Elite Bargains and Political Deals Project:

Malaya Case Study

David H. Ucko

Stabilisation Unit
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Author details

The author is Director, Combating Terrorism Fellowship Program (CTFP) and Associate Professor, College of International Security Affairs, National Defense University, Washington DC.

Background to Elite Bargains and Political Deals Project

This case study is one of a series commissioned to support the Stabilisation Unit's (SU) development of an evidence base relating to elite bargains and political deals. The project explores how national and international interventions have and have not been effective in fostering and sustaining political deals and elite bargains; and whether or not these political deals and elite bargains have helped reduce violence, increased local, regional and national stability and contributed to the strengthening of the relevant political settlement. Drawing on the case studies, the SU has developed a series of summary papers that bring together the project's key findings and will underpin the revision of the existing 'UK Approach to Stabilisation' (2014) paper. The project also contributes to the SU's growing engagement and expertise in this area and provides a comprehensive analytical resource for those inside and outside government.

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Executive Summary

This case study explores the Malayan 'Emergency', a British-Malayan counter-insurgency campaign against the armed wing of the Malayan Communist Party, the Malayan National Liberation Army (MNLA), between 1948 and 1960. The MNLA was fighting for independence from the British Empire and the establishment of a communist state. Britain was also working towards eventual independence for Malaya, but as a democratic, multi-ethnic state willing and able to represent British regional interests.

Elite bargains in the build-up to ending conflict
The conflict ended because of shifts in the underlying political settlement, brought about by a series of elite bargains between Malay rulers and politicians, and between Malay and Chinese politicians. The British Government actively encouraged these bargains to undermine the appeal of the MNLA's violent struggle for independence, and to enable a peaceful transfer of political power to a friendly Federation of Malaya. From the early 1950s, elections were held, citizen laws were relaxed, and Malay and Chinese elites met to discuss a multi-ethnic bargain that could inform the political settlement of an independent Federation of Malaya. These discussions took place with the involvement of civil society and pan-ethnic political associations, and were actively encouraged by the British Government.

Although the MNLA was excluded from these elite bargains, it used its armed struggle to push for the policies it wanted. Counter-insurgency efforts, therefore, were designed to co-opt the MNLA's predominantly ethnic-Chinese base into the broader discussion. Using the promise of independence, Britain pushed Malay and Chinese leaders to agree on a new political settlement in which both communities would have a stake. As this compromise took form, and as independence therefore dawned, would-be recruits of the MNLA gained a strong reason to support the government instead.

The impact of elite bargains
The two areas in which elite bargains had the greatest effect on the course of the conflict – and on Malaya's future political settlement – concerned questions of ethnic relations (between Malays and Chinese) and independence. These two areas were intertwined inasmuch as Britain insisted on handing independence to a pan-ethnic platform that would cater for all those born in Malaya, or that called it home.

First, the question of ethnic relations concerned the Chinese desire to gain full rights of citizenship and the Malay concern that such a move would weaken its political hold and special privileges. Elite bargains brought about an agreement to sustain Malay special privileges (e.g. national language, education and special rights for Malays) in return for Chinese enfranchisement within an independent Malaya. Chinese and Malay political parties brokered the bargain in the Communities Liaison Committee, an inter-ethnic consultative body created by the British Government in the late 1940s. The agreement then created an informal platform for the Alliance Party, which used this agenda to sweep local and federal elections. Through consultation between Malay politicians and princes, it was also stipulated that the latter would retain their special place and significant powers in an independent Malaya.

Second, the question of independence concerned the timing and conditions of a British hand-over of power to Malaya. Britain oversaw the establishment of communal political entities and consultative fora and looked out for a sufficiently moderate, mature, and viable pan-ethnic platform to which power could responsibly be transferred. The Alliance Party came to fit the bill and, as it did, it gained leverage over Britain in negotiations. It pushed Britain to grant independence far earlier than planned, before full resolution of the Emergency and before the ethnic question had been

adequately resolved. Britain felt it had no option but to agree, as opposition to the new Malay Government would have created space for far less agreeable actors, including the MNLA. The bargain that was struck resulted in Malaya gaining self-rule in 1955 and independence in August 1957, earlier than thought advisable. The Emergency was officially concluded in 1960.

The durability of the settlement: elite capture?
Excluded from the elite bargains and unable to integrate as a party within Malaya's new political settlement, a weakened and isolated MNLA continued its armed opposition to the government from remote base camps close to the Thai border. Although it managed to fight on, in the 1960s it lost cohesion and splintered. In the 1970s, the limited support it had received from China since the early 1960s dried up as Kuala Lumpur and Beijing established diplomatic relations.

The Malaya that emerged in late August 1957 was more inclusive and therefore more developmentally stable than that which had been attempted with the Malayan Union in 1946 and the Federation of Malaya in 1948. Yet the settlement was far more precarious than commonly thought, and the country has seen renewed ethnic tensions, even eruptions of violence, in the 60 years since independence. In large part, instability has related to the difficulties of sustaining a consociational settlement across political and economic changes, in a setting where identity-based grievances were never truly resolved. In essence, therefore, the initial bargain struck between Malay and Chinese interests in 1957 did not come to mark the first step towards a more progressive settlement but was instead periodically re-worked to serve the evolving interests of an emerging Malay political class in a way that has embedded inequalities.

Introduction

On 16 June 1948, the British High Commission in Malaya declared a state of emergency in response to agitation and strikes organized by the Malayan Communist Party (MCP), as well as violent attacks on labour contractors and strike breakers. The declaration saw the introduction of armed forces to counter the emerging communist rebel threat and gave the police added powers of arrest, detention and curfew. From then on, the British military and police launched a counter-insurgency campaign to root out the presence of what became known as the Malayan National Liberation Army (MNLA) from the countryside and jungle. The 'Emergency', as it was termed, officially lasted until 1960, but had been largely contained by 1953.

While there is no shortage of writing on the evolution of military tactics in Malaya, the history of the campaign largely omits the political deals that addressed the initial causes of violence. If war is truly a continuation of politics by other means, it behoves scholars of counter-insurgency not to isolate their research to the military domain but to also consider, perhaps principally, the political grounds for violence and the deals, bargains, and processes that might provide a path to peace.

Key to the resolution of the Malayan Emergency was the granting of independence to the Federation of Malaya in 1957, followed by the establishment of a democratic and multi-ethnic polity. Since the 1930s, relations between ethnic Malays and ethnic Chinese communities in Malaya had become increasingly tense, and serious rifts erupted following World War II when it came to formulating a blueprint for an eventually self-ruling Malaya. This context of ethnic enmity and political flux informed the struggle of the MNLA, as it was a heavily Chinese-dominated organisation that profited from close relations with the ethnic-Chinese community and fed off its grievances. The British Government could take the wind out of MNLA's sails by accommodating the Chinese wishes for citizenship and representation, but it also had to consider the interests of the increasingly nationalistic Malay community, which feared the economic dominance of the Chinese, and of the Malay sultans, who had ruled the states that were now to be federated into a democratic nation-state. The manner in which the British Government balanced these interests, all the while fighting an insurgency and looking after its own long-term interests in the region, provides the political story of how this particular conflict was brought to an end.

Part I: Mapping the context of armed violence

Before the Second World War, Malaya was split into three British settlements and nine Malay states. Whereas the British Crown had direct control over its settlements, its influence in the Malay states was channelled through their respective rulers: in return for guaranteeing their sovereignty and privileges, Britain exercised control over policy, trade, and defence. To the degree that the patchwork of administration was held together, it was through a single co-ordinating authority, the Governor of the Straits Settlement, who was also the High Commissioner of the Malay States.[1] This configuration allowed Britain a cost-effective way to benefit from Malaya's rich rubber and tin assets, making it the so-called 'dollar earner' of the Empire.[2] It was a profitable arrangement, yet one that would be unrecognisably transformed in the mid-20th century.

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[1] For a broader discussion of the political and administrative constitution of pre-war Malaya, see F. G. Carnell, 'Malayan Citizenship Legislation', International & Comparative Law Quarterly 1, no. 4 (October 1952), 504-506.
[2] 'Letter from Sir G. Gater to Sir H. Wilson Smith', 31 August 1945, T 220/52, IF 23/01, in A. J. Stockwell, ed., *Malaya. Part 1: the Malay Union Experiment, 1942-1948*. British Documents on the End of the Empire (London: HMSO, 1995), no. 49. See also Melike Yilmaz, 'The Politics Of Post Colonialism and Multiculturalism: A Case Of Malaysia', *Akademik Arastirmalar Dergisi* 12, no. 45 (2010), 139.

Three factors would overturn the order: the influx of non-Malays, the Second World War, and the rise of communism in Southeast Asia. On the ethnic question, Britain saw no desire among the Malay population to seize the economic opportunities emerging in the mines, plantations, and urban centres. To fill the gap and derive greater profit, Britain encouraged Indian and Chinese migration; yet to avoid alienating its Malay partners it offered assurances that the growing presence of non-Malays would not harm the special privileges of the rulers or of their Malay subjects.[3] Thus, British rule came to acquire an ethnic dimension, encouraging, as elsewhere in the Empire, a divide-and-rule approach based on socio-economic segregation. The Malays were politically dominant but excluded from the modernising economy, while the Chinese thrived financially yet lacked political rights.[4]

As more non-Malays settled permanently, this arrangement began to fray. According to a 1931 census, Malays no longer formed the majority in the Malay States and Straits Settlement, and yet it remained almost impossible for non-Malays to acquire land or exercise full citizen rights. Meanwhile, immigration was causing a Malay awakening, leading to reassertions of nationalism and more jealously guarded privileges. Quite apart from the inefficiencies of working through nine separate states, British officials were looking for a new, centralised way of power-sharing within a multi-ethnic political settlement that would extend British interests regionally and address growing tensions among the ethnic communities. Such a shift would require tactful diplomacy with the powers that be – the rulers and the Malay elite.

