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OLD BANTEN: AN ISLAMIC CITY IN INDONESIA

Hassan Muarif Ambary

The rise of the Islamic city should be seen within the context of the process of Islamization. The process itself was not only conditioned by internal sociopolitical factors, but also fostered by the expansion of the spice trade that directly connected the Indonesian archipelago with the Muslim world. Many Arab, Persian and Indian Gujarati traders and sailors had from the earliest times travelled to the centres of the spice trade. In the process, these Muslim traders not only contributed to the development of coastal principalities, but also spread their religion. Muslim centres of power and Islamic cities were established along the trade routes.

The fall of Melaka in 1511 to the Portuguese can be seen as a turning point. Muslim rulers cooperated to confront the Portuguese and to move the trade route from the Strait of Melaka to the Strait of Sunda. This development stimulated activity in the commercial ports and caused cities to prosper.

The Islamization process in Indonesia started gradually in the 13th and 14th centuries and reached its climax between the 16th and 17th centuries. This period witnessed the rise of the large and actively proselytizing Muslim kingdoms in the archipelago. The spread of Islam in the western part of Indonesia may have begun earlier than in the east of the archipelago. Due to the system of trade routes, foreign Muslim traders could only directly trade in the western islands, while the internal trade route to the east was dominated by the Malays and Javanese. An archaeological find at Leran, a site located close to Gresik, a commercial port on the north coast of East Java, indicates the presence of a Muslim community in Java as early as the 11th century.

By the end of the 13th century, a Muslim community existed at Barus, a camphor-exporting port on the west coast of North Sumatra. In the same period, Sultan al-Malik al-Ṣāliḥ (d. 1297) founded Pasai, the first Muslim kingdom in Indonesia. An interesting archaeological find from Pasai is the tombstone of Sultana Nahriisyah (d. 1427), the fifth successor of Sultan Malik al-Ṣāliḥ. Typologically, the stone closely resembles those of Cambay-Gujarat. A similar tombstone is also found at Gresik. This is the tombstone of Mawlānā Malik Ibrāhīm (d. 1419), who has been widely regarded as the first important

muballigh in Java. These finds reveal that during the 15th century Indonesia and Gujarat were closely linked by trading and religious activities.

By the middle of the 14th century, when the Hinduistic Majapahit empire was at its peak, a Muslim community had already established itself in the capital, Trowulan. That the Muslims and non-Muslims were able to coexist peacefully is not surprising, given that some members of the royal family had converted to Islam.

The process of Islamization in eastern Indonesia was undertaken by previously converted Indonesians. For instance, Sultan 'Alā' al-Dīn of Gowa (South Sulawesi) officially converted to Islam in 1605, having been instructed in the faith by Dato Ri Bandang, a *muballigh* from Minangkabau. Meanwhile, the coming of Islam to Lesser Sunda and Maluku islands was due to the missionary activities of a great preacher from Giri, a *pesantren* located close to Gresik.

As stated earlier, the trade in spices had attracted Muslims to Indonesia. They had to compete with Europeans, particularly the Iberians, not only in trade but also in religion. Therefore the Muslim traders cooperated with Muslim rulers in confronting them. Cooperation could easily be undertaken because both groups shared similar religious obligations and sentiments. Along with the traders, the *muballighs* came to Indonesia with the sacred purpose of building *pesantren* and teaching Islam.

Since overseas trading activities took place through commercial ports, the first Muslim community developed in coastal areas. At a time when nautical technology was not yet well advanced, the estuary of a large river was the most feasible location for a commercial city or transit port. The distribution of the imported goods inland could be undertaken by using smaller boats or overland vehicles. These coastal cities functioned not only as outlets for the export of inland goods but also as a corridor through which Islam spread to the interior.

City life was dominated by local and overseas traders. Cities were administered by an official titled *shāhbandar*, who was installed by the king or sultan. His functions were to manage trade and to collect taxes. Since the official had to deal with traders from all over the world, it was almost impossible for members of the royal family to occupy this position. Most of the *bandar* or port officials were either Muslims or new Muslim converts. It was always to their advantage to become Muslims, since more often than not they had to deal with Muslim traders.

The centre of politics and administration was usually located in the interior, which was supported by the surplus of agricultural production and by taxes collected from the coastal towns. Foreigners were prohibited from living inside the city wall. They usually clustered around the central business area or close to the market and harbour.

