitude towards Banten. The radical administration of Governor-General Daendels turned the status of the Dutch authority to Banten from 'protector' to 'commander'. Both the elite and subjects of Banten had to follow Batavia's commands and effectively execute them. Daendels no longer cared for any protocol which the VOC had carried on in dealing with the sultan and his government. The rising up of the subjects could no longer cause any concern to a

military man like Daendels. The government in Batavia began its policy to exploit the subjects' labour for the development project to create a better infrastructure in Java. When the exploitation was not successful, Deandels probably intended to blame the sultan and his government for their irresponsibility. With such harsh administration, the Sultanate of Banten came to the end. I agree with Guillot (1990: 53) that the Dutch authority after the VOC no longer cared about the existence of the Sultanate of Banten. The Netherlands Indies government no longer needed any guarantor of its economic interest. To annex Banten to Batavia's territory might have been an easier way for the Dutch to profit from the western tip of Java.

Conclusion

In this chapter we have examined the presence of the Dutch East India Company in the Sultanate of Banten during the late eighteenth century. In the first part we started with the Company's perspective and policy in dealing with Banten and its government. The second part examined the VOC's settlement in Banten during the late eighteenth century. We discussed different elements of the settlement: the fortresses and stations, officials and troops, and its protocol in dealing with the sultanate. From all the topics of discussion, we can see that the VOC had built up its own world within the land of Banten. Two worlds with different cultures shared the same territory. However, the two worlds could carry on alongside each other well enough, as long as the Banten government could guarantee the security of the Company's economic interests. The Company's settlement in Banten remained stable throughout the eighteenth century, with the support of the sultans as 'Company's kings'.

Chapter 3

The Royal court of Banten

As set out in Chapter 2, the VOC cemented its authority in Banten by imposing a trade monopoly in the reign of Sultan Abdul Kahar Abul Nassar (Sultan Haji, r.1683-1687). The Company, however, had no intention of deposing the Sultan and replacing the native government with its own administration. Its main purpose, according to Guillot (1990:10), Reid (1993:280-1) and Kumar (1997:259), was simply to gain the right to monopolise the pepper trade. The old regime with the Sultan as the head of state continued in a somewhat diminished form, in which the Sultan remained the political and spiritual leader of Banten, with the power of life and death over his subjects.

In 1752 the Sultanate was officially placed under the sovereignty of the VOC, according to Article One of the 1752 treaty signed by Sultan-Regent Pangeran Adisantika (r.1750-53). In the same contract the Company declared that all the *Mahomedaan* population or the Muslims in Banten fell under its authority, but it is also stated that those Muslims still had to respect the Sultan and his law. The authority of the Sultan over his subjects is also noted by Stavorinus who visited Banten seventeen years later in 1769.

> The first, to begin from the west, is the kingdom of Bantam; this is governed by its own kings, with full power of life and death over their subjects; yet they are tributary to the Company, paying a yearly acknowledgement of a hundred *bhars* of pepper, or 37,500 pounds weight. (Stavorinus 1798 I: 212)

During the late eighteenth and early nineteenth century, the royal court of Banten still maintained its supremacy in the political, legal and religious administration. The Sultan and his court were still the apex of Banten's social structure, and it could be argued that in the perception of the indigenous people, the Sultan still held an authority equal to that of his predecessors during the time before the kingdom was put under the sovereignty of

the Company. Terms for addressing the Sultan set down in the records of the late eighteenth-century Banten court of justice like 'His Majesty the Sultan who holds the power in the state of Banten' (Cod LOr 5625: 22) or 'His Majesty who dominates the state of Banten' (Cod LOr 5628: 8) help confirm this perception. The Banten lawbook reflects the status of the Sultans under the Company sovereignty from the perspective of their subjects.

> His Majesty Sultan Abu al Fatah Muhammad Syifa Zain'ul Arifin, the sovereign of the Kingdom of Banten, who has long been confirmed from days of yore up to the present day, who rules over all ministers and officials of the Lampung Tulang Bawang territory, and all the more humble subjects, especially people in the periphery of the kingdom, along the coastline, in the rice-growing areas, in the villages, in mountainous areas and the others, all must recognise the sovereignty of His Majesty. (Cod LOr 5598: 79)[1]

To be able to maintain the *full right of life and death* over his subjects indicates that the authority of the Sultan of Banten during the late eighteenth century was little different from that of other rulers in contemporary states in South-East Asia.

The aim of this chapter is to examine the structure and role of the royal court of Banten during the late eighteenth and early nineteenth century. The first topic I shall discuss is kingship, in order to provide a clear image of the Sultan of Banten under the sovereignty of the VOC. After this concept has been clarified, the royal palace which was then a symbol of the presence of the 'royal court', the supreme authority of the state and the main cultural centre of the kingdom will be examined. The third part of the chapter will explore royal traditions and state ceremonies, the most significant apparatus by which the sultans maintained their sovereignty and state power. Finally, I shall discuss the hierarchy pertaining among members of the royal family and state officials. The purpose of all four examinations is to provide an argument to counter the statement

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[1] ...Kanjeng Sultan Abu al Fath Muhammad Syifa Zainul Arifin yang dipertuan di negara Banten ashluhullahul mulkihi, yang sudah ditetapkan selama-lamanya dari dulu hingga sekarang, yang sudah umum bagi seluruh punggawa Lampung Tulang Bawang besar-kecil, dan seluruh rakyat kecil, apalagi

that during the eighteenth century the Sultanate of Banten had lost all its sovereignty and had become nothing more than 'a fief of the Company' (Kumar 1997:240) or a 'backwater' (Kumar 1997:258).

1. Kingship in the shadow of the Company: the dual roles of the Banten ruler

Any examination of the late-eighteenth-century royal court of Banten should start with a discussion of the concept of kingship which survived under the authority of the VOC and the effects that the Company had on the kingship.

The last phase of the evolution of kingship in the Sultanate of Banten fell under the sovereignty of the Dutch East India Company, and after that the *Raad van Nederlands Indië* or the Government of the Netherlands Indies. The Company claimed to be the *leenheer van het Bantamsche rijk* or the 'leige lord' of the Kingdom of Bantam. (*Overgekomen brieven* 1754, 19de boek, folio 332)[2] As was discussed in Chapter Two, the year 1752 officially formed the starting-point of VOC sovereignty over Banten. Sultan Abul Mogali Mohammad Wasie Halimin or 'Sultan-Regent' (Pangeran Aria Adi Sandika, who held the regency from 16 April 1752 to 22 September 1753), was the first ruler of Banten to occupy a 'dual role'.

Dual role is an appropriate term to describe the position of the rulers of Banten from 1752 until the Sultanate was officially abolished in 1808, in that all the sultans in this period had to play two different roles at the same time. One was the role in which they ruled the state and dealt with all internal affairs in their territory, and the other was a cluster of roles they had to play in their interaction with the VOC.

Although the Sultan was selected and put on the throne by the VOC as a *Company King* (Reid 1993:280), he still held full authority over his realm and subjects. In the

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orang tepis wiring, pesisir, desa pesawahan, pedukuhan, pegunungan, dan lain-lain, itu harus menaati perintah kenjeng sultan yang sudah disebutkan dalam undang-undang.

[2] The Company always identified itself in this way in all the contracts signed with the Sultans of Banten after 1752.

perception of the indigenous people, the status of the Sultans was still the same as it had been during the time before the kingdom was brought under the Company. The full authority of the Sultan over his subjects is also mentioned in the late-eighteenth-century Banten manuscript Cod LOr 5598 on page 87, which records the full authority of the Sultan over his subjects in the Lampung territory at the southern tip of Sumatra.

> His Majesty the Sultan commands that the whole population of Lampung shall obey nobody with the exception of His Majesty's will. All the inhabitants of Lampung are under His Majesty's authority, not that of any person, such as any prince, any other member of the royal family or any courtier family, since all of them fall under the Sultan only. Only what is commanded by His Majesty shall be the concern of people of Lampung. (Cod LOr 5598: 87)[3]

During the late eighteenth century, VOC and indigenous sources provide further evidence to support this assumption of an unchanged image of kingship in Banten, in their record of the prohibitions or taboos surrounding the Sultan himself. According to Quaritch Wales (1931: 32), the royal taboos, royal traditions and state ceremonies were key factors in indicating the potency of divine kingship in a kingdom.

1.1 The personal name of the Sultan was taboo.

The Sultan's personal name was considered too sacred to be bandied about in an everyday life. In the late eighteenth century, the sultans of Banten still carried on the tradition of adopting a royal title after their investiture. In 1753 when the Company selected Pangeran Arif Gusti to be the Sultan after he had been brought back from his exile in Ceylon, he abandoned his former name and assumed the royal title *Paduka Sri Sultan Abul Moali Mohammad Wasi Halamin* which was granted to him from Mecca. (Overgekomen brieven 1754, 19de boek, folio 332) Unlike the royal titles of the rulers

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[3] Dan lagi, Kangjeng Sultan memerintahkan kepada kehendak Raja saja. Semua orang Lampung itu dikuasai oleh Raja, tidak boleh kepada orang lain, seperti kepada Putera atau Rayi, atau kepada warga. karena mereka dikuasai langsung oleh Raja. Hanya yang diperintahkan oleh Raja saja yang boleh mengurusi orang Lampung…

of the Central Javanese kingdoms of Surakarta and Yogyakarta, the official royal titles of the Sultans of Banten were always Arabic. This was probably because of the tradition of requesting official titles from the Grand Sharif of Mecca which had been observed since the reign of Sultan Abul Mafakhir Mahmud Abdul Qadir (1596-1651).

The official royal title of the Sultan was used only in official documents like diplomatic epistles known as golden letters (*surat mas*), contracts signed with the VOC and the code of law. It can be considered to be a contributory factor in the expression of the superiority, prestige and elegance of kingship and the Sultanate. The long string of Arabic titles which were granted to the Sultan after his investiture were neither known nor understood by the common people, therefore it was usual simply to refer to the Sultan by the term *Kangjeng Sultan* or *Tuan Sultan* (His Majesty the Sultan).

> Legal memorandum of His Majesty kangjeng sultan, the sovereign of Banten, known to all the subjects of Banten and Lampung, as well as other vassals (Cod LOr 5598: 74).[4]

> The king, who was addressed by the title of Touang Sultan, or My Lord the King, appeared to me to be a man of between forty-five and fifty years of age (Stavorinus 1798 I: 80-1).

1.2 It was taboo to use words from the common language or modes of address and common manners to the Sultan and his family

In Javanese (the language used at the Banten court), as in many other Asian languages, there was and is a special set of words or palace language to be used with the Sultan and members of the royal family.[5]

As well as in the kingdoms of Surakarta and Yogyakarta, during the late eighteenth to early nineteenth century the court of Banten was still strictly hedged in by the tradition of court language and manners. Although no details about the use of palace language

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[4] ...peringatan dalam undang-undang kangjeng sultan yang dipertuan di negara Banten, dikenal oleh rakyat negeri Banten dan Lampung, besar dan kecil serta abdi lainnya.

have been found, the evidence which reveals courtiers' behaviour towards the Sultan is unequivocal. Stavorinus witnessed one obvious form of court behaviour to the Sultan during his audience with him.

> Hereupon the king called the pangorang, or prince, prime minister, who, as I have mentioned before was sitting at the lower end of the hall, at the head of the nobles, to come to him. He accordingly crept along the floor, till he came near the king's chair, where he remained sitting on the ground, answering the questions which the king put to him. He often replied with the word *inghi*, which is the Javanese affirmative, *yes*; but as I understood little of the language which was spoken, I was neither edified nor entertained by the dialogue (Stavorinus 1798 I: 82-3).

At that time the Sultan was entertaining a group of officials from the Company who paid him a visit at the Surosowan Palace. All visitors from the Company were granted an exemption from the unbending court etiquette, while everyone from Banten still scrupulously observed it. It should be noted that this is one indication which shows an attempt by the royal court of Banten to maintain, to the uttermost, the degree of its dignity and authority.

1.3 The taboo on the use of yellow.

Yellow is the traditional colour which is the prerogative of Malay royalty and commoners are prohibited to use it (Reid, 1988 I: 85). Stavorinus mentions the use of the colour yellow in the Surosowan Palace in Banten.

> The door by which we entered, was at the lower end of the hall; at the other end was another, leading to the remaining apartments. Near it stood a couch, covered with yellow satin; and also a kind of bedstead, with doors; the whole lacquered in the Chinese fashion. A little lower, was an oblong square table, with a yellow cover, adorned with red flowers; and on it stood three large chased silver dishes, with *siri* leaves, *areca* nut, and

[5] This royal taboo can probably be traced back to the period of the Hindu-Buddhist kingdoms when Javanese kings were identified as an incarnation of God, so that the language used to royalty had to be different from the common language.

> the further requisites for the preparation of *pinang* (Stavorinus 1798 I: 78).

The furniture mentioned by Stavorinus was actually the seat of the sultan in the audience hall where he entertained the Company Commandant at Banten and his entourage. The tradition of covering the seat of the sultan with yellow satin has always been used across the Malay world, even today.

1.4 For male royal children of over the age of twelve to remain in the royal palace was forbidden.

One of the significant royal traditions was to preserve the inner court as the most restricted area in the palace, open only to the king, female members of the royal family and court ladies. Thus, the king was the only man who resided permanently in the inner court. This tradition is still carried on nowadays in Yogyakarta and Surakarta.

Only royal children can be born in the inner palace and the princes are allowed to reside there until the age of between twelve and fourteen. Then each prince is granted his own palace or residence outside the royal palace. This prohibition was also mentioned by Stavorinus during his visit to the Surosowan Palace of Banten.

> When the king's sons arrive at the age of puberty, they no longer reside with their father, but each as his separate seraglio or harem. (Stavorinus 1798 I: 66).

The inner palace was a 'city of women', in which the Sultan was surrounded by only female courtiers. Even his private bodyguards were all female and they were always on duty when the Sultan was in the palace. Whenever the Sultan went out of the palace, the female guards were replaced by assorted groups of male guards, including guards provided by the Company.

> All the servants of the palace are women, and even the attendant guards of the king are of the female sex; for, although, when he appears in public, he is accompanied by his Bantam lifeguards, yet they are never admitted within the gate of the fortress (Stavorinus 1798 I: 66-7).

1.5 Taboos relating to the conduct of persons when in the vicinity of the palace

It is possible that the Hindu traditions surrounding the pre-Islamic kingship in Java still influenced the thoughts that Banten subjects entertained about the status of the royal palace. In the pre-Islamic kingdoms in Java royal palaces were considered 'the houses of God on earth'. (Jumsai 1982:14) The upshot was that royal palaces were treated exactly like places of worship. Taboos were automatically applied to everybody who went into or passed by the palace.

There is plenty of evidence to show that during the late eighteenth century the taboos relating to the royal palace were still strongly enforced. The first sixty-four pages of the Banten law-book (Cod LOr 5598) deal with problems arising in the capital city. Some refer directly to the breaking of the taboos surrounding the royal palace, especially on the *alun-alun* or the royal square at the front of the palace.

> The matter of people wearing their keris in the royal square (Cod LOr 5598 section 2: 1)[6]
>
> The matter of people opening their umbrellas in the royal square (Cod LOr 5598 section 2: 3)[7]
>
> The matter of people bearing spears or lances in the royal square (Cod LOr 5598 section 2: 19)[8]
>
> The matter of officials of nayaka rank building their houses next to the palace (Cod LOr 5598 section 2: 19)[9]

The reinforcement of these taboos in the court of Banten under the shadow of the Dutch East India Company is one indicator of a struggle on the part of of the Sultan to preserve his authority and dignity within his domain. The royal taboos helped buttress

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[6] Masalah orang membawa keris di alun-alun. [Masalah wong nyothé ing alun-alun.]
[7] Masalah orang memakai payung di alun-alun. [Masalah wong papayung ing alun-alun.]
[8] Masalah orang membawa tombak di alun-alun. [Masalah wong nyangking tumbak ing alun-alun.]

the role of the Banten Sultan as the plenipotentiary ruler over his subjects and territory, and helped maintain the image of a divine rather than a 'Company King', at least in the perception of his subjects.

The role of a 'Company king' was an amalgam of several different roles, namely that of a defender of the Company's economic interests and that of a debtor to the Company. After the official abolition of the kingdom, the Sultan was reduced to the role of an official of the Netherlands Indies Government. No longer was he recognised as a religious leader cocooned by taboos and complicated court traditions; now he was only a man who was chosen by the Company to conduct its business in his realm. He could be removed any time he forgot this role or was incapable of exercising it. In the case of Banten, the task of the Sultan was to make sure that the pepper plantations were well run and to collect the pepper produced across the Banten and Lampung areas to sell exclusively to the Company (Bastin 1961: 32). De Rovere van Breugel states that the pepper trade was the main source of income for the Sultan of Banten.

> The income of the Sulthan cannot be properly stated, the chief forces of it are the right he has from the pepper, which he alone purchase at 7 Spanish Reaals the Bahra or 375 pounds, and which the Compagnie takes from him for 15 Spanish Reaals, as has been said. Besides this, he takes eleven procento, according to an old custom, on all the pepper that has been delivered to him (De Rovere van Breugel 1856: 7).

The Sultan had to act as a co-ordinator, middleman and a pepper salesman. Stavorinus states that the sale of pepper in the port of Banten was the Sultan's responsibility, and that pepper delivered from the highlands of Banten and the Lampung territory was stored in the Sultan's warehouse at Port Karangantu.[10] The Company in

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[9] Masalah nayaka membuat rumah menempel ke istana. [Masalah nayaka umah-umah nyelep.]
[10] See Chapter Two.

Batavia appointed a group of officials to go to Banten to arrange the delivery of pepper from the Sultan and the money was paid directly to him.

> We accordingly sailed on the appointed day, the 10th of May, having on board eight chests of money, containing fifty thousand Spanish dollars, which were to be given in payment for pepper, to the king of Bantam (Stavorinus 1798 I: 56).

Stavorinus states that a group of princes and officials were appointed to supervise the sale of pepper.

> The delivery of the pepper was made out of the king's warehouses, situated near the river, after having been weighed by one of his servants, by weights of 250 pounds each, in the presence of eight or nine of his *inghebées*, or princes, who took an exact account of the whole; a servant of the Company deputed for that purpose, and one of my ship's officers, being likewise present, to prevent every kind of fraud. (Stavorinus 1798 I: 72)

The Sultan had to invoke his main role as the 'Lord of Life' to encourage his subjects in the highlands of Banten and the Lampung territory to concentrate on planting pepper. In manuscript Cod LOr 5598, a command from the Sultan to his subjects is recorded. It states:

> For all the more humble subjects, the law was issued by the *Demang* under the authority seal of His Majesty the Sultan, the Sovereign of Banten. Whosoever is skilled at in cultivating pepper in the Lampungs, do not cease to plant it. And whosoever is in charge of delivering pepper to Banten, do not cease delivering pepper to Banten. And all local officials (*punggawa*) who do not cultivate pepper, take charge of delivering pepper to Banten. And all local officials or subjects are forbidden to destroy pepper vines in other areas. If anybody dares to destroy pepper vines in any other areas, apart from Banten, he will be punished (Cod LOr 5598:74)[11]

[11] Untuk seluruh rakyat kecil, undang-undang yang dikeluarkan oleh Demang atas cap perintah kangjeng sultan yang dipertuan di Negara Banten. Barangsiapa orang Lampung pandai menanam lada, janganlah berhenti menanam lada. Dan barangsiapa yang mendatangkan lada, janganlah berhenti mendatangkan lada ke Banten. Dan seluruh punggawa yang tidak menanam lada, datangkanlah lada ke Banten. Dan dilarang bagi punggawa besar ataupun kecil atau rakyat biasa merusak tanaman lada di daerah lain. Jika ada yang merusak … selain Banten akan dikenai.

Since the reign of Sultan Abdul Kahar Abul Nassar (Sultan Haji, r.1683-1687) the Company had claimed that the ruler of Banten was its debtor. The first debt claimed by the Company was an amount of six hundred thousand Spanish real which the Company had spent in the war to support Sultan Haji in his endeavour to conquer his father in 1682 (Raffles 1817 II:183, 203). According to the 1753 contract, the Sultan was obliged to pay the Company twenty-five thousand real per year for twenty-five years (Overgekomen brieven 1754). The next lot of debt was incurred by an amount of 502,095.10 guilders spent by the Company in the suppression of the rebels against the Queen-Regent, Ratu Syarifa (r. 1748-1750). Cogently, each Sultan increased the debt by borrowing more money from the Company to afford to maintain the luxurious lifestyle pursued in the court. The character of Sultan Abul Mafakhir Muhammad Aliuddin (r. 1773-99) offers a good indication of the habit of spending money espoused by the Banten rulers.

> Of more income of the present Sulthan, we are not acquainted, but what we have stated is sufficient to show that if he was not so much attracted to buy everything he sees and not such a [.....?] of spending money, he could easily fulfil the contract he made with the Company, to pay an annual sum in discharging his immense debts. (De Rovere van Breugel 1856:18)

De Rovere van Breugel stated that in 1787 the debts had reached one million guilders or 367,725 real. The majority of the debts were never redeemed, even after the liquidation of the Company in 1799 (De Rovere van Breugel 1856: 24). The poor financial status of the Banten rulers caused by their squandering of money made it difficult for each Sultan to pay their debts back to the Company. In the end, the government of the Netherlands Indies had no choice but to release the sultan from the whole debt, as is stated in Condition number 29 of a document called 'Instruction for the King of Bantam', issued by Governor-General Willem Daendels on 27 December 1808.

> Finally the Government in consideration of the low state of the sultan's funds consents to exhonorate him from all former debts due the Honorable Company by the King of Bantam, although the sum of these debts is no less than 627,133 Francs. (Mackenzie Collection: 61)

In 1808 the Governor-General Daendels officially abolished the Sultanate of Banten by physically demolishing the royal palace and removing the capital city from Banten Lama to Serang. These actions exerted a direct effect on the status of the Banten Sultan. In Banten belief, the capital city was the most sacred and auspicious site in the kingdom. The site had been selected in 1527 by Sunan Gunung Jati as a propitious place for his son, Maulana Hassanudin, to establish the centre of his kingdom. Sunan Gunung Jati had the Watu Gilang stone placed in the middle of the alun-alun to serve as the sovereign's throne and to mark the centre of the capital. All the Sultans were crowned on this throne and they were expected to take their seat on this throne during any important state assemblies held when the kingdom was facing a crisis. The people of Banten had believed that the throne represented the kingship and divine power endowed by God (*Allah*) and it had to be part of the kingdom forever (Guillot 1990:63). It is even stated in the *Sejarah Banten* that the kingdom of Banten would collapse if the Watu Gilang throne was removed[12] (Pudjiastuti 1998:357). Although Governor-General Daendels did not remove the Watu Gilang from its place, the dissolution of the capital status of Banten Lama and the removal of the Sultan from the city were enough to render this ancient throne meaningless. In the eyes of the people of Banten, the sacredness of kingship would still be maintained as long as the sovereign resided in Negara Surosowan or Banten Lama (Cod LOr 5598:74). To force the Sultan to desert the city where all his predecessors had resided was tantamount to stripping him of his divine kingship.

Daendels also promulgated more policies to erode the significance of kingship. The territory of the kingdom was dismembered. The whole territory of Lampung was taken

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[12] It is stated in the *Sejarah Banten* that *di sini tempat alun-alun dan batu gigilang ini di pacuwan jangan dipindahkan dari tempatnya, selamanya harus di sini. Jika batu ini dipindahkan pasti akan rusak negeri.*

over by the Netherlands Indies Government and the area to the east of the Cidame River was annexed to be a district under Batavia. Only the original core areas of Banten. namely the area around the Bay of Banten and the highlands, remained under the Sultan's authority. And the power he held over these areas was limited. The whole authority in the state administration was removed from the Sultan. The authority to appoint the Chief Minister or *Mangkubumi* was assumed by the Government in Batavia. The Sultan could no longer give orders to the *Mangkubumi* in any matter, as the latter would only take the direct orders from Batavia.[13] The bestowal of official ranks and titles on members of the royal family or *Pangeran* and other chief officials was no longer the sultan's prerogative. The Governor-General in Batavia assumed this responsibility.[14] The only power left to the Sultan was his right to manage all the affairs of his household, and to administer minor punishment to his domestic servants.[15]

Although the Sultan was still maintained after the official abolition of the kingdom, his main role as the sovereign of an independent state had been abrogated. He was considered to be no more than the head of local officials of the government of Netherland Indies. Another manoeuvre to disgrace the Sultan and to nullify automatically the divine kingship of Banten was to force the Sultan to accept that the sovereign over his domain was the King of Holland.[16] Conditions Three, Four and Five

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[13] It is stated in Condition Six of the 'Instruction for the King of Bantam' that *The Rijkbestierder (Chief Minister) is to be appointed by government and all orders of government go through him.*

[14] From Condition Eight of the 'Instruction for the King of Bantam': *The present Pangerang and other chiefs are continued in their ranks and titles, but in future no new chiefs are to be created, or titles granted, but by the Governor-General himself.*

[15] From Condition Ten of the 'Instruction for the King of Bantam': *Nevertheless minor punishment, he has the power of awarding those who deserve it and the interior servants and his domestic establishment is left entirely at his own disposition and direction.*

[16] The signs of decline in divine kingship in Banten first appeared at the end of the first half of the eighteenth century when the VOC supported Ratu Syarifa Fatima, one of Sultan Zainal Arifin's consorts, in her efforts to dethrone her husband and usurp power in Banten. During her period of rule. Ratu Syarifa Fatima acted as Queen-Regent, while she requested the Company install one of her Arab relatives, Syarif Abdullah, as the Sultan. Ratu Syarifa was successful in gaining support from the VOC, because she promised to provide it with greater profits in the pepper trade. It was the first time in Banten history that a person who was not a descendant of Maulana Hassanudin became the ruler of Banten. The Company put Syarif Abdullah on the throne heedless of any problems which might arise later. The unpopularity of both Ratu Syarifa and Sultan Syarif Abdullah (r. 1748-1750) caused a rebellion in 1750 led by Ratu Bagus Buang, a member of the Banten royal family, with the support of a religious leader Kyai Tapa. As has

of the 'Instructions for the King of Bantam' leave no room for doubt that from then on the role of the Sultan was simply to head local officials of the Netherlands Indies Government.

> 3. The Sultan shall take the Oath of Allegiance to His Majesty the King of Holland as sovereign of the Kingdom of Bantam, and of obedience to His Excellency the Marshall and Governor-General in council.
>
> 4. The Sultan shall conform himself to such regulations as will be prescribed by the Dutch Government, for the administration in his provinces. The principal object of which regulations is to promote his welfare, with that of the chiefs and subjects by introducing tranquility, harmony and happiness such as they have never known before.
>
> 5. That the Sultan shall respect and obey all orders of the prefect as the representative of the Dutch Government and make no new regulations on his subjects without the advice of the prefect (Mackenzie Collections: 63).

The line of succession was one element of the Banten kingship dominated by the Company, and later the Government of the Netherlands Indies. Stavorinus says that after Banten fell under the sovereignty of the VOC, the Sultan no longer had the power to appoint his own successor. He could only nominate a prince whom he considered to have the appropriate qualification to rule Banten. The Commandant would then convey his request to Batavia to be approved by the Governor-General and the *Raad van Indië*. Once Batavia approved, an official command would be conveyed to Banten by a group of officials led by a high commissioner. The command would be read in both Dutch and Malay in the congregation of members of the royal family, senior officials and the nobles on the day of the installation ceremony of the heir to the throne (Stavorinus 1798 I: 213).

Stavorinus refers to one of the Company commands which established the eldest son of Sultan Muhammad Arif Zainal Asyikin (r. 1753-1773) as the heir to the throne. In 1767 the Company appointed an ordinary councillor of the Indies, Van Ossenberg, as the

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been mentioned in Chapter Three, it took the Company more than two years to subjugate the rebellion.

High Commissioner from Batavia to attend the induction of an heir to the throne in Banten. This official command indicates that the Company normally had no objection to acquiescing to the will of the sultan. As long as the person who was to ascend to the throne was not inimical to the Company and could carry out his task to defend the Company interest in Banten, the Company would approve the request.

> His Excellency the governor general and the honourable the council of India, having thought fit and resolved, to appoint me, as their commissary plenipotentiary to the court of Bantam, in order, at the request of the King, to propose and appoint His Majesty's eldest son ***Pangorang*** (prince) Gusti, as hereditary prince, and successor to the empire of Bantam; and, this desirable period being now arrived, in consequence, I, the commissary aforesaid, in the name and behalf of the general East-India Company of the Netherlands, appoint the said Pangorang, to be ***Pangorang Ratoo***, or the hereditary prince, and heir to the crown and the whole empire of Bantam, by the title of ***Abdul Mofagir Mohamed Ali Joudeen***.
>
> The Commissary expects that the said ***Pangorang Ratoo*** will, at all times, consider this, his important promotion, as a peculiar favour, and a great benefit conferred upon him by the honourable Company; being adopted from this moment, as the grandson of the East-India Company of the Netherlands; and that he will henceforward, on all occasions, and in all times, behave with integrity and gratitude towards them, obeying the commands of the honourable Company, and of the king his father, during his whole life. (Stavorinus 1798 I: 214-5)

The lawful heir to the throne of Banten had to be a son of the *Ratu Permaisuri* or the Queen Consort. This tradition was referred to in Prince Mahyuddin's letter dated 18 August, 1802. Mahyuddin was another son of Sultan Muhammad Arif Zainal Asyikin (r. 1753-1777). He wrote a letter asking the Resident of Banten to nominate him to be appointed the Sultan. He claimed that he was also a son who was born to the *Ibu Seri Rama Ratu* or the Queen Consort. He pointed out that there had never been any Sultans in Banten who had been born as a son of a *gundik* or concubine.

> Then I request you, Mr. Governor, to request the Governor-General Johanis Siberg at Batavia. I beseech Mr. Governor to understand that I was born to the Ibu Seri Rama Ratu [Queen consort]. Please inform the

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Ratu Syarifa and her shadow Sultan were arrested and exiled from Banten in 1750.

> Governor-General that from the past until the present there has never been any king of Banten who was not born to the Queen Consort. No son of a concubine has ever been installed as King of Banten. (Klt6/no.:237)

The authority to appoint an heir to the throne no longer rested with the reigning sultan but with the Company. No prince could ascend to the throne without support from the Company. One instance of a conspiracy to usurp the throne happened in 1776, which was the last year of the reign of Sultan Muhammad Arif Zainal Asyikin (r. 1753-1777). Prince Raja Manggala, who was one of Sultan Asyikin's sons, planned to seize the throne from his brother, Prince Abdul Mafakhir Aliuddin. De Rovere van Breugel also mentions this event in his 1787 account.

> The brother of the present Sulthan from mother's side and also of kingly origin had made secret preparation, at the end of the life of their father, to seize the gouvernment from his brother after the death of his father, but this intention having timely been discovered, he was caught and sent to Banda, where he is still living. His name was Radja Menggala. (De Rovere van Breugel 1856: 324)

The kingship might have survived after the sudden decline on 27 December 1808, if there had not been an aggressive policy to exert the Dutch authority under Governor-General Daendels. After 1808, kingship and the royal court of Banten continued to survive for another five years. During this period the Sultans were still respected by their subjects, but they no longer held any authority. The kingship of Banten reached its end during the period of the British Interregnum, when Sir Thomas Stamford Raffles (r. 1811-1816) successfully persuaded the last Sultan of Banten, Sultan Muhammad Rafiuddin (r.1809-1813), to abdicate (Raffles 1817: 243). After his abdication, the Sultan received ten thousand Spanish Dollars per year as a pension, and the residence of the Sultan and his family was moved to the village of Caringin, on the coast of the Sunda Strait.

2. The royal palace

> The religions of India, Hinduism and Buddhism, owed a good deal of their success in South-East Asia to their being able to confer legitimacy to those in power. The palace, as the residence of temporal power, was also in part an Indian concept, adapted to different conditions in the states of South-East Asia. (Dumarçay 1991: 1)

Royal palaces in Java, like palaces in Mainland South-East Asia, are miniatures of the universe organised according to the principles of Hindu-Buddhist cosmology. The lay-out, architecture and decoration of Javanese palaces are all based on the concept of divine kingship and power rooted in Hinduism and Buddhism (Dumarçay 1991: 1).

After their conversion to Islam, Muslim rulers in Java still resided in a palace built according to concepts of Hindu-Buddhist divine kingship and power (Tjandrasasmita 2000: 55). Javanese palaces were located in the heart of the capital city, in order to identify their symbolic status as the nucleus of the whole kingdom. They were not only the residence of royalty, but also the centre of state administration (Sumardjan 1962: 23-5).

The Royal Palace of the Banten Sultanate

The Surosowan Palace had been both the residence of the Sultans and the centre of state administration ever since Banten was first established in 1527. In 1808 it was demolished at the command of Governor-General Willem Daendels. Today, only the ruins of the palace are visible. To be able to examine the lay-out and architecture of the palace we need to consult several types of sources: indigenous manuscripts, European accounts and archaeological evidence.

2.1 The Palace plan

According to Dumarçay (1991: 94-5), the plans of Javanese royal palaces in Cirebon, Yogyakarta and Surakarta shared certain similarities with each other. To determine the

palace lay-out in Javanese Muslim kingdoms, Dumarçay made a comparison of two palaces, the fourteenth-century complex described in the *Nagarakertagama* and the mid-eighteenth century palace of Yogyakarta. The comparison led him to the conclusion that the Muslim Javanese states from the fourteenth to eighteenth centuries inherited a tradition of palace planning from their immediate predecessor, the Hindu kingdom of Majapahit.

To apply the concept of Hindu cosmology in constructing a palace for a Muslim ruler may be considered unusual, but it might have helped make the identification of Islamic kingship easier for the population. The inheritance of palace planning and architecture from the Hindu-Buddhist period was one of the crucial expressions in the legitimising Islamic kingship in Java.

Archaeological sources can be used to help reconstruct the plan and architecture of the palace. These sources are divided into three groups: the remains of the palace, materials and artefacts recovered from archaeological excavations in the palace area, and the reports of each excavation. These sources also help confirm the description of the palace found in both Stavorinus' account and in manuscript Cod LOr 5598 (Direktorat Perlindungan dan Pembinaan Peninggalan Sejarah dan Purbakala 1988: 33-5). An excavation conducted in 1977-78 by the Directorate for Protection and Development of Historical and Archaeological Heritage revealed ruins of six constructions inside Fort Diamond and the palace complex. This discovery has enabled archaeologists to draw up a rough plan of the *dalem* or the inner part of the palace (Ismijono and Samidi 1996: 201). The plan shares some similarities with that of the palace mentioned in the *Nagarakertagama*. The palace faced north, with the *alun-alun* or square at the front. (see Figure 11) To the north of the square was the River Ci Banten. To the east of the square stood the royal mosque, the most important place of worship in the kingdom (see Figure 12). The *alun-alun* was surrounded by a number of buildings and pavilions used for

different purposes. The palace was situated within the ramparts of a European fortress called Fort Diamond.



Figure 11: The Alun-alun or royal square at the front of the palace

Stavorinus noted that inside the walls of Fort Diamond there was another brick wall surrounding the palace compound. This brick wall was even higher than the ramparts of the fortress.

> The walls of the king's seraglio are raised higher than those of the fort, to render it impervious to the eyes of the curious. The captain who commanded the garrison here, related to me, that two inquisitive mortals were once discovered, attempting to scale these walls, and were instantly put to death. (Stavorinus 1798 I: 66)



Figure 12: The *Masjid Agung* or royal mosque

The walls of the Sultan's compound, mentioned by Stavorinus, might have been constructed after the fortification was completed in 1680. The archaeological excavation in 1977-8 revealed that in the fortification, the original palace walls were faced with coral-stone blocks (see Figure 13). The purpose might have been to divide the palace compound from the garrison of the VOC and to hide the palace from the eyes of outsiders. Nowadays, only the ruins of the walls on the north and west sides of the palace are visible. Stavorinus states that there was an arched gate in the inner wall which served as the entrance to the palace. A visitor had to walk past the gate of Fort Diamond first before he could see that arched gate.

> Coming to the gate of the fort, we were met by the king, who took the commandant Reinouts, and Mr. Van Tets, by the hand, and led them in, while we slowly followed in procession. Within the gate, stood the guard under arms, and the drums were beat incessantly. There were besides two trumpeters stationed at the entrance of the palace, and dressed in the king's livery, who sounded a lusty peal of wind-music.
>
> The entrance to the palace, is through an arched gateway; the plaistering of which was, in all likelihood, once of a white hue, but now appeared very black and dirty. It had, upon the whole, more the

appearance of a prison than of a regal palace, and gave me but a very indifferent idea of the inside. (Stavorinus 1798 I: 77)



Figure 13: The original palace walls were faced with coral-stone blocks.

On the south, the palace compound covered the whole space down to the rampart of the fortress. The rampart formed the palace wall on the south side. In the middle part of the rampart, four brick tanks were constructed along its length to store water. Water from *Tasik Ardi*, a reservoir to the south of the city, flowed into the tanks through the main pipe laid beneath the rampart.

A Dutch bird's-eye view painted around 1635 depicts the plan of the inner part of the palace. A square Javanese building with a tiered roof was located in the middle of the palace. The building was set on a high platform: to the east, west and south of the central

building were another three long buildings linked to each other in a U-shape. The Surosowan Palace depicted in this map tallies with Stavorinus' description of 1769.

> In the centre appears a square building, which has two roofs rising above each other, to such a height, that it is visible three leagues off at sea. (Stavorinus 1798 I: 66)

Having considered the plan of the Surosowan Palace from the Dutch bird's-eye view map and Stavorinus' account, it is possible to say that it had indubitably been influenced by the palace plan of the pre-Islamic period, which was a miniature of the Hindu cosmology (Behrend 1989:174-5). The square building with the tiered roof at the centre of the palace may have represented Mount Meru, which lies at the centre of the universe in Hindu cosmology. On the top of Mount Meru is located the palace of the God Indra.[17]

Although it is difficult to draw up a complete plan of the Surosowan Palace in the late eighteenth century, the surviving ruins in the palace area show that it was divided into different sections. Each section had a different function relating to the kingship and state administration.

2.2 The division of the palace compound

Royal palaces in Java are normally located within a square or rectangular piece of land, surrounded by high walls. The area within the enclosure of the Javanese palaces is normally divided into three courtyards, which I shall call the outer courtyard, middle courtyard and inner courtyard. On his visits to Surakarta and Yogyakarta in 1902, King Chulalongkorn (Rama V) of Siam noticed that the two kratons there were also divided into three sections, similar to those of the Grand Palace in Bangkok. The pavilions and buildings surrounding the alun-alun or royal square in front of the palace, the Pagelaran

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[17] To reduce the universe to the plan of a royal palace is to identify the king as Indra, who is honoured as the king of heavenly beings (Jumsai 1982: 24). Muslim rulers in Java adopted this tradition of symbolising the king's status with that of Hindu gods from the pre-Islamic states, and it was reflected in the plan, architecture and decoration of the palace. The throne hall of the seventeenth-century Kraton Kanoman in Cirebon was decorated with reliefs of mountains rising from small pools. The ceiling of the throne hall was decorated with reliefs of the sun, moon and stars. Dumarçay believes that the decoration of this throne hall reflected an imagined palace of Indra on the summit of Mount Meru (Dumarçay

and the Sitinggil, perform the function of the outer courtyard. The Kemandungan courtyard shares the same function with the middle courtyard, while the Kedaton courtyard can be compared to the inner courtyard (Chulalongkorn 1902:303).

2.2.1 The outer court

If we apply the division of the palace compounds in Surakarta and Yogyakarta to that of Kraton Surosowan, we must exclude the ramparts of Fort Diamond which were added in the late seventeenth century. Without Fort Diamond, the domain of the Surosowan Palace starts from the alun-alun square to the north of the palace. Because of its significance as a place where the Sultans were crowned and various state ceremonies took place, the alun-alun was included as an outer part of the palace. According to the *Sejarah Banten*, the alun-alun had been laid out at the same time Maulana Hassanudin founded the Surosowan Palace. Sunan Gunung Jati had a stone throne called the Watu Gilang placed in the middle of the alun-alun (see Figure 14), and this was considered to be the centre of the kingdom (Pudjiastuti 1991: 357). The Sultans of Banten were crowned on this throne and it was here that the Sultans held state assemblies (Guillot 1990:63).

1991:106). Similarly, the decoration of the Balé Retna hall in Kraton Kesunanan of Surakarta also depicts the paradise of Indra (Behrend 1989:175).



Figure 14: The Watu Gilang Throne

Another stone throne called Singayaksa was originally placed in the alun-alun in front of the royal mosque. The Kadi or the leading Muslim figure and the Mangkubumi or the Chief Minister sat on this throne when they were pronouncing judgement. In other words, the state law court in Banten was held in the alun-alun in the front of the royal mosque. The siting of the law court in front of the grand mosque might have symbolised the dispensing of justice in the name of God.

The Watu Gilang throne once stood under the shade of a big Banyan tree or *waringin*. It is possibly an old tradition inherited from the pre-Islamic period that one or two waringin trees must be planted in the middle of the alun-alun to mark the sacred spots of the kingdom. In South-East Asia, big trees were venerated as the dwelling places of powerful spirits even before the coming of Hinduism and Buddhism. Buddhists also worshipped some kinds of large trees like the Bodhi and the Banyan because these trees were directly related to the life of the Buddha (Geertz 1960: 24-5; Reid 1993 II: 137-8).

Islam did not expunge the veneration of large trees from South-East Asian minds. Muslim rulers in Java still carried on the tradition of planting Banyan trees in the middle of the *alun-alun* in front of the royal palaces.[18]

In Banten the Watu Gilang throne was placed under the shade of a *waringin* tree; the tree was possibly a symbol of the sultan's authority sheltering his subjects. Stavorinus saw only one *waringin* tree in the middle of the *alun-alun* and he interpreted the Watu Gigilang as a grave of a Sultan.

> In the middle of this plain stands a large large *weringa* tree, which extends its spreading branches on all sides, and affords a perpetual and agreeable shade. At the foot of this tree, is a grave, covered with a large blue stone, in which the body of one of the former kings of Bantam lies buried, and which the inhabitants look upon as a very holy place and revere it greatly. (Stavorinus 1798 I: 60-1)

Guillot argues that gatherings held in the alun-alun were also summoned when the kingdom or the capital city was facing an emergency or a crisis (Guillot 1990: 63). A regulation stated on page twelve of the manuscript Cod LOr 5598 confirms Guillot's statement. It says that should there be a disturbance in the city, all state officials (*nayaka*) had to go to the place where it was taking place and stop the riot. All the palace officials (*punggawa*) had to come out and gather in the alun-alun to defend the palace entrance. All ministers had to stand by in their quarters (*paseban*) and each official had to be ready to fight to quell the disturbance.

> If a disturbance happens outside the alun-alun square, all the officials have to help bring the situation back under control, and palace officials have to come out and gather in the alun-alun square, and all the ministers have to stand by in their quarters (Cod LOr 5598: 12)[19].

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[18] In both Surakarta and Yogyakarta, two *waringin* trees which are still visible nowadays were also planted in the middle of the alun-alun. People in the two kingdoms believe that *waringin* trees in the middle of the *alun-alun* are dwellings of the cities' guardian spirits. In Surakarta the two Banyan trees in the middle of the *alun-alun* were named *Dewodaru* (Divine Wood) and *Joyodaru* (Victorious Wood) (Van Beek 1990: 34). The names obviously reflect an intention to sacralise the trees, rendering them auspicious objects of the kingdom.

[19] Dan jika kerusuhan selain di alun-alun, maka seluruh nayaka diharuskan membantu mengamankan tempat kerusuhan dan seluruh punggawa harus berkumpul di alun-alun dan seluruh mantri dari

Other official gatherings on the *alun-alun* were equestrian tournaments which were held on the *alun-alun* every Saturday (Guillot 1990: 63). The tournament was a gathering to demonstrate the equestrian skill of princes and their expertise in handling different kinds of weapons. Stavorinus mentions an equestrian tournament in Banten.

> The name of this field, the Pascéban, is that which is given throughout the east, to those places where their princes divert themselves, with horse-races and similar exercises. All their courtiers and great men must then appear on horseback, and in magnificent apparel, to contend in the races with the king or his sons; always, however, with the proviso, that they yield the palm of victory to their royal competitors. (Stavorinus 1798 I: 61)

The area around the *alun-alun* was also included in the palace domain, because several buildings directly relating to the royal court were located there. The manuscript Cod LOr 5598 gives a clear picture of which kinds of official buildings these were. The first group of buildings comprised the residences of princes and ministers or senior officials called *pasében*. The second group contained the royal rice barns and storehouses for the appurtenances indispensable to the court such as musical instruments or *gamelan*. The third group was composed of the horse stables, where the Sultan's equipages and barges were also kept. Nowadays no traces of these buildings can be seen at all and no proper excavation of them has yet been conducted.

2.2.2 The middle court

In the old Javanese tradition of founding a royal palace, the *Sitinggil* terrace forms a border between the outer court and middle court or *Kamandungan*. In the Surakarta and Yogyakarta palaces, this middle court is the place where the *Pancaniti* pavilion is located. The pavilion once functioned as a place where the Susuhunan or Sultan

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Soranegara harus bersiap di paseban dalem dan seluruh bawahan para nayaka dan punggawa harus

dispensed justice. All legal processes and even the execution of convicted prisoners were conducted here (Van Beek 1990: 36). There was no *Kamandungan* courtyard in the Surosowan Palace. All legal procedures in Banten were carried out in the *pasében* of the *Kadi* on one side of the *alun-alun*, or before the *Singayaksa* throne in front of the royal mosque.

2.2.3 The inner court

Compared to the size of the royal palaces of Surakarta and Yogyakarta, the Surosowan Palace was much smaller. A survey of the ruins of buildings in the palace compound reveals that most of the halls and chambers were connected to each other by corridors. No walls and gates were erected to divide the palace compound into different sections. All the buildings had different functions for the convenience of the Sultan and his family. Stavorinus mentions that the compound inside Fort Diamond was called the *dalem* or inner palace.

> The palace is about twenty paces from the *corps de garde*, and is called *Dal'm*, which in the Malay language signifies, the *inmost*. This is not a single regular building, but consists of many dwellings united together, and covers nearly the whole space of ground within the fort. (Stavorinus 1798 I: 65-6)

The *Kadaton* courtyard or the *dalem* or the inner court started directly after a visitor walked through the north gate of Fort Diamond and of the main gate of the palace. This means that the *Kadaton* was the only courtyard occupying the whole compound inside Fort Diamond.

According to Stavorinus, there was a large audience hall at the front.[20] This audience hall was the only area in the *dalem* which male outsiders were allowed to enter.

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mengawasi atasannya masing-masing.

[20] There might have been other buildings in this middle courtyard, apart from this audience hall. Unfortunately, the ruins are too damaged to identify which kind of constructions they were.

Stavorinus (1798 I: 78) says that behind this hall there was a corridor leading to the 'remaining apartments', the dwelling of the Sultan and the court ladies.

The ruins of the audience hall are still visible. They form a large rectangular shaped hall, with its main length lying east-west. The hall stands on a terrace with three flights of crescent-shaped stairs at the front (see Figure 15). From its shape and size, it would seem plausible that this large hall was the place where Sultan Muhammad Arif Zainul Asyikin (r. 1753-73) entertained the Company officials from Batavia and their entourage. Stavorinus, who was a member of the entourage, provides a description of this hall in his account.

> Passing hence, we came into a large hall, which seemed, to the eye, to be about fifty-five or sixty feet in length, and of about half that breadth, with a tolerably lofty ceiling, built archwise, and seemingly wainscoted. The walls were whitewashed, but looked very dirty, so that it was easily to be seen that little attention was paid to them. The floor was paved, diamondwise, with square red tiles. The light and air were let in, on the north side, through three windows, and two large doors, opening towards the inner buildings of the court, which wore likewise not the most inviting appearance. (Stavorinus 1798 I: 77-8)



Figure15: The audience hall stands on terrace with three flights of crescent-shaped stairs at the front

A serious conflict in November 1808, discussed in Chapter Two, between Sultan Afiluddin (r. 1803-1808) and the Resident of Banten, Mr. Du Pui, which ended with the death of Mr. Du Pui and two of his company at the gateway of the palace, also took place in this audience hall. The result of this conflict was Governor-General Daendels' decision to demolish the whole of the Sorusowan Palace and remove Afiluddin from his throne (Mackenzie Collection: 62). The function of this audience hall may be compared to that of the main *pandopo* in the royal palaces of Surakarta and Yogyakarta. The main *pandopo* is an audience hall where the rulers of the two states received their honoured guests. The audience hall is the only part of the *delam* mentioned by foreign visitors. Since the remaining parts of the inner palace were out of bounds to outsiders, neither indigenous people nor foreigners ever mention them.

From a survey of the ruins of the buildings at the rear of the main audience hall, it appears that there was a long corridor linking the hall to a group of small buildings standing nearly in the centre of the *dalem*. The ruins of these buildings show that they were connected to each other. The floors of all the rooms are laid with red terracotta tiles, similar to those in the audience hall (see Figure 16). It is not possible to identify the function of each room as the whole complex is in a very damaged condition. However, it is certain that those rooms were once parts of the Sultan's private dwelling.



Figure16: The floor of the audience hall in the Surosowan Palace are laid with red terracotta tiles

Artefacts discovered in the 1976 excavation on the site of this building make it possible to identify the architecture of the buildings in the royal dwelling of the Surosowan. Pillars made of solid teakwood, terracotta roof tiles and decorative roof elements indicate that the buildings would have been built in traditional Javanese style called *joglo*. Stavorinus also says that the roofs of a building he saw at the centre of the *dalem* were square in shape. This type of Javanese architecture is depicted in some of the *Jataka* bas-reliefs around the base of the great eighth-century Buddhist stupa, Borobudur, in Central Java. Another bas-relief showing a pavilion featuring this style of architecture can be seen on Candi Sukuh, a fifteenth-century Hindu temple located on the slopes of Mount Lawu near Surakarta (Rawson 1992:92). The two pre-Islamic Javanese bas-reliefs show that *joglo* architecture dates back to at least the eighth century. All the Islamic states in Java and Madura continued the tradition of this style of architecture in the construction of the royal palaces. Buildings in the royal palaces in Java and Madura, such as those in Cirebon, Yogyakarta, Surakarta and Sumenep, are in

the *joglo* style. The buildings in the Surosowan Palace at Banten were also probably built on the same architectural pattern.

Stavorinus says that the decoration inside the audience hall was very simple. The walls were undecorated, as they were painted white. Several pieces of furniture in different styles were placed in the audience hall. Stavorinus saw some pieces of Chinese lacquered furniture. The other furniture was made in European style. Two chairs made of walnut wood were put against the wall with two console tables topped with marble slabs. Large pieces of Chinese ceramics were displayed in the hall. The use of carpets in the audience hall is not mentioned, probably because of the warm climate in Banten. At the lower end of the hall, where members of the royal family and officials sat on the floor, a big sheet of rattan matting was laid for them (Stavorinus 1798 I: 77). Although the description of the interior decoration in Surosowan is limited, we can still gain the idea that the buildings in traditional Javanese style were furbished with furniture in different styles. As in other royal palaces across South-East Asia, Chinese and European style furniture were very popular.

The 1976 excavation revealed that assorted types of ceramic wares were used in the Surosowan Palace, as both decorative materials and kitchen utensils. The majority of ceramic wares found in the palace compound are Chinese and Japanese ceramics, mostly produced during the period of Qing dynasty (1644-1912) and Edo period (seventeenth to nineteenth centuries). Chinese and Japanese ceramics from the Surosowan complex are normally larger in size, and their decorative techniques are finer than ceramic wares from other sites. In addition, Chinese and Japanese ceramics from Surosowan display more forms, styles and shapes than those found elsewhere. Several types of Surosowan ceramics are not found in any other sites, such as round and octagonal pots for planting flowers, different sizes of jars or urns or vases, and wash basins (Wibisono in Ambary and Sakai 1993:179).

These peculiarities would seem to indicate that the ceramics found in the Surosowan compound were specially imported for use in the court. The Chinese and Japanese ceramics from the Surosowan Palace, like those found in the royal palaces in Cirebon, Yogyakarta and Surakarta (Van Beek 1990:41), are pots for planting flowers with drum-shape stands, vases, jars, urns, bowls and plates of different sizes and also lidded boxes. The most popular decorative technique used on these Chinese and Japanese ceramics is blue and white underglaze painting. Japanese ceramics coloured with red, blue and gold are also found, but in fewer numbers than their blue and white counterparts.[21]

The reservoir and bathing areas were to the south of the royal dwelling, next to the southern rampart of Fort Diamond. The complex was constructed at the beginning of the eighteenth century. In a survey of the Surosowan complex in August 2000, I examined the main system for bringing in and draining out water in the palace compound, and compared what I found with the data described by De Rovere van Breugel in 1787.

> In the midt of irregularly placed buildings are a number of baths, whose water was refreshed from the aqueduct from the king's pleasure-ground, ***Tasik Ardi***, which brought it from the mountains (De Rovere van Breugel 1856:112).

My examination showed that Van Breugel was correct. The reservoir and bathing area consisted of a set of four water tanks and a group of four brick and coral-stone bathing pools constructed on two different levels (see Figure 17). The first one was rectangular in shape. Instead of stairs, there were two brick platforms on the long sides

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[21] In the Grand Palace of Bangkok and the two kratons in Yogyakarta and Surakarta, blue and white Chinese and Japanese ceramics are still used to decorate the interiors of the buildings and pavilions in a similar way. Round and octagonal pots in blue and white are used for planting flowers or any other small plants with ornamental leaves. These kinds of pot are normally set on ceramic, drum-shaped stands with the same decorative technique. They are placed along the corridor or terrace of royal mansions or pavilions in the inner court. Large blue and white jars, bowls, plates or even figures of different characters from Chinese mythology or classical novels are displayed in different rooms of the royal dwelling. Large-size red and gold Japanese vases or jars are normally displayed in any large halls. The Chinese and Japanese ceramics used to decorate these three residential palaces of South-East Asia are contemporary with the ceramics found in the Surosowan compound. Therefore, it is possible that the way Chinese and Japanese ceramics were used to decorate rooms in the Surosowan Palace was similar to that in these three other palaces.

of the pool. Taking into consideration the size of this pool and the two platforms on either side, the pool was possibly for the use of the court children. The other three rectangular bathing pools are of the same depth and size. Brick stairs were built at the corner of each pool to provide access down to a platform paved with stone slabs; the platforms in each pool are evidence that the pool was never filled to the brim. Users would have gone down the stairs to the platform and sit there when they were taking a bath.

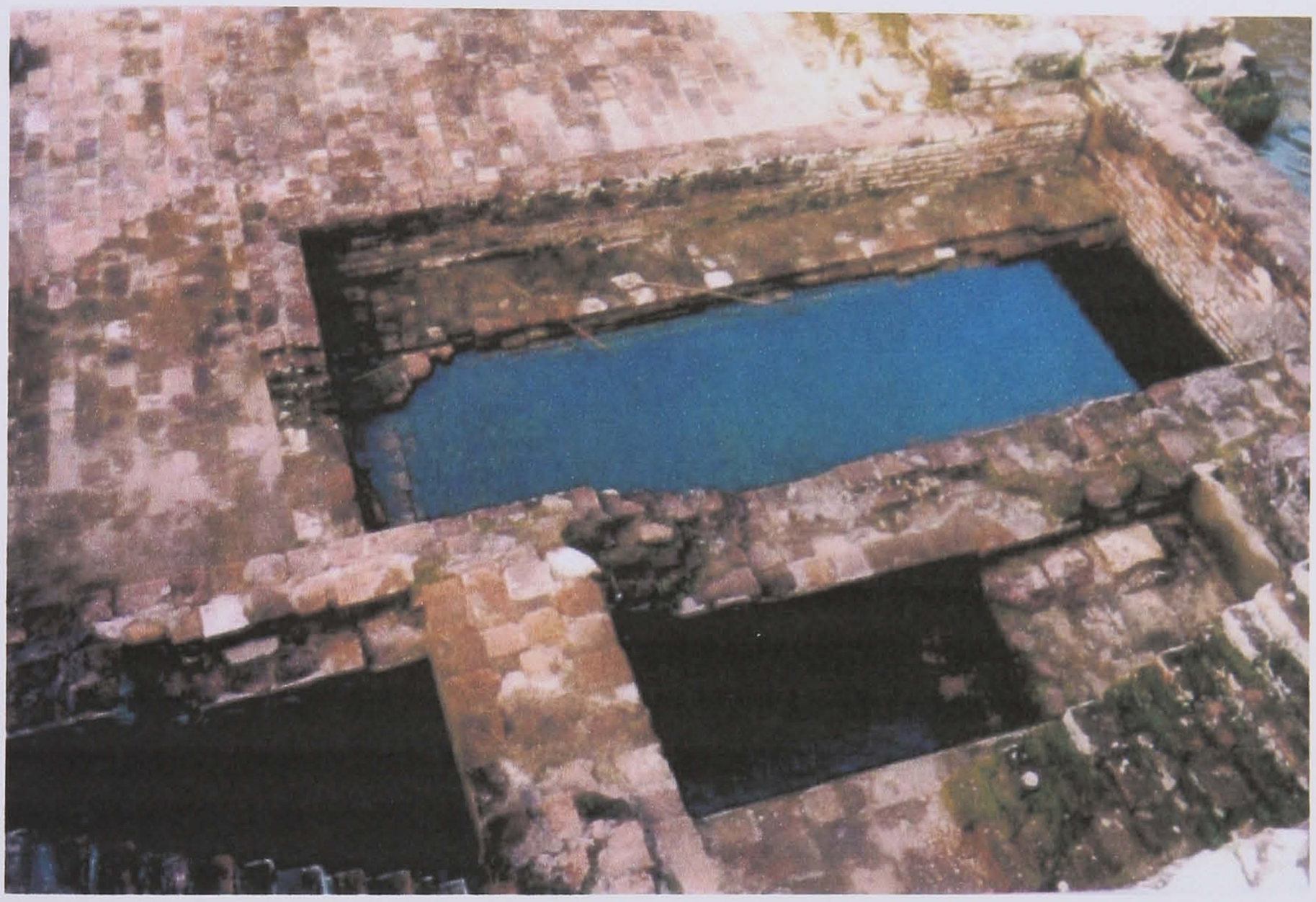


Figure17: The reservoir and bathing area in the Surosowan Palace

Between the rampart and the group of bathing pools stand the four water tanks. They lie next to each other in the shape of small rectangular pools. They stand along the length of the rampart, at a slightly higher level than the four bathing pools (see Figure 18). Formerly, these water tanks were used to store clean water. The tank on the far left is distinct from the other three, as several brick gutters were added from the edge of the rampart and sloped down the tank (see Figure 19). It appears that this tank must have been made to store rainwater. The other three tanks are connected to the main waterway from the artificial lake called *Tasik Ardi*, to the south outside the city[22] (see Figure 20).

[22] Guillot (1989:129) argues that the *Tasik Ardi* was constructed to be the water palace of Banten,

From the lake two channels brought water through the ricefield area down to the city. Along the route from *Tasik Ardi*, the waterways run through four brick constructions called *Penyaringan Abang* (Guillot 1990: 66). These four shed-like constructions actually form filter stations. From the filter stations the waterways brought water into the palace by a main clay pipe. From outside the palace the main pipe was laid beneath the southern rampart of Fort Diamond and then joined to other smaller pipes to distribute water into the tanks (see Figure 21). From the tanks water ran through another set of pipes into the four baths.

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according to the Javanese tradition of royal palaces. Artificial lakes with gardens were traditionally made outside Javanese royal cities or palaces to serve as the king's recreation place. The *Taman Sari* outside the Yogyakarta Kraton (c.1757) and the *Sunyaragi* lake and garden in Cirebon (laid out at the beginning of the eighteenth century) were recreation places for the royal families of these two states. Similarly, the *Tasik Ardi* was made to serve for recreational purposes. The construction of this artificial lake began at the beginning of the seventeenth century, according to the plan initiated by the mother of Sultan Abulmafakhir (r.1624-1651). Guillot (1990:66) also argues that the lake might later have been used as the main reservoir for the city and palace, and that the water distributing system in the palace was added at the beginning of the eighteenth century.

Considering the location and size of the *Tasik Ardi*, it appears that the lake was created on the slopes of Mount Karang, at a higher level than the city of Banten Lama; in the construction of a reservoir the water source has to be located at a higher level than that at which it is distributed. In addition, the size of *Tasik Ardi* is much larger than any of the artificial lakes in other Javanese royal cities. This indicates that the intention was to reserve a large amount of water for consumption in the dry capital city, Banten Lama.

I disagree with Guillot's argument. My opinion is that from the beginning this lake was created to be the main reservoir for the city, not as a water palace. To have constructed this lake as a water palace, like those in Cirebon and Yogyakarta, would not have been such a weighty undertaking, as Yogyakarta and Cirebon are located on the slopes of two volcanoes, Mount Merapi and Mount Ciremai. Both form good water resources for the two cities, so it was unnecessary to build any large reservoir to store water. It is almost certain that the *Tamansari* and *Sunyaragi* were constructed as recreation places for the rulers of those two kingdoms. In both places, gardens, lakes and artificial mountains were cunningly fashioned. This is very different from the *Tasik Ardi*, which is a large lake with a small island in the middle; the space on the island is also limited, only enough for the building of a small residence with tiny garden for the sultan. Although Cortemunde (1953:126) and Cornelis de Bruin (1725 V: 53) mention that the Sultan of Banten had a water palace with a nice garden outside the city, this would not have been as elegant as the water palace in Yogyakarta.

We should also note the location of the city Banten Lama and the water sources for the city. Although the city lies between two branches of a river, they are too small and too shallow to provide enough water for the consumption of the whole city. Banten Lama also lies in a very dry area with a very low rainfall. Therefore it was necessary for the rulers to arrange an alternative method of water management, in order to bring enough water from the mountainous area to the south. The best way to acquire a large amount of fresh water was to build a large reservoir to store water. This leads to the conclusion that the *Tasik Ardi* was constructed mainly for the purpose of water management.



Figure18: Between the rampart and the group of bathing pools stand the four water tanks.



Figure19: On the top left of the photo are the brick gutters added from the edge of the rampart and slope down the tank



Figure20: Tasik Ardi or the artificial lake to the south of the city of Banten Lama

The system of water circulation in the four bathing pools was well constructed. There is another set of pipes connecting each bathing pool to the gutters to drain away used water. The drainage system starts from lower part of the bathing pools and runs beneath the royal dwelling until it finds its way out near the north gate of Fort Diamond. Used water was drained out of the palace into the moat surrounding the fortress.



Figure 21: From outside the palace the main pipe is laid beneath the south rampart of Fort Diamond and join to other smaller pipes to distribute water into the tanks.

Two other pipelines led out of the water tanks to two places outside the bathing area. The two places are located on the eastern side of the royal dwelling. One pipe added water to a square brick pool with a construction in the middle (see Figure 22).[23] Another pipe distributed water to the palace garden. A garden is, of course, an area where enough water must be available to feed all the plants or to make fountains.

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[23] According to Guillot (1990:64), the base of that construction in the middle of the square pool is called *Si Loro Denok*, which means 'the fat girl' by the local people. There have been several debates on its function. Some archaeologists believe it was a place to keep the royal treasure, while others argue that it was a powder mill inside the palace. Having considered its location to the east of the palace compound and just next to the garden, another assumption may be made that the pool itself was part of the garden area. The square base in the middle of the pool suggests the base of a pavilion in which the Sultan might take his ease. It might also be used as a place for the ruler to perform sufi meditation.



Figure 22: A square brick pool on the eastern side of the palace

De Rovere van Breugel tells us that the water distribution system in the complex of the Surosowan Palace was built in 1701 in the reign of Sultan Abul Mahasin Zainul Abidin (r.1690-1733), because the Ci Banten River was muddy and befouled with garbage floating in it and its water was certainly not potable.[24] The palace could not have been dependent on a water supply from the river, and a reservoir to store water from the mountains before leading it into the palace would have been the best solution.[25]

The compound at Surosowan was small and crowded, confined as it was within the surroundings of a fortress. Several pools might also have been constructed to keep the palace compound cool.

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[24] De Rovere van Breugel even assumes that the high rate of mortality among the European soldiers during the past thirty years was a direct result of the poor quality of the water.

[25] Van Breugel does not mention whether the construction of an artificial lake as the main reservoir in Banten and water pipeline system in the Surosowan complex were the product of local technology or of that introduced by Europeans. In this case we need to consider the water management systems in other South-East Asian states. Archaeological excavations in Cambodia and Thailand since the beginning of the twentieth century have provided interesting data on water management techniques in South-East Asia long before the coming of the Europeans to the region. To construct an artificial lake as a main reservoir was by no means a new technology in the seventeenth century Southeast Asia. People in this region had known how to construct artificial lakes or ponds to reserve water for agricultural or ritual purposes since, at least, the ninth century.

One of the conditions that the Company kept renewing was that the Sultans of Banten should provide a water pipeline system to Fort Speelwijk to bring in clean, fresh water from the *Tasik Ardi* to its officials and soldiers residing there. None of the Sultans of Banten after 1752 ever acquiesced to that condition, even as late as 1808 when the Sultanate was officially abolished.

