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HIDDEN LEGAL TREASURES OF SARAWAK'S HISTORY

Alex C. Castles

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In 1970 a distinguished scholar remarked that 'the history of the island of Borneo has yet to be written and the author will have a fascinating task'. As he went on, 'local historical resources are limited and it is necessary to a large extent to make an imaginative reconstruction of past events'¹. Given the available historical literature at the time of his remarks were certainly not out of place, not least with respect to Sarawak. Much was centred on the White Rajahs and the coming of Europeans to the region. This was often anecdotal and also frequently very much self-serving. And even if this was unintended, to the world at large such books as the second Rajah's Ten Years in Sarawak could be read as adventure stories, used to spur on the imaginations of British Empire builders, depicting the bravery and fortitude of Europeans as they battled with the forces of darkness as many readers conceived it. Even well into the twentieth century other distortions and mythswere added to this story, not least by the third Rajah's wife, Sylvia Brooke. Her best selling Queen of the Headhunters, first published in 1970, and still running through successive editions many years later, is probably still the most read book about Sarawak around the world.

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Fortunately, in the intervening years since 1970 Sarawak has been particularly well served with something much like an explosion of printed and other material on its history. Through the efforts of local publishers and others elsewhere a great variety of books has been produced on it, significantly making the State's history far less dependent on imagination than previously. A range of periodical literature, not least in the *Sarawak Museum Journal*, going back for many years, has

brought its own special weight to the examination of local historical issues. To this has been added a very impressive list of hundreds of academic theses produced at Universities in Malaysia, Australia, Britain, the United States and elsewhere that often show great perception in the way they deal in breadth and depth with local events touching on Sarawak's history². Rounding this off, an increasing number of Conferences and their Proceedings have produced many other valuable contributions towards a better understanding of the State's evolution.

With all this, however, there is one source that so far does not seem to have always received the attention it deserves in helping to open up important perceptions and vistas on aspects of Sarawak's history³. This is the way the working and history of the law can sometimes be called in aid to illuminate significantly a variety of factors in the evolution of the State. And at times it is not simply limited to this. In some circumstances, a knowledge of this and its relationship with political events can even have the potential to be of importance in helping to order and regulate contemporary affairs, perhaps even providing a foundation for the way governments in particular may be called upon to operate in some circumstances well into the twenty-first century.

One way in which the law and its surrounds can assist in understanding particular events is helping to expose the attitudes of those involved in them. This is well illustrated in the fashion it can point to the depths of the connivance between the last White Rajah and the British Colonial Office in their efforts to arrange for Sarawak's transfer to Britain, potently revealed in their first ill-starred attempt to achieve this in early 1946. The sordidness and perfidy involved in this cloak and dagger operation can only be put into its rightful place when it is realized that both were acting unlawfully and they only seem to have failed when their plans were exposed by the government's opposition in the House of Commons. In Vyner Brooke's case the Colonial Office had long been well informed⁴.