The physical appearance and spatial settings of these coastal and inland cities differed significantly. The agrarian city, particularly the inland capital, was focussed on the palace compound as the centre of political and administrative life. The coastal city, on the other hand, centred on the riverbank or coastline. In spite of their differences, they were both influenced by a Hindu-Buddhist cosmological conception of the universe. Regardless of the Islamization that had taken place, this Hindu-Buddhistic conception is reflected in the spatial setting and architectural design of the towns. These can be clearly seen in Java, Madura and the south of Sumatra.

According to this conception, the palace and administrative compound was regarded as analogous to the centre of the universe. It was located in the town centre to reflect its prestige. The palace would preferably be to the north of a square known as the *alun-alun*, although some are to be found to the south of this. The market and central business area were located outside the square, with the mosque, as the centre of religious activity, on the west side. The location of the mosque might be determined by direction of the *qibla*, which in Indonesia would be located to the west-north-west. The most suitable location for the mosque would then be to the west of the square, because the building itself should face east.

The architectural design of the palace buildings was not very different from those of the pre-Islamic period, not only in terms of form but also in terms of the meanings attached to form. The pyramidal stepped roof of mosque architecture reminds us of the *meru* design, a symbolic representation of the universe, as does the design of the roofed or split gateway to be found in the wall enclosing a sanctuary compound.

From the above description, it can be concluded that the growth of Islamic cities in Indonesia cannot be attributed to a single factor, but rather to a set of interrelated factors, these include the flourishing spice trade and its trade routes, the role of Muslim traders and Muslim rulers and preachers. The spice trade had fostered small producing communities, such as those of Ternate, Tidore, Bacan and Jailolo, which gradually grew larger before becoming fully-fledged cities. The trade also encouraged the establishment of new transit ports along its

routes, for instance Aceh, Pasai and Jambi on the Strait of Melaka; Palembang, Banten, Pontang and Tanara on the Straits of Sunda; Sunda-Kelapa, Cimanuk, Cirebon, Tegal, Japara, Demak, Juana, Tuban, Gresik and Surabaya along the north coast of Java; Sukadana, Kotawaringin, Sampit and Banjarmasin on South Kalimantan; Gowa, Tallo and Bone on South Sulawesi. These transit ports functioned as links in the chain of inter-insular and overseas trade.

The role of local Muslim rulers and officials was also very important to the process of Islamization and the growth of Islamic cities in Indonesia. They converted to Islam for several reasons: to obtain higher status, to establish relations with Muslim traders, to strengthen their position in confronting non-Muslim rulers, etc. With their power, they then established Islam as the official religion. This cultural change took place through a long, gradual and complicated process.

Old Banten as an Islamic City

Most of the ancient Islamic cities in Indonesia have survived to the present day, although their original functions have changed. Only a few have become depopulated and abandoned to ruin. One of these is Banten.

Banten was the capital of the Muslim kingdom of Banten. It was also a typical ancient Islamic city as well as one of the most important transit ports in Java between the 16th and 18th centuries. Since 1976 archaeological work, including excavation, restoration and exhibition, have been ongoing at this site.

Historical background

On the basis of archaeological findings, particularly ceramics imported from China, the history of Banten can be traced back to the 12th century. However, until the early 16th century, Banten was still an unimportant harbour under the control of the Hinduistic Sundanese kingdom of Pajajaran with its capital at Pakuwan. During this period, Banten, which was located around the estuary of Cibanten River, had only a small population.

In 1525, Banten was occupied by Muslim forces from Demak, Central Java, under the leadership of a well-known preacher Sunan Gunung Jati and his son Mawlānā Ḥasan al-Dīn. Sunan Gunung Jati is thus recognized as the founder of Banten's ruling dynasty. In 1552 Mawlānā Ḥasan al-Dīn ascended the throne of Banten as its first sultan. He built the palace compound at Surasowan, its city wall and the great mosque.

During the reign of Mawlānā Ḥasan al-Dīn and that of his successor Mawlānā Yūsuf, Banten prospered and became the largest transit port in Java. Many foreign traders from Arabia, Persia, India, China and Europe visited Banten, which was enjoying its golden era. It continued to prosper until the mid-17th century.