The last part of the palace that will be discussed is the royal garden, which was located in the eastern part of the palace compound. Excavations in 1984 disclosed a fountain pond and large number of decorative garden materials.[26]

Guillot (personal communication) believes that the royal garden in the Surosowan Palace had been decorated in European style, similar to the seventeenth and eighteenth-century gardens in Europe, because the 447 artefacts used to embellish the garden discovered during the 1984 rescue excavation are in European style. Large plant and flower-pots, vases, water jars, statues of animal and columns were discovered at the garden site. They are reproductions of decorative objects used in the seventeenth and eighteenth-century European gardens (Ambary et al. 1988: 48). All were, however, made locally of terracotta in three suburban villages of Banten Lama called Bumi Jaya, Panjunan and Sukadiri (Ambary et al. 1988: 56). De Rovere van Breugel greatly appreciated the craftsmanship of the people of Banten in the fashioning of terracotta. He even says that European architects could sketch any type of decorative pieces in European style and the Banten craftsmen could make it. The terracotta industry is still flourishing in these three villages today.

Guillot believes that any of the Sultans of Banten between the late seventeenth and early eighteenth century might have been impressed by the design of gardens in Europe. Their admiration then led to an attempt to have a similar type of garden made in the

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[26] Personal communication from Endjat Djaenudradjat, Head of the Kantor Suaka Peninggalan Purbakala dan Sejarah Jawa Barat dan Lampung, Serang, Banten, 7 August 2000.

Surosowan compound. We can speculate that the VOC architects could have been in charge of the construction and decoration.

It is obvious from the shape and decorative patterns of the European-style pottery recovered from Surosowan that these are pieces of the local-made pottery mentioned by Van Breugel. Floral and geometrical patterns embellish these large containers, which are similar to marble plant and flower-pots seen in the palace gardens in France, Italy, Germany and the Netherlands. Instead of importing the decorative objects from Europe, locally made containers were used in Banten to save time and money.

European gardens in the seventeenth and eighteenth centuries were decorated with fountains and ornaments inspired by Greek and Roman artefacts. Apart from large plant and flower-pots, statues of characters from Greek mythology or different kinds of animals were also used to embellish the gardens. Pavilions or palladia in Greek or Roman style were a popular choice for decorating eighteenth-century European gardens. The discovery of terracotta Corinthian columns in the garden site of the Surosowan Palace shows that there was a construction of a Greek or Roman style pavilion or palladia in this garden.[27]

No statues of human beings have been found in the site of the Surosowan complex, only statues of mythical animals such as Garuda and unidentified monsters. This is perhaps due to the prohibition in Islam to any depiction of human being and animals.

The decoration of the royal garden in the Surosowan Palace using locally made pottery in the European style shows a localisation of the Banten craftsmen in reproducing European decorative materials. The decoration of a palace garden with the reproductions of European-style pottery is not found elsewhere, even in the more prosperous states like Surakarta and Yogyakarta.

Both Stavorinus and De Rovere van Breugel expressed their curiosity as to what the *dalem* looked like but they were not allowed to see (Stavorinus 1798 I: 77 and De

Rovere van Breugel 1856: 324). De Rovere van Breugel mentions that the curiosity of outsiders, in particular the soldiers and officers under the VOC in the garrison at Fort Diamond, led to several incidents during the time he was resident in Banten. He believes that officers and soldiers of the Company tried to climb the inner wall between Fort Diamond and the *dalem*, because they were frustrated by the prohibition on sexual affairs with local women. Their frustration probably drove them to climb into the *dalem* which was the specific area reserved for females. This action was considered a serious crime and was punishable by death (Stavorinus 1798 I: 66). To avoid any repetition of such an offensive action, De Rovere van Breugel proposed that the Company officers and soldiers should have been allowed to have local wives.

When Stavorinus talks about the Surosowan, it is as if he were brimming over with eagerness to see everywhere inside the *dalem*. Later, when he had a chance to accompany the Company Resident at Banten to attend the Sultan and his queens in the main audience hall, he expressed his feelings in quite a satirical way. He said that he was no longer eaten up by curiosity to see any more parts of the palace because he had been put off by the poor condition of the audience hall. Having noted its dilapidated condition, Stavorinus drew the conclusion that the other parts must have been even more unattractive (Stavorinus 1798 I: 78-9). De Rovere van Breugel expressed his regret that he could not describe the whole complex of Surosowan in his account.

It may not be wrong to say that the only group of men under the Netherlands Indies Government who had chance to enter the *dalem* was the group of officers and soldiers who were sent to destroy the palace in 1810. These might have been officers and soldiers from the garrisons stationed at Fort Diamond or Speelwijk. Their purpose in entering the Surosowan Palace was totally different from that of Stavorinus and De Rovere van Breugel: they did not want to record anything they saw in the palace, but to destroy everything.

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[27] Personal communication from Claude Guillot, Paris, 4 January 2000.

Archaeological excavations conducted on the site of the Surosowan Palace in 1976 and 1984 provide one interesting point for historians. Many types of artefacts, such as luxurious ceramic wares, decorative garden pottery, weapons, furniture, jewellery and even costumes, were discovered in the palace compound. All these luxurious materials were seriously damaged, which shows that they had been intentionally vandalised. This is convincing proof the Sultan was not permitted enough time to have these luxurious materials removed from the palace. This must have constituted a great loss to the Sultan and the royal family (Direktorat Perlindungan dan Pembinaan Peninggalan Sejarah dan Purbakala 1988: 35-6).

Other signs which bear witness to the Dutch vandalism are the parts of the palace buildings which were seriously damaged or burnt. Wood and stone pillars show traces of burning and of having been broken. Roof tiles and terracotta roof decorative pieces have been badly smashed and stucco on the walls broken off (Ismijono and Samidi 1996: 202-3). All this indicates the intention to demolish this palace. Traces of this vandalism match well with the words in the 1808 Instruction for the King of Bantam that the Sultan had to be taught a proper lesson after he had murdered Resident Du Pui and his entourage in the palace (Instruction for the Sultan of Bantam, 27 December 1808).

This crucial, aggressive reaction visited by Governor-General Daendels on the Sultan of Banten spelled disaster for this royal palace. The Surosowan Palace is the only royal dwelling in Java to have been destroyed by Dutch troops.

The destruction of the palace in 1810 meant that the most important element of the royal court of Banten had been removed. The Sultan and his family were moved to Serang. Although the Dutch authorities stated in the Instruction that the Sultan would have the assistance of his subjects in building his new residence in Serang, the new place could not replace the *Kraton Surosowan*. This is because this royal palace had

always been the only official residence for the ruler of Banten since the foundation of the state. If we compare the Sultanate of Banten to one life, the kingship would be the soul and the *Kraton Surosowan* the body. The soul must reside in a body, because only then is life possible. Once the body is no longer available, that life must become extinct.

3. Royal tradition and state ceremonies

> A society which makes tradition sacred has gained by it an inestimable advantage of power and permanence. Such beliefs and practices, therefore, which put a halo of sanctity round tradition and a supernatural stamp upon it, will have a 'survival value' for the type of civilisation in which they have been evolved....They were bought at an extravagant price, and are to be maintained at any cost (Malinowski 1925: 40).

It would be difficult for ruling kings to maintain their sovereignty and status as the centre of the state administration without introducing extravagant royal traditions and state ceremonies to buttress their authority. Royal tradition and state ceremonies are created as instruments to reinforce kingship, setting it apart from other forms of leadership in society. Ineluctably such pomp and circumstance forms a significant element in all the royal courts (Wales 1931: 5).

In the late eighteenth and the early nineteenth centuries, the royal traditions and state ceremonies of Banten still played a crucial role as they had done in the early years of the kingdom. Inevitably, certain changes in royal tradition and state ceremonies had been made. These changes were twofold. One purpose was to strengthen some old aspects of court traditions, in order to enable the royal court maintain its sacredness and dignity under the authority of the Company. Another was to transform certain traditions and details of state ceremonies to suit the status of the court at a particular time. Both sorts of changes were equally important, in ensuring the survival of the Sultan and his court and maintaining the recognition of his subjects, the Company and other states.

Royal traditions and state ceremonies in Banten during the late eighteenth and early nineteenth century have been recorded in several indigenous and European accounts.

M.S. Cod LOr 5598 describes several reinforced old traditions during the period under discussion. Stavorinus and Van Breugel pay great attention to the transformed version of court traditions and state ceremonies. This being so, it seems to be an appropriate idea to divide the discussion of late eighteenth and early nineteenth-century court traditions and state ceremonies into two stages. First the old royal traditions which were given a prominent place and carried on in the court of Banten will be discussed. The next step is to examine traditions and ceremonies transformed during this period. At the end of this discussion it is expected that a clear idea will emerge of how the Sultans of Banten during the period covered by this research ensured the survival of their courts through their manipulation of traditions and ceremonies.

3.1 The maintenance of classical Javanese traditions

Although the rulers of Banten since the late seventeenth century had welcomed various aspects of European tradition and protocol to the procedures observed in the *Negara Surosowan*, several other older traditions still were scrupulously preserved. These old traditions were reinforced among members of the royal family, courtiers and state officials. The question at this stage is what the most pressing reason for the preservation of these old traditions was. The answer can be found in M.S. Cod LOr 5598.

It is true that M.S. Cod LOr 5598 was compiled during the late eighteenth century as a sort of handbook for court administration (Pigeaud 1968 II: 327). Nevertheless, many regulations stated in it carry the suggestion that they originated in the reign of Sultan Abul Nassar Abdul Kahar or Sultan Haji (r. 1684-7). Sultan Haji was the first ruler of Banten to bring the kingdom under the protectorate of the VOC. It would seem that during Haji's reign there might well have been a reformation of laws and protocol to suit the changed status of Banten under the protectorate of the Company.

The contents of Cod LOr 5598 suggest that Sultan Haji had reinforced several old traditions in the palace, and that they were still applied in the late eighteenth century. By doing so, Sultan Haji probably intended to retain the sacredness and unity of the kingship and royal court. While several aspects of palace traditions were amended to suit the protocol drawn up to deal with the Company, many traditions still had to be maintained to preserve the prestige of a Javanese court. Another significance of the traditional royal protocol was to keep the palace compound in order, as well as to mark the distinction between the royal palace and other places. Generally speaking, royal protocols were a symbolic policy to differentiate the royal palace from the outside communities.

Flowing from our discussion of kingship, the subject of taboos in the royal court has to be considered as an instrument to strengthen the kingship. To avoid any confusion, I shall make it clear that the taboos discussed earlier and the palace protocols are different. Taboos form a microcosm of the whole royal traditions, as taboos refer only to any forbidden actions directly and personally dealing with the king or senior members of the royal family. Royal protocols cover the whole system of maintaining order at the court. The general procedures or any regular habits of the sultans and members of the royal family following what their predecessors had done before are also included in the royal protocol. Nobody who was part of the court could be exempted from having to observe the palace protocols strictly.

Below I have set out some details on the traditional palace protocol mentioned in LOr 5598. The discussion will indicate that the palace compound inside Fort Diamond was considered a separate, sacred domain in the eyes of the Sultan's subjects.

*3.1.1 The **dalam** is the city of women.*

The innermost part of the Surosowan Palace was reserved as the female quarters. There the Queen, female members of the royal family and the female courtiers lived in different types of residence according to their rank. The sultan was one among the few men residing in these quarters.[28] This was one of the palace customs which was not familiar to the visiting Europeans, who viewed it with a great deal of curiosity. Since no Europeans were allowed to step into the inner palace, their curiosity spurred them on to vivid flights of the imagination. For example, in the Europeans' imagination the female community inside Asian royal palaces lived in a way similar to how the harems in Islamic empires like the Ottoman, Persia, and Mogul were described. The Europeans' imagination ran riot about the harems in Islamic empires, envisaging a hall always crowded with pretty, naked women. They were playing music, singing and dancing, and the sultan could always enjoy sexual intercourse with any of them. The word harem indicates a part of a Muslim house where female members of the family lived, and originally meant 'prohibited place' (Concise Oxford Dictionary 1999). In their fervent imaginations Europeans added such sexual connotations to the harem, once they adopted this term into their languages.

In South-East Asia, the image of the inner court was the complete opposite to the hotbed of seduction of the Europeans' imagination. If a royal palace is to be considered the centre of state administration, the throne hall must invariably be the heart of the palace. On the other hand, the inner palace can also be seen as the heart of the palace, if we look at the palace primarily as the residence of the ruler. This part of the royal palace has nothing to do with state administration. It is entirely the private quarters of the ruler and his family. Being the private section for the king and his family is the most

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[28] Normally, sons of the rulers who were younger than twelve years old also lived in the inner palace. In China, all male courtiers who served inside this inner quarter were eunuchs.

important reason for this part of the palace even today to be always prohibited to outsiders.

The lifestyles of Hindu kings in ancient India had been conducted according to customs which were recorded in classical works like the *Ramayana*, the *Mahabharata*, the *Manavadharmasastra* or Law of Manu and the *Kautilya-artha-sastra*. The South-East Asians inherited and adapted these literatures and applied the customs they enshrined to the formulation of their ideas of kingship. Ideal kings in the eyes of the South-East Asians were sovereigns who had behaved according to the customs set out in these works. The classical Indian literatures state that having many wives and female servants in his court was a sign of the wealth and power of each king. Manu describes an inner court of any ideal king as a place where the king could seek respite from the burdens of state.

> 216. Having consulted with his ministers on all these matters, having taken exercise, and having bathed afterwards, the king may enter the harem at midday in order to dine. 219. Well-tried females whose toilet and ornaments have been examined, shall attentively serve him with fans, water and perfumes. 221. When he has dined he may divert himself with his wives in the harem; but when he has diverted himself, he must, in due time, again think of the affairs of state. (Manu chapter VII, translated in Wales 1931: 46)

Having examined the customs of the king's life-style from classical Indian works, Wales argues that having many wives and living among them and the battalions of female servants was one of the three main duties of being king. The three duties are duties to religion, duties to the secular government and duties of recreation among his wives and female servants (Wales 1931: 46). The rules governing the lives of ideal kings from Indian literature were paid great attention by kings in South-East Asia, once they adopted Hinduism and Buddhism as their main beliefs. The rules were also another stimulus to isolate the innermost part of the royal palace as a city of women.

In Java the *kaputrèn* or female quarters was certainly part of a royal palace in the Principalities of Central Java, indicating that the Javanese kings also inherited the royal customs from classical Indian literature. The conversion to Islam in the fifteenth century may well have strengthened the separation of the court ladies from contact with outside males, because females in Islamic societies had always been excluded from most of public life. The Javanese sultanates like Banten, Cirebon, Yogyakarta and Surakarta carried on this classical custom by reserving the *dalem* as the female quarters.

Accounts of the visitors from the VOC to the Surosowan Palace during the late seventeenth and the whole of the eighteenth century suggest that there was a *kaputrèn* quarter in the royal palace of Banten. Stavorinus uses the term seraglio, a synonym for harem. All the sons of the sultan could no longer reside in the *dalem* after the age of twelve (Stavorinus 1798 I: 66).

Unlike the situation in contemporary Arabian states, residing in the *dalem* did not prohibit the court ladies from appearing in public. The Queen, the high-ranking consorts, concubines and female slaves would occasionally come out into the larger palace compound and attend certain official functions, especially at a banquet given in honour of any official from the Company.

3.1.2 Female guards

Inside the inner court, sultans were mostly surrounded by women. The inner palace was traditionally the area where the number of males had to be restricted. This custom then led to another old court tradition, namely that a group of women was trained to carry out male duties for the king or the sultan. The practice of having female guards or soldiers in the inner palace was a shared by South-East Asian kingdoms right down to the twentieth century.

In Siam during Ayutthaya and Bangkok periods (down to around 1932), strong, healthy women were recruited and appointed as *khlon* or female guards in the inner palace. These female guards in Siam played several roles, similar to those performed by the police. They were responsible for guarding all the gates of the inner palace, in order to inspect people who wanted to enter the inner court. Some of them were responsible for strolling around the inner palace both during the day and at night to check whether everything was in order. Some were responsible for sorting out any conflicts between court ladies, or even arresting and punishing any women who committed misdemeanours. The most important responsibility of these female guards was to escort the king and the female members of the royal family.

According to Beaulieu (1666: 102) who visited Aceh in 1620-1, there were three thousand female guards in the royal palace. He noted that these female guards were on duty only in the palace compound and men were not allowed to see them. Female guards in the Acehnese royal palace were also mentioned by Peter Mundy (III: 131), who visited the kingdom in 1637. At that time Mundy saw that these women were armed with bows and arrows.

In Java female guards were called *prajurit èstri*. In her work *Java and Modern Europe* (1997: 48), Kumar describes the female guards in the court of Mangkunegara I from a court diary written between 1781 and 1791. She argues that the corps of *prajurit èstri* at the court of the Mangkunegara was one of the traditions inherited from the kingdom of Mataram, especially during the reign of the mighty Sultan Agung (r.1613-46). Her argument is reasonable, as Mataram was without any doubt the predecessor to the courts of Surakarta and the Mangkunegaran. However, this does not mean that the kingdom of Mataram was the origin of this tradition of using female guards in the inner palace.

No written records about the female guards at the court of Banten before the late seventeenth century have been found. Evidence is provided by a drawing by Cornelis de Bruin, a Dutch official to the VOC who visited Banten in 1706. De Bruin was granted an audience with Sultan Abul Mahasin Zainul Abidin in a place which he described as a *country residence*[29] (Guillot 1990:59). De Bruin's drawing shows the Sultan and the Queen entertaining two Dutch gentlemen at a dining table, surrounded entirely by female courtiers who are sitting on the floor of the dining hall. Behind the Sultan's chair stand three female guards, armed with a musket, spear and shield and sword.

During the late eighteenth century, any envoy from Batavia who was granted an audience with the Sultan in the *dalem* never failed to describe the female guards in the *Negara Surosowan* (Looten's Rapport, in Overgekomen brieven 1752, 22ste boek, folio 607 en volgende). The most descriptive account of the *prajurit èstri* in Banten is to be found in Stavorinus' account.

> All the servants of the palace are women, and even the attendant guards of the king are of the female sex; for, although, when he appears in public, he is accompanied by his Bantam lifeguards, yet they are never admitted within the gates of the fortress (Stavorinus 1798 I: 66-7).

> Behind his chair stood one of his female lifeguards, who was relieved from time to time, armed with a large gold kris, in a sheath of massy gold, which she continually kept raised on high; and which the king, when he stood up to conduct us out, took from her, and put under his arm (Stavorinus 1798 I: 81-2).

During the late eighteenth century the use of female guards in the *dalem* was one of the classical court traditions. Although the VOC was successful in replacing the sultan's lifeguards with European soldiers from its garrison in Fort Diamond when he was outside the Surosowan Palace, the female guards were still maintained on duty inside the *dalem*. This suggests the degree of intervention which the Company intended to exert on

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[29] This country residence is probably the Sultan's recreation palace on a small island in the *Tasik Ardi* artificial lake.

the ruler of Banten. It would seem that the Company had no intention of dominating the traditional life-style of the sultan.

3.1.3 Salat Jumat or Friday congregational prayer

In Islam, Friday congregational prayers are actually not a set of prayers for a special occasion for Muslims. They are performed as part of the five daily prayers or *Salat,* of which they form the *salat al-zuhr* or midday prayers. According to the *Qu'ran*, the Friday congregational prayer is a mandate of God.

> O you who believe, when the call is sounded for prayer on Friday, hasten to the praise of Allah and leave off your business. That is better for you, if you know (*Qu'ran* 62:9).

Since the *Salat Jumat* is a common compulsory practice that has to be performed in a congregation on Fridays, it is not unusual to see that Islamic kingdoms in South-East Asia paid great attention to it and attempted to manipulate it to serve some political purposes (Ito 1984: 133). Instructions for these congregational prayers are provided in official documents like law-books, royal handbooks or diaries of Islamic kingdoms in the Malay and Javanese Worlds.

The *Adat Aceh*[30] is an example of an official document in which the instructions for the *Salat Jumat* are clearly described. Takeshi Ito says that Part Three of the *Adat Aceh* provides instructions for the Friday prayer for everyone at the royal court of Aceh, covering what is to be prepared and how it is to be conducted. Everyone from the Sultan to the ceremonial officials could consult the instructions in this manuscript, which clearly identifies the responsibilities of everybody in the court involved in the preparations for the Friday prayers. The royal procession from the royal palace to the mosque Bait al-Rahman is the first thing focused on by the instruction. It sets out the

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[30] The *Adat Aceh* is an important collection of source materials relevant to the Sultanate of Aceh between the seventeenth and the first half of the eighteenth century. The manuscript consists of four parts. Parts One and Two provide 'regulations for kings' and the 'genealogy of the kings of Aceh'. Religious and

arrangements which had to be made before the Sultan could leave the palace for the mosque, and what the ceremonial officials had to prepare for the royal visit at the mosque. Most importantly, it shows what had to be done inside the mosque from the beginning until the end of the ceremony. Ito reaches the conclusion that the royal court of Aceh also wielded the ritual of the Friday prayers in the political administration, that is, to express the greatness of kingship and to examine the loyalty of officials to the king.

Similarly, during the late eighteenth century the Sultanate of Banten also managed this simple Muslim tradition for political purposes. In Cod LOr 5598 are found a couple of rules concerning the *Salat Jumat* of the Sultan, princes, officials and ordinary men in the capital city. The MS specifies places for different classes of people to gather for their Friday prayers. Social status and rank indicated where a person must stand for his prayers.

Rules for the Salat Jumat are stated on page 14 of Cod LOr 5598, which begins with the prayers of the Sultan and his men in the Surosowan Palace. Unfortunately the top of this page has been destroyed, probably having fallen prey to insects. Only part of a sentence saying: 'all go escorting His Majesty the Sultan' appears. This sentence probably reveals the place where the Sultan performed his prayers. What we learn from the remaining words is that all men in the Surosowan complex, presumably princes and male courtiers, would accompany the sultan to perform prayers at the same place. No idea can be gained from that part of the sentence where exactly this was.

The *Adat Aceh* tells us that the Acehnese sovereigns performed their prayers outside the palace at the royal mosque. The sovereign would proceed to the mosque with a grand procession of soldiers and courtiers (Ito 1984: 136).

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court rituals are described in Part Three, while Part Four discusses administrative rules and practices at the port of the capital *Aceh Dar al-Salam* (Ito 1984: iii).

The picture of the royal Friday prayers described in the *Adat Aceh* seems very similar to a royal ceremonial procession in Banten mentioned by Stavorinus in 1767. On Friday 19 May 1767, Stavorinus and the other officials of the Company went from Fort Speelwijk to watch the Sultan's procession at the entrance of Fort Diamond exactly at noon. Half an hour later he witnessed the sultan, in a priestlike costume, proceeding to the royal mosque in a grand procession.

> About half past twelve, he came out of the palace, dressed in a white sacerdotal robe, which was large and wide, and was fastened round his waist by a girdle. On his head he wore a large white turban, and on his feet large slippers, embroided with gold. His coach was drawn by only two horses. As soon as he entered it, the hereditary prince and his brother, who were both dressed in a similar manner to the king, put their shoulders under the axletree of the hind wheels, as if they were going to lift up the carriage, and remained in that posture, till his majesty rode on. A horse of state, richly caparisoned, was led by the hand before the coach. Close behind it, followed the heir apparent, on foot, under a *sambreel*, or sunshade, of state, and behind him, were carried three other sunshades, under which no one went. Next came the prince, prime minister, but without a *sambreel*; and after him, followed the brother of the heir apparent, and the other grandees of the court, with numerous retinue of slaves… and during the whole time, their usual music was not omitted; and the drum was beat incessantly (Stavorinus 1798 I: 86-7).

The image of the procession described by Stavorinus matches the part of the sentence at the beginning of the Friday prayer rules in Cod LOr 5598: 'everyone escorts His Majesty the Sultan'. Stavorinus' account indicates that everyone who accompanied the Sultan to the mosque in this procession consisted of the royal princes, his ministers and male courtiers[31]. Stavorinus also mentions that the Sultan spent less than an hour in the royal mosque. This is probably because the Friday prayers are considered the shortest congregational service in Islam, and normally take forty-five minutes to one hour.

Page 14 of Cod LOr 5598 tells further that for people who did not hold any official rank, or '*selain dari nayaka*', and were not required to perform their prayers in any specific mosque, should perform their Friday prayers at the mosque in the area where

[31] In a royal procession of Javanese rulers, sets of royal regalia are normally carried by court ladies. If people who carry the regalia are men, it can be assumed that that procession is for some compulsory service for men.

they lived. This kind of rule about the place to perform Friday prayers sounds as if it runs counter to the general practice in Islam, which is that Muslims may perform their prayers at any appropriate place. Then there must have been a specific purpose for reserving the Grand Mosque as the place for the sultan and his officials to perform their Friday prayers. The first which comes to mind is that of security. Another idea which carries even more weight is that it served a political purpose. To require all male members of the royal family and officials to join the Sultan in performing Friday prayers in the Grand Mosque was probably a symbolic expression of the idea that the Sultan was the centre of political authority in the state.

According to Moedjanto (1986:104), the faithfulness of members of the royal family and of officials in the conduct of their duties and their attendance at the court on appointed occasions was one of the elements showing the greatness of the power of Javanese kings. Given this idea, it would not be unusual for a Javanese state like Banten to implement any congregational state function as a means to check on people's faithfulness and loyalty to the ruler. In this case, the *Salat Jumat* or congregational Friday prayers would have been an '*appointed occasion*', tying in nicely with Moedjanto's theory.

Cod LOr 5598 also gives details of the punishment awaiting people who neglected to attend the Friday prayers. The punishment was divided into two levels, for the elite and for ordinary people. If state officials holding the rank of *nayaka*, *punggawa*, *mantri* and *suranegara* did not attend a Friday prayers without any appropriate excuse, they would be sent to cut grass in the *alun-alun* or royal square. If ordinary people neglected their Friday prayers, they would be fined with *karang sajukung*. It is not clear exactly what this *karang sajukung* is, but it is likely to refer to coral-stones.

Appropriate excuses for not attending Friday prayer are set out at the bottom of page 14. *Orang musafir* or people who were travelling were exempted from attending the

prayers. '*Para hamba dan orang yang uzur*' or slaves and freemen who were ill, or had been afflicted by any accident to themselves or their family did not have to attend the prayers. This exemption also included anybody who was still in search of a medicine to cure any patient or anybody who had to look after any sick person. Slaves or freemen who had been ordered to carry out any work by their master or relatives were also allowed to neglect the prayers. The last exemption was given to security guards who were on duty at any *pasében* or residence of princes or senior officials, but only six of them were allowed in each *pasében*. Twenty security guards were allowed to continue their duty at each of the two gates of the capital city, Pabean and Karangantu, during the time of Friday prayers.

A case relating to a dereliction of attendance at Friday prayers is included in the list of common cases brought to the high court of the kingdom during the late eighteenth century (Cod LOr 5598, 2: 4). It indicates that during the late eighteenth century this old religious tradition was still considered important in the late years of the Sultanate. It was also one of the old traditions which had never been affected by the presence of the VOC or any later Dutch authority in the kingdom. Cogently, in an agreement signed in April 1752, the VOC even confirmed that the religious traditions of the people of Banten could be continued.

3.1.4 Royal regalia

> Their sociological value is indeed, like that of the regalia of European kings of modern times, merely to invest the person of the king with the outward brilliance of majesty and, thereby, like the ceremonial which accompanies them, to impress the people with the respect due to the kingship (Wales 1931: 92).

Kingdoms in South-East Asia shared the tradition of creating royal regalia to display their prestige to the outside world (Boeles 1989: 99, Jones 1971: 59, Locke 1976: 26, Brus 1985: 65; 1984: 67; 1985: 93, and Rawson 1994: 82). Royal regalia in most of the

royal houses across South-East Asia had been created to single out the unique status of the king (Brus 1984: 64, and Jessup 1990: 14). Indubitably, the concept of what a king should be in Hinduism and Buddhism played a role in the inspiration for and the creation of South-East Asian royal regalia. Even the later established Islamic states in the Malay and Javanese worlds inherited this old tradition from their predecessor states. The same kind of royal regalia recognised during the Hindu-Buddhist period was still being used as a symbol of Islamic kingship. Pertinently, materials relating to Islamic concepts of kingship should be added to the list of royal regalia in Malay and Javanese kingdoms (Brus 1984: 68, Ibrahim 1988: 12).

Moedjanto (1986: 104) argues that the grandeur of the royal ceremonies and the *pusaka* or heirlooms and ceremonial accoutrements together have formed one of the six indicators of the greatness of the power of the Javanese kings since the pre-Islamic period.[32] Moedjanto also mentions an old Javanese saying: '*kanggonan pusaka ateges kanggonan panguwasa lan pangkat*'. The meaning of this saying is 'to have heirlooms is to have power and position'. This saying reflected the tradition among the Javanese that a new king could not be completely established unless he had inherited the *pusaka* of state. This was even more important than succeding to the rights to the royal palace. An event after the sudden death of Maulana Muhammad of Banten in 1596 is a reflection of the significance of this tradition at Javanese courts. Being afraid of fighting for the throne among the princes, the qadi took the young prince, Abdul Qadir, son of Maulana Muhammad and the heir to the throne, and the royal regalia from the Surosowan Palace

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26. According to Moedjanto (1986: 104), the greatness of the power of the Javanese king was indicated by:
1. the vastness of the territory of his kingdom;
2. the number of conquered territories and the nature of the tribute offered by conquered kings;
3. the faithfulness of regents and officials in carrying out their duties and attending the court on appointed occasions;
4. the grandeur of the court ceremonies and the heirlooms (*pusaka*) and ceremonial equipment he owned;
5. the size of his army;
6. his wealth and number of honorary titles and his fame.

to the Grand Mosque. In the mosque the young Abdul Qadir was presented with the state regalia and proclaimed as an infant king (Van Bruinessen 1995: 170).

Javanese royal regalia were honoured in a more special way than in other parts of South-East Asia, in that they believed that royal regalia held the power to increase the *kesektèn* or supernatural power of the king (Moedjanto 1986: 113). On these grounds, it became a common tradition among Javanese royalty to strengthen their position by accumulating various kinds of *pusaka* (Moedjanto 1986: 136). Royal regalia at the Javanese courts of Cirebon, Surakarta and Yogyakarta have been highly revered. They are kept in a special chamber in the *dalem agung*, and neither outsiders nor non-Javanese are allowed to see them. The royal regalia of these three kingdoms would be taken out of the *dalem agung* on some significant state functions, such as a coronation, a grand audience granted to foreign missions or a royal procession. If the state ceremony was held in the palace, all the pieces of the regalia were carried by a group of court ladies called *manggung* (Van Beek 1990: 48). The ceremony of washing and cleaning all the pieces of *pusaka*, including the royal regalia, is still carried out at the three courts. In Surakarta and Yogyakarta the first day of the month of *Muharram* is the date of the ceremony (Van Beek 1990: 52). In Cirebon, and also in Banten during the Sultanate period, the ceremony is performed on the first day of the month of *Maulud*. All pieces of *pusaka* are washed and cleaned, before they are carried in a procession around the city.

Compared to Cirebon, Surakarta and Yogyakarta, it is a great loss to the Sultanate of Banten that both its royal palace and royal regalia are no longer visible. The Surosowan Palace was vandalised by the Government of the Netherlands Indies troops in 1810, but nobody knows where the royal regalia disappeared to. A full list of the *Rijks ornamenten* or the royal regalia was submitted to Batavia by Wouter Hendrik van Ijsseldijk, the High Commissioner of the Government of the Netherlands Indies in September 1802 (Arsip

Bantam/Banten, 1674-1891, 26: 61-4). This was also the last time that a full list of the royal regalia of Banten was mentioned.

During the late eighteenth century the old tradition of honouring the royal regalia was still strictly observed in Banten. Stavorinus (1798 I: 81) had a chance to witness some pieces of the royal regalia during an official audience granted by the Sultan to Mr. Van Tets, the Company senior merchant, and during the time he watched the royal procession from the palace to the Grand Mosque. On the first occasion, Stavorinus saw a group of female bodyguards carrying a set of royal regalia behind the place where the Sultan sat. One lady guard carried a large gold *kris* in a gold sheath, which always had to be raised high when the sultan was sitting; the sultan would take it from her hand when he was walking. Another three pieces of royal regalia seen by Stavorinus were a tobacco-box, a set of betel nut-boxes and a spittoon. All were made of gold and held by three female slaves sitting on the floor next to the Sultan's seat. When the Sultan needed any of these three utensils, its bearer would wrap it in a piece of yellow silk and hand it to him. During the time he watched the Sultan's procession, Stavorinus saw more pieces of regalia than those he had seen at the audience. Since the procession took place outside the palace compound, all the bearers of the regalia were male slaves.

The three utensils, tobacco-box, betel-nut box and spittoon, are actually common items in the regalia of kings in South-East Asia. At any official function, no matter whether inside or outside the palace compound, these three pieces of regalia always had to be taken with the sovereign (Stavorinus 1798 I: 82, Jones 1971: 56, Locke 1976: 27, Brus 1984: 68-9, Brus 1985: 97-8).[33]

As in the other Javanese kingdoms, the royal regalia of Banten played a significant role in the kingship. From the earliest years of the Sultanate, without a royal palace and regalia, no Sultan had the legitimacy to rule the kingdom. This was probably realised by

the VOC and later by the Government of the Netherlands Indies and will be looked at in more depth at the end of the chapter. At the end of the Sultanate, both the royal palace and regalia were no longer visible, and the Sultans of Banten after 1810 were no longer able to claim full sovereingty like their predecessors.

3.1.5 Costumes of the royals and courtiers

Van Beek (1990: 59) argues that clothing forms part of court tradition in Java. The way everyone dresses in Javanese palaces is based on the palace traditional dress code, which could identify everybody in the palace, from the sultan to a slave. At present, the costume tradition is still well respected and continued in Yogyakarta and Surakarta. Javanese court dress still retains its function in the daily life of the courtiers. The traditional clothing in the three surviving courts of Java, Cirebon, Yogyakarta and Surakarta, does not differ much the one from the other.

The costume tradition at the court of Banten was dissolved with the kingdom and the suppression of its royal family. Although there are still descendants of the Banten royal family left in the Banten area, they no longer maintain any of the court traditions of their ancestors. Cod LOr 5598 provides no information about a court dress code. The only way to research the way the royals and courtiers in Banten dressed is to consult the accounts and correspondence of the officials of the VOC or of the Government of the Netherlands Indies.

The audience granted to Van Tets on 17 May 1769 provided a chance for Stavorinus, as member of Van Tets' entourage, to observe the way the Banten court dressed. Stavorinus begins by describing the costumes of the Sultan's four wives. He was not so impressed with the outfits of the four queens, who were clad in nothing more special than a *kain* and *kebaya*. A *kebaya* is a kind of blouse which is pinned together at the

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[33] The use of the three pieces of royal regalia can still be seen in Thailand and Cambodia. Although the present Kings of both countries have never touched betel nut, a traditional regal betel nut set with spittoon

front, and usually worn with a sarong. It is the traditional costume of women across the Malay and Javanese worlds. Its common usage might have been the reason Stavorinus was not so impressed with the queens' clothes.

Although the *kebaya* outfit was widely used, the sort of textiles used to make the costume and other decorations would distinguish the status of the lady who wore it. Stavorinus says that *kebaya* outfits worn by the Queens of Banten were made of fine quality cloth, and that they wore their *kebaya* with a floor-length sarong.

The traditional hairstyle of court ladies in Banten was no different from the common hairstyle of women across Java, being combed smoothly back from their foreheads up over their heads, then twisted and fastened behind as a bun or *kondé*. Artificial flowers made of gold and jewels adorned the head as an indicator of royal status (Stavorinus 1798 I: 80).

After the description of the queens' costumes Stavorinus provides many details about the elegant costume of the Sultan.

> His dress consisted in a long Moorish coat, made of a certain stuff, interwoven with gold, which is manufactured at *Surat*, and is called *soesjes*. This hung down almost to his feet. The sleeves, which were loose and wide above the elbow, set close to the lower part of the arm, where they were fastened by a row of small gold buttons. Under this coat he wore a white shirt, and pair of drawers, that reached down to his heels, of the same stuff as the coat. On his feet he had Turkish shoes drawn on slipshod, the forepart of which was turned upwards; and white stockings on his legs. His head was covered by a round, and somewhat sharp-pointed, cap, of a violet colour, laced with silver. (Stavorinus 1798 I: 81)

Taking account of the details of the Sultan's elegant apparel, it was certainly not his daily wear but a ceremonial costume for state ceremonies or for any grand audience at which to receive foreign envoys. Details of the clothes also show influences from the royal costume in Turkey, the Middle East, Persia and the Indian Subcontinent. This is

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must always be placed next to their chairs on any official functions (Locke 1976: 28).

not surprising at all, as clothes and costumes from these parts of Asia had always been favoured at South-East Asian courts (Conway 1992:29).

What Stavorinus called *a long Moorish coat* must have been a ceremonial gown, which was commonly used by emperors and kings in those particular parts of Asia.[34] His head covering was possibly a kind of fez-like hat called a *kuluk*. In the courts of Yogyakarta and Surakarta a *kuluk* is normally made of velvet. The colours of the *kuluk* can identify its wearer. The king's *kuluk* is normally made of black velvet and decorated with gold and jewels (Van Beek 1990: 59).

Two days after the day of the audience, Stavorinus had another opportunity to see the Sultan's costume again. This time it was when the Sultan travelled out of the palace in procession to the royal mosque, presumably to attend Friday prayers. The costume seen by Stavorinus on this day was different from that worn on the audience day. The Sultan dressed like an *imam* or Islamic cleric, with a white gown fastened round his waist by a girdle and wore a large white turban instead of a *kuluk*. Gold-embroided slippers were worn; these he would have removed when he entered the mosque (Stavorinus 1798 I: 86).

Apart from Stavorinus' account, court costumes in late eighteenth century Banten were also noticed by Van Breugel, who describes the costumes of the nobility in general. Princes and courtiers alike wore long trousers made of high quality fabric. A piece of long cloth was worn over the trousers, elegantly draped and fastened around the waist by a girdle made of precious materials. On official occasions they wore a vest or shirt, normally made of white linen. Over the shirt a jacket of chintz, velvet or Indian fabric was worn. A *kuluk* decorated with gold and jewels was also worn on formal occasions, together with jewelled rings. In private, males normally did not wear any clothes on the upper part of their bodies, only one piece of cloth hung over their shoulders.

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[34] Not only Islamic states in South-East Asia adopted the use of a ceremonial gown from the areas mentioned. The kings of Siam, Burma and Cambodia also did so (Wales 1931: 178).

Van Breugel had the same idea as Stavorinus, namely that the way the court ladies dressed on any formal occasion depended on their rank. In private their clothes did not differ from each other, and this was actually the traditional Javanese female dress found across the island and even in Bali. Their clothing consisted of two pieces, a *sarong* which stretched down to their ankles and a piece of linen wrapped around their breasts under their arms. On official occasions royal ladies normally wore a *kebaya* and a *sarong*. Either high quality fabric from India or *kain songket*[35] from Palembang was used for making their *sarong*. Apart from costumes made from high quality fabrics, Banten royal ladies also wore jewellery like bracelets, diamond rings and earrings, and gold necklaces. They decorated their traditional Javanese hairstyle with real flowers and flowers made of gold and jewels. Banten princesses always held a handkerchief in their hand with a tiny betel box made of precious metal. Van Breugel also noted that Banten royal ladies rubbed fragrant oil on their bodies and always used a kind of cosmetic to make their faces look paler than their natural complexion.

The costumes in the Banten court seen by both Stavorinus and Van Breugel are not much different from traditional court costumes in other Javanese kingdoms. The clothing of the Sultan and princes was greatly influenced by Muslim ideas of dress derived from the Middle East and the Indian Subcontinent. This was probably a deliberate policy adopted by Javanese rulers to express their affinity to rulers and elites in other Islamic states, and to identify themselves as part of the Islamic world.[36]

It appears that the use of luxurious Indian textiles at the court of Banten had been continued from the previous century, to the same degree that these were also used at the

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[35] *Songket* is a kind of traditional textile in the Malay world. It is a silk brocade woven with gold or silver threads in different patterns.

[36] It should also be noted that their way of dressing has always been a peculiarity of Muslims, whichever part of the world they are from. At one level, this uniqueness has for centuries formed a unity among followers of Islam. At the level of rulers and elites we can note that those in the Indian Subcontinent and South-East Asia had adopted the Muslim ways of dressing and assimilated them with their traditional way of dressing. This is why I believe that Javanese rulers also shared the same style of clothing with their contemporary Muslim fellows in South-East Asia.

other three Javanese courts.[37] John Evelyn, the diarist at the court of King James I, described the costumes of the two Banten ambassadors who were sent to Britain by Sultan Ageng Tirtayasa in 1682:

> [...] their garments were rich Indian silks, flower'd with gold, viz, a close wastcoate to their knees, drawers, naked legs, and on their heads caps made like fruit baskets (Foster 1926: 113).

The sultan's choice of clothing during the late eighteenth century suggests that the use of sophisticated Indian textiles was part and parcel of noble life in Banten. As in other South-East Asian states, Indian textiles would have served as status symbols among aristocrats.

Luxurious textiles from neighbouring states also appear to have been imported into the royal court of Banten. Van Breugel (1856 BS: 331) mentions the use of *songket* among the Banten royal ladies. This is not at all surprising, as one of the main producers of *songket* is still Palembang, a neighbouring state. It would not have been difficult for the Banten court to import this kind of precious fabric.

The use of *batik* in Banten was probably more common among ordinary people than among the nobility. Members of royal courts might have used *batik* for their informal clothes, but on formal occasions they preferred using imported textiles.

Another reason why imported textiles were more favoured than *batik* by the court of Banten is probably because of the status of Banten as a port sultanate. As one of the major ports in South-East Asia, it was probably easy for Banten to import high quality textiles for use at the royal court. After the use of imported textiles had become familiar,

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[37] According to Conway (1992: 29), Muslim traders had begun to import Indian textiles from the Coromandel Coast to South-East Asia in the middle of the fifteenth century. The destinations of these textiles were then the main port states in the Malay Peninsula, Sumatra, Java and Burma. From these ports the Indian textiles were dispersed to all over South-East Asia. From the end of the fifteenth century the Portuguese took over the trade of Indian textiles from the Muslim merchants. The Dutch and the British started trading these textiles with the South-East Asians in the seventeenth century. Robson (personal communication, 28 March 2003) disagrees with Conway's idea. He argues that textiles had been imported from India from much earlier than the fifteenth century. For example, a Chauli cloth is

there was no need for the court to support and develop any local textile industry like the hinterland states of Yogyakarta and Surakarta.

Court costumes in Java more or less reflect the way of being Javanese to any non-Javanese or foreigners. At least, the accounts of Stavorinus and Breugel may be counted as sufficient to confirm the notion that the tradition of dressing at the royal court of Banten during the late eighteenth century still expressed being Javanese. It is one of the perculiarities of the royal court of Banten that the Javanese tradition of dress still played a strong role amid the changes in lifestyles at that court. Most of the elements in the royal household were transformed in the direction of a European style, but the preferred way of dressing of the members of the royal court, from the Sultan down to the lowest courtiers, remained unchanged.

Although Van Breugel mentions that the reigning Sultan of Banten at the time he was resident there had adopted European style clothes himself, this was only a personal choice that exerted no effect on the traditional way of dressing at the court at all. Van Breugel goes on to say that in the end this Sultan had to turn back to the traditional way of dress, as his poor financial status did not permit him to spend much money on many luxurious European items.

3.2 The transformation of royal traditions and state ceremonies

Seven reports of the VOC officials on their visits to the court of Banten during the eighteenth and early nineteenth century describe various palace customs. Most of these VOC officials visiting Banten like Westpalm (1731), Loten (1752), Van der Parra (1753), Van Ossenberch (1768), and Van Ijsseldijk (1802, 1804) represented the Company to witness the installation of new Sultans. These reports together with that of

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mentioned in an Old Javanese source from the eleventh century. Chaul is on the west coast of India, north of Bombay.

Stavorinus (1798) form good sources of material for the examination of the transformed version of royal tradition and state ceremonies.

From the time the kingdom was brought under protectorate of the VOC in 1682 until it was officially abolished in 1808, Banten always maintained a close relationship with the Company. Compared to contemporary, independent South-East Asian states like Mataram, Aceh, Patani, Johor, Siam, Burma, or Cambodia, it appears that during these two centuries the classical royal tradition and state ceremonies of Banten were dramatically transformed, taking on unmistakable turn towards European traditions. While it is fairly apparent that neither the kings of the Mainland South-East Asian states, nor the Sultans of Aceh during the late eighteeth century espoused European customs in dealing with the Westerners, it seems that the Sultans of Banten adoped various European customs at their court in the Surosowan Palace. Below is a discussion of the transformed versions of palace customs mentioned in different European sources.

3.2.1 Ceremony of installation

The ceremony of installation is the most important among all the rites relating to sovereign kings. It is performed to elevate the status of one person to that of kingship, or to legitimise the right of that person to be king. Politically the ceremony reflects the acceptance by the majority of dignitaries and authorities in the realm of the installation of a person as new king (Moore 1981: 102).

In Javanese sultanates like Mataram and Banten, the ceremony of installation reflected the harmony achieved between the Islamic concept of kingship and the Hindu-Buddhist faith of the pre-Islamic state of Majapahit. The Sultans were declared as rulers in the name of God [His vice-regent on earth]. The installation ceremony in Islamic states, were still based on the same political concept to that of the pre-Islamic states.

The classical version of the installation ceremony in Banten can be found in an account of Isaac de Saint Martin (VOC 1500: Inv. 1.04.03, folio 1 99v-204), the Ordinary Councillor of Greater India, who was appointed special commissioner and ambassador on behalf of the Governor-General and the honourable Councillors of the Indies to attend the installation ceremony of Sultan Zain al-Abidin (r. 1690-1733). At that time it was nearly ten years since Sultan Abul Nassar Abdul Kahar or Sultan Haji (r. 1682-7) had brought the Sultanate under the Company protectorate. This change in the power relationships is the reason the Company appointed its representative to attend this significant ritual. However, it should be noted that the greater part of this installation ceremony was conducted according to classical Javanese tradition. This is because the VOC at that time had not yet claimed full sovereignty over Banten and the Sultan still held full authority to conduct the internal affairs of the state while the Company contented itself with a guiding role.

Sultan Zain al-Abidin's installation ceremony was held on 15 January, 1691. De Saint Martin begins his records with the gathering of the *punggawa* or a group of the nobility who were authorised in the state administration in the royal palace to plan the ceremony. Prince Muhammad Salim, Zain al-Abidin's brother, was appointed as the master-of-ceremonies in charge of the preparations for the ceremony. It was significant that all the *punggawa* at the court of Banten had to travel to the capital to attend this ceremony from across the kingdom.

The ceremony was conducted in the royal mosque and in a *balai* or pavilion in front of the royal palace. Stavorinus (1798 I: 65) mentions this pavilion in his account, and says that it was a permanent construction standing in a courtyard between the drawbridge for crossing the palace moat and the main gate of the palace. If it had not been for the moat, this courtyard would have linked up directly with the royal square or *alun-alun*. Stavorinus describes that it was a pavilion with square roof, probably the

joglo or traditional Javanese roof. Other pavilions in this courtyard provided places for members of the royal family and officials from both Banten and from Lampung, as well as the Company delegation. The *suranegara* royal guards lined up along the path from the royal palace to the square to escourt and form a guard of honour for the sovereign.

The ceremony started at three o'clock in the afternoon when Sultan Zain al-Abidin in traditional Javanese costume left the Surosowan Palace in a royal procession to proceed to the pavilion in the middle of the royal square, in front of the royal mosque. The Sultan sat on a palanquin which was carried by eight bearers in yellow cloth. A group of six Islamic scholars walked alongside the palanquin, and three of them bore the royal standards. Following the Sultan's palanquin walked twenty-four court ladies in yellow outfits, adorned with jewellery, each of them carrying the royal regalia (*upacara* or *pusaka*). The *suranegara* royal guards and the VOC soldiers marched at the rear of the procession.

Once the Sultan's procession had reached the pavilion, gun salutes were fired from Fort Diamond. The Sultan and all those attending the ceremony took their seats and watched the *suranegara* royal guards and the Company soldiers perform a marching drill in the royal square. After the marching performance was finished, the religious ceremony began. The Sultan rose from his seat and proceeded along the white and yellow carpeted path from the pavilion to the royal mosque. He walked under the shelter of two parasols carried by his footmen. The Sultan was escorted by six Islamic scholars, as well as by the *suranegara* royal guards and pikemen. The service of blessing inside the royal mosque took around half and hour, and after the blessing service the Sultan left the mosque and proceeded back to the pavilion in the same manner. This time he was accompanied by the congregation of Islamic religious scholars, led by Kyai Fakih Najimuddin or the Chief Cleric and Supreme Judge. Once the procession entered the pavilion, the Sultan and all the scholars took their seats. The

scholars had their seats surrounding the Sultan, while the court ladies carrying the royal regalia took their places nearby. De Saint Martin and two other Company officials were invited to take their seats inside the pavilion to witness the installation. The next step in the ceremony was the recitation of prayers by the scholars, followed by the proclamation of Zain al-Abidin's legitimate right to become the new Sultan. The new Sultan was entitled Paduka Sri Sultan Abu'l Muhasin Abdul Nassir. At this moment all those attending the ceremony said in Javanese *inggih, inggih* (yes, yes) to express their acknowledgement of the new Sultan. At the moment the new sovereign's title was proclaimed, the congregation of scholars and all those attending chanted prayers to bless the new Sultan. Gun salutes were fired from Fort Diamond, Fort Speelwijk, Fort Karangantu and from all the Company's ships anchored in the Bay of Banten.

The new Sultan then received the congratulations of the Dutch East India Company conveyed by De Saint Martin. After that the members of the royal family, ministers and officials came to pay him their homage. The Sultan presented each of them with a piece of yellow and white and red silk, depending on the status of each person, as his gift.

When the paying of homage had finished, the Sultan retired from the ceremonial pavilion and proceeded along the yellow carpeted path to another pavilion at the corner of the royal square. He was accompanied by De Saint Martin and his *punggawa* and *mantri* or ministers and officials. After the Sultan took his seat inside the pavilion, the congregation of priests chanted prayers. In the meantime, a set of large wooden scales had been prepared and covered with white cloth. When the chanting finished the Sultan sat down on an empty side of the scale, then the ceremonial officials balanced the scales by placing gold and silver coins on the other side. Once the scales were balanced the Sultan stepped down, and the coins were distributed to all those attending in the pavilion. When the distribution of coins had finished the Sultan retired to the Surosowan Palace in the same procession.

The installation ceremony of Sultan Zain al-Abidin was conducted mostly according to Javanese traditions which reflect the assimilation of both Islamic and Hindu-Buddhist rites. The ceremony no longer consecrated a god king as in Hindu-Buddhist states, but it was rather a ceremony to declare or legitimise the right of a new sultan to rule over the state. The declaration of the new Sultan's legitimacy to assume the supreme position was stated in front of the public by an Islamic cleric, probably Kyai Fakih Najimuddin or the Chief Religious Scholar. This stage of the ceremony suggests that the Sultan had to rely on religious authority to underwrite his legitimacy. Recognition from different authorities in the state was also an important element in supporting the Sultan's legitimacy. This recognition was symbolised by the action of all those attending the ceremony saying together *Inggih, inggih* at the moment when the declaration of the new Sultan's legitimacy was finished as an expression of their acknowledgement.

The final stage of the ceremony, which was the weighing ceremony, reflects the influence of Hinduism and is similar to a Hindu ceremony called *tulabhara*, which was once well known in India. In this ceremony the king or queen was weighed on scales (*tula*) against an amount of gold or silver, which was later granted to the brahmins (Wales 1931: 199). The Sultanate of Banten may have inherited the weighing ceremony from the classical Javanese tradition of the pre-Islamic period. The VOC accounts (VOC 1539: f. 280r, 282v, 334r and VOC 1560: f.363r) mention that the weighing ceremony in Banten was not confined to the installation ceremony, but was also performed on other occasions like the announcement of the Queen's pregnancy and the birth of a royal prince.

Talens (1993: 349) argues that at the 1691 installation ceremony, De Saint Martin attempted to impose the superior status of the Company over Banten when he conveyed the Company's congratulation to the new Sultan. Talens assumes that De Saint Martin`s message of good-will to the Sultan wishing him a very long reign was indicative of two

of the Company's intentions. First was to show that the Sultan could ascend the throne only because the Company had granted its approval. Second was to guarantee to the Sultan that the Company would support him for the future. Talens also goes further in his interpretation and says that the action of shaking hands between the Sultan and De Saint Martin symbolised the Company's acknowledgement of the new Sultan's legitimacy. He believes that the whole ceremony would have failed to confirm the Sultan's accession if De Saint Martin had refused to shake hands with the Sultan who offered him his hand in appreciation of the Company's congratulations.

A major transformation integrated into the installation ceremony may have taken place in Banten after the Sultanate was officially brought under the sovereignty of the VOC in 1752. It appears that the VOC played no role in determining the Sultan's installation in 1691, except to send its representative, De Saint Martin, to attend the ceremony. After 1752, the installation ceremony was transformed and inexorably turned in the direction of European traditions, and the VOC itself was clearly determined to exert influence on the conduct of the ceremony. The Company called the transformed version of the installation ceremony 'de investiture van eenen Bantamschen Sultan' (Van Heekeren 1856: 368-98). The use of the term 'investiture' suggests the intention of the Company to express its superior authority to confer ruling power on any chosen Sultan of Banten.

Through this transformation the installation ceremony in the late eighteenth century was clearly divided into two parts: the investiture ceremony and the traditional ceremony. The traditional ceremony based on Islam was treated as a minor addition to the investiture. The main purpose of the investiture ceremony was to symbolise the Company's sovereignty over Banten. European customs borrowed from the coronation of European sovereigns and the investiture ceremonies of royal princes or other aristocrats were assembled and arranged into the investiture ceremony of the Sultan of

Banten. The most significant moment indicating the enthronement of a new sultan in South-East Asian Islamic states like Banten is when the chief cleric finished the declaration to legitimise the hereditary prince as Sultan and all those attending the ceremony uttered their words of affirmation as acknowledgement (Talens 1993: 338-9). The headdress or crown was presented to the consecrated king or new Sultan after the enthronement had been declared, as only one object among various pieces of the royal regalia.

The investiture ceremony in the late eighteenth and early nineteenth century began with the proclamation in Dutch of an 'Act of Investiture' by the Company representative, followed by a translation into Malay. The declaration of the legitimacy of the hereditary prince, which had been the most significant moment to mark the enthronement of the new Sultan, was shifted to take place after the Company proclamation. A possible explanation is that the proclamation symbolised the superiority of the Company over the Sultanate, as the content of the proclamation generally declared the authority of the Company to appoint any appropriate prince as the Sultan. Without the authority of the Company stated in the proclamation, the declaration of the hereditary prince was null and void.

After the declaration, the Governor-General's representative crowned the Sultan. The crowning ceremony became the supreme moment of the investiture and simultaneously reflected the status of the Company as the overlord of Banten. After that, the newly crowned Sultan took the oath of allegiance, in order to affirm his recognition to the sovereignty of the Netherlands over his realm. Below is an example of the oath of allegiance that Sultan Aliyuddin II (r.1808-09) had to utter in his investiture ceremony on 27 December, 1808.

> I do promise and swear to be faithful, and bear true allegiance to my sovereign Lord, the King of Holland, and to His Majesty's representative the Marshall Governor-General Daendels together with the High Council of India, that as far as lies in my power I will

> conform to the instructions now read to me, as well as to what I may hereafter receive; that deeply impressed with the favours conferred on me, I will endeavour to deserve them by good usage to the people placed under me, without attempting to deprive them of their just rights, or to impose unfair contributions upon them; that in all things I will conduct myself as an upright prince, desirous of nothing so much as the welfare and happiness of the subjects and that I will carefully observe and obey the instructions of government as my lawful sovereign (Instruction for the King of Bantam, 27 December 1808).

The traditional blessing service in the Grand Mosque and the weighing ceremony were moved to the end of the crowning ceremony. Only the royal princes, clerics or scholars and ministers and senior officials attended the two final ceremonies. The declaration of the hereditary prince, the blessing service in the Grand Mosque and the weighing ceremony were the only traditional parts retained in the transformed version of the installation ceremony. The Company, and later the Government of the Netharlands Indies, still allowed these ceremonies to continue, probably because they were religious ceremonies which always remained important in legitimising a new Sultan in the eyes of his subjects. It might well have been that the Company was conscious of the significance of the religious services to the people of Banten, and it took good care to stress the precedence of the European investiture ceremony over the traditional and religious services to impress its sovereignty on the people of Banten.

There is no evidence of any celebration after the installation ceremony during the period before 1752. This is probably attributable to the traditional South-East Asian belief that coronation or installation ceremonies are purely religious rites to consecrate or establish a new king, in which case any entertainment would have been superfluous. It appears that no events like parties or performances had been arranged at the coronations of the Hindu-Buddhist Burmese, Cambodian, Siamese and Javanese kings. It was the VOC, and later the Netherlands Indies Government, which probably added such entertainments at the end of investiture ceremonies. At the investiture of Sultan Muhammad Ishak Zainul Muttakin (r. 1801-03) in 1802, the celebrations after the

religious ceremonies were even more impressive than the investiture ceremony itself. The *balai* or ceremonial pavilion at the centre of the royal square was transformed into a banquet hall and a state banquet was held in honour of the new Sultan. On this occasion the Government of the Netherlands Indies proposed a toast to the new Sultan, followed by a thirty-gun salute. Traditional Javanese performances, such as the *bedaya* court dance and *wayang wong*, were staged for the guests. Chinese fireworks ended the celebration of the investiture of the new Sultan of Banten. The programme of entertainments after the investiture ceremony gave this state occasion the semblance of similarity with those in contemporary European kingdoms.

3.2.2. The state audience with the Sultan and the reception of delegations

According to the *Sejarah Banten*, the rulers of Banten granted official audiences to the royal princes, ministers and officials in the courtyard in front of the palace (Pudjiastuti 2000: 366). The Sultan took his seat on the *Watu Gilang* throne. This stone throne nowadays lies in front of the main entrance to the Surosowan Palace. Having compared the location of this stone throne with that mentioned in Stavorinus' account (1798 I: 60-1), I am convinced that this throne was once located in a *balai* or pavilion and it was the same pavilion as that used for the Sultan's installation ceremony. This makes it plausible to assume that this pavilion also functioned as the throne hall for state audiences, because it was the site of the *Watu Gilang* throne which was the most important throne in Banten. It had been permanently housed there since the inception of the state.

The drawing by Danois Cortemunde (Det Kongelige Bibliotek, Copenhagen 1676: 65), a member of the Danish mission which visited Banten in 1676, depicts the scene at the grand audience that Sultan Ageng Tirtayasa (r. 1651-1682) granted the Danish Ambassador (Guillot 1995: 91-2). Sultan Ageng sat on a throne on a dais, inside a

Javanese pavilion. The pavilion stands at the main entrance to the royal palace, so it must have been the pavilion of the *Watu Gilang* throne. The Sultan was surrounded by his ministers and guards. Two men, probably the Danish ambassador and one of his company, stand in front of the pavilion and pay their respects to the Sultan. In the courtyard in front of the throne hall stand the guards of honour in European uniform, drawn up in rows. Next to the guards of honour is a traditional musical ensemble consisting of two metal drums, two trumpets for royal heralds and a set of gongs.[38] At the riverside there are four soldiers in traditional costumes firing cannon salutes.[39]

Cortemunde's drawing provides good evidence of the sort of audience the Sultans of Banten granted to foreign delegations during the period before the VOC established its sovereignty over Banten in 1752. To take his place on the throne symbolised the Sultan's supreme status in the state, and this symbol was recognised in all South-East Asian kingdoms. Unlike the European tradition, standing respectfully was not the way to behave in front of the king in the throne hall. Everybody had to sit on the floor with their face averted, unless they were communicating with the king. When South-East Asian states started dealing with the Europeans in the sixteenth century, the European delegations had to follow the local tradition when they attended an audience with the king.[40]

Descriptions of the reception of European missions shown in the drawing no longer appeared in any accounts of the VOC after 1682 when Sultan Haji brought the kingdom under the Company's protectorate. The main reason might have been because

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[38] These ceremonial instruments were common all South-East Asian kingdoms. They were played at grand audiences and state ceremonies to mark the arrival or withdrawal of the king, as well as to provide a sign to mark any significant stage in the ceremonies.

[39] Scenes of a grand audience like this are common in South-East Asia. In Burma and Siam ever since the seventeenth century, the kings would sit on a golden throne which was raised high above the floor of the thronehall. All the royal princes, ministers and courtiers sat on the floor in accordance with their rank in their order of precedence. When the king appeared in the throne hall or retired from the scene, the court musicians sounded the metal drums, and the trumpets by playing fanfares (Wales 1931: 178).

all the non-Dutch Europeans were expelled from Banten, and the VOC's delegations were the only remaining foreign visitors to the court of Banten. The pavilion still continued to function as the site of the Sultan's installation ceremony, while the reception of VOC delegations was drastically transformed.

It appears that after 1682 the Company never recognised traditional Banten protocol in the grand audience for the delegation. It might have been a Company demand that the Sultan of Banten had to treat its delegation with reciprocal respect. The symbol of supremacy, of taking a seat on a throne higher than that of the ambassador, was given up and whenever there was a delegation from Batavia to Banten, the Sultan had to grant an audience inside the palace. It appears that the classical state audience was thus replaced by the European custom of receiving visitors.

On the day of the audience one *pangéran* or royal prince was sent as the Sultan's representative with a procession of state coaches and royal guards to escort members of the delegation and their spouses from Fort Speelwijk to the Surosowan Palace. The Sultan, the royal princes and ministers waited to receive the delegation at the main gate of Fort Diamond. Upon the arrival of the delegation, the Sultan would shake hands with the head and members of the delegation, and then walked hand in hand with the delegation head, passing along the rows of royal guards to the reception hall in the palace compound. In the reception hall the *ratu permaisuri* or Queen Consort, the high consorts, female members of the royal family and court ladies had taken their places to receive the delegation. To have female royalty and court ladies come out of the *dalem* or inner palace to receive foreign visitors was a dramatic change in royal tradition in Banten. Before 1682 female royalty and court ladies were prohibited from appearing in public. The reason for this great change in tradition was probably because members of

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[40] From the reign of Narai of Ayutthaya (r. 1657-88) Siamese kings granted permission to European delegations to take their seats on stools or chairs during the state audience, but this permission was never granted in Burma (Wales 1931: 183).

the delegation brought their wives with them, so the Company might have expected the female royals to help entertain these ladies.

The Sultan took his seat on a gilded chair and the delegation head sat next to him. All members of the delegation were invited to take their seats on chairs, while the Queen and the high consorts sat on chairs with the Company ladies. Royal princes, ministers and other courtiers sat on the floor in accordance to their rank in order of precedence. The *prajurit èstri* or the Sultan's female guards stood behind his seat carrying weapons like krisses, pikes, spears and muskets.

The formal reception of the delegation started with a ceremony which could be called the tea and tobacco ceremony. After the Sultan had led members of the delegation to their seats in the reception hall, tea and sweetmeats were served. Members of the delegation were also served alcoholic drinks. The *gamelan* or traditional Javanese orchestra played one ceremonial melody while the guests took tea. During this tea time, pipes and tobacco were presented to the visitors, and the *gamelan* played another ceremonial melody. During the tea and tobacco time the Sultan and the delegation head continued their communication on different topics.

It seems that this type of reception had no significance, apart from the serving of tea, sweetmeats and tobacco to guests, so why did the royal court of Banten during the late eighteenth century have to turn such simple habits as these into a ceremony? I believe that this tea and tobacco ceremony was a symbolic expression of friendship which the Sultan conveyed to the VOC delegation on a basis of mutual respect. There is absolutely no evidence that the rulers of Banten before the reign of Sultan Haji (r.1682-87) had received the Company delegation in such an amicable fashion. As has been mentioned before, Sultan Ageng Tirtayasa (r. 1651-1682) received European delegations fully conscious of his superior status sitting on the throne and the delegations were taken into the throne hall to pay him their respects. After the grand

audience, the Sultan was pleased to bestow some presents on members of the delegations, but not with his own hands. The presents were handed over by the court officials, probably to express the Sultan's superiority to the delegations. Pertinently, South-East Asian sovereigns regarded the ambassadors and delegations only as the royal messengers of foreign kings. It was then impossible for them to be treated with mutual respect.

To entertain visitors with tea, European sweetmeats and tobacco indicates a transformation in the Javanese tradition of receiving guests. This is probably because the old South-East Asian custom of receiving guests with areca and betel was considered unsuitable for European visitors. The Javanese rulers probably chose tea and tobacco as substitutes for areca and betel, because the visitors were familiar with these substances.