Experiments with centralisation never had time to blossom because of the second factor alluded to above: the Second World War. Britain failed to mobilise resources to fend off Japan's attack in December 1941 and, within two months, British forces were expelled from Malaya and Singapore. When Japan later surrendered in 1945, Britain was again taken by surprise and scrambled to return to Malaya. A British Military Authority (BMA) was hastily established to resume control, yet the new body was universally reviled for its incompetence, abuses of power, and corruption. The hiatus in British control – not to mention its loss of legitimacy through the humiliating defeat – had forced many to question its continued presence in Malaya.

A third factor was the ideological resurgence of the post-war period. Leaving aside the communist revolution in China, in 1948 alone communist uprisings also erupted in Burma, Indonesia and the Philippines. Malaya was experiencing increased unrest at the hands of the Malayan Communist Party (MCP), created in April 1930 with a mission to create an independent Soviet Republic of Malaya.[5] Although MCP's influence remained limited to sections of the country's ethnic-Chinese population, it had become a leading resistance movement fighting for independence during the Japanese invasion of Malaya. Pushed out of Malaya, the British Government backed this initiative and, mostly from 1944, supplied what became known as the Malayan People's Anti-Japanese Army (MPAJA) with arms and equipment. Thus, MPAJA became an armed and trained jungle-based force inspired by a particular blend of nationalism and communism.

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[3] As High Commissioner Sir Hugh Clifford put it in 1927: the Malay states 'were, they are, and they must remain – unless our duties, our obligations and our engagements to the Rajas, the Chiefs and to the people of these countries are to be wholly ignored or forgotten – Malay States' (emphasis in original). See Sir Hugh Clifford, speech to the Federal Council, 16 November 1927, in J. de V. Alien, A. J. Stockwell and L. R. Wright, eds, A Collection of Treaties and other Documents Affecting the States of Malaysia 1761-1963, 11 (London, Rome, New York, 1981), 79. See also Christine B. Chin, 'The State of the "State" in Globalization: Social Order and Economic Restructuring in Malaysia', Third World Quarterly 21, no 6 (2000), 1040; Eugene K. B. Tan, 'From Sojourners to Citizens: Managing the Ethnic Chinese Minority in Indonesia and Malaysia', Ethnic and Racial Studies 24, no. 6 (November 2001), 956.
[4] Chin, 'The State of the "State" in Globalization', 1040; Yilmaz, 'The Politics of Post Colonialism And Multiculturalism', 140.
[5] 'How They Commemorate Lenin', The Singapore Free Press and Mercantile Advertiser, 23 January 1931, 20; '"Red" Activities in Malaysia', The Straits Times, 18 July 1930, 14.

Within days of the Japanese surrender, the MPAJA assumed control of swathes of Malaya. When Britain returned to Malaya, intent on resuming control, it was able to coax the MPAJA into a disarmament agreement, whereby some (but by no accounts all) of their weapons were collected, the organisation was formally disbanded, and the MCP was legitimised. Still, through acts of sabotage, strikes, and also violence, the communists continued to resist the re-imposition of British rule. Malay-Chinese violence was also at this time increasing, as communities sought to settle scores created during the Japanese occupation.[6] While the BMA sought to clamp down on such activities, the MCP retained a shadow network of formally disbanded MPAJA militants that could be activated as necessary.

Ironically, it was the British intent to work toward eventual Malayan independence. Weakened by the war and realising that it had lost its grip, from 1942 onward Britain returned to the vision of creating a new, centralised political unit able to represent British regional interest.[7] Yet executing this plan had, if anything, become more complex. Britain first needed to re-establish control and confidence, then wrest power and privilege from the Malay rulers, centralise power within a new union of all states, organise local and national elections and, finally, hand over power to the winning party, which had to be sufficiently mature politically and a friend of the Crown. It was always a delicate process, and was further complicated by Britain's lack of legitimacy following its ousting during the war, the rulers' closely guarded power, and the unresolved question of how to balance the politically dominant Malays and the financially stronger Chinese. The path to independence was thought to be very long.

The first step on this path was taken in the wrong direction. In 1946, Britain established a new political settlement – the Malayan Union – hoping to create a new basis for eventual state-hood. Prepared with minimal local consultation, the solution was dangerously ignorant of ethnic enmity and imposed on those it most affected. The Malayan Union would have reformed the conditions for citizenship and, to the Malays, threatened to open the "gaping portals" of citizenship to the entire ethnic-Chinese community. Its proposed centralised union also undermined the power of the Malay rulers, which further challenged the tradition and privilege of the Malays. The attempted implementation of the Malayan Union provoked the mobilisation of various Malay political bodies so that, upon its entry into force in 1946, a boycott could be organised involving not only Malay associations but also the rulers.[8]

Seeking to learn from its mistakes, the subsequent formulation of nationhood – the 1948 'Federation of Malaya' – restored the rulers' powers and strictly limited ethnic-Chinese citizenship.[9] While this reversal began to repair relations with the Malays, it did little to mediate the grievances of the Chinese community or soothe the radicalism of the Chinese-dominated MCP. Months later, the former MPAJA member, Chin Peng, activated the Malayan People's Anti-British Army (MPABA) and launched an armed struggle against the British administration. MPABA was later renamed the

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[6] Victor Purcell, The Chinese in Malaya (Oxford: Oxford University Press, 1948), 265.

[7] Stockwell, 'Introduction', xiii.

[8] Ibid. lix. See also 'Outward Telegram (reply) no 99586 from War Office to Major-General H R Hone', CO537/1528, no. 46. 1 March 1946, and 'Minutes by H T Bourdillon, J J Paskin and Sir G Gater', CO 537/1528, 25-26 April 1946, in Stockwell (ed.), Malaya. Part 1, nos. 77, 85. For context, see Ishak bin Tadin, 'Dato Onn and Malay Nationalism 1946-1951', Journal of Southeast Asian History 1, no. 1 (Mach 1960), 56-88.

[9] 'Under Malayan Federation citizenship only 375,000 out of 1,953,682 Chinese residents would be considered citizens under federation law'. See Victor Purcell, The Chinese in Modern Malaya (Harvard, MS: No. 9. D. Moore, 1956), 41. See also Carnell, 'Malayan Citizenship Legislation', 509-511. The Federation Agreement also stipulated elections to the federal legislature and to the state/settlement legislative councils as soon as possible, an important step to self-rule. On this point, see, Amry Vandenbosch and Richard Butwell, The Changing Face of Southeast Asia (Lexington, KY: University of Kentucky Press, 1966), 83.

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Malayan National Liberation Army (MNLA) in an ultimately unsuccessful bid to appeal to Malaya's non-Chinese communities.

During the early years of the Emergency, the MNLA launched several attacks on the British security forces and the local population: incidents of violent attacks rose from 1,274 in 1948 to 6,092 in 1951. Armed mainly with rifles from the MPAJA campaign and whatever they could steal from the police force, the MNLA relied mostly on ambushes and avoided prolonged battle. Lacking external backing or a state sponsor, the MNLA also attacked unarmed civilians, whom they would intimidate for supplies and support. Rubber estates and tin mines were also popular targets.

The MNLA benefited from close relations with the Chinese 'squatters' – a group of 500,000 ethnic-Chinese Malayans, many of whom had been forced out of the villages during the Japanese occupation and established settlements in cleared areas of the jungle. Mostly through coercion, the squatters provided the rebels with material, intelligence, and recruits. They also became the proverbial sea in which the fish – the guerrillas – could swim to avoid detection. For many, there was no choice but to support the MNLA yet, tellingly, the ethnic-Chinese were also the main victims of the Emergency, accounting for 1,200 of the 1,700 civilians killed.[10]

Both analytically and in capacity, Britain was unprepared to counter the threat. Many within the British Government assumed that the instability was criminal in nature and would be short-lived.[11] The Government spent the early years of the Emergency referring to the insurgents as 'bandits', 'criminals' or 'bad hats', a lexicon that denied the political essence of the conflict.[12] The result was a distinct lack of urgency at Whitehall, and the direction from the Colonial Office focused initially on 'restoring law and order' with no specific mention of what had caused the instability to begin with.[13] A Malayan Committee within the Cabinet was not formed until April 1950, and it was only following the subsequent visit to Malaya by Secretary of State for War John Strachey in June 1950 that one could 'read into the Committee's minutes a note of real apprehension that things might take a long time to get right and that there might be hard times still to come'.[14]

The British authorities had long-standing ties with Malaya but were largely unfamiliar with the rural ethnic-Chinese community or their relations to the Malays.[15] Despite the stark ethnic animosity separating the two communities, it was assumed that the Malay police would understand the culture and mind-set of the ethnic-Chinese insurgents and people.[16] The Government also failed to grasp the predicament of the Chinese community. Inadequately protected by government forces, the Chinese 'squatters' were nonetheless expected to cooperate in rooting out the guerrillas. For pragmatic

[10] Low Choo Chin, 'The Repatriation of the Chinese as a Counter-Insurgency Policy during the Malayan Emergency', Journal of Southeast Asian Studies 45, no. 3 (October 2014), 388.
[11] In a note from M.J. MacDonald, Commissioner-General of the British territories in South-East Asia, to A. Creech Jones, Secretary of State for the Colonies, dated 30 June 1948, MacDonald suggest that 'barring accidents or a serious deterioration', the emergency 'should not last more than 6 months'. See 'Unnumbered Telegram from Mr M J MacDonald to Mr Creech Jones', CO 537/3686, no 6, 29 June 1948', in A. J. Stockwell (ed.), Malaya. Part II: The Communist Insurrection, 1948–1953, British Documents on the End of the Empire (London: HMSO 1995), no. 151.
[12] Richard Stubbs, Hearts and Minds in Guerrilla Warfare: The Malayan Emergency 1948 1960 (Singapore: Oxford University Press 1989), 68–9. A study of the terminology of the Malayan campaign suggests that the word 'bandit' was used to 'deny the legitimacy of the opponent' so as to 'isolate and detach the guerrillas from the population they are trying to influence or penetrate'. See Philip Deery, 'The Terminology of Terrorism: Malaya, 1948–52', Journal of Southeast Asian Studies 34, no. 2 (June 2003), 236. However, as Deery illustrates, this approach stripped analysis of political consideration and prompted, in turn, an inappropriate response (239-40).
[13] Donald Mackay, The Malayan Emergency, 1948–60: The Domino that Stood (London: Brassey's 1997), 37.
[14] Ibid.
[15] The unfamiliarity with the ethnic-Chinese community resurfaces repeatedly in official British correspondence on Malaya throughout 1948. See Stockwell, Malaya: Part II.
[16] Riley Sunderland, Organizing Counterinsurgency in Malaya, 1947-1960 (Santa Monica, CA: RAND 1964), 21.