In 1596 the first Dutch armada under the command of Cornelius de Houtman arrived at Banten. That year should be regarded as a turning point in the history of Banten; after their arrival, we enter a period in which intrigues among the ruling family worked in the interest of the Dutch.

By the end of the 17th century, Banten finally came under Dutch rule. In the early 19th century Banten, was evacuated and the palace compound of Surasowan was totally destroyed; the last royal building was destroyed in 1832. After this, Banten was abandoned and became a ruin.

Location and spatial setting

The archaeological site of Banten is located on a low plain with relatively little rainfall and poor quaternary soil. Across this plain a number of rivers flow northwards discharging into the Bay of Banten. The major river is the Ciujung, which is situated to the east of Banten, while Cibanten River is relatively small. It is questionable whether large boats were able to sail upstream and, if so, to what distance inland. During the rainy season, topsoil is washed down through the river system to the bay. Sedimentation causes the coastline to shift northward by about 4 metres annually. The plain is surrounded by mountainous areas that receive a much higher rainfall. Due to its poor condition, the plain is used for coconut cultivation only. Use of the plain for growing rice only started under the Dutch administration.

The city of Banten is located on a ridge stretching from east to west parallel to the coastline. Behind the ridge is a low-lying area that floods annually. The groundwater is saline, while fresh water is limited to that available from wells. Across the ridge there are creeks draining water from the flooded lowland and from sanitary sewers to the sea. The alignment of the ridge has influenced the location of the city wall. Archaeological findings have revealed that the city wall was basically rectangular, stretching from the Karangantu River in the east to the Cibanten River in the West. On the south it bordered the lowland and met the coast to the north.

The palace compound was located at the rear, enclosed by walls and surrounded by a wide moat along its periphery as part of the defence system. The main gateway was on the north side, facing the *alun-alun* (which also served as the site of the market). The royal great mosque was located on the west side of the *alun-alun*, facing east.

Banten was a commercial centre where international trade once took place. Pepper was the main commodity traded internationally. Therefore, its central business area was located on the banks of the Karangantu and Cibanten estuaries, closer to the harbour. Adjacent to the harbour were to be found the storehouses for pepper (*pamarican*) and the tax collector's office, or *pabean*.

Population, social structure and local arrangement.

The city of Banten was probably the largest city along the north coast of Java. In 1596, de Houtman, the commander of the Dutch armada, estimated the size of Banten as equal to that of Amsterdam. The population of Banten was recorded in the censuses of 1694 and 1708 (during the reign of Sultan 'Abd al-Maḥāsin). The first census recorded a population of 31,848; this total rose to 36,302 by the time of the later census, an increase of 4454. Unfortunately, there was no information concerning its composition. Valentijn noted that in the early 18th century the population of Banten and its vicinity had reached 8170 families, or around 30–40,000 individuals. Considering Banten as a commercial city as well as a political and administration centre, we might say that the people living at Banten were ethnically and occupationally heterogeneous.

A map of 1879 described the distribution of the Bantenese within the city wall. The distribution of the people could be interpreted from the names of each neighbourhood recorded on the map. The map was supplied by the Resident of Banten to Serrurier, then curator of the ethnographic collection of the present-day National Museum, and it was republished in 1902. The map indicated 33 neighbourhoods named after the ethnic origin, professional group, social status or major activity of the people living there. The following are examples of these:

Ethnic groups: Pekojan (Arabs and Persians), Kebalen (Balinese), Pecinan (Chinese).

Social status: Kesatrian (knights), Kefakihan (mosque officials).

Professions: Panjunan (potters), Kepandeyan (blacksmiths), Pejantran (weavers).

Activities: Pamarican (pepper market/storehouse), Pabean (tax collection office), Langen Maita (moorings), Pasebah (audience hall).

Some of these names have continued in use until the present day.

Archaeological studies of Banten.

On the basis of architectural remains and physical structures such as street networks, urban studies within archaeology have been able to study the nature of a city and its spatial distribution in such a way as to yield information concerning the life of its people and their movements and activities.

A full archaeological reconstruction might be successively undertaken in the fullness of time. To date, the main objective of archaeological studies of Banten has been to identify the characteristics of and the relationships between the localities derived from Serrurier's maps, written documents and oral traditions. The archaeological studies of Banten lie within this framework, and the results can be outlined as follows:

In reconstructing the city plan, all major urban features and transportation routes, such as streets, bridges, moats, channels and gateways, wall enclosures and important buildings, were located and mapped. Several excavations were carried out at Jembatan Rante (chained bridge) and on the northern side of the city wall.