Neither tea nor tobacco had originally been consumed in Java. Tea had probably been introduced by the Chinese and it was still a rare drink for most South-East Asians even in the late seventeenth century (Borri 1998, Dampier 1697: 277, 279; Reid 1988 I: 38). Reid (1985: 535) believes that the Spanish had introduced tobacco into Asia by bringing the plant from Mexico to the Philippines in 1575. In Java tobacco first appeared during the late sixteenth and early seventeenth century.[41] Smoking tobacco with a long reed pipe like the Europeans became fashionable among the royal princes and nobles at the Mataram court. Tobacco in Java turned out to be another option to betel and areca as a mildly narcotic relaxant. A European-style tobacco pipe was one of the royal utensils in the court of Amangkurat I of Mataram (r. 1646-77) and it had to be carried by a court lady in his procession when he left his palace (Van Goens 1956: 257).

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[41] The first Dutch expedition to Banten in 1596 did not mention the use of tobacco (Reid 1985: 535), but tobacco had found favour in Banten around a decade later (Scott 1943: 173). Tobacco first appeared in Kartasura around 1679 (Ricklefs 1978: 29).

During the excavations at the Surosowan Palace in 1977, large numbers of clay pipes were found in the palace complex, most of them originating from the Netherlands. The study of the decorations and trademarks on each pipe suggests that the majority of these pipes were produced in the seventeenth and eighteenth centuries (Ambary et al. 1988: 71). The age of the tobacco pipes found in Banten tallies with Scott's account (1943:173) that smoking tobacco had become popular in Banten from the beginning of the seventeenth century.

After the reception with tea and tobacco, the sultan hosted a banquet for the delegation. Stavorinus (1798 I: 83-4) mentions that the food and desserts served at this kind of banquet were Chinese and Javanese delicacies. The meal was not divided into courses in accordance with European eating habits. Different dishes were served simultaneously with rice, after which various sorts of dessert were offered. The former Javanese eating custom which required that food be set out on mats and everybody take food with their right hands was transformed into a European-style banquet for the late-eighteenth century VOC delegations. The Sultan, the four Queens and the members of the delegation sat at a European table. The Sultan and the Queens ate their meal with their hands, while members of the delegation were provided with European cutlery. Despite being prohibited by Islam, wine and beer were also served to the delegations.

One Javanese tradition at a royal banquet still survived during the late eighteenth century. The royal princes, ministers and officials were not allowed to take food at the same time with the sultan, but had to sit quietly on mats while everybody at the royal table enjoyed the meal. Food from the royal table would be taken and served to them after the Sultan had had dessert.

The final stage of the banquet was the proposing of toasts, following by cannon salutes. (The details of toasts and gun salutes have been described in Chapter Two.)

After the toasts, the sultan walked with the delegation to the palace gate where all members took their leave of him. Two royal princes would represent the Sultan in escorting the delegation back to Fort Speelwijk.

3.2.3 The use of European carriages in royal processions

> Both the Susunan and Sultan are furnished with large gilt carriages, after the fashion of those used by the Lord Mayor of London. (Raffles 1817: 311)

Raffles (1817 I: 311) states that the traditional modes of transport used by Javanese kings when they travelled in procession were either horses or palanquins. The rulers probably used palanquins only for short journeys, such as going to the mosque or to attend any official function in the royal square or *alun-alun.* These two traditional vehicles had probably been used in Java since the period of the Hindu-Buddhist kingdoms.

It appears that in 1691 Sultan Zain al-Abidin of Banten still used a palanquin to go to attend his installation ceremony in the pavilion at the centre of the royal square. The first evidence of use of European carriages appears in 1752, the year the VOC claimed full sovereignty over Banten, when J.G. Loten was appointed High Commissioner from Batavia to attend the installation ceremony of Sultan Muhammad Wasi' Zainul Alimin (r. 1752-3) on 17 April, 1752. Loten states that he accompanied the new Sultan on his journey to the ceremony in a carriage in full procession (J.G. Loten's daily report, 28 April 1752, No.23: 63).

During the eighteenth century the VOC may have courted the Javanese sovereigns of Banten, Cirebon, Yogyakarta and Surakarta by presenting them with luxurious gifts like gilded carriages. This was a way in which the Company could curry favour and seal alliances with the rulers of those states. It appears that the Sultans of Banten themselves did not hesitate to replace their traditional palanquins with luxurious European carriages.

This change suggests that a new value system was formed in the minds of the aristocrats in which European luxuries usurped older symbols as markers of their prestige and equality with the Company. It seems that during the late eighteenth century carriages completely replaced traditional palanquins in royal processions. The Sultans were now driven in a state coach from the royal palace to attend the *Salat Jum'at* or Friday prayers (Stavorinus 1798 I: 87), as well as when they went to visit the VOC commandant or the delegations from Batavia at Fort Speelwijk (Arsip Bantam/Banten 1674-1891 No. 23: 63-71).

Stavorinus (1798 I: 65) mentions that the Sultan's carriages were kept in a coach mews in front of Fort Diamond. He also states the origin of these carriages.

> On the other side are the king's stables and coach houses, the former well provided with horses; the latter, which are only wooden sheds, contain several coaches, which have at different times been presented to the king, by the Company, or their governors, and among which there are some that are venerably old, and in a taste truly antique (Stavorinus 1798 I: 65).

Stavorinus' report suggests that the VOC might not have presented any newly constructed carriages to the sultans of Banten, but had made do with those which were no longer used in Batavia. Stavorinus visited Banten only 17 years after the first use of carriages in Banten is recorded. If it is true that the first of the European carriages was presented to the royal court of Banten during the 1750s, and if Stavorinus' himself was not exaggerating, the condition of some of the carriages should not have been "venerably old". However, the reason that these carriages were such antiques was that the Company had presented old carriages to the court of Banten. This gesture might have been prompted by the traditional Javanese belief in the sorts of elements which would have helped to characterise the greatness of the ruler's power; in this case the grandeur of the court ceremonies and the heirlooms (*pusaka*) and ceremonial equipment he owned. To increase the number of *pusaka* was believed to add to the supernatural power of the rulers (Moedjanto 1986: 104). The European carriages helped to make the

Sultan's ceremonial processions grander, and at the same time, because of their age, they could have been considered *pusaka* which helped add to the sultan's *kasektèn* (supernatural power).[42] To have inherited old carriages as heirlooms from the VOC might under such circumstances have been an attraction for the Sultans of Banten.

Stavorinus (1798 I: 76) also noticed that the coachmen of the Sultan of Banten were European. This was probably because of the indigenous courtiers' lack of skill in driving and controlling European carriages. The coachmen might have been any of the officials of the Company who lived either in Fort Speelwijk or Fort Diamond.

Traditional Javanese royal processions were also changed by the appearance of the guards of honour in European uniforms at the beginning and the end of the procession (J.G. Loten's daily report, 28 April 1752, No.23: 63-71). These guards were actually sent from the Company's garrisons in Forts Speelwijk and Diamond. The rest of the procession was made up of Javanese.

The use of European carriages instead of traditional palanquins and the adding of European guards of honour to the Sultan's ceremonial procession were unique changes in South-East Asia theatre states.[43] Through the their close relationship with the VOC, Javanese states like Banten, Yogyakarta and Surakarta could change the tradition of royal vehicles and the arrangement of ceremonial processions, adopting a more European style in the second half of the eighteenth century. During this period the rulers of most South-East Asian states still travelled in traditional processions seated on an elephant's back, in a palanquin or on board a gilded royal barge. This traditional form of royal procession remained unchanged in Aceh, the Malay states in the Peninsula, and Burma. In Siam it was not until the beginning of the twentieth century that European

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[42] In Yogyakarta and Surakarta nowadays those European carriages presented by the VOC are still venerated as palace heirlooms (*pusaka*). The same tradition might have been carried on in Banten when the Sultanate had not yet been abolished.

[43] The concept of the 'theatre states' was introduced by Clifford Geertz (1980).

state coaches were brought into use and guards of honour in European uniforms were added to the royal procession.

4. Rank and titles of the royal family and the nobility

Rank and titles are created to mark the hierarchy, priority, roles, and responsibilities of persons in each society. In South-East Asian states from their inception up to the present, rank and titles have never lost their function, and have formed crucial elements of all the royal courts in this region. They help maintain peace and order at the court and in the ranks of the bureaucracy and thus enable the state administration to continue to run smoothly.

This discussion will begin with the determination of the different types of officials in Banten. According to Van Breugel (1856: 151-64), Banten officials could be classified into five types: *Mantri*, *Nayaka*, *Punggawa*, *Abdi Dalem* and *Suranegara*.

Mantri or *Mentri* are defined as senior Javanese officials born in the Sultanate, who were posted in the capital city. Each of them was in charge of a section of the state administration. According to Raffles (1817 I: 315), the *Mantri* officials were invested with a kris as the sign of their rank, and they were granted the privilege of sitting on a special mat whenever they were in attendance on the sovereign.

Nayaka or *Niaka* was a term for a group of princes and senior officials whose duties were in the palace. The term *punggawa* represents a group of executive officials who served in the capital or were posted to the regions. Talens (1993: 333-55) argues that in Banten there were two groups of *punggawa*: the Banten *punggawa* and the *punggawa* of Lampung. The Banten *punggawa* were considered superior to those of Lampung, probably due to the traditional Javanese belief in the essential distinction between core regions and outer territories.[44] The superiority of the Banten *punggawa* may be deduced

[44] The distinction was drawn between the Nagaragung (the great lands) as the core regions were known, and the Mancanegara (surrounding or neighbouring regions), and the Pasisir (the coastal provinces) as the

from Isaac de Saint Martin's account (inventory 1.04.03, VOC 1500: folio 199v-204) of the installation of Sultan Zain al-Abidin (r. 1690-1733). For this ceremony the Banten *punggawa* were assigned elegant seats inside a *balai* or pavilion, while those from Lampung had to sit on the ground.

The term *Abdi Dalem* covers all sorts of male and female servants in the royal palace. This group of officials played no role in the state administration. Their responsibilities were and directly concerned with the Sultan and members of the royal family. The *Suranegara* were the native soldiers who were responsible for escorting the Sultan as his bodyguard. Both De Saint Martin (1961) and Stavorinus (1769) mention that the *suranegara* royal guards of Banten were trained along European lines. The reason for including the *suranegara* as one category of Banten officials is probably because they formed one significant element in securing the Sultan's sovereignty. The function of the *suranegara* was to protect the Sultan against rivals, to underline the significance of the royal court as the centre of the realm, and to guarantee that the regional spheres remained firmly attached to the centre.

The rank and titles of members of the royal family and the nobility in Banten during the late eighteenth century remained unchanged from the sixteenth century. The system shared similarities with those of Cirebon, Yogyakarta and Surakarta, because all were believed to have originated from one ranking system during the Majapahit period (Raffles 1817 I: 312).

Raffles (1817 I: 312) assumed that the gradation of rank and order of titles was slightly amended around the beginning of the fifteenth century when the Sultanate of Demak became powerful and attempted to propagate Islam throughout Java and other parts of the Archipelago. Most of the Sanskrit and Javanese terms for the identification of rank and title were still maintained. The sovereigns were no longer called *Ratu*, but

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outer territories. This traditional distinction had been carried on in Java at least since the Majapahit period (Moertono 1968: 101).

they were given the titles of *Panembahan*, *Susuhunan* or even *Sultan*. The title *Ratu* was demoted to become the title for the Queen. Demak, as the patron of the establishment of new Islamic states in Java, may well have played a role in introducing this amended version of rank classification and order of titles to other Javanese royal courts, including Banten after 1527.

De Rovere van Breugel (1856: 130) clearly describes the classification of rank and the order of titles of the Banten royal family and nobility. Together with the list of royal princes and noblemen shown in the law-book section of the manuscript LOr 5598, we have enough data to examine the ranks and titles of the Banten royalty and dignitaries during the late eighteenth century. Ranks and titles of members of the royal family will be discussed first, followed by those of the nobility. The maintainance of ranks and titles in the royal court of Banten under Dutch sovereignty partly allowed the Sultans to manage all their internal affairs within the palace compound.

The supreme authority to create ranks and confer titles belonged to the sovereign. The order of ranks and titles in the Banten royal family is shown in Table 2:

Table 2: Classification of ranks and titles in the Banten royal family during the late eighteenth century

Rank	Granted Titles
The Sovereign	Kangjeng Sultan or Paduka Sri Sultan
The Queen Consort	Tuan Ratu Permaisuri
The High Consort	Ratu
The Lower Consort	Ratu
The Concubine	Nyai Mas

The royal princes born as sons of the Queen Consort	Pangéran or Pangéran Aria
The royal princesses born as daughters of the Queen Consort	Ratu
The royal princes born as sons of the High Consort	Radèn
The royal princesses born as daughters of the High Consort	Radèn
The royal prince and princesses born as children of the Lower Consort	Ratu Bagus
The royal prince and princesses born as children of the concubine	Radèn Ayu
Princes born as sons of a pangéran prince and ratu princess	Use the title *Pangéran* until they marry, then change to *Radèn*
Noble men related to the royal family, but not direct descendants from any sultan	Ki Mas Ki Intol Ki Agus

The *Sejarah Banten* indicates that the order of royal ranks and titles in Banten had remained unchanged since the earliest time. Only the sovereign's title, *Maulana*, was no longer used after the third reign, but was replaced by the title *Kangjeng* (or *Kanjeng*) Sultan. The *Sejarah Banten* also suggests that the order of royal ranks and titles in Banten might have been inherited from its patron state, Demak, given the close relation between the founder of Banten, Sunan Gunung Jati, and the Demak royal family. Although Gunung Jati had established the royal families of both Banten and Cirebon, it

appears that he did not seek royal status for himself, but remained a Muslim cleric all his life, and resided neither in the capital of Banten nor in that of Cirebon. As a result, his name is not included in the list of the royal family members of the two states.

The *Sejarah Banten* states that Sunan Gunung Jati had eight sons and daughters, all of whom bore the royal titles *pangéran* and *ratu*[45], which were titles for royal children born to the *Ratu Permaisuri* or Queen Consort. It might have been Maulana Hassanudin who installed his brothers and sisters in their royal status and granted them titles. The equality of rank of Hassanudin's siblings suggests that all of them were born of the same mother, believed to be a princess of Demak. The establishment of Hassanudin's siblings in their royal status appears to have been the first installation of royal ranks and titles in Banten history.

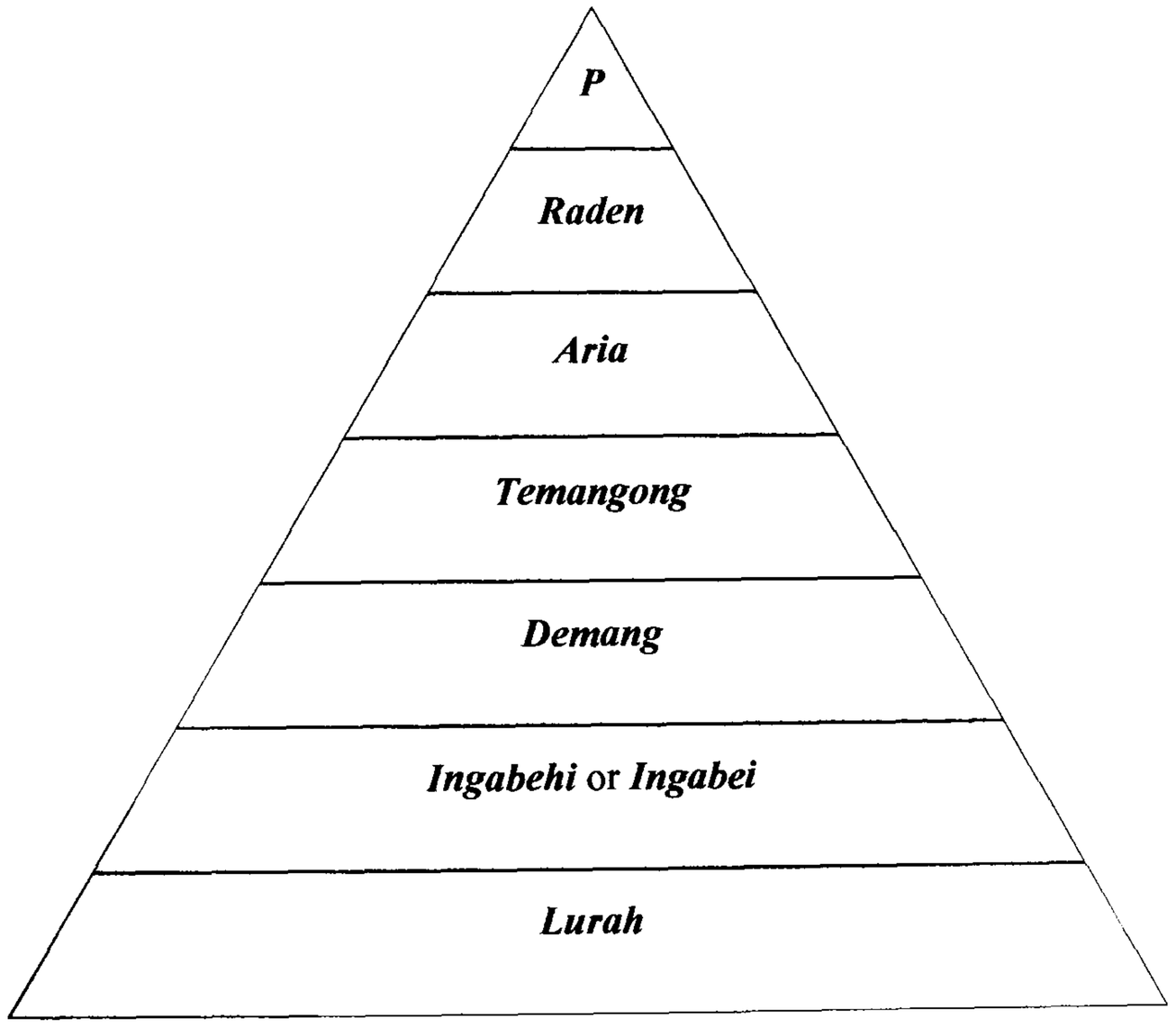
The Sultans of Banten never shared their regal authority with any 'second king' or co-sovereign. After 1682 the VOC successfully manipulated the installation of the Sultan in Banten. This success guaranteed that the 'Company kings' would do their best to secure the economic interests of the VOC in Banten, especially in the pepper trade. Whenever there was a conflict among the royal princes in Banten, the Company never solved the problem by dividing Banten or its royal court into smaller units and sharing them between the rival princes, as it did in Cirebon, Yogyakarta and Surakarta during the late eighteenth century. Instead, it removed any Sultan who caused trouble and replaced him with any appropriate prince who was in the line of succession.

In the Banten area nowadays there are still plenty of men bearing title *Ratu Bagus* or *Tubagus* (TB). Although these men live as ordinary citizens of the Republic of Indonesia, their title *Tubagus* suggests a close tie with the past. According to the tradition dating from the sultanate period, the title *Ratu Bagus* would be the inalienable right of all generations of men who are direct descendants in the male line of any Sultan

of Banten (Van Breugel 1856: 130). During the Sultanate period it might have been the intention of the rulers to keep the distinction and maintain pride in their family which had ruled a territory in the western tip of West Java for three centuries.

The order of ranks and titles of the Bantenese nobility during the late eighteenth century can be shown with two ways: first, a diagram showing the hierarchical order of official ranks in the Banten bureaucracy; second a table showing the most important positions in the Banten government together with the titles and honorary names attached to each position. The data for Table Two come from the list of members of the Banten royal family and senior officials during the reign of Sultan Abul Fatah Syifa Zainul Arifin (r. 1733-48).

Diagram 1: Ranks of officials in the government of Banten during the late eighteenth century in accordance with the hierarchical line



Note: P = *Pangéran*

[45] 1. Rau Mas Ayu, 2. Pangeran Dipati, 3. Pangeran Jayalalana, 4. Pangeran Tarusam, 5. Ratu Winahun, 6. Maulana Hassanudin, 7. Pangeran Winahun Jayakarana, and 8. Pangeran Branakarana (Sejarah Banten, naskah Ee (RA): 50-62).

At the top of the pyramid is the highest rank of the officials called *pangéran*. This is the same term as the title of a royal prince who was born as a son of the Queen Consort. but it does not mean that any official who held the *pangéran* title always had to be a royal prince. No reason is stated why the title for the highest rank is the same as the term for a royal prince; one possible explanation is that the highest official rank initially might have been assigned primarily to the *pangéran* or royal princes. Alternatively, after several generations, the royal title, *pangéran*, might have gradually also assumed the usage of being the title for the highest official rank. The *pangéran* title in Banten was equal to *patih* in Yogyakarta and Surakarta (Raffles 1817 I: 313). Van Breugel (1856) states that a person who was appointed *pangéran* would be invested with two krisses to wear with his official uniform, as was the custom for the Sultan and royal princes. The use of the term *pangéran* after the title of royal princes as a title for high-ranking officials and the right to wear two krisses with their uniform suggest that this position was very important. As was the case with the title *patih* in Central Java, nowhere is it stated if the official title *pangéran* was granted to any other official, apart from the *Rijksbestierder* or Prime Minister.

Apart from setting out the hierarchy, Van Breugel did not disgress into many details about the other titles. It would seem that the official title *radèn* derives from the royal title of the princes who were born to the high consorts. The officials who held the title *radèn* were granted one kris to hang from their belt, a privilege similar to that held by princes of the *radèn* class. Officials bearing the titles *aria* and *temanggong* were granted a kris to hang at their back. Van Breugel's account suggests that officials with the titles of *pangéran*, *radèn*, *aria* and *temanggong* were based in the capital city. He states that the titles *demang*, *ingabèhi* and *lurah* were normally granted to regional chief officials like those in the highlands and Lampung .

In any further discussion of the capital-based officials, we should consider the following table showing significant positions of ministers, officials and courtiers, together with the titles and honorary names granted to each rank. The table provides a picture of the officials with different ranks, titles and honorary names which determined the seniority and the responsibility of each of them.

Table 3: Ranks of senior officials in the late eighteenth century Banten government with granted titles and names

Positions or ranks	Titles granted
Chief Minister	Pangéran Mangkubumi
Supreme Judge	Kyai Fakih Najimuddin
Chief of the Royal Household (Lord Chamberlain)	Radèn Sura Ditisna
East Harbourmaster (Syabandhar)	Aria Truma Djaiya
West Harbourmaster (Syabandhar)	Aria Rapa Dipa
Officers in charge of the royal square and the surrounding constructions	Aria Duta Santika Tumanggong Suta Utama Ngabehi Duta Dimarta Ngabehi Raksa Djiwa Ngabehi Wira Utama Ngabehi Singa Dimarta Ngabehi Djaga Dimarta
Head of the Royal Stable (Master of the Horse)	Raden Sura Laiya
Head of the Royal Mews	Ngabehi Satya Dinalu
Head of the Royal Magazine	Ngabehi Sura Dikari
Head of the Pepper Trade Officers	Aria Dipasadana
Head of the Royal Rice Barns	Raden Natha Diraja

The table gives little reason to doubt that the Prime Minister was the most senior and powerful among the officials. He held the specific rank and title of *Pangéran Mangkubumi*, which means 'he who takes care of the land'. The Supreme Judge held the specific title *Kyai Fakih Najimuddin*, which means 'the scholar who is an expert in *fiqh* (Islamic jurisprudence)'. The *Sejarah Banten* shows that the title remained specific to the Supreme Judge from the late sixteenth century onwards.

Apart from the honorary names granted to the Chief Minister and Supreme Judge, no evidence has been found to indicate whether the other ranks and names granted listed in the table formed an immutable pair. A consideration of the tradition of granting titles and honorary names to ministers and officials in other Malay and Javanese states convinces me that the tradition in Banten was no different. As in Patani, Aceh and Mataram, titles granted to ministers, senior officials, and courtiers in Banten might also have remained inexorably fixed to each rank. The Mataram tradition of granting specific official names in accordance to the ranks is mentioned in Babad Tanah Jawi:

> Ki Setrajaya, patih of the Kapugeran principality, was made grand vizier, governing the people of entire Java, and he was granted [by the king] the name Adipati Cakrajaya. Ki Banyak Patra was made inner-patih, and granted the name Tumenggung Kartanegara (*Babad Tanah Jawi*: 279).

Ito (1984: 22-3) argues that in Aceh there was no tradition of granting honorary names attached to the titles. However, senior ministers were granted specific designations in accordance to their positions. For example, *Perdana Menteri Orang Kaya Maharaja Seri Maharaja* was the specific title for the Chief Minister. *Orang Kaya Laksamana Seri Paduka Menteri* was a title which belonged to the rank of a minister in charge of military affairs.

Having considered the examples in other states, it would seem that that specific titles and honorary names were attached only to the senior positions in the Banten government. The main purpose of attaching specific titles to certain positions in the

government was probably to ensure greater order and stability in the ranking system. especially the chief positions. It might also have been a comforting thought to have been able to recognise the positions of each senior official and their responsibilities, simply by looking at a title and granted name. This is because most of the honorary names granted to Javanese officials were either Sanskrit or Javanese. The names normally carry a meaning indicating the function of each official, for example the names granted to the Prime Minister and Supreme Judge.

The list of officials shown in the table also suggests that the ranking system for the ordinary capital-based officials and courtiers did not always follow the same order. The Chief of the Royal Household was invested the title of *Radèn*, which was reasonably high. The two *syabhandar* or harbourmaster were installed equally with the title Aria, indicating systematic ranking. In contrast, there is a large gap between the ranks of the heads of the royal stables and the royal mews: one bore a title *Radèn* and the one was only *Ngabèhi*. The royal stable and royal mews held an equal significance at all the royal courts. As a result, the heads of these two palace divisions should have hold equal ranks. Similarly, the ranks of heads of the royal magazine, rice store, and pepper warehouse were not equal, despite the equal significance of their positions and responsibilities. Such a disorder in an official ranking system like this indicates that no standard had been properly prepared for the appointment of officials and courtiers. It also suggests that the ranking criteria among ordinary officials and courtiers in Banten might have been varied in response to different factors, such as status, age, the length of time each official had remained in service, and the patronage system.

Conclusion

It appears that each element of the royal court of Banten we have discussed shared the same function which was to maintain the dignity and stability of the sovereign even

under the shadow of the VOC. Although after 1752 the Company had acknowledged that the Sultan still maintained his 'full power of life and death over their subjects' (Stavorinus 1769 II: 212), this was still not enough to guarantee that the Sultan would be able to pursue his reign with the same dignity. Each Sultan during the second half of the eighteenth century had to struggle to propagate and nurture what grandeur remained to the royal court.

Despite the fact the VOC had attempted to impose on the Sultan the status of its loyal vassal which protected the Company's economic interests in the pepper trade, no Sultans of Banten ever acknowledged this claim. The conscious reinforcement of Javanese kingship was probably a crucial policy used as an instrument at the royal court of Banten as it fought against the Company claim. The traditional marks of identification of the Sultan, such as his full title and authority were repeatedly proclaimed in the indigenous official manuscripts like the royal chronicle and legal texts. Old taboos concerning to the well-being, dignity, and authority of the Sultan were still scrupulously respected in the palace compound. It would seem that within the capital city, the Sultan was successful in retaining his full sovereignty in the eyes of his subjects.

The gesture of enclosing the Surosowan Palace in a fortification manned by a garrison of 130 European soldiers might have symbolised the Company's intention to 'have the Sultan always in its power' (Stavorinus 1798: 63). The royal court, again, dealt intelligently with this situation by making use of these European soldiers for its own ends. The Sultan not only ignored the true intention of the VOC in its enclosure of the palace, but also spread the idea that the enclosure was a gesture by the Company to honour him. The European soldiers were always considered the Sultan's guards of honour by the royal court, and the soldiers were expected to escort the sovereign in the ceremonial processions to attend any official functions outside the palace. Instead of indicating a reduction in dignity of the royal court, the presence of the European soldiers

actually heightened the impressiveness of the royal palace and the ceremonial processions.

The Javanese palace lay-out and architecture remained unchanged: this was probably a concious policy to indicate the leading role of the royal court in persisting with the presentation of Javanese identity and with the symbol of the old kingship. Like other contemporary oriental sovereigns during the late eighteenth century, the Sultans of Banten continued to indulge in the tastes of a 'merchant king' by collecting luxurious furniture and artefacts from different corners of the world to embellish the interior of the palace to impress visitors. The European-style garden was probably another indication of the Sultans' attempt to create an image in which the Bantenese royal court was elevated to a similar level to its counterparts in Europe.

To maintain the grandeur of the royal palace was still not in itself enough to keep up the appearance of a still flourishing and autonomous Javanese royal court. Pomp and royal traditions also had to be faithfully observed by all members of the royal court. Classical state ceremonies and court protocol were the most crucial instruments by which the Sultans impressed the public with the idea of their continuing overlordship over their subjects. Ordinary Islamic rituals like Friday prayers and the celebrations of all Muslim festivals were elegantly embellished by the royal court to indicate the sovereign's significant role as the spiritual leader of his subjects.

With the support of the VOC the royal court successfully amended certain state ceremonies and court protocol to suit the presence of the Company as the overlord of Banten. The Company is likely to have supervised the amendment to the Sultan's installation ceremony and the protocol for receiving the delegations from Batavia at the court of Banten, as both the ceremony and the protocol reflect the Company's attempts to impose its sovereignty over the Sultanate. The Sultan had to be crowned by the High Commissioner from Batavia and the Sultan had to receive the Company's delegations on

a reciprocal level. It appears that the Sultans wisely accepted the Company's re-arranged ceremony and protocol, provided that these were conducted alongside the classical usages. All the stages of the classical installation ceremony were conducted after the Dutch style of investiture. The Sultans received the delegations according to European etiquette among members of the royal family and courtiers who still observed classical palace protocol, even in front of the delegation. The reports of those Europeans who witnessed these events suggest that classical Javanese court tradition was predominant and dealt effectively with the alien practices imposed by the VOC.

The royal court would have been incomplete without the presence of the members of the royal family, courtiers and different classes of officials as members of the Sultan's government. The persistence of the classical ranking system in the royal court appears to have represented a crucial approach by which the Sultan could identify himself as the fountainhead of all prestige and authority in the state. Although the VOC required that the appointment of the Prime Minister could not be made without its approval, he still had authority to appoint all other officials. With the presence of ministers and officials who had real authority and responsibilities, during the late eighteenth century the royal court of Banten could still maintain its status as the centre of the state administration.

During its final decades in the late eighteenth century, there is every sign that the VOC still recognised the necessity to retain the full sovereignty of the royal court of Banten, for two main reasons. First, the Sultan and his government still regularly carried on their role as a middleman protecting the Company's economic interests in the pepper trade. This role of the royal court saved the Company time and energy, relieving it of the imposition of having to organise the production of pepper itself. Second, from its beginning until the end, the VOC had no intention of governing the whole Java on its own. The Company probably found it too difficult and too risky on undertaking to rule over the indigenous people, as this fell outside the pursuance of its main purpose as a

trading company. To maintain the indigenous rulers and their authority conducting their internal affairs appears have been the most convenient way for the Company to run the matters.

Well aware of these two reasons, the Company must have realised the significance of cementing its relationship with each Javanese royal court. Helping to indulge the luxurious life of the sovereign and his family and maintain the grandeur of the royal court was a policy that invariably turned out to be useful. This is the reason the royal court of Banten during the eighteenth century, despite a huge amount of debt it owed the Company, never lacked luxurious gifts from Batavia to assist the Sultans in keeping up their royal appearance. In return, the royal court gave every semblance of behaving as a good middleman, guaranteeing the Company's profit from the pepper trade.

The above detailed account provides us with material for drawing conclusions on the status of the Sultanate of Banten in the second half of the eighteenth century. Like other Javanese royal courts such as Cirebon and Mataram, the court of Banten managed to maintain its authority over its subjects. During this period of transition from traditional states to colonial dominance, it was essential for the court to deploy the symbols of power in order to retain its place as the centre of the state. Faced with the reality that they would not be able to remove the Dutch from Java, the sultans of Banten turned the expansion of the Company into an opportunity to bolster their position. Through the maintenance of various aspects of royal tradition and court culture, the sultans were able to keep both their status as overlord over their subjects and have a working relationship with the Dutch.

It has not been the aim of this chapter to engage in a theoretical debate regarding the type of state represented by the sultanate of Banten, merely to offer materials which can serve as a basis for further insights into the nature of Javanese kingship, especially at this point, when indigenous institutions were being confronted by European intervention.

Chapter 4

Reflections on the manuscript Cod LOr 5598

This chapter discusses what we can gain from the contents of the manuscript Cod LOr 5598. The chapter consists of two parts. In the first part, laws recorded in Cod LOr 5598 will be divided into different groups, in order to open the contents in this law-book to a more systematic examination. In the second part, the grouping of laws will be applied to draw up an overview of Banten society between the late eighteenth and early nineteenth century. My attempt to reconstruct a social history of Banten from a law-book is based on an idea that South-East Asian law-texts are different from European law-texts. Law-texts in South-East Asia do not always state actual rules for the conduct of day-to-day affairs, which is the case with most European law-books (Hooker 1978 a: 96). Hooker points that law-texts in South-East Asia are an 'expression of a natural and moral order'. In stating any point of law, the texts always begin with descriptions of natural and social events in each society of South-East Asia. He then states that they provide knowledge about the relationship between ruler and ruled, state form of political organisation, structure of bureaucracy, dynastic history, religious affairs and so on (Hooker 1978: 98).

The reconstructed image of the late-eighteenth and early-nineteenth-century Banten society may be used for a comparison with data from Stavorinus (1767) and Van Breugel (1789). These two European visitors each wrote a thorough description of Banten during the late eighteenth century, and for many decades their accounts have been the main references for anyone who wanted to reconstruct aspects of Banten history.

1. Contents of manuscript Cod LOr 5598

According to Hooker (1978: 102), the law-texts of pre-twentieth century South-East Asian states like Burma, Siam, as well as the Malay and Javanese states, shared a similarity of purpose, namely to put the King at the centre of the legal world. Power was concentrated at the centre, in the King, and central government was considered an extension of the royal household. The purpose of displaying names of the powerful and notable kings who had laws issued in the law-texts was to guarantee the continuity of the existing power. As long as the King's authority prevailed, the law of that state was still powerful (Hooker 1978: 103). Examples of this characteristic of South-East Asian law-texts can be seen on page 79 of the law-book section of Cod LOr 5598.

> The code of laws [from the reign of] His Majesty the late Sultan Haji Abul Nassar Abdul Kahar [down] to [the reign of] his son, His Majesty the late Sultan Abul Mahasin Muhammad Zainul Abidin, and to his son, His Majesty Sultan Abul Fatah Muhammad Syifa Zainul Arifin, the sovereign of Banten *ashlihullahul mulkihi*, who is now ruling over the officials in Lampung Tulang Bawang, high or low; moreover all subjects who live in the periphery of the kingdom, along the coast, in the ricefields, in clusters of hamlets, in the mountainous areas and so on, must take heed of this code of law (Cod LOr 5598: 79)[1].

In this manuscript, when a rule or regulation is framed, it begins with an explanation of an inappropriate action, followed by the concomitant penalty. Laws issued in the reigns of Sultan Ageng Tirtayasa (r. 1651-72), Sultan Haji Abul Nassar Abdul Kahar (r. 1672-87), Sultan Abul Mahasin Muhammad Zainul Abidin (r. 1690-1733) and Sultan Abul Al Fatah Muhammad Zainul Arifin (r. 1733-1748) are assembled on pages one to one hundred and sixty-one. Laws in Cod LOr 5598 were specific to the capital city, Banten Lama, and the area of Lampung Tulang Bawang, the northern most area of the

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[1] Peringatan dalam undang-undang Kangjeng Sultan Marhum Sultan Haji Abdul Nashir Abdul Qahhar kepada puteranya yang bernama Kangjeng Sultan Marhum Sultan Abul al Mahasin Muhammad Zainul Abidin, lalu kepada puteranya yang bernama Kangjeng Sultan Abul al Fath Muhammad Syifa Zainul Arifin yang dipertuan di negara Banten ashlihullahul mulkihi, yang sudah ditetapkan selama-lamanya dari dulu hingga sekarang, yang sudah umum bagi seluruh punggawa Lampung Tulang Bawang besar-kecil,

Lampung territory where the pepper plantation were located. These laws were enacted to keep the peace and preserve order in the palace and city area. In Lampung Tulang Bawang the laws were based on agreements with the VOC made in the reign of Sultan Haji Abul Nassar Abdul Kahar (r. 1672-87).[2] The purpose of these rules was to keep the peace and order in Lampung Tulang Bawang for the benefit of the Company post and its officials.



Figure 23: The manuscript Cod LOr 5598

In Chapter Two, I stated that the MS Cod LOr 5598 was probably the personal handbook of the *Kyai Pakih Najimuddin* or the Supreme Judge of Banten. The manner in which laws are recorded in Cod LOr 5598 suggests that the manuscript was a private handbook rather than an official one. It is possible that the *Kyai Pakih Najimuddin* may

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dan seluruh rakyat kecil, apalagi orang tepis wiring, pesisir, desa pesawahan, pedukuhan, pegunungan, dan lain-lain, itu harus menaati perintah kangjeng sultan yang sudah disebutkan dalam undang-undang.

[2] It is not stated in the manuscript in which year of the reign of Sultan Haji these agreements were made.

have dictated it to a scribe, since the handwriting is well formed with fine, large and vocalised Arabic script.



Figure 24: The handwriting in MS Cod LOr 5598 is well formed with fine, large and vocalised Arabic script.

I have classified the laws on pages one to one hundred and sixty-three in this law-book into twenty-five groups or categories according to subject (see Table 1). For example, the different rates of fines for people who quarrelled or fought each other (*berkelahi*) in the private apartments (*pasében*) of members of the royal family and senior officials are found on page one.

> Whosoever quarrels in the audience chamber of Prince Dipaningrat and fights in Kyai Faqih Najimuddin's quarters, will be fined two million [currency not stated].[3]
>
> Whosoever quarrels or fights each other in the quarters of all the princes, will be fined one million [currency not stated].[4]

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[3] Dan barangsiapa berkelahi di tempat menghadap milik Pangeran Dipaningrat dan berkelahi di paseban Kyai Faqih Najimuddin akan dihukum denda 2 juta (?).

[4] Dan barangsiapa berkelahi di paseban para pangeran, maka dihukum sebanyak 1 juta (?) dan 3 kethi.

Whosoever quarrels and fights each other in the quarters of any senior or junior *nayaka*, will be fined one million [currency not stated].[5]

Whosoever quarrels or fights each other in the quarters of any senior or junior *arya* officials will be fined one million [currency not stated]. If they quarrel or fight in the quarters of any *arya* of the lowest rank, the fine is nine *kethi*.[6]

Anybody quarrels or fights with any senior or junior courtier, they will be fined six *kethi* [currency not stated] (Cod LOr 5598 : 1)[7].

Table 4: Groups or categories of laws recorded in manuscript Cod LOr 5598

	Groups or Categories of Law	Page(s)
1	Penalties for fights or quarrels between two persons in places of princes and those of different classes of officials	1
2	Penalties for inappropriate behaviour in the royal square (*alun-alun*)	4-12
3	Instructions for different classes of officials were there to be a riot in the city	12, 13, 15
4	Instructions on places for performing Friday prayers and penalties for people who neglect the prayers	14
5	Instructions for different types of people who want to travel outside the kingdom and penalties for people who ignore these instructions	16-19
6	Instructions and fines for anybody who fails to report the appearance of a Dutch ship in the Bay of Banten	21
7	List of princes and officials of Banten, classified by ranks. At the beginning or the end of each group an amount of money is stated. It is unclear whether this is the rate of salary they received or the tax they had to pay.	22-23
8	Instructions on money lending and different types of debt and penalties for its abuse	30-33, 67
9	Penalties for anybody who opens up jungle or forests without public acknowledgement, and then uses the land for his own benefit.	36-37
10	Penalties for illicit sex between a male slave and a free woman	38
11	Penalties for murder	39
12	Instructions for anybody who wants to sue someone	40
13	Laws on the slave trade and laws on slaves as property	41-45, 47, 67-68, 70-71
14	Laws on wages	46
15	Penalties for sexual harassment and physical assaults	48, 50, 51, 54
16	Penalties for trespass	49, 51, 53
17	Laws on different types of property	56-63, 66
18	Penalties for people who make counterfeit royal seals	Part of 61
19	Penalties for opium trade and people who smoke opium	64
20	Penalties for different kinds of gambling	64
21	Penalties for people who make counterfeit money	72
22	Penalties for firing a gun without permission	73
23	Law on the pepper plantation in the Lampung territory	74, 76-78
24	Law on the Lampung territory	74, 79-96
25	Agreement between Sultan Haji Abul Nassar Abdul Kahar and the VOC	96-163

[5] Dan barangsiapa berkelahi di paseban milik para nayaka, tinggi maupun rendah, dihukum 1 juta (?).
[6] Dan barangsiapa berkelahi di paseban milik para arya, rendah maupun tinggi akan dihukum 1 juta (?). Sedangkan untuk arya biasa sebanyak 9 kethi.
[7] Jika berkelahi dengan Penggawa, besar maupun kecil, dendanya 6 kethi.

Although the grouping of rules and instructions in the manuscript is obvious, the rules and instructions are still not efficiently arranged, subsumed under the same group or category. Occasionally, rules pertaining to one group may also appear in other groups. A possible explanation for this is that whoever was writing or dictating it, when he recalled a rule he had missed on previous pages, had it written down immediately on the current page. This is why some rules still turn up out of the category in which they should have been. Below are examples of rules or instructions to which this applies.

Penalties concerning people who quarrelled and fought each other (*berkelahi*) in the quarters of princes and senior officials are for the most part grouped on page one. However, the last paragraph of page six, in a section dealing with inappropriate behaviour in the royal square (*alun-alun*) also states the penalty imposed on two persons who indulged in fisticuffs.

> If there are two persons who hit each other in public and the one who was hit draws his keris from its sheath, the public must stop him. If both of them have already drawn their keris and are fighting each other on the *alun-alun* in full public gaze, the public must separate them (Cod LOr 5598 : 6)[8]

Another entry concerns with penalties for brawls (*berkelahi*) in the residence of a senior official appears in the last paragraph of page seven, despite the fact the two preceding paragraphs of this page deal with penalties for stabbing people and seducing women on the *alun-alun*.

> Any subjects of Surosowan [the Sultanate of Banten] who fight each other on the *alun-alun* of any *nayaka* or *punggawa* or *abdi dalem* [courtiers], as well as any subjects who hit each other in public, bind

[8] Dan jika ada seseorang yang menampar di depan khalayak dan yang ditampar itu menghunus keris, maka hentikanlah, dan supaya orang yang ditampar membalas sama seperti perbuatannya. Dan jika keduanya sudah menghunus keris di depan umum, kemudian berkelahi di alun-alun, maka hentikanlah.

them and take their property to the authorities, then they will be exiled to Lampung (Cod LOr 5598 : 7)[9]

On page ten a penalty for fighting (*berkelahi*) in the *Pabean* and *Karangantu*[10] areas appears among penalties for other bad behaviour on the *alun-alun*.

Whoever fights each other at the Pabean or Karangantu market, they will be punished with the same penalty for fighting on the *alun-alun* (Cod LOr 5598 : 10)[11].

Penalties for foreigners in Banten who fought each other in the *alun-alun* turn up at the bottom of page eleven.

If the Kelings or the Gujaratis fight on the *alun-alun* by hitting or lashing out at each other, arrest and take both of them into custody, then fine each of them one thousand Reals and take all their goods. If the Keling Chinese (*Cina Keling*) or Muslim Chinese (*Cina Islam*) fight each other on the *alun-alun* by hitting or lashing out at each other, fine each of them one thousand *Reals*, then take them into custody. All their goods will be confiscated and they will be exiled to Lampung (Cod LOr 5598 : 11)[12].

At the bottom of page fifty-seven a penalty for fighting or quarrelling appears in the middle of a group of laws concerning different types of property.

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[9] Dan barangsiapa orang Surasowan berkelahi di alun-alun seorang nayaka atau punggawa atau abdi, sedangkan jika orang kecil di depan umum saling menampar, ikatlah mereka dan ambillah bawaannya, lalu dibuang…

[10] Pabean is an area located at the mouth of the Ci Banten River [the west branch]. It is an area where since the seventeenth century the Sultans of Banten allowed the Europeans to settle their factories. After the VOC successfully expelled other Europeans from Banten in 1682, the Company took over all the customs houses in the Pabean. Pasar Karangantu is an area at the mouth of the east branch of the Ci Banten River. This was a place where the Chinese and other merchants from different parts of Asia were granted places to set up their stations (Guillot 1990: 65-6).

[11] Dan barangsiapa berkelahi di pabean atau di pasar Karangantu dikenakan hukuman seperti orang yang berkelahi di alun-alun.

[12] Jika orang Keling atau orang Gujarat berkelahi di alun-alun denagn saling menampar atau saling mencambuk, maka tangkaplah keduanya dan amankanlah, lalu didenda 1000 reyal dan diambil segala bawaannya. Dan jika saling memedang dendanya 2000 reyal dan disita segala bawaannya. Dan jika orang Cina Keling atau Cina Islam berkelahi di alun-alun saling menampar atau saling mencambuk, maka keduanya didenda 1000 reyal dan diamankan di pabean serta diambil semua barangnya dan dibuang ke Lampung.

> Whoever fights or quarrels with each other at any place, apart from quarters of the nayaka or punggawa officials, will be sentenced by royal decree (Cod LOr 5598 : 57).[13]

Penalties for people fighting each other are not the only rules and regulations which are scattered and turn up in strange places. Rules on slaves and the slave trade are scattered on pages zero[14], three[15], 44[16], 47, 53, 67, 70 and 82. Different penalties for crimes are recorded all over the manuscript on pages six, eight, 20, 38, 39, 48, 53 to 55, 61, 63, 92 and 97.

The scattering of rules over different pages of the manuscript possibly reflects the circumstance that the owner of this legal handbook had it written from memory or from long experience of dealing with law and jurisdiction. Had it been copied from an official code of law, the rules, regulations and penalties would have been laid out more systematically. I call the main style of writing and recording data in this Cod LOr 5598 manuscript 'the stream of consciousness' style. The *Longman Dictionary of Contemporary English* (1987:1046) defines 'stream of consciousness' as *the expression of thoughts and feelings exactly as they pass through the mind, rather than giving them the ordered structure usual in books*. 'Stream of consciousness' entries occupy more than 50 per cent of this manuscript. It includes both belonging to a former category and the juxtaposition of unrelated subjects. Below are examples of the latter.

> ....the *nayaka* officials and all the *punggawa*, *mantri* and *suranegara* officials shall perform their prayers in the Grand Mosque. Officials

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[13] Dan barangsiapa berkelahi di tempat selain paseban milik nayaka dan punggawa, akan dikenai perintah raja.

[14] If two city men share one slave, then that slave cannot be claimed by the Sultan, and cannot be claimed again by either of them who share the slave. If there is another person from the place where those two slaveholders live who wants to own that slave, he/she can compensate the slaveholders an amount of money equal to half price of that slave (Cod LOr 5598 : 0).

[15] If any court official of the *nayaka* or *punggawa* rank sells a slave from the palace to other people, that official will be examined carefully, and later will be punished by the authorities (Cod LOr 5598 : 3).

[16] Whoever is trading in and takes a slave who belongs to another person and puts that slave in his boat in the public gaze without informing the slave's owner, and he has no money as a substitute for that slave to pay the slave's owner, and later the slave dies during the transaction or runs away or is left behind, the one who has taken the slave must pay the substitution money to the slave's owner equal to the amount of money that slave owes his owner (Cod LOr 5598: 44).

lower than *nayaka* rank who are not required to perform their prayers in the Grand Mosque shall perform their prayers in their local mosque. And whosoever goes to trade in the East or other areas must take the royal seal of His Majesty the Sultan with them, and that seal can be requested from Prince Arya Dipaningrat (Cod LOr 5598: 17).[17]

If anybody murders a British, French, Danish or Dutch man, that person must be subjected to punishment decreed by the royal command. And any people who quarrel or fight each other in the quarters of Prince Arya Dipaningrat, they will be fined two million [no currency stated] (Cod LOr 5598: 20).[18]

> Whosoever makes seals resembling the seals of the Sultan and then sells them, all the property of the maker and the seller of those seals will be confiscated and he will be exiled. **And whosoever raises water buffaloes...** (Cod LOr 5598: 61)[19]

The last part of the manuscript Cod LOr 5598 has been called *Masalah undang-undang* by Pigeaud (1968: 328). As has been said in Chapter Two, this part originally may have belonged to another manuscript, to judge by the different content and different script. The whole section is written in Javanese script and carries the page numbers one to sixty-four. It is not a law-book but a list of problems and cases brought before the Court of the *Kyai Pakih Najimuddin*, the Supreme Judge of Banten. With the imagination of the historian, we can reconstruct a picture of the daily life of the inhabitants in the capital city during the late eighteenth century from this sixty-four-page manuscript. If we combine a picture of people's daily life gleaned from this manuscript with the reports of Stavorinus and De Rovere van Breugel, the result will be a picture of a rather dangerous Southeast Asian capital city, full of incidents.

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[17] ...nayaka dan seluruh punggawa dan mantri dan suranegara bersalat di Mesjid Besar. Selain dari nayaka yang tidak memiliki mesjid, maka bersalatlah di mesjid masing-masing. Dan barangsiapa berdagang ke Timur atau selain Timur harus membawa cap Kangjeng Sultan dan meminta cap itu kepada Pangeran Arya Dipaningrat.

[18] Dan jika membunuh si Inggris atau si Perancis atau si Denmark atau si Belanda, harus dikenakan perintah raja. Dan barangsiapa berkelahi di paseban milik Pangeran Arya Dipaningrat didenda sejumlah 2 juta.

[19] Dan barangsiapa membuat cap yang menyerupai cap raja, lalu dijual, maka yang membuat, yang menjual, dan yang membeli cap tersebut disita semua miliknya (harta bendanya) dan dibuang ke Lampung. Dan barangsiapa memelihara kerbau...

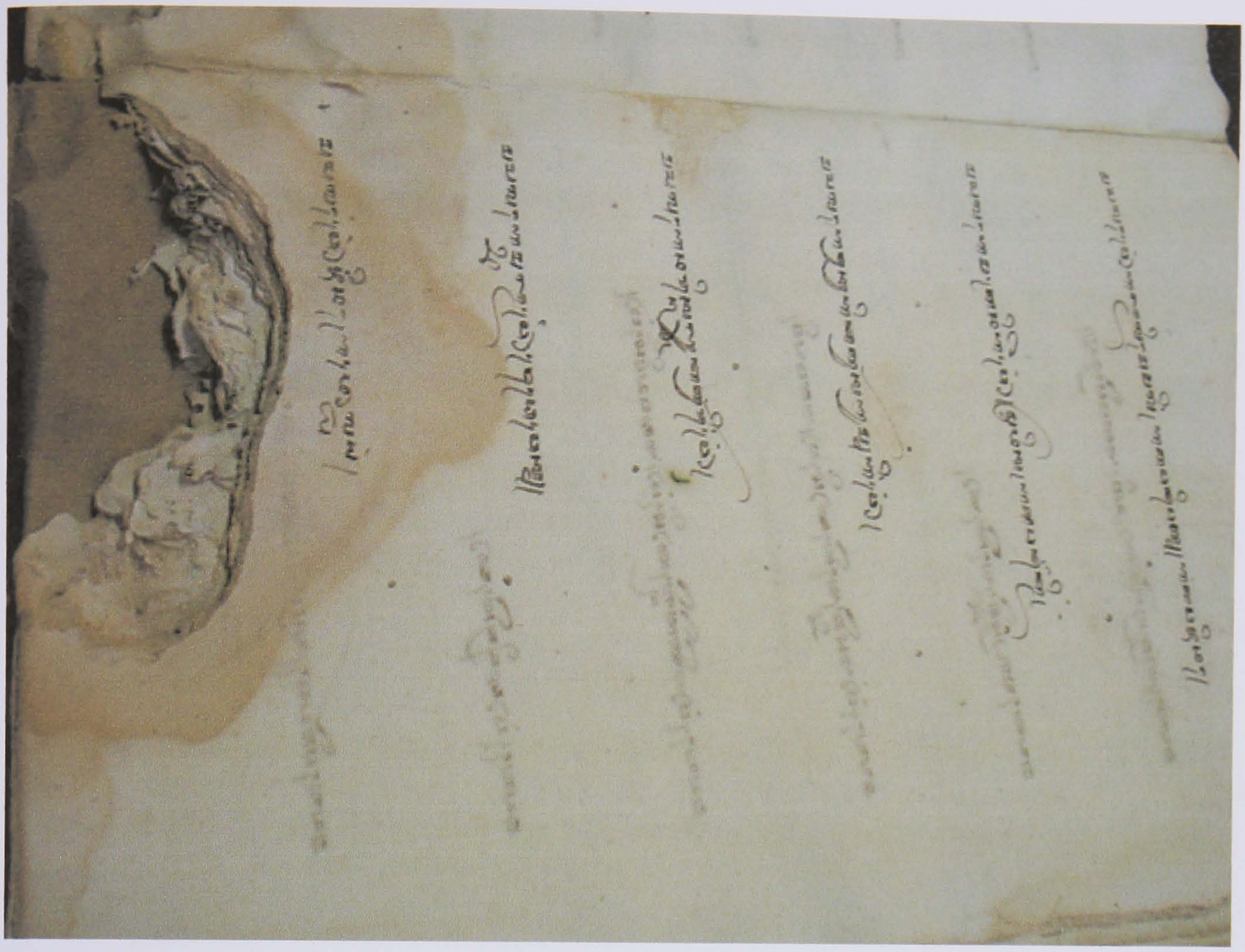


Figure 25: The *Masalah undang-undang* part of MS Cod LOr 5598

written in Javanese script

2. Reflections on manuscript Cod LOr 5598

Cod LOr 5598 provides us a wide perspective on the lives of the Sultan's subjects in the capital city between the late eighteenth and early nineteenth century, especially, as just stated, when consulted in conjunction with other sources like the accounts and correspondence of the VOC officials.

Up to this stage it is clear that throughout the late eighteenth and early nineteenth century there were three different worlds in the capital city, relying on each other and participating in generating of the dynamism of the state. The first was the world of *orang kumpeni Belanda* (Cod LOr 5598: 96), or the officials and subjects of the VOC, and later the Government of the Netherlands Indies, in Fort Speelwijk. The second was the world inside the *dalem* or royal palace, where the Sultan resided and administered his realm.

The third one was the world of *rakyat negara Surosowan* (Cod LOr 5598: 74), or subjects of the capital city under the sovereignty of the Sultan.

Different perspectives on Banten society can be formed from the contents of manuscript Cod LOr 5598, focusing on the way the society was conducted and the way the subjects of Banten went about their lives.

2.1 A Society of hierarchy and precedence

> As soon as Southeast Asians speak, they place themselves in a vertical relationship. Diller has cited fifteen alternative forms of the pronoun 'I' in Thai, and in all major Southeast Asian languages the second person pronoun is even more finely graded. The assumption behind these speech patterns is that society is naturally hierarchic, like the family, so that comfort and intimacy are best achieved when one can address the other party as an older or younger brother or sister, or as father, grandfather, uncle, boss or lord. (Reid 1999:186)

The New Oxford Dictionary of English (1998: 863,1458) defines the term 'hierarchy' as 'a system or organisation in which people or groups are ranked one above the other according to status or authority'. The same dictionary provides the meaning of 'precedence' as 'the condition of being considered more important than someone or something else' and 'priority in importance, order or rank'. The definition of these two terms indicates that the systems of hierarchy and precedence are closely related, and it is not surprising to discover many people understand that the two terms represent the same system.

Dumont (1980: 75) comments on the relationship between hierarchy and precedence in this fashion 'Hierarchy is the existence of an order of precedence.' Fox (1994: 87-8) argues that hierarchy and precedence have similarities to and differences from each other. He believes that both hierarchy and precedence are based on the notion of opposition, but they determine the relationship between people in one society in different directions. Hierarchy determines the relationship of people in a vertical line or

'Who is of a higher status than who?' Precedence, on the other hand, regulates the relationship in a horizontal line or 'Who is more important than whom?' or 'Who comes before who?'

It is not the purpose of this thesis to dispute the relationship between hierarchy and precedence. What should be focused on is Fox's argument that hierarchy and precedence are elements in all societies in the Austronesian-speaking world, including Java. He points out that hierarchy and precedence can be noted in all the levels of Javanese society, from the family up to the state (Fox 1994: 102-3).

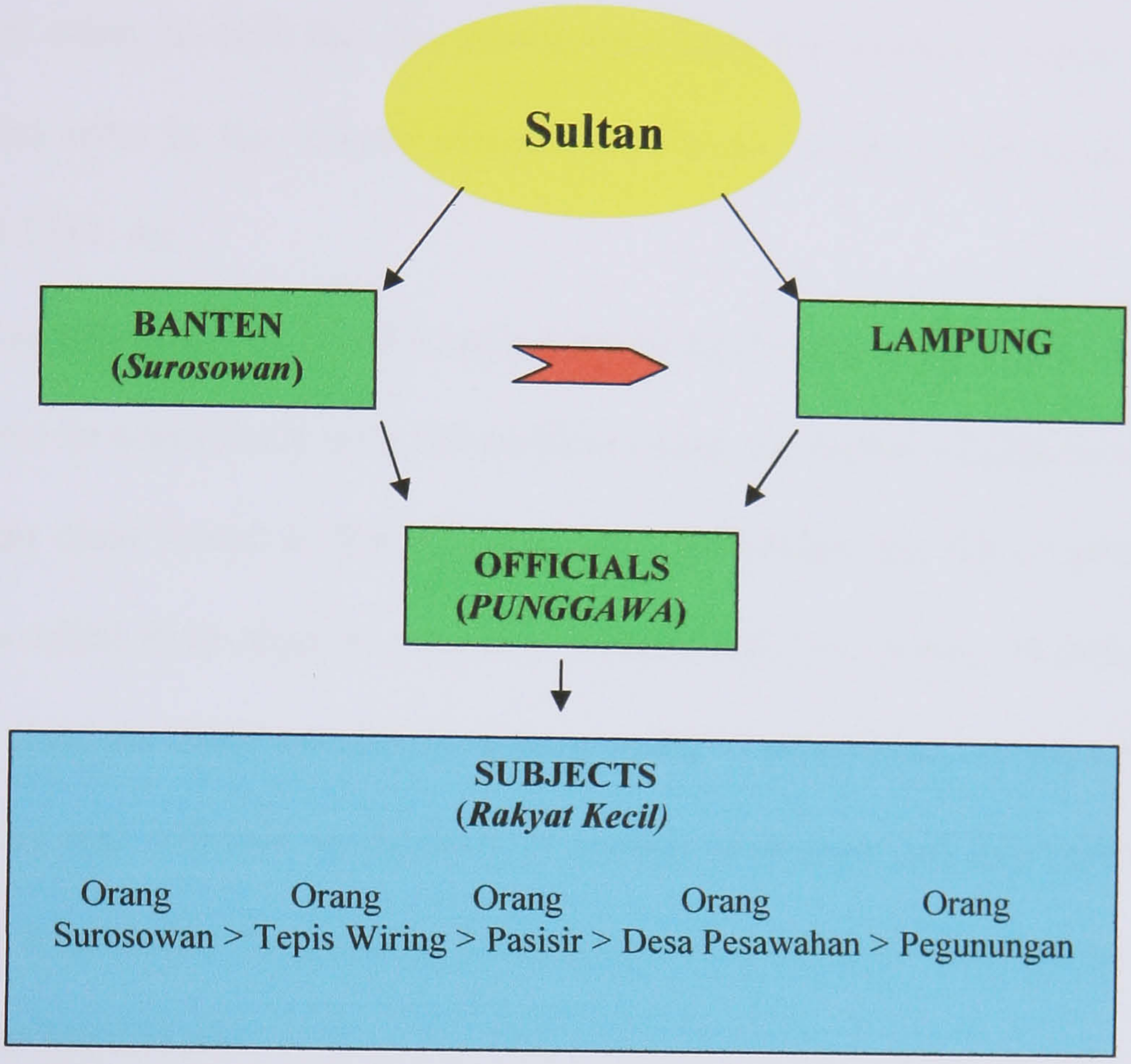
Manuscript Cod LOr 5598 reflects the fact that hierarchy and precedence applied on at the level of the state administration. Everybody's role and authority, including his relationship with others, were determined by these two systems. Peace and order in society relied on the recognition of respect shown by everybody for hierarchy and precedence.

The first form of hierarchy and precedence to be practised is set out on page seventy-nine of the manuscript, namely the status of the Sultan above other people in the society.[20] On the basis of this statement a diagram can be drawn as follows.

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[20] *The sovereign of Banten ashlihullahul mulkihi, who is now ruling over the officials in Lampung Tulang Bawang, high or low; all the subjects, especially those who live in the periphery of the kingdom, along the coast, in the ricefields, in clusters of hamlets, in the mountainous areas and so on, obey this code of law.*

Diagram 2: Hierarchical structure and order of precedence in Banten



The diagram shows the hierarchical order of the Sultanate of Banten. The Sultan was the sovereign of the two territories, Banten and Lampung. Banten, the centre of which was called *negara Surosowan*, was higher in status than Lampung in order of precedence. In the hierarchical line, the Sultan ruled over all classes of officials and subjects in both Banten and Lampung. The statement on page seventy-nine of the manuscript does not reveal any hierarchical order of the officials. Only the words senior (*besar*) and junior (*kecil*) represent the officials' place in the hierarchy. Interestingly, this statement provides an order of precedence for the Sultan's subjects (*rakyat kecil*) in Banten: the order starts with subjects in the city (*orang Surosowan*) and its periphery (*orang tepis wiring*), the subjects in the northern coastal areas (*pasisir*), the subjects of the rice-cultivating villages (*desa pesawahan*), ordinary villages (*pedukuhan*) and the

mountainous areas (*pegunungan*). One possible explanation of the order of precedence of the Sultan's subjects is that the closer to the centre of power people lived, the more recognisable they were. This explanation fits in well with what De Rovere van Breugel mentions when he says that the inhabitants along the southern coastal areas, including the Badui tribe in the remote mountainous areas, were subject to no authority (Van Breugel 1787: 4).

The second example is a list indicating hierarchy and precedence among the nobility of Banten. In accordance with hierarchical order, the names of princes are written, from *Pangéran* class down to *Ratu Bagus* class. Following the list of princes is a list of officials called *Kyai Arya* or venerable Islamic scholars. Names of princes and officials in each class are listed according to their order of precedence: at the end of each group of princes and officials an amount of money with *juta* and *keti* units is stated. The purpose is probably to indicate the amount of money the princes and officials shall receive or have to pay.

> Prince (**Pangeran**) Danu Wangsa, Pangeran Prabangsa, Pangeran Wira Suta, Pangeran Wirasmara, Pangeran Jaya Ningrat, Pangeran Adi Wangsa, Pangeran Suta Kusuma as much as one **juta** five **keti**. Pangeran Trenggana, Pangeran Sura Manggala, Raden Arya Mandaraka, Pangeran Surya Dikara, Pangeran Kasunyatan, Pangeran Rangga Singasari, Ratu Bagus Nata Kusuma, Ratu Bagus Wira Nantaja, Ratu Bagus Wangsa Kusuma altogether one **juta** four **keti**. Ratu Bagus Marta Jaya, Ratu Bagus Suba, Ratu Bagus Susambita, Ratu Bagus Wira Taruna, Ratu Bagus Wira Natpada, Ratu Bagus Wira Priya, Ratu Bagus Wiratmaka, Ratu Bagus Wangsa Nata, **Pangeran Arya Surya Diwangsa**, Ratu Bagus Jaya Manggala [...] (Cod LOr 5598: 23)[21]
>
> Ratu Bagus Marta Nagara, Ratu Bagus Pulang Jiwa, Ratu Bagus Nata Diwangsa, Ratu Bagus Wirangga Parta, Ratu Bagus Surangga Parta, Ratu Bagus Wirangga Narta, ***Kyai Fakih Najimuddin*** those as much as

[21] ...Pangeran Danu Wangsa, Pangeran Prabangsa, Pangeran Wira Suta, Pangeran Wirasmara, Pangeran Jaya Ningrat, Pangeran Adi Wangsa, Pangeran Suta Kusuma sebanyak 1 **juta** (?) 5 **kethi**. Pangeran Trenggana, Pangeran Sura Manggala, Raden Arya Mandaraka, Pangeran Surya Dikara, Pangeran Kasunyatan, Pangeran Rangga Singasari, Ratu Bagus Nata Kusuma, Ratu Bagus Wira Nantaja, Ratu Bagus Wangsa Kusuma sejumlah 1 (?) **juta** 4 **kethi**. Ratu Bagus Marta Jaya, Ratu Bagus Suba, Ratu Bagus Susambita, Ratu Bagus Wira Taruna, Ratu Bagus Wira Natpada, Ratu Bagus Wira Priya, Ratu Bagus Wiratmaka, Ratu Bagus Wangsa Nata, Pangeran Arya Surya Diwangsa, Ratu Bagus Jaya Manggala [...]