reasons, if nothing else, paying protection money to the MNLA was often a more attractive option. The British security forces would unquestioningly interpret such behaviour as complicity and punish it. Within the first year of the insurgency, 15,000 people had been detained or deported, of which 10,000 were sent to China.[17] This policy of 'coercion and enforcement' was to deter the Chinese from joining the insurgents, but instead it alienated them; left unprotected, most tended to cooperate with the guerrillas.[18]

Alongside these faulty assumptions, a second problem was the security forces' unpreparedness for counter-insurgency. At the onset of the Emergency, the police force numbered 10,000, was under-equipped and poorly trained, and would frequently surrender rather than resist.[19] Special Branch was hampered by poor political guidance and the lack of Chinese representation in the security services.[20] Of the 30,000 troops in Malaya and Singapore in March 1948, only 11,500 were in Malaya itself and because of a high "tail-to-tooth" ratio, the insurgents and security forces were evenly matched in actual fighting forces.[21] This problem was compounded by the lack of a Home Guard, forcing many troops onto defensive duties. Moreover, by 1948 the British Army had lost much of its acquired expertise in jungle warfare amid post-war demobilisation.[22] The result was a distinctly conventional approach to operations; instead of small-unit intelligence-led jungle operations, the Army favoured large-scale sweeps, which were of only transient value against its irregular adversary.[23] The conventional approach also militated against restraint, with several early incidents of abuse.[24]

Part II: The antecedents of an elite bargain

The vision that had animated Britain's return to Malaya was in serious jeopardy. Not only were communist elements threatening the stability of Malaya but their militancy had strong ethnic undertones, souring further Malay-Chinese relations and the notion of a peaceful multi-ethnic society.[25] The British Government had to lure the Chinese community away from the MNLA, all the while marginalising the insurgency, pressing the Malayan elite to grant concessions for the sake of communal stability, and persuading the rulers that their future lay in a federal multi-ethnic democracy. Already daunting, these three tasks also overlapped, forcing all to be addressed concomitantly.

Nevertheless, the first order of business was security in order to facilitate favourable elite bargains down the line. In the early years of the Emergency, the British acted quickly – sometimes too quickly – to boost the security forces and establish a special constabulary able to take on static defence duties. Although these large-unit operations prevented the MNLA from establishing itself in the

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[17] Arthur Hugh Peters Humphrey, British Secretary for Defence and Internal Security in Federation of Malaya, 1953-57, Imperial War Museum Sounds Archive, Accession No. 14960 (13 February 1995). It should be added that the deportees were for the most first-generation Chinese expatriates.

[18] Stubbs, Hearts and Minds, 74-6.

[19] Mackay, The Malayan Emergency, 39.

[20] Stubbs, Hearts and Minds, 67-8. Barber shows how, in the years leading up to the Emergency, the senior brass ignored intelligence on the brewing situation. Noel Barber, The War of the Running Dogs: How Malaya Defeated the Communist Guerrillas, 1948–60 (London: Collins 1971), 39-42.

[21] R.W. Komer, The Malayan Emergency in Retrospect: Organization of a Successful Counterinsurgency Effort (Santa Monica, CA: RAND 1972), 11, 46; John Nagl, Counterinsurgency Lessons from Malaya and Vietnam: Learning to Eat Soup with a Knife (Westport, CT: Praeger 2002), 65.

[22] The declaration of Indian independence in 1947 had reduced Gurkha regiments from ten to four and caused three of these to have to recruit largely anew. A jungle-warfare training school established in Saugor, present-day India, in 1944-45 had by 1948 been shut. See Mackay, The Malayan Emergency, 159.

[23] Ibid, 93.

[24] Stubbs, Hearts and Minds, 73-4. Most infamous of such incidents was the Batang Kali massacre of 12 December 1948, in which the Scots Guards killed 26 Chinese civilians.

[25] bin Tadin, 'Dato Onn and Malay Nationalism 1946-1951', 71.

jungle and forming a regular army, as the MNLA dispersed it became impossible for the security forces to locate, track, or engage with the guerrillas.[26] The Army eventually responded by shifting to small-unit operations and learning jungle-craft, which had the effect of turning the Emergency into something of a 'shooting war', in which encounters were infrequent and the need for intelligence paramount.[27]

The problem for the counter-insurgents was that for each insurgent captured or killed another seemed to take his, or her, place.[28] Seeking to stem the flow of recruits, the British Government came to view the squatter population as the MNLA's lifeline, leading to various attempts to isolate them from the guerrillas. The victory of the communists in China meant that deportation of the Chinese was no longer politically or logistically possible.[29] Though the practice again increased in 1951, by this time a new director of operations, Lieutenant General Sir Harold Briggs, had been appointed who favoured accelerated resettlement to deportation. The result, under the so-called Briggs Plan, was the accelerated relocation of the squatter population out of the jungle to closely guarded 'New Villages' so as to limit their interaction with the MNLA.

Over the course of the Emergency, roughly 500,000 ethnic-Chinese squatters were relocated into 450 new settlements. This ambitious initiative made it possible to control the supply of goods to the MNLA. From the outset, the entire Malayan population over 12 years of age had been forced to register at police stations and receive identification cards. These measures allowed the police to monitor the villages, assess who belonged where, and map social networks. Not only did these policies prevent the MNLA from infiltrating the settlements, but the villages were also closely guarded by the Home Guard, which screened entry and exit so as to limit the supply of materiel to the now jungle-bound rebels.

Cut off from their traditional support network, the MNLA were forced to take greater risks to find food, which compromised their location, contacts, and activities. Their flow of recruits was also stemmed, as they no longer had access to the squatter population.

Seeking to overcome these setbacks, the MNLA issued a directive in October 1951 ordering the guerrillas to desist from indiscriminate attacks on civilians and to focus instead on mass work and subversion.[30] Effectively, the MNLA was redirecting its violent campaign having realised that it was undermining its attempts at mobilisation, without which the movement had no future. Yet by curtailing its campaign of violence, the MNLA not only lost the leverage it had accrued through terror and intimidation, but also allowed government forces to take credit for the improved security.[31] Though the directive was not always respected, its effect on the campaign must not be underestimated.

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[26] Riley Sunderland, Army Operations in Malaya, 1947-1960 (Santa Monica, CA: RAND, 1964), 126; Richard L. Clutterbuck, The Long Long War: The Emergency in Malaya 1948–1960 (London: Cassell 1967), 122, Stubbs, Hearts and Minds, 71.

[27] For greater detail on this shift, see David Ucko, 'Countering Insurgents through Distributed Operations: Insights from Malaya 1948–1960', Journal of Strategic Studies 30, no. 1 (2007), 47-72.

[28] Douglas suggests that 'close to a third' of the guerrillas were women. See William O. Douglas, North from Malaya: Adventure on Five Fronts (Garden City, NY: Doubleday 1953), 23. This number seems high, but may include women in support roles. See also Mahani Musa, 'Women in the Malayan Communist Party, 1942–89', Journal of Southeast Asian Studies 44/2 (2013), 226–249..

[29] 'Conclusions of a Meeting of the Cabinet held at 10, Downing Street, S.W. 1, on Monday, 19th June, 1950, at 11 a.m', Cabinet 37(50), 75. See also Chin, 'The Repatriation of the Chinese', 369-372.
http://filestore.nationalarchives.gov.uk/pdfs/small/cab-128-17-cm-50-37-37.pdf

[30] Karl Hack, 'The Malayan Emergency as Counter-Insurgency Paradigm', *Journal of Strategic Studies* 32, no. 3 (2009), 389-390.

[31] Barber, The War of the Running Dogs, 44.

Many scholars, and Chin Peng himself, view the resettlement policy as key in militarily defeating the MNLA. It also had a longer-lasting, yet crucial political effect. Indeed, the New Villages were a first step in regulating the Chinese community as citizens of Malaya, though under the pretext of controlling a burgeoning insurgency. In this regard, the granting of land was critical.

The squatters had previously lived on privately owned land or that belonging to the rulers which, by law, could only be passed onto other Malays. Efforts to acquire land legally involved a process far too complex for most illiterate settlers, with endless bureaucratic hurdles in the way of a final application that, in many cases, would anyway be rejected out-of-hand. Thus, although forced resettlement caused hardship, many squatters appreciated the promise of land. Yet the land used for the New Villages had to come from somewhere, and it is here that we see the beginning of an elite bargain between the British Government and the Malayan rulers.

It fell upon High Commissioner Sir Henry Gurney, the senior-most British official in Malaya, and then his successor, Gen. Sir Gerald Templer, to broker personally with the rulers so as to gain their approval for the new strategy. The high commissioners were helped by the dislocation caused by the Emergency, which the New Villages were designed to stop, and by the recent communist victory in China, which offered a glimpse of what might happen in Malaya unless extreme measures were taken. Agreement was also facilitated by the fact that land granted or sold was transferred 'with no basis in law', thereby delaying the politically delicate discussions of its longer-term ownership. In the end, however, 'there is little doubt that the land reform program that resulted from the establishment of "new villages" was not only the first of the great concessions to aliens (Chinese), but possibly the most important concession made by the Sultans'.[32]

As the security challenge of the MNLA became less acute, Britain took measures to address the political impediments to an independent Malaysia. Senior British officials in Malaya had encouraged the formation of the Malayan Chinese Association (MCA) in February 1949, initially to aid the Chinese squatter population but also to mobilise Chinese sentiment for the Government and against the MNLA. From the start, citizenship rights for non-Malays became a major preoccupation. Though the MCA struggled in its early years to establish a political presence and following, it played an increasingly valuable role in brokering the communal bargains that would later underpin independence.