To identify the characteristics of each neighbourhood, archaeological excavations and surveys were carefully conducted; these uncovered several items, such as crucibles from Kepandean (blacksmiths' quarter), an anvil from Panjunan (potters' quarter), a number of large grinding stones from Pamarican and from the Chinese quarter and the burial site at Pacinan.

An excavation conducted inside the royal palace of Surasowan uncovered a number of highly elaborate structures, several imported ceramic items and some glass and ornamental articles that are likely to have belonged to members of the nobility, especially given the location of their discovery.

The discovery of a number of clay tobacco pipes and wine bottles inside the palace compound of Surasowan have led us to conclude that local people had in some ways adopted aspects of a European lifestyle.

Most of the imported ceramics found in Banten, especially the older items, were from the northern part of the city, i.e., around the palace compound and central business area. These seem to indicate the beginning of urban development.

The architectural design of the wall enclosures of Surasowan has changed several times, from a simple, traditional design to one more suited to a fortified stronghold.

Significant changes in land use took place during the Dutch occupation.

Conclusion

A study of a city can be conducted simply as a reconstruction of its internal ways of life or more generally in terms of its cultural history. However, to explain its underlying cultural dynamics, we should consider it within a larger system, either within an inter-city network or within an urban-ecological system. We should also note that every city needs a counterpart, namely a productive rural environment, to survive and to develop.

Our study of Banten is simply a reconstruction aimed at seeing how it changed through time. To go beyond this is not currently possible. We are limited not only in terms of methodology, but also in our ability to gather and assess archaeological data, especially data able to shed light on the sociopolitical aspects of the ways in which urban space is organized.

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ISLAM AND THE STATE IN SEVENTEENTH-CENTURY SOUTHEAST ASIA

Anthony Reid

Much of the interest in the question of the Islamization of Southeast Asia has concentrated on the 'earliest' manifestation of Islam in various places, and whence it came. This can give a misleading impression that Islamization was a once-only occurrence in the life of a society, and that only this first step has to be explained to understand how Southeast Asians became Muslims. In reality, of course, there was a world of difference between the first evidence of Islam in the form of a gravestone, a travel account, or a king issuing coins, and the existence of a population which believed and practised the faith.

As a corrective to such oversimplifications, some scholars have made a point of emphasizing the very gradual way in which Islam expanded both geographically and in terms of the depth of individual and social commitment. Merle Ricklefs, for example, has written of 'Six Centuries of Islamization in Java', to make clear that the process which began in the 14th century is still continuing in the 20th.[1]

The inference should not be drawn, however, that this was a steady linear progression of ever greater adherence to Islamic norms by ever larger numbers of people. The record appears to suggest rather that there were some periods in which states and societies moved very quickly towards implementing laws and practices in the name of Islam, and other periods of drift or regression to a more 'Southeast Asian' style of government and social organization. I want to examine here what appears to be one of the peaks in the application of Islamic norms, in the period c. 1560-1650. I believe this period was followed by a marked reversion before another, less intense, period of Islamization began around 1800. Let us first consider three likely causes of such a pattern.

The commercial link

The simple frequency of contact with the rest of the Muslim world was undoubtedly one important factor. The European demand for Indonesian pepper and spices was at its peak in the period 1560-1650. The enormous increase in the

[1] M. C. Ricklefs, 'Six Centuries of Islamization in Java' in Nehemiah Letzvion (ed.), *Conversion to Islam* (New York, Holmes & Meier, 1979), pp. 100-28.

output of silver from mines in Peru and Mexico brought wealth to Europe which enabled it to purchase ever greater quantities of these rarities from the east. Prior to about 1490 most Moluccan spices and almost all Indonesian pepper had been exported to China. The pull of the European market changed both the quantity and direction of Indonesian exports during the 16th century. By 1620 more than 60% of the much-increased Indonesian pepper crop was being taken to Europe.[2] Some of this increase was of course transported by the Portuguese. From the 1530s, however, Muslim traders based in Aceh began sending their own ships to the Red Sea, probably by way of India. By the 1550s they were sailing directly across the Indian Ocean to Arabia, avoiding the dangerous centres of Portuguese power on the west coast of India as well as the Straits of Melaka. This put Aceh in direct contact with the Ḥijāz, Yemen and Egypt, as well as its older trading partners in Gujarat and Malabar.[3]