> one **juta** and three **keti**. Officials with nayaka class, who have not yet been given a title, one **juta** one **keti**. Kyai Arya Kusuma Dilaga, Kyai Arya Mangun Yuda, Kyai Arya Dipa Kusuma, Kyai Arya Surya Diwangsa, Kyai Ngabehi Wangsa Yuda, altogether one **juta**. The Arya class officials as much as nine hundred thousand (Cod LOr 5598: 22).[22]

Because of the damage the manuscript has suffered, the contents of these two pages are incomplete. We do not know exactly what the amounts of money stated at the end of each group of princes and officials were. A group of lecturers and students from the University of Indonesia who helped translate this manuscript assume that these two pages note the rates of salary that the princes and officials in Banten received. Whether the assumption is true or not, we can see that the rate of money depended mostly on the hierarchical order of princes and officials (see Chapter Three). There are two exceptions, Pangeran Arya Surya Diwangsa and *Kyai Fakih Najimuddin*. Both of these titles are ranked in the group of Ratu Bagus, which is the lowest class of prince (Van Breugel 1787:12). The reason Pangeran Arya Suriya Diwangsa was degraded to the group of *ratu bagus* is unknown. Exceptionally, the title *Kyai Fakih Najimuddin* is put in the same group as members of the royal family, probably because it was the title of one of the most significant officials in the kingdom, the supreme judge (Van Bruinessen 1995: 168). This is why the status of *Kyai Fakih Najimuddin* in Banten might have been ranked equal to the lowest class of prince. The name lists on pages twenty-two and twenty-three show that the hierarchy and precedence of the nobility in Banten was determined by birthright, rank and responsibility to the state.

The third example is the use of hierarchy and precedence to determine seniority of people in Banten. We learn from page four that in the capital and royal palace (*Negara Surasowan*) ordinary commoners were not allowed to unsheathe their keris. Only mosque attendants, Islamic scholars, the Kelings, Gujaratis, British, French, Dutch,

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[22] Ratu Bagus Marta Nagara, Ratu Bagus Pulang Jiwa, Ratu Bagus Nata Diwangsa, Ratu Bagus Wirangga Parta, Ratu Bagus Surangga Parta, Ratu Bagus Wirangga Narta, Kyai Fakih Najimuddin itu sebanyak 1 juta (?) 3 kethi. Para nayaka yang belum digelari nama 1 juta (?) 1 kethi Kyai Arya Kusuma

Chinese, Malays and Makassarese were granted royal permission to use their keris in the city (Cod LOr 5598: 4). The last paragraph of page five suggests that only people of a certain status could ride or drive horses in the royal square (*alun-alun*). Three groups of nobility, ministers (*nayaka*), officials (*punggawa*) and courtiers (*abdi dalem*), enjoyed the prerogative of riding horses in this restricted area (Cod LOr 5598: 5). It is stated in the last paragraph of page seventy-three that commoners always had to ask for royal permission to fire guns during their celebrations (*hajat*). Ministers (*nayaka*), officials (*punggawa*) and courtiers (*abdi dalem*) could do so without having sought permission (Cod LOr 5598: 73).

Hierarchy and precedence also specified the place where men should perform their Friday prayers (*salat Jumat*). It is stated on pages fourteen and seventeen that all men in the city had to attend public Friday prayers. Princes and male courtiers all followed the Sultan to the Grand Mosque. Ministers (*nayaka*), *punggawa*, *mantri* and *suranegara* officials also attended the Sultan there. Any princes who had their own mosque were allowed to perform Friday prayers there. The penalty for all classes of officials who neglected to perform Friday prayers was to cut grass in the royal square (*alun-alun*).

The last example of hierarchy and precedence in practice is the determination of penalties or fine rates for illegal actions. The highest fine, two million (*juta*), was exacted for any fight or quarrel in the quarters of Prince Arya Dipaningrat, the Chief Minister, and of Kyai Fakih Najimuddin, the Supreme Judge. The lowest fine, on the other hand, was six hundred thousand (*kethi*) for any fight or quarrel in the abodes of *punggawa*-class officials (Cod LOr 5598: 1). The currency of these fines is unknown.

On page fifty-four, it is stated that any man who assaults a woman in a compound belonging to any member of the royal family (*nayaka*) and officials in the *punggawa*, *mantri* or *suranegara* classes will be fined at a rate according to the status of the

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Dilaga, Kyai Arya Mangun Yuda, Kyai Arya Dipa Kusuma, Kyai Arya Surya Diwangsa, Kyai Ngabehi Wangsa Yuda, itu sejumlah 1 juta (?) Para Arya sebanyak 9 kethi.

landowner. If an assault happened on the property of an ordinary man, the assailant would be prosecuted by the royal decree (Cod LOr 5598: 54)[23].

Penalties for robbing or plundering people from Batavia and other areas outside Banten also depended on the status of the robber. If any member of the royal family (*nayaka*) or anyone from all classes of officials and courtiers was the robber, he would be exiled to Lampung and all his property and slaves would also be confiscated. If the robber was an ordinary man, he would be sent to be a royal slave (Cod LOr 5598: 55)[24].

On page fifty[25], a fine for two free women (*perempuan merdeka*) who hit each other was four reals. If a woman slapped a child (Elder > Younger), she would be fined five reals, which was one real more expensive than the fine for hitting another woman. These rates of fine suggest that the law in Banten intended to protect people of lower social status from being exploited or harmed by those who had higher status. The fine charged was halved, if that child was a slave, probably because he or she belonged to the lowest status in society. If two slaves hit each other, each of them would be fined two reals, which is the lowest rate of fine in this group of laws.

Although the Sultans acknowledged the presence of the VOC (*Kumpeni*) in Banten, nowhere in this MS is there any indication of their recognition of the Company as part of the hierarchical order of the kingdom. The image of the Company in Cod LOr 5598 is of an alien authority which had been granted a permission to settle in the Sultan's territory and had agreed to be a trade and business partner to Banten. No indicator of any respect or acknowledgement of Company overlordship or sovereignty by the Sultans is found in

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[23] Barangsiapa menyerang perempuan di pekarangan nayaka atau punggawa atau mantri atau suranegara, maka ia didenda sesuai dengan kedudukan yang punya pekerangan. Begitu pula jika menantang di pekarangan orang lain, dikenai perintah raja (Cod LOr 5598: 54).

[24] Barangsiapa orang Surosowan merampok rakyat Jakarta atau merampok rakyat dari desa lainnya, jika yang berbuat itu **nayaka**, maka dia dibuang ke Lampung dan disita semua barang miliknya serta para hambanya. Dan begitu pula untuk para punggawa dan abdi istana lainnya. Jika orang kecil, ia dijadikan hamba negara (Cod LOr 5598: 55).

[25] Barangsiapa saling menampar antara perempuan satu lawan satu di depan umum, dendanya empat reyal. Jika yang ditampar perempuan itu adalah anak-anak, maka dendanya lima reyal. Jika anak tersebut adalah hamba, maka dendanya hanya separuh. Jika perempuan saling menampar dan yang ditampar tidak membalas, maka dendanya empat reyal. Jika hamba-hambanya dua reyal (Cod LOr 5598: 50).

this MS. This is the antithesis to the way the Company kept identifying itself in all the treaties (*kitab perjanjian*) it made with the Sultans of Banten after 1752. In these treaties the Company claimed its sovereignty over Banten, that is, it located its status at the top of the hierarchical order of Banten.

Apart from the VOC officials, their families and people under Company authority (*rakyat kumpeni*), immigrants from other parts of the Archipelago, plus the Chinese and other foreigners were not included in the systems of hierarchy and precedence, unless they had been appointed as an official to the Sultan. Immigrants from other parts of the Archipelago were the Malays (*orang Melayu*), the Makassarese (*orang Makassar*) (Cod LOr 5598: 4), the Bugis (*orang Bugis*) (Cod LOr 5598: 69) and the Balinese (*orang Bali*) (Cod LOr 5598, IV: 54). The Chinese, who lived permanently in Banten (both Muslim and non-Muslim), and Chinese traders from China are distinguished in this MS (Cod LOr 5598: 4, 11). Apart from the Dutch, the British, French and Danes are mentioned on pages four and twenty, and the non-Europeans are the Keling and Gujaratis from the Indian subcontinent.[26] It is unusual that the British, French and Danes are mentioned in this late-eighteenth-century MS, as they had been expelled from Banten after 1682 because of Sultan Haji's agreement with the Company[27] (Guillot 1990: 53). A possible explanation is that the regulations on pages four and twenty had been in use before 1682 and they had been written down in a law-book. When writing the MS Cod LOr 5598, the scribe might have copied the two regulations from that old law-book without omitting the terms British, French and Dane.

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[26] 1. If anybody, who is not courtier, unsheathes his keris in the royal square (alun-alun), he will be fined one Tael. Only people who are granted permission by His Majesty, such as lebai (mosque attendants), men who are haji, can unsheathe their keris. The Keling, Gujarati, British, French, Dutch, Chinese, Malay and Makassarese during their stay in Banten can also do this (**Dasih, jika orang luar, sinendhal (ditarik) kerisnya maka dendanya satu Tail; selain orang yang diizinkan oleh raja, seperti lebai, para haji, atau orang Keling, orang Gujarat, orang Inggris, orang Perancis, orang Belanda, orang Cina dan orang Melayu, orang Makassar, ketika sedang tinggal di Surasowan**.) (Cod LOr 5598: 4). 2. And if anybody murders a British, French or Danish or Dutch person, he will be prosecuted by the royal command (**Dan jika membunuh si Inggris, si Perancis atau si Denmark atau si Belanda, harus dikenakan perintah raja**.) (Cod LOr 5598: 20).

Although all foreigners fell outside the hierarchy and precedence systems of Banten, during the time they resided in the kingdom they were obliged to observe local rules. MS Cod LOr 5598 contains various regulations concerning foreigners' behaviour, as well as regulations to protect their interests in the capital. Foreigners were not allowed either to marry Banten women[28] or to contact any Banten subjects (*rakyat kecil*)[29], and Banten subjects were prohibited to enter any foreigners' factories or warehouses (*loji*)[30]. Foreigners were allowed to carry a *keris* with them during their residence in Banten, and could unsheathe it in public (probably should an emergency arise) (Cod LOr 5598: 4). Any trespassers in the Pabean area, where there were European (and later after 1682, the VOC's) factories and warehouses, would be arrested and put in custody. If they stole anything from the stations or warehouses worth more than one real, their hand will be cut off (Cod LOr 5598: 20)[31].

As still today, hierarchy and precedence had been part of the natural inclinations of South-East Asians long before the Europeans arrived in this region. No matter how complicated these two systems may appear from the analysis of Western scholars, people in South-East Asia could simply and automatically comprehend and practise them in their lives. Hierarchy and precedence play a role in the conduct of the lives of the South-East Asians from birth to death: they help identify the status and role of everybody in society.

Hierarchy and precedence maintained the unity in Banten society under the sovereignty of the VOC, and the two systems became instruments through which the VOC imposed its authority on the kingdom. As long as the peak of the hierarchical

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[27] According to the agreement, the VOC would be the only European trader left in Banten to monopolise the pepper trade (Bastin 1961: 31).
[28] Masalah orang asing menikahi orang Banten (Cod LOr 5598, IV: 32).
[29] Masalah orang asing tidak boleh bercampur dengan rakyat kecil (Cod LOr 5598, IV: 30).
[30] Masalah orang Jawa tidak boleh masuk loji (Cod LOr 5598, IV: 30).
[31] [...] will be arrested and put in custody at Pabean. If he stole anything belonged to Pabean stations worth from one Real, his hand must be cut. ([...] **itu harus ditangkap dan diamankan di Pabean, atau jika mencuri milik Pabean yang melebihi nisab senilai satu reyal, harus dipotong tangannya.**) (Cod LOr 5598: 20).

structure, the Sultan, was under its mandate, the Company could promote its regular economic interests in Banten without having to rule the state by itself. Indigenous systems of hierarchy and precedence could therefore still retain a strong influence during the late eighteenth and early nineteenth century.

2.2 Ritual order in the heart of the kingdom

One of the main purposes of the rules and regulations recorded in MS Cod LOr 5598 is to maintain the ritual order in the heart of the kingdom. *The New Oxford Dictionary of English* (1998: 1603) defines 'ritual order' in two ways: first as "a prescribed order of performing a ceremony, especially one characteristic of a particular religion or Church", and second as "a series of actions or type of behaviour regularly and invariably followed by someone". Ritual order in Banten, as in other South-East Asian states, originated from religious beliefs and the veneration of divine kingship. Social order creates discipline and peace in society, but ritual order is believed to maintain sacredness at the heart of the kingdom and guarantee the loyalty of officials and subjects to the sovereign (Moedjanto1986: 104). MS Cod LOr 5598 contains various rules for maintaining ritual order in the capital. These rules are prohibitions regarding the royal palace and the royal square (*alun-alun*). Any trespass against the prohibitions would be considered as disrespect shown to holy places and disloyalty to the sovereign.

The Surosowan Palace and the *alun-alun* were designated as sacred and forbidden places at the heart of the kingdom. Stavorinus (1767: 66) states that the death penalty was the only punishment awaiting any trespasser in this palace. On page two of the first section (law-book), ritual order was created under the name Surosowan. Apart from being the name of the royal palace, the term *Surosowan* was used to refer to the whole kingdom.

> The law of His Majesty Sultan Abul Nassar at the **Surosowan** [palace] which has already been declared in the **Surosowan Kingdom**, through all members of the royal family, all officials, and also all the subjugated territories must be heeded[32] (Cod LOr 5598 : 2).

A penalty by command of the sultan was exacted from anybody who acknowledged the Sultanate of Banten, but neglected to use the name 'Surosowan' (Cod LOr 5598, I: 2)[33]. This rule suggests that ritual order in the capital could best be maintained by the use of name for the kingdom. The name 'Banten' was only a general name applied to the westernmost area of West Java, but 'Surosowan' was a specific official title for the political unit holding sovereignty over that area. It is also a ritual name indicating the acknowledgement of and loyalty to the authority at the heart of the kingdom.

The MS suggests that from time to time there were attempts to trespass on the Surosowan Palace. On page twenty-eight of the last section of the MS, the case of an unauthorised intruder who entered the palace gate (*pintu gerbang*)[34] is listed (*Masalah orang luar memasuki pintu gerbang*). Apart from this case of a trespasser, the ritual order of the palace was also disturbed in four other instances. One was when members of the royal family (*nayaka*) built their residences abutting on the royal palace[35] (Cod LOr 5598, IV: 19). The other two were cases of people who disputed, quarrelled and fought each other at the *pancaniti* pavilion[36] (Cod LOr 5598, IV: 50). *Pancaniti* is a pavilion in Javanese palaces built in the middle courtyard in which the Sultan presided over the law court to prosecute any crime committed by members of the royal family, or cases brought by people seeking royal adjudication (Van Beek 1990: 36,54).

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[32] Perhatian tentang undang-undang Kangjeng Sultan Abu Nashir di **Surosowan** sudah umum di **Kerajaan Surosowan** bagi seluruh nayaka dan seluruh punggawa, juga bagi seluruh jajahan tepis wiring. (Cod LOr 5598, I: 2)

[33] Barangsiapa menyebut **Banten**, tetapi tidak menyebut **Surosowan**, maka akan dihukum oleh raja. (Cod LOr 5598, I: 2)

[34] The term 'pintu gerbang' means the main entrance, front gate or ceremonial gate of palaces (Echols and Shadily 1994: 430).

[35] Masalah nayaka membuat rumah menempel ke istan*a*. (Cod LOr 5598, IV: 19)

[36] Masalah orang bertengkar di pancaniti/ Masalah orang saling memaki di pancaniti/ Masalah orang yang menyaksikan perkelahian di pancaniti. (Cod LOr 5598, IV: 50)

The *alun-alun* was a space in front of the palace which was open for public access as long as users adopted a respectful attitude. Twenty-four cases of disrespectful behaviour are listed in the fourth part of the MS, and more than half of these cases were quarrels and fights by different sorts of people[37]. Other crimes were also committed in the *alun-alun*, such as insulting people[38], creating a public nuisance, the seducing or sexual harassment of women[39]. The rest were actions which upset the ritual order of kingship: taking a seat on the sovereign's throne under the Banyan tree (*pohon waringin*)[40], opening umbrellas when crossing the square[41], taking weapons into the square[42], ordinary people riding horses[43] and tethering or slaughtering animals[44].

On page eleven of the law-book we learn that quarrels or fights in the *alun-alun* were not confined to Banten subjects, but were also committed by foreigners residing in the capital.

> If the **Keling** or the **Gujarati** quarrel or fight in the *alun-alun* by hitting or lashing out at each other, arrest them and put them into custody, then fine each of them one thousand Reals and confiscate all their commodities. If the **Keling Chinese** or **Muslim Chinese** quarrel or fight in the *alun-alun*, fine each of them one thousand *Reals*, put them into custody at Pabean and confiscate all their property, then exile them to Lampung (Cod LOr 5598: 11)[45]

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[37] Problem of people having a quarrel or fighting in the alun-alun (**Masalah orang berkelahi di alun-alun**)/ Problem of villagers beating each other in the alun-alun (**Masalah orang desa saling memukul di alun-alun**) (Cod LOr 5598, IV: 1)
Problem of villagers having a quarrel or fighting in the alun-alun (**Masalah orang desa berkelahi di alun-alun**).

[38] Problem of one person insulting another in the alun-alun (**Masalah orang menghina orang lain di alun-alun**). (Cod LOr 5598, IV: 1)

[39] Problem of a man harassing a woman in the alun-alun (**Masalah orang mengganggu perempuan di alun-alun**). (Cod LOr 5598, IV: 1)

[40] Masalah orang berpamer di pohon beringin alun-alun (Cod LOr 5598, IV: 2)

[41] Masalah orang memakai payung di alun-alun (Cod LOr 5598, IV: 3)

[42] Masalah orang membawa keris di alun-alun (Cod LOr 5598, IV: 1)

[43] Barangsiapa mengendarai kuda di alun-alun, selain dari orang yang berpangkat **nayaka** atau **punggawa** atau **abdi dalam** [...] (Cod LOr 5598, I: 5)

[44] Barangsiapa menombak kuda atau sapi atau kerbau atau kambing atau hewan ternak lainnya di alun-alun [...] (Cod LOr 5598, I: 4)

[45] Jika orang **Keling** atau orang **Gujarat** berkelahi di alun-alun dengan saling menampar atau saling mencambuk, maka tangkaplah keduanya dan amankanlah, lalu didenda seribu reyal dan diambil segala bawaanya. Dan jika orang **Cina Keling** atau **Cina Islam** berkelahi di alun-alun saling menampar atau saling mencambuk, maka keduanya didenda seribu reyal dan diamankan di Pabean serta diambil semua barangnya dan dibuang ke Lampung (Cod LOr 5598: 11)

Improper actions which impinged on the ritual order at the heart of the kingdom are repeatedly mentioned in both Section One and Section Four of the MS. This suggests that these unpleasant events were pretty common occurrences during the late eighteenth century. One possible explanation for such improper actions which upset the ritual order is that the *alun-alun* was an open area. To the north it abutted on one of the biggest markets in the city, which is why the subjects of the capital, people from other areas and foreigners, had to cross the square. It is possible that people from outside the city or foreigners did not properly acknowledge either the significance of the *alun-alun* or heed the rule aimed at maintaining the ritual order of the capital, and that this led them to commit offensive acts. The instruction to the public to arrest such individuals suggests, rather surprisingly, that there were no guards around the *alun-alun* to prevent such improprieties.

Unlike the prohibitions in the palace and the *alun-alun*, another group of rituals had nothing to do with emphasising the sacredness of the capital or the stability of kingship. It focused on a number of public and official rituals, both in times of peace and in states of emergency. The MS provides examples of two such rituals: Friday prayers and the gathering of princes and officials in the *alun-alun* should there be any disturbances. Friday prayers (*salat Jumat*), as a royal tradition and a reflection of hierarchy in Banten society, has already been discussed in Chapter Three, and as a topic earlier in this chapter. The focus of attention here is Friday prayers as one of public rituals in Muslim society. Its importance stems from the assumption that the state would be counted successful in maintaining ritual order in the heart of the kingdom, if all men in the kingdom, from the Sultan to a slave, followed this ritual.

On pages twelve, thirteen and fifteen of the law-book, rituals for everybody in the event of a disturbance (*kerusuhan*) in the capital are provided. If a disturbance happened outside the *alun-alun*, all the princes and nobles (*nayaka*) had to go and pacify the

situation. Senior officials (*punggawa*) would stand by in the *alun-alun*, while lower officials (*mantri*) would be on the alert in the throne hall (*pasében dalem*). Subordinates of each prince and senior official had to attend their superiors. Everybody had to check on his companion (to ascertain whether he was on duty or not). If anybody failed to do so, he would be prosecuted by royal command (Cod LOr 5598, I: 12)[46].

In the event of a disturbance in the *alun-alun*, all *nayaka*, *punggawa* and *mantri* had to turn out on the *alun-alun*, no matter how serious the situation was. The *mantri* had then to wait for their superior's command. Anybody who neglected his duty would be punished by royal prosecution. Slaves of the *nayaka*, *punggawa* or *mantri*, who ran away and did not escort their lord would be punished (Cod LOr 5598, I: 13)[47].

If a disturbance was serious (*kerusuhan besar*), each *nayaka* and *punggawa* would inform the people in their own quarters, then a gong and a drum in each quarter would be struck to announce an assembly. Villagers from all the suburban districts had to come into the city and stand ready in the *alun-alun*; slaves also had to follow their lords. Anybody who did not come to the *alun-alun*, would have his property confiscated and his wife taken away. If only a drum was beaten, it was a sign of a fire, and subjects were obliged to leave their houses with all the property they could carry. If the gong *Si Tendhas Bang*, which hung at the *Srimanganti* gate in the palace, was struck, it was a sign that a tiger was at large in the city. All the *nayaka*, *punggawa* and *mantri* had to come out with weapons to kill the tiger (Cod LOr 5598, I: 15)[48].

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[46] Jika kerusuhan selain di alun-alun, maka seluruh **nayaka** diharuskan membantu mengamankan tempat kerusuhan dan seluruh **punggawa** harus berkumpul di alun-alun dan seluruh **mantri** harus bersiap di paseban dalem dan seluruh bawahan para nayaka dan punggawa harus mengawasi atasnya masing-masing. Dan barangsiapa tidak menjaga kawannya masing-masing, maka hukumlah dia, dan itulah undang-undang Kangjeng Sultan Abul Nashir [...] (Cod LOr 5598, I: 12).

[47] Barangsiapa tidak cepat-cepat keluar ke alun-alun, maka dihukum sesuai peraturan. Dan **nayaka** atau **punggawa** pun harus keluar bersiap-siap walaupun jika keluar keadaan berbahaya. Dan jika **mantri** pergi keluar dari gerbang istana, harus bersiap menunggu perintah. Maka, jika ia meninggalkan tempat, akan dikenai perintah. Dan barangsiapa **hamba seseorang** meninggalkan barisan iring-iringan tuannya, maka ia didenda karang dua tenggang (Cod LOr 5598, I: 13).

[48] [...] **kerusuhan besar** di negara, maka seluruh **nayaka** dan **punggawa** harus melapor ke paseban masing-masing, lalu tabuhlah **gong dan gendang** dan semua jajahan tepis wiring harus datang bersiap-siap di alun-alun dan semua harus menghadap tuannya masing-masing. Jika ia tidak datang maka semua miliknya disita atau istrinya diambil. Jika ditabuh **beduk** saja, maka khalayak membawa semua miliknya

The most plausible reason for the Sultans of Banten to declare that these rules of rituals should be obligatory during times of disturbance was the necessity to put in place a 'security policy' which could be immediately followed by all the authorised people to if the capital faced any serious danger. This would have calmed people's fears and allayed panic, and knowledge of how to respond to the disturbances in a correct and appropriate way would have induced confidence. Nowadays this policy of maintaining the ritual order in society is still carried on everywhere across the world. Security policies or instructions on how to combat invasion, terrorism or natural disaster in each country are good examples of the intention to maintain ritual order in society in the modern world.

2.3 Reflections on prosecution in Banten

> Blood is repaid by blood, thieving with confinement or slavery as is failure to pay a contracted debt. Nobody can be condemned to death except by the king himself [...] in consultation with the high priest (Van Breugel 1787: 2).

De Rovere van Breugel's short description of prosecution in Banten provides a different perspective from that derived from the MS Cod LOr 5598. De Rovere van Breugel assumed that the principle of the law in Banten was that 'Blood is repaid by blood'. The law-book part of MS Cod LOr 5598, however, does not reflect any pursuit of the death penalty for the accused. One fact which does emerge is that prosecutions in late- eighteenth-century Banten had become channels by which the state could obtain pecuniary revenue and more labourers for the pepper plantations.

Five forms of prosecution are stated in the MS: fines, confiscation of property, banishment, enslavement and corporal punishment. All these penalties had been in force

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yang bisa dibawa. Selain sebagai pertanda itu, juga sebagai pertanda kebakaran. Dan jika bende Si **Tendhas Bang** di Srimanganti, itu adalah pertanda ada **macan**, maka seluruh nayaka, dan punggawa dan

in Java since at least the fourteenth century (Raffles 1817, II: Appendix C. XXXV). Hooker (1978: 35-45) examined the fourteenth-century law-books of Majapahit. recorded in manuscripts kept in Bali[49], in which he also found these five forms of punishment used to enforce the legal system. He claims that there were derived from Indian legal practice, known to the Javanese as early as the eighth century. The Javanese in the pre-Islamic period, however, had assimilated indigenous justice with that based on Hindu law. The methods of prosecution in late-eighteenth-century Banten, like those in other parts of Java, indicate that the sentence drawn from the *Shari'a* law never replaced the earlier Indianised legal system. Pertinently, the Javanese were invested with an authority called *yudha nagara* to punish every deviation from the course of Islamic law (Raffles 1965 I: 280).

> The proclamations (**undang-undang**), and the laws and regulations (**anger-angeran**) of the sovereign, form another deviation from the Mahometan law. (Raffles 1817 I: 280)

> The prince, by himself or his officers, is always supposed vested with a discretionary power of adapting the Mahometan law to circumstances of society, a prerogative liberally exercised. (Raffles I: 280)

In MS Cod LOr 5598, a penalty in the form of a fine seems to have been most widely applied, while physical punishment was rarest of all. The death penalty was not stated, but Stavorinus (1767: 66) says that it was imposed on anyone who trespassed into the royal palace. The Sultan, on the recommendation of *Kyai Fakih Najimuddin* or Supreme Judge, held authority to command the death penalty (Van Bruinessen 1995: 172).

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mantri harus keluar dengan membawa senjata [...] (Cod LOr 5598. I: 15).

2.3.1 Fines

The MS suggests that fines were exacted in money and in coral rock (*batu karang*). Monetary fines had been a source of revenue to the rulers of Javanese states since the Majapahit period and probably much earlier. In the late eighteenth century, it appears that the monetary system in Banten closely resembled that of Batavia very closely[50] (Ferrend 1921: 133). The Spanish dollar (real), also called a 'Spanish mat', with its fixed silver content since the seventeenth century, remained the standard currency for international trade across South-East Asia. MS Cod LOr 5598 and the records of the Banten Court of Justice (LOr 5625, 5626, 5627 and 5628) confirm that the real dominated the monetary system of Banten during the late eighteenth century. Inherited sums of money, dowries or debts were all paid in real. As the overlord of Banten, the VOC may have played a role in standardising the monetary system of the kingdom.

Monetary fine rates varied from one to three thousand reals, depending on the offence and the status of either the accused or the plaintiff.[51] This is a similar assessment to the fines exacted in the Majapahit period. Fines were based on certain sort of ranking system, which Hooker claims resembled of the Hindu *varna* system (Hooker 1978: 43).

Table 5: Different offences and monetary fine rates in *Reals*

The accused	**The plaintiff**	**Offences**	**Fine rates *Real(s)***
Villagers (orang desa) from outside the capital	Ritual order at the heart of the kingdom	Riding horses in the royal square (*alun-alun*)	2

[49] Texts in these fourteenth-century legal manuscripts bear Sanskrit names: **Agama, Adhigama, Dewagama, Sarasamuscaya (Saramuccaya), Dustakalabhaya, Swarajambu, Swayambhu, Dewadanda, and Yajnasadna** (Hooker 1978: 39).
[50] The Spanish *Real,* the *Rijksdaalder* and Dutch *Florins* or *Guilders* were the currencies used in Batavia. One *Real* was equal to 2.5 guilders (Reid 1993, II: 379).
[51] See the last topic on hierarchy and precedence.

Foreigners such as Chinese, Malays and Gujaratis	Ritual order at the heart of the kingdom	Riding horses in the royal square (*alun-alun*)	10
A woman	A man	Slapping a man in public, but the man did not retaliate	20
A woman	A man	Abusing a man in public, but the man did not retaliate	10
A man	A woman	Retaliates abuse	20
Anybody	Against ritual order at the heart of the kingdom	Behaving harshly and violently at the *alun-alun*	30
Disappeared due to the damage in the MS	Unknown due to the damage in the MS	Fighting each other with swords in the alun-alun	3000
The Kelings or Gujaratis	The Kelings or Gujaratis	Hitting or slashing each other at the *alun-alun*	2000
Muslim Chinese	Muslim Chinese	Hitting or whipping each other in the *alun-alun*	1000
Muslim Chinese	Muslim Chinese	Fighting each other with swords in the *alun-alun*	2000
Anybody	Royal princes (*pangeran*) or members of the royal family (*kerabat istana*)	Making mistakes in the household of a royal prince	200
Anybody	Royal princes holding official ranks (*pangeran punggawa*)	Making mistakes in the household of royal princes who held official rank	140
Disappeared due to the damage in the MS	Officials in the ranks of *rangga, tumenggung* and *demang*	Making mistakes in the household of the *rangga, tumenggung* and *demang*	80
ditto	Officials in the rank of *ngabehi*	Making mistakes in the household of the *ngabehi*	6
Anybody	The law court	Bringing a case but never prepared to conclude it	10
A man	A woman	Disturbing, embracing or kissing a woman in public	Day time 4 Night time 5
ditto	ditto	Disturbing, embracing or kissing a woman in her house	Day time 9 Night time 10
Anybody	Anybody	Breaking down the gate of someone's house and dousing the house with water	20
A slave or a free man	A slave or a free man	Having illicit sex until his/her partner expired and failing to report it	200
A woman	A woman	Slapping each other, but later separated by public	4
A woman	A child	Slapping a child	5
A woman	A woman	A woman slaps another woman; the victim does not retaliate	4
A woman	A slave	A woman slaps her slave, the slave does not retaliate	2
Anybody	Anybody	Humiliating somebody in public, and that person does not retaliate	2
ditto	ditto	Trespassing in other people's house	Day time 2 Night time 4

ditto	ditto	Breaking and entering other people's house to steal things or to vandalise the house	4
ditto	ditto	Entered other people's house and later threatened publicly to kill the house owner, the house owner did not retaliate	20
ditto	ditto	Entered someone's house and threatened to kill the house owner in his place, also disturbed the neighbours	4

From the table it appears that all of the offences were various forms of inappropriate behaviour, such as humiliating or assaulting people and vandalising other people's property. Thirteen of the twenty-eight offences were fined at a rate of less than ten real, these mostly offences of inappropriate behaviour among commoners (*rakyat kecil*) and slaves (*hamba*). Fine rates of between ten and one hundred real were set for nine offences classified as inappropriate behaviour causing a public nuisance upsetting official affairs or the state of the ritual order. Three offences relate to illicit sex, for which offending senior members of the royal family (*para pangéran*) were fined between one hundred and two hundred real. Four offences committed by foreigners were fined with sums greater than one thousand real, even though the offence was no more than quarrelling and fighting in the *alun-alun*. Had the same action been performed by a group of commoners, the rate of fine would have been much lower than the sum that foreigners were charged.

On pages one, four, twenty-two and twenty-three, three terms *Juta* (million), *Kethi* and *Tail* determine the fine rates, suggesting the persisting use of traditional money in Banten. It is clear that a *Tail* was a traditional unit of weight or money still used across South-East Asia and the Far East (Reid 1993, II: 379). The term *Tail* appears on page four, determining fine rates for unsheathing a *keris* or any weapon in the *alun-alun*. Fine rates for quarrels or fight in the quarters of different ranks of princes and officials are set out with *Juta* and *Kethi*. For example, on page one, the fine rate for a quarrel or fight in the quarters of royal princes was one *Juta* and three *Kethi*. Money paid to different

classes of princes and courtiers was also expressed by *Juta* and *Kethi*, for instance the royal princes (*para pangéran*) received one *Juta* and five *Kethi*.

The term *Juta* and *Kethi* appear nowhere as money units. Ferrand (1921: 133) does not mention any other monetary units used in Banten during the seventeenth century, apart from the real. Looking at money units used in nearby states such as Palembang, Jambi, Banjarmasin and Makassar, it would seem that during the seventeenth century traditional currencies like *Mas*, *Kati* and *Tail* still widely used. (Ferrand 1921: 129-133).

Mas is a traditional Malay gold coin, equal to around half a real (Ferrend 1921: 128-9). *Kati* and *Tail* are traditional South-East Asian units of precious metal weight and money: sixteen *Tail* is equal to one *Kati*. One *Tail* itself is equal to sixteen *Mas*, or a string of six hundred cash or *Duit* (Reid 1993 II: 379). Cash is a traditional Javanese copper coin of Chinese origin with a hole in the middle, in strings of two hundred (Robson: personal communication).

Initially, I understood the term *Kethi* as an equivalent to *Kati*. However, this unit is the largest one, and it has never been written behind any unit. If *Kethi* is really the same word as *Kati*, why on pages 1, 22 and 23 must it follow the term *Juta*? This condition suggests that *Kethi* is a different word from *Kati,* and is the Javanese word for 'one hundred thousand'.

Robson argues that the two terms do not represent units but sums of money. *Juta* means 'a million' and *kethi* is 'a hundred thousand'. If *juta* and *kethi* represent the amount of money, which unit could fit large amounts of money stated on pages 1, 22 and 23? It could not have been the real, as it would have been impossible for anybody in Banten either to receive or be fined such a large sum as one million and five hundred thousand real as on page 24.[52]

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[52] Van Breugel mentions that by 1783 the Sultan of Banten was in debt to the VOC to the tune of around 369,725 real, which is already 'enormous'.

> Prince Danu Wangsa, Prince Prabangsa, Prince Wira Suta, Prince Wirasmara, Prince Jaya Ningrat, Prince Adi Wangsa, Prince Suta Kusuma as much as one ***Juta*** five ***Kethi*** [...] (Cod LOr 5598, I: 24)

Robson believes that the appropriate currency might have been *Mas* or Javanese cash or *Duit*. Whatever it was, it suggests that the real was not the sole unit of money in the late eighteenth century monetary system of Banten, while the terms *Tail*, *Juta* and *Kethi* suggest that traditional currencies were still recognised in Banten. Furthermore, these currencies were used to determine rates of fines in the royal court.

Raffles (1965, II: Appendix C. xlvii) states that forms of fine in Java varied from one area to another. Apart from money, fines might also be paid in goods, amounts of gold and silver, horses, buffaloes and utensils. MS Cod LOr 5598, however, mentions only coral rock as an alternative article for paying fines in Banten. The coral rock fine might have been prompted by the fact that coral was an abundant natural resource along the north coast of Banten, and served as the main material for official construction projects from the earliest days of the Sultanate. The use of coral as the main building material in Banten can be witnessed at the major ruins in Banten Lama like Fort Diamond and the Surosowan Palace, Fort Speelwijk and the later Kaibon Palace; the base of the Grand Mosque of Banten is also constructed from coral rock. This still does not include the old city walls which had been rebuilt by the VOC in the late seventeenth century, and most of the tombstones in Banten's cemeteries.

The Thousand Islands (*Kepulauan Seribu*), the Bay of Banten and the coast of the Sunda Strait form one of the largest coral reefs in the Indonesian Archipelago (Ongkodharma 1987: 152). Van Breugel (1787:47) mentions that the people of Banten used coral for making stone blocks and whitewash. The villages of Caringin and Anyer on the coast of the Sunda Strait, Pulau Limas and the Thousand Islands were sites of the coral industry. All products were delivered to the capital for official use.

The long process of preparing coral rock, from taking coral from bottom of the sea, dressing the stone, and delivering the products from the coast to the capital, may well have been considered a suitable fine for certain inappropriate actions. The coral fine can be considered a double punishment by imposing both a fine and a physical penalty on the wrongdoer.

Rates of the coral rock fine were determined with a traditional unit, *tenggang*. The meaning and value of this unit have not yet been identified. In Javanese, the term 'tenggang' means 'open space between two things, e.g. houses or pillars' which does not fit easily into the context of coral rock fine rates in Banten. Another Javanese term which is close to *tenggang* is *tenggok*, which means basket (Echols and Shadily 1994: 567). However, it is not clear that *tenggang* as unit for the coral fine in this MS means basket.

The rates for coral fine varied, according to offence. Below is a table classifying different offences and coral rock fine rates.

Table 6: Offences and rates of coral rock fines (*tenggang*)

Pp.	The accused	The Plaintiff	Offences	Fine rates *tenggang*
13	A slave of any prince or courtier	Against the ritual order of the capital	Dereliction of his duty to follow his master when there is a disturbance in the capital	2
14	Any ordinary man	Against the ritual order in the capital	Neglecting Friday prayers without proper excuse	*Sajukung*[53] (1 boat)
18	Anybody	Against rules of customs	Coming back from office of the Resident (*Si Petor*) without returning a royal seal to Prince Arya Dipaningrat	20

[53] Jukung, jungkung or jongkong are defined by Echols and Shadily 'a kind of boat' (Echols & Shadily 1994: 249).

18	Any VOC staff under the Resident at Banten	Against rules of customs	Opposing the 5 Real fine charged on a resident for not reporting the customs (Pabean) in his correspondence with Batavia.	25
19	Any sailors or merchants	Against rules of customs	Setting sail for Batavia without applying for a royal seal from Prince Arya Dipaningrat	25
36	ditto	Public (*masyarakat*)	Opening up jungle or forest without public agreement	5
36	ditto	ditto	Claiming a piece of land from opened jungle or forest more than 40 fathom per side	5
40	Disappeared due to the damage of the manuscript	Disappeared due to the damage of the manuscript	Unknown due to the damage of the manuscript Final part of the sentence states *against the royal legislation* ***(tidak atas perintah raja)***	10
41	Anybody	Anybody	Taking another persons runaway slave	10
42	ditto	Any slave owner	Claiming to have adopted a runaway slave after the *karuruh* (?) restricted period had expired, but in fact within that period	15
43	ditto	ditto	Locking up another person's slave until the slave died	10
58	ditto	Any goat owner	Slaughtering another person's goat	10
61	ditto	Any buffalo owner	Taking another person's buffalo	5
63	ditto	ditto	Taking other people's buffalo and publicly claiming it.	The buffalo must be returned to the owner. The accused was also given a fine equal to the buffalo`s value. Then the owner had to pay half of the fine to the authorities with 10 *tenggang* coral rag.

64	ditto	Against Islamic law	Consuming or smuggling any kind of narcotic (*candu*)	5
64	Any subjects of *Surosowan*	ditto	Gambling at cock fighting or providing a place for that gambling	5

2.3.2 Confiscation of property

While fines were the penalty in most of the offences originating from personal conflicts, confiscation was imposed for any more serious offences against the sovereign's power, the ritual order of the capital, the morale of Muslim subjects and the security and stability of the kingdom. Property confiscated from wrongdoers could consist of animals, houses, goods or all belongings. Wife, children and slaves could also be confiscated from the wrongdoers.

Table 7: Offences with confiscation penalty stated in MS Cod LOr 5598

Page	The accused	The plaintiff	Offences	Properties Confiscated
5	Ordinary man or man from countryside	Against ritual order in the heart of the kingdom	Riding horses in the *alun-alun*	Horse
7	An ordinary person	An ordinary person	Hitting each other in quarters of any member of the royal family (*nayaka*), courtiers (*punggawa*) and royal servants (*abdi*)	All the things they had with them
11	A Keling or a Gujarati	A Keling or a Gujarati	Hitting or lashing out at each other in the *alun-alun*	All their belongings

11	A Muslim Chinese	A Muslim Chinese	Hitting or lashing out at each other in the *alun-alun*	ditto
15	Any men living in the suburb of the capital	Against ritual order in the capital	Neglecting to come to the capital to stand by at the alun-alun when there was a large disturbance (*kerusuhan besar*)	All property and their wives
16	Anybody	Against rules of customs	Travelling away from Banten without taking a royal seal	ditto
17	Any merchant	ditto	Going trading to the East or any other direction beyond Banten without taking a royal seal	His vessel and wife
19	Any traveller	Against rules of customs	Travelling to Batavia without a royal seal	His vessel and all its contents
61	Anybody	Against state law	Counterfeiting royal seals and selling them to somebody	All property of both seller and buyer
64	ditto	Against Islamic law	Trading, smuggling, storing or importing all kinds of narcotics (*candu*)	His vessel and wife
64	ditto	ditto	Providing his house as a place for cock-fighting	His house (then be burnt down)
72	ditto	Against state law	Making false money, or providing place for making or storing false money	All property
84	ditto	ditto	Smuggling or selling pepper outside Banten	All property, vessels, wife and children
85	ditto	ditto	Smuggling and selling pepper to Palembang or other states	Wife and children

87	ditto	ditto	Smuggling any goods prohibited by both the Sultan and the VOC	All the goods

2.3.3 Banishment

Banishment in Java was imposed for any serious crime against the sovereign's dignity, the government's authority or the security and stability in the centre of the state. Banishment was normally associated with confiscation of property.[54]

It is stated in the MS Cod LOr 5598 that the Lampung territory along the east coast of the southern tip of Sumatra was the place of exile for Banten. The territory was famous for its pepper plantations even before the advent of the Portuguese in the early sixteenth century (Pires 1944, I: 168-71). The Sultanate of Banten established its sovereignty over this territory around the end of Maulana Hasanudin's reign (r. 1527-70), and it remained part of the realm until the sultanate's official abolition in 1808. During the eighteenth century Lampung were still the most important areas for pepper plantations, even though pepper plantations were well established in the western highlands of Banten (Van Breugel 1856, V: 134 and 1856, V: 343; Dampier 1931: 124; Kern 1906, XXVIII: 703; Bastin 1961: 31).

The sending of any wrongdoer into exile in Lampung may have been motivated by two considerations: the fact that Lampung was a large area with a much lower population density than the main territory in West Java, and the need for more labourers for the pepper plantations. As a territory under the Sultanate but located some distance away from the centre of the kingdom, Lampung represented an appropriate place for sending criminals into exile. The government could still keep its eye on the exiled people, and impose any burden on them. It is stated on page seventy-four of MS Cod LOr 5598 that

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[54] It appears that from the seventeenth century the Dutch authority in the East Indies down to the last century also banished any member of the indigenous elite who challenged their authority.

all the residents of Lampung were responsible for planting pepper and delivering the produce to Banten.

The MS suggests that not only the Sultan's direct subjects could be banished to Lampung, but that foreigners who settled in Banten could also face this punishment.

Table 8: Offences charged with confiscation and banishment to Lampung

Page	The accused	Offences
7	Any subject of the Sultan (*rakyat kecil*)	Publicly hitting each other
11	Any Muslim Chinese	Hitting or lashing out at each other in the *alun-alun*
55	Members of the royal family (*nayaka*), officials (*punggawa*) and court servants (*abdi istana*)	Robbing or plundering subjects of Batavia or people from other areas outside Banten
61	Maker, seller and buyer of counterfeit royal seals	Making and selling counterfeit royal seals
72	Any subjects of the sultan (*rakyat biasa*)	Making, keeping or offering to accept counterfeit Real coins or any die for making false coins

2.3.4 Enslavement

The *Agama* law text from the Majapahit period mentions enslavement as a penalty for failing or refusing to pay a fine. The offender would be made the king's slave (Hooker 1978: 42-3). MS Cod LOr 5598 does not state whether enslavement in Banten was imposed on offenders who failed to pay fines or not. However, it appears that the Banten

government imposed this penalty for the serious crime of robbery committed by any Banten subjects on travellers from Batavia or other areas. This crime may have been considered a sensitive matter, which could affect the relationship between the VOC in Batavia and Banten. Such a crime might also have been an embarrassment to the Sultan and the authorities, which would have carried the imposition of a heavy sentence.

> Whoever robs subjects of Batavia or people from other areas outside Banten: members of the royal family (**nayaka**), officials (**punggawa**) and court servants (**abdi istana**) will be sent into exile in Lampung. If the robbers are subjects of the Sultan, they must be made royal slaves. (Cod LOr 5598, I: 55)[55]

2.3.5 Corporal punishment

The MS states only three instances for which the sentence imposed was corporal punishment. Corporal punishment in Banten was used to disgrace the wrongdoer, as the first case, or to stop him from any precarious actions against the stability and security of the kingdom.

Table 9: Offences charged with physical penalty

Page	The accused	Offences	Physical penalty
20	Any thief	Stealing property in the custom house (pabean), valued higher than one *real*	His hand must be amputated.
21	Any non-resident of Banten	Coming into the kingdom by land or sea, and claiming to be a Bantenese, then resisting arrest	Be paralysed in legs and arms
22	Any subjects of the Sultan in Lampung	Smuggling pepper and selling to the Sultanate of Palembang	If against arrest, be paralysed in legs and arms

Sending wrongdoers to cut grass in the *alun-alun* was a light penalty intended to disgrace wrongdoers publicly by imposing a humble job on them. In cases two, four and five, the wrongdoer would not be paralysed unless he resisted the arrest. Lastly, case three indicates that a severe corporal punishment, the amputating of hands, was imposed only for stealing things from official places; the thief was only fined if he stole things from any private house. All these cases suggest that the authorities in Banten were not greatly interested in imposing corporal punishment, which was probably counter-productive, compared to the revenue brought in by fines and banishment to Lampung.

2.4 Property

Laws relating to five categories of property in Banten society, houses, land, boats, slaves and animals, occupy around 50 per cent of MS Cod LOr 5598. These five sorts of property were fundamental belongings of people in most of societies in eighteenth century South-East Asia. The MS suggests that three of these sorts of property, lands, slaves and animals, served to indicate the status and wealth of people, and could be inherited from father to son. They could also be confiscated should the owner commit a serious crime. An examination of the laws concerning these sorts of property helps to expand our perspective on society and the economy in Banten during the late eighteenth century.

2.4.1 Houses

Both Stavorinus (1767: 59) and Van Breugel (1787: 36) describe the houses of the people of Banten in a similar way. Most of the indigenous houses, or huts to Stavorinus' way of thinking, were constructed of bamboo, and some were also plastered with clay. Their roofs were made of panels of leaves (*atap*). Houses in the Chinese communities or

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[55] Barangsiapa orang Surasowan merampok rakyat Jakarta atau merampok rakyat dari desa lainnya, jika yang berbuat itu nayaka, maka ia dibuang ke Lampung dan disita semua barang miliknya. Jika orang kecil

kampung were mostly built of stone, while in the Moorish quarter both bamboo and stone houses could be seen. The apparent poverty of the housing may be explained by Reid's argument that the indigenous South-East Asians had paid very little attention to their housing, and houses were considered impermanent property. It was not a South-East Asian tradition for commoners to invest any great amount of capital in building a house (Reid 1988 I: 62).

The fourth part the MS Cod LOr 5598 suggests that there was a law which laid down places for building houses. On page nineteen, one case *Masalah nayaka membuat rumah menempel ke istana* (a member of the royal family built his house abutting on the palace) indicates that people were prohibited to build their houses in the space next to or around the royal palace (Cod LOr 5598 IV: 19). No exception was made even for members of the royal family. Another case on page fifty-four, *Masalah orang Bali membuat rumah di gunung* (The Balinese built houses on the mountain) suggests that no non-Banten person was not allowed to reside in the mountainous area of the kingdom.

Indigenous houses were surrounded by bamboo fences called *pager* in MS Cod LOr 5598 (to quote the original Javanese term), forming clear borders between one family house and its neighbours (Stavorinus 1769: 59). Within the confines of the *pager* there was a yard at the front of each house or *pakarangan*. The MS suggests that both the *pager* and *pakarangan* of each indigenous house marked the territory of each family. To access or climb the *pager* or to step into the *pakarangan* of someone's house without permission, and to commit any misdemeanour connected to it was considered a crime.

> Whosoever enters another person's house without the owner's permission will be fined; daytime two *Reals*, night time four *Reals*. If it is clear that his entry was to burgle by climbing, destroying or breaking the fence, he must be fined four *Reals*. (Cod LOr 5598 I: 51)[56]

(rakyat biasa), ia dijadikan hamba negara. (Cod LOr 5598, I: 55)

[56] *Barangsiapa memasuki rumah orang lain tanpa seizin yang punya rumah, jika siang maka dendanya dua reyal, jika malam dendanya empat reyal. Dan jika masuknya itu seperti tingkah-lakunya pencuri, seperti memanjat atau merusak atau menerobos pagar, maka dendanya empat reyal.* (Cod LOr 5598 I: 51)

> Whosoever enters the front yard of another person's house, and later publicly abuses, or threatens to stab the house owner. If the house owner does not retaliate, the trespasser is fined twenty *Reals*. (Cod LOr 5598 I: 53)

The MS suggests that throwing (dirty?) water (*anggrojogi*) on other people's houses was another offence regularly committed in Banten. Anyone who did that was fined twenty *reals*.

> Whoever dousing water on other people's houses will be fined twenty *Reals*. (Cod LOr 5598 I: 49)

Although commoners' houses in Banten were simple and their value might not have been high, they could be confiscated or destroyed anytime the owner committed a serious crime. For example, whoever offered his house as an arena for cock-fighting or other forms of gambling would have his dwelling confiscated and burnt down.

> Whatsoever Muslim subject of Surosowan who gambled at cock-fighting, would be fined five *tenggang* of coral rock. And whosoever provided his place for cock-fighting, his house would be confiscated and burnt down (Cod LOr 5598 I: 64).

2.4.2 Land

Crawfurd (1820 I: 277, 366) states that during the early nineteenth century much of Java, today a heavily populated island, was still covered by forests and jungles. People had the right to open forest for cultivation. To open a piece of forested land and to utilise it as an orchard or field for annual planting was a sign of claiming land property rights among South-East Asians up to the eighteenth century (Reid 1988 I: 24).

The MS introduces two types of land in Banten: wet-rice land (*sawah*) controlled and inherited by individuals, and cleared forest (*pembukaan hutan*) owned in common by villages. Forest all over Banten was the *milik raja* or the crown property. Anybody who

opened up a piece of land in the forest without any acknowledgement from the people in his community had to be fined.

> Whosoever opens up a piece of forested land without any acknowledgement from his community, must be fined by delivering five *tenggang* (baskets?) of coral rock. This is because forest all over the kingdom belongs to the sovereign (Cod LOr 5598 I:36)[57]

A concession of one hundred and sixty square fathoms (*depa*) or forty *depa* on each side was allowed to anybody who wished to open up a piece of forested land. The fine was imposed on anybody claiming forested land exceeding this concession.

> Whosoever opens up forested land exceeding a concession of forty fathoms per side, shall have a fine imposed on him amounting to delivering five *tenggang* (baskets?) of coral rock to the authorities (Cod LOr 5598 I: 36)

On the same page, it appears that the property rights to the legally opened forest were held by the person who had reclaimed the land. Those who moved in to reside on that land without the permission of the landowner would be fined five *tenggang* of coral rock.

Van Breugel (quoted in Kumar 1997: 274) states that Banten could produce more than enough rice supply for internal consumption. This suggests that a vast area of wet-rice land must have been cultivated in this state. The location of the capital and its surrounding areas on an extensive plain between the coast to the north and the mountainous areas to the south were largely taken up by wet-rice cultivation.[58] The European bird's-eye view maps of Banten (Oesterreichische Nationalbibliothek, Vienna (Austria) c.a.1635; Valentijn 1726: 6) depict a vast ricefield area to the southwest of the capital. A short regulation on wet-rice land (*sawah*) is found on page sixty of MS Cod

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[57] Maka barangsiapa membuka hutan, lalu tidak diakui oleh masyarakat, maka is didenda mengambil batu karang lima tenggang, karena hutan adalah milik raja jika di dalam batas negara. (Cod LOr 5598 I:36)
[58] Even nowadays, most of this extensive plain is still occupied by rice fields.

LOr 5598, suggesting that the government took good care to manage the wet-rice lands efficiently, and that irrigation canals were made to distribute water all over the vast rice field area. Landowners had to build dykes to indicate the clear division between their own land and that of their neighbours. The government installed official fences around each portion of rice field, probably to certify the right of each landowner to his *sawah*. A fine of ten *tenggang* of coral rock was imposed on anybody who blocked off the irrigation canals so that the water flowed only into his own rice fields, as well as on anybody who destroyed the dykes or fences (Cod LOr 5598 I: 60).

2.4.3 Boats and vessels

As one of the major ports of South-East Asia occupying territories on both sides of the Sunda Straits, transportation by sea was the obvious choice of travellers and merchants. Stavorinus highlights the significance of water transportation in Banten, saying that it was the only option for the journey between Banten and Batavia, because of geo-morphological obstacles on land.

> The communication between these two places [Banten and Batavia] by land, is very difficult, owing to the thick forests, and deep morasses, which lie between them. These obstacles render the road by land, nearly impracticable, at least for Europeans: for this reason, people go by water, making use of the land and sea winds, which seldom fail, and which drive the light Indian vessels or *proas*, called *flyers*, to and fro, along the coast, with surprising celerity. I was told that they sometimes took up no more than four hours in the passage (Stavorinus: 58).

The Ci Banten River and its tributaries, although narrow and shallow, provided transport routes within the capital and its suburbs, and between the inland areas and the coast. From Stavorinus' account, it is obvious that transportation by river worked only when the tide was in.

> The river of Bantam is only about 170 or 180 feet over, at its mouth. It is likewise very shallow, so that at low water, a common ship's boat does not lie afloat in it (Stavorinus 1769: 58)
>
> At high water, and in spring tides, it is from five to seven feet deep, and small Indian vessels can then enter the river (Stavorinus 1769: 59).

Stavorinus' description of water transportation supports the impression which is already formed in the first part of the MS Cod LOr 5598 that boats and vessels were considered important resources in Banten society. Matters to do with buying, selling (*Masalah orang berjual-beli perahu*) and stealing boats or vessels (*Masalah pencuri perahu*) are listed on page forty-nine of the fourth part of the MS., suggesting that boats or vessels were essential items of transport owned by many, if not most, households.

The law of Banten uses the term *parahu* (Jav. = boat) to refer to vessels for water transportation in general. Specifically, the MS classifies water vessels into four types: *jukung* (small boats), *parahu* (barges), *layar* (sailing boats) and *kapal* (ships). The MS suggests that *jukung* was a kind of boat used on the river. *Parahu* could be used on both the river and in the shallows. The people of Banten may have used *parahu* and *layar* for fishing, ferrying people between the coast and several inhabited islands in the bay, or travelling in the bay or the Sunda Strait. Stavorinus witnessed the use of *parahu* barges by the Crown Prince of Banten for recreational purposes on the Bay of Banten.

> That prince was then gone out upon a party of pleasure, to the neighbouring islands, to take the diversion of fishing. We saw him enter the river the next day, with a retinue of twenty-eight small vessels, all decorated with flags and streamers (Stavorinus 1767: 88)

Kapal was a large sailing ship used only at sea. Stavorinus (1769: 57) mentions that no large ship could enter harbour on the coast of Banten because of the shallow sea. They had to be anchored off shore and *parahu* were probably used as lighters to transfer people and goods to the coast.

Although there are only three points of law on boats and vessels stated in the MS, each of them suggests that crimes to do with and conflicts about boats or vessels were common in Banten. The first rule is found on page thirty-five, stating that everybody had to report to the authorities if he or she used another person's boat or vessel.

> Whosoever used another person's boat, no matter if it were a ***jukung*** (small boat) or a big vessel, he must report this to the authorities. Failure to report shall incur a fine of two tenggang of coral rock (Cod LOr 5598 I: 35)[59].

On the second point, the penalty for stealing a vessel was to fine the thief a piece of land large enough to moor twenty boats and the stolen boat must also be returned to the owner (Cod LOr 5598 I: 56)[60]. The third point is a penalty imposed on whoever damaged another person's boat, namely that the same damage would be inflicted on his own boat (Cod LOr 5598 I: 73).[61]

The MS also states that any merchants or travellers who transgressed the customs regulations, by setting sail from Banten without fetching a royal seal issued by the Chief Minister[62] and by smuggling pepper, narcotics and smuggled people from Banten to Lampung, would have their vessels and wives confiscated.[63]

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[59] Barangsiapa berlayar dengan perahu milik orang lain, baik dengan menggunakan **jukung** maupun **kapal,** maka ia harus melapor kepada bumi. Orang yang tidak melapor didenda dua satenggang. (Cod LOr 5598 I: 35)

[60] Barangsiapa mengambil perahu orang lain, dihukum tanah untuk menempatkan duapuluh perahu dan harus mengembalikan perahu yang diambilnya. (Cod LOr 5598 I: 56)

[61] Barangsiapa membuat kerusakan di perahu, maka kerusakannya itu didendakan kepada yang merusak. (Cod LOr 5598 I: 73)

[62] Barangsiapa berdagang ke Timur atau selain Timur harus membawa cap Kangjeng Sultan dan meminta cap itu kepada Pangeran Arya Dipaningrat. Jika diperiksa oleh orang pabean di depan umum, ada orang yang tidak membawa cap Kangjeng Sultan Abu Nasir ia harus dirampas perahunya beserta istrinya oleh bumi. (Cod LOr 5598 I: 17)

[63] Jika ada rakyat kecil yang pulang dari Banten ke Lampung jangan ada yang membawa barang yang dilarang raja atau kumpeni. Adapun macam-macam larangan raja seperti candu, orang gelap, dan jual-beli orang dari Banten di masyarakat tidak membawa cap tanda raja. (Cod LOr 5598 I: 84)

2.4.4 Slaves

Laws on slavery form the largest part of the property laws recorded in MS Cod LOr 5598, supporting the idea that slaves were probably the most important property of the Banten elite. Scott (1606: 142) mentions that slaves constituted the wealth of the Banten elite: *Their wealth lyeth altogether in Slaves, so that if their Slaves be kild, they are beggared.* Scott's account suggests that the significance of slaves never changed from the early seventeenth to the late eighteenth century. This phenomenon was common in South-East Asia, since labour was considered a scarce resource and therefore holding its source could indicate the status and power of the holder (Reid 1988 I: 129).

Slavery flourished in South-East Asia, mainly because of the growth of the monetary economy, stimulated by the boom of maritime commerce. The monetary economy was by no means confined to the centre of each state, but also flourished in rural areas. People became more familiar with money and the accumulation of property: even they themselves could be valued in cash. This economic change increased debt-bondage between the elite and peasants (Chandler 1987: 15).

The MS suggests that in Banten a free man or woman could find themselves in bondage and enslaved for four reasons:

1. Inheriting the bondage from parents
2. Being sold into bondage by parents, husband or oneself
3. Judicial punishment
4. Failure to pay debts or fines

Having compared the law of slavery in this manuscript with cases recorded in the accounts of the Court of Justice (LOr 5625, 5626, 5627, and 5628), it appears that debt-bondage slaves formed the majority of slaves in Banten. War captive slaves are not mentioned in the MS, probably because after the reign of Maulana Muhammad (r. 1585-1596), despite a rivalry with the Kingdom of Mataram, Banten did not wage any war.

The MS names only one serious offence which was to be punished by enslavement on page fifty-five, an ordinary man in Banten who robbed either citizens of Batavia or people from other areas.

Three types of slave are distinguished in the MS. The first type is royal slaves or *abdi dalem* or *wong bumi*. There were slaves who belonged to the Sultan, and probably formed the largest group of slaves in the kingdom. These slaves served in the royal palace, or they were presented to serve in the residences of members of the royal family or of senior court officials. Only female slaves served in the inner court of the Surosowan Palace, in accordance with royal tradition. Slaves who belonged to senior officials formed the second group, and performed both domestic services and military service for their lord. The third type was slaves who belonged to ordinary free men. It appears that the slaves of ordinary free men were normally debt-bondage slaves. The MS does not mention slaves of the VOC, as they did not fall under the Sultan's sovereignty.

The MS indicates that Banten might have been one of the largest markets for the slave trade in South-East Asia since the early seventeenth century. Reid (1988 I: 133) argues that from the sixteenth century onwards Islamisation altered the character of the slave trade in maritime South-East Asia because of the prohibition in the *Shari'a* law of the sale or enslavement of fellow Muslims. South-East Asian Islamic states had therefore to import slaves from non-Muslim areas. After the sixteenth century, Banten had to import slaves from the Moluccas and the Lesser Sunda Islands. In the late eighteenth century, we learn from the MS that the *Shari'a* law had lost the battle to prohibit the enslavement of Muslim subjects within the kingdom, as it was overtaken by the growing rate of debt-bondage.

On page 67 the slavery law in Banten sets out nine physical and general defects of slaves which would lower their value:

> Whosoever bought a slave and later found following defects in that slave: insanity, epilepsy, skin disease, asthma, deafness, oedema, incontinence, that the slave had been stolen or had escaped, he has right to return that slave to the seller or request a discount in price within forty days. If he remarked on the defect on the slave before he decided to buy him, the right to return the slave would be cancelled. (Cod LOr 5598 I:67)

2.4.5 Animals

From the first and fourth sections of the MS Cod LOr 5598, we learn that the inhabitants of Banten raised various kinds of animal for different purposes: horses (*kuda*), water buffaloes (*kebo*), cows (*sapi*) and goats (*wedhus*). The MS suggests that water buffaloes formed the majority of this property on the hoof because they were the draught animals for preparing fields for rice planting. Van Breugel (quoted in Kumar 1997: 275) says that the highlands of Banten had an abundance of buffaloes and that their fat, hides and horns were exported to Batavia by a few individuals to whom the Sultan granted permission to monopolise this kind of trade. The buffaloes mentioned by Van Breugel would have been wild buffaloes, for most of the uplands of Banten were covered in jungle and it was not a place to raise water buffaloes at all.

Water buffaloes, as well as cows, horses and goats, were considered a protected resource of the state. All subjects had right to own them, as long as their ownership was acknowledged by the authorities. If livestock property was traded, the seller had to produce a certificate, witnessed by four free men.

> Whosoever wants to purchase a water buffalo, cow, horse or goat must ask the seller to produce a certificate of sale bearing the signatures of four free men as witnesses. Failure to follow this instruction will cause a confiscation of the purchased animal (Cod LOr 5598 I:59).[64]

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[64] Barangsiapa membeli kerbau atau sapi atau kuda atau kambing disaksikan oleh empat orang laki-laki merdeka, mintalah piagam dari yang menjual, dan empat orang saksi itu ditulis di dalam piagam. Dan barangsiapa tidak memakai saksi empat orang laki-laki, maka kerbau itu akan diambil petugas. (Cod LOr 5598 I: 59)

It appears that water buffaloes in Banten society were mostly used for work in the rice fields, not for their meat. The law also made the slaughter of water buffaloes difficult: a water buffalo could not be slaughtered without a royal permit.

> Whosoever wants to slaughter a water buffalo, has first to apply for royal permission and a seal. Without the royal seal he will be fined ten [...] (Cod LOr 5598 I: 59)[65]

Even the slaughter of a seriously ill buffalo could not be done straight away without any proof or witness being available to confirm this.

> Whosoever wants to slaughter a buffalo, which is seriously ill, speared by somebody or attacked by a tiger, must ask his neighbours to witness and investigate the condition of that buffalo first. The buffalo's hoofs and horns must be presented to the Sultan as a sign of asking for the royal permission. Failing to follow this rule, that person would be prosecuted in the same way with a person who slaughtered a buffalo without asking for the royal seal (Cod LOr 5598 I: 58)[66]

Anybody who slaughtered another person's animal would be required to pay a fine equal to the price of that animal. This rule suggests that the value of goat in Banten was higher than that of either buffaloes or cows, since ten *tenggang* of coral rock had to be paid in addition to the monetary fine.

> Whosoever slaughters buffalo or cow belonging to another person, he will be given a fine equal to the price of that slaughtered animal. If a goat is slaughtered, fine him a sum equal to the price of that goat, and he must deliver ten ***tenggang*** of coral rock. (Cod LOr 5598 I: 58)[67]

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[65] Barangsiapa menyembelih kerbau mintalah cap raja. Jika tidak tidak ber-cap raja dihukum 10….. [...] (Cod LOr 5598 I: 59)

[66] [...] orang yang menyembelih seekor kerbau, selain yang terluka atau terkena tombak oleh orang lain atau diserang oleh macan, maka harus disaksikan oleh para tetangganya dan kuku serta tanduknya harus dipersembahkan kepada raja, karena tidak membawa cap, seperti layaknya orang yang mempunyai hajat tetapi tidak bercap. (Cod LOr 5598 I: 58)

[67] Barangsiapa menyembelih kerbau atau sapi orang lain, maka didenda seharga hewan yang disembelih. Dan jika kambing, didenda seharga kambing itu dan mengambil karang sepuluh tenggang. (Cod LOr 5598 I: 58)

Everybody who owned animals as property had to be careful not to let their animals disturb other people. If any trouble occurred, the owner of the animals had to take responsibility for the damage.