In January 1949, the British Government was also behind an initiative to convene prominent Malay and Chinese leaders to broker better relations between the two communities. The initiative led to the creation of the Communities Liaison Committee (CLC), a critical forum in which to deliberate on political and ethnic power-sharing and other issues affecting Malaya. After its first two meetings, the CLC issued a memorandum of unanimous opinions relating to 'the attainment of self-government, the introduction of elections, loyalty to Malaya'. These opinions reflected the British aspirations for the Malayan Federation, yet the CLC went further, signalling 'reconsideration of the citizen qualifications of the Federation Agreement' so that 'anyone born in the Federation should qualify for Federal citizenship'.[33] That all races could agree on this point was significant and a testament to the 'great change of thought [that] ha[d] arisen since the negotiations for the Federal Agreement' in 1948.[34]

[32] Renick, 'The Emergency Regulations of Malaya', 7.
[33] '"Political developments in Malaya"', in Stockwell (ed.), Malaya. Part II, no. 195.
[34] Ibid.

It should be said that support for the CLC's positions was anything but unanimous, particularly within the Malay community.[35] Though the CLC was only an informal, consultative body, its recommendation for Chinese re-enfranchisement created a schism within the leading Malay nationalist party, the United Malays National Organisation (UMNO), founded in 1946.[36] Tensions erupted in the spring of 1950, as UMNO's Executive Committee accepted the CLC's recommendations but its General Assembly did not. The party leader, Dato' Onn bin Jaafar, then sought to transform UMNO into a truly national, rather than communal movement, but faced such resistance that he resigned and formed a new non-communal party, the Independence of Malaya Party (IMP).[37] His successor as head of UMNO, Tunku Abdul Rahman, was a Malay prince who, upon his appointment, promised to 'defend the rights and interests of the Malays'.[38] Relations between UMNO and the rulers were not immediately mended, but UMNO's communal credentials were no longer in question.[39]

Given the resistance to compromise, most British observers saw no basis for genuine reform to the political settlement. As one senior official hinted regarding the political integration of the two races, 'I find it difficult to discern any common objective capable of actually achieving this miracle, unless it is, conceivably, the pursuit of independence on an anti-British platform, where there is plenty of attractive material'.[40] Informed by this logic, Britain called for municipal elections to be held in 1951 and February 1952, hoping to develop the political structures necessary for an eventual hand-over of power. In other words, a decision was made to 'begin constitutional evolution before militant Communists had been extirpated'.[41] In order to also address the stumbling block of citizenship criteria and rights, which remained contentious and soured relations between Chinese and Malay political elites and peoples alike, the British Government formed a select committee of the Legislative Council in July 1951 to review the question and provide recommendations.

Part III: Key features of the elite bargain

On 22 January 1952, General Sir Gerald Templer was appointed High Commissioner and Director of Operations in Malaya. Although Templer mostly reinforced and built upon earlier achievements, his leadership, doggedness, and energy brought a new momentum to British efforts. He made a point

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[35] 'Strong Malay Opposition', The Straits Times, 13 May 1950, 9, http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19500513-1.2.128.

[36] 'UMNO Committee Accepts C.L.C. Plan', The Straits Times, 10 May 1950, 1, http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19500510-1.2.14

[37] 'Citizenship Proposals Criticised', *The Straits Times*, 17 May 1950, 1, http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19500517-1.2.2; See also Cheah Boon Kheng, 'The Communist Insurgency In Malaysia, 1948-90: Contesting The Nation-State And Social Change', *New Zealand Journal of Asian Studies* 11, no. 1 (June 2009), 140.

[38] Joseph M. Fernando, 'Tunku Abdul Rahman, Charisma, and the Nationalist Movement in Malaya', Studies in Ethnicity and Nationalism 11, no. 3 (2011), 598. For a contemporaneous analysis, see 'Letter from Sir H Gurney to J D Higham', CO 537/7297, no 18, 29 August 1951, in Stockwell (ed), Malaya. Part II, no. 244.

[39] Relations between the Tunku (and by extension UMNO) and the rulers would only really thaw after 1954, following the party's public display of fealty – actual processions – to each of the rulers. See Simon C. Smith, British Relations with the Malay Rulers from Decentralization to Malayan Independence, 1930-1957 (Kuala Lumpur and New York: Oxford University Press, 1995), 182-184.

[40] 'Letter from Sir H Gurney to J J Paskin Assessing the Likelihood of the Political Integration of Malays and Chinese', in Stockwell (ed.), Malaya. Part II, no. 192. On the prospects for reform, one analysis suggested that "The Communities Liaison Committee does not envisage a self-governing Malaya for 15 years at least." See '"Political developments in Malaya"', in Stockwell (ed.), Malaya. Part II, no. 195. Similarly, the British Commissioner-General for Southeast Asia, Malcolm MacDonald, noted in June 1950 that 'it would take the people of Malaya at least twenty-five years to be ready for full self-government'. As cited in Fernando, 'Tunku Abdul Rahman', 506, fn 8.

[41] 'Inward Telegram no 140 from Sir R Scott to Sir A Eden Assessing the Risks', CO 1030/27, no 1, 23 October 1955, in A. J. Stockwell (ed.), *Malaya. Part III: The Alliance Route to Independence 1953-1957.* British Documents on the End of the Empire (London: HMSO 1995), no. 374.

out of reaching out and listening to community representatives, which improved relations between the British Government and the ethnic elites.[42] He also put greater emphasis on the need for a hearts-and-minds policy that could win over the local population and create legitimacy for the Government.

One major initiative was the improvement of living conditions in the New Villages. It was Templer who coined the term 'New Villages', to replace the earlier 'resettlement areas' and send a more positive message about their purpose and future.[43] Gradually, these settlements came to resemble politically engaged communities, in which the Chinese villagers could own land, work, vote in local elections, and move freely. Thus, whereas forced relocation undoubtedly fuelled resentment and aided MNLA recruitment, over time the amenities, rights, and privileges afforded through the New Villages were critical in winning the Chinese population to the government's side. As one police officer would later recall, 'I believe that within three years, those three years after resettlement, more was done for the Chinese than had been done in three decades before'.[44]

The concentration of people in this manner also allowed the British Government to communicate both in word and deed its measures to empower the Chinese community, to include it in politics, and to work towards eventual self-government. This emphasis on reaching out and listening was a hallmark of Templer's style of leadership, which improved relations between the British Government and the ethnic elites.[45] At his swearing-in ceremony in Kuala Lumpur, he had a directive distributed laying out the British vision for Malaya's future: 'To achieve a united Malayan nation there must be a common form of citizenship for all who regard the Federation or any part of it as their home and the object of their loyalty'.[46] He also made clear to all concerned that British policy no longer favored the Federation Agreement of 1948 and sought a more accommodating political settlement. In effect, for all but the most ideologically ardent, the British Government now spoke to Chinese aspirations more promisingly than the MNLA. This message also informed psychological operations targeting the guerrillas still in the jungle and the issuing of amnesty terms to those willing to abandon the struggle.

Templer did feel that the timeline for independence should not be rushed, but he was pushed along by key political shifts within Malaya. First, a new elite bargain was emerging between UMNO and MCA which, while transactional at first, would become the foundation for the transition to self-rule. Tunku Abdul Rahman still espoused a nationalistic pro-Malay message, but the prospect of elections impressed upon him the need to partner with the MCA so as to benefit from its constituents' votes and finances.[47] The MCA, meanwhile, needed UMNO's support where Chinese representation was weak and further appreciated the opportunity to partner with a Malay party without losing its distinctive communal identity and platform.[48] Both parties to the partnership faced internal dissent, but a mutual need for votes, a shared desire for independence, and the ability to retain – at the end of the day – communally informed agendas quelled the hard-liners' opposition. There was also a normative basis to this bargain, as the elites in Kuala Lumpur had discovered through consultation 'how closely linked in reality they are to each other'.[49]

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[42] Stubbs, *Hearts and Minds*, 185.

[43] Kumar Ramakrishna, *'"Transmogrifying" Malaya: The Impact of Sir Gerald Templer (1952-54)'*, Journal of Southeast Asian Studies 32/1 (2001), 87.

[44] Richard Joseph Wauchope Craig, Imperial War Museum Sounds Archive, Accession No. 10175 (11 April 1988).

[45] Stubbs, *Hearts and Minds*, 185.

[46] 'Directive issued by Mr Lyttelton on behalf of HMG', PREM 11/639, ff20-22, 1 February 1952, in Stockwell (ed.), *Malaya. Part II*, no. 268.

[47] Fernando, 'Tunku Abdul Rahman' 498.

[48] See Fernando, *The Alliance Road to Independence* (Kuala Lumpur: University of Malaya Press, 2009), 16-18.

[49] 'Memorandum of CLC', quoted in '"Political developments in Malaya"', in Stockwell (ed.), *Malaya. Part II*, no. 195.

The UMNO-MCA partnership won several municipal elections in December 1952 and 1953, turning what had been an ad hoc arrangement into a peninsula-wide platform. Still, although both parties shared a desire for independence, they disagreed on the details and conditions of such a move.[50] Indeed, since both 'strenuously retained their communal identities, objectives and constituencies, the Alliance in its early days struck the British as fundamentally flawed' and British officials even looked elsewhere to find a more suitable political leadership with which to navigate the journey to self-rule.[51] What would become increasingly clear, however, was that the UMNO-MCA coalition was in prime position to take the lead nationally, and in a far better place politically than Onn's IMP, precisely because they sustained the communal platforms favoured by their respective voters.