This direct contact was short-lived but very important. In the second-half of the 16th century about a thousand tonnes of pepper were being carried from Sumatra to the Red Sea each year, with four or five ships making the annual voyages. As much pepper was flowing along this route towards Alexandria as the Portuguese were taking to Lisbon.[4] When the first Dutch, English and French ships arrived in the Archipelago around 1600 they found traders whom they called Turks or 'Rumes' (*orang Rumi*) established in Aceh, Banten, Banda and Ternate. This regular and lucrative commercial connection had made it possible for Aceh to send a succession of envoys to Istanbul in the 1560s to present gifts to the Turkish Sultan and ask for his help against the Portuguese.

Whereas earlier Muslim apostles and scholars had come 'below the winds' primarily from India, this shift in the trade routes made the Malay world directly accessible from Arabia. Hence such significant Arab scholars as Muḥammad Azharī of Mecca (c. 1570), Shaykh Abū 'l-Khayr ibn Shaykh ibn Ḥajar of Mecca (1582) and Shaykh Muḥammad of Yemen (1582), all journeyed to Aceh and made it their temporary home, preaching, writing (primarily in Arabic) and disputing with one another there.[5] Similarly, Acehnese and others were able to board the pepper ships if they wished to travel to Mecca for pilgrimage or study.

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2 A. Reid, 'An "Age of Commerce" in Southeast Asian History', *Modern Asian Studies*, 24: 1 (1990), pp. 1-31.

3 C. Boxer, 'A Note on Portuguese Reactions to the Revival of the Red Sea Spice Trade and the Rise of Acheh, 1540-1600', *JSEAH*, 10: 3 (1969), pp. 416-19.

4 Boxer, *Reactions*, p. 419; F. Lane, 'The Mediterranean Spice Trade: its reveival in the sixteenth century' in *Venice and History: The Collected Papers of Frederic C. Lane* (Baltimore, The Johns Hopkins University Press, 1966), pp. 25-34.

5 Nūr al-Dīn al-Rānirī, *Bustān al-salāṭīn, Bāb II, Faṣal 13*, ed. T. Iskander (Kuala Lumpur, Dewan Bahasa dan Pustaka, 1966), pp. 33-4.

Hamza Fansūrī appears to have done so around the 1580s, and Jamāl al-Dīn of Pasai and 'Abd al-Ra'ūf of Singkel certainly did so in the first half of the 17th century.[6]

The Dutch and English after 1600, with far greater resources, both financial and logistical, completed what the Portuguese had only half-achieved. By the 1620s there were no further shipments of Southeast Asian pepper and spice along the old Muslim route to the Red Sea, and Turkey itself had to import its needs from the western Europeans.[7] Moreover, the Gujarati ships which had traded as far as Banten now went no further than Aceh, and in decreasing numbers. A Dutch blockade excluded Gujarati ships from Aceh for several years in the 1650s, and removed the supplies of tin and pepper which had made Aceh's port attractive. In the overall pattern of world trade, pepper and other Southeast Asian products were in any case less important after 1650, and long-distance shipping was shifting in different directions.

The last Gujarati ships appear to have visited Aceh in the 1690s. After the collapse of direct Acehnese shipping, these had still enabled Southeast Asians to travel in Muslim ships as far as Gujarat, where they could join the large pilgrim ships for Jeddah organized by the Moghul emperors. In the 18th century Muslim shipping was predominately local rather than long-distance, and Aceh, Surat and Jeddah all became less important as commercial centres. Hence the aspiring pilgrim would have had to trans-ship several times, and put up with considerable discomfort, to reach his goal.

Political crusades

Political factors, as well as personal predilections, were bound to play a role in the calculations of statesmen. For many of them, the nature of their enemies made a considerable difference to the style of their government.

If political factors were important in the early stage of the conversion of rulers, these factors would have been the rivalry between Southeast Asian states to attract international trade to their ports, most of this trade being carried by Muslims in the 14th and 15th centuries. There were no political reasons, however, why a ruler should go further than was necessary to attract this trade. In particular, rulers who accepted Islam did not necessarily abandon those Hindu or magical attributes which assisted them in retaining some charismatic influence

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6 Ph. S. van Ronkel, 'Een Maleische getuigenis over den weg des Islams in Sumatra'. *BKI*, 75 (1919), p. 368.