> Anybody who tethers his animal beside the road and later that animal attacks a passer-by, the owner of the animal has to pay a fine in accordance to the injury or physical harm inflicted on the person attacked (Cod LOr 5598 I: 52).[68]

> Anybody herding buffaloes and later the buffaloes damaged other people's crops, the buffaloes will be confiscated and become official property and the owner will have to compensate the damage to the crops. (Cod LOr 5598 I: 60).[69]

A clear exposition of the penalties for stealing buffalo on page sixty suggests that this crime must have been not uncommon in Banten. This is the only example in the MS which states a reward for somebody who helps to recover the buffalo from the thief.

> If there is proof that anybody has recovered a buffalo from the thief, he will be rewarded by the government with half of the fine from the thief (equal to the value of that buffalo) and ten ***tenggang*** of coral rock. The buffalo will be returned to the owner. If there is no proof that he recovered the buffalo from the thief and the thief ran away, the buffalo would be returned to the owner and no reward would be paid (Cod LOr 5598 I: 63).[70]

Supporting evidence from the MS. LOr 5628 or the register of the Banten Court of Justice indicates that animals constituted property which could be inherited. Like other property, the inheritance of animal property had to be witnessed by the Court of Justice. One of the cases registered in the year 1164 AH or AD 1750 has to do with the inheritance of animal property.

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[68] Jika orang mengikat hewan di jalan, atau jika hewan miliknya menyakiti orang yang lewat, maka ia didenda sesuai dengan luka atau cacat yang diderita. Itulah hukuman bagi hewan yang merugian. (Cod LOr 5598 I: 52)

[69] Jika dalam menggembalakan kerbau, lalu kerbau tersebut merusak tanaman orang lain, maka kerbau itu diambil oleh bumi serta pemilik kerbau harus mengganti kerusakan tanaman itu. (Cod LOr 5598 I: 60)

[70] Barangsiapa merebut kerbau dari tangan orang yang mengambilnya dan terbukti dalam pemeriksaan, maka kerbau itu dipulangkan kepada yang punya, dan orang yang mengambilnya didenda senilai harga

1. Matter of Sahid concerning the inheritance of five cows left to him by Nyonya Suwar has been reported to the judge.[71] (Cod LOr 5628 1164 H/1750 AD : 7)

In conclusion, this chapter has attempted to give a perspective on Banten society during the late eighteenth century by looking through the contents of one indigenous source, MS. Cod LOr 5598. This MS is an example of the law-texts produced in Islamic states of South-East Asia. Hooker (1978: 49-50) divides the law-texts of the Islamic world of South-East Asia into three groups: Malacca and Malacca-derived texts in Malaya; the Moro and Sulu texts; and the texts of Sumatra and the islands of the Indonesian Archipelago. MS Cod LOr 5598 falls into the third of Hooker's three categories.

It is unimportant for our purposes whether MS Cod LOr 5598 was an official law-book used for reference in the Court of Justice, or a handbook owned by the Supreme Judge of Banten, in that the code of law it enshrines provides us sources for drawing a picture of a still autonomous kingdom of West Java. Having read this MS with historical awareness and imagination, what we can see is a reproduction of Banten, from an 'indigenous perspective', a perspective which ignored the establishment and authority of the VOC in the kingdom. Banten's social structure classified members of its society into four classes, of which the Sultan held the supreme authority at the summit. Members of the royal family and officials found themselves at the first and second levels. Ordinary subjects and slaves were classified at the third and fourth levels. The MS also indicates details of status, authority, responsibility and the roles allotted to those in each social class. For example, in the classes of princes and officials further classification is made through the systems of hierarchy and precedence, in order to determine their status, responsibilities or roles. Precedence was also imposed on

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kerbau, sedangkan orang yang merebut itu diberi hadiah setengah dari harga kerbau yang berasal dari uang si pengambil kerbau, dan denda dari bumi karang sepuluh tenggang. (Cod LOr 5598 I: 63)

ordinary people in accordance with the distance between the place they resided and the centre of the kingdom. An understanding of the relationship of each social class to another is the most important thing we gain from MS Cod LOr 5598, since this system was the key factor which made Banten still a dynamic state.

The uniqueness of this MS is its capacity to produce a stream of moving pictures of Banten's society in our imagination. It is as if we are being taken back into the late eighteenth century to witness real events. We can see movements of people in all social classes, from the Sultan down to slaves. By collating the data from the MS with historical and archaeological facts, what can build up is a social history of Banten from an indigenous perspective.

[71] 1. Perkara si Sahid tentang peninggalan berupa sapi sebanyak lima ekor kepadanya dari Nyonya Suwar dilaporkan kepada hakim (Cod LOr 5628 1164 H/1750 AD: 7).

Chapter 5

In the world of the Court of Justice

In the previous chapter I used the first and fourth parts of the manuscript Cod LOr 5598 (law-book and case list), to form a microcosm of the Banten society during the late eighteenth century.[1] The law-book suggests that the systems of hierarchy and precedence, as well as the ritual order at the heart of the kingdom helped maintain kingship and the autonomy of the Sultanate under the shadow of the VOC. The law-book also reflects different types of sentences, imposed in order to maintain social order in the kingdom and pertinently contribute to the state treasury. We also learnt from this law-book that the right of an individual to own five basic sorts of property: house, land, slave, boats and cattle, was recognised and guaranteed by law in late-eighteenth-century Banten society. The numbers of slaves owned by people were special signifiers of their social status and wealth.

The aim of this chapter is to examine the records of the Court of Justice (Cod LOr 5625, 5626, 5627 and 5628) to learn about the court itself and the people who were in charge of the jurisdiction. I do not expect to learn much about the relationship between the laws recorded in the law-book and the way they were put into practice, for two reasons. First, the law-book consists of various types of law. It also suggests that there was more than one type of Court of Justice in Banten, namely the *Kadi* court, the *Bumi* court; and the court held by the Sultan himself. Details of laws from the law-book also indicate that most of these laws were enforced in the *Bumi* court, under the authority of *Pangeran Mangkubumi* or Prime Minister. Second, the court records we are discussing represent only the *Kadi* court, which was not in charge of administering all types of justices in the kingdom.

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[1] The Longman Dictionary of Contemporary English (1987: 656) defines 'microcosm' as 'something small and self-contained that represents all the qualities, activities, etc., of something larger'.

What I shall focus on in these records is data at the lower level of Banten society, or the world of the *wong cilik* (Jav. 'little people'). Allowing the court records to tell us the story about cases brought before the *kadi* court will at the same time tell us about late-eighteenth-century Banten society, from the role and responsibilities of the *kadi* down to different aspects of the subjects' daily lives.

The chapter begins with a brief discussion of the court records (MSS Cod LOr 5625, 5626, 5627 and 5628). A discussion of the administration of law and the characteristics of the Court of Justice in Banten forms the second part of the chapter. The last part is an attempt to apply the data in the court records to draw a picture of certain aspects of the way of life of both the elite and the ordinary people.

Part I

1. The manuscripts Cod LOr 5625, 5626, 5627 and 5628

In 1906 Professor C. Snouck Hurgronje presented a collection of Javanese manuscripts from Banten to the library of Leiden University. This collection was later entitled 'Snouck Hurgronje Collection 1906' (Pigeaud 1968 I: 6, 10). The Snouck Hurgronje collection contains fifty-two manuscripts, bearing code numbers Cod LOr 5591 to Cod LOr 5748.

Martin van Bruinessen (1995: 171) also mentions MSS Cod LOr 5625, 5626, 5627 and 5628. He calls these manuscripts 'records of the Court of Justice', and points out that an examination and analysis of these MS might contribute to the knowledge of the social and economic history of Banten during the late eighteenth and early nineteenth century. Guillot agrees with Van Bruinessen, but comments that the damaged state of the MSS and the difficult handwriting will limit the knowledge we might gain from these precious records.

Parts of these four Banten manuscripts are damaged, in particular Cod LOr 5627. The size of each MS. is about 22 x 34 cm. The material is the eighteenth-century Dutch paper, foolscap size. There is a watermark, but it is too obscure to identify. No seals and covers are found on these four manuscripts. The numbers of folios of each MS are unequal: Cod LOr 5625 to Cod LOr 5628 comprise ninety-one, thirty-eight, forty-five and one hundred and forty-two folios respectively. The size of the text on each page covers about 18 x 31 cm, and is divided into around thirty-five lines. All four MSS are written in black ink in *pégon*, namely the Javanese language in Arabic script.

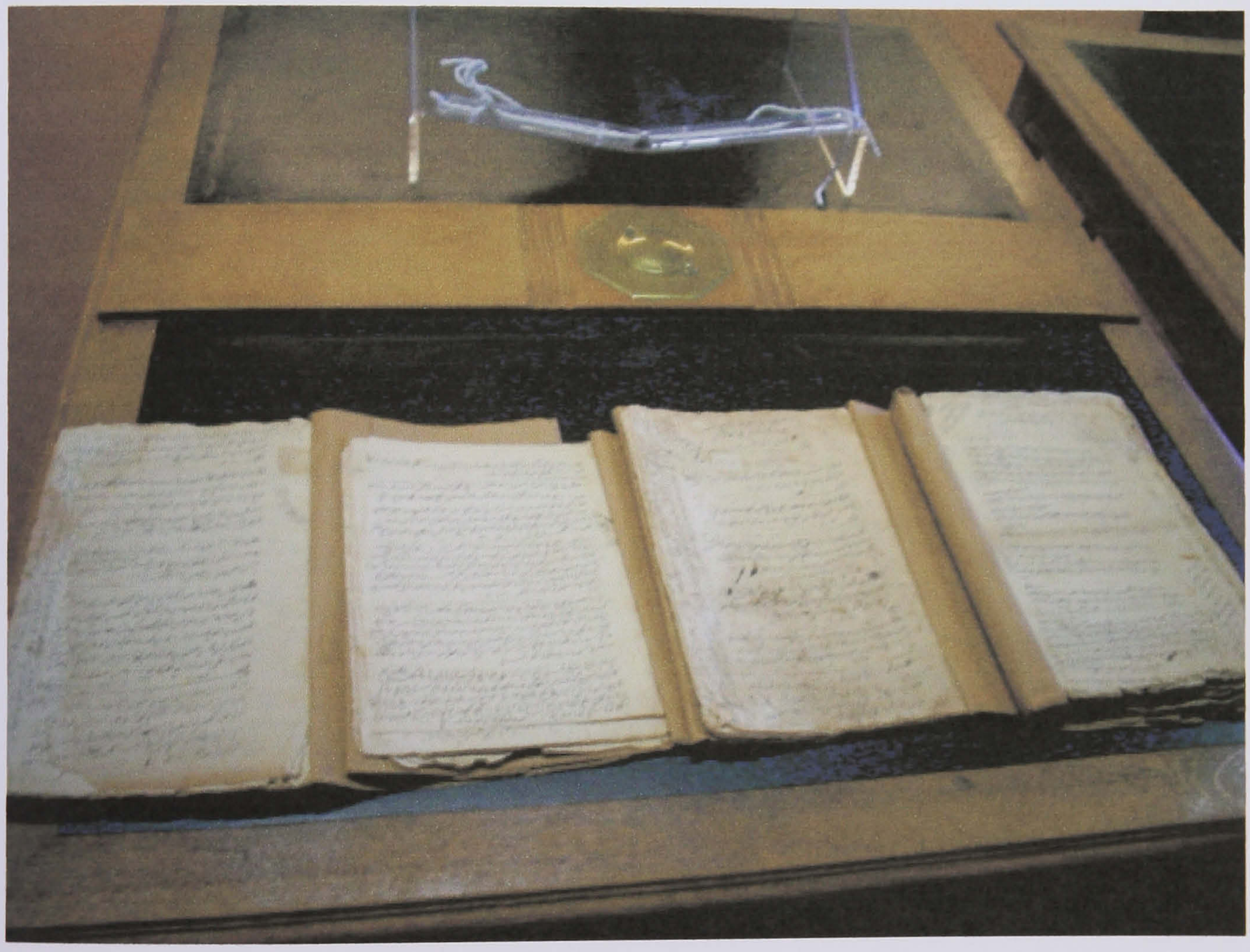


Figure 26: The manuscripts Cod LOr 5625, 5626, 5627 and 5628

Pigeaud (1968 II: 333-4) describes these four manuscripts as a register of cases brought before the Court of Justice. Each entry begins with the Arabic word *alamat*, which may be translated to the term *perkara* in Malay (matter, case). Most of the cases are dated according to the Islamic lunar calendar.

Perkara Asinah membayar hutangnya keluarga sebanyak lima belas reyal kepada Abdul Hamid, pada hari Minggu, tanggal empat Dzulhijah, tahun Ha[2], 1164 Hijriyah.[3] (Cod LOr 5628)

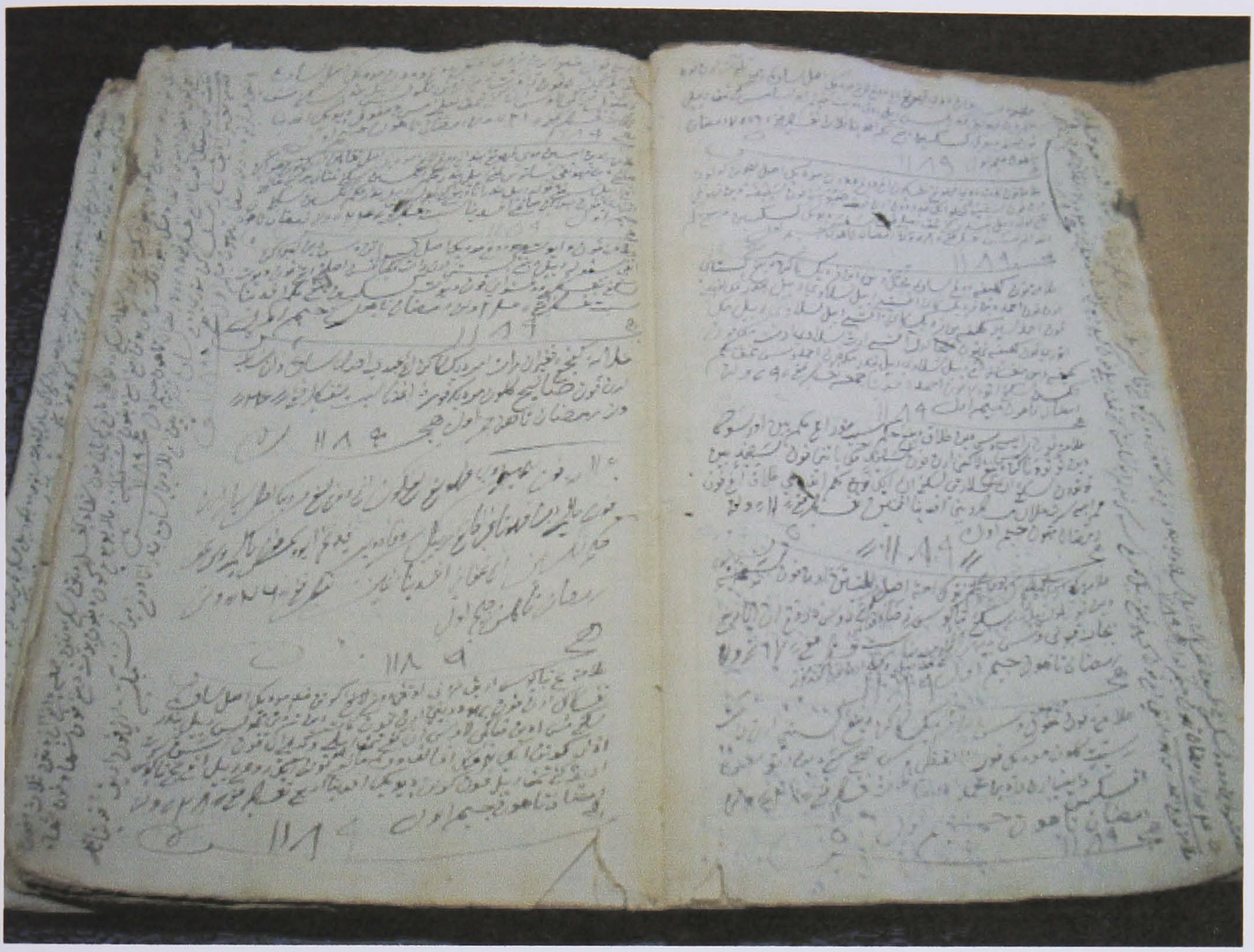


Figure 27: All four MSS are written in black ink in *pégon*,

namely the Javanese language in Arabic script.

The case records in these four manuscripts do not cover all the years in the late eighteenth and early nineteenth century. The first year is 1749, which appears on only one page in Cod LOr 5626. The year 1812 is the last and it appears in Cod LOr 5628. During the period of sixty-three years between these two dates, there are three gaps between years 1751 and 1753 (one year), 1755 and 1774 (seventeen years), and 1781-1810 (twenty-eight years). No records of the years within these three gaps are found.

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[2] The designation Ha refers to the eighth year of the Muslim calendar cycle, in which the years are named after eight letters of the Arabic alphabet (for further details see Matheson and Andaya 1982 pp. 311 footnote 2.).

[3] *Case of Asinah pays back the debt of her family amounting to fifteen Reals to Abdul Hamid, on Sunday the fourth of the month of Dzulhijah, Ha year, 1164* (Sunday 24th October 1751).

The total number of years covered by the four MSS is sixteen. To make this explanation easier, a table has been drawn up to show the years recorded in each manuscript.

Table 10: Years recorded in the MSs Cod LOr 5625, 5626, 5627 and 5628

Cod LOr 5625	Cod LOr 5626	Cod LOr 5627	Cod LOr 5628
1775 1776 1777	1749	1753 1754 1755 1778 1779 1780	1750 1751 1774 1775 1777 1778 1810 1811 1812

In the table, the records of the years between 1749 and 1812 are mixed up among the four manuscripts, instead of being registered in a chronological order. A possible explanation is that these records of the Court of Justice were originally not bound separately in four books as they are now. All the case registers might originally have been bound together in one or more large volumes which might have been taken apart. The surviving folios might have later been carelessly rebound into four volumes, and later given different codes by the Leiden University library.

Supporting evidence for my assumption can be seen in Cod LOr 5626. In this MS only one page is a case register of 1749, while the other folios contain other different texts not belonging to the register. Pigeaud (334) states that the different texts are prayers and charters granted by the Chief Minister (*bumi*).



Figure 28: In MS Cod LOr 5626 only one page is a case register of 1749,

while the other folios contain other different texts not belonging to the register.

The use of foolscap folios and the careless handwriting used to record the cases suggests that the MSS Cod LOr 5625 to 5628 may have been parts of register books originally kept in court. One or more officials may have been appointed to register the cases brought before the Court of Justice like a modern court reporter and to keep the old records as archives. Compared to these four MSS, the law-book in MS Cod LOr 5598 is written on a better quality paper and the handwriting is much finer. I conclude that this law-book was complied as a reference handbook in a private collection, and the four manuscripts were for routine use in court.

2. The Administration of Law in Banten

This section attempts to use the contents of the law-book contained in the MS. Cod LOr 5598 and the four records of the Court of Justice to reconstruct a picture of the

administration of law and justice in Banten during the late eighteenth and early nineteenth century. The contents of a couple of European accounts concerning Banten will also be used as supporting evidence. The idea I shall propose here is that Banten, as an Islamic state, had become acquainted with the *Shari'a* as a source of law for the state. The *Shari'a* influenced certain aspects of the lives of the people of Banten, but did not play a major role in the administration of law and justice of the kingdom. Certain parts of Islamic law will be discussed in this chapter to help identify certain regulations in the law-book which derive from the *Shari'a*, and to show that the *Shari'a* was implemented in Banten. However, the discussion of these Islamic laws will not go into detail, because it is not the aim of this chapter to analyse Islamic law in Banten.

In our discussion of the system of justice in Banten the same groups of Javanese manuscripts and European accounts provide us with data about three different types of court in Banten. We will also be able to conclude to which type of court the case records belong.

2.1 The presence of the Shari'a in Banten

The enforcement of the *Shari'a* law is an important index of the explicit role of Islam in a sovereign state. The principles of the *Shari'a* originate from the *Qu'ran*, which is the basis of Islam.

> The *Shari'a* contains the rules by which Muslim society (or societies) is organised, and it provides the means to resolve conflicts between individuals and between the individual and the state. As such one of the acknowledged goals of the *Shari'a* is to combat crime through faith and religious observance, and through the various proscriptions and modalities for the establishment of a just criminal justice system (Bassiouni 1982: xii).

However, the *Shari'a* is not the sole law enforced in Islamic states. Coulson (1964: 12-3) states that the source of law in Islamic states in West Asia, despite the all-embracing character of the *Shari'a*, was amplified, subsuming traditional law and the

sultans' legislation. The *Shari'a* law might have been culturally inappropriate in terms of the quantity of strict rules concerning an individual's behaviour towards his neighbour or society.[4] If the process of maintaining order in a society could not rely only on the Qur'anic or *Shari'a* law, the political authority would impose strict, more practical rules than those of the holy law to enforce the pursuit of justice in the state.

In the previous chapter I discussed the fact that laws used in the Sultanate of Banten derived from different origins: the *Shari'a* law, *adat* or customary regulations, the laws of the former Hindu-Buddhist kingdoms in Java and the royal decrees (*Perintah Raja*).[5] The law-book (MS Cod LOr 5598) does not indicate any high degree of application of Islamic law in Banten. Only in certain specific situations or in the case of particular types of offences could punishment according to the *Shari'a* be applied. The boot was really on the other foot, the royal decrees (*Perintah Raja*) and the customary regulations (*adat*) dominated the enforcement of laws concerning rituals and social order in the palace and capital, as well as the protection of individual property during the late eighteenth century.

When the *Shari'a* law was first introduced into Banten is stated nowhere, even in the *Sejarah Banten*. The founder of Banten, Sunan Gunung Jati, his son, Hassanudin (r. 1527-1570) who became the first ruler of Banten and their followers who helped establish a new kingdom were probably familiar with the *Shari'a* through their study of the *Qur'an*. The *Sejarah Banten* states that Sunan Gunung Jati and Hassanudin had spent some time in Arabia as pilgrims and pursuing their studies of Islam further[6] (Pudjiastuti

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[4] Coulson (1994: 12) argues that the Shari'a law was predominantly ethical in quality, the quantity of strict rules governing an individual's actions towards his neighbour or society. Coulson explains that the Qur'an possesses some six hundred verses on legislation, but the majority of the verses are concerned with the religious duties and ritual practice of prayer, fasting and pilgrimage.

[5] Martin van Bruinessen (1995: 170) expresses the view that laws in Banten originated from the *Shari'a*, the *adat*, and the royal decrees. Van Bruinessen might not believe that the laws of the former Hindu-Buddhist states also formed an origin of laws in Banten, or he might include these as a part of the *adat*. Having examined the laws of the Majapahit period, I found it more appropriate to mention the laws of the former Hindu-Buddhist states as one of the origins of laws in Banten in this thesis.

[6] *After they performed the Haj, now they lost no time in visiting Nabi Khidir. Maulana Hassanudin was ordered to greet him. Now both father and son went to Medina to visit the Prophet's tomb. After that*

1991: 344-45). However, nothing confirms that the founder of Banten imposed the *Shari'a* law at the same time he advised his son to establish the new capital city of a Muslim state. The *Sejarah Banten* states that Sunan Gunung Jati and Hassanudin had to spend about seven years converting the Hindu ascetics and people in the Banten area to Islam, before they asked for military support from the Sultan of Demak to help eradicate the sovereignty of the Hindu Pajajaran kingdom over the area in 1527. To establish the stability of a newly established kingdom like Banten at the beginning of the sixteenth century might have taken longer than the forty-three years of Hassanudin's reign (1527-1570). The adoption of the title *Maulana* (Arabic *Mawlana* = my Cod LOr d, title for a religious scholar) by the first three sovereigns of Banten, Hassanudin, Yusuf (r. 1570-1580) and Mohammad (r. 1580-1596) suggests their dual roles as political rulers and Islamic scholars, or spiritual leaders, who promoted Islam among their subjects. This being so, it is a reasonable assumption that the *Shari'a* was recognised in Banten through a process of Islamic education.

Van Bruinessen (1995: 173-4) assumes that Islamic education in Banten was not introduced immediately in the first year of the Sultanate. The *Sejarah Banten* suggests that Maulana Hassanudin spent most of his reign stabilising the kingdom and expanding into territory. This necessity may have been the reason why there is no evidence of a great contribution by the state to Islamic education during Hassanudin's reign.[7] In the reign of the second sovereign, Maulana Yusuf (r.1570-1580), the *Sejarah Banten* describes his character as that of a pious Islamic scholar. The construction of the *Masjid Agung* or the Grand Mosque of Banten in his reign suggests that the sovereign paid great attention to the completion of Banten as an Islamic capital (Djajadiningrat 1983: 161).

Maulana Hassanudin spent time being instructed in Sufism. (Sesudah sempurna hajinya sekarang segera mengunjungi Nabi Khidir. Maolana pun sudah disuruh memberi salam, sekarang keduanya pergi ke Madinah mengunjungi rasul, demikianlah ia lalu diajarkan ilmu sufi) (Pudjiastuti 1991: 345)

[7] The Sejarah Banten even suggests that Hassanudin had paid special attention to the introduction of Islamic mysticism to the former Hindu ascetics in the mountainous area of Banten. He might have

Numbers of copies of the *Qur'an* and other Islamic texts which are still visible beside Maulana Yusuf's tomb indicate that this ruler may be remembered for having contributed to religious learning (Guillot 1990: 24). In the reign of the third sovereign, Maulana Muhammad (r. 1580-1596), the *Sejarah Banten* states that Islamic education was promoted at the centre of the kingdom. Muhammad was put on throne while still a child by the *kadi*, who at that time was the most powerful official at the royal court. His childhood education was based on Islam, indubitably through the intervention of the *kadi*. The reign of the child king under the protectorate of the *kadi* saw the systematisation of the learning of the *Qur'an* in the capital city. The establishment of the Masjid Kasunyatan as a place for a religious library and religious school by Muhammad's religious teacher can be considered one of the most significant promotions of religious teaching in Banten.

The recruitment of Islamic scholars (*ulama*) from India and the Middle East to be judges in the court (*kadi*), religious teachers or advisers to the rulers and the subjects from the late sixteenth century possibly reflected a move towards imposing the *Shari'a* law officially in Banten. European accounts and the indigenous manuscripts mention that in the eighteenth century the *Shari'a* law was enforced in Banten but only in certain cases. The law-book part of the MS. Cod LOr 5598, although in a damaged condition, provides good evidence of the application of the *Shari'a* along with other laws. The remaining text on the torn page eighty-six of the law-book states specific cases which would have been judged with *perintah syara'* or the *Shari'a* law.

> This is a chapter regarding the Sultan's issuing of laws based on the *Shari'a*. The *Shari'a* shall be enforced for any immoral actions, such as ***mubasyarah*** or an attempt to match any low class man with a single woman indecently, stealing money which is not yet legitimised, or accusing someone of engaging in illicit sex without any proof. Apart from that, there is beating other people without appropriate reason,

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intended to allow the way of Islamic mysticism to replace the way of Hindu *tapa* or the practice of an ascetic.

> lying, or any other similar immoral action, depending on whether they are against ***haqqullah***[8] or ***haq adam***[9] [...] (Cod LOr 5598: 86)[10]

This text suggests that offences against morality or prohibitions stated in the *Qur'an* were punished by recourse to the *Perintah Syara'* or the *Shari'a*. Any actions forbidden or condemned by the *Qu'ran* are against the *haqqullah* or the right of God and these are categorised in the *Shari'a* as *hudud* crimes. These offences are apostasy (*ridda*) or the rejection of Islam by word, deed or omission; transgression (*baghi*) or rising against the legitimate leader by use of force or armed rebellion; adultery and fornication (*zina*); false accusation of illicit sex (*kadhf*); drinking intoxicants and alcohol (*shorh al-khamr*); theft; and highway robbery (*haraba*) (Bassiouni 1979: 197-9). The Encyclopaedia of Islam (1971 III: 20) states the punishments for *hudud* offences as follows: death penalty for apostasy[11]; stoning to death for fornication committed by married persons[12]; execution by crucifiction or sword for highway robbery involving homicide[13]; amputation of hands for robbery not involving homicide and theft[14]; and flogging with various numbers of lashes. A hundred lashes were imposed on illicit intercourse by

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[8] *Haqqullah*, literally means 'The right of God' (Hughes 1935: 163). It is the retributive chastisement which it is the duty of a magistrate to impose for crime and offences against morality and religion. In theory, it means Worship Acts or regulations on prayers (*namaz*), fasting (*siyam*), pilgrimage (*haj*), *Zakats*, *Khums*, the Holy War (*Jahad*), etc. (Shaikh Abbas bin Mohammad 1998: 175).

[9] *Haq Adam* or *hakk al-adami* is defined by the Encyclopaedia of Islam (1971 III H-IRAM: 82) as "the civil right or claim of a human".

[10] *Ini bab raja mengeluarkan aturan berdasarkan perintah syara' atas semua tindakan maksiat dari yang didahulukan (diurus), yaitu mubasyarah atau mempertemukan kuli dengan perempuan yang sendirian tidak dengan kesopanan dan mencuri uang yang belum diputuskan sahnya dan menuduh berzina tetapi tidak terbukti, atau lain dari itu, seperti memukul orang lain tanpa alasan yang dibenarkan, berbohong, dan tindakan maksiat yang lain yang sejenis, tergantung maksiat itu terhadap haqqullah atau haq Adam, maka jenis aturan* [...] (Cod LOr 5598: 86)

[11] *And whoever of you turns from his religion and dies disbelieving, their works have failed in this world and the next. Those are the inhabitants of fire: therein they shall dwell forever* (Sura al-Ma'edaV: 35)

[12] *As for a man and a woman guilty of adultery, flog them with 100 stripes and stone them* (Sura An-Nur: 2)

[13] *The punishment of those who wage war against God and his Apostle, and strive with might and main for mischief through the land, is execution, or crucifixion, or the cutting off of hands and feet from opposite sides or exile from the land* (Sura Al-Ma'eda V: 33).

[14] *As to the thief, male or female, cut off his or her hands, a punishment by way of example, from God for their crime* (Sura Al Ma'eda V: 38).

unmarried persons[15], while eighty lashes were the punishment for false accusation of adultery[16]. The *hadith* states that in the Prophet's day the punishment for drinking an intoxicant or alcohol was whipping (Bassiouni 1979: 200).

The *Qur'an* considers the *hudud* a right or a claim of God (*hakk Allah* or *haqqullah*). No man has the right to add, alter or reduce the punishment after the act has been judged as *hudud*. Humans are only commanded to execute and implement the sentence fully (Bassiouni 1979: 195). This means that a pardon or an amicable settlement is impossible once the case has been brought before the court; the *kadi* or magistrate has to impose the retributive chastisement as laid down in the *Qur'an*. In practice, however, the *hudud* is not devoid of flexibility, indeed this was the case even during the time of the Prophet. In a tradition attributed to the Prophet, a strong tendency to restrict the applicability of the *hudud* as much as possible appears. Only the prosecution for false accusation of fornication (*kadhf*) cannot be negotiated (The Encyclopaedia of Islam 1971 III: 20).

The imposition of the *hudud* sentences in Banten is stated on page eighty-eight of the law-book:

> [...] that is included as one of the sinful acts that must be sentenced according to the ***hadd*** law. Therefore it has been ruled out that ***wathi*** [actions showing adultery] which is forbidden by ***hadd*** and considered adultery. In the case of accusing and abusing other people of committing adultery, ***kurang dari hadnya*** [the punishment is less than that for the one who commits adultery]; to offer or to serve alcoholic drinks and all of those fall into the same kind of category, the punishment is less than that for the one who drinks alcohol; those who drink ***sajeng***, a kind of arrack, and who incite stealing, the punishment is less than that for the one who commits adultery. For all these actions, therefore, the punishment for a freeman will be based upon the ***hadd***, and that for slaves will be based upon ***hadd*** too. As for the second part, all the ***maksiat*** [sexually immoral acts] are punished equally; there is no

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[15] *The woman and the man guilty of illegal sexual intercourse, flog each of them with a hundred stripes. Let no pity withhold you in their case, in a punishment prescribed by Allah, if you believe in Allah and the Last Day. And let a party of the believers witness their punishment* (Sura An-Nur: 2).

[16] *And those who launch against a chaste woman, and produce not four witnesses to support their allegations, flog them with 80 stripes and reject their evidence even after, for such men are wicked transgressors* (Sura Al-Baqara II: 219).

> punishment added on top of the 100 lashes, due to the ***Hadith*** [the Prophet's words] ***Rasulullah saw*** [The Prophet of Allah, peace be upon him] (Cod LOr 5598: 88).[17]

The law-book suggests that not all the penalties listed in the *hudud* were imposed in Banten. Adultery (*zina*) was judged strictly as a *hudud* crime, while anybody who failed to report this offence was fined 200 *Reals*.

> [...] adultery (***zina***) case. If there is adultery between a slave and a free man (woman) and one of them was killed, or adultery between two free persons in the society, and the one who witnesses it does not report to the authorities, he (she) will be fined two hundred *Reals* (Cod LOr 5598: 38).[18]

The cutting off the hand of any thief who stole property in the *pabean* or customs house is another example of the imposition of the *hudud*.

> [...] must be arrested and put in custody at the customs house (***pabean***), or if he steals any property from the customs house with a value (***nisab***) of more than one *Real*, his hand must be cut off (Cod LOr 5598: 20).[19]

Pertinently, it appears that some of the *hudud* crimes were not punished with the penalties stated in the *Shari'a*. A false accusation of adultery (*kadhf*) was punished by fines of 15 to 30 *Reals*, instead of eighty lashes.

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[17] ...itu dengan barang yang termasuk dariperbuatan dosa yang diwajibkan oleh had (ketetapan atau peraturan?). Maka diundang-undangkan dalam wathi yang diharamkan yang diwajibkan dalam had dan dimuqadamahnya zina. Dan dalam menyakiti dan memaki-maki dengan alasan zina kurang dari had-nya, menuduh zina, dan menyebarkan minuman dan meminum semua yang sejenis minuman keras kurang dari had, orang meminum sajeng (khamr, sejenis alcohol), dan muqadamah dari pencurian, kurang dari had berzina, dan atas perbuatan itu maka hukuman bagi orang yang merdeka dihutung berdasarkan had-nya, sedangkan bagi hamba dihitung berdasarkan had pula. Dan bentuk yang kedua, bahwa sesungguhnya semua maksiyat itu sama dan tidak ditambahkan hukumnya atas 10 pukulan, karena hadits...Rasulullah saw.

[18] ...masalah zina. Dan jika ada hamba berzina dengan orang merdeka dan salah satu dari keduanya dibunuh dengan orang merdeka dalam masyarakat tidak melapor ke bumi, maka ia didenda 200 reyal oleh bumi.

[19] ...itu harus ditangkap dan diamankan di pabean atau jika mencuri milik pabean yang melebihi nisab senilai 1 reyal, harus dipotong tangannya.

> [...] adultery in society, if not found to be real adultery upon investigation, the accuser will be fined fifteen *Reals*, and thirty *Reals* for the accusation in the city (Cod LOr 5598: 96).[20]

Highway robbery (*haraba*) was not punished by crucifiction or execution by the sword but by confiscation of property and subsequently sending the offender into exile, or enslaving him.

> And any subject of Surosowan who robs any subjects of Batavia (***Jaketra***) or people from other areas: If the robber is a prince (***nayaka***), official (***punggawa***) or courtier (***abdi dalam***) send him into exile in Lampung and all his property and slaves will be confiscated. If the robber is an ordinary man, he will be enslaved (Cod LOr 5598: 55).[21]

Apart from the *hudud*, the law-book also mentions the application of the *qisas* criminal law ordaining the sentences for five acts of inflicting physical harm: murder, voluntary or intentional killing or manslaughter, involuntary killing, intentional physical injury or maiming, and unintentional physical injury or maiming (Bassiouni 1982: 203).

> Whosoever murders a slave of other people in the society, if he who murdered is a freeman, fine him equal to the value [***nilai***] of a fine for murdering one freeman and the fine shall be handed over to the slave-owner. If the murderer is a slave, he must be sentenced under the ***qisas*** law. If a freeman murders a freeman, fine the murderer 200 *Real*, and the fine shall be handed over to the heir of the victim, depending on whether the heir gives consent to fine the murderer or not. If the heir does not give consent, the murderer shall be punished by the ***qisas*** law (Cod LOr 5598: 97)[22].

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[20] ...berzina dalam masyakarat, tidak terbukti penzinahannya dalam pemeriksaan hokum, maka orang yang menuduhnya berzina itu dihukum sebesar 15 reyal, jika orang dalam kota 30 reyal.

[21] Barangsiapa membunuh hamba orang lain dalam masyarakat, jika yang membunuh itu orang merdeka, maka dendanya disamakan dengan nilai orang merdeka dan diserahkan kepada pemiliknya. Jika yang membunuh itu adalah seorang hamba pula, maka didenda 200 reyal dan diberikan kepada ahli warisnya jika direlakan, tetapi jika ahli warisnya tidak merelakan kematian itu, maka orang itu, maka orang itu dihukum dengan qishas pula.

[22] Barangsiapa membunuh hamba orang lain dalam masyarakat, jika yang membunuh itu orang merdeka, maka dendanya disamakan dengan nilai orang merdeka dan diserahkan kepada pemiliknya. *Jika yang membunuh itu adalah seorang hamba pula, maka dikenakan hukum* ***qishas****. Jika orang merdeka membunuh orang yang merdeka pula, maka didenda 200 reyal dan diberikan kepada ahli warisnya jika direlakan, tetapi jika ahli warisnya tidak merelakan kematian itu, maka orang itu dihukum dengan* ***qishas*** *pula* (Cod LOr 5598: 97).

The account of De Rovere van Breugel suggests that European visitors during the late eighteenth century remarked upon the application of the *quesas* criminal law in Banten. Breugel describes the law in Banten as 'Blood was repaid with blood', which is actually a principle of the *qisas* sentence[23].

The meaning of the term *qisas* is 'equality', 'equivalence' or 'analogy', so it suggests that the offender shall be punished by retaliation or *in the same way and by the same means that he used to harm another person* (Bassiouni 1982: 203). The principle of the *qisas* sentence is stated in the *Qu'ran*:

> O ye who believe! Retaliation is prescribed for you in the matter of the murdered. The freeman for the freeman, and the slave for the slave, and the female for the female. And for him who is forgiven somewhat by his [injured] brother, prosecution according to usage, and payment unto him in kindness. This is an alleviation and a mercy from your Cod LOr d. He who transgresseth after this will have a painful doom (*Surat al-Baqara*, II: 178).

Bassiouni points out that the aim of the retaliation is to satisfy the vindictiveness of the victim or his family. The *Qu'ran*, however, does not appreciate any punishment by retaliation but extols forgiveness. The *Qu'ran* praises all those who forgive and states that they will be rewarded in heaven which is considered one of the greatest rewards for all Muslims.

> It was by the mercy of Allah that thou wast lenient with them (O Muhammad), for if thou hadst been stern and fierce of heart they would have dispersed from round about time. So pardon them and ask forgiveness for them and consult with them upon the conduct of affairs, and when thou are resolved, then put thy trust in Allah. Lo! Allah loveth those who put their trust (in Him) (Surat al-Omran (or al-Imran) III:159).

The preference for forgiveness indicates the bond of continuity between the temporal law and religion. Forgiveness introduces an alternative penalty in the *qisas* law called *diyya* or tne rule of compensation. The *diyya* money is paid by the offender or his family

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[23] This principle of the *qisas* suggests that Islam carries on the Judaeo-Christian tradition concerning the law of an eye for an eye and a tooth for a tooth. In the *Qu'ran* (*Surat al-Maeda* V:45) it is stated: *And we prescribed for them therein: The life for the life, and the eye for the eye, and the nose for the nose, and the ear for the ear, and the tooth for the tooth, and for wounds retaliation.*

to the forgiving victim or his family[24]. However, the *Qu'ran* states that the *diyya* money is not necessarily paid directly to the victim or his family, but through the state (Bassiouni 1981: 206). In certain cases, the state may play a role as a substitute for a victim or his family in order to secure the payment of the *diyya* money from the offender or his family, and thereafter to provide the victim or his family with the necessary compensation. If the state is certain that it will be able to satisfy the needs of the victim or his family, it has the authority to demand the offender or his family pay the *diyya* money as a fine (Bassiouni 1981: 207). This situation with the *diyya* money enables the state to gain revenue from the conflicts among its subjects.

Penalties for assaulting or maiming, stated in the law-book part of Cod LOr 5598, suggest that the government of Banten may have made a profit from exercising its authority according to the *Shari'a*, in this instance by collecting the *diyya* money on behalf of the victim or his family. In this case, the *diyya* was collected in the form of a fine, of which the state fixed the rate at two hundred *Reals* for murder. The state would forward this amount of money to the freeman's family or to the slave-owner, depending on the status of the victim. If a slave was murdered, the offender would be fined two hundred *Reals*, together with another amount of money equal to the value of that slave. If the offender murdered more than one slave, the fine would increase in accordance to the number of the slaves murdered. The fine exceeding 200 *Reals* would go to the state and the rest of the money belonged to the slave-owner (Cod LOr 5598: 39)[25].

The event of any assault or maiming taking place under the public gaze, the law-book suggests that the offender also had to pay the *diyya* to the state in form of a fine. If a

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[24] For details of Quesas and Diyya penalties, see Bassiouni 1982: 208-9.

[25] *Whosoever murders a freeman or a slave in public and fails to surrender to the state, will be fined 200 Reals, no matter whether the victim is a man or a woman. If the victim is a freeman, give the money to his family. If the victim is a slave, the fine will be forwarded to the slave-owner, together with the amount of money equal to the value of that slave. If anybody murders many slaves, the amount of the fine is*

woman hit a man in public and that man did not retaliate, she would be arrested and fined twenty *Reals* (Cod LOr 5598: 8). Two women who hit each other in public were fined four *Reals*, while five *Reals* fine was exacted from a woman who hit a child (Cod LOr 5598: 50). The fine rate for any assault or maiming in the Lampung territory was different from that imposed in the capital city. A fine for hitting a freeman was eight *Reals* and the half of this for hitting a slave. In the case of maiming, the fine rate would depend on the condition of wounds (Cod LOr 5598: 93). It is not mentioned in any of these rules that the fine would be forwarded to the victims in the form of *diyya* money. The state may have taken all fines to fill its revenue chests.

The law-book part of the MS Cod LOr 5598 reveals the imposition of the *hudud* and *qisas* criminal laws. The application of other Islamic laws can be seen in the four records of the Court of Justice. The first group to be mentioned contains marriage and divorce laws. The court register indicates that the marriages of Muslim subjects in Banten were conducted according to the *Shari'a*. This is because Islam considers marriage to be one of the most virtuous and approved institutions serving the will of God:

> And among his signs in this, that He creates for you mates from among yourselves, that you may dwell in tranquillity with them, and He has put love and mercy between your hearts. Undoubtedly in these are signs for those who reflect (Sura Ar-Rum : 21).

Islam also considers marriage a contract, not only between a man and a woman but also between two families. A woman could not marry without the consent of her *wali* (Arabic = guardian) who held the *wilaya* (Arabic = guardianship) on her life. Granting this consent is considered one of the elements of the marriage contract in Islam. The legal guardian in the marriage contract is her father. If her father has already passed away the consent could come from her *wali hakim*: her grandfather or brother or an

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according to numbers of slaves murdered. A fine exceeding 200 Real would go to the state, after the slave-owner has been paid (Cod LOr 5598: 39).

executor of her father's will concerning her marriage. Should there be no such male relative, the town governor can also act as her *wali*. A slave-owner is allowed to be *wali* in the marriage of his female slave. Apart from the consent from the *wali*, a Muslim marriage is not complete without the recitation of the *Shahid* (Arabic) or the presence of two witnesses.

The legal wedding must be solemnised by an appointed marriage official called *penghulu*. Below are examples of the wedding records in accordance with Muslim marriage law:

> Report from Sapikah who requested the court to wed her to Juragan Wangsa, one month after marriage she was pregnant, and later after nine months she gave birth to a child (Cod LOr . 5628 1165H/ AD1751: 1)[26]

This case probably indicates the late registration of a marriage. The court registered the marriage of a woman called Sapikah nearly a year after her wedding, therefore her pregnancy and the time she gave birth to her child are mentioned. The text suggests that Sapikah had requested the court to marry her off to her boss (*juragan*) called Wangsa. Although the names of the *wali* and *penghulu* are not stated, the register confirms that Sapikah's marriage was arranged in accordance with Islamic law. A possible explanation is the court official failed to register Sapikah's marriage on her wedding day, necessitating this late registration.

> Matter in which Penghulu Abdul Karim of the Ciasahan village witnessed the wedding of Nusiyah and Aim, with Jamaludin acting as the bride's ***wali*** and the one who married off the groom was Abdul Latif, on Sunday, 27 Rabi'ulawal, Dal year, 1191 H. [Monday 5 May 1777] (Cod LOr . 5625 1191 H/1777: 20)[27]

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[26] Laporan si Sapikah kepada hakim, untuk dinikahkan dengan Jurangan Wangsa, sebulan setelah menikah hamil, kemudian melahirkan setelah 9 bulan.

[27] Perkara Pengulu Abdul Karim di Ciasahan menyaksikan pernikahan si Nusiyah dan si Aim dengan wali si Jamaludin dan yang mengawinkannya adalah si Abdul Latif, pada hari Minggu, 27 Rabi'ulawal, tahun Dal, 1191 Hijriyah.

This registration of the marriage between Nusiyah and Aim of Ciasahan village provides complete details of the people who were responsible for the wedding according to the *Shari'a*. A man called Jamaludin, probably Nusiyah's father, was her *wali*. Another man called Abdul Latif, probably Aim's father, was the one who married him off to Nusiyah. The wedding was conducted and witnessed by a *penghulu* called Abdul Karim.

> Matter in which Penghulu Sudin from Gunung Mangkok village married off his son to his brother's daughter on Monday, 30 Muharam, Ba year, 1224 H. [Friday 17 March 1809] (Cod LOr . 5628 1224 H/1810 : 3)[28]

This case is an example of a marriage within a family, with two first cousins marrying each other. Marriage between cousins is not prohibited by Islam. The *Qur'an* states which types of woman are prohibited marriage partners:

> And marry not those women whom your fathers married, except what has already happened (of that nature) in the past. Lo! It was ever lewdness and abomination, and an evil way. Forbidden unto you are your mothers and your daughters, and your sisters and your father's sisters and your mother's sisters, and your brother's daughters and your sister's daughters, and your foster-mothers and your foster-sisters, and your mother-in-law and your step-daughters who are under your protection (born) of your women unto whom you have gone into -- but if you have not gone into them, then it is no sin for you (to marry their daughters) -- and the wives of your sons from your own loins, and that you should have two sisters together, except what has already happened (of that nature) in the past. Allah is ever-Forgiving, Merciful (Sura An-Nisa: 22-24).

According to the *Qur'an*, it is an essential part of the marriage for the bridegroom to give the bride a brideprice (*mahr*), which may be of any value agreed upon. The brideprice in Islam is considered a gift from the bridegroom to the bride and it becomes her exclusive property.

> On Saturday, 18 Safar month, Wau year, 1169 H, the judge, with the Kyai Pakih, married off Kasiyah to Jangkur from Koja, with the bride

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[28] Perkara Pengulu Sudin, asal Gunung Bongkok menikahkan anaknya dengan anak adiknya setelah salat Jumat, pada hari Senin, 30 Muharam, tahun Ba, 1224 Hijriyah.

price (*mas kawin*) of twenty *Reals* (Cod LOr . 5627 1167 + 1168 H/ 1753 + 1754 A.D. : 3)[29]

In the *Hadith* the Prophet says *Of all the permitted things divorce is the most* abominable to God and *Marry and do not divorce, undoubtedly the throne of the beneficent Lord shakes due to divorce,* which means that Islam condemns divorce as an undesirable family matter. Although it condemns it, Islam still permits divorce if problems between husband and wife are serious:

> If they disagree and must part, Allah (God) will provide abundance for all from His all-reaching bounty. For Allah is He who cares for all and is wise (Sura *An-Nisa*: 130).

The general grounds for divorce in the *Qu'ran* are the hopeless failure of either husband or wife to perform their marital duties and to consort with each other in kindness, peace and compassion. According to the *Qu'ran*, the long absence of a husband without any information, long imprisonment and refusal to provide his wife with any support are some of the grounds on which wife can ask for a divorce. Either party may take steps to divorce in the case of serious disease, insanity, deceptive misrepresentation during the drawing up of the marriage contract, desertion and so forth.

A Muslim male is allowed three chances, that is to say, three pronouncements or acts of divorce (*talaq*) on three different occasions provided that each divorce is pronounced during the time when the wife is in the period of parity (that is, not in her menstrual time). A husband may divorce his wife once and let the *Iddat* (the period of waiting after divorce) pass. During the waiting period the two have the option of being reconciled. If, however, the waiting period passes without a reconciliation, they are fully divorced.

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[29] Pada hari Sabtu, 18 Safar, tahun Wau, 1169 Hijriyah, anak Mas Nasir (hakim) menikahkan, dengan

If after the first divorce the husband is reconciled with his wife but the hostility and conflict begin all over again, he may divorce her a second time in the same manner as stated above. In this case he can also return to her during the *Iddat* period. If, however, after a second reconciliation, he divorces the wife for a third time, he cannot take back the wife during the *Iddat*. She is totally out of bounds to him. The lady thereafter can marry any person she likes.

A wife can divorce her husband if this condition is stipulated in the marriage contract. This kind of divorce is called 'delegated divorce' (*Talaq Taffiz*). A marriage can also be dissolved by mutual consent. This is called *Khula*. Marriage can also be dissolved by judicial process through the court if the wife lodges a complaint on any of the grounds stated above.

The court records indicate that the *Shari'a* law determined the process of divorce in Banten. Divorce is one of the matters which appear regularly in the court register. The register suggests that each divorce case was heard according to Islamic divorce law. Below are examples of divorce cases from the records:

> Matter in which Soinah has been granted the *talaq satu* by the judge to divorce her husband, Bujang, on Sunday, 18 Dzulhijah, Ha year, 1164 H. [Sunday 7 November 1751 A.D.] (Cod LOr . 5628 1164H/ AD1750: 6)[30]
>
> Matter in which Jaya has already been considered *talaq* from his wife by the court because of his failure to provide her with maintenance (Cod LOr . 5628 1165H/ AD1751: 2)[31]
>
> Matter in which Mi'ah has been divorced from her husband, Fajarudin, by the court, because he pronounced he divorced her, on Wednesday 17 Jumadilakhir, Ha year, 1188 Hijriyah (Thursday 25 August 1774) (Cod LOr . 5628 1188H/ AD1774: 45).[32]

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wali hakim Kyai Fakih, si Kasiyah dengan si Jangkur asal Koja, dengan mas kawin 20 reyal.

[30] Perkara si Soinah telah dithalaq satu oleh hakim dengan suaminya si Bujang, pada hari Minggu, tanggal 18 Dzulhijah, tahun Ha, 1164 Hijriyah.

[31] Perkara Jaya yang telah diceraikan dengan istrinya oleh hakim karena tidak menafkahinya.

[32] Perkara si Mi'ah sudah dithalaq oleh hakim sebab suaminya yang bernama si Fajarudin mengatakannya[32], pada hari Rabu, tanggal 17 Jumadilakhir, tahun Ha, 1188 Hijriyah.

The second group of Islamic laws found in the court records is the law on debts and loans. In Islam money is not the property of human beings but a treasure of God. Everybody is granted the right to possess money for their own wealth, but a person has to follow God's rules in spending his wealth in proper ways:

> Any money you spend is for your own good and whatever you spend is only through a craving to see God's face. Any money you spend will be repaid you, and you will not be harmed (Sura Al-Baqarah: 37).

Islam supports anybody who gives a loan to those who are suffering hardship (Sura Al-Baqarah: 38). Any creditor who postpones the repayment of a debt to his debtor who is suffering hardship is much honoured:

> If any debtor suffers hardship, then postpone repaying it until conditions become easier for him; while you treat it as an act of charity, it would be better for you, if you only knew! (Sura Al-Baqarah : 38).

The *Qur'an* prohibits the payment and receipt of *riba* or interest. Riba-based transactions lead to people earning money without their making an effort, and to the concentration of wealth in the hands of a few.

> Those who live off the interest on loans will never stand up, except in the way those whom Satan knocks down with a fit rise up again. That is because they say: "Trading is just like taking interest." Yet God has permitted trading and forbidden taking interest (Sura Al-Baqarah : 38).

Matters on debts and loans occupy more than 80 per cent of cases found in the court records. Rules on debts and loans in the *Qur'an* suggest the reason why the Court of Justice in Banten was the proper institution to record any actions concerning debts and loans.

> You who believe, whenever you contract a debt for a stated period, write it down. Let some literate person write [what goes on] between you properly; no literate person should refuse to write it down. Just as God has taught him, so let him write it down, and let the borrower dictate. May he heed God and not omit any part of it. (Sura Al-Buqarah : 39).

The *Qur'an* rules that the borrowing of any money must be arranged in front of two male or one male and two female witnesses (Sura Al-Buqarah: 39). In order to make matters to do with debts and loans in Banten run smoothly according to the strictures in the *Qur'an*, it is highly likely that the Court of Justice was designated by the state to act as both witness and recorder of all the debt and loan cases. The records suggest that the court witnessed two types of transactions related to debts and loans: the borrowing or repayment of money and debt transfer. Conflicts over debts were also brought before the court.

> Matter in which Banjili owed money to a freewoman called Jailah Munah from Banten, to the amount of 15 *Reals*, the debt was already repaid on Monday, 29 Safar, Jim Awal year, 1165 H (Monday 17 January 1752) (Cod LOr 5628 1165H/AD1751: 10)[33]

> Matter in which Minah owed money to the amount of 20 *Reals* to a freeman from Sumur Waluh, named Jabar, **witnessed by the court**, on Thursday, 29 Sya'ban, Ha year, 1188 H (Friday 4 November 1774) (Cod LOr 5628 1188H/1774 A.D: 20)[34]

> Matter in which Nyi Kentul lent money to the amount of 10 *Reals* to a freewoman from Bojanegara, called Salikah, **witnessed by the court** on Saturday, 3 Rajab, Je year, 1190 H[35]

Although it was the court's responsibility to witness and register any money lending and debt repayment, the actions of lending money and repaying a debt were not always done before the court. The money might have been lent or returned anywhere before the creditor reported the matter to the court. In most of the records on debts and loans it is

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[33] Perkara Banjili memiliki piutang kepada perempuan merdeka, bernama si Jailah Munah, asal Banten, sebesar15 reyal, telah dibayar pada hari Senin, 29 Safar, tahun Jim Awal, 1165 Hijriyah.

[34] Perkara si Minah memiliki piutang sebanyak 20 reyal kepada lelaki merdeka asal Sumur Waluh, bernama si Jabar, disaksikan oleh hakim, pada hari Kamis, tanggal 29 Sya'ban, tahun Ha, 1188 Hijriyah.

striking that each registration ends with the phrase 'witnessed by the court'. This phrase can leave us in no doubt that all the actions of lending or repaying money had to be reported to and registered by the court. Matters to do with debts and loans form the biggest group of cases that the court had to judge or witness. It seems it would have been impossible for the court to have coped with all the transactions for money-lending and repayment supposed to be brought before it. A possible explanation is that the phrase signifies no more than an indication of the court's acknowledgement of the lending or repayment of money which had been reported by the creditors.

The *Shari'a* does not prohibit the repayment of debt money with other materials of equal value. This depends on the agreement between the debtor and creditor. In Banten if the creditor accepted the repayment of a monetary debt in the form of other materials, the repayment was legal and witnessed by the court:

> On Saturday, 4 Jumadilakhir, Wau year, 1169 H (Saturday 6 March 1756), the judge conveyed to Badarudin, son of Kyai Abdul, two bracelets, two four-wheeled carriages and earrings for returning two debts to the amount of 50 *Reals* and 21 *Reals* (Cod LOr 5627 1169H/AD1755: 8)[36]

> Matter in which Ki Ngabehi Asta Kusaka receiving payment from Tubagus Jaya, in the form of a slave from Gunung Bengkung Riyang, called Abas, because Tubagus Jaya had owed money to Ngabehi Asta Kusaka to the amount of 20 *Reals*, on Monday, 26 Dzulhijah, tahun Wau, 1193 H (Tuesday 4 January 1780) (Cod LOr 5627 1193H/AD1779: 3)[37]

Debt transfer is another transaction indicating the application of Islamic law in Banten. There is every likelihood that it was based on the *Al-Hawaala* or rule of transferring debt in Islam. According to Sahih Bukhari's collection of the *Hadith* called

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[35] Perkara Nyi Kentul memiliki piutang sebanyak 10 reyal, kepada perempuan merdeka asal Bojanegara, bernama si Salikah, disaksikan hakim, pada hari Sabtu, 3 Rajab, tahun Je, 1190 Hijriyah.

[36] Pada hari Sabtu, 4 Jumadilakhir, tahun Wau, 1169 Hijriyah, anak Mas Nasir (hakim), menyampaikan (memberikan) kepada si Badarudin, anak Kyai Abdul, dua buah gelang, dua buah delman (andong), dan anting-anting untuk pembayaran hutang sebesar 50 reyal dan 21 reyal.

[37] Perkara Ki Ngabehi Asta Kusaka menerima pembayaran dari Tubagus Jaya, berupa hamba sahaya asal Gunung Bengkung Riyang, bernama si Abas, karena Tubagus Jaya memiliki hutang kepada Ngabehi Asta Kusaka, sebesar 20 reyal, pada hari Senin, 26 Dzulhijah, tahun Wau, 1193 Hijriyah.

Al-Jami al-sahih[38], al-Bukhari refers to what was said by the Prophet: 'Procrastination on the part of a rich man is injustice. If the debt of one of you is transferred to a rich man, it should be allowed to take place.' The *Hadith* suggests that a debt is a transferable item in Islam, and debtors are allowed to make an agreement with their creditors to transfer their debts to a third party. The third person is anybody who has the financial wherewithal to spend money and agrees to return the debt to the creditor on behalf of the debtor. According to the *Al-Hawaala* rule, the status of debtor is shifted from the first debtor to the third party and the debtor shall be free from the debt bondage.

The court records suggest that debt transfers in Banten during the late eighteenth century happened when the debtor requested the third party, normally a noble person or anybody with a stable financial status, to return the debt on his behalf. The parties had to request the court to witness and register their agreement. Below are three examples from the debt transfer register:

> Matter in which His Majesty the Sultan who rules the Kingdom of Banten returning the debt of a free woman from Tengahan, called Syahidah, to the amount of 14 *Reals*, to Tubagus Lanang, the former creditor, on Saturday, 3 Rabi'ulakhir month, Dal year, 1191 H (Sunday 11 May 1777 A.D.) (Cod LOr 5625 1191H/AD1777: 24)[39]

This case is a good example indicating that the subjects of Banten during the late eighteenth century were allowed to request the Sultan to repay their debts to creditors. However, the term 'the former creditor' suggests that the status of creditor was transferred to the Sultan and the debtor was still obliged to repay the debt.

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[38] Muhammad Ibn Ismail al-Bukhari (b. July 21, 810, d. Aug. 31, 870) was an Arab scholar who compiled the sayings of Muhammad in a book, Al-Jami al-sahih, ranked second only to the Qur'an in its influence among Muslims. Born in Bukhara in present-day Uzbekistan, he made a pilgrimage to Mecca as a teenager and then spent sixteen years travelling through Asia listening to Muslim authorities, gathering traditions and sayings of the Prophet. Al-Bukhari's tomb, near Samarkand in Uzbekistan, is an important shrine for pilgrims.

[39] Perkara Kangjeng Sultan yang berkuasa di Negara Banten membayar hutangnya perempuan merdeka asal Tengahan, bernama si Syahidah, sebanyak 14 reyal, kepada Tubagus Lanang, pemilik piutang sebelumnya, pada hari Sabtu, 3 Rabi'ulakhir, tahun Dal, 1191 Hijriyah.

> Matter in which Sahud repaid a debt on behalf of a freeman couple, called Laya from Wetan Semarang and his wife, called Asmalah from Tengahan, to the amount of 20 *Reals* to Sanding, their former creditor. Money was received by Sanding's representative, called Kartin, on Saturday 14 Rajab, Jim Awal year 1189 H (Saturday 10 September 1775) (Cod LOr 5625 1189H/AD1775: 1)[40]

The third party who agreed to repay the debt on behalf of the debtor couple was an ordinary man called Sahud. The case also suggests that the creditor was allowed to appoint anybody to receive the debt payment on his behalf. The next example indicates that foreigners were allowed to help pay off a debt on behalf of a Banten debtor:

> Matter in which a visiting Chinese man repaid the debt of a woman from Sawah Walikukun, called Arifah, to the amount of 30 *Reals*, to Apirsah, her former creditor, on Saturday, 14 Rajab month, Jim Awal year, 1189 H [Saturday 10 September 1775] (Cod LOr 5625 1189H/AD1775: 1)[41]

Inheritance was another legal matter in Banten society which had to be witnessed by the court, and the inheritance of property among Muslim subjects was regulated in accordance to the *Shari'a*. Rules of inheritance are clearly determined in Islam, for this religion concentrates heavily on the individual's spending of money accruing from property only in proper ways. One example is the way property should be managed in family. The *Qur'an* states that after a man has established a family, he should prepare property for his heirs.

> Do not give the feebleminded your property which God has granted you for [their] support; provide for them out of it, and clothe them and address them decently. Test orphans as soon as they reach a marriageable age. If you are sure of their maturity, then turn their

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[40] Perkara Ki Sahud membayar hutangnya suami-istri merdeka bernama si Laya asal Wetan Semarang dan istrinya bernama si Asmalah asal Tengahan, sebanyak 20 reyal kepada si Sanding, pemilik piutang sebelumnya. Uang diterima oleh wakilnya, bernama si Kartin, pada hari Sabtu, tanggal 14 Rajab, tahun Jim Awal, 1189 Hijriyah.

[41] Perkara seorang Cina pendatang sudah membayar hutangnya perempuan asal Sawah Walikukun bernama si Arifah, sebanyak 30 reyal kepada si Apirsah, pemilik piutang sebelumnya, pada hari Sabtu, tanggal 14 Rajab, tahun Jim Awal, 1189 Hijriyah.

> property over to them; do not use it up extravagantly, overanxious lest they should grow up. Anyone who is rich should restrain himself; while anyone who is poor may live off it in decency. Whenever you hand their property over to them, have it witnessed for them. God suffices as a Reckoner! (Sura An-Nisa: 5).

Two cases in the court register indicate the intention of a father to follow the quoted rule of inheritance in the *Qur'an*: to share his property between his two daughters.

> Matter in which Village Chief Imran granted his daughter named Suwidah a slave, money of 18 *Reals*, and a rice field, confirmed by the court on Monday, 15 month of Syawal, Ha year, 1188 H (Cod LOr 5628 1188H/AD1774: 27)[42]
>
> Matter in which Village Chief Imran granted his daughter named Nasfah rice-field and a house, which are valued at 85 *Reals*, confirmed by the court on Monday, 15 month of Syawal, Ha year, 1188 H (Cod LOr 5628 1188H/AD1774: 28)[43]

These two cases are not matters to do with the inheritance from a deceased father, but from a still living father, Chief Imran, who shared his property between his two daughters. These two daughters may have reached the legal age to inherit property from their father. Chief Imran also requested the court to witness this inheritance matter, which is in accordance to the quoted rule from the *Qur'an*.

According to the *Qur'an*, the ratio of property which may be inherited from a deceased person depends on gender and relationship with the deceased. The Prophet says: *Give the Faraid* (the shares of the inheritance that are prescribed in the *Qur'an*) *to those who are entitled to receive them. Then whatever remains, should be given to the closest male relative of the deceased* (Sahih al-Bukhari). It is obvious that male agnatic relatives (*asaba*) have priority over the female ones in the inheritance of a deceased estate. Among the male relatives themselves there are rules of priority, which determine

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[42] Perkara Ki Pengulu Imran memberi anaknya perempuan bernama si Suwidah berupa hamba, uang 18 reyal, dan sawah, disaksikan hakim, pada hari Senin, tanggal 15 Syawal, tahun Ha, 1188 Hijriyah.

who of the surviving male relatives are entitled to inherit. It is likely that the rules of priority that operate among the *asaba* in the *Shari'a* are a continuance of the old customary Arab agnatic system. In Islamic law, the son takes priority over the father who in turn takes priority over the brothers who in turn take priority over the paternal uncles (Sura An-Nisa: 12).

Although inheritance among the Muslim subjects of Banten was determined by the *Shari'a*, the Banten court records do not indicate any details of the application of inheritance law. We learn from most inheritance cases that any individual was eligible to bring his or her claim to any inherited property before the court. The court would then examine the claim. If the right of inheritance was valid, according to Islamic law, the court's acknowledgement would be registered. For example:

> On Wednesday, 15 month of Ramadan, Ba year, 1224 H [Tuesday 24 October 1809], a case of Tubagus Said's inheritance, money to the amount of 150 *Reals* for arranging his funeral, is inherited by his daughter, acknowledged by the court (Cod LOr 5628 1224H/AD1810:19)[44]

The records suggest that Muslim subjects of all backgrounds could resort to the authority of the court to certify any individual right to any inheritance. There are two cases of inheritance concerning members of the royal family. The court was requested to examine and divide the property of the deceased to eligible relatives.