The work of the CLC, and the improved relations between UMNO and MCA, enabled a second shift, namely the progress made during this time toward resolving the ethnic question. The select committee charged with examining this matter reported its findings in March 1952, just after Templer took on his duties. On 15 September 1952, following months of debate within the Legislative Council and within each state, the State Nationality Enactments was passed, building on the consensus on citizenship achieved in the CLC. The new law operated by a 'delayed jus soli' principle and thereby enfranchised 1,157,000 second-generation Chinese – more than 50% of the whole – as well as 220,000 second-generation Indians and 2,727,000 Malays.[52] The same year saw the first elections to New Village Councils.[53]

Third, relations between UMNO and the sultans improved under the leadership of the Tunku. Onn, the Tunku's predecessor, had publicly disparaged the rulers and, to their mind, failed to respect their authority on questions of citizenship.[54] On that point, since Onn's vision of an independent Malaya saw no place for the rulers, they had no reason to support moves toward self-government during his tenure; instead, they sided with the British Government in urging caution and restraint. With the Tunku, their prospects changed: 'Far from accepting their demise as an unavoidable part of Malaya's progress towards full self-government, the Tunku acquiesced in the consolidation of their role and status'.[55] As a result, the rulers gradually grew more comfortable in backing UMNO and its drive for independence, now seen as a survival strategy against Onn and his non-communal IMP. All the while, the fulcrum of Malay nationalism was shifting from palace to parliament: the stronger UMNO became politically, the more the ruler relied upon it to safeguard their interests.[56]

Fourth, the MCA was becoming more established as a political party. In Kuala Lumpur, links with UMNO and the British Government were facilitated by MCA's English-educated leadership, which in some respects shared more with its Western-oriented UMNO counterparts than with the traditional, Sinocentric, Chinese-educated leaders at the state and local levels.[57] The shared drive for independence meant the MCA and UMNO were compelled to work together, as Whitehall had posited an ethnic compromise as a precondition for self-rule. At the state and local level, the MCA's work with UMNO caused some dissent, but the hard-liners lacked the organisation and unity to

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[50] Hack, 'The Malayan Emergency as Counter-Insurgency Paradigm', 405.
[51] Stockwell, 'Introduction', xxi.
[52] Chin, 'The Repatriation of the Chinese', 390. See also Stubbs, Hearts and Minds, 185; Carnell, 'Malayan Citizenship Legislation', 515-516.
[53] Hack, 'The Malayan Emergency as Counter-Insurgency Paradigm', 391-392.
[54] Letter from Sir H Gurney to J J Paskin on a Variety of Recent Developments', CO 537/4741, no 78, 2 December 1949, in Stockwell (ed.), Malaya. Part I, no. 203. See also Smith, British Relations with the Malay Rulers, 170-182.
[55] Simon C. Smith, '"Moving a Little With the Tide": Malay Monarchy and the Development of Modern Malay Nationalism', *The Journal of Imperial and Commonwealth History* 34, no. 1 (2006), 133.
[56] Ibid.
[57] Heng, Chinese Politics in Malaysia.

mount a forceful challenge.[58] Whereas the exact terms of reference were not formalised, it also appeared as if MCA had secured UMNO's commitment to work toward a more inclusive political settlement, not only to enable independence but to ensure Malaya's stability. On this basis, MCA deepened its reach into the community, setting up state and district branch offices in 1952 and a full-time staff for its central office. In the ensuing years, MCA members adopted various New Villages as their own political constituents, representing their interests and gaining legitimacy and strength as a result.[59]

With the UMNO-MCA platform in ascendance, its leadership felt emboldened to accelerate the timetable for independence. Templer had initially pressed for an end to the Emergency as a precondition for self-rule and did not foresee independence achieved until 1960, partly because 'the country lacked political leaders and there were no political parties of the type required to operate successfully a parliamentary system'.[60] With the blistering success of the UMNO-MCA platform and the broad legitimacy of its leaders, however, he now faced compelling demands for federal elections as early as 1954. The Tunku also demanded that in setting up a new legislative council, a majority of its members must be elected rather than nominated. A new elite bargain was, painstakingly, to take form.

Britain's initial reaction was to stall on the demand for a majority of elected seats, because it represented too fast an evolution for what had hitherto been an entirely appointed council. Following meetings with the rulers, whose approval was needed for constitutional amendments, Deputy High Commissioner Sir David MacGillivray made a counterproposal for a 'bare majority' of elected representatives. Much like Whitehall, the rulers were wary of the fast pace of democratisation, but both appreciated the power and mandate of the UMNO-MCA alliance. Indeed, fuelled by its recent electoral successes and funded by volunteer contributions and civil society donations, the Tunku rejected the suggested compromise and travelled to London to meet directly with the Secretary of State to discuss the issue further. Rebuffed there too, the Tunku returned to Malaya to launch a general boycott of the federal elections and public service. Talks followed on board HMS Alert, leading to a mutually agreeable formula whereby a slim majority of seats (52 out of 98) were to be elected and the High Commissioner would consult with the winning party of the federal elections to fill five 'nominated' seats reserved to include groups not otherwise represented. In other words, the election's winning party could influence just enough of the reserved seats to form an effective majority.[61]

The episode is worth recounting because it illustrates three important points about the bargaining between the Malay politicians, the Malay rulers, and the British Government. First, though the threat of communist insurrection had greatly abated, Britain still feared a resurgence of violence in response either to unmet expectations or mere opportunism. It should be noted that at this very time communists in Vietnam were ousting their French colonial rulers by force. Against this backdrop, the boycott had reminded Britain of the need to cultivate and work with a friendly and competent partner, so as to ensure a propitious transition of power. Bolstering the UMNO-MCA platform, deemed a workable partner despite its problems, was deemed preferable to staunchly

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[58] Ibid. Disjointed and with limited reach, these traditional community leaders also feared harming their own financial interests by going against the elite consensus.

[59] Stubbs, Hearts and Minds, 211-212.

[60] '"Political talk with General Templer": CO Minute of Discussion with Templer on Political Advance', CO 1022/86, no 3, 3 December 1952, in Stockwell (ed.), *Malaya. Part II*, no. 283. The sequence of peace first, independence second is evident in Templer's first directive. 'Directive Issued by Mr Lyttelton on behalf of HMG', PREM 11/639, ff20-22, 1 February 1952, in Stockwell (ed.), *Malaya. Part II*, no. 268.

[60] Stockwell, 'Introduction', lxxii.

[61] 'Inward telegram no 531 from Sir D MacGillivray to Mr Lyttelton transmitting his exchange of letters with Tunku Abdul Rahman', CO 1030/311, no 130, 7 July 1954, in Stockwell (ed.), *Malaya. Part III*, no. 334.

obstructing it and opening up space for less suitable actors.[62] The feeling was mutual; although Malay nationalists yearned for independence they also realised that, absent a sudden reversal, working with the British would be the best guarantee of securing their interests during the eventual shift to self-rule.[63]

Second, the Tunku had through this episode established his leadership and leverage, not just among Malays but nation-wide. By calling for the boycott and risking imprisonment, he broadened his credibility and that of his party. It would now be more difficult to dismiss the Tunku as another British stooge. By successfully mobilising broad swathes of society, he demonstrated to the British a potent 'secret weapon' that could be used to gain concessions from Whitehall.[64] And by later negotiating with the British Government in good faith at the Alert talks, he reassured nervous British officials of his overall reasonableness, heralding a period of a 'friendly and cordial discussions'.[65]

Third, as a result of the two above factors, it increasingly behoved the British Government to deal directly with the would-be political leaders of Malaya, rather than with the sultans. It was becoming clear that, within just a few years, newly established Malay political parties had replaced the Malay princes as the main focal point of ethnic nationalism.[66] Any significant move toward decolonisation would still require the agreement of all Malay rulers, yet having already traded so much of their power to the British Empire, their main concern was what role the leading political platform foresaw for them in a future, independent Malaya. The British Government therefore opted to delegate the delicate bargaining as to their future role to Malayan politicians. Playing a more active role, it was thought, risked entangling the British Government in a dispute that was not theirs and that might sour relations with the would-be national leadership in the palace or in parliament, or both. On their end, the relationship between UMNO and the rulers was anyway cordial: UMNO appeared willing to accommodate the rulers on most points and, even when tested, neither was willing to cause an open rift for fear of weakening their united Malay front.[67]

Against this backdrop, federal elections were held in July 1955. The previous year, the UMNO-MCA platform had taken the additional step of adding the Malaysian Indian Congress (MIC), creating 'the Alliance' – a truly cross-ethnic platform. In the 1955 elections, the Alliance Party won 80% of the votes cast and 51 of 52 contested federal seats. As the leader of the winning party, the Tunku helped determine, as per the Alert accords, the nominations of five non-elected seats, thereby further strengthening his position. The British Government now had a friendly, competent, multi-ethnic federal government in the making, whose widespread appeal rested on its promise of Merdeka, or independence.[68]

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[62] 'Inward Telegram (Reply) no 654 from Sir D MacGillivray to Mr Lennox-Boyd', FO 371/116941, no 69/A, 24 October 1955, in Stockwell (ed.), Malaya. Part III, no. 377.

[63] Simon, '"Moving a Little with the Tide"', 123.

[64] 'Inward telegram no 646 from Sir D MacGillivray to Mr Lennox-Boyd on the risks involved in a meeting between Tunku Abdul Rahman and Chin Peng', FO 371/116941, no 67/9, 20 October 1955, in Stockwell (ed.), Malaya. Part III, no. 371. See also, in same volume, no. 387: '"Consequences of a break": Memorandum Prepared by Sir D Mac-Gillivray's Senior Officials Concerned with Defence and Intelligence', CO 1030/27, no 21, December 1955.

[65] Harry Miller, Prince and premier (London: Harrap, 1959), 161.

[66] Smith, British Relations with the Malay Rulers, 167. The sultans' role as emblems of Malay nationalism had suffered since the Second World War, given the collaboration of some of them with the occupying Japanese authorities and the role of all in signing off on the Malayan Union.

[67] Ibid.

[68] Because many non-Malays were not yet federal citizens, they were also under-represented in the electoral turn-out. The Chinese, for example, accounted for 37% of the population but only 11.2% of the electorate. Even so, 17 non-Malay candidates were elected on the Alliance platform, illustrating its multi-racial credentials. See A. J. Stockwell, 'Merdeka! Looking back at Independence Day in Malaya, 31 August 1957', Indonesia and the Malay World 36, no. 106 (2008), fn 38.