7 N. Steensgard, *The Asian Trade Revolution of the Seventeenth Century: The East India Companies and the Decline of the Caravan Trade* (Chicago University Press, 1974), pp. 171-2.

over the non-Muslim peoples of the interior, such as divine descent, elaborate rituals of kingship, fertility cults, the cult of ancestors and the continuance of most of the older system of laws and customs.

The arrival of the Portuguese in 1509 via India, and of the Spanish via the Americas 12 years later, gave a new political character to religious identity. The Iberians had waged war for several centuries against the Muslims in their homeland, so that the crusade against the *Moros* (Moors) had become part of their national mythology and culture. In addition, the Portuguese were out to take over the spice trade from the Muslims who had shipped pepper and spices to the Red Sea and thence to Alexandria for sale to Venice. Ideology and self-interest converged to make the Portuguese (and to a lesser extent the Spanish) identify the wealthy Muslim traders and the rulers who supported them as the enemy to be attacked and plundered at every opportunity.

For their part, the Muslims of Southeast Asia, particularly those involved in the spice trade, tended to regroup around explicitly Islamic centres prepared to counter-attack the Portuguese. The rise of Aceh is the clearest example. High-handed Portuguese intervention in Pasai and Pidie, not to mention the taking of Melaka across the Straits, drove all the more Islamic, commercial, or simply patriotic elements to support Sultan ʿAlī Mughayat Shāh in his drive to unite the north Sumatran coast during the 1520s into a new and explicitly anti-Portuguese kingdom. For more than a century Aceh remained the most consistent enemy of Portuguese Melaka, mirroring its coincidence of ideological and economic interests as the new centre of the Islamic spice route. Banten in west Java was established as a Muslim kingdom at the same time and for somewhat similar reasons, after the Portuguese had sought to ally with the previous Hindu port of Sunda Kelapa.

The Ottoman expansion to Egypt, Syria and the Ḥijāz in 1516-17, and to Iraq in 1534-8, provided for the first time a first-class military power with an interest in defending the Muslim spice-trading route in the Indian Ocean. The attacks of Sultans Sulaymān and Salīm II upon the Christian powers led by Spain, appear to have had a galvanizing effect even as far away as Southeast Asia. The first Turkish fleet to combat the Portuguese in the Indian Ocean was launched by the Governor of Egypt in 1537-8. Though it failed dismally, some of its members must have found their way to Aceh. Sultan ʿAlā' al-Dīn Riʿāyat Shāh al-Qahhār was assisted in his wars against the Bataks in 1538 by '...the hundred and threescore Turks, that a little before were come to him from the Strait of Mecqua, with two hundred Sarrazins, Malabars, and some Abassins, which were the best

men he had...'.[8] The establishment of direct commercial and diplomatic relations between Turkey and Aceh in the 1560s gave a much clearer impetus to the concept of a pan-Islamic counter-crusade against the Portuguese in Southeast Asia. Turkey responded to repeated Acehnese requests by sending gunsmiths and artillerymen, probably in 1564 and certainly in 1568. This stimulated some unprecedented (though ultimately abortive) cooperation between Islamic kingdoms involved in the spice trade in attacking the Portuguese during the next few years.[9]

In eastern Indonesia the influence of Islam and of Christianity were still about equally tenuous. By the middle of the 16th century the Portuguese had established an unstable modus vivendi with the Sultanate of Ternate in the clove trade which allowed Christian as well as Muslim missionaries to make some headway amongst the still largely animist Moluccans. In the 1560s Sultan Hārūn of Ternate proved extremely irritating to the Portuguese due to his ability to manipulate them to advance both his own authority and that of Islam, and in 1570 they treacherously murdered him. Hārūn's son Bāb Allāh used the outrage that greeted this act to drive the Portuguese out of Ternate and to compel most of their Christian supporters throughout Maluku to adopt Islam as a sign of loyalty. Bāb Allāh had already been an effective propagandist for Islam during his father's day, but now he was able to spread it through much of the Ambon area, to Buton, Selayar and some of the coastal kingdoms of east and north Sulawesi, and southern Mindanao. During Bāb Allāh's reign, and up to the time the Dutch arrival complicated religious loyalties considerably, there was a much stronger sense that acceptance of Islam was an essential part of loyalty to the ruler of Ternate.