> Matter in which the court was requested to divide the inheritance of Prince Dipati,brother of the Crown Prince (*Kanjeng Pangeran Ratu*) on Tuesday, 28 Dzulhijah, Ha year, 1188 H. That inheritance amounted to 2,205 *Reals* altogether.Those who shared the inheritance were Kanjeng Pangeran Ratu; his sibling by virtue of having the same mother, Prince Ra'iyah, his siblings by virtue of having the same parents Prince Arya,

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[43] Perkara Ki Pengulu Imran memberi anaknya perempuan bernama si Nasfah berupa sawah dan rumah, yang dihargai senilai 85 reyal, disaksikan hakim, pada hari Senin, tanggal 15 Syawal, tahun Ha, 1188 Hijriyah.

[44] Pada hari Rabu, 15 Ramadhan, tahun Ba, 1224 Hijriyah, perkara peninggalan Tubagus Said, berupa uang sebesar 150 reyal untuk mengurus mayarnya, diwariskan kepada anak perempuannya, diketahui hakim.

> Prince Ahmad, Princess Kumudah, Princess Siti Safariyah and Princess Siti Zainah (Cod LOr 5628 1188H/AD1774: 43)[45]
>
> On Sunday, 23 month of Dzulqaidah, Ba year, 1224 H (Saturday 30 December 1809), the court examined a case concerning the inheritance of Ratu Rahiji, money to the amount of 100 *Reals* which was a gift from Ngabehi Sarasaja. The money is to be shared between Ratu Rahiji's son 90 *Reals*, and daughter 10 *Reals* (Cod LOr 5628 1224H/AD1810: 27)[46]

The first case indicates the way the inheritance was divided in accordance with Islamic law, even though there are no details of the amount of the shares received by each prince or princess. The case is a register of the shares in monetary resources of a female member of the royal family called Ratu Rahiji left to her two children. The way the court divided money among Ratu Rahiji's children would seem to have been in accordance with the *Shari'a*: *Allah commands you regarding your children. For the male a share equivalent to that of two females* (Sura An-Nisa: 11). The following three examples suggest that the Islamic law of inheritance might have encouraged subjects of Banten to pay attention to stabilising their family life and preparing an inheritance for their children:

> Matter in which the court granted probate to the inheritance of Sayan, who had already passed away. He had left for his wife and child money to the amount of 29 *Reals* and a house valued at 9 *Reals* (Cod LOr 5627 1167-1168 H/1753-1754 A.D: 4)[47]
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> Matter in which Abu Hari who has been bequeathed by his father named Ibrahim, money to the amount of 50 *Reals*, as well as other inherited property such as chairs, water buffaloes, spears, a rice-field, a

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[45] Perkara Hakim diminta membagi peninggalan dari Ratu Dipati, adik Kangjeng Pangeran Ratu, pada hari Selasa, tanggal 28 Dzulhijah, tahun Ha, 1188 Hijriyah. Peninggalan itu totalnya sebanyak 2.205 reyal, terdiri dari peninggalan kakaknya yang bernama Kangjeng Pangeran Ratu, saudaranya seibu yang bernama Ratu Ra'iyah, saudara seibu-sebapak yang bernama Pangeran Arya, Pangeran Ahmad, Ratu Kumudah, Ratu Siti Safariyah, dan Ratu Siti Zainah.

[46] Pada hari Minggu, 23 Dzulqaidah, tahun Ba, 1224 Hijriyah, hakim telah memeriksa mengenai peninggalan Ratu Rahiji, berupa uang sebesar 100 reyal, pemberian Ngabehi Sarasaja, untuk anak laki-laki mendapatkan 90 reyal, anak perempuan 10 reyal.

[47] Perkara hakim memeriksa (mencatat) peninggalan si Sayan yang mati (meninggal). Ia meninggalkan anak-istrinya berupa uang 29 reyal, dan rumah seharga 9 reyal, serta isinya.

coconut grove, sarong clothes, shirts, trousers, textbooks, etc. Acknowledged by the court on Wednesday 21, month of Sya'ban, Ha year, 1188 H (Cod LOr 5628 1188H/AD1774: 15)[48]

Matter of Rapingi and Aliyah who were bequeathed property by their father, Kyai Hatab, in the form of a rice field, together with all its borders, on Tuesday, 18 month of Jumadil Awal. Ba year, 1224 H (Cod LOr 5628 1224 H/AD1810: 16)[49]

The first case relates to the property an ordinary man called Sayan had left to be inherited by his wife and child. Although not explicitly mentioned, it is possible that the court would have applied Islamic law of inheritance to share the property between Sayan's wife and child, in the ratio determined by the *Shari'a*. In the second case the register indicates the unequivocal intention of Abu Hari's father, Ibrahim, that his son inherit various sorts of property. Abu Hari was possibly an only child, otherwise he would not have inherited such a large amount of property. The third example acknowledges the right of Rapingi and Aliyah to a rice field inherited from their father, Hatab, whose title *Kyai* indicates the status of an Islamic scholar. The records also suggest that Sayan, Ibrahim and Kyai Hatab intended to have their family inherit their property.

The rest of the inheritance case records do not specify the application of the inheritance law by the court in its examination of each individual's claim to inherited property. Only the approved claims were registered by the court. There is no register of repudiations of any claims to inheritance by the court. A possible explanation is that the Muslim subjects might have already understood the Islamic law of inheritance and they could manage the matter of the legacy on their own. The court records suggest that

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[48] Perkara si Abu Hari yang diberi oleh ayahnya yang bernama Ibrahim uang sebanyak 50 reyal, serta warisan lain seperti kursi, kerbau, tombak, sawah, pohon kelapa, kain sarung, baju, celana, kitab ilmu, dan lain-lain, disaksikan hakim, pada hari Rabu, tanggal 21, bulan Sya'ban, tahun Ha, 1188 Hijriyah.

[49] Perkara si Rapingi dan si Aliyah yang diwarisi oleh orang tuanya (ayahnya), bernama Kyai Hatab, berupa sawah wakaf, serta seluruh batas-batas sawah wakaf tersebut, pada hari Selasa, 18 Jumadil Awal, tahun Ba, 1224 Hijriyah.

people only needed the authority of the court to witness and certify their right to their inherited property. It is equally possible that this may have been an appropriate occasion for people to declare that their parents or predecessors had correctly fulfilled their commitment in accordance with the precepts of Islam. This commitment is significant in Muslim belief, as such fitting behaviour is praised by Allah and would lead to the deceased being accepted into heaven (Sura An-Nisa: 1).

The final aspect of the *Shari'a* law found in the court records is the law on slavery. Slavery itself had been an established part of Bedouin Arab culture before the revelation of the *Qur'an*. The *Qur'an* discouraged but never outlawed it. Slaves at that period consisted of women and children captured from caravans or rival tribes whose freedom was not ransomed by their clan. The ransoms paid for captives and the wealth accumulated in the form of slaves gave slavery an important position of the economy of the period. As a result, slavery could not have been eliminated overnight without considerable social upheaval. A desire to avoid any threat to stability in the already embattled and often unstable Muslim community of Medina is very understandable (Tritton 1966: 137-8). Thus slavery was allowed to persist, but the *Qur'an* established that to manumit slaves was a good deed, and should be done whenever possible to compensate for a person's moral shortcomings.

> God will not take you to task for a slip in your oaths; but He will take you to task for such bonds as you have made by oaths, whereof the expiation is to feed ten poor persons with the average of the food you serve to your families, or to clothe them, or to set free a slave (Sura Al-Maidah: 89).

In the time of the Prophet slavery was general practice in Arabia as well as elsewhere in the world. Islam changed the status of slaves by giving them rights. Slaves became famous educators, artists or even rose to high positions in the government. They

had the right to free themselves through by their own efforts. According to the *Qur'an*, even the money collected for *Zakat* can be spent on freeing slaves:

> Charity is [meant] only for the poor, the needy, those working at [collecting distributing] it, those [possible converts] whose hearts are being reconciled [to yours], for freeing captives and debtors, and in [striving along] God's way, and for the wayfarer, as a duty imposed by god. God is Aware, Wise (Sura At-Taubah: 60).

The court records suggest that slave-owners in Banten during the late eighteenth and early nineteenth century were supposed to report any matters concerning their slaves to the court. Matters concerning slaves which were registered are the slave trade, the manumission of slaves, the transfer of slaves, and debt payment in form of slavery. Below are examples of slavery matters found in the court records.

> Matter in which His Majesty the Sultan manumitted his slave named Emban Kaijah from Gunung Mampang, acknowledged by the court on Friday, 8 month of Ramadhan, Dal year, 1191 H [Friday 10 October 1777] (Cod LOr 5628 1191H/ AD1777)[50]

> Matter in which Tubagus Baqir manumitted four slaves, named Rahmah, Jamin, Kanang, and Kahilah, acknowledged by the court, on Monday, 26 month of Muharam, Ba year, 1192 H [Tuesday 24 February 1778] (Cod LOr 5628 1192 H/ AD1778)[51]

> Matter in which Tubagus Mujakih manumitted his male and female slaves from Gunung Tapa, named Karpan and Saiyah, on Monday, 27 month of Ramadhan, Ba year, 1224 H [Sunday 5 November 1809] (Cod LOr 5628 1224H/AD1810)[52]

The three cases quoted exemplify the register of slave manumissions. As has been mentioned above, manumitting slaves is considered by the *Qur'an* a morally uplifting

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[50] Perkara Kangjeng Ratu Sultan memerdekakan hamba sahayanya, bernama si Emban Kaijah, asal Gunung Mampang, disaksikan hakim, pada hari Jumat, 8 Ramadhan, tahun Dal, 1191 Hijriyah.

[51] Perkara Tubagus Baqir memerdekakan 4 hamba sahayanya bernama si Rahmah, si Jamin, si Kanang, dan si Kahilah, disaksikan hakim, pada hari Senin, 26 Muharam, tahun Ba, 1192 Hijriyah.

[52] Perkara Tubagus Mujakih memerdekakan hamba sahayanya laki-laki dan perempuan, asal Gunung Tapa, bernama si Karpan dan Saiyah, pada hari Senin, 27 Ramadhan, tahun Ba, 1224 Hijriyah.

action that all slave-owners should perform. Matters concerning the manumission of slaves appear in all the years recorded in the MSS Cod LOr 5625-5628. The records suggest that all slave-owners in Banten, even the Sultan and members of his family, were supposed to request the court to witness their intention in manumitting their slaves.

Slave-owners also had to report to the court whenever they bought a slave. The court would register this together with details of the slaves:

Matter of Jailani who bought a slave from Pacak, named Kafiyah and her son named Gemlib, costing 70 *Reals* from Ki Arya Suradikarsa , on Sunday, 21 Dzulhijah, Jim Awal, 1189 H [Monday 12 February 1776] (Cod LOr 5625 1189H/AD1775: 49)[53]

Matter of Tubagus Haji Abdullah who bought a slave, named Siti, costing 40 *Reals*, from Ratu Isah, the former slave-owner, on Thursday, 7 month of Ramadhan, Dal year, 1191 H [Thursday 9 October 1777] (Cod LOr 5628 1191H/AD1777: 20)[54]

Matter of Kyai Pakih Najimudin Haji Husein who bought a slave from Kemuning Tanjung, named Kasiyah, costing 25 *Reals*, from Haji Muhammad Ajim, on Sunday 20 month of Rabi'ul Akhir, Ba year, 1224 H [Sunday 4 June 1809] (Cod LOr 5628 1224H/AD1810: 12)[55]

Details of slaves, such as their origin, name of the former slave-owner and price were entered in each register, probably because this could indicate that each slave-owner had neither taken the slaves illegally nor enslaved any freemen.

The implementation of the *Shari'a* law in Banten society during the late eighteenth and early nineteenth century indicates that faith in Islam was stable at the grassroots level. The Sultans of Banten and their government under the sovereignty of the VOC

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[53] Perkara si Jailani membeli hamba sahaya, asal Pacak, bernama si Kafiyah dan anaknya yang bernama si Gemlib, seharga 70 reyal, dari Ki Arya Suradikarsa, pada hari Minggu, tanggal 21 Dzulhijah, tahun Jim Awal, 1189 Hijriyah.

[54] Perkara Tubagus Haji Abdullah membeli hamba sahaya, bernama si Siti, seharga 40 reyal dari Ratu Isah, pemilik sebelumnya, pada hari Kamis, 7 Ramadhan, tahun Dal, 1191 Hijriyah.

[55] Perkara Kyai Faqih Najimudin Haji Husein membeli hamba sahaya asal Kemuning Tanjung, bernama si Kasiyah, sebesar 25 reyal, dari Haji Muhammad Ajim, pada hari Minggu, 20 Rabi'ul Akhir, tahun Ba, 1224 Hijriyah.

may have utilised the *Shari'a* law symbolically to underline the status of Banten as an independent Islamic state. No evidence is found that during the late eighteenth century the VOC attempted to interfere in the implementation of the *Shari'a* law at the level of its Muslim subjects.

2.2 Perintah Raja or royal decree

The law-book and the court records suggest that recourse to the *Shari'a* in Banten was aimed to exert control over the behaviour of Muslim subjects and to some extent direct the way they spent their lives. The *Shari'a* determined relations between men and God, parents and children, husband and wife, friend and friend, master and slave. The proper role and the proper manners of a man in his relationship with God and other different people in his society are explained in the *Shari'a*. It would seem that to all intents and purposes this religious law was then effective enough to maintain the social order at the grassroots level of Banten society. However, it appears that at the state level the *Shari'a* on its own was not enough to maintain the social order because of the following limitations:

1. The Sultanate of Banten was a complicated political unit with quite a large population. The complex of pre-Islamic Banten society had been evolved through a social integration based on Hinduism from the Indian Subcontinent. Rules for maintaining social order had already been formulated at each level of this Indianised society, while the *Shari'a* originated from the social rules of the tribal societies in the Arabian Peninsula. It might have been suitable to this particular environment and to people's way of life there. In such a different environment as that of an Indianised Javanese society like Banten, the Shari'a might not have worked effectively.

2. In a complicated society such as that of Banten, the *Shari'a* itself held no enforcing authority. Without the support of the state authority, the *Shari'a* was only an ineffective moral rule stated in the *Qur'an*. The support from the state authority was implemented in different ways, such as by appointing certain officials like judges, police or inspectors to enforce the law, or even including the *Shari'a* as part of the state law code.

3. Banten achieved importance as one of the famous port Sultanates in Maritime South-East Asia; its economy was always based on the pepper trade. The state had contact with different foreign traders, not all of whom were Muslims. These foreign merchants were granted permission by the rulers to establish their trading stations or settlements in the capital city. During the seventeenth century Banten became a cosmopolitan society (Guillot 1990: 37). The economy based on overseas trade might have made it impossible for the rulers of Banten to administer the realm as a genuine Muslim state governed solely by Islamic law.

Since the first Islamic state appeared in South-East Asia around the late thirteenth century, no evidence has ever been found that this or any of its successors established the *Shari'a* as its supreme code of law. Azra (1994: 294) argues that the *Shari'a* achieved some reputation in Islamic states in the Indonesian Archipelago around the seventeenth century through its introduction by the *ulama* of Arab origin. During the period before that, the Muslim states in Indonesian Archipelago had been permeated by mystical Islam. Azra's hypothesis is plausible, and it is possible that the similarity between mystical Sufism and the former faiths of Animism, Hinduism and Buddhism helped promote the new religion in its early stages. If Azra's idea is correct, it means that the *Shari'a* did not play any prominent role in forming the new rules to maintain social order in the early stages of the Islamisation in the Indonesian Archipelago. Traditional laws from the pre-Islamic period were still upheld even when the *Shari'a* did

begin to become better known around the seventeenth century. The social evolution of the South-East Asian societies and the late appearance on the scene of the *Shari'a* may have largely impeded any attempts to introduce this law as the mainstream of law in this region.

Apart from the *Shari'a* law, there is evidence that Banten applied another type of law called *Perintah Raja* or the royal decree. The term *Perintah Raja* appears several times in the law-book part of the MS Cod LOr 5598. On page two, it states that anybody who spoke the name of the kingdom without the addition of the term *Negara Surosowan* must be prosecuted under the *Perintah Raja*. *Perintah Raja* was stated on page thirteen as a punishment for any member of the royal family or any courtier who ran away from the palace whenever there was a riot. On page nineteen, anybody who visited the office of the Dutch Resident without asking for permission from Prince Dipaningrat or the Chief Minister must be punished under the *Perintah Raja*. It is stated on page twenty that anybody who murdered a European must be punished under the *Perintah Raja*.

Paragraph two of page two contains a statement to remind all the subjects to respect and take heed of the *undang-undang kanjeng sultan* or the king's law. The law had been declared across the kingdom and it was imposed on all people in the state regardless of class, including those in the vassal territories. It is possible to discern that the *Perintah Raja* was issued by command of the ruler to achieve five main objectives:

1) To maintain order at the royal court and to stabilise the Sultan's power
2) To maintain ritual and social order at the state level
3) To manage a cosmopolitan society like that of the capital city Banten Lama
4) To manage trade and to control the production of pepper

5) To act as a protocol in dealing with the VOC and other foreigners in different situations.

The *Perintah Raja* of Banten is probably the same type of law as the *Yudha Nagara* in Central Java. According to Raffles (1817 I: 279), two types of law applied in Javanese states: Islamic law and laws of custom and tradition.

> The Javan code of law is divided into two departments, that of the Mahomedan law and that of custom and tradition. The former is distinguished by the appellation of *hukum allah*, the *commands of God*, from the Arabic; the latter by the Javan words ***yudha nagara***, meaning consideration for the country, or in other words, allowance for the state of society (Raffles 1817 I: 279).

> The proclamation (***undang-undang***), and the laws and regulations (***anger-angeran***) of the sovereign, form another source of deviation from the Mahometan law. Collections of these have been committed in writing. The prince, by himself or his officers, is always supposed vested with a discretionary power of adapting the Mahometan law to the circumstances of society, a prerogative liberally exercised. This power, which sanctions every deviation from the letter of Musselman law, the Javans, also, express by the term ***yudha nagara*** (Raffles I: 280).

The law-book states that the *Perintah Raja* of Banten was a collection of rules issued in the reigns of Sultan Abu Nassar Abdul Kahar or Sultan Haji (r.1682-7), Sultan Abul Mahasin Muhammad Zainul Abidin (r. 1690-1733), and Sultan Abu al Fatah Muhammad Syifa Zainul Arifin (r. 1733-50). The law-book suggests the existence of a tradition in Banten under which a new Sultan did not relinquish or make any total change to the *Perintah Raja*, deviating completely from the previous rules. Some Sultans may have amended certain rules to suit the situation in the state at the time. Compared to the *Shari'a* which is the mandate of God, the enforcing power of the *perintah raja* was more flexible. Rules in the *Perintah Raja* could always be changed, depending on the Sultan's prerogative. Stavorinus (1767: 71) mentions that nothing guaranteed that the punishment administered to one criminal would always be in accordance to what was stated in the *Perintah Raja*.

The contents of the law-book suggest that *Perintah Raja* in Banten derived from different sources. The main source may plausibly have been traditional laws in Java during the pre-Islamic period. According to Hooker (1978: 35), the pre-Islamic Javanese laws can be categorised into three types of surviving sources: inscriptions or *jayapattra*[56], taxation and land charters[57], and the law-books found in Java and Bali[58]. One of the classical Javanese legal texts which should be mentioned here is the *Agama*.[59] This legal text has already been translated and examined by certain scholars, namely Jonker (1885), Slametmuljana (1967), and Hoadley and Hooker (1981). On the grounds of language and grammar, these scholars agree that the origin of the *Agama* can be traced back to the Majapahit period in the fourteenth century. Apart from that, the name *Agama* as a law-book appears in Canto 73.1 of the *Nagarakrtagama*, where it is stated that the king followed the whole essence of the *Agama* in his legal proceedings. Therefore it is appropriate to adduce the *Agama* as a representative of pre-Islamic laws and to find out how far the *Perintah Raja* of Banten was influenced by this text.

The *Agama* and the *Perintah Raja* of Banten are comparable on two main points: the arrangement of the subject matter and the details of the rules and punishments. The arrangement of the subject matter in the two legal texts is haphazard and repetitive,[60] but this is not the overwhelming point of concern here. What will be discussed is the extent to which the pre-Islamic law influenced the compiling the *Perintah Raja* in Banten. It

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[56] *Jayapattra* means 'note of victory' (Hooker 1978: 35). Hooker defines *jayapattra* as a type of record of each winner of a lawsuit. This type of document was drawn up in accordance with the classical law of India. The aim was to demonstrate a completion of one case. The *jayapattra* contains the statements of both parties, the evidence considered, the law text applied, and the decision of the judge with seal. The earliest group of *jayapattra* is in form of stone inscriptions dated from AD 907-922 (Hooker 1978: 36).

[57] The group of legal texts originated in the late thirteenth century. Among the surviving documents, the earliest one is the *Sarwadharma* Charter, issued in AD 1269 in the reign of Kertanegara of Singasari (1268-92). The charter defines religious domain land (dharma) and exempts it from the taxes and levies ordinarily due to the ruler (Hooker 1978: 37).

[58] Hooker argues that the surviving medieval Javanese law-books are all in the form of manuscripts and all of them were preserved on the island of Bali. These manuscripts are called different names. All of them contain legislation originating from Indian texts, especially the laws of *Manu*.

[59] There are two versions of the Agama manuscripts. The first one is at present Leiden MS No. 38, with the name Agama written on the front cover. The second one is now the British Library MS 12277 with the name *Cuntara Manava Sastra* ('Institute of Manu') on its front cover (Hooker 1978: 39).

appears that certain rules and methods of punishment in the *Perintah Raja* of Banten bear similarities to the pre-Islamic law systems like that recorded in the *Agama*. The following table displays the similarities between the rules in the *Agama* and those in the Banten law-book.

Table 11: Similarities between laws in the Agama and the Banten law-book

Types of offences	Agama	Cod LOr 5598 (Law-book)
Attacking another person	1. Stabbing with a lance, shooting with a blowpipe, or attacking with any sort of weapon, striking another's body in the back, hand, or foot will be fined 2 *Laksa*. 2. Attacking, striking with a wooden club or throwing stones will be fined 5 *Tali*. 3. A woman punching or striking her co-wife with a piece of wood will be fined 2 *Laksa*. 4. A violent person stabbing another until the victim suffers bodily harm will have to pay the medical costs and continue to do so until the wound is healed. Fine 2 *Laksa* is also levied.	1. Fighting each other with a sword, hitting, slashing another will be fined from 20-3000 *Reals*, depending on the attacker's status. 2. Whipping another person will be fined 1000 *Reals*. 3. A woman slapping another person will be fined from 2-5 *Reals*, depending on the status of the victim. 4. A violent person attacking another until the victim suffers bodily harm, fine will be levied in accordance to the condition of the wound.
Violent actions	1. A person committing an act of violence will be fined 5 *Tali*. 2. A person breaking any type of gateway will be fined 5 *Tali*. 3. A person destroying a screen, the raised floor of a house or the door of another person will be fined from 5 *Tali* up to 4 *Laksa*, depending on the severity of the actions and whether it happens during day or at night.	1. A person behaving harshly and violently in the *alun-alun* will be fined 30 *Reals*. 2. A person breaking the gate of another person's house will be fined 20 *Reals*. 3. A person trespassing on another's house to steal things or to vandalise any part of the house will be fined from 2-4 *Reals*, depending on the severity of his action and whether he commits it during day or night.
	1. Theft of 'large animals', namely water buffalo and cows, will be fined 2 *Laksa*.	1. Taking a water buffalo of another person will be fined with 10 *Tenggang* of coral rock.

[60] See the translation of the whole Agama manuscript in Hoadley and Hooker 1981: 162-208.

Thieves	2. Theft of 'middle-sized' animals, namely goats, geese, and ducks, will be fined 1 *Laksa*. 3. Theft of a boat will be fined 1 *Laksa* and the thief must repay the price of the stolen boat twofold.	2. Taking a goat of another person will be fined with 10 tenggang of coral rock. 3. Taking another's boat will be fined with a piece of land enough to moor 20 boats.
Adultery	1. A person seizing the wife of another will be fined from 5 *Tali* to 2 *Laksa*, depending on the woman's status. 2. A person entering the sleeping platform of another's wife in order to commit adultery will be fined 2 *Laksa*.	1. A person seducing, embracing or kissing a woman (who is not his wife) in public will be fined 4 *Reals* during the day time and 5 *Reals* at night. 2. A person seducing, embracing or kissing a woman (who is not his wife) in her house will be fined 9 *Reals* during the day and 10 *Reals* at night.
Debt-letter	In making any loans, a statement of debt must be drawn up by the creditor.	Anybody borrowing money must ask a statement of debt from the creditor

Only around 10 per cent of the rules or regulations stated in the *Perintah Raja* of Banten bear similarities to those in the *Agama*. The majority of rules in the *Perintah Raja* diverge from those in the *Agama*, in congruence with the political, economic, social and cultural environment in Banten, which was different to that which had prevailed in the Majapahit period.

Their conversion to Islam introduced a new faith to the Javanese, but it did not mean that they left their former faiths totally behind. The peoples' way of life still continued to run largely on the basis of the pre-Islamic traditions. This is why the *Perintah Raja* of Banten still contains many of rules for the maintenance of the ritual order in the royal palace (*dalem*) and square (*alun-alun*) which having nothing to do with Islam at all. Only rules concerning the Friday prayers (*salat Jum'at*) and the suggestion that the *Shari'a* might be applied indicate that this *perintah raja* was inforced in a Muslim state. The blending of traditional customs with an Islamic covering was a common reaction to

a new situation in all the Muslim states in Java, mainly to ensure the exalted status of the ruler.

The *Perintah Raja* of Banten also includes the laws concerning the pepper plantations and trade, and protocols for dealing with the VOC at the levels of both government officials and ordinary subjects. These two groups of laws allude to the state's concern with the pepper trade and its relationship with the Dutch. The pepper trade had always been the main source of income for the state since the late sixteenth century. After the VOC had made a successful bid to monopolise the pepper trade of Banten in 1682, the Company expected the Sultanate to regularly produce a large amount of pepper regularly for it (Bastin 1961: 31). The Banten pepper production and trade with the VOC during the eighteenth century were disturbed by the British in Bengkulen and by rival Sumatran kingdom, Palembang. Supplies of pepper from Lampung were smuggled to both the British and to Palembang, and this meant a great loss of income to the state. These problems may have been a cogent reason why the laws on the pepper production and trade featured prominently as a part of the late-eighteenth-century *Perintah Raja*.

The contents of the protocol for dealing with the VOC suggest that the rulers of Banten paid great heed to the relationship between their subjects and the Company. This part of the *Perintah Raja* regulated the subjects' actions in contacting any official of the Company. The subjects of Banten had to report to the Chief Minister any time they had contact with the VOC settlement in the capital, or when they travelled to Batavia. Under the Company protectorate, the rulers of Banten may have realised the precariousness of their status. The Sultan could be removed from his throne any time the Company found him no longer useful to its business, or if he attempted to act in any way to its detriment. This protocol suggests that the relationship between the government of Banten and the VOC was sensitive, and the Sultans could not trust even their own subjects. To issue such a protocol to regulate the contacts between the subjects and the Company may also

have been government policy to prevent any untoward troubles which might have been triggered either by the subjects or the Company. If troubles were stirred up by any of the Sultan's subjects, the Company would demand that the Sultan compensate it for its lost. It is also quite possible that the Sultan may have been afraid of attempts by the Company to back their subjects to betray them. The existence of this protocol as a part of the *Perintah Raja* also indicates that the VOC did recognise the conditions set by the Sultans.

Apart from its significance in supporting Islamic law and maintaining peace and order at the state level, the *Perintah Raja* was also significant to the Sultan himself. The imposing of the *Shari'a* in the kingdom would not carry any hint of the degree of the Sultan's authority, while the *Perintah Raja* symbolised both the Sultan's authority and the autonomy of the kingdom. The existence of this type of law in Banten under the VOC protectorate also proves the semi-independent status of the kingdom during the late eighteenth century.

3. The administration of justice in Banten

The contents of the law-book and the court records indicate that three forms of Court of Justice existed in late eighteenth century Banten. This part of the chapter will introduce these three types of court and examine the authority and jurisdiction of each of them. References from the accounts of the European visitors to Banten will be provided to support the data from the indigenous manuscripts. Another aim of this discussion is to argue that the administration of justice in Banten was similar to that of the Central Javanese states.

Raffles (1965 I: 277-8) states that two types of court of justice were present in Central Java. He calls the first type the *Panghulu* court and the second one the *Jaksa* court. Raffles defines the *Panghulu* court 'a court of the high priest'. Its jurisdiction

included the settlement of cases involving capital offences, divorce suits, contracts and inheritance. In the *Panghulu* court the *Shari'a* was the main authority on which the administration of justice was based. The *Jaksa* court fell under the responsibility of the Prime Minister and his assistants and was responsible for trying criminal cases like thefts, robberies and all minor offences. Before a case could be settled, the court officers were in charge of taking down depositions, examining evidence and investigating the case.

The *Jaksa* court had been in existence in Java longer than the *Panghulu* court; which the latter was probably introduced when the states in Java and Madura converted to Islam. The *Jaksa* court and roles of the *Jaksa* or court officials are mentioned in the *Niti Praja*, one of the classical law texts of pre-Islamic Java. The *Niti Praja* contains regulations on the conduct of sovereigns and chiefs, including the *Jaksa*.[61]

To study each type of court in Banten, I shall rely mainly on MS Cod LOr 5598, especially the law-book part, and the court records MSS Cod LOr 5625, 5626, 5627 and

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[61] *A **Jaksa** must, in all cases, be impartial, to enable him to weigh all causes which come before him with the same exactness as merchandise is weighed in a scale, and nicely balance the equilibrium, nothing adding or taking from either side.*

*He must be above all bribery, either by words, or money, and never allow himself to be induced to commit an act of injustice; for were a **Jaksa** to commit an act of this kind, the consequences could not but be highly injurious to the country.*

He must not accept presents of any kind from the parties whose cause comes before him, not only because he cannot expect to derive advantage therefrom, but also because the public will hold discourse concerning him highly injurious to his reputation.

All causes in dispute must be decided upon by him with the least possible delay, according to law, and not kept long in suspense, to the injury of the parties concerned, let him be considered like a holy man, who, for the sake of money, sacrifices his good name.

*A **Jaksa** must inquire into every circumstance relating to the causes brought before him, and duly investigate the evidence; after which he must take the cause into consideration. He must not, in the least, listen to what is false, and on all occasions must decide according to truth.*

*A **Jaksa** who attends to all these points is of high repute. Of less repute is a **Jaksa** who, in the decision of causes which come before him, listens to the advice of others: such a one is like that kind of bird, which in order to procure for itself the necessary food, dives under water, without thinking of the danger to which it is exposed of losing its life from the want of air. But entirely unfit for employment is a **Jaksa** who is haughty in his demeanour, and at the same time low enough to take advantage of persons who come before him: such a one is like a bat, that in the dark steals the fruit from the trees; or like a sportsman, who though destined to chase what is useful only, indiscriminately destroys whatever comes in his way, whether useful or not. In the same manner is it with a priest who every day attends at the temple, for no other purpose but to make profit by it; or with a writer, who knows not how to make any thing but by the prostitution of his writings; or with the headman of a village, who impose upon the villagers; or a devotee, who gains his livelihood by necromancy (Niti Praja).*

5628. These indigenous texts suggest that the administration of justification in Banten was not much different from that in other contemporary Javanese states. Raffles' descriptions of courts in Java are also applicable to the system in Banten during the late eighteenth century. The manuscripts also identify the character of each type of court in Banten. We learn that there were three types of courts in Banten: the *Kadi* court, the *Bumi* court and the judgement by the Sultan.

3.1 Kyai Pakih Najimuddin and the Kadi court

The *Kadi* court of Banten was equivalent to the *Panghulu* court in Central Java. This type of court was presided over by the great *Kadi* or *Kali*, the chief cleric of the kingdom. The position of the chief cleric may have existed in Banten since the beginning of the sultanate in the sixteenth century. The first group of Dutch merchants who arrived in Banten in 1659 record the influence of the chief cleric at the royal court, noting that it extended far beyond religious affairs. The Dutchmen called the chief cleric 'bishop', which reflects their sense of perceiving Islam in terms of Roman Catholicism. They also used the term 'opperste ceque' or the highest sheikh (Rouffaer and Ijzerman 1915 I: text at the back of Plate 13). Van Bruinessen assumes that the term 'highest sheikh' may have been used by the people of Banten to address their chief cleric. However, as in the Sejarah Banten the highest sheikh was called 'Kyai Ali' or 'Ki Ali', it is assumed by Djajadiningrat (1983: 71) that it might have originated from the term *kali* (Jv.) or *kadi* (Isl., judge in religious court). The record of the Dutchmen states that the highest sheikh or the *kadi* of Banten had been dispatched to Banten from Mecca, *'just like from Rome they send legates'*.

Early Banten rulers may have recruited Islamic scholars from Mecca to add lustre to the newly established state, because at that time there would have been a dearth of scholars who could lead religious services and teach the precepts of Islam. Another

reason was probably an intention on the part of the first rulers of Banten like Maulana Hassanudin, Maulana Yusuf and Maulana Muhammad to maintain close relations with the holy land of Islam in order to ensure the recognition by Mecca for the newly established kingdom which would simultaneously be a legitimation of their ruling status. It appears that after the reign of Maulana Muhammad (r. 1585-1596), Mecca granted the title of Sultan to the rulers of Banten.

The *Sejarah Banten* contains pointers which indicate that the position of the chief cleric or *kadi* began to change in the early seventeenth century. Local men were gradually appointed to this position, which may have been a sign of the increasing number of locally born Islamic scholars. Most of the *kadi* appointed during this period were from the royal or noble families, which would not have been unusual. Royal princes or noblemen generally had a better chance than ordinary people of receiving a proper education to enable them to become an Islamic scholar. Not until 1651 did the *Sejarah Banten* state any specific title granted to the *kadi* by the ruler. When Sultan Ageng Tirtayasa (r. 1651-1682) ascended to the throne, the *Sejarah Banten* states that a local nobleman was appointed *kadi* and entitled *Kyai Pakih Najimuddin*. From later evidence it appears that this title became specific to anybody appointed *kadi* by the Sultans until the beginning of the nineteenth century. Djajadiningrat (1983: 71) notes that this title had never been used in any other Islamic state, so it must have been specifically created in Banten.

Van Bruinessen (1995: 194) argues that the title *Kyai Pakih Najimuddin* may have been a combination of the terms *pakih* and *Najimuddin*. *Pakih* originates from an Arabic term, *faqih*, which means 'expert in *fiqh* or Islamic jurisprudence'. *Najimuddin* is a common personal name in Arabic. Van Bruinessen assumes that the name *Najimuddin* in this title might have derived from the name of some significant Islamic scholar. He proposes that it might have been the name of the thirteenth-century Central Asian mystic

Najimuddin Kubra[62]. Najimuddin Kubra's teaching may have influenced Sunan Gunung Jati and Maulana Hassanudin, and through them it became one of the main pillars of Islam in Banten. Because the name *Najimuddin* had been revered in Banten since the beginning, it would have been by no means surprising that this name should be granted as a title to the Chief Cleric.

It appears that those who were appointed to the position of *Kyai Pakih Najimuddin* held various roles and responsibilities. Apart from being head of all the Islamic clerics or scholars in the state, *Kyai Pakih Najimuddin* may have been one of the tutors to the royal princes.[63] It is also possible that *Kyai Pakih Najimuddin* took his place on the state council.[64] In religious affairs, it appears that *Kyai Pakih Najimuddin* was the conductor of state ceremonies, especially the Sultan's installation ceremony (Talens 1993: 338). The most prominent role of *Kyai Pakih Najimuddin* was as president of the *kadi* court. This significant role suggests that anybody who would have been appointed *Kyai Pakih Najimuddin* must have had a thorough knowledge of the *Shari'a*, and probably also the *adat* or customary law and the *Perintah Raja* or royal decree.

The MSS Cod LOr 5598 (only law-book part) and Cod LOr 5625-5628 indicate that the function of *kadi* court in Banten during the late eighteenth century was to judge all the cases on family matters like marriage and divorce, debt and loan conflicts, and inheritance. The *Shari'a* was the principal law applied in this court. The *kadi* court was

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[62] Najimuddin Kubra (1145-1221), the founder of the Kubrawiyya Sufi order, was born in Khiva, Central Asia. He went to Egypt and became a disciple of Al Wazzan Al Misri. He was the author of many works in Arabic but wrote Sifat al Adab in Persian. The main orders deriving from Najimuddin Kubra were Firdawsiyya (Indian branch), Hamdaniyya (Kashmiri branch), Nuriyya (Baghdadi branch), and Rukniya (Khurransani branch).
(http://www.salaam.co.uk/knowledge/biography/viewentry.php?id=1266, 18 January 2003).

[63] The title *kyai* indicates the status of its holder as a scholar or Islamic teacher. It appears in the Sejarah Banten that the Kyai Ali or Chief Cleric was among the tutors to the royal princes during the first three reigns of the kingdom. Although this responsibility is not stated in any later accounts, I still believe that the Chief Cleric of Banten was always one of the royal tutors.

[64] In the reign of Maulana Muhammad (r. 1585-96), it appears that the ruler appointed the Chief Cleric as his regent when he launched an invasion of Palembang. In the reign Sultan Abul Nassar Abdul Kahar or Sultan Haji (r. 1682-87), Kyai Pakih Najimuddin was appointed together with the Prime Minister to

officially held in front of the Masjid Agung or Grand Mosque (Guillot 1990: 63). There stood a stone throne called Singayaksa on which *Kyai Pakih Najimuddin* would take his seat and preside over the court. The Singayaksa throne is still present, but in a very damaged condition. It has also been removed from its original position to one corner of the royal square.

MS Cod LOr 5598 states that *Kyai Pakih Najimuddin* may also have held a court in the audience hall or *pasében* of his residence. The royal decree states that a fine would be imposed on anybody who quarrelled or fought each other in this hall (Cod LOr 5598: 1). A possible explanation for having two places to hold the *kadi* court is that the open space in front of the Grand Mosque may have been used since the early sixteenth century. Then, after the specific title *Kyai Pakih Najimuddin* was inaugurated for the Chief Cleric in the reign of Sultan Ageng Tirtayasa, an official residence might have been built to accommodate him. It was a tradition among Javanese senior ministers to hold a council to settle any affairs in the *pasében* of their own residences. The holding of a court session in his own *pasében* might have been more convenient for *Kyai Pakih Najimuddin* and his assistants than to do so in the open space. At least, they no longer had to worry about bad weather which might have delayed the passing of the judgement. From the second half of the seventeenth century, the open-air court in front of the Grand Mosque may no longer have been available. This assumption is based on the fact there is no evidence that the *kadi* court was held in front of the mosque during the eighteenth century.

In accordance with Javanese custom the residence of *Kyai Pakih Najimuddin* was probably used as his office where people could bring the case before him. I also believe

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represent the sovereign in conducting negotiations with the VOC representatives (De Jonge 1875 VIII: 213, 216-7).

that the court records (MSS Cod LOr 5625-5628) were recorded and kept by a clerk in the residence of the Chief Cleric.

3.2 Pangeran Mangkubumi and the Bumi court

Pangeran Mangkubumi or *Patih Mangkubumi* was a specific title granted to the Prime Minister who held the highest position among all the officials in the Sultan's government. Talens (1993: 344) argues that the term *Mangkubumi* can be defined as 'he who takes care of the land'. It appears that the VOC (VOC 1500: f. 301r) recognised the reason for creating this title for the Banten Prime Minister. The Company archive states that the title was a symbolic identification to explain the kingship. From the inception of the realm, the sovereign of Banten had borne a specific name *Ratu Sorosowan*, which means 'he who is great in heaven'. To create the title *Mangkubumi* with an opposite meaning to that of the sovereign might have been a symbolic expression of the juxtaposition of the higher and lower positions of the sovereign and the Prime Minister, and the relationship between sky and land or heaven and earth. Although the Sultan of Banten was no longer identified as an incarnation of God who had come from heaven to earth, the identification of the sovereign as a 'heaven-originated man' was still carried on. It may have been explained in Islamic terms which would posit that the Sultan was granted the right and authority from God to rule over his land. He then had to cultivate the land on behalf of God, with the assistance of the 'land-keeper' or Prime Minister.

The *Sejarah Banten* suggests that this title was among the oldest official designations, probably created at the beginning of the kingdom. The title *Patih Mangkubumi* is first mentioned in the *Sejarah Banten* as the title of the Prime Minister during the reign of the second ruler, Maulana Yusuf (r. 1570-80). It appears that the Prime Ministers in certain reigns were granted different titles, such as *Kyai Arya Mangunjaya*, who was the Prime Minister to Sultan Ageng Tirtayasa (r.1651-82), or *Kyai Arya Mangunsedana* (later

granted the title *Pangeran Dipaningrat*), the Prime Minister during the reign of Sultan Abul Nassar Abdul Kahar or Sultan Haji (r. 1682-87). Whatever the title each Prime Minister was granted, all of them were known by public as *Mangkubumi* or *Bumi* (Talens 1993: 344).

The status, role and responsibilities of the *Mangkubumi* may be determined from the impression made on Stavorinus when he visited the court of Banten in 1769.

> As soon as we were seated, pipes and tobacco were presented to us; after which the Commandant Reinouts and Mr. Van Tets entered into conversation with the king, on different subjects, in the Malay language. Hereupon the king called the ***pangorang***, or Prime Minister, who was sitting at the lower end of the hall, at the head of the nobles, to come to him. He accordingly crept along the floor, till he came near the king's chair, where he remained sitting on the ground, answering the questions which the king put to him. He often replied with the word ***inghi***, which is the Javanese affirmative, yes (Stavorinus 1769: 83).

Stavorinus' report suggests that the *Mangkubumi* held the highest position in the government. He took precedence at the head of all the noblemen in the kingdom, which may be noted from the place in which he sat in the audience with the sovereign. With the presence of the VOC representatives in the audience hall, the Sultan may have called upon the *Mangkubumi* to discuss any official affairs between the kingdom and the Company. The Prime Minister always had to behave towards the Sultan in the traditional Javanese manner, which properly underlined his subordinate status to that of the Sultan. From all the actions he witnessed, Stavorinus must have realised that in the political system of Banten the Sultan administered the state with the assistance of the *Mangkubumi*.

The title *Pangeran Mangkubumi* in Banten was equivalent to that of *Raden Adipati* in Yogyakarta and Surakarta. De Rovere van Breugel (1787) states that since 1752 the Company had restricted the compass of the Sultan's authority to install any royal prince as Prime Minister. The reason was possibly that the Company was apprehensive of a conspiracy against it between the sultan and his relatives, or the Company might not

have trusted any state administration led by any royal prince which might be tempted too much to profit for the Sultan and his family.

In the judicial world the Mangkubumi held the authority to enforce the state law or royal decree (*Perintah Raja*). The Prime Minister in this case played his role by presiding over the *Bumi* court, with the assistance of the *jaksa* or prosecutors. The main responsibility of the *Bumi* court was the judgement of all criminal cases among the natives. This court was also granted the authority to prosecute foreigners who quarrelled, fought, or created any riot in the *alun-alun* or royal square in front of the royal palace.[65] It would appear from MS Cod LOr 5598 (law-book) that the *Bumi* court may have been granted authority by the VOC to prosecute any crimes against its settlement in Banten, such as burglary committed by the natives in the Company warehouses or any murder or assault on any of the Company officials. The *Bumi* court had the authority to impose and collect fines from any wrongdoer in accordance to the fine rate stated in the royal decree. Another function of the *Bumi* court was to issue the *cap Kanjeng Sultan* or a royal seal to any traveller who wanted to set sail from Banten to other parts of Java, especially to Batavia, or to the outer islands. Travellers had to request the seal from the *Mangkubumi* before they travelled. Conversely, they had to return the seal to the Prime Minister after they arrived back in Banten (Cod LOr 5598: fol. 18-19).

Having considered the various responsibilities of the *Bumi* court, I believe that *Pangeran Mangkubumi* did not always preside over the court himself in person. The Prime Minister who also had to be in charge of the state administration might not have enough time to preside over the court himself. The group of *jaksa* or prosecutors may have run the court on behalf of the *Mangkubumi* and reported any significant matters to

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[65] The M.S. Cod LOr 5598 (law-book) suggests that the only authority the Bumi court was granted to deal with foreigners in Banten was to arrest and prosecute those who created any disturbance in the *alun-alun*. This is probably because the *alun-alun* was included as part of the royal palace. Other offences committed by foreigners had to be prosecuted by the Company court, either in Fort Speelwijk or Batavia, since foreigners in Banten fell under Company jurisdiction (*Overgekomen brieven* 1754 XIX: fol.332).

him. *Kyai Pakih Najimuddin* occasionally may have been called upon to be a consultant should the *Shari'a* be brought to bear in the judgement.

Guillot (1990: 63) believes that the *bumi* court was also held at the same place as the *kadi* court. MS Cod LOr 5598 suggests that Pangeran Mangkubumi resided in an official residence with a *pasében* near to the royal palace. The law-book (Cod LOr 5598: fol.1) states that people who quarrelled or fought in the *tempat menghadap* or assembly hall in the residence of the Prime Minister would be heavily fined. The law suggests that the Mangkubumi may have used the *pasében* in his residence for assemblies of people. One type of gathering may have been to hold a court.

3.3 The Sultan's judgement

Stavorinus (1769 II: 212) states that the Sultans of Banten during the late eighteenth century still had 'full power of life and death over their subjects'. Kings in ancient South-East Asian states, being in possession of 'full power', were expected to judge trials in the realm.[66] Although the Sultan of Banten did not preside over all the courts in the realm himself, the administration of justice was conducted in his name, and by the royal decree issued under his prerogative. It would then not have been unusual, were any Sultan to have appeared to pay attention to the administration of law and justice. The *Sejarah Banten* mentions the considered attention that Sultan Abulmafakhir (r. 1624-51) paid to legal matters. One of Abulmafakhir's regular habits was to call for reports on cases brought before both the *kadi* and the *bumi* courts.

In practice, only difficult trials in which the judge could not reach a decision, or which remained outside the judge's authority like the imposition of the death penalty, would be brought for the royal judgement.

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[66] In Siam during seventeenth and eighteenth centuries, sitting in judgement in difficult trials was part of the king's daily routine. He started this routine at seven o'clock in the evening by judging military

> No-one might be condemned to death without the approval of the king, who in matters not touching himself, consulted with the 'High-Priest' (De Rovere van Breugel 1789).

De Rovere van Breugel's report suggests that the death penalty in South-East Asian societies may have been considered a sensitive matter that could not be imposed either easily or immediately. The Sultan of Banten would normally have consulted the High Cleric or *Kyai Pakih Najimuddin* before he made a decision to have anybody executed. This tradition indicates that a moral sovereign, although he had full power in his hands, could not easily impose the death penalty on anybody without careful consideration. To have anybody killed is considered a great sin in all religions. In order to prevent the sovereign from facilely committing this serious sin, the religious leader should play a role in advising him before he makes such a decision. This tradition was common in South-East Asian states before the colonial period, when full authority was still in the hands of the sovereigns.[67] Royal chronicles from the courts across the region record the names of kings or sultans who during their reigns showed no compunction about having death penalties imposed on their subjects, or even enjoyed watching death penalties being carried out. These sovereigns have gone down in history with an unpleasing reputation.

It appears that the Sultan of Banten also judged trials arising from the conflicts among the *pangeran* or members of the royal family, *mantri* or ministers and *punggawa* or state officials (Djajadiningrat 1983: 54-5).

The Sultan may not have needed a specific place to judge any case brought before him, since the authority to make the decision depended on him. Looking at Sultan

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matters. At eight o'clock he judged civil matters, and one hour later he judged the appeals (Gervaise 1688: chap. 4).

[67] In Siam during Ayutthaya and early Bangkok periods, the king had to listen to a sermon delivered by any senior Buddhist monk before he started considering any serious criminal case. This tradition probably helped calm the sovereign's mind, to make his decision carefully (Wales 1931: 46).

Abulmafakhir's custom, the other sultans may have considered the cases and judged them in a regular state council. There they could have consulted any of their ministers or even *Kyai Pakih Najimuddin* who held an ex-officio position in the state council.

Part II

1. The reflections on the court records (Cod LOr 5625-5628)

Nowhere on earth can courts of justice be free from contacts with the public. Different sorts of people always bring various matters of conflict before a court and request a judgement. Year after year cases have been recorded in all types of courts across the world. Court records form a type of archive that increases all the time, as long as systems of justice still exist in the world. A brief glimpse at any old court records may not be enough to make us realise their capacity to tell us about the condition of the society to which the courts belonged. If we think deeply and more carefully, we find it reasonable that court records can be used as source material for the discovery of social history. The majority of people who bring their matters of conflict before a court are members of the society to which that court belongs. When cases have been recorded for a long time, readers could see an image of a society at a specific time through the records. If similar cases repeatedly happened in a certain society, they can also indicate conditions prevailing in that society. The more the data have been entered in the records, the clearer the image of that society and its people will be.

Matters registered in the Banten diary-like court records (Cod LOr 5625-5628), although very repetitive, can still provide us with various images of Banten society. What can be hoped from the examination of these records is a better understanding of the grassroots level of Banten society during the late eighteenth and early nineteenth century. The image of life at the grassroots will be different from that of the aristocracy

discussed in Chapter Three. These two parts will fulfil the task of this thesis in its efforts to reconstruct a social history of the Sultanate of Banten during its final fifty-eight years.

1.1 The role, responsibilities and management of the court

The first thing to be examined is the administrative system of the court which produced these records: the *kadi* court under *Kyai Pakih Najimuddin*. The records tell us about the authority and jurisdiction of this court, as well as the management of the organisation in settling the matters of conflict.

The repetitive records of cases help us understand the scope of the jurisdiction of this court, which can be divided into nine aspects.

1.1.1 The appointment of the *pangulu* or local religious leader

Raffles (1965 I: 279) states that the *pangulu* or *penghulu* in Central Java was the chief religious official himself. That is why the courts of this official in Yogyakarta and Surakarta were called the *Panghulu* courts. The court records suggest that the *pangulu* in Banten was not *Kyai Fakih Najimuddin* himself but that the term was used to designate local religious leaders. It appears in the records that *Kyai Pakih Najimuddin* was vested with the authority to appoint any proven Islamic scholar a *pangulu* in each district in the kingdom. The appointments were registered in the court records, providing us with data on the authority of each *pangulu* and his duties. Each *pangulu* had two main responsibilities: to conduct and authorise weddings of people who lived in the area under his charge, and to lead the *salat jum'at* or Friday prayers. No responsibility for justifying himself to local people is mentioned, indicating that the *kadi* court had branches outside the capital. Below are two examples of the records of the appointments of the local *pangulu*:

> Ki Haji Muhammad has been installed as a pangulu at Gunung Caringin. He shall have authority to conduct weddings of people who

live in Gunung Caringin district, and to lead the Friday prayers. Decision has been made with the agreement of local people on Tuesday, 25 Dzulqaidah, Jim Awal year, 1189 H [17 January 1776] (Cod LOr 5625: 43)[68]

Amiludin has been installed as a pangulu at Gunung Ceret. He has the responsibility to lead the Friday prayers and conduct the weddings of people in Gunung Ceret district. Decision has been made with the agreement of local people on Tuesday 25 Dzulqaidah, Jim Awal year, 1189 H [17 January 1776] (Cod LOr 5625: 43)[69]

The record suggests that *Kyai Pakih Najimuddin* appointed a *pangulu* by reaching agreement with the local people in each district. The *Kyai Pakih* himself might not have known the local scholars personally, and he probably found it more efficacious to let people choose their own religious leader.

As just stated, the responsibilities of the *pangulu* were limited to religious affairs only, like conducting weddings and leading Friday prayers. The administration of the district fell under the responsibility of another official who occupied the position of *bupati*, appointed by the Prime Minister (De Rovere van Breugel 1787).

1.1.2 To settle matters of conflict between husband and wife

The married life of Muslims is always determined by the *Shari'a*, and this is the reason why all matters of conflict in married life have to be settled by the religious court. The court is responsible for acknowledging the *talaq* or the desire of any husband to separate from his wife. The records suggest that the *talaq* was also valid if the husband pronounced it first and later requested the court to acknowledge it.

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[68] Perkara Ki Haji Muhammad sudah dikukuhkan menjadi seorang pengulu di Gunung Caringin. Dia berhak menikahkan dengan wali hakim, menikahkan semua rakyat yang hidup dalam wilayah/daerah Gunung Caringin, dan memimpin salat Jumat. Diputuskan atas mufakat dari para atasannya pada hari Selasa, tanggal 25 Dzulqaidah, tahun Jim Awal, 1189 Hijriyah.

[69] Perkara si Amiludin sudah dikukuhkan menjadi pengulu di Gunung Ceret. Dia berhak memimpin salat Jumat, menikahkan dengan wali hakim, menikahkan semua rakyat yang hidup dalam wilayah/daerah Gunung Ceret. Ditetapkan atas mufakat para atasannya pada hari Selasa, tanggal 25 Dzulqaidah, tahun Jim Awal, 1189 Hijriyah.

A case in which Kajiyah has been ordered to accept the *talaq* by the court for the reason that her husband, Satu, pronounced it on Monday 22 Jumadilakhir, Ha year, 1188 Hijriyah [31 July 1774] (Cod LOr 5628: 46)[70]

A case in which Safar has been ordered to accept the *talaq* by the court for the reason that her husband, Kendor, pronounced it. The court witnessed it on Sunday 9 Syawal, Jim Awal year, 1189 Hijriyah [3 December 1775] (Cod LOr 5625: 21)[71]

A case in which Nyai Alikah has been ordered to accept the *talaq* by the court for the reason that her husband, Syamsudin, pronounced it on Tuesday 20 Rabi'ulakhir, Dal year, 1191 Hijriyah [28 May 1777] (Cod LOr 5625: 31)[72]

It appears that a wife could also request the court to order the *talaq* to be applied on the grounds of her husband's unfitting behaviour.

A case in which Khatijah has been ordered to accept the *talaq* by the court at her own request. The court witnessed on Thursday 8, Sya'ban, Ha year, 1188 Hijriyah [14 October 1774] (Cod LOr 5628: 11)[73]

A case in which Jiyah has been ordered to accept the *talaq* by the court for the reason that her husband, Panji, is an inveterate gambler. The court witnessed on Sunday 20, Syawal, Ha year, 1188 Hijriyah [26 October 1774] (Cod LOr 5628: 29)[74]

A case in which Rabiyah has been ordered to accept the *talaq* by the court for the reason that her husband, Abi, is an opium addict. The court witnessed on Tuesday 26 Jumadil Awal, Dal year, 1191 Hijriyah [2 July 1777] (Cod LOr 5625: 37)[75]

A case in which Sakiyah has been ordered to accept the *talaq* by the court because she was not happy with her husband who has a mountain of debts and smokes opium. The court witnessed on

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[70] Perkara si Kajiyah sudah dithalaq oleh hakim sebab suaminya yang bernama si Satu menyatakannya, pada hari Senin, tanggal 22 Jumadilakhir, tahun Ha, 1188 Hijriyah.

[71] Perkara si Safar dithalaq oleh hakim sebab suaminya yang bernama si Kendor menyatakannya, disaksikan oleh hakim, pada hari Minggu, tanggal 9 Syawal, tahun Jim Awal, 1189 Hijriyah.

[72] Perkara Nyi Alikah sudah dithalaq oleh hakim sebab dinyatakan oleh suaminya, bernama si Syamsudin, pada hari Selasa, 20 Rabi'ulakhir, tahun Dal, 1191 Hijriyah.

[73] Perkara si Khatijah sudah dithalaq satu oleh hakim sebab memohon kepada hakim pada hari Kamis, tanggal 8, bulan Sya'ban, tahun Ha, 1188 Hijriyah.

[74] Perkara si Jiyah sudah dithalaq oleh hakim sebab suaminya yang bernama si Panji berjudi, pada hari Minggu, tanggal 20 Syawal, tahun Ha, 1188 Hijriyah.

[75] Perkara si Rabiyah sudah dithalaq oleh hakim sebab suaminya yang bernama si Abi menghisap candu, pada hari Selasa, 26 Jumadil Awal, tahun Dal, 1191 Hijriyah.

Sunday 22 Ramadhan, Wau year, 1225 Hijriyah [21 October 1810] (Cod LOr 5628: 20)[76]

If after a trial separation both husband and wife could settle their conflict and wanted to resume their married life, they had to request the court to witness their desire to do so. It appears that a formal wedding could be arranged again with the court's acknowledgement.

A case in which Tubagus Sain, son of Amad Alu, has remarried his wife, Halimah, with a bride price of 113 *Reals*. The court witnessed on Thursday 3, Jumadil Akhir, Wau year, 1193 Hijriyah [18 June 1779] (Cod LOr 5627: 39)[77]

If after the *iddah* or waiting period there was no possibility of either the husband or wife agreeing to return to live together again, either husband or wife would request the court to order the *talaq* condition to be transmuted into a divorce. Those who requested the court to order the divorce had to provide enough valid reasons to end their married life.

A case in which Wayuta has been granted a divorce by the court because her husband, Syahid, did not support her during the separation period. The court witnessed on Saturday 4, Dzulqaidah, Ha year, 1188 Hijriyah [6 January 1775] (Cod LOr 5628: 37)[78]

A case in which Ramijah has been granted a divorce by the court, because during the separation period she was neither supported nor provided with any place to live by her husband, Saheh. The court witnessed on Friday 15, Muharam, Jim Awal year, 1189 Hijriyah [18 March 1775][79]

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[76] Perkara si Sakiyah telah dithalaq satu oleh hakim karena tidak senang kepada suaminya yang banyak berhutang dan menghisap candu, pada hari Minggu, 22 Ramadhan, tahun Wau, 1225 Hijriyah.

[77] Perkara Tubagus Sain, anaknya Amad Alu, telah menikahi kembali istrinya yang bernama si Halimah, dengan mas kawin sebesar 113 reyal, disaksikan hakim, pada hari Kamis, 3 Jumadil Akhir, tahun Wau, 1193 Hijriyah.

[78] Perkara si Wayuta sudah diceraikan oleh hakim karena suaminya bernama si Syahid tidak menafkahinya, pada hari Sabtu, tanggal 4 Dzulqaidah, tahun Ha, 1188 Hijriyah.

[79] Perkara si Ramijah sudah diceraikan oleh hakim sebab tidak dinafkahi dan diberikan rumah tinggal oleh suaminya yang bernama si Saheh, pada hari Jumat, tanggal 15 Muharam, tahun Jim Awal, 1189 Hijriyah.

A case in which Kadih from Tenara has been granted a divorce by the court for the reason that her husband, Rifan, has become insane. The court witnessed on Thursday 24, Rabiulakhir, Jim Awal year, 1189 Hijriyah [24 June 1775] (Cod LOr 5628: 31)[80]

A case in which Aliyah has been granted a divorce by the court because she was not supported by her husband, Basid, during the separation period. The court witnessed on Monday 23, Rajab, Jim Awal year, 1189 Hijiriyah. [19 September 1775] (Cod LOr 5625: 3)[81]

1.1.3 The certification of the adoption of children

Any free man in Banten was allowed to adopt a child, provided that the adoption was conducted in accordance with the procedures laid down by the court. First, the person had to request the court to examine the child's background. The name and whereabouts of either the child's father or mother had to be known. Both father and mother had to be *orang merdeka* or freeman without any debts. No record of the parents' bad behaviour was required. If the child was found to meet all these conditions, the court would certify the adoption.

A case in which Ki Ngabehi adopted a girl called Supiyah, daughter of Amaliki. The court has already examined the girl's place of residence and found that her parents are freemen, with no debts, as well as had never behaved badly. The adoption was witnessed on Tuesday 26, Syawal, Jim Awal year, 1189 Hijiryah [22 October 1775] (Cod LOr 5625: 29)[82]

A case in which Ki Hidin has adopted a boy from Jamangan, named Jait, whose mother is called Nyai Ijo-ijo. The court has already examined the boy's place of residence and found that his parents are freeman, no debts, and never behaved badly. The court witnessed the adoption on Thursday 13, Syawal, Jim Awal year, 1189 Hijriyah [7 Decmber 1775] (Cod LOr 5625: 23)[83]

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[80] Perkara si Kadih asal Tenara sudah diceraikan oleh hakim karena suaminya yang bernama si Rifan telah gila (hilang ingatan), pada hari Kamis, tanggal 24 Rabiulakhir, tahun Jim Awal, 1189 Hijriyah.

[81] Perkara Mas Aliyah sudah diceraikan oleh hakim karena tidak dinafkahi oleh suaminya yang bernama si Basid, pada hari Senin, tanggal 23 Rajab, tahun Jim Awal, 1189 Hijriyah.

[82] Perkara Ki Ngabehi, asal Kepuh, mengangkat anak perempuan yang bernama si Supiyah, anak dari si Amaliki. Hakim sudah memeriksa rumah tinggal si anak dan terbukti tidak berhutang, merdeka, serta bukan penjahat, pada hari Selasa, tanggal 26 Syawal, tahun Jim Awal, 1189 Hijriyah.

[83] Perkara Ki Hidin mengangkat anak, seorang anak lelaki asal Jamangan, bernama si Jait, dari ibunya yang bernama Nyi Ijo-ijo. Hakim sudah memeriksa tempat tinggalnya sang anak, dan terbukti tidak

It was necessary for the court make a proper examination to ascertain that the adopted child was not born of slave parents. The reason was probably because the child of any slave was also included in the slave bondage (Reid 1999: 199). The slave-owner had full rights over that child, so an adoption would have been unlawful. A child born of parents in debt bondage could not be adopted, probably because the creditor had a right to demand that parents present their child to him in lieu of the money to be repaid (Reid 1999: 189).

1.1.4 The granting of probate on an inheritance and to settle matters of conflict over inheritance

The records suggest the heirs had to inform the court when a person passed away. The court would send officials to investigate and list the property of the deceased.

> A case in which Kati has reported to the court about the inheritance of his brother, Amad Ali: money valued at 113.5 *Reals*, a gold belt encrusted with diamonds, a gold robe encrusted with diamonds, and gold buttons. The court investigated the property and granted probate on Friday 25, Sya'ban, Jim Awal year, 1189 Hijriyah [19 October 1775] (Cod LOr 5625: 10)[84]
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> A case in which Kati has reported to the court about the inheritance of a person called Baju: money valued at 23 *Reals*. The court investigated and granted probate on Friday 25, Sya'ban, Jim Awal, 1189 Hijriyah [19 October 1775] (Cod LOr 5625: 10)[85]
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> A case in which Kati has reported to the court about the inheritance of a person called Amad Ali: a house valued at 20

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berhutang, merdeka, serta bukan penjahat, pada hari Kamis, tanggal 13 Syawal, tahun Jim Awal, 1189 Hijriyah.

[84] Perkara si Kati melapor kepada hakim mengenai peninggalan saudaranya bernama si Amad Ali, berupa uang 113,5 reyal, sabuk (ikat pinggang) emas bertatahkan berlian, pakaian berenda emas bermata berlian, kancing emas, dan lain-lain, disaksikan hakim, pada hari Jumat, tanggal 25 Sya'ban, tahun Jim Awal, 1189 Hijriyah.

[85] Perkara si Kati melapor kepada hakim mengenai peninggalannya si Baju, berupa uang 23 reyal, disaksikan hakim, pada hari Jumat, tanggal 25 Sya'ban, tahun Jim Awal, 1189 Hijriyah.

Reals. The court witnessed on Saturday 26, Sya`ban, Jim Awal, 1189 Hijriyah [20 October 1775] (Cod LOr 5625: 10)[86]

It appears that the first and third cases are the reports about the property of the same person, Amad Ali. His brother, Kati, appears to have reported to the court twice, on Friday 19 and Saturday 20 October 1775. In the second report only his brother's house was recorded as property. The records suggested that Kati may have forgotten to declare to the court that the house was part of his brother's property. If not, it must have been the court official who forgot to enter the house in the list of Amat Ali`s property. Then Kati had to come to the court again the next day to request an official to add the house to the list of his brother's property.

The family of the deceased person probably had to request the court to distribute the property to any heirs who were entitled to a portion. The dividing of the property was based on the law of inheritance stated in the *Shari'a*. Once the matter had been settled, the procedure had to be recorded.

A case in which the court has been requested to divide the fortune of the late Princess Dipati, younger sister of the *Kanjeng Pangeran Ratu* [the Crown Prince], on Tuesday 28, Dzulhijah, Ha year, 1188 Hijriyah [1 March 1775]. The property valued at 2,205 *Reals*, which the princess had inherited from the *Kanjeng Pangeran Ratu*. It has been shared between her half-sister, Princess Ra'iyah, and her full brothers and sisters: Prince Arya, Prince Ahmad, Princess Kumudah, Princess Siti Safariyah, and Princess Siti Zainah (Cod LOr 5628: 43)[87]

A case in which the court has examined the property of Sayan who passed away. He left money to the amount of 29 *Reals*, a house valued at 9 *Reals*, as well as some furniture. This property

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[86] Perkara si Kati melapor kepada hakim mengenai peninggalannya bernama si Amad Ali, berupa rumah seharga 20 reyal, pada hari Sabtu, tanggal 26 Sya'ban, tahun Jim Awal, 1189 Hijriyah.