The mandate and authority of the Alliance Party allowed for simultaneous, and related, efforts to reach new bargains with the MNLA and the departing British authorities. On the campaign trail, the Tunku had surprised the British Government by announcing an amnesty to the MNLA, hoping in this manner to bring the Emergency to a swift end and, thereby, enable full independence. A transfer of sovereignty now looked likely, and therefore the Tunku argued that one of the main reasons for the MNLA's struggle had disappeared.[69] If it could be persuaded to stop fighting in anticipation of such a move, a key precondition for independence would also have been fulfilled.

Chin Peng responded to the overture with a request to meet. Britain reacted to the news with trepidation, as it feared the Tunku's desperation for independence would lead him to give too much away, potentially allowing MNLA to gain through negotiation and 'entryism' what it had failed to obtain through violence.[70] Given its continued sovereignty over security matters, Britain could have vetoed the talks or any agreement made therein, yet the fear of another general boycott, not to mention the public diplomatic costs of denying the widely shared desire for peace, were deemed too great.[71] Obstruction would isolate Britain as the bulwark against Malayan independence, expose Tunku as an imperial stooge, and resuscitate the MNLA's nationalist credentials.[72] Instead, the British Government opted to reverse its policy. It communicated to the Tunku that at its present level the Emergency did not represent an obstacle to self-government, so long as he did not, in negotiations, agree to terms contrary to British interest.[73] This policy was to strengthen the Tunku's bargaining position and gauge against any unpredictable and undesirable outcome.

As it happened, the British Government probably need not have worried.[74] Confident in his mandate, his relation with Whitehall, and the military weakness of the communists, the Tunku agreed to meet Chin Peng only to explain the terms of surrender – not to negotiate. On this basis, the Baling Talks occurred across four sessions on 28 and 29 December 1955. Transcripts reveal a somewhat desperate but proud Chin Peng seeking some terms for an honourable surrender. He demanded the MCP be officially recognised, that his guerrillas not be even temporarily detained for questioning, and suggested it lay down, not hand over, its arms only when independence had been achieved.[75] The Tunku firmly opposed these conditions and the talks broke down.[76]

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[69] At the Baling Talks, the Tunku referred specifically to the MCP memorandum to make the point that, with these aims, 'there should be no quarrel between the M.C.P. and the people'. See '"Report by the chief minister of the Federation of Malaya on the Baling talks": draft summary by Tunku Abdul Rahman of the verbatim record', CO 1030/30, ff3-16, 29 December 1955, in Stockwell (ed)., Malaya. Part III, no. 391.

[70] 'Conclusions of a Meeting of the Cabinet held at 10 Downing Street, S.W.1, on Tuesday, 25th October, 1955, at 10-30 a.m.' Secret Copy No. 31 CM (55), 37th Conclusions, National Archives, 6.
http://filestore.nationalarchives.gov.uk/pdfs/small/cab-128-29-cm-55-37-37.pdf

[71] 'Inward telegram no 646 from Sir D MacGillivray to Mr Lennox-Boyd', in Stockwell (ed.), Malaya Part III, no 371.

[72] 'Inward telegram no 140 from Sir R Scott to Sir A Eden', in Stockwell (ed.), Malaya Part III, no. 374.

[73] 'Inward telegram no 659 from Sir D MacGillivray to Mr Lennox-Boyd suggesting that self-government precede the end of the emergency', FO 3711116941, no 72, 25 October 1955, in Stockwell (ed.) Malaya. Part III, 378. See also, in same volume, no. 380: '"Malaya": Cabinet Colonial Policy Committee minutes on the forthcoming talks between Tunku Abdul Rahman and the communists', CAB 134/1201, CA2(55)1 28 October 1955.

[74] On 11 January 1954, the Tunku had reassured Director of Operations, Sir Geoffrey Bourne, that the amnesty was unlikely to succeed and was mostly for about public diplomacy. He also acknowledged that 'direct negotiation was out of the question as was legalising the communist party'. Karl Hack, 'Negotiating with the Malayan Communist Party, 1948-89', The Journal of Imperial and Commonwealth History 39, no. 4 (November 2011), 613.

[75] The other main issue for Chin Peng was whether surrendering guerrillas would need to be detailed and screened by the police. See '"Report by the chief minister of the Federation of Malaya on the Baling talks"', in Stockwell (ed)., Malaya. Part III, no. 391.

[76] 'Tengku: Door Open for Another Meeting', The Straits Times, 30 December 1955, 2.
http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19551230-1.2.5.

[76] Stockwell, 'Introduction', lxxvi.

By this stage, the failure of a peace process with the MNLA did not have great military significance. Through the counter-insurgency's exploitation of intelligence, the shift to small-unit operations, and the full isolation of the insurgents through the New Villages, the MNLA was no longer a credible threat. The communists were, at this point, some 3,000 strong, most of whom were based near the Thai border. Its ranks were being depleted by military operations and by the amnesty in place for surrendering personnel. Politically, however, the Tunku felt some pressure to come through on his campaign promise to achieve peace, yet at this point the Emergency was a distant reality for most Malayans.

While the Baling talks had failed, the Tunku's popular mandate and 'firm handling of Chin Peng' persuaded the British Government to advance rapidly to independence and, 'if need be, to compromise their principle of multi-racialism in order to satisfy the politically dominant Malays'. Since the electoral victory, the Tunku had pushed the British Government in this direction, demanding independence by 31 August 1957 and the establishment of a committee to draft the constitution of independent Malaya. Despite fears – of renewed ethnic tensions, of the on-going insurrection, and of Malaya's unpreparedness – the conclusion drawn in Whitehall was 'that nothing would be gained from questioning the Tunku's legitimacy or rejecting his demands'. The British agreeableness related in part to the fear of another boycott, in part to the Tunku's broad mandate, but also to the fact that he shared key values and interests with Whitehall and represented a solid partner for future UK-Malayan relations.[77]

Such was the basis of the elite bargain struck between British officials and the Alliance Party, which would over time translate into the particular political settlement captured in the Malayan constitution. When the Tunku and his delegation travelled to London in early 1956 to discuss constitutional arrangements, the British Government 'welcomed them with the promise of independence "on a golden platter"'.[78] It was agreed that the transfer of sovereignty would be granted despite three key preconditions not being fulfilled: 'firstly, the war against communist insurgents was not over; secondly, a genuine multi-racial movement and sense of nationhood had yet to be created; and, thirdly, fusion with Singapore and Britain's Borneo territories remained to be accomplished'.[79]

An important factor behind the agreement in London was that the Tunku arrived having already secured the buy-in of the rulers, a number of whose representatives had joined the delegation.[80] In keeping with the pledge made when taking over UMNO, the Tunku showed deference toward the royal prerogative, promising the rulers sustained, even bolstered, standing in an independent, centralised Malaya. Specifically, the constitution would safeguard their position and prestige as constitutional monarchs of their respective states and, going further, they would also periodically elect a head of state for the Federation to serve as Yang di-Pertuan Agong – a constitutional monarch with significant powers. The rulers were content with the arrangement.

On this and other points, agreement was eventually formalised via the work of an independent constitutional committee, the Reid Commission, which, through consultation with all relevant parties, produced a draft of the constitution in February 1957. This draft was then put to review and, finally, was made official on Merdeka Day, 31 August 1957. Throughout this process Chinese-Malay tensions were a key concern. The MCA and UMNO were united by a common vision of a pan-communal and more accommodating political settlement for Malaya, but the details were not

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[77] '"The Outlook in Malaya Up To 1960": Note by the Commissioner-General's Office', FO 3711129342, no 8, May 1957, in Stockwell (ed.), *Malaya. Part III*, no. 454.

[78] William Shaw, Tun Razak: His Life and Times (Kuala Lumpur: Longman, 1976), 106.

[79] Stockwell, 'Introduction', lxxx.

[80] Smith, British Relations with the Malay Rulers, 149.

elaborated but, instead, left to an eventual external constitutional committee to settle. Much therefore came down to the Reid Commission – it was a test of the 'agreement-in-principle' that had undergirded all political progress in Malaya since the early 1950s.

In the end, the Reid Commission came to a definition of citizenship that included those enfranchised through the 1948 Federation of Malaya Agreement, the 1952 State Nationality Enactments, but also, through Article 14(1)(b), those born within the federation on or after independence day. In other words, the constitution enacted a jus soli basis for citizenship that included most of the Chinese and even those excluded had new and more feasible opportunities at naturalisation. In return, the Malays were to maintain their special place in society as the Bumiputeras, or 'sons of the land'. This status was retained not just through the bolstered position of the Malay monarchy but also through various 'Malay special privileges'. Specifically, the Malay language was made the official language, Islam the official religion, and the Malays were to be favoured in the allocation of business licenses, scholarships, trade or business trades, and employment in the civil service.[81] These measures were to protect the economically backward Malays against the Chinese, who would now compete as full citizens. To allay non-Malay fears that the special privileges would engender abuse, the 'affirmative action' was to apply only to the distribution of future opportunities; it would not affect current holdings.

As to the relations between Britain and Malaya, the constitution hammered out a deal that was mutually agreeable and that helped undergird the delicate and frequently contested Malay-Chinese compromise.[82] Fearing that the People's Republic of China (PRC) would fill the political vacuum created by Britain's departure, the Tunku underlined the anti-communist nature of his political project and sought to sustain strong ties with the British Government. Thus, Malaya joined the Commonwealth, it remained within the sterling area (allaying British economic interests), and it accepted the continued service of British expatriates and security forces. These points were themselves controversial, particularly among the more extreme Malay groupings that constantly threatened the Tunku's position, yet were by and large accepted.

Constitutional progress toward independence did not fundamentally affect negotiations between the Tunku and Chin Peng. With independence now imminent, Chin Peng suggested a follow-on meeting but was swiftly rebuffed by the Tunku. Rather than clasp the olive branch – an amnesty was, after all, on the table – MNLA elected to extend the struggle. At this point, however, the force was demoralised and weakened, with many desperate fighters defecting to the Government despite the leadership's call to fight.[83] In the choice of whether to stay in the jungle or claim their place within the new political settlement of an independent Malaya, many chose the latter. MNLA's struggle would continue, but in 1960 a multi-ethnic, democratic, and independent Malay government officially terminated the Emergency.