Portuguese and Spanish sources in the second-half of the 16th century are redolent with hostility to Islam, but they also suggest strongly that the feeling was reciprocated. Pinto for example puts anti-Christian speeches into the mouths of the kings of Aceh and Demak, and claims that Pahang would not allow Portuguese to be buried ashore because otherwise '...their country would remain accursed, and incapable of nourishing any thing, because the deceased were not purged from the hog's flesh they had eaten'.[10] Spanish envoys reported that the Sultan of Brunei had responded in 1578 to an arrogant letter from Manila by saying, 'So this is the way that your people write to me, who am king; while the

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[8] F. Pinto, *The Voyages and Adventures of Fernand Mendez Pinto*, tr. H. Cogan, Colonial History series (London, Dawsons, 1969), p. 19.

[9] A. Reid, 'Sixteenth-Century Turkish Influence in Western Indonesia', *JSEAH*, 10: 3 (1969).

[10] Pinto, *Voyages*, p. 40.

Castilians are *capie* [men]... who have no souls, who are consumed by fire when they die, and that, too, because they eat pork'.[11]

One should not exaggerate. In most places except Aceh commercial and personal relations between Muslim and Christian went on as before. But the normally tolerant atmosphere of Southeast Asia was affected during the period 1560-1600 in particular by what one might call the 'great-power conflict' between Spanish-led Christendom and Turkish-led Islam.

Cosmopolitan Cities

A third factor which speeded the extent to which Islamic norms and laws were applied was the size and complexity of the cities which were the centres of religious activity. The boom in trade during the 15th to early 17th centuries, and especially during the peak period 1570-1620, made the maritime trading cities of Southeast Asia the pre-eminent centres of the region. Even those societies regarded as least affected by trade were dominated during the 15th and 16th centuries by port-cities: Burma by Pegu; Cambodia by the river junction we know as Pnompenh; and Java by Demak, Japara and Gresik.

These cities were of considerable size in comparison with their successors in the 18th and early 19th centuries. Melaka after its conquest by the Portuguese appears to have diminished in population from close to 100,000 to less than 30,000; the population of Makassar, after its conquest by the Dutch in 1669, did not again reach its 17th- century level until the 20th century; Aceh in the 18th century was only a fraction of what it had been in the early 17th. The centre of Javanese culture and power moved inland to Mataram through the conquests of Sultan Agung in the 1620s, in a similar way to the shift of power in Burma upriver to Ava. Dutch Batavia and Spanish Manila took over much of the commercial function of the great Asian trading cities in the course of the 17th century. The capacity of the remaining Islamic cities to dominate their hinterlands in a political or cultural sense was much reduced.

During their heyday, at the peak of what I call the 'Age of Commerce' in 1560-1630, these maritime cities were extremely cosmopolitan. They had their quarters for Gujarati, South Indian, Chinese, Japanese, Malay and Javanese or Mon (Pegu) traders, while the court often included people of extremely diverse origins as officials and notables. Islam was one of the means by which Chinese, Hindus and occasionally Europeans were assimilated. Islamic law also proved a useful

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[11] E. Blair and J. A. Robertson, *The Philippine Islands 1493-1898* (55 vols., Cleveland, 1903-9), 4: 163.

means of regulating disputes between the predominantly Muslim foreign merchants, since they had to respect the Sharia where they might not have accepted local custom.

In order to illustrate something of the heightened identification of the state with literal Islamic norms during this period, I will focus on four areas: the ruler's public identification with Islam; the use of the death penalty for heretics and unbelievers; the public observance of fasting and prayer; and the application of Sharia law.