[87] Perkara Hakim diminta membagi peninggalan dari Ratu Dipati, adik Kangjeng Pangeran Ratu, pada hari Selasa, tanggal 28 Dzulhijah, tahun Ha, 1188 Hijriyah. Peninggalan itu totalnya sebanyak 2.205 reyal, terdiri dari peninggalan kakaknya yang bernama Kangjeng Pangeran Ratu, saudaranya seibu yang bernama Ratu Ra'iyah, saudara seibu-sebapak yang bernama Pangeran Arya, Pangeran Ahmad, Ratu Kumudah, Ratu Siti Safariyah, dan Ratu Siti Zainah.

has been distributed between his wife and children [no date] (Cod LOr 5627: 4)[88]

A case in which the court has been requested to divide inherited money between Mas Ta'rif and Alisah, altogether valued at 164.5 *Reals*. The court allotted 54 reyal to Alisah and the rest to Mas Ta'rif, on Tuesday 17, Rabi'ulawal, Ba year, 1192 Hijriyah [15 April 1778] (Cod LOr 5628: 13)[89]

A case in which Rapingi and Aliyah have inherited property from their father, Kyai Hatab. The property consists of 9 donated rice fields (*sawah wakaf*), as well as the surrounding areas of the fields. The court witnessed on Tuesday 18, Jumadil Awal, Ba year, 1224 Hijriyah [31 July 1809] (Cod LOr 5628: 16)[90]

Not many conflicts among relatives over the inherited property are found in the records. A possible explanation is that the management of inheritance in accordance to the *Shari'a* may have limited the matters of conflict over the inherited properties.

> On Sunday 9, Rajab, Ba year, 1168 Hijriyah [21 April 1755], the court settled the matter of conflict between Tubagus Udin, Tubagus Bair, Tubagus Amad, Tubagus Samah and Tubagus Haimi, about their shares in an inheritance (Cod LOr 5627: 4)[91]

People had the right to request the court to acknowledge anybody they had chosen to inherit their property. It appears that property-owners, even when they were still alive, could also request the court to acknowledge their will, sharing their property among their loved ones. Recorded cases of the sharing of property when the owner was still alive appear to have been strictly within the family.

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[88] Perkara hakim memeriksa (mencatat) peninggalan si Sayan yang mati (meninggal). Ia meninggalkan anak-istrinya berupa uang 29 reyal, dan rumah seharga 9 reyal, serta isinya.

[89] Perkara hakim sudah mengurus keabsahan hak miliknya Mas Ta'rif dan si Alisah semuanya bernilai 164½ reyal. Oleh hakim dibagi sejumlah 54 reyal untuk si Alisah dan sisanya untuk Mas Ta'rif, pada hari Selasa, 17 Rabi'ulawal, tahun Ba, 1192 Hijriyah.

[90] Perkara si Rapingi dan si Aliyah yang diwarisi oleh orang tuanya (ayahnya), bernama Kyai Hatab, berupa sawah wakaf, serta seluruh batas-batas sawah wakaf tersebut, pada hari Selasa, 18 Jumadil Awal, tahun Ba, 1224 Hijriyah.

[91] Pada hari Minggu, 9 Rajab, tahun Ba, 1168 Hijriyah, hakim menyelesaikan pertengkaran Tubagus Udin dengan Tubagus Bair, Tubagus Amad, Tubagus Samah, Tubagus Haimi, mengenai pembagian harta waris.

A case in which Ki Pengulu Imran granted property to his daughter, Suwidah. The property consists of slaves, money to the amount of 18 *Reals*, and a rice field. The court witnessed on Monday 15, Syawal, Ha year, 1188 Hijriyah [19 December 1774] (Cod LOr 5628: 27)[92]

A case in which Ki Pengulu Imran granted his daughter, Nasfah, property: a rice field and a house, valued at 85 *Reals*. The court witnessed on Monday 15, Syawal, Ha year, 1188 Hijriyah [19 December 1774] (Cod LOr 5628: 28)[93]

A case in which Ki Pengulu Imran transferred to his wife, Samiyah, property: a house, gold buttons, a rice barn and a rice field. The court witnessed on Monday 15, Syawal, Ha year, 1188 Hijriyah [19 December 1774] (Cod LOr 5628: 28)[94]

A case in which Ki Pengulu Imran transferred to his wife, Kahablah: rings, a house, and coconut grove, valued at 56 *Reals*. The court witnessed on Monday 15, Syawal, Ha year, 1188 Hijriyah [19 December 1774] (Cod LOr 5628: 28)[95]

The first four cases concern the family of a village head (*pengulu*), Imran, who appears to have shared his property between his daughters and wives while he was still alive. The next case is a similar matter in another family.

A case in which Abu Hari was granted by his father, Ibrahim, money to the value of 50 *Reals*, as well as other property: chairs, water buffaloes, spears, rice fields, a coconut grove, sarong cloth, shirts, trousers, and text-books. The court witnessed on Wednesday 21, Sya'ban, Ha year, 1188 Hijriyah [27 October 1774] (Cod LOr 5628: 15)[96]

A case in which Ibrahim transferred to his wife, Ayu Anwar, money to the value of 50 *Reals*, as well as other property: clothes,

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[92] Perkara Ki Pengulu Imran memberi anaknya perempuan bernama si Suwidah berupa hamba, uang 18 reyal, dan sawah, disaksikan hakim, pada hari Senin, tanggal 15 Syawal, tahun Ha, 1188 Hijriyah.

[93] Perkara Ki Pengulu Imran memberi anaknya perempuan bernama si Nasfah berupa sawah dan rumah, yang dihargai senilai 85 reyal, disaksikan hakim, pada hari Senin, tanggal 15 Syawal, tahun Ha, 1188 Hijriyah.

[94] Perkara Ki Pengulu Imran memberi istrinya bernama Samiyah berupa rumah, kancing emas, lumbung, dan sawah, disaksikan hakim, pada hari Senin, tanggal 15 Syawal, tahun Ha, 1188 Hijriyah.

[95] Perkara Ki Pengulu Imran memberi kepada istrinya yang bernama si Kahablah berupa cincin, rumah, dan pohon kelapa, yang dihargai senilai 56 reyal, disaksikan hakim, pada hari Senin, tanggal 15 Syawal, tahun Ha, 1188 Hijriyah.

[96] Perkara si Abu Hari yang diberi oleh ayahnya yang bernama Ibrahim uang sebanyak 50 reyal, serta warisan lain seperti kursi, kerbau, tombak, sawah, pohon kelapa, kain sarung, baju, celana, kitab ilmu, dan lain-lain, disaksikan hakim, pada hari Rabu, tanggal 21, bulan Sya'ban, tahun Ha, 1188 Hijriyah.

> gold buttons, and gold decorations. The court witnessed on Wednesday 21, Sya'ban, Ha year, 1188 Hijriyah [27 October 1774] (Cod LOr 5628: 15)[97]

Should a person pass away without descendants, the records suggest that the property would be surrendered to the court, and *Kyai Pakih Najimuddin* had right to manage this.

> On Saturday 28, Rabi'ulawal, Alif year, 1163 Hijriyah [7 March 1750], Kyai Pakih Najimuddin received the fortune which belonged to the late Sarif Muhir from Sarif Saleh. The treasure consisted of 3 krisses with one solid gold and soft gold sheaths, house furniture, and jewellery. (Cod LOr 5626: 1)[98]
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> A case in which inherited treasure of Jaibah, daughter of Tubagus Muhammad, a piece of *tapih* cloth [for women's use], silver bowl and money valued at 23 *Reals*, have been surrendered to Kyai Pakih Najimuddin, on Sunday 20, Rabi'ul Akhir, Ba year, 1224 Hijriyah [4 June 1809] (Cod LOr 5628: 12)[99]

The records do not state what *Kyai Pakih Najimuddin* would do with this property handed over to him. I assume that property of great worth might have been sent to the royal treasury, if *Kyai Pakih Najimuddin* had no authority to claim them as his own property.

1.1.5 The certification of individual rights to property

The records suggest in certain circumstances subjects may have been able to request the court to record their possession of valuable items of property like land, gold, silver and jewellery. It appears that the subjects asked the court to acknowledge their

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[97] Perkara Ibrahim yang memberi kepada istrinya bernama si Ayu Anwar uang sebanyak 50 reyal, serta warisan lain seperti pakaian, kancing, emas, dan lain-lain disaksikan hakim, pada hari Rabu, tanggal 21, bulan Sya'ban, tahun Ha, 1188 Hijriyah.

[98] Pada hari Sabtu, 28 Rabi'ulawal, tahun Alif, 1163 Hijriyah, saat itu Kyai Faqih Najimudin menerima miliknya (harta) Sarif Muhir dari Sarif Saleh, berupa keris sebanyak 3 buah, sebuah *pendok* (logam pelapis sarung keris) emas, emas muda sebuah, barang-barang rumah tangga, dan perhiasan.

[99] Perkara Baitul Mal peninggalan Jaibah binti Tubagus Muhammad dan sebuah tapih (kain yang dipakai wanita), bokor logam, uang sebesar 23 reyal, diserahkan kepada hakim, Kyai Faqih Najimudin Haji Husein, pada hari Minggu, tanggal 20 Rabi'ul Akhir, tahun Ba, 1224 Hijriyah.

right to this property, whenever they bought, sold or transfered the property to anybody else.

> A matter of Ki Karim from Pontang who has reported to the court that he possessed a female slave called Mariyam, three chairs, and teakwood beams valued at 15 *Reals*, as well as a piece of land for planting coconut palms and *sawo*[100] trees, and a rice field. The court witnessed on Wednesday 2, Sya'ban, Jim Awal year, 1189 Hijriyah [28 September 1775] (Cod LOr 5625: 4).
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> A matter of Nyai Urip who has requested the court to certify her right to the following property: gold rings encrusted with finely polished diamonds valued at 25 *Reals*, 16 gold buttons valued at 16 *Reals*, and a sheet of *tapih*[101] cloth. The court witnessed on Sunday 20, Rabi'ulawal, Dal year, 1191 Hijriyah [28 April 1777] (Cod LOr 5625: 21).
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> A matter of Jalim who bought a piece of rice field [*sawah*] from Senen, valued at 30 *Reals*. This field is in the Ander Ander area, on Thursday 9, Jumadil Awal, Ba year, 1192 Hijriyah [5 June 1778] (Cod LOr 5628: 24).
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> A matter of Aisyah who has received bride-price money from her husband, Idrus. The court witnessed on Tuesday 5, Jumadil akhir, Ba year, 1192 Hijriyah [1 July 1778] (Cod LOr 5628: 27).
>
> A matter of Nyi Makiyah who has sold her rice field to Lurah Jaro to the value of 20 *Reals*. The money was received by her husband Abdul Rahman. The court witnessed on Tuesday 11, Rajab, Ba year, 1192 Hijriyah [5 August 1778] (Cod LOr 5628: 33).
>
> A matter of the Queen Consort who has granted 91 pieces of *dodot* [102]cloth which belonged to His Majesty the Sultan to the keepers of the Grand Mosque. Among the senior officials of the Grand Mosque, Urip was given 24 pieces, Jamal 20 pieces, Wahid 12 pieces, Jaim 10 pieces, and Wahab 16 pieces. The rest were distributed to other officials [no date] (Cod LOr 5628: 40).

Should anybody inherit property from a deceased person, the records indicate that the right to the inherited property would not be valid without the acknowledgement of the court. The court's authority to convey the right to property stated in each case of inheritance suggests that any inheritance was probably still illegal without an official acknowledgement.

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[100] Sawo is a kind of fruit-bearing tree, sapodilla (Echols and Shadily 1994: 485).
[101] Tapih (*Jv*) is a kind of woman's ankle-length batik wraparound. (Echols and Shadily 1994: 553).
[102] Dodot (*Jv*) is a kind of batik wraparound worn by courtiers and bridegrooms (Echols and Shadily 1994: 147).

A matter of the court which has probated Nyonya Ngabehi Habibah's report that she inherited property from Saiyar, on Thursday 11, Syawal, Ha year, 1164 Hijriyah [2 September 1751] (Cod LOr 5628: 9).

A matter of the court which has granted probate to Nyai Wati's right to jewellery: two sets of gold pendants encrusted with polished diamonds, on Saturday 20, Rajab, Dal year, 1191 Hijriyah [24 August 1777] (Cod LOr 5628: 10)

A matter of the court which has granted the right to the inheritance of Sharaf: a kris with a silver sheath, a gold bracelet, and money valued at 50 *Reals*. The court witnessed on Thursday 3, Dzulhijah, Dal year, 1191 Hijriyah [2 January 1778] (Cod LOr 5628: 37).

A matter of the court which has probated the right to money, valued at 21 *Reals*, to Jaya Negara, on Monday 14, Syawal, Wau year, 1193 Hijriyah [25 October 1779]. The money was paid to Amidin, Jaya Negara's representative (Cod LOr 5627: 21).

There were certain matters indicating the authority of the religious court to look after the legacies of any deceased people who were survived by small children. In the records these children were called a fatherless child. They were probably wards of the court until they reached the age at which they could possess their own inheritance: then the court would declare their proprietary rights.

A matter in which the court has certified the proprietary right of a fatherless child, Bukhari, to the inheritance from his father, Mas Muhammad: a kris with gold sheath, gold rings encrusted with fine polished diamonds, and two spears embellished with gold. The right has been declared on Friday 15, Rabi'ulawal, Je year, 1190 Hijriyah [4 May 1776] (Cod LOr 5625: 1).

A matter in which the court has certified the proprietary right of fatherless children, Mamad, Thahir, and Nujiyah: a kris with gold sheath, gold pendants and earrings, brass cutlery and kitchen utensils, silver bowls, and silver betel-nut-set. The right has been declared on Thursday 18, Rajab, Dal year, 1191 Hijriyah [22 August 1777] (Cod LOr 5628: 10).

A matter in which the court has certified the proprietary right of a fatherless girl, Syahuda, daughter of Muajin Adong to: gold jewellery valued at 3 *Reals*, 2 sets of costumes. The right has been declared on Sunday 5, Ramadhan, Ba year, 1224 Hijriyah [14 October 1809] (Cod LOr 5628: 20).

By requiring the subjects to request the court's acknowledgement of their proprietary rights, the state could easily assess the economic status of each household in the realm. The data are also helpful in examining economic conditions at the grassroots level during the late eighteenth and early nineteenth century.

1.1.6 The certification of people's ownership of slaves

In the previous chapters we learn that slave trade still continued to be a part of commerce in Banten. The law-book part of the MS Cod LOr 5598 carries different laws in the *Perintah Raja* or the royal decrees concerning the slave trade. These laws suggest that both noble and ordinary people in Banten could afford to have slaves in their households. The court records suggest that the religious court had the jurisdiction to authorise people's right to possess slave(s) and to certify the manumission of any slave(s). This jurisdiction is not stated in any point of the slave laws stated in the *Perintah Raja*, which is the law enforced by the *bumi* court. Generally speaking, the *bumi* court was in charge of regulating the buying and selling of slaves, as well as the way the slave-owners were expected to behave towards their slaves. Since slaves were considered a sort of property, the right to possess slaves had to be certified by the religious court.

Anybody who intended to buy or sell slaves had to follow the rules stated in the royal decree. In the meantime, details of buying or selling had to be reported to the religious court for its acknowledgement.

> On Tuesday 22, Rabi'ulawal, Wau year, 1169 Hijriyah [25 December 1755], an official in the rank of *Lurah*, named Kobar, bought four slaves from Mas Arya Kusuma Yuda (Cod LOr 5627: 2).

> A matter of Tubagus Jamil has bought a slave called Kadung from Nyai Kancil at Gunung Kulit, at the cost of 30 *Reals*. Money has been paid to her representative, Arip, on Saturday 4, Rajab, Ha year, 1188 Hijriyah [10 September 1774] (Cod LOr 5628: 3).

A matter in which Tubagus Urip has bought a slave from Kemuning named Abdur Rahman from Prince Pangeran Ahmad, at the cost of 25 *Reals*. Money has been paid to Pangeran Ahmad's representative on Saturday 15, Syawal, Jim Awal year, 1189 Hijriyah [9 December 1775] (Cod LOr 5625: 22).

A matter in which a Chinese merchant has bought a slave from Brunei named Gading, at the cost of 70 *Reals*, from the former slave-owner, Juragan Husain. The court witnessed on Monday 13, Rabiulakhir, Jim Awal year, 1189 Hijriyah [13 June 1775] (Cod LOr 5628: 28).

Slaves could also be inherited and the right to the inherited slave had to be acknowledged by the court. Slaves could also be granted as gifts from one slave-owner to another, and the recipient had to request the court to acknowledge his right.

> A matter in which husband and wife, Mas Abdul Rus and Rabingah, have requested the court to certify their right to a slave couple, Ngatibar and his wife, Manisah. These two slaves had previously belonged to Ki Arya Wangsa Duta. The court witnessed on Thursday 2, Dzulqaidah, Ha year, 1188 Hijriyah [4 January 1775] (Cod LOr 5628: 37).
>
> A matter in which Ratu Siti owns a slave from Gunung Kawung Hyang named Cengko. The court has already investigated and the slave declared that Ratu Siti had inherited him from her father, Juragan Saliman. The court acknowledged the inheritance on Wednesday 12, Jumadilakhir, Jim Awal year, 1189 Hijriyah [10 August 1775] (Cod LOr 5628: 42).
>
> A matter in which *Kyai Pakih Najimuddin* has received a slave named Razaq from Sawah Pecel as a gift from Tubagus Agus. The slave once belonged to Tubagus Agus' father. The court witnessed on Friday 28 Jumadilakhir, Jim Awal year, 1189 Hijriyah [26 August 1775] (Cod LOr 5628: 46).
>
> A matter in which Prince Pangeran Dipa Negara has taken gifts from Pangeran Nata Baya in the form of four slave brothers from Gunung Jajawi named Mansur, Jamal, Jalu and Badriyah. The court acknowledged on Tuesday 3, Rajab, Jim Awal year, 1189 Hijriyah [30 August 1775] (Cod LOr 5628: 45).

The slave-owners also had to request the court's acknowledgement whenever they wanted to release any slave from bondage. The acknowledgement of any slave release may have been formally conducted for two reasons. First, it might have been a declaration of the end of the slave bondage to the person released, and to guarantee that the manumitted slave would become a freeman. Second, the register of slave

releases might have been used by the state to check the slave population in the kingdom.

> A matter in which His Majesty the Sultan has manumitted a slave from Gunung Cibungur named Jafnah. Nyai Tijah was the person who brought the royal command to report to the court on Monday 14, Rajab, Ha year, 1188 Hijriyah [20 September 1774] (Cod LOr 5628: 5).
>
> A matter in which Kamir from Gunung Babakan has been manumitted by his master, Tubagus Abu Khoir. The court certified the release of this slave on Sunday 27, Sya`ban, Jim Awal year, 1189 Hijriyah [23 October 1775] (Cod LOr 5625: 12).
>
> A matter in which Ambiyah has been manumitted by her master, Nopo, on Thursday 3 Muharam, Je year, 1190 Hijriyah [23 February 1776] (Cod LOr 5625: 5).
>
> A matter in which Khamsah has appealed to the court to witness that he has been manumitted by his master, Mas Hiram, with compensation money of 18 *Reals*. The court witnessed on Sunday 29, Rabi'ulakhir, Je year, 1190 Hijriyah [17 June 1776] (Cod LOr 5625: 32).

1.1.7 Witnessing of debts and loans

The court records indicate that matters to do with debts and loans were most often brought before the Banten religious court during the late eighteenth century. This section will not discuss in detail this responsibility of the religious court, as this has already been done in the discussion on the application of the *Shari'a* law in Banten.

1.1.8 The acknowledgement of certain crimes

It appears from the records that the subjects from time to time brought criminal cases before the religious court. The records show that in most cases the court could only take note of the matter without possessing any authority to make a judgement. These criminal cases might have been forwarded to the *bumi* court for its judgement.

> A report from Bundar to the court that his child has been beaten dead by Majid, but Majid did not admit this [no date, 1165 H = 1751 A.D.] (Cod LOr 5628: 1)

A report from Pasitadin to the court that he has been stabbed with a spear by Sajid [no date, 1165 H = 1751 A.D.] (Cod LOr 5628: 7).

A matter in which Salimah, a Khoja[103] descendant, has reported to the court that Amad Asan went to her house and threatened her with a kris, as well as abusing her in front of her house on Thursday 8, Rajab, Je year, 1190 Hijriyah [23 August 1776] (Cod LOr 5625: 57).

A matter in which Nyai Dawiyah has reported to the court that a woman named Urip committed suicide in her house on Tuesday 15, Rabi'ulawal, Dal year, 1191 Hijriyah [23 April 1777] (Cod LOr 5625: 21).

A matter in which Prince Pangeran Nata Baya has reported to the court that Minah, who had been manumitted by Tubagus Abdul Aziz, committed suicide in her house on Wednesday 13, Jumadil Awal, Dal year, 1191 Hijriyah [19 June 1777] (Cod LOr 5625: 30).

A matter in which Sanca has reported to the court that Tubagus Jamaludin was stabbed by Tubagus Atib on Wednesday 29, Rajab, Wau year, 1193 Hijriyah [12 August 1779] (Cod LOr 5627: 31).

Although the court registered these matters in its records, this act of registration appears to have been its only acknowledgement. No phrase 'the court witnessed' appears at all in these records, indicating that the court did not take any action in these matters. These criminal reports help confirm that the religious court in Banten had no authority to judge criminal cases. The reason why criminal cases, although beyond the authority of the religious court, still appear in these court records may be postulated in two ways. First, people might have misunderstood and thought that the religious court was authorised to settle all types of cases. Although the fifth case quoted was reported by a prince of the *pangeran* class, who should have understood the separate jurisdictions of the *kadi* and *bumi* courts, it may have been the prince's messenger who conveyed his report to a wrong court. Second, it may have been the policy of the religious court to receive all types of reports, but it would only take

[103] Khoja (Lit.) is a term for Muslim merchants from abroad (Echols and Shadily 1994: 294).

action in cases which fell under its jurisdiction. The rest probably would be forwarded to the *bumi* court.

1.1.9 The receiving of any miscellaneous reports

The appearance of miscellaneous matters is a good indication that people reported various types of matter to the *kadi* or the religious court, including those beyond its jurisdiction. Matters concerning lost persons or property, moving house, the discovery of dead bodies in different villages, or even official announcements from the palace are among these miscellaneous reports.

> A matter of His Majesty the Sultan's daughter, Ratu Siti Thayibah, was born on Tuesday 1, Rabi'ulawal, Dal year, 1191 Hijriyah [9 April 1777] (Cod LOr 5625: 9)[104]

This is the only palace announcement of a birth of the Sultan's daughter turning up in the court records. An announcement such as this was not supposed to be announced in the religious court, as it appears nowhere that *Kyai Pakih Najimuddin* as head of the religious court had anything to do with registering the birth of the Sultan's children.

> A matter in which Tubagus Abu has reported to the court that his brother, Abu Najid, has moved to live with Mas Guler in Cibadak [no date, 1165 Hijriyah = 1751 A.D.] (Cod LOr 5628: 24).
>
> A matter in which Tubagus Muhammad Said has reported to the court that his slave, Sura, and an official named Mas Kasad had been sent to the rice field, but did not return. The incident occurred on Sunday 7 Muharam, Wau year, 1193 Hijriyah [25 January 1779] (Cod LOr 5627: 60).
>
> A matter in which Ki Paranudin from Rejaten has reported to the court that his water buffalo valued at 6 *Reals* disappeared on Wednesday 27, Dzulqaidah, Ba year, 1224 Hijriyah [3 January 1810] (Cod LOr 5628: 27)

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[104] Perkara putri sultan, bernama Ratu Siti Thayibah, telah terlahir, pada hari Selasa, 1 Rabi'ulawal, tahun Dal, 1191 Hijriyah.

> A matter in which Abdul Lakah has reported to the court that he lost his good quality ring and necklace on Saturday 26, Rajab, Wau year, 1225 Hijriyah [27 August 1810] (Cod LOr 5628: 14).
>
> A matter in which Mas Marda has reported to the court that the front part of his house was destroyed by a coconut tree that collapsed on Tuesday 26, Muharam, 1226 Hijriyah [20 February 1811] (Cod LOr 5628: 26).

The matters quoted are supposed to come under the authority of the *bumi* court, but those doing the reporting, mostly ordinary people, may have been confused by the different roles of the two courts. Records of lost property never appeared in the religious court records before 1810, and this appearance might have indicated a change in the court's status and jurisdiction.

Part III

1. Certain images of Banten society at both elite and grassroots levels during the late eighteenth and early nineteenth century

Although the court records contain cases which were registered between 1749 and 1812, the register for certain years has disappeared or is now incomplete. Cases which occurred time and again in the remaining records, however, can still provide us with different images of Banten society at both the elite and the grassroots levels. There are six perspectives on Banten's society to be discussed in this final section.

1.1 A Society of poverty

The court records suggest that matters of debts and loans were the most frequent sort of case brought before the religious court each year. Most of the debt and loan cases concerned debt transfer. This phenomenon on its own is a good indicator of poverty in Banten society during the late eighteenth century. People's opportunities or capacities to free themselves from debt may have been limited, and that is why they relied on a third person to help pay the debt to their former creditor. Having counted

the debt transfer cases throughout the remaining records, the data may be arranged as follow:

Table 12: Debt transfer cases registered in the court records

Year	Numbers of debt transfer
1750 A.D. (1164 H.)*	23
1751 A.D. (1165 H.)*	92
1753 + 1754 A.D. (1167 + 1168 H.)	The records are incomplete and no debt transfer cases are registered.
1755 A.D. (1169 H.)	The records are incomplete and no debt transfer case registered.
1774 A.D. (1188 H.)	126
1775 A.D. (1189 H.)	264
1776 A.D. (1190 H.)	289
1777 A.D. (1191 H.)	192
1778 A.D. (1192 H.)	120
1779 A.D. (1193 H.)	207
1780 A.D. (1194 H.)	72
1810 A.D. (1224 H.)*	72
1811-12 A.D. (1225-6 H.)*	34

*** = Records are incomplete.**

The transfer of a debt may have been done when the debt bondage had nearly reached its expiry date but the debtor still could not return the money. The debtor could request a third party to pay the debt on his behalf, so the debt bondage would be transferred from the former debtor to the third person as new creditor. The court records did not register how many times debt bondage could be transferred. The most important thing is that any agreement on debt transfer had to be confirmed by the acknowledgement of the religious court.

Apart from debt transfer, the ordinary form of money-lending and borrowing appeared regularly each year. Money-lending and debt transference matters form the largest group of cases brought before the court nearly every year shown in the records. All the cases concerning debts and loans indicate that only free men and women were eligible to borrow money or to request a debt transfer. The records of debt and loan cases indicate the different group of people who played the role of creditor. Most of them were aristocrats in Banten society. Another table may be formed to display different groups of people whose financial status was stable enough for them to lend money out to anybody who requested it.

Table 13: Creditors in Banten society during the late eighteenth century

Creditors	Examples of cases in the court records
The sultan	A matter in which His Majesty the Sultan who rules the kingdom of Banten lent money to the amount of 30 *Reals* to Mas Mamik from Tengahan, on Tuesday 12, Muharam, Jim Awal year 1189 Hijriyah [15 March 1775] (Cod LOr 5628: 8). A matter in which the Sultan has lent money in the amount of 15 *Reals* to a free man from Tengahan named Lanang. The court witnessed on Thursday 12 Rajab, Jim Awal year, 1189 Hijriyah [8 September 1775] (Cod LOr 5628: 2).
Members of the royal family	A matter in which Prince Raja has requested the court to collect the debt for him from Lanang, a free man from Tengahan, to the amount of 13.5 *Reals*. The court witnessed on Sunday 16, Syawal, Ha year, 1164 Hijriyah [7 September 1751] (Cod LOr 5628: 8). A matter in which Princess Ra'iyah has paid the debt of a free woman from Pasisir named Buwang, in the amount of 16 *Reals*, to Balik, the former creditor. The court witnessed on Monday 1 Syawal, Ha year, 1188 Hijriyah [5 December 1774] (Cod LOr 5628: 24). A matter of His Royal Highness the Crown Prince [Kanjeng Pangeran Ratu Anom] has paid the debt of a free woman from Krajagon named Kapiyah, to the amount of 20 *Reals*, to Mas Bodah, the former creditor. The court witnessed on Tuesday 21, Rabiulakhir, Jim Awal year, 1189 Hijriyah [21 June 1775] (Cod LOr 5628: 310).
Ministers or officials	A matter in which Pangeran Dipanegara [the Prime Minister] has lent money to the amount of 245 *Reals* to a free man from Sawah Terate Ilir named Cil. The court witnessed on Wednesday 3 Syawal, Ha year, 1188 Hijriyah [7 December 1774] (Cod LOr 5628: 24). A matter in which Kyai Arya Jaya Negara has paid the debt of a free woman from Serang named Jibung, to the amount of 20 *Reals*, to Princess Siti, the former creditor. The court witnessed on Tuesday 28, Rabiulakhir, Jim Awal year, 1189 Hijriyah [28 June 1775] (Cod LOr 5628: 32). A matter in which Ngabehi Burhan lent money to the amount of 13 *Reals* to

Ministers or officials	a free man from Tengahan named Hasan. The court witnessed on Monday 11, Sya'ban, Wau year, 1193 Hijriyah [24 August 1779] (Cod LOr 5627: 29). A matter in which Tumenggung Suwarya has paid the debt of a free man named Nanggal, to the amount of 10 *Reals*, to Abdul Rahim, the former creditor. Money has been received by Abdul Rahim's representative named Yunus on Thursday 15, Jumadil Awal, Jim Akhir year, 1194 [19 May 1780] (Cod LOr 5627: 3).
Islamic scholars or religious local leaders	A matter in which Kyai Haji Toyib has lent money in the amount of 40 *Reals* to a free man from Tengahan named Adung. The court witnessed on Wednesday 21, Safar Je year, 1190 Hijriyah [11 April 1776] (Cod LOr 5625: 17). A matter in which Kyai Haji Husain has paid the debt of a free woman from Sudamanik named Dawiyah, to the amount of 13 *Reals*, to Sam, the former creditor, on Thursday 5, Rabi'ulakhir, Je year, 1190 Hijriyah [24 May 1776] (Cod LOr 5625: 24). A matter in which Kyai Pengulu Kenari has paid the debt of a boy and a woman with five siblings, to the amount of 21 *Reals*, to Rafiyah, the former creditor, on Wednesday 8, Jumadil Akhir, Je year, 1190 Hijriyah [25 July 1776] (Cod LOr 5625: 44).
Ordinary people who owned enterprises (***juragan***)	A matter in which Juragan Husain has paid the debt of a free man from Tengahan named Salih and his wife named Urip, as well as their children Ajim and Asiyah. The amount of the debt is 30 *Reals*, and it has been paid to Ngabehi Maghrib, the former creditor. Money has been paid to Ngabehi Maghrib's representative named Said, on Tuesday 10 Rajab, Jim Awal year, 1189 Hijriyah [6 September 1775] (Cod LOr 5628: 1). A matter in which Juragan Kamidin has paid the debt of a free woman from Pangoran named Kadimah, to the amount of 12 *Reals*, to Bengawan, the former creditor. The court witnessed on Sunday 11, Safar, Je year, 1190 Hijriyah [22 March 1776] (Cod LOr 5625: 15).
Ordinary people with stable financial status	A matter in which Urip has lent money to the amount of 300 *Reals* to a free man from Tengahan named Ma'il. The court witnessed on Wednesday 27, Jumadil Awal, Dal year, 1191 Hijriyah [3 July 1777] (Cod LOr 5625: 37). A matter in which Mas Budah has lent money to the amount of 434 *Reals* to a free man from Tengahan named Zain. The court witnessed on Monday 24, Rajab, Ba year, 1192 Hijriyah [18 August 1778] (Cod LOr 5628: 33). A matter in which Mas Shalih Jrutus has lent money to the amount of 450 *Reals* to two free men from Tengahan named Juragan Aman and Mas Abdullah. The court witnessed on Wednesday 29, Rajab, Wau year, 1193 Hijriyah [12 August 1779] (Cod LOr 5627: 31).
Chinese merchants	A matter in which a Chinese merchant has been returned a debt from Tubagus Salih in the form of a slave from Gunung Telahi named Sadap, valued at 70 *Reals*. The court witnessed on Monday 4, Rajab, Ha year, 1188 Hijriyah [10 September 1774] (Cod LOr 5628: 5). A matter in which a Chinese shipowner has been returned a debt from Prince Muhammad Salih in the form of a slave named Timah from Gunung. The slave has been delivered to the Chinese shipowner by the prince's representative named Wana, on Thursday 8, Sya'ban, Ha year, 1188 Hijriyah [14 October 1774] (Cod LOr 5628: 11).

Chinese merchants	A matter in which a Chinese merchant has paid the debt of a free woman from Tengahan named Sahanah, to the amount of 18 *Reals*, to Pariyah, the former creditor on Thursday 9, Dzulhijah, Ha year, 1188 Hijriyah [10 February 1775] (Cod LOr 5628: 39).

The records of debt and loan cases suggest that indebtedness could occur at many levels of society, but the limited nature of the evidence makes it impossible to calculate the prevalence of poverty. However, the fact that debts were being transferred even among the lower strata of society each year suggests that money had become a necessary element, even in remote areas of the kingdom where it might have been assumed that people would be self-sufficient. Laziness is something which had always been noticed by foreign visitors[105] (Stavorinus 1769: 72; Van Breugel 1856: 332), but any lack of diligence on the part of the population was compounded by the burden imposed on them to plant pepper for export[106] (Meinsma 1873: 152-7), so that people probably had no time left to make a profit from their own land. It appears that Banten could not produce sufficient supplies of cotton and certain kinds of herbs and plants for daily use like onions, ginger and peanuts (De Rovere van Breugel 1856: 165-6). In addition, the demand for Chinese goods like textiles and ceramics for household use was high (Van Breugel 1856: 166). These reasons possibly bolstered the significance of money at all levels of Banten society.

The records also indicate that the gap between rich and poor people was very wide. The elite or ordinary people who had involved themselves in all sorts of trades had a better chance to accumulate wealth, and, safe in their sound financial position, they would become creditors of the poor subjects. The Chinese were among those

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[105] De Rovere van Breugel (1856: 332) argues that most of the men in Banten were lazy. They let women do all the housework, while they spent their time eating, drinking, chewing betel, smoking opium or even going out to gamble.

people who had the opportunity to build up their financial status in Banten throughout the eighteenth century. The court records suggest that most of the Chinese in Banten were merchants. They may have had direct contact with both the elite and the ordinary people because of the regular high demand for Chinese goods for household use. The Chinese are likely to have been the only group of merchants who could trade directly with the inhabitants of Banten under the VOC monopoly. The appearance of the Chinese merchants in the court records of the late eighteenth century leads me disagree with Guillot's argument (1990: 41) that the Chinese were among all the foreigners whose trade was permanently banned in Banten when the VOC captured the capital city in 1682. I believe that the opposite was true, and that the Chinese traders became even more important to all the levels of Banten society. The Chinese merchants had no cause to leave Banten, as long as there was still a high demand for goods from China. The trade of Chinese merchants did not affect any economic interests of the VOC in Banten, since they did not trade in any of the products monopolised by the Company. The court records indicate that Chinese merchants even found themselves in the role of creditors who lent money to both the Banten elite and the ordinary people.

In contrast to the presence of the Chinese merchants, there is no sign of any VOC official lending money or paying a debt to any Banten person. This was probably in accordance with the agreement between the Banten government and the VOC that all the affairs of the indigenous people would not be interfered in by any of the Company officials (Overgekomen brieven 1754, 19de boek, fol. 332 en volgende).

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[106] Throughout the eighteenth century the inhabitants of the highlands of Banten who were over sixteen

1.2 Violence in society

Although it was beyond the jurisdiction of the *kadi* court to settle any cases involving violence, it appears that each year the court regularly received reports of violent assaults among the people. Below are examples of violence reported to the court.

> A matter in which Arif has reported to the court that he was beaten by Lanang on Sunday 4, Dzulhijah, Ha year, 1164 Hijriyah [24 October 1750] (Cod LOr 5628 1750: 4).
>
> A matter in which Bundar has reported to the court that his son was beaten to death by Majid, but Majid has not been prosecuted [no date, 1165 H = 1751 A.D.] (Cod LOr 5628 1751: 1)
>
> A matter in which Abdul has reported to the court that he was beaten by his son [no date 1165 H = 1751 A.D.] (Cod LOr 5628 1751: 5).
>
> A matter in which Socah has beaten his son causing grievous bodily harm [no date 1165 H = 1751 A.D.] (Cod LOr 5628 1751: 5).
>
> On Wednesday 17, Dzulkaidah, Dal year, 1167 Hijriyah [5 September 1754] a fight between Dukar and Abu was reported to the court. Dukar was beaten (Cod LOr 5627 1753-4: 2).
>
> A matter in which Sudin has reported to the court that his wife was stabbed on the palm of her right hand causing injury. The assailant ran away. The matter happened on Thursday 21, Rabi'ulawal, Wau year, 1169 [25 December 1755] (Cod LOr 5627 1755: 2).
>
> A matter in which Amin from Dukuh Cilapak and Saba from Gunung Bojong have attacked people [no date 1189 H = 1775 A.D.] (Cod LOr 5625 1775: 12).
>
> A matter in which Kentul from Tengahan has burnt down his village and Asim from Gunung Cisereh has behaved violently [no date 1189 H = 1775 A.D.] (Cod LOr 5625 1775: 15).
>
> A matter in which Kyai Jamikah from Sukadana has reported to the court that his brother, Embang, was stabbed to death by Qamud from Sukadana on Friday 14, Syawal, Jim Awal year, 1189 Hijriyah. [8 December 1775] (Cod LOr 5625 1775: 23).
>
> A matter in which Kasi has reported to the court that he was attacked by a woman named Jiyah, with intent to commit murder.

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years old were expected to plant 500 vines of pepper annually (*Encyclopaedia van Nederlandsch-Indie* 1895-1905 III: 251).

> It happened on Sunday 5, Rajab, Je year, 1190 Hijriyah [20 August 1776] (Cod LOr 5625 1776: 58).

The law-book part of MS Cod LOr 5598 states the punishments meted out for different violent acts perpetrated within the capital city. Such legislation suggests that violence was a common occurence in Banten society. The court records show that these violent acts happened each year. Having considered each case, we learn that those who behaved violently were mostly men of low status. To find out the causes of violence in Banten society, it might be useful to consider what J.W. Moore (1811) says about the character of the people of Banten.

> The character of the inhabitants of Bantam appeared to me to be much alike that of any other Javan, laborious and faithful when well treated and stimulated to work provided he gets the necessary means. Without deceiving him, he is a slave to the customs and religions of his country.
>
> Yet stupid as he is, he often does much mischief when instigated to it by others, especially by the priests, who are found at the bottom of the plots and disturbances as was the case in the last troubles of Bantam. (Considerations respecting Bantam by J.W. Moore late Resident there addressed to the Lieutenant Governor: 30 September 1811).

Pressure exerted by poverty and the low quality of life may have been among the main causes of violence among the inhabitants. The hot weather of the north coast of Java possibly could easily make people bad-tempered, prompting them to react violently once they were annoyed. Moore refers to the rebellion which took place in 1750 arousing violent opposition to the VOC and the Queen Regent, Ratu Syarifa Fatima (r. 1748-50) as an example of violence to which the people of Banten might have recourse once the pressure put upon them had grown intolerable. Their strong sense of regionalism and their faith in Islam had united them throughout the nineteenth century, causing them to remain loyal to the abolished Sultanate (Kartodirdjo 1966: 4). Numerous small-scale rebellions against the Government of

the Netherland Indies during the nineteenth century indicate that violence had always been lurking in Banten society once its subjects were put under pressure.

1.3 Prominent 'slave trade' market

Both the law-book and court records create an image of Banten in which it features as one of the large slave markets in South-East Asia during the late eighteenth century. Various rules on the slave trade appear in the law-book, indicating the state's concern with this activity which may have caused a large amount of money to flow into the state coffers of Banten. The register of repeated transactions to do with slave buying, selling and manumission throughout the late eighteenth century suggest that the slave market in Banten may always have been active. New slaves must have been regularly brought into the market, while old slaves were constantly manumitted from bondage by their owners.

Compared to the pepper trade which had been monopolised by the VOC since the late seventeenth century, the slave market in Banten was open and free to anybody who wanted to buy or sell these living commodities. Unlike pepper which was a genuinely local product of Banten, the court records indicate that slaves were brought in from different origins, both inside and outside Banten territory. It appears that the numbers of local slaves were higher that those brought in from outside Java. Most of the records on slave buying or manumission indicate that indigenous people were normally enslaved because of debt bondage. They were inhabitants of different parts of the kingdom, mostly from the areas of which the names start with the term *gunung* or mountain.

> A matter in which Tubagus Jamil bought a slave originating from **Gunung Kulit** named Kadung, valued 30 *Reals* [...] (Cod LOr 5628 1774: 3).

A matter in which Mas Arifuddin bought a slave originating from **Gunung Kadupandak** named Bahar, valued at 27 *Reals* [...] (Cod LOr 5628 1774: 9).

A matter in which Nyai Kajal, wife of Mas Salih, bought a child slave originating from **Gunung Rempunis** named Buwang, valued at 30 *Reals* [...] (Cod LOr 5628 1774: 9).

A matter in which Nyai Hamidah bought a slave originating from **Gunung Telahi** named Sadhap, valued at 30 *Reals* [...] (Cod LOr 5628 1774: 12).

A matter in which Juragan Lampung bought a slave originating from **Gunung** [mountainous area?] named Kabun, valued at 40 *Reals* [...] (Cod LOr 5628 1774: 13).

A matter in which His Royal Highness the Crown Prince (Kanjeng Pangeran Ratu) manumitted a slave from **Gunung Kuranji** named Alikah [...] (Cod LOr 5628 1774: 21).

A matter in which Princess Siti owned a slave originating from **Gunung Kawung Hyang** named Cengko [...] (Cod LOr 5628 1775: 42).

A matter in which Princess Pagayangan manumitted a slave originating from **Gunung Panggung** named Warni [...] (Cod LOr 5628 1777: 29).

A matter in which Nyai Arya Cang bought a slave originating from **Gunung Taman** named Asminah [...] (Cod LOr 5628 1777: 37).

A matter in which Mas Ayub bought a slave originating from **Gunung Kemuning** named Sairah [...] (Cod LOr 5627 1780: 12).

These names are not found on any map of the central area of Banten or even in the lists of villages surrounding the capital city. It is possible that these slaves were originally inhabitants of villages in the mountainous areas which form the hinterland of Banten (Cod LOr 5598: 79). These people could be either Javanese or Sundanese who had settled in the highlands and had been saddled with the burden of planting pepper to supply the state market (Bastin 1961: 31). It is also possible that certain slaves from the highlands of Banten were Badui tribal people from remote and isolated areas of the highlands.

Apart from slaves from the highlands, the records also mention various cases in which slaves originated from the areas whose names begin with the term *sawah*.

These slaves were possibly inhabitants of different rice-planting villages on the periphery of the capital city, mentioned in the MS Cod LOr 5598 (fol. 79). Most of them might have been enslaved because of debt bondage.

> A matter in which a slave called Kahipa from **Sawah Pecek** has been manumitted by his master, Ahmad [...] (Cod LOr 5625 1775: 17).
>
> A matter in which Ahmad has bought four slaves from **Sawah Pecel**, named Samidah, Latifah, Syawal, and Lahub, valued at 70 *Reals* from Tubagus Agus [...] (Cod LOr 5628 1775: 46)
>
> A matter in which His Majesty the Sultan who rules over the Kingdom of Banten has manumitted his slave from **Sawah Sudimara** named Qadir [...] (Cod LOr 5625 1776: 22).
>
> A matter in which a slave named Isah from **Sawah Kedaung** has been manumitted by his master, Tubagus Surya [...] (Cod LOr 5625 1776: 70).
>
> A matter in which a slave called Nur from **Sawah Marga Langu** has been manumitted by her master, Tubagus Abu [...] (Cod LOr 5625 1777: 24).
>
> A matter in which Tubagus Abdul Aziz has manumitted his slave named Alim, originating from **Sawah Dukuh** [...] (Cod LOr 5625 1777: 28).

It appears that slaves in Banten were also imported from outside Java, probably by inhabitants of the realm who had travelled to other islands or to certain parts of Mainland South-East Asia. The records also indicate that people from outside Java brought slaves to sell in Banten.

> A matter in which Syarif Muhammad bought a slave from **Dhayak** [Kalimantan], valued at 100 *Reals* from one lady who is the former slave-owner [...] (Cod LOr 5628 1774: 4).
>
> A matter in which Ki Arya Citranaya bought a slave from **Bima** called Ratna, valued at 50 *Reals*, from Juragan Shafar [...] (Cod LOr 5628 1774: 8).
>
> A matter in which Juragan Usain declared to the court that he owned a slave from **Brunei** named Radih, bought from a man from **Landak** [...] (Cod LOr 5628 1774: 35).
>
> A matter in which Juragan Usain declared to the court that he owned a slave from **Siam** named Siti, bought from a man from **Landak** at the price of 40 *Reals* [...] (Cod LOr 5628 1774: 35).

> A matter in which Ki Arya Citranaya bought a slave from **Bali** named Basih, valued at 50 *Reals* [...] (Cod LOr 5625 1776: 55).
>
> A matter in which Mas Beruk bought a slave from **Tanah Melayu** called Edong, valued at 40 *Reals*, from Thole Kapuludin [...] (Cod LOr 5628 1778: 40).
>
> A matter in which Ratu Salakan Anom bought a slave from **Ternate** called Asmin, valued at 20 *Reals*, from Tubagus Saleh [...] (Cod LOr 5627 1779: 46).

Most of the non-Javanese slaves were brought from those islands in the Indonesian Archipelago which were locations of port states. This form of inter-port slave trade suggests that the transport and trade networks between each port state were still active during the late eighteenth century. The presence of the VOC settlements in different port states did not create any obstacle to these old networks. Compared to the contacts between the Europeans and the natives of the Archipelago, the Company might not have considered the contacts among the natives as a threat to its economic interests.

The records suggest that all the well-to-do people, no matter whether they were from upper or lower levels of the society, were eligible to buy or sell slaves. Foreigners like Chinese and Arabs also bought slaves at the Banten market. Any slave purchaser, from the Sultan to an ordinary man, had to register his slaves with the court. Details of slaves such as their names, origins, and names of former owners had to be recorded. The most important data were the cost of each slave in Spanish *Real,* which appear from these court records to be the standard currency in Banten.

> A matter of **His Majesty the King** [Sang Raja] bought a slave from Gunung Bodor named Ruminah, valued at 45 *Reals* [...] (Cod LOr 5628 1775: 46).
>
> A matter of the **Queen Consort** [Kanjeng Ratu] **of Sultan Sepuh** [One of the three sultans of Cirebon] bought a slave from Kangtalang called Dawiyah, valued at 100 *Reals* [...] (Cod LOr 5625 1775: 2).

A matter in which **Prince Raja Kusuma** bought a slave from Gunung Garduk called Kamingah, valued at 30 *Reals* [...] (Cod LOr 5627 1779: 31)

A matter in which **Princess Rahim** bought a slave called Tijah, valued at 40 *Reals* [...] (Cod LOr 5627 1779: 14).

A matter in which **Kyai Ngabehi Aster Kusek** bought a slave from Pancoran called Sadiyah, valued at 30 *Reals* [...] (Cod LOr 5627 1779: 6).

A matter in which **Kyai Pakih Najimudin Haji Husein** [the Chief Cleric and Supreme Judge] bought a slave from Kemuning Tanjung, called Kasiyah, valued at 25 *Reals* [...] (Cod LOr 5628 1810: 12).

A matter in which **Mas Asajab** bought a slave from Kemuning called Jaisah, valued at 30 *Reals* [...] (Cod LOr 5627 1779: 18).

A matter in which **Nyai Sari** bought a slave, valued at 20 *Reals* [...] (Cod LOr 5628 1810: 6).

A matter in which **a Chinese traveller** bought a slave from Brunei called Gading, valued at 70 *Reals* [...] (Cod LOr 5628 1775: 28).

A matter in which **Sheikh Abdul Syukur** bought a slave from Dukuh Mendawangi named Arumah, valued at 40 *Reals* [...] (Cod LOr 5628 1775: 41).

Details of each slave in the court register may have been helpful for both the slave-owner and the court to pursue runaway slaves. The court may have had to use this register as a reference should any slave want to pay compensation money to their owner to free themselves. Although no qualifications on the age, height or weight or physical condition of each slave were recorded, it is certain that these conditions determined the cost of each slave. The records suggest that the cost of slaves in Banten during the late eighteenth century varied from 20 to 100 *Reals*. The cost of imported slaves from other islands was normally higher than those of the indigenous ones, probably because they were healthier and because of the added costs of transportation. The slave-owners could also be certain that these non-Javanese slaves would be more likely to remain with them permanently than the

indigenous slaves. This was probably because these slaves originated from outside Java and they were not enslaved through any debt bondage in Banten.

There may have been places in the capital and other districts where each slave-owner could bring his slaves to sell or exchange. There would also have been a place where each of them could buy new slaves whom they found better than the old ones. There different slave-owners would have the chance to view the slaves and bargain about the prices, before making a decision to buy or sell those living commodities. After an agreement had been made, both the buyer and seller or their representatives probably had to take the slave to the court to request a registration. It appears that in certain cases the agreed amount of money was paid before the court.

The final point on the slave trade in Banten which emerges from the court records is the manumission of slaves. The records suggest that slaves in Banten could be manumitted for three reasons. First, a slave master could release his slave from the bond out of the generosity of his own heart. This case might have been a fairly normal situation, motivated by what is stated in the Qur'an. In Islam slavery was allowed to persist, but the Qur'an established that to manumit slaves was a good deed, and should be done whenever possible to make up for a person's moral shortcomings.[107]

> God will not take you to task for a slip in your oaths; but He will take you to task for such bonds as you have made by oaths, whereof the expiation is to feed ten poor persons with the average of the food you serve to your families, or to clothe them, or to set free a slave (Surah Al-Maidah: 89)

The second reason was that a slave could be released when he or she could pay back the debt to the master. The money that the slave paid back to the owner was called

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[107] Hasan, Polygamy, Slavery and Qur'anic Sexual Ethics in http://www.shobak.org/islam/polygamy.html, 25 March 2003.

compensation money by the court. The records indicate that slaves had the right to find this amount of money from any source to help free themselves from the bond.

> A matter in which a slave called Karim has been released by his master, Nyai Haji Siti, with the compensation money amounting to 10 *Reals* [...] (Cod LOr 5628 1774: 5)[108]

> A matter in which a slave called Sarbiyah has been manumitted from the bond by her master, Syarif Ahmad, for compensation money amounting to 10 *Reals* [...] (Cod LOr 5628 1774: 5)[109]

The case of Karim is interesting as an indication of the source of money available to any slave. It is recorded on the same page that Karim had borrowed 10 *Reals* from a scholar named Kyai Haji Jamil to pay off his bond (Cod LOr 5628 1774: 5). The case does not state that Karim had to become a slave to Kyai Haji Jamil after he had been manumitted by his mistress, Nyai Haji Siti.[110] Kyai Haji Jamil himself probably decided not to take Karim as a slave but to treat him as a freeman debtor.

The third reason for which a slave could be released by his master was because of his old age. Although the records do not state clearly that old age was one of the reasons that slaves could be released from their bondage by their masters, there are cases showing that the same slave-owners had manumitted a group of slaves from the bond and then made agreements to buy new ones. The most likely explanation for this is that these slave-owners may have intended to replace the old slaves with young ones. The most appropriate way must have been to set free old slaves who could no longer work for them.

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[108] Perkara si Karim yang dimerdekakan dengan pengganti 10 reyal oleh tuannya, bernama Nyi Haji Siti, pada hari Selasa, tanggal 15 Rajab, tahun Ha, 1188 Hijriyah.

[109] Perkara si Sarbiyah yang dimerdekakan oleh Tuannya, Syarif Ahmad, dengan pengganti 10 reyal, pada hari Selasa, tanggal 15 Rajab, tahun 1188 Hijriyah.

[110] However, the term 'to be set free' in each case of slave manumission is convincing that in each case slaves were released from the bondage to be freemen.

The court records indicate that the running of the Banten slave market during the late eighteenth century was largely in the hands of the natives. Chinese or Arab merchants are found as customers in this market, which suggests that their business activities in Banten still continued despite the presence of the VOC. Pertinently, there is no sign of VOC participation in the Banten slave market at all. Van Breugel's account (1856: 135-48), despite its clear explanation about the different commodities sold in the Banten market, does not mention the slave trade as part of market activities at all. The Company probably had its own system to recruit slaves to be labourers and servants in its different settlements.

1.4 Banten dwellings and life-styles

My first glance through MSS Cod LOr 5625-5628 did nothing to convince me that these indigenous documents would enable me to catch a glimpse of ordinary Banten family life at home. It would seem impossible that such records of the religious court would tell me how the inhabitants of Banten spent their lives at home during the late eighteenth century. Later, having read these records carefully with historical imagination, I found I could indeed draw a picture of the domestic lifestyle of the ordinary Banten people on the basis of the register of repetitive family matters brought before the court. The combination of what the court records tell me and the description of the people's lifestyle from the accounts of Stavorinus and Van Breugel transports me back three centuries to see village life in Banten.

We learn from the MS Cod LOr 5598 and the court records that the ordinary subjects of Banten lived in four types of village: coastal villages, urban villages, rice-planting villages, and villages in the mountainous areas. De Rovere van Breugel (1856: 310-1) states that the areas along the coasts of the Bay of Banten and the Sunda Strait were divided into eighty-four *negeri* or well-organised villages. From the MS Cod LOr 5598

and the court records I believe that *negeri* was a sort of village run under the authority of the central government. The MS Cod LOr 5598 states that heads of each *negeri* were appointed by the state to exert their authrority over the inhabitants. Each of them held the rank of *punggawa*.[111] The religious court also appointed a senior scholar as *penghulu* or religious consultant to each *negeri* to conduct the wedding ceremonies. Friday prayers and any other religious services.

> A matter in which Ki Haji Muhammad has been installed as the ***penghulu*** or village head at Gunung Caringin. He shall have authority to conduct the weddings of the inhabitants in Caringin, and to lead the Friday prayers [...] (Cod LOr 5625 1775: 43)[112]

Apart from the eighty-four *negeri*, small villages with no more than ten to twenty hamlets found across the kingdom, including in the mountainous areas (Cod LOr 5598: fol. 79). These small hamlet villages might have been subordinate to their nearest *negeri*.

The life-styles of the *wong cilik* differed from one type of village to another. Inhabitants of coastal villages such as Pontang, Bojong Negara, Pulau Panjang, Merak, Anjer on the coast of the Bay of Banten, and Cerita, Caringin and Labuan on the Sunda Straits coast (see Map 1) lived from coastal fishery and the collection of natural sea resources like pearls, coral, seaweeds and salt (Van Breugel 1856: 332). Different types of vessels and or boats were considered the most important items of property of the inhabitants of coastal villages (Cod LOr 5598: 35). The inhabitants of coastal villages were also commanded under the *Perintah Raja* or state law to keep their eyes out for the appearance of the VOC vessels or any visiting alien ships (Cod LOr 5598: 21).

Most of the inhabitants in the urban villages of *Surosowan* were government officials and traders. Foreigners like Chinese, Arabs, Moors, or Gujaratis could be found among

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[111] De Rovere van Breugel (1856: 311) states that each *negeri* had a meeting house in the form of an open pavilion in rectangular shape. The *punggawa* of each *negeri* used that meeting house as a place to hold the village council and to announce any command from the Sultan.

[112] Perkara Ki Haji Muhammad sudah dikukuhkan menjadi seorang pengulu di Gunung Caringin. Dia berhak menikahkan dengan wali hakim, menikahkan semua rakyat yang hidup dalam wilayah/daerah Gunung Caringin, dan memimpin salat Jumat. Diputuskan atas mufakat dari para atasannya pada hari Selasa, tanggal 25 Dzulqaidah, tahun Jim Awal, 1189 Hijriyah.

the settlers in this type of village, but most of them lived in communities separate from those of the natives (Tjandrasasmitra 2000: 106). The standard of living of the inhabitants of city villages was higher than that of the residents of other types of villages. MS Cod LOr 5598 suggests that at night the security rule in the urban area was strict. The natives had to take a torch with them when they went out, while neither non-Javanese nor foreigners were allowed to go out at all (Cod LOr 5598: 69).

Rice-planting villages occupied the suburban areas of the capital. There were two main areas in the realm where wet rice cultivation could be undertaken. The first area was a plain to the east of the capital in the valley of the Tangerang River which formed the border between Banten and Batavia. The other was the plain to the south of the capital which is part of the slopes of Mount Karang. In this area the river Ci Banten and the Tasik Ardi artificial lake provided a water supply for the rice fields.[113] The court records also mention different villages the names of which start with the term *sawah* or wet rice field, such as Sawah Ciamarta, Sawah Dukuh, Sawah Panggalang, Sawah Panggung, Sawah Pecel, Sawah Sempor, Sawah Sudimara or Sawah Teras. Although we cannot pinpoint the exact location of these villages in any document on the basis of their toponym, it is highly likely that they were rice-planting villages.

De Rovere van Breugel (1856: 342) states that rice could be produced in Banten in quantities more than enough for domestic comsumption. However, this does not mean that quality of life of the inhabitants in rice-planting villages would be as good as that of people who lived in the city. We learn from Van Breugel's account that farmers lived in poor circumstances in bamboo huts in hamlets. Rice fields and water buffaloes formed the most important property of the inhabitants. Certain rice-planting villages around the capital also ran traditional kilns producing terracotta pottery items and bricks (Guillot 1990: 66).

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[113] Inhabitants in these two areas nowadays still carry on wet rice cultivation. The areas form part of the range of wet rice land along the north coast of West Java (Cribb 2000: 24).

The mountainous area, or the highlands of Banten, was more fertile than the coastal area and this was the area where pepper had been produced since the seventeenth century (De Rovere van Breugel 1856: 324). The necessity to recruit labourers to work in the pepper plantations might have lured people to settle in the highlands. The fertility of the land, the cool climate and the plentiful water supplies from waterfalls are probably other reasons the population density in the highlands was not much different from that in the coastal areas (De Rovere van Breugel 1856: 310). Various mountain villages scattered all over the highlands bear names which appear in both European and indigenous sorces. The VOC accounts mention large communities like Pandeglang, Rangkasbitung, Ciangasa, Cimanuk, Munjul, Kosik and Kuncang. The court records provide plenty of village names beginning with the term *gunung* or mountain, such as Gunung Cikarumpang, Gunung Cilejen, Gunung Gantungan, Gunung Kemuning, Gunung Lilin, Gunung Parakan, Gunung Sayar, Gunung Tanjak, Gunung Teluk Luhur and Gunung Watu. No exact location for any of these villages has been found in any account, but again on the basis of their toponyms it is very possible that they are highland villages.

Van Breugel (1856: 310-1) mentions that the inhabitants of the highlands were labourers in the pepper plantation. They also planted rice and different sorts of fruit for local consumption on the mountain slopes, as well as collecting natural resources from the jungle. People from the highlands regularly delivered their products to be sold in the coastal areas. Villages in the highlands of Banten were more self-sufficient compared to those in the coastal areas.

According to Stavorinus (1769: 59-60) and Van Breugel (1856: 331), houses in each type of villages varied in accordance to geographical conditions and the social status of the dwellers. Van Breugel noted that most of the ordinary people lived in bamboo huts raised some feet off the ground. Stavorinus, on the other hand, mentions that there were

also huts which were wattled with reeds or canes and then plastered with clay. Palm-leaves were the main material for making the roofs of ordinary people's houses. People normally built bamboo fences to mark the area surrounding their houses, to separate this from that of their neighbours. It was considered a crime for anybody to enter the fence and come into the area of other people's house without asking permission (Cod LOr 5598: 49).

The royal palace and the houses of the nobility were mostly constructed of teak wood, coral blocks and bricks. The size of houses varied according to the means and the status or rank of the owner. Their roofs were covered with terracotta tiles. These houses of the nobility were larger, more complicated and much better decorated than those of ordinary people (De Rovere van Breugel 1856: 331). Raffles (1965 I: 81) states that most of the houses of the nobility in Java contained five or six rooms. Ruins of the royal palace and buildings in the city of Banten Lama suggest that most of these sorts of houses in Banten during the seventeenth and eighteenth centuries may have been built in traditional Javanese architecture called *joglo*.

Brick or stone houses in the Chinese or Dutch styles are also mentioned by both Stavorinus and De Rovere van Breugel.[114] These types of house were constructed in brick or coral blocks and plastered with mortar. Imported materials such as Chinese or European ceramic tiles were sometimes used to decorate these houses. Brick houses in Banten mostly belonged to the Chinese and other foreigners.

Villagers living along the coast, including the inhabitants of the capital city, may have been well aware of the hot, dry weather of the north coast of Java. They kept the capital city and coastal areas cool by planting a large number of *pohon kelapa* or

[114] A few Chinese brick houses dating from the eighteenth century are still visible in the area of Kampung Pacinan which was the China Town of Banten to the west of the city. A Dutch-style building called *Gedung Tiamah* was constructed during the late seventeenth century in the complex of the royal mosque and still remains nowadays.

coconut trees.[115] Coconut palms provided both shelter to keep the city cool, and fruit for local consumption.[116] They were one of the most important plants in the kingdom. The MSS Cod LOr 5625-5628 record that most families in the city and coastal villages planted large numbers of coconut palms on their own land. Coconut groves were one sort of common inherited property in both noble and ordinary families. From the ship's deck, Stavorinus was impressed to see the city of Banten appearing in the midst of a coconut jungle (Stavorinus 1769: 59). Areca-nut trees were also planted by each household for their own consumption and export.[117] When the French vessel which carried the King Narai of Siam's delegation to France called at the port of Banten in January 1687, a member of the mission noticed that gardens of Banten were crowded with tropical fruit trees like durian, mangosteen, sorts of citrus, banana, jackfruit and roseapple. These trees made the gardens seem no different from the jungle, but the natives enjoyed enormous benefit from them (Phisphumvidhi 2001: 111). The image of the city swathed in the cool shelter of tropical trees was still present in the late eighteenth century (Stavorinus 1769: 59).

MS Cod LOr 5598 and the court records reflect the natives' life-styles at both the elite and common levels. We see in the court records that noble and well-to-do people were constantly concerned with buying luxurious materials to adorn their bodies and houses, and in general they were absorbed in keeping up their appearances. Ordinary people, in contrast, spent their miserable lives under the Sultan's feudal authority. Inhabitants of the highlands and Lampung had the burden of planting and harvesting pepper to supply the state pepper trade which the VOC thrust upon them. They had to deliver pepper from the plantation down to the port and were paid fixed wages, which

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[115] De Rovere van Breugel (1856: 343) states that Caringin village on the coast of the Sunda Straits was the area where coconut trees were most planted. This village then produced the largest amount of coconut oil, mostly exported to Batavia at a good price. The Sultan imposed a heavy tax on Caringin's coconut oil industry.

[116] Stavorinus (1769: 83) mentions that coconut oil and milk formed the main ingredients in Banten cooking.

meant they had no room to negotiate the price of their yields. Punishments were stated in the *Perintah Raja* or state law for any of those who failed to keep their pepper vines in good condition and take care they yielded fruit (Cod LOr 5598: 75).

Inhabitants in the lowlands also suffered from being exploited by the state and their standard of living was no higher than that of the highlanders. Farmers were obliged to produce rice supply to the royal barn, while the inhabitants of the coastal villages had to supply coral and mortar to the state for various construction projects (De Rovere van Breugel 1856: 344). The burdens imposed may have shortened the available time in which the people could produce food supplies for themselves. When villages were no longer self-sufficient, money loomed larger in the lives of the people. It was necessary for them to have money to buy food and other necessities, which presumably they could not produce for themselves. This change may provide the answer why the *kadi* court during the late eighteenth and early nineteenth century had to witness such a number of cases to do with borrowing money and debt transfer. We also see from the court records that the numbers of people who were enslaved because of failure to pay back their debts was also high.

The law-book and court records suggest that opium, alcohol and popular forms of gambling like cockfighting were other reasons for endebtedness and poverty in late-eighteenth-century Banten society.[118] Although the state exacted a severe punishment on any native who smoked opium, drank alcohol and indulged in cockfighting, there was a considerable amount of smuggling of opium into both the high and lowlands of Banten, prompting the natives at all levels of the society to become addicted. De Rovere van Breugel ('Bedenkingen over den staat van Bantam' 1856: 155-9) points out that one-

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[117] De Rovere van Breugel (1856. 343) also states that Caringin was again the place where areca-nut trees were most planted in the kingdom.