Part IV: The sustainability of the elite bargain

The Malaya that emerged in late August 1957 was more inclusive and therefore more developmentally stable than that which had been attempted with the Malayan Union in 1946 and

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[81] See, respectively, articles 152, 3, 153 of 1957 Malayan Constitution, http://www.commonlii.org/my/legis/const/1957/12.html. See also Joseph M. Fernando, 'Special Rights in the Malaysian Constitution and the Framers' Dilemma, 1956–57', The Journal of Imperial and Commonwealth History 43, no. 3 (2015), 535-556.

[82] Arriving at this deal was fraught with tension, as different groups and associations within both the Malay and Chinese camps jostled for power. See 'Inward Telegram no 254 from Sir D Watherston to Mr Lennox-Boyd', CO 1030/258, no 4, 23 April 1956, in Stockwell (ed.), Malaya. Part III, no 411, and in same volume, no. 454: '"The outlook in Malaya up to 1960"'.

[83] Short, Hearts and Minds, 493. See also Chin Peng, My Side of History (Singapore: Media Masters, 2003), 403.

the Federation of Malaya in 1948. And yet, the settlement was far more precarious than commonly thought and the country has seen renewed ethnic tensions, even eruptions of violence, in the 60 years since independence. In large part, instability has related to the difficulties of sustaining a consociational settlement across political and economic changes and in a setting where identity-based grievances were never truly resolved.

The initial rupture of the 'Bargain of '57' came in 1965 with the 'negotiated expulsion' of Singapore from Malaysia. To ensure its decolonisation by Britain, Singapore had joined the Federation of Malaya in 1962, bringing with it a large, mainly Chinese population. To retain Malay predominance, the Federation was further expanded to include the Malay-dominated crown colonies of Sarawak and North Borneo, creating *in toto* the country of Malaysia.[84] Yet the demographic manipulation could not hide the ethnic tensions that separated the Malays from the Chinese. Under the surface, tensions increased as communities chafed under the ethnic settlement imposed on them. In the midst of a political contest in Singapore between the nationalistic forces of Lee Kuan Yew and the ethnic communalism of UMNO, deadly riots broke out – first in July and again in September 1964.

Not only did Singapore's predominantly Chinese population harm the demographic balance of Malaysia, but Lee Kuan Yew's campaign for a 'Malaysian Malaysia' in which ethnicity would play a less defining role also threatened the 'social contract of bumi pre-eminence agreed upon on the eve of the country's independence'.[85] The fear of future riots and of violent contestations of Malaysia's ethnic settlement compelled Malaysia's UMNO-led government to expel Singapore from the federation. The move not only created a demographic advantage for the Malays of Malaysia but also shielded the Alliance from Lee Kuan Yew's non-communal challenge.[86]

Ethnic tensions were seen also in Malaya. Chinese economic domination increased following independence, stoking Malay resentment.[87] A burgeoning Malay middle class, seeking to compete with the Malayan elite and the economically thriving Chinese, made increasing demands for state intervention to assist it in finding adequate opportunities and access to resources. As Chin explains, 'it was during this period that the ethicised and gendered noun, "Bumiputera" or sons/princes of the soil, filtered into mainstream public discourse as a reminder that the country belonged to the Malay community'.[88] Instability increased with the elections of 10 May 1969, in which non-Alliance parties campaigning against the Bumiputra privileges made major gains. Days later, on 13 May 1969, racial riots broke out in Kuala Lumpur, prompting two years of emergency rule during which the Malay political elite introduced 'unilateral changes to the ethnic bargain and the formal introduction of ethnic-biased social engineering'.[89]

Taking the place of the Bargain of '57 was the New Economic Policy 1971-1990 (NEP). Presented as a means of 'poverty eradication irrespective of race', the policy sought to target in particular the lack of economic prosperity among the Malays, who through affirmative action were to reach 'socioeconomic parity with the Chinese'.[90] Crucially, however, while seeking to eliminate 'the identification of race with economic function', the NEP 'had no corresponding aim of removing the

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[84] John C. H. Oh, 'The Federation of Malaysia: An Experiment In Nation-Building', The American Journal of Economics and Sociology 26, no. 4 (October 1967), 426.
[85] Tan, 'From Sojourners to Citizens', 957, 970 (fn. 14).
[86] Oh, 'The Federation of Malaya', 430-431.
[87] The mean income was increasing more rapidly for the ethnic Chinese than for the Malays, who, instead, represented 75% of households under the poverty line. See Amy L. Chua, 'The privatization-nationalisation cycle: the link between markets and ethnicity in developing countries', *Columbia Law Review* 95, no. 2 (1995), 246.u
[88] Chin, 'The State of the "State" in Globalization'
[89] Tan, 'From Sojourners to Citizens', 965.
[90] Chin, 'The State of the "State" in Globalization', 1042.

identification of race with political function'.[91] While the framers of the 1957 Malayan constitution had intended for periodical review and the eventual termination of Malay special privileges, this has not happened.[92] Instead in 1971, the parliament made it illegal to question Article 153 of the constitution, which defines Malay special privileges.

The escalation of Malay chauvinism threatened to undo the seemingly most solid achievement of the Bargain of '57: the elimination of the MNLA as a threat to Malaysian stability. Following independence, the MNLA launched its 'Fold Up the Banners and Muffle the Drums' campaign, seeking to consolidate its power and prepare for its next phase.[93] Throughout the 1960s, the group maintained a modest foothold on the Malay-Thai border, where it sought to re-establish a popular base. According to Chin Peng, the group now boasted between 500-600 well-trained guerrillas and a reserve of approximately 1,000 men and women. All the while, the CPM experienced some success in infiltrating the various socialist parties that had emerged since independence. More recruits, predominantly ethnic Chinese, found their way to the MNLA during this decade, many of whom felt alienated by the pro-Malay policies of the Kuala Lumpur Government. Following the riots of 1969, the MNLA grew to the size of 1,600 fighters. This allowed the group to execute its 'Hold High the Great Red Banner of Armed Struggle and Valiantly March Forward' campaign, involving several bold attacks on the security forces and a number of high-profile assassinations.

The 'Second Emergency', as it became known, never truly took off. The MNLA lost its cohesion and splintered. Its attempts at political subversion were greatly hampered by the suspension of local elections in 1965.[94] The support it had received from China since early in the 1960s ended when Kuala Lumpur and Beijing established diplomatic relations in 1974. Finally, the Malaysian Government was also able to mount a successful counter-insurgency operation near the Thai border, mimicking aspects of the Briggs Plan. Following almost two decades of relative obscurity, the MNLA finally abandoned its efforts in 1989.

With the threat of Chinese militancy under control, the political settlement in Malaysia continued to slip in favour of the Malays and become 'increasingly Faustian for the citizen-Chinese'.[95] In the 1970s, under Tun Abdul Razak's administration, Malay political primacy became more pronounced and the Malay language was enforced more vigorously in education and in the public domain.[96] Through aggressive affirmative action, the Malaysian Government sought to break up Chinese economic dominance – by redistributing corporate wealth from non-Malays to the Bumiputra, banning the resale of equity to non-Malays, and forcing pro-Malay quotas for the ownership of equity and of privatised entities. Meanwhile, as Eugene Tan explains, there are pro-Malay university admission quotas, admission standards are more demanding for Chinese studies, and scholarship are heavily weighted in favour of the Bumis.[97] Politically, while Chinese-Malaysians were always in the cabinet, they tended to occupy less critical ministries (and the powerful Finance and Trade portfolios were taken away from the Chinese in the mid-1970s). Although Chinese votes had a moderating effect on

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[91] Tan, 'From Sojourners to Citizens', 964.

[92] Fernando, 'Special Rights in the Malaysian Constitution'.

[93] Hack, 'Negotiating with the Malayan Communist Party', 609.

[94] Local elections were suspended due to the ongoing confrontation with Indonesia, as it was argued that the nation should stand united at times of war. Though the move can be seen as a quasi-authoritarian tactic to stem political opposition, some scholars suggest that such a hypothesis is not supported by evidence. See Paul Tennant, 'The Decline of Elective Local Government in Malaysia', Asian Survey 13, No. 4 (April 1973), 347-365. Either way, local elections have not been reinstated since.

[95] Tan, 'From Sojourners to Citizens', 962.

[96] Cheah, 'Communist Insurgency in Malaysia', 146. The teaching of Chinese language was 'not encouraged', but seen instead as perpetuating non-Malay exclusiveness, which left the Chinese community with few ways to maintain its culture. Tan, 'From Sojourners to Citizens', 963.

[96] Chua, 'The Privatization-Nationalisation Cycle', 248-249.

[97] Tan, 'From Sojourners to Citizens', 963.

Malay chauvinism leading to independence, the dwindling Chinese population in Malaysia means that 'the incentive for moderation and accommodation is likely to diminish in significance with each election'.[98]

A final assault on the Bargain of '57 stemmed from Britain's diminishing influence in Malaysia and the region more broadly, partly as a result of its own decline as an imperial power. Following the Suez Crisis, Britain began to withdraw from the region, while its businesses struggled to compete with Malaysia's own market and trade, which now extended beyond the Commonwealth.[99] In Kuala Lumpur, meanwhile, the imperative of living peacefully with one's neighbour, regardless of ideological differences, resulted in a shift from pro-Western anti-communist policy to one of neutrality. As a result, Malaysia never signed onto the South East Asian Treaty Organisation (SEATO) as Britain had hoped during the Emergency, but instead joined the Non-Aligned Movement (NAM).[100] As the Tunku gave way to new a wave of politicians, many came to blame the country's set-up of divide-and-rule and legacy of inequality on its former colonial power.[101] British-Malaysian relations therefore suffered.

Conclusion

Literature on conflict resolution and peacebuilding tends to suggest that peace processes allow warring elites to work toward new bargains, resulting ultimately in a peace agreement that fundamentally reorders the political settlement in such a way as to address the causes of the conflict and forestall its resumption. This model does not hold up well in the case of the Malayan Emergency; the MNLA elite never concluded bargains either with British or Malayan authorities and there was therefore no peace process or agreement that could end the war. And yet, despite the MNLA's exclusion, a number of elite bargains fundamentally changed the political settlement of 1950s Malaya – and often in ways that affected deeply MNLA's armed struggle and the likelihood of its resumption.