[118] According to De Rovere van Breugel ('Bedenkingen over den staat van Bantam' 1856: 165-6), the state allowed only the Chinese to smoke opium. The trade of opium was monopolised by the Sultan who allowed the *Capitan Cina* or head of the Chinese community be in charge of it. The Capitan had to pay a monthly tax to the Sultan of 300 *Reals*. A legal opium supply was bought from Batavia to sell to the

third of Banten princes were opium addicts. The *kadi* court repeatedly registered the requests from women for a permission to separate from or divorce their husbands on the grounds of their addiction to opium, alcohol and gambling.

> A matter in which the court has settled the quarrel between a couple, Bajil and Kalimah, because the husband was always drunk every day [...] (Cod LOr 5628 1750: 3)[119]

> A matter in which Wardiyah has been granted a separation from her husband by the court, because she declared that her husband, Ki Puli, was addicted to gambling [...] (Cod LOr 5628 1774: 10)[120]

> A matter in which Demang has been granted a separation from her husband by the court, because her husband, Abu Qasim, smoked opium [...] (Cod LOr 5628 1775: 22)[121]

> A matter in which Tasmilah has been granted a separation from her husband by the court, because she could no longer tolerate her husband who was addicted to opium [...] (Cod LOr 5627 1779: 49)[122]

The court records suggest that the village economy in late-eighteenth-century Banten society was no different from that in other feudal societies in South-East Asia.

The rulers, by virtue of their political legitimacy and state administration, were inexorable in their exactions imposed on people. Prosperity was the privilege of the rulers and elites while the possibility for ordinary people to accumulate wealth was very slim. Throughout the late eighteenth century the Dutch East India Company gave strong support to the Sultans and the Banten government in their exploitation of their subjects.

Chinese community in Banten. Smoking opium by any native was considered to be a transgression of the *Perintah Raja* and the smoker would be sent into exile in Lampung (Cod LOr 5598: 64).

[119] Perkara hakim menyelesaikan pertengkaran si Bajil dengan si Kalimah karena suaminya si Baji selalu mabuk setiap hari, pada hari Rabu, tanggal 14 Dzulhijah, tahun Ha, 1164 Hijriyah.

[120] Perkara si Wardiyah sudah dithalaq oleh hakim sebab suaminya yang bernama Ki Puli berjudi, pada hari Senin, tanggal 29 Rajab, tahun Ha, 1188 Hijriyah.

[121] Perkara si Demang sudah dithalaq oleh hakim sebab suaminya bernama si Abu Qasim menghisap candu (madat/opium), disaksikan hakim, pada hari Selasa, tanggal 9 Rabiulawal, tahun Jim Awal, 1189 Hijriyah.

[122] Perkara Tasmilah telah dithalaq satu oleh hakim, karena tidak suka kepada suaminya bernama si Busak yang menghisap candu, pada hari Minggu, 2 Rabi'ul Akhir, tahun Wau, 1193 Hijriyah.

in order to discharge the economic interests of the Company. This image of a feudal society remained unchanged even after the kingdom was officially abolished in 1808. The Government of the Netherlands Indies itself would replace the kingdom as the exploiter of the common people.

1.5 Material Culture

In this section I will discuss the reflections gleaned from the court records on the material culture which determined people's lifestyles in each social class. During the late eighteenth century, the *kadi* court witnessed and probated the inheritance of people of various different social statuses. The court records indicate that different precious or luxurious objects normally were accumulated by Banten people as private or family treasures. They were inherited within the family, from one generation to the next. Conversely, they could also be confiscated by the state should the possessor have transgressed the *Perintah Raja* or royal decree. The value of these treasures depended on the social and financial status of each person or family who possessed them. It would be plausible to assume that noble or well-to-do people probably could afford to buy or commission more precious and elegant objects to embellish their luxurious life-styles. Ordinary people might have collect precious materials as a form of saving rather than as status symbols or signs of conspicuous consumption. Four types of precious objects are most frequently in the court records as bequests.

1.5.1 Jewellery

The court records suggest that jewellery might have been considered the most precious objects in Banten society, suitable for collecting as private saving and identifying individual wealth. Gold, silver, and diamonds were the main materials for making jewellery in Banten. The main supply of gold for Banten's market is not stated

in the court records. I believe that it was imported from Sumatra, the Malay Peninsula or Kalimantan, as those lands formed main source of gold in South-East Asia (Reid 1988 I: 96; Cribb 2000: 18). Silver is not an abundant natural resource in the Indonesian Archipelago; most of it was brought in by the Portuguese and Spanish in the seventeenth and eighteenth centuries for minting coins as means of trade (Reid 1988 I: 99). The Dutch also imported silver, originating from America and Japan. The supply of diamonds is abundant in West and South Kalimantan. Banten during the seventeenth century claimed its sovereignty over Landak and Sukadana in the southwest part of Kalimantan, so it is possible that gold and diamonds were imported to the kingdom from those areas. De Rovere van Breugel (1856 BD: 167) states that gold was also mined in Lampung Tulang Bawang, which was the northern tip of the Lampung territory along the border with Palembang.

The court records suggest that people had to declare to the *kadi* court when they bought or received gold. Anybody who wanted to have jewellery made from his gold savings had to request for the court's permission. The court would appoint a goldsmith to make any form of jewellery he wished, and payment also had to be arranged before the court.

> On Monday 14 Muharam, Wau year, 1169 Hijriyah [20 October 1755], the court appointed a goldsmith to make jewellery on the order of Nyai Aru Aspipah. Marijah is the appointed goldsmith to carry out this task, to make a pair of earrings and a bracelet (Cod LOr 5627 1755: 1)[123]

This matter suggests that there might have been limited numbers of goldsmiths in Banten. All of them were probably state officials whose main duty was to create any gold work at the sultan's command. People might have to ask for permission via the

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[123] Pada hari Senin, 14 Muharam, tahun Wau, 1169 Hijriyah, pada saat itu hakim menyuruh pandai emas untuk membuat emas pesanan Nyi Aru Aspipah, dikerjakan oleh si Marijah, berupa anting-anting lengkap dan gelang emas.

court to commission any goldsmith to create jewellery they wanted. To commission a goldsmith via the court was possibly too expensive for ordinary people. As a result, matters on private commission to goldsmiths are very rare in the court records.

The annoyingly long procedure to commission a goldsmith might have made ordinary people turn to buy ready-made jewellery. The court witnessed repeated matters of buying and giving jewellery among the natives. From these registers we can also learn different forms of Banten people's favourite jewellery. It appears that people fancied gold jewellery encrusted with polished diamonds. Ruby was also another type of precious stone favoured by the people of Banten. The forms of jewellery they preferred were rings, earrings, bangles, and necklaces.

> A matter of the court divided inheritance in form of six gold rings: two to Toyibah, two to Lanang, and two to Cucu (Cod LOr 5628 1751: 4)[124]
>
> A matter of the court forwarded a diamond ring to a Tumenggong, on Thursday 18 Safar, Jim Awal year, 1165 Hijriyah [6 January 1752] (Cod LOr 5628 1751/1752: 8)[125]
>
> On Wednesday 2 Syaban, Ba year, 1168 H.A. [14 May 1755], the court forwarded a gold ring inlaid with polished diamonds to Princess Ragina, valued 20 reyal (Cod LOr 5627 1754/1755: 5)[126]
>
> On Sunday 13 Muharam, Wau year, 1169 Hijriyah [7 October 1755], Nyai Ayu Apipah bought a gold bangle from Abdul Muhyi and bought gold earrings from Abdullah (Cod LOr 5627 1755: 1)[127]
>
> A matter of the court witnessed the right to the inheritance of a fatherless child named Kalimah. The properties are gold earrings, a gold ring encrusted with polished

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[124] Perkara perhiasan cincin yang dibagikan (waris) kepada: si Toyibah sebanyak 2 buah, si Lanang sebanyak 2 buah, si Cucu (anak dari anaknya) 2 buah.

[125] Perkara hakim menyampaikan (memberikan) cincin intan kepada Kangjeng Tumenggung, pada hari Kamis, 18 Safar, tahun Jim Awal, 1165 Hijriyah.

[126] Pada hari Rabu, 2 Sya'ban, tahun Ba, 1168 Hijriyah, saat itu hakim memberikan cincin emas bertatahkan intan kepada Ratu Ayu Ragina, seharga 20 reyal.

[127] Pada hari Minggu, 13 Muharam, tahun Wau, 1169 Hijriyah, pada saat itu Nyi Ayu Apipah membeli gelang dari emas dari Abdul Muhyi dan membeli anting emas dari Abdullah.

> diamonds, and various forms of gold ornaments [...] (Cod LOr 5628 1775: 3)[128]

The records show that it was fashionable among the Banten noblemen to decorate their costumes with gold. Gold buttons and belts encrusted with diamonds or other jewels were common for noble costuming.

> A matter of Kati declared to court on different items of inheritance from his brother, Amad Ali: a gold belt encrusted with polished diamonds; luxurious robes embroided with gold thread and encrusted with diamonds; and numbers of gold buttons [...] (Cod LOr 5625 1775: 10)[129]

Banten noblemen normally hang a kris over their belt. The court records mention various inheritance matters of krisses with gold sheaths decorated with diamonds and other jewels.

As in other South-East Asian states of the period, ordinary people in Banten preferred buying gold as their savings, as they could easily sell it once they faced any financial trouble. Jewellery for ordinary people was normally made with plain gold and the style might not have been too complicated. Most ordinary people could afford to buy only low-valued gold (Reid 1988 I: 85).

Different forms of jewellery registered in the court records match with De Rovere van Breugel's reports. He points out that Banten noblemen all wore long silk pants fastened around their waists with gold girdles. When males dressed up on special occasions they adorned themselves with various forms of jewellery, specially jewelled

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[128] Perkara anak yatim bernama si Kalimah yang bersaksi kepada Kyai Pangulu Karang Tengah, bahwa dia diberi oleh majikannya yang bernama Ma'idah berupa anting-anting emas, cincin emas bermata intan, bermacam-macam perhiasan emas lainnya, berbagai jenis pakaian dan perlengkapannya, dan lain-lain.

[129] Perkara si Kati melapor kepada hakim mengenai peninggalan saudaranya bernama si Amad Ali, berupa uang 113,5 reyal, sabuk (ikat pinggang) emas bertatahkan berlian, pakaian berenda emas bermata berlian, kancing emas, dan lain-lain, disaksikan hakim, pada hari Jumat, tanggal 25 Sya'ban, tahun Jim Awal, 1189 Hijriyah.

rings and krisses with gold sheaths. Women liked wearing gold earrings, necklaces, and jewelled rings. Noble women decorated their hair bun with gold flowers (De Rovere van Breugel 1856 BS: 331).

1.5.2 Silver and brassware

Silver and brassware were among valuable objects in Banten houses. The court records suggest that the majority of noble families in Banten probably possessed large collections of these wares. Silver was normally made into betelnut sets and dining sets (Cod LOr 5625 1776: 1). It also appears that krisses of many men were made of silver (Cod LOr 5628 1777: 10, 32, 37). The use of silver dining sets was probably introduced in Banten by the Dutch, and it might have been carried on among noble people. I believe that even among noble families silver dining sets were used only on special occasions, since this kind of dining set was invented to suit European eating habits. Silverware is not suitable for containing Oriental food which normally contains lots of liquid and has to be served hot. South-East Asian meals have strong tastes and high acidity which are not suitable for serving in metal containers. The conditions of Oriental meals which are different from European food could easily trouble everybody, if the meals are not contained in ceramic or earthware dishes.

The court records indicate that brass was also used in making dining sets and other utensils. I believe that brassware was introduced in Banten by traders from the Middle East, Persia, Central Asia, and Indian subcontinent. Although it is stated in the records that certain Banten noble families had brass dining sets in their collections, they might have hardly used them. Like silverware, brassware is not suitable for containing any hot or acid meals. Those brass dining sets or other objects in noblemen's houses were probably only decorative pieces.

Pieces of copper and brassware found during the excavation of the Surosowan Palace consist of different sized oillamps and candlesticks. Their appearance suggests that they were imported rather than locally made.

During my survey in August 2000, I found that old mosques are places where we still can see brassware from the sultanate period. Several Dutch-style brass lamps with the VOC sign are still hanging in the prayer hall of the Grand Mosque. Collections of antique silver and brass utensils for religious ceremonies, especially rosewater sprinklers, are still visible in different mosques in Banten.

1.5.3 Ceramics

Various types of ceramics from different origins had been parts of material culture in all levels of Banten society. Ceramics were collected in each household for daily use and for decorative purposes. We learn from the court records that ceramics are among objects inherited during the late eighteenth century (Cod LOr 5625 1776: 29).

Archaeological excavations at different sites of Banten Lama provide huge amounts of imported ceramic shards from various origins in Asia. Shards of Dutch ceramics were also found, even though they are in small amounts.

The results of the excavations prove that ceramics were among the main products imported to Banten from the beginning. The seventeenth and eighteenth centuries were the peak time at which foreign ceramics were imported into Banten. Chinese ceramics of the Ming and Qing periods were most imported during these two centuries, probably due to the demand from Chinese settlements in the capital. The natives might also have found Chinese ceramics good in quality but cheap in price. Japanese ceramics were probably imported as decorative pieces rather than for daily use. A possible explanation is that Japanese ceramics were decorated with luxurious patterns; certain types of them

are painted in gold with strong colours. The size of these luxurious Japanese ceramics is also too large for them to have been used in dining sets.

Although shards of plain Japanese ceramics for dining purposes were found in Banten, most of these ceramics are too small in size. Compared to Chinese ceramics, Japanese plain ceramics may be made in smaller sizes to suit the Japanese custom of serving a meal on an individual meal tray. They might not have been suited for containing meals in family portions, or for any large party.

Chinese ceramics were likely to have been the most appropriate material for containing South-East Asian hot food. They are appropriate in size for the eating customs of this region; everybody shares meals served in the same set. They are heat-proof to certain degree, which is good for containing hot food. The shapes of thre Chinese ceramics are also good for containing meals like curries, broth or any other liquid dishes which form the bulk of the South-East Asian diet. The colours and patterns of Chinese ceramics are well designed, and this makes for good presentation of the food. Stavorinus (1769: 83-4) confirms the use of Chinese ceramics for dining purposes at the royal court of Banten.

The court records do not specify which types of ceramic were the most favoured objects of inheritance. Well-to-do families might have collected a large amount of imported ceramics for their dining requirements. The possession of a large amount of imported ceramics by each noble family might have automatically ensured that ceramics became objects of inheritance.

1.5.4 Textiles

Banten nowadays is among the few areas along the north coast of Java where no famous textile industry is to be found. This might be the reason why most of the studies on Indonesian textiles have omitted a discussion of Banten textiles. Van Breugel (1856

BS: 342-4) states that cotton was planted in Banten, but its yield had never been enough for local use. The lack of an adequate cotton supply for local use may have been caused by the VOC's monopoly of cloth produced in Banten. This monopoly probably became an obstacle to the expansion of Bantenese textile industry, as it took up most of the cotton supply in the realm.

The Company imported various sorts of luxurious Indian textiles like *patola* silk from Gujarat and the Coromandel Coast and sold mostly to members of the Banten royal family and noble people (Rantoandro 1995: 32). Luxurious textiles from neighbouring states like *songket* and embroided cloth from Palembang or the Malay Peninsula were also used at the royal court (Breugel 1856 BS: 331).

Like people in other South-East Asian societies, the Bantenese used sophisticated textiles not just for adornment but more importantly for prestige. Strict rules determined which type of textile could be worn at each level of society (Gillow 1995: 12). European visitors to Banten during the late eighteenth century (Stavorinus 1769: 80-1; Van Breugel 1856 BS: 331) mention the use of luxurious textiles among royalty and the nobility, which we have already discussed in Chapter Three.

We know almost nothing from European sources about the use of textiles among ordinary people. The Sultan's subjects and slaves were prohibited from wearing coloured and specially designed textiles. Their costumes had to be simply made and use as small an amount of cloth as possible. Many male subjects and slaves did not wear shirts when they stayed at home. They wore only simple pants, a sarong or loincloth (Breugel 1856 BS: 331). Female subjects and slaves wore a sarong and used a piece of breast cloth to wrap around the upper part of their bodies. Many females did not cover their breasts while at home (Van Breugel 1856 BS: 332). European sources do not describe any details of textiles used by ordinary people and slaves.

I believe that ordinary people and slaves in Banten used locally produced textiles from both inside and outside the Banten area. Van Breugel (1856 BD: 165) states that textiles from other parts of Java were imported into Banten. These Javanese textiles can have been none other than *batik*, the most renowned textile of Java. The only evidence of batik made in Banten is the *kain simbut* cloths. *Kain simbut* is a simple batik made with rice-paste resist technique, instead of wax resist (Gillow 1995: 41). These *kain simbut* were in common use for ritual purposes until the 1930s. They are intriguing for the way that they seem to foreshadow many of the elements in the more complex and ritually significant Javanese court batiks (Indonesian Heritage Series 1998: 4).

European sources do not mention the use of *batik* textiles in Banten at all, but the MS Cod LOr 5598 and the court records repeatedly mention to this indigenous Javanese textile. Matters to do with the trade of batik cloth and materials for making batik appear in the list of matters brought before the court during the late eighteenth century.

> Cases in which batik cloth is exported to Lampung
> (Cod LOr 5598: 42)
>
> Cases in which white cotton yarn (*benang lawe putih*) was brought to Lampung
> (Cod LOr 5598: 43)
>
> Cases about wax (*malam*) tax (Cod LOr 5598: 43).
>
> Cases about wax (*malam*) sellers (Cod LOr 5598: 48)

These listed matters suggest that a batik industry with wax-resist technique was present in Banten and Lampung during the late eighteenth century. Unlike the ritual *kain simbut*, these batik products appear to be used for the purpose of dress. Unfortunately, no details of Banten batik designs and patterns are mentioned.

The court records suggest that both noble men and ordinary people wore batik cloth. Members of the royal family and the noblemen might have used batik for making their

informal costumes. On the other hand, batik may have made the costumes of ordinary people look more special.

The records also indicate that batik was considered a valuable and luxurious material in Banten society. Like in other South-East Asian states, textiles were among precious gifts that the sovereigns normally presented to their courtiers and subjects as rewards. It appears in the court records that the Sultan of Banten granted his large-sized *kain dodot* or batik wraparound cloth to his officials.[130]

> A matter on the large-sized *kain dodot* or batik wraparound cloth belonged to His Majesty the Sultan: These 91 pieces of *kain dodot* were granted to a group of scholars who manage the Grand Mosque by the will of His Majesty [...] (Cod LOr 5628 1778: 40)[131]

Literature on Indonesian textiles (Raffles 1817 I: 87; Gillow 1992: 153; Guy 1998: 98-103) seems to mention that *kain dodot* was worn only by princes and courtiers of Yogyakarta and Surakarta. Guy (1998: 99) even argues that the use of *kain dodot* in Central Java can be traced back to the late ninth century.[132] The reason why these literature does not mention the use of *kain dodot* in Banten, Cirebon and Madura is probably because not much evidence of the court costumes in those three states has survived. The manuscripts Cod LOr 5625-5628 or the court records fortunately mention *kain dodot* as an object of inheritance among the nobles. The records then help confirm the use of this ceremonial cloth at the royal court of Banten.

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[130] The standard seize of the *kain dodot* is around 78 cm x 197 cm. It was only worn by princes, courtiers and officials at official functions. The wearing of a dodot is very complicated. It may take two hours to wear a dodot with the help of specialist-dressers.

[131] Perkara kain dodot kebesaran milik Kangjeng Ratu Sultan dibagikan oleh Pengurus Mesjid kepada yang dikehendaki oleh Sang Ratu. Jumlah keseluruhan kain dodot 91 helai. Petugas mesjid bernama si Urip membagikan 24 kain dodot, si Jamal 20 helai, si Wahid 12 helai, si Jaim 10 helai, sedangkan si Wahab 16 helai. Sisanya orang lain.

[132] His argument is based on the name of ceremonial male dress that appears the late ninth century Javanese inscriptions, and the depiction of wearers of *kain dodot* in fourteenth century reliefs of the Majapahit period.

Apart from *kain dodot*, the records also mention to other types of *kain* or cloth which formed parts of traditional Javanese costumes. We learn that *kain sarong*, *kain kemben*, *kain tapih*, and *kain panjang* formed part of the costume of Banten women. All these parts of female costume may have been made from batik cloth like those in Central Java and Madura. The records also mention two other types of men`s ceremonial cloth: *kain kampuh* and *kain sinjang* as objects of inheritance. However, *kain batik* is the most mentioned among those inherited textiles in each family. The term *kain batik* mentioned in the court records probably represents pieces of batik cloth which were not yet made into costumes. The appearance of batik cloth in the court records may indicate the wide use of this traditional Javanese textile in Banten during the late eighteenth century.

The reason why textiles became objects of inheritance in Banten is probably due to people's belief in their supernatural power. The Javanese until nowadays have a tradition of keeping their ancestors' valuable cloths as parts of family`s *pusaka* or heirlooms. They believe that the veneration of *pusaka* in their households will make supernatural powers to protect, heal, or avenge remain in their family (Soebadio 1994: 15-8).

It is not clear when and why batik the industry disappeared from Banten. I believe that the abolition of the sultanate in 1808 is one of the causes of the disappearance of batik in Banten. During the sultanate period, the batik industry in Banten may have been under royal patronage as in Surakarta and Yogyakarta. The existence of the two central Javanese royal courts has obviously helped to allow the batik industry in the two cities to survive and develop. The abolition of the royal court of Surosowan by the Netherlands Indies Government also means the destruction of its role as patron of the Javanese cultural heritage in the westernmost part of Java.

Conclusion

Although severely damaged, the remaining texts in the MSS Cod LOr 5625-5628 still can help to reconstruct the social and cultural history of Banten during the late eighteenth century. It is clearly stated that the records pertained to the *kadi* or religious court, under the administration of Kyai Pakih Najimuddin or the Chief Priest and Supreme Judge. The way of judgement in this court was generally based on the *Shari'a* law, in the matters of marriage and divorce, debt and loan, slavery, and inheritance. An examination shows that most of the matters registered in the court records are events which could have been commonplace in the subjects' daily lives. This is why the records reflect different images of Banten society for us.

The first part of the chapter discussed the systems of law and judgement, and the second part looked at different aspects of people's ways of life during the late eighteenth century. All images of Banten society that we can see in the court records are completely the world of the natives. No role of the VOC is evident in the administration of law and justice, and not a single Dutchman or any person under the Company is mentioned in the court records. The absence of the VOC and the Dutch from the court records may indicate the natives' perspective on the status of Banten during the late eighteenth century. It is likely that the natives did not care for the presence of the Company's settlement in Banten. I believe that the majority of subjects did not understand anything about the sovereignty that the Company, through repeated contracts, had declared over Banten. Most of them might have looked on the Company only as the Sultan's friend or trading partner. They probably also understood that the Company's garrisons in the capital were there to guard the sultan. The status of Banten in the eyes of ordinary subjects was still a fully independent state. The sultan was still much revered as the sole overCod LOr d of all his subjects.

The policy of the VOC not to intervene in any matters in the natives' ways of life might have contributed to maintaining the social and cultural images of Banten during the late eighteenth and early nineteenth centuries. Through the court records we can see an Islamic society in a 'South-East Asian version'. This version means more than a South-East Asian society in which Islam was revered as people's faith. People followed the way of life taught by Islam, while they still maintained certain pre-Islamic ways. Javanese names were still used, even more widely than Muslim names. Women had more freedom to spend their time outdoors without having to pay much attention to the Muslim code of female dress. The traditional Javanese style of dressing was still carried on, at both the high class and lower levels of Banten society. Women also had a right to participate in any trade or legal matters, as well as to act as head of their family.

The court records also indicate that Banten's cociety still relied heavily on agriculture. Only the capital city played its role as a famous trading port for the pepper trade, while the rest of the realm was still occupied by a traditionally agricultural society. Trades were only run by the upper class people, and that is why wealth was in their hands. Poverty was a common scene in any agricultural society of South-East Asia. The records indicate that poverty could easily reduce the subjects to debt bondage, and even slavery.

The official abolition of the sultanate in 1808 did not make any change at all to the lower levels of Banten society. Islam might have taken this chance to fill the vacuum of traditional ruling power in Banten in the nineteenth century. Having to live under the administration of the non-Muslim regime throughout the nineteenth century may have placed pressure on the people of Banten and induced them to react in a radical way. Several rebellions against Dutch domination that broke out in Banten may well confirm this claim.

Conclusion

The history of the Sultanate of Banten during the late eighteenth and early nineteenth century has three dimensions: a history of the relationship between the Sultanate and the Dutch East India Company, a history of the struggle of the Sultanate to retain its dignity, and a history of a Javanese society which remained intact. This thesis focuses on the reconstruction of the second and third dimensions.

The relation between the Sultanate and the Company during the late eighteenth century was very probably a sort of symbiotic cooperation, appropriate to fulfilling the demands of each other. The Company claimed its sovereignty over Banten, mainly because it was determined to secure the monopoly of the pepper trade which was its major economic interest in West Java. It also obtained huge supplies of coffee, tea, and sugar from that area. To achieve the most efficient result, the Company realised that it had to retain the Sultan as the head of state with full authority over his subjects. The sultans of Banten in this period enjoyed their powers of kingship unchanged and could still exert full regal authority. They were still fully recognised by their subjects, and this enabled them to manage the labour required for the pepper plantations. The VOC's policy of retaining the kingship and authority of the rulers of Banten saved it from having to deal directly with the subjects. To the Company, the Sultan of Banten was both a guarantor of the pepper trade monopoly and the middleman who sold the supply to it. Pragmatically, the Company may have realised that this policy would bear fruit, as long as the Sultanate was under any Sultan it could properly trust. This is why from the late seventeenth century the Company would nominate only a prince of whose loyalty it could be assured, to be installed as 'Company king'.

It appears that the VOC also was cognisant of and learned to use the tributary system which was an old tradition in South-East Asia, functioning between the overlord and the vassal states. Hence, the Sultan of Banten had to show his respect to the Company by

paying tribute every year in the form of 50 *bahar* of black and white pepper. Fitting into the system, the Company did not crassly demand any precious gifts, slaves. or labourers. It is possible that it did not take the old tributary system seriously. It is more likely that the tradition was adopted and implemented by the Company as a symbol of its overlordship over Banten. At a practical level, the Company was also assured of a supply of 100 *bahar* pepper handed in to it at no cost.

The Sultans of Banten were certainly not disadvantaged by acquiescing in this system. They were in a position to profit even more greatly from this relationship than was the VOC. They were secure in their kingship and could exercise full authority in ruling over the subjects. The income from the pepper trade, which was quite regular and stable, went into the Sultan's pocket only. If they needed to use any more money, the Company was ready to lend it to them. The Company also added more grandeur to the royal court of Banten. European traditions were introduced in the Surosowan Palace. A stream of precious gifts flowed to the Sultans and members of the royal family. From the late seventeenth century the royal court of Banten was lavishly supplied with various luxuries, carrying it far beyond its humble beginnings. In the eyes of the Company this was money well spent as the stability of the royal court was important to it, seeing that the Sultans were a source of economic interest to it.

The indigenous sources suggest that the claim to the sovereignty over Banten came unilaterally from the Company. It may be assumed that the Sultans of Banten, although chosen to be king because of their assumed willingness to follow the Company's policy. would have been unlikely to acknowledge their vassal status. The MS LOr 5598 suggests that the royal court of Banten during the late eighteenth century did not consider the VOC to be its superior. As far as the court of Banten was concerned, the VOC was no more than its friend, ally or trading partner, or perhaps supervisor.

The examination of the royal court of Banten during the late eighteenth century reveals the struggle pursued by the royal court of Banten to retain its supremacy in the Sultanate. While the Sultans of Banten enjoyed their luxurious lives supported by the Company, they still had to uphold the tried and tested rituals and complexities of a Javanese royal court.

The royal palace was still recognised as the centre of the kingdom, in both a ritual and a political sense. Javanese architectural conventions were still preserved in the palace, and there was no sign of the adoption of European architecture. All the buildings in the Surosowan Palace still retained their specific functions according to the old palace rules. Supernatural beliefs and taboos concerning the Sultan were strictly observed. The Sultan was still honoured as the shadow of *Allah* on earth, and he also had to carry on his role as the spiritual leader of the kingdom. In the palace, the Sultan was well protected in his position by various taboos and palace traditions. All the taboos and restrictions were designed to shape the persona of the most unique man in the state, who deserved to hold the supremacy over his subjects.

It appears that the royal court of Banten had to amend certain customs to suit them to the new element introduced by the contact between the Sultan and the Company representatives. Their audience with the Sultan was no longer in the old style, when the Sultan would always sit on the throne raised higher than the delegation. He had to sit at the same level as his guests, and also eat at the same table as them. Female members of the royal family and all the court ladies could no longer hide themselves in the inner quarters, but all had to be on hand to welcome the honoured guests from Batavia. It seems very probable that the amendment of certain palace customs relating to etiquette was a concession made to favour the Company officials. However, the Company could not demand any change to be made to any religious state ceremonies, such as the coronation and the Friday prayers. This leads me to believe that its devout adherence to

Islam was one of the ways by which the royal court of Banten was able to maintain its dignity.

The MSS LOr 5598 and LOr 5625-5628 provide us with ample knowledge of the system of law and justice in Banten during the late eighteenth century. As an Islamic state, Banten officially accepted the *Shari'a* as the most significant law prevailing in the Sultanate. Closer examination of the manuscripts shows that in practical terms, this Islamic law played a role only in family matters. State affairs, the administration in the capital city and the Lampung territory, and the relationship with the VOC were conducted according to the prescriptions laid down in the royal decrees or *Perintah Raja*. We also learn that there were three types of Court of Justice in Banten. The records reveal that it was most likely the *Kadi* Court which impinged most on the daily life of the subjects, and it appears to be the only court in Banten which applied the *Shari'a* in its judgements. All the offences against the royal decree or state law fell under the jurisdiction of the *Bumi* Court or state court. Only really serious crimes which deserved the death penalty were brought before the Sultan's Court, in which the Sultan would make the ultimate decision.

Chapter Four revealed that peace and order in the capital city of Banten Lama were secured by the imposition of the *Perintah Raja* or royal decree. This law indicated that the roles of all the inhabitants of the capital were determined by their social status. They had to play their role appropriately, in order to maintain peace and order in the capital. The MS even suggests that the ritual order in the centre of the kingdom could be secured by encouraging the inhabitants' respect for the law. Another aim of the state law was to exclude the subjects from any contact with the VOC. This can be seen in different points of the state law which prohibited Banten subjects from creating any trouble which might lead to a conflict between the state and the Company.

Chapter Four also clearly shows that the majority of the Sultan's subjects still carried on their lives independently of the Company's authority. MS LOr 5598 suggests that the subjects of Lampung were responsible for planting pepper to supply the state's pepper trade. There is no evidence that the subjects in West Java had to carry any burden to secure the pepper supply of the state. The state law classified villages in the kingdom into four types: urban villages, coastal villages, rice planting villages, and villages in the mountainous areas. It appears that most of the villages in the regional areas of Banten were self-sufficient. Wet rice cultivation was the main source of food supply in all types of village. The subjects had a right to their basic property like houses, rice fields, orchards, animals and boats. Peace and order in each village was secured by the *Shari'a* rather than the royal decree.

Chapter Five provided further details about the role of the *Kyai Fakih Najimuddin* or the Supreme Judge and Chief Cleric, as well as workings of the *Kadi* Court itself. The MSS LOr 5625-5628 suggest that the *Kadi* Court had quite a strong influence in solving conflicts in villages. The *Penghulu* or village chiefs were appointed by the *Kyai Fakih Najimuddin* to represent him and to implement the *Shari'a* in local courts, which may be considered branches of the *Kadi* Court. All family matters like weddings, divorces, and inheritance had to be brought before this court, as well as the matters of debts and loans and the slave trade. The court records reveal that the slave trade was an important economic element in Banten markets. All the freemen in the kingdom had the right to own slaves. The buying and selling of slaves in Banten had to be registered by the *Kadi* Court, probably to screen the runaway slaves from Batavia. This may have been the government's policy to avoid any conflict with the Company.

The contents of the MSS LOr 5625-5628 help us reconstruct the way of life of both inhabitants of the capital and the villages. The MSS provide us with the unequivocal idea that the Spanish dollar or *Real* was the unit of currency officially used in Banten

society. We can perceive the lifestyle of the nobility, such as the way of dressing, decorating their houses and the property they accumulated. At the village level, the records show that people relied on agriculture, especially the wet-rice cultivation for their livelihood. Money was important even in the self-sufficient villages, probably because people needed to buy cloth and other non-agricultural products which could not be locally produced. Money borrowing and debt transfer were common activities in all the communities in the kingdom during the late eighteenth century.

The records also enable us to estimate the economic conditions of the inhabitants in the villages. Different activities stated in the records indicate that the majority of the Banten villagers were poor. Throughout the late eighteenth century the court witnessed repeated cases of debt transfer and villagers selling themselves to be slaves. Gambling, alcoholic drinks and drugs were mentioned as causes lowering the quality of life of male villagers. Violence in the family and community was another indicator of people's poor quality of life. Islam in this sense did not play any specific role in improving the villagers' way of life. Village lives in Banten were no different from those in other parts of South-East Asia.

Another characteristic of the late-eighteenth-century Banten society was the prominent role of females. Compared to other contemporary Muslim communities in other regions like the Middle East, Persia, Central Asia and the Indian Subcontinent, in which women's role was very limited, women in Banten society played leading roles in their families. They were not compelled to confine themselves to their houses, nor were they forced to cover their bodies in accordance with the rule of fundamentalist Islam. They could participate in various social activities, such as working together with males in the rice fields and appearing in public places. In markets, female were free to enter into commercial contracts, or even to run a business. Legally, they had right to accumulate property, and to inherit all the wealth of their parents. Furthermore, they

also had the right to report their husbands to the court for misconduct, and to ask for the divorce.

The result of the research shows that Banten society during the late eighteenth century was 'a South-East Asian society', rather than 'a Muslim society'. The society shared basic similarities with those in other parts of South-East Asia, namely rice-cultivation, animism, ancestor veneration, a strong sense of social precedence and hierarchy and according a leading role to women. The basic South-East Asian characteristics are unique and stretch beyond the frame of religious faiths. The inhabitants of South-East Asia have inherited and preserved these basic characteristics from their predecessors, even though they have continually adopted various elements of civilisation from outside the region.

As mentioned at the outset of this study (see Introduction), our aim has been to investigate whether it is possible to compile a social and cultural history of Banten for the last 58 years before the abolition of the Sultanate that differs qualitatively from a colonial history. Our method has been to assemble and arrange a variety of different sources, principally indigenous ones, but augmented with European accounts and the evidence of archaeology. It has been demonstrated that this approach can be most fruitful; in particular, through the use of Javanese judicial records we have gained insights into aspects of social and cultural conditions in Banten that would otherwise have been inaccessible.

Obviously, our results apply to the geographical area and defined period under study, but it is hoped that any insights gained will perhaps be useful for research into the state of society and culture in comparable states in the Indonesian Archipelago, such as Cirebon in West Java, Palembang and Jambi in Sumatra, Banjarmasin in Kalimantan, and Makasar in South Sulawesi (and there are more), where Islam was the professed religion and the colonial power was on the advance. There is a great deal more research

needed, using both indigenous and European sources, before we can be said to have a clear picture of what was happening on this, local, scale. If this work has made a contribution in that direction, it will have succeeded.

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APPENDICES

Appendix 1

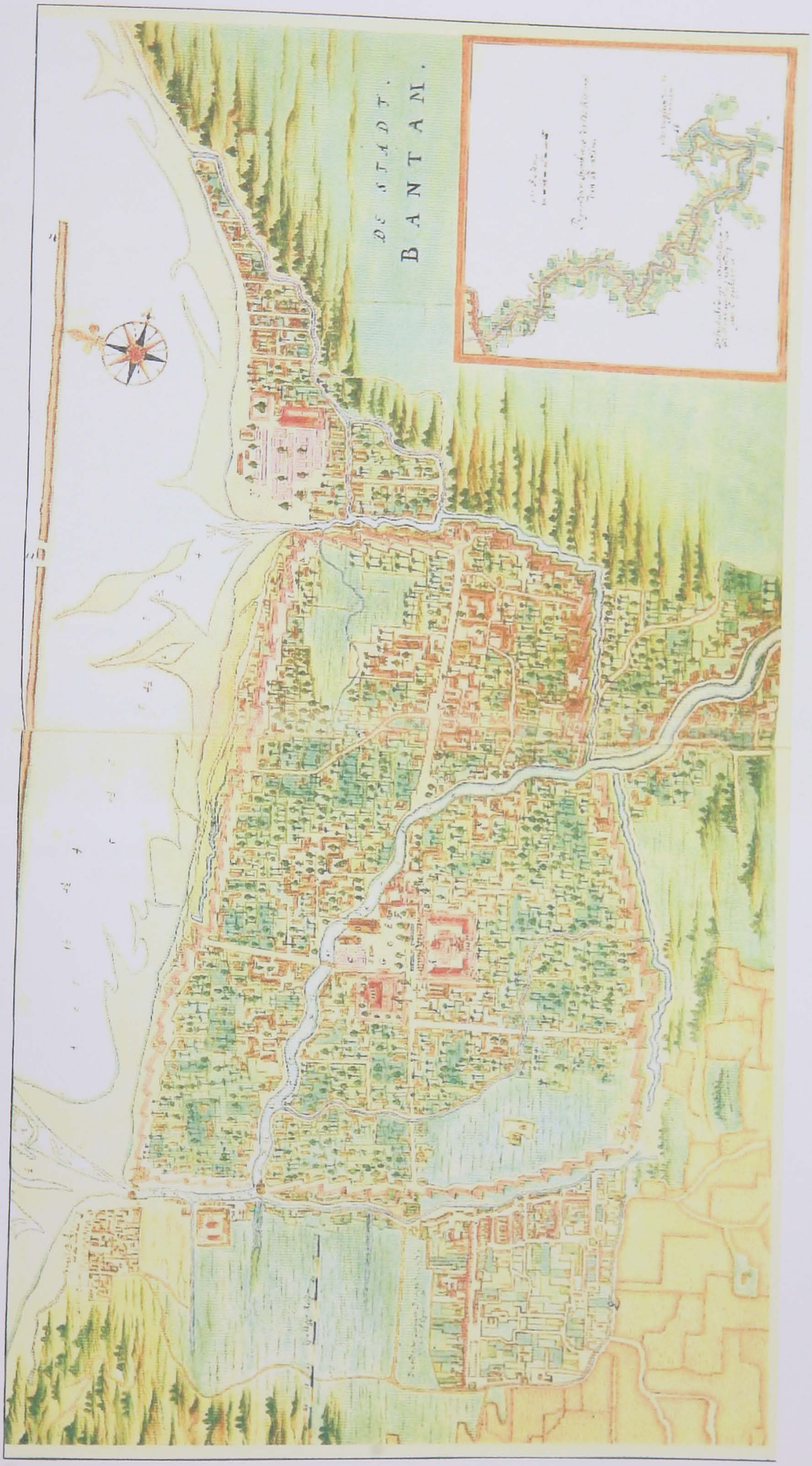
Maps of Java relating Banten



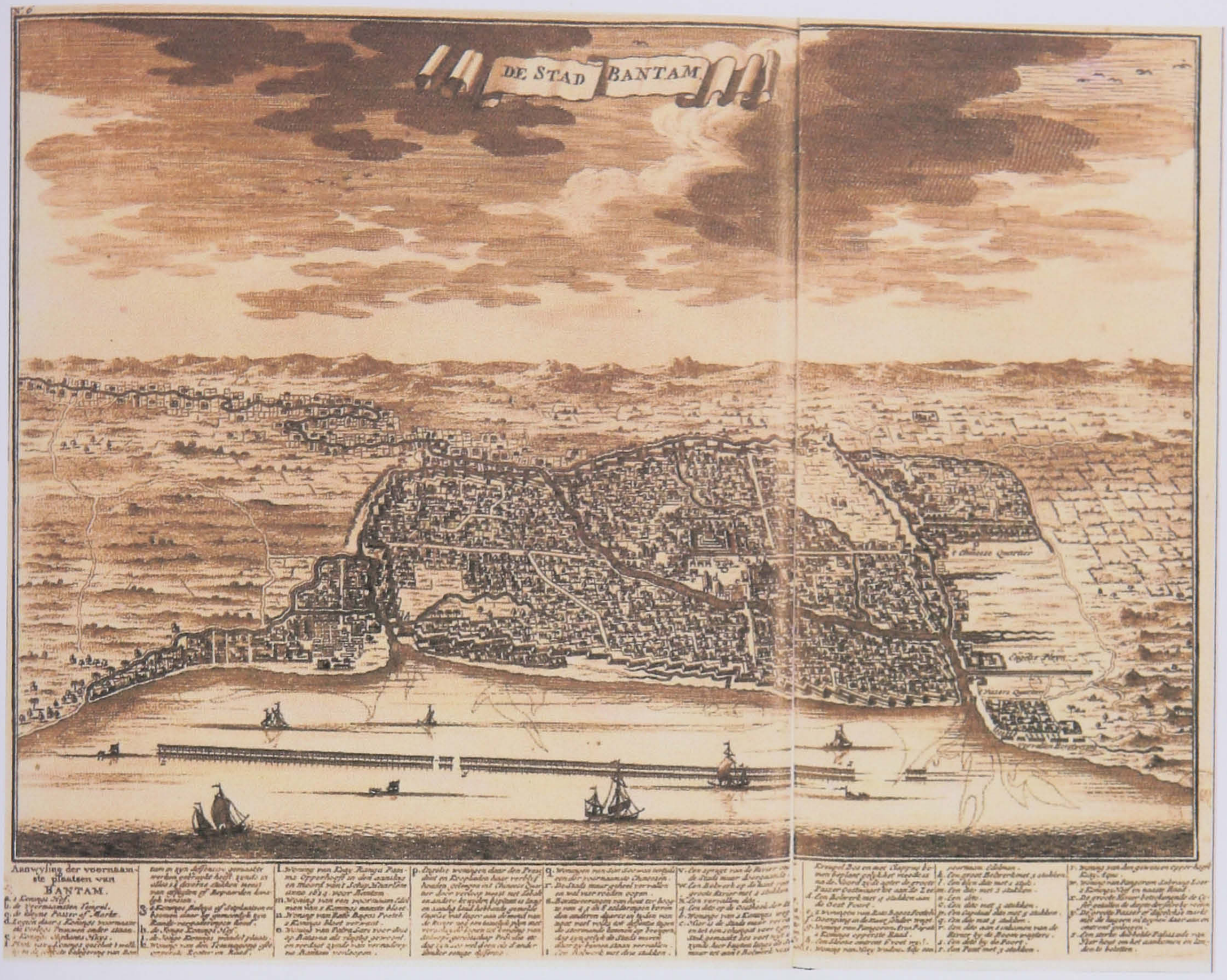
Map 1 : West Java and the location of the Sultanate of Banten
Source : Hassan M. Ambary & Sakai Takashi, *Banten Pelabuhan Keramik Jepang,* 1993



Map2 : The Bay of Banten
Source : Claude GUILLOT, *The Sultanate of Banten*, 1990



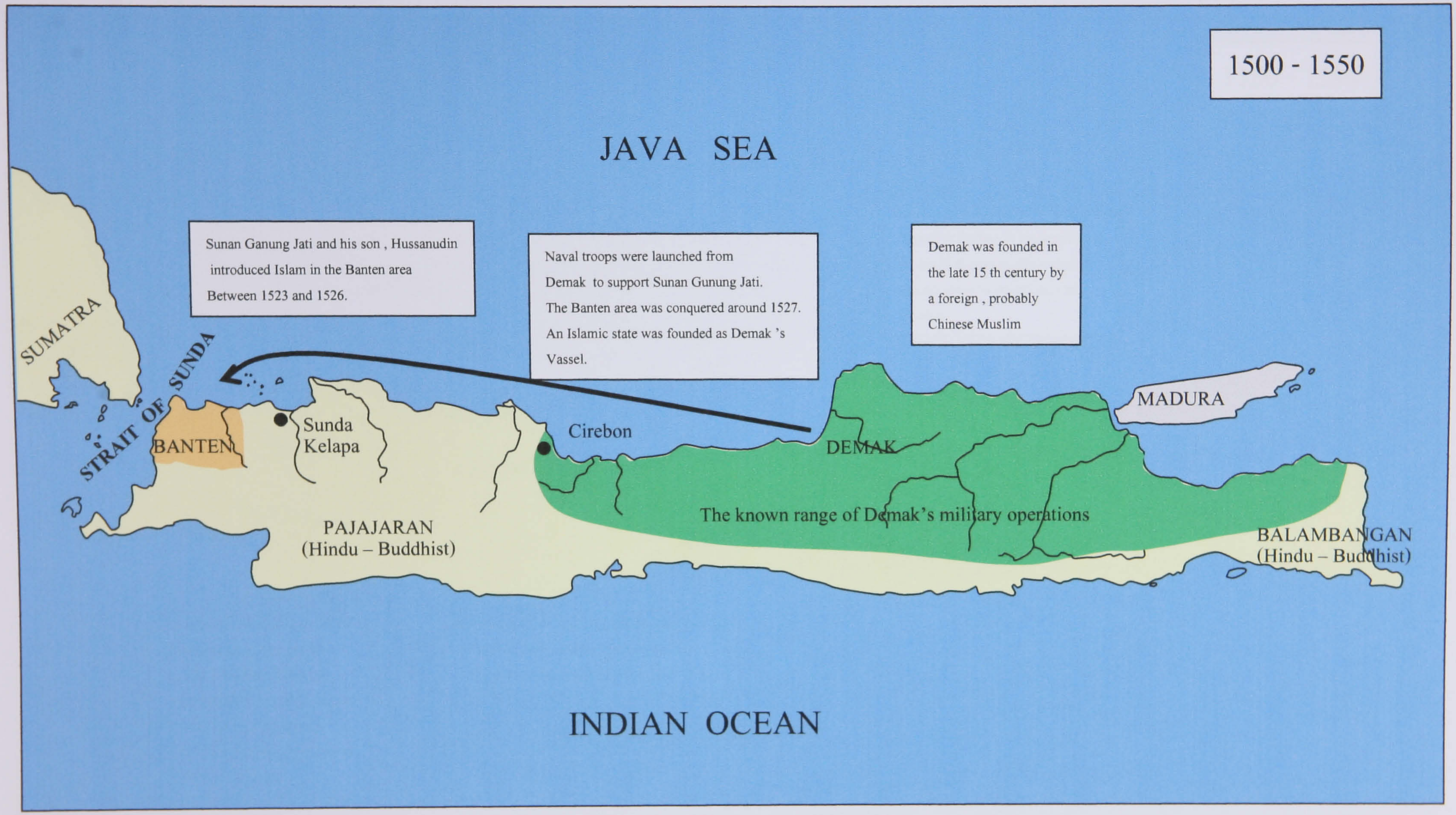
Map 3 : A Dutch map of Banten between 1635 and 1639
Source : Claude GUILLOT, *The Sultanate of Banten*, 1990



Map 4 : A bird's eye view of Banten by F. Valentijn, Oud en Nieuw Oost Indiën (1724-1726)
Source : Claude GUILLOT, *The Sultanate of Banten*, 1990

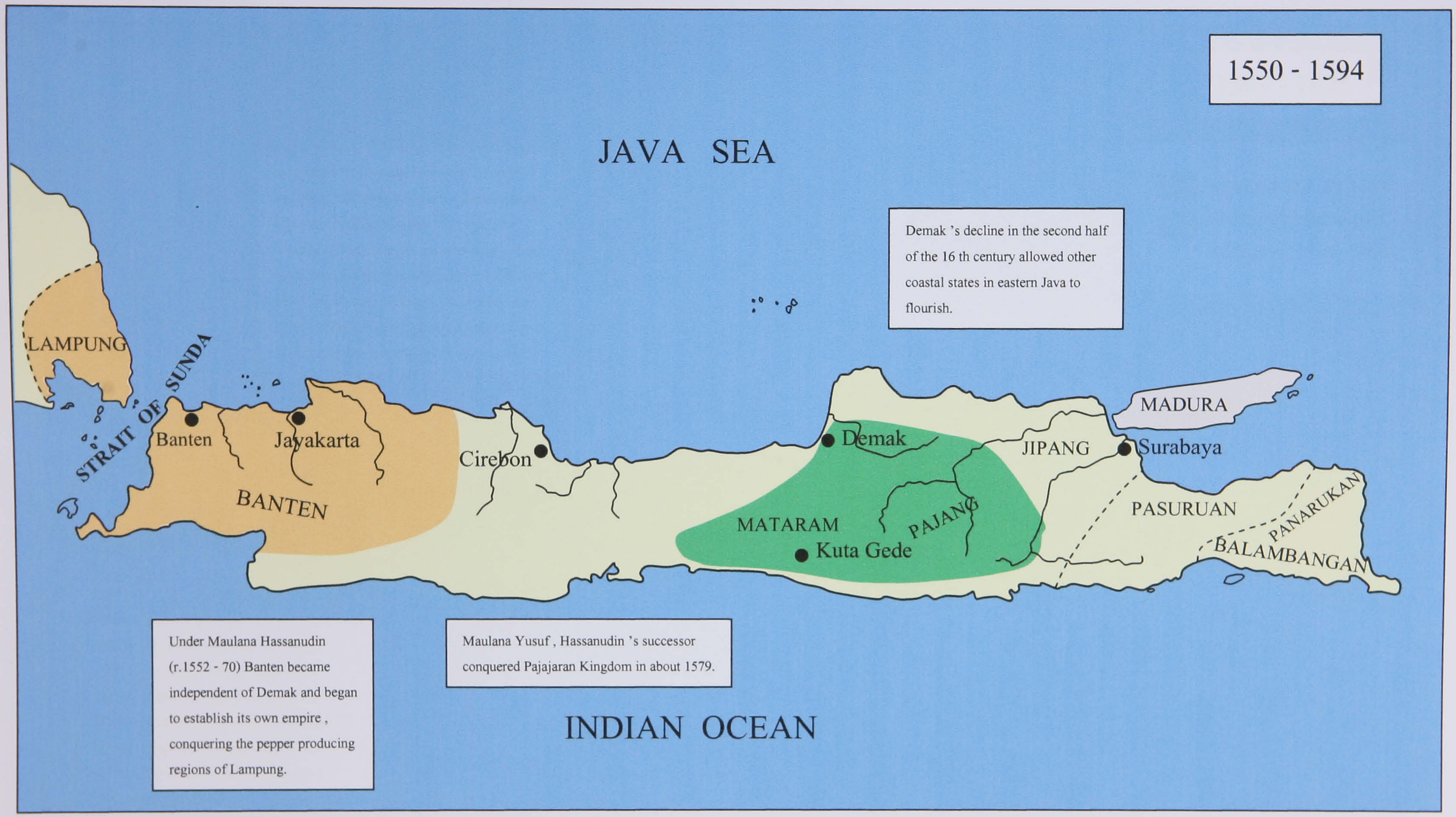


Map 5 : The principal sites of Banten today.
Source : Claude GUILLOT, *The Sultanate of Banten*, 1990



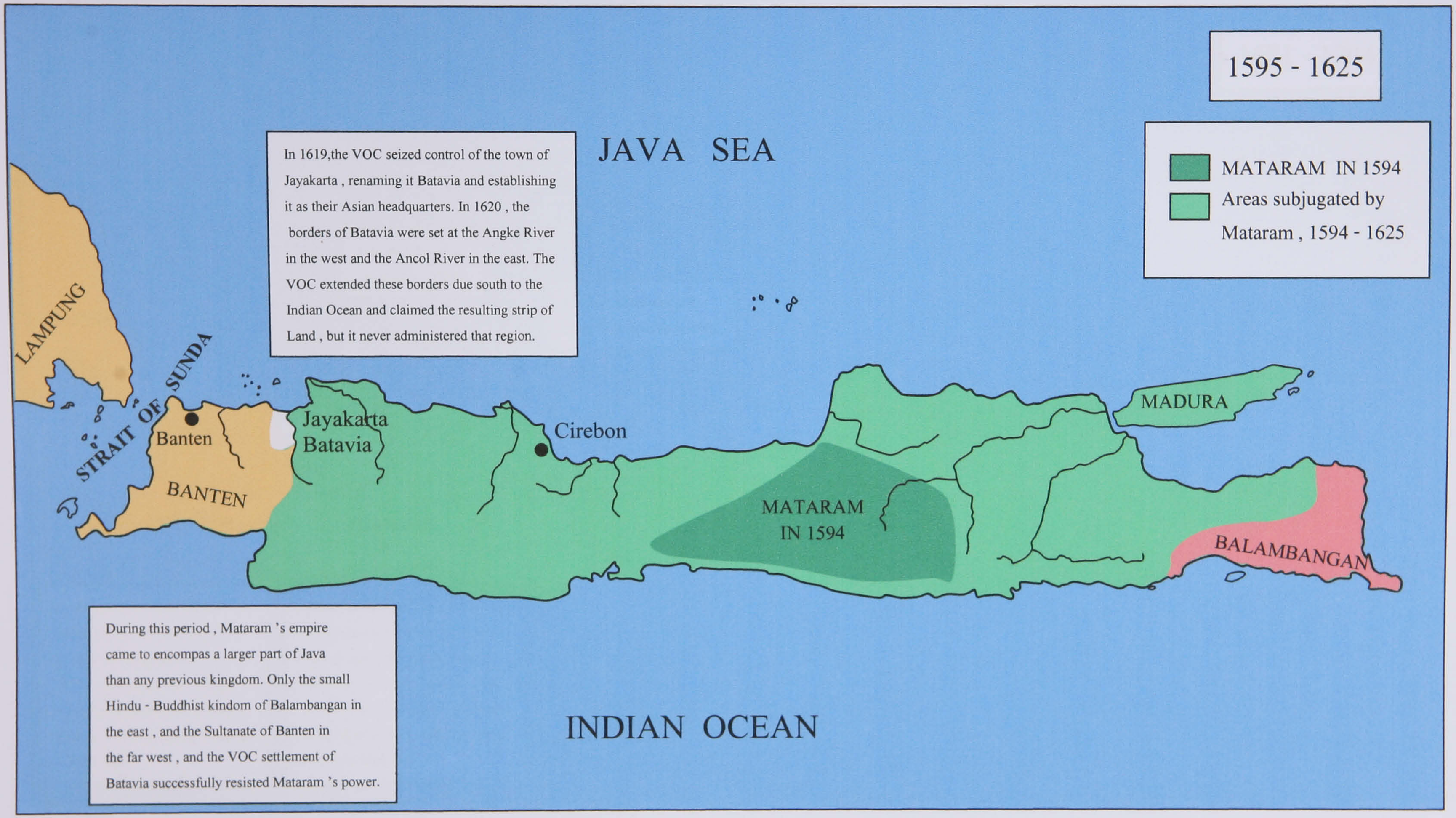
Map 6 : Java, first half of 16th century : the rise of Demak and Banten

Source : Cribb , *Historical Atlas of Indonesia,* 2000



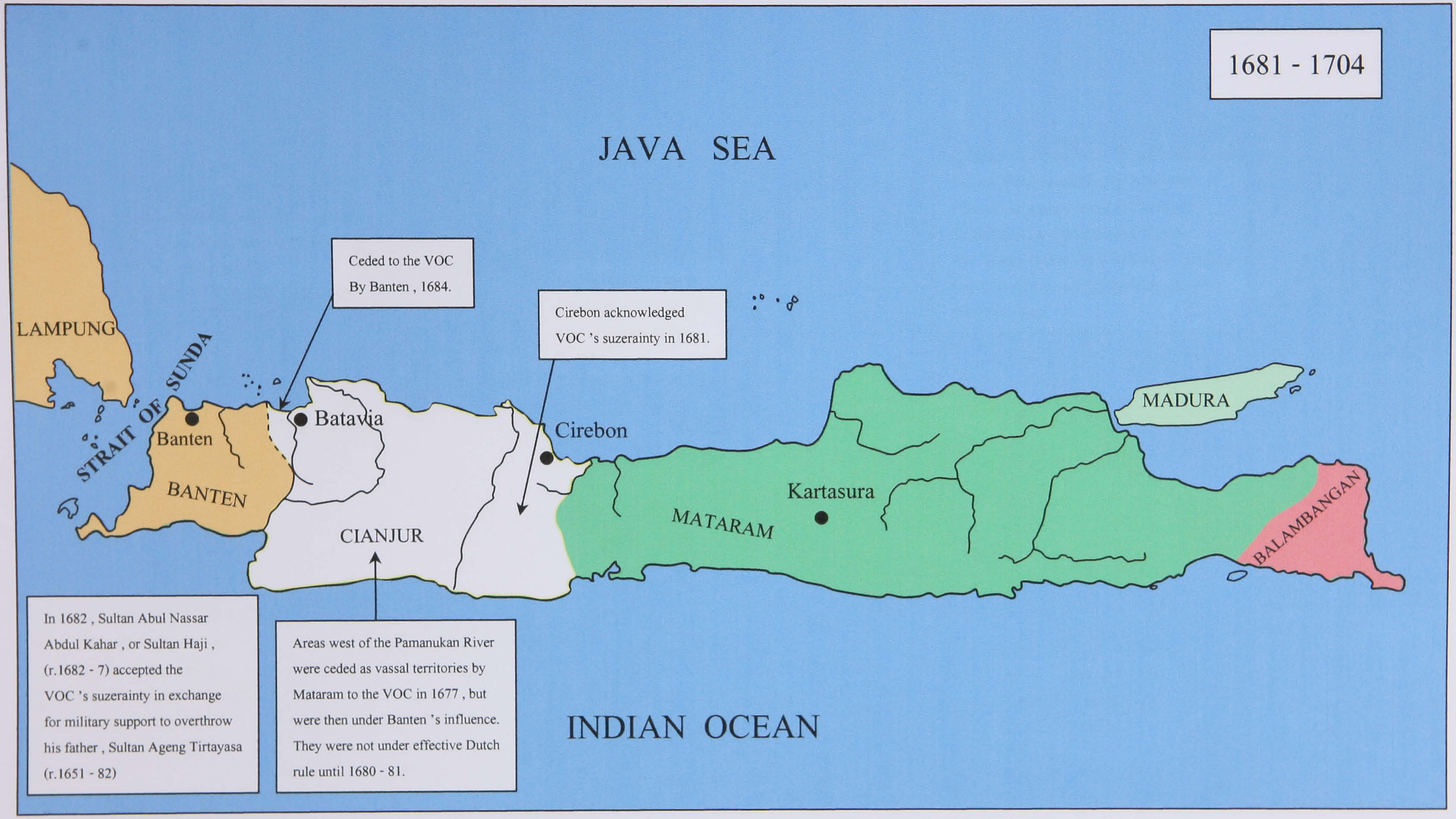
Map 7 : Java , 1550 – 1594 : The expansion of Banten and the emergence of Mataram

Source : Cribb , *Historical Atlas of Indonesia,* 2000



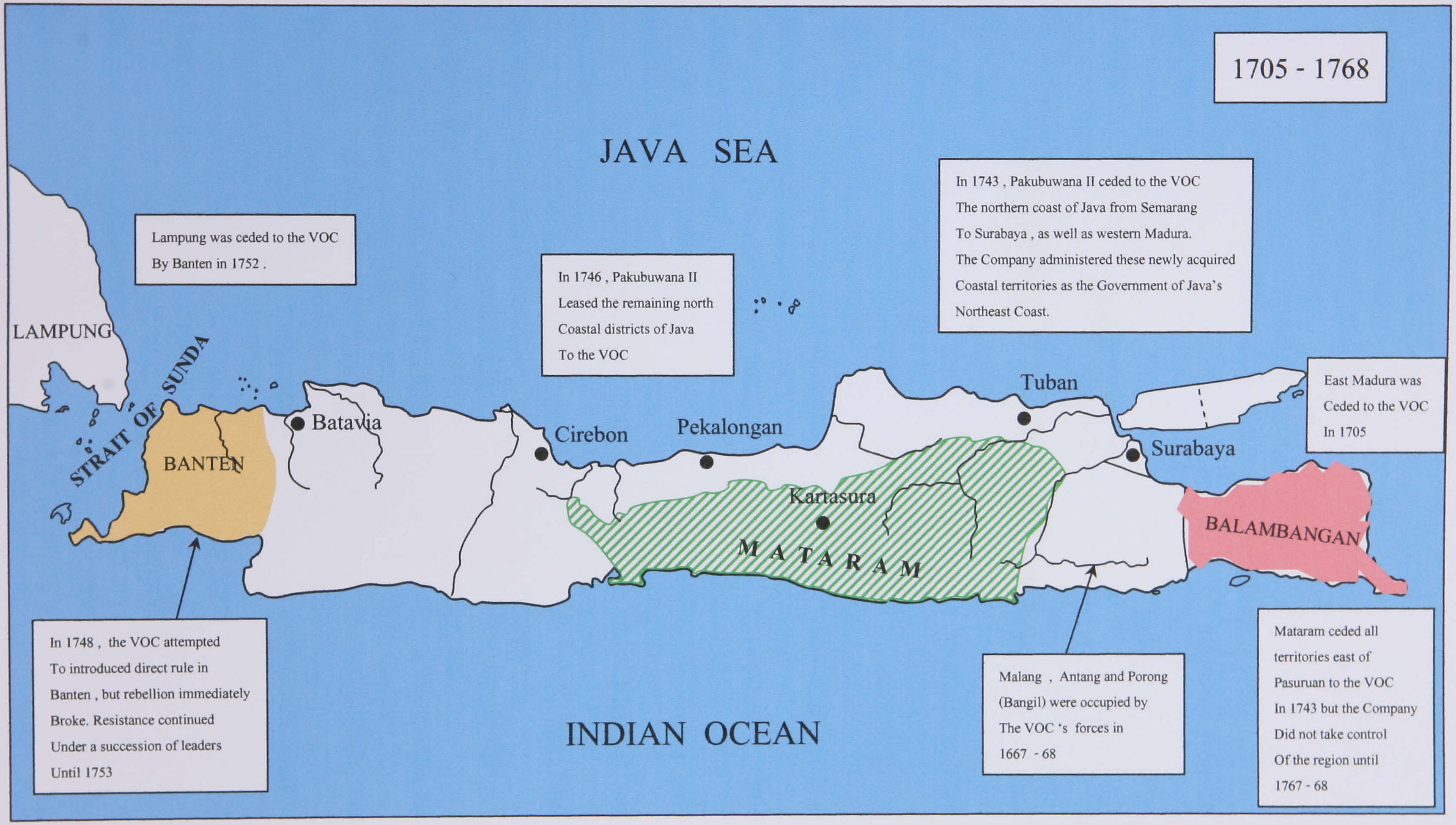
Map 8 : Java , 1595 – 1625 : Banten

Source : Cribb , *Historical Atlas of Indonesia,* 2000



Map 9 : The expansion of the VOC 's territories

Source : Cribb , Historical Atlas of Indonesia, 2000



Map 10 : The expansion of Dutch control in Java , 1705 - 1768

Source : Cribb , Historical Atlas of Indonesia, 2000

Appendix 2

The Genealogy of the Banten Dynasty

Genealogy of the Banten Dynasty

Sunan Gunung Jati + Ratu Demak

Maulana Hassanudin + Ratu Pajajaran

(r. 1527-1570) (Princess of Pajajaran Kingdom)

Maulana Yusuf + Ratu Rasidja

(r. 1570-1580) (Princess of Cirebon)

Maulana Muhammad + Ratu Gede Wonogiri

(r. 1570-1580 (Princess of Cirebon)

Sultan Abul Mafachir Mahmud Abdul Kadir Kenari + Ratu Isadjang

(r. 1596-1640)

Sultan Abul Ma'al Ahmad Kenari + Ratu Marta Rasuma

(r. 1640-1651)

Sultan Abulfathi Abdul Fatah + Ratu Adi Rasuma

(Sultan Ageng Tirtayasa)

(r. 1651-1682)

Ratu Gede Banten + Sultan Abul Nassar Abdul Kahar + Ratu Aisya

(Sultan Haji)

(r. 1682- 1687)

Sultan Abul Fadhal

(Sultan Yahya)

(r. 1687-1690)

Sultan Abul Mahasin Zain al Abidin + Ratu Jamillah

(r. 1690-1733)

Ratu Jajana + Sultan Muhammad Zain al Arifin + Ratu Syarifa Fatimah — Pangeran Adisantika

(r. 1733-1748) (Queen Regent) (Prince Regent)

1750-1753

Sultan Muhammad Arif Zain al Asyikin + Ratu Sultan Gusti

(r. 1753-1777)

Sultan Abul Mafachir Muhammad Aliyuddin + Ratu Sultan Sepu

(r. 1777-1799)

Sultan Mahyudin Zainussolihin → Sultan Muhammad Ishak Zainal Muttakin (r. 1801-1803)

(r. 1799-1801)

- Sultan Wakil Pangeran Natawijaya (r. 1803)
- Sultan Agiluddin (Aliyuddin O) (r. 1803-1808)
- Sultan Wakil Pangeran Sura Manggala (r. 1808-1809)
- Sultan Muhammad Shafiyuddin (r. 1809-1813)
- Sultan Muhammad Rafi'uddin (r. 1813)