Instead of formal interaction between warring sides, the elite bargains that addressed the drivers of violent conflict in Malaya were those concluded between British and Malayan political actors. On this front, the most promising bargains were those that advanced a place for the ethnic-Chinese in the political settlement of a new Malaya – for example by extending citizen laws or allowing land ownership. Such concessions on the part of the ethnic-Malay to the ethnic-Chinese created a barrier between the MNLA's predominantly ethnic-Chinese rank-and-file and its leadership, turning a mass-based insurgency into a struggling terrorist threat. In line with the counter-insurgency's use of psychological operations and generous amnesty terms, political reform was not undertaken to sway the MNLA leadership (those stressing 'ideological solutions to grievances'), but the group's followers (those 'galvanised by local particulars, whatever their economic-social-political nature').[102]

This approach was heavily informed by Cold War politics, as the fear of communism provided limited space for the MNLA leadership within the political settlement. It also rested on a highly successful counter-insurgency campaign that eliminated the physical and political space for the MNLA. Through the growth of the security sector, the advanced acquisition and dissemination of intelligence, and the adaptation, decentralisation, and dispersion of security operations, the British and Commonwealth forces achieved a military advantage over the MNLA that obviated peace-making overtures at the

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[98] Ibid.
[99] Stockwell, 'Merdeka!', 342.
[100] Cheah, 'Communist Insurgency in Malaysia', 148.
[101] Stockwell, 'Merdeka!', 342.
[102] Marks, 'Counterinsurgency in the Age of Globalism', 26.

elite level. The MNLA remained a concern, motivating continued efforts to co-opt – and certainly not to alienate – its would-be base, but by 1953 the group itself no longer had much of a say over Malaya's political future.

The completion of elite bargains was no foregone conclusion, given the acrimony within the Malay political elite, between the Malay and Chinese communities, and between British and Malayan political authorities in the aftermath of World War II. An initial attempt at cutting this Gordian knot – the Malayan Union 1946 – generated vociferous opposition precisely because it included the ethnic-Chinese population as full citizens. Although this concession again formed the basis of the later 'Bargain of '57', a number of developments had taken place during the intervening years to facilitate this change to the political settlement. These developments form the basis of tentative best-practices that can inform future attempts at peace-building.

First, Britain created, enabled, and/or empowered civil society and political entities that helped broker new bargains so as to create a more inclusive political opportunity structure. The MCA, UMNO, and the Community Liaison Committee (CLC) – all created in the late 1940s – represented broad currents of Malaya's political community and helped ensure local ownership of the far-reaching and broad-based changes to the political settlement. In this respect, the CLC was perhaps the most critical innovation. As a pan-ethnic consultative forum, it broadened the range of actors involved in deal-making, created mutual familiarity and trust across communities, and allowed valuable perspectives to be shared. Through the CLC's work, a rival Chinese leadership also emerged, one fiercely opposed to communism and able to give voice to a largely non-ideological Chinese population. Through consultations, new possible bargains – or new ways of working together – become evident.

Second, the need for leverage (including both carrots and sticks) is key. Britain had presented the Malayan Union of 1946 as a fait accompli and elicited widespread resistance. In the 1948-1957 period, it used the incentive of independence to steer all stake-holders in the direction of a mutually constructive compromise. It was particularly propitious that the incentive in this case allowed for a period of great constitutional flux, as all parties therefore had ample opportunity and great interest in working with the process so as to hardwire their most cherished needs within the emerging political settlement. Even if all interests could not be achieved, the benefit of participation and dangers of ceding space to others ensured a sustained commitment. The incentive of independence also allowed Britain to impose certain conditions: the need for a multi-ethnic government, basic levels of security, and a British-friendly policy.

Interestingly, as Britain made progress on these fronts, it was confronted by an increasingly potent political force – the Alliance Party – which through its electoral mandate could itself combine carrots (agreement on British interests) and sticks (the threat of a boycott, or the prospect of less agreeable voices taking its place) to facilitate progress toward independence. Despite ostensibly holding all the cards, Britain appreciated the need to accept compromise because its influence in Malaya increasingly relied on the good fortunes of those it had designated as its preferred partners. Leverage is a two-way street and works best when both parties understand and can flexibly distinguish between their critical and less urgent interests.

Third, the counter-insurgency undergirding these political developments addressed insecurity not only as a military concern but in a manner that also helped resolve the political issues that had caused conflict in the first place. The counter-insurgency campaign adopted under Briggs and developed further by Templer achieved physically what elite bargains and political deal-making were aiming for politically: the isolation of the ethnic-Chinese squatters from the rebel group. Specifically, the New Villages helped achieve security, but would also regulate and include the Chinese squatters as civilians – a fundamental change in the political settlement from that which had prevailed in 1948.

The further promulgation of amnesty terms and aggressive information operations helped create military and political effects that were mutually reinforcing. Military operations were informed by the political end-state that the counter-insurgency was intended to achieve and therefore contributed to the concomitant elite bargains.

Fourth, Britain operated with an end-state that addressed the specific drivers of mobilisation into violence. The British political intent to work toward Malayan independence was the sine qua non of the outcome remembered today: 'had the British simply refused to leave, we would most likely be talking about a misguided British defeat – yet another Aden'.[103] That Britain left – that colonialism ended and Malayan independence was achieved – does not mean that Britain 'won by losing' but rather signals that in successful counter-insurgency a government going in never looks the same as it does coming out. Counter-insurgency is armed reform and the most successful campaigns have used peaceful political change to pre-empt and obviate more violent contestation of the political settlement. In Malaya, each step toward independence took the wind out of MNLA's sails and, when the political settlement came, it was Britain and peace-loving Malayan that set the conditions, not the MNLA.

On the MNLA, some acknowledgement should be made of its role. Although the guerrillas were not in the end included in the elite bargain shaping the new political settlement, the onset of the insurgency and the great instability that it spawned acted as a forcing mechanism for effective bargaining. Following the Emergency, Chin Peng maintained that his group's struggle had hastened independence by years.[104] It is difficult to assess this claim empirically. The insurgency did compel Britain to help create and work with a pan-ethnic political platform, so as to co-opt Malaya's Chinese community. It also decided to grant independence even before the Emergency had been terminated, so as to deny the guerrillas leverage in negotiations with the Alliance Government. The ethnic nature of the violence may also have convinced the Malay elite to take seriously the need to mediate Chinese grievances and to empower Chinese anti-communist representatives. In this manner, it is possible that MNLA played an indirect role in forcing British, Malay and Chinese agreement on a grand bargain that, while roundly positive, also incurred some cost on all.

If Chin Peng in retrospect wants credit for this outcome, it is worth asking whether the hard-line approach taken at the Baling Talks was appropriate. Chin Peng had himself, in 1955, suggested that if 'a peaceful, democratic and independent Malaya' were possible, 'we are willing, always, to strive by peaceful means'.[105] Even though the Tunku was unable to force acceptance of his term of surrender, a face-saving way of compelling the MNLA out of the jungle – by allowing the MCP to be a peaceful political party (as in India, Pakistan or Bangladesh) or to surrender without a 'loyalty check' – may very well have shortened the Emergency.[106] In his writing on the Irish Republican Army, Jonathan Powell notes that 'insurgent groups will not just surrender… [they] need a narrative to explain to their supporters what they have achieved and why all the sacrifice was worthwhile'.[107] The British Government was undoubtedly in a strong enough position to rebuff Chin Peng's demands for concessions, but the hard line did not in fact achieve its stated aim of preventing entryism, which

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[103] Interview with Thomas A. Marks, a leading authority on counterinsurgency and people's war, 30 March, 2006.

[104] Cheah, 'Communist Insurgency in Malaysia', 142.

[105] As cited in Hack, 'Negotiating with the Malayan Communist Party', 607.

[106] This is the impression one gains from consulting Chin Peng's recollection of the talks, as found in C. C. Chin and Karl Hack, eds, Dialogues with Chin Peng: New Light on the Malayan Communist Party (Singapore: Singapore University Press, 2004), 171-185.

[107] Jonathan Powell, 'Security is not Enough: Ten Lessons for Conflict Resolution from Northern Ireland', in Michael Cox, ed., The Lessons of Northern Ireland (London: LSE IDEAS Special Report 8, 2011), 22.

occurred throughout the 1960s anyway. Also, when the MCP finally did lay down its arms in 1989, it did so specifically on condition that it not be asked to surrender.[108]

If the bargain struck in 1957 reflected the existing configurations of power in society, it did not for that reason prove particularly sustainable. True, resurgent communism was never a real menace to the new country, at least not in a way that related to the conclusion of the Emergency. However, as Eugene Tan concludes, ethnic bargains, such as that concluded in Malaya, are 'inadequate in coping with conflicting needs and aspirations in a globalising world and the demands of both democratisation and marketisation'.[109] The bargain of 1957 had, in effect, sought to legitimise Malay political dominance in return for Chinese enfranchisement and continued economic space. Yet, in rigidly dichotomising political and economic spheres of influence, such a bargain creates a political settlement in which ethnic identities are reified and discussions of ethnic grievance impossible. Over time, the terms of this settlement lost their salience and came to be increasingly contested – by both ethnicities. Although such instability has not brought back the menace of communism, it has damaged the fabric of Malaysia as a multi-ethnic state. Certainly, it validates the wishes of the original framers of the constitution, that the Malay special privileges be reviewed and ultimately discarded in favour of true democracy and assimilation under one flag.

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[108] Item 1.2 of the Hat Yai accords reads: 'All press statements issued by either Party thereafter shall be in the spirit of the Agreement and shall not contain any slanderous terms such as "mass surrender" and "capitulation"'. For full text, see: http://theirwords.org/media/transfer/doc/my_cpm_1989_01-2aa2b0cc70df62b0ef0b5f519d5b3065.pdf

[109] Tan, 'From Sojourners to Citizens', 950.

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