The ruler's public identification with Islam

If we compare the public functions of the Sultans of Melaka in the 15th century, as far as we identify them, with those of some rulers around 1600, it seems clear that much had changed. In the earlier period, it is not clear that any of the leading Melaka figures made the pilgrimage to Mecca, which would have been a major hardship in their day. Tome Pires stated that both Manṣūr Shāh and his son 'Alā' al-Dīn made plans to travel to Mecca but did not achieve this, while the arrogant last ruler of Melaka, Maḥmūd, boasted that 'Melaka was to be made into Mecca, and that he would not hold the opinion of his ancestors about going to Mecca'.[12] In the 1630s, on the other hand, there was quite a vogue for the pilgrimage. The brother of the Chancellor of Makassar, Pattingalloang, left on the pilgrimage in 1632.[13] Soon after this, 'Abd al-Qādir of Banten sent his representatives to Mecca, who brought him back documents entitling him to use the title Sultan. This encouraged Sultan Agung of Mataram to send some ulema to Mecca in an English ship in 1638. When they in turn returned with a similar record of authority, the King was so grateful that he sent a mission of one hundred young aristocrats to Mecca. The pattern seemd to have been established that Mecca's authorization was necessary, for in 1669 Sultan Abū 'l-Fatḥ of Banten sent his own ship to Mecca, under an English captain, to procure the title in advance for his son.[14] In 1674 the son was himself sent on a pilgrimage to Mecca with his uncle and about twenty Pangirans; in part, it was thought, to prevent his further disrupting the government at home.[15] Later he became known as 'Sultan Ḥājī'.

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12 A. Cortesao (ed. and tr.), *The Suma Oriental of Tome Pires: an account of the East...*, work s issued by the Hakluyt Society, 90 (2 vols., London, Hakluyt Society, 1944), pp. 250-3.

13 *Lontara bilang Gowa*, trans. A. Ligtvoet as 'Transcriptie van het dagboek der vorsten van Gowa en Tello', *BKI*, 4: 5 (1880), p. 92.

14 W. Foster, *The English Factories in India 1668-9* (Oxford, Clarendon Press, 1906), p. 255.

15 J. Fryer, *A New Account of East India and Persia, Being Nine Years' Travels 1672-1681*, ed. W. Croole, works issued by the Hakluyt Society, 2nd series, 1 (3 vols., London, Hakluyt Society, 1909-15), 1: 268.

At home, there was a tendency especially in Aceh for rulers to celebrate with great ceremony the holy days of Islam. The *Adat Aceh*[16] provides a lengthy description of the royal procession to the Friday prayer in the time of Iskandar Muda (1607-36). Although it seems scarcely credible that the thousands of men and dozens of elephants described should have been assembled every Friday to conduct the Sultan to the mosque, we know from an English visitor that such was the case on at least two successive Fridays in 1613. After the procession, involving 200 elephants and over 4,000 men, and the prayer, there were animal contests and other entertainments.[17] In Ternate in the 1590s, and probably elsewhere, there was also a weekly procession by the Sultan to the mosque.[18]

At least in Aceh the pomp and circumstance was even grander for the major annual Islamic feasts. The *Adat Aceh*[19] describes the processions and procedures appropriate for four such feasts: the eve of the fasting month (*hari memegang puasa*), the night of revelation on 27 Ramaḍān (*malam laylat al-qadr*), the end of the fast (*ʿĪd al-Fiṭr*), and the festival of sacrifice during the month of pilgrimage on 10 Dhū 'l-ḥajj (*hari raya haji* or *ʿĪd al-Aḍḥā*). All of these except 27 Ramaḍān are also documented in western sources as being splendidly celebrated by the four Aceh rulers between 1600 and 1641. Much the biggest was evidently *ʿĪd al-Aḍḥā*, the royal procession for which in 1637 earned from Peter Mundy not only a lengthy and astonished description, but also a graphic sketch.[20]

Such public ceremonies appear to have been discontinued under the first of Aceh's four queens, and I am not aware of them anywhere in the 18th or 19th centuries.

Execution of unbelievers

The execution of those held to be enemies of the state is of course a political act. But when such people are offered the choice of religious conversion or death, religion becomes defined as the essential test of political loyalty. The two issues are as difficult to disentangle in Muslim Aceh as in Protestant England in the same period. There are numerous cases throughout the period 1550-1650 when

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16 *Adat Aceh*, romanized by Teungku Anzib Lamnyong (Bandar Aceh, 1976), pp. 46-8.

17 R. Croft, 'A Journal Kept on Board the *Hosiander*' in *The Voyage of Thomas Best to the East Indies 1612-14*, ed. W. Foster (London, Hakluyt Society, 1934).

18 A. Reid, *Southeast Asia in the Age of Commerce 1450-1680: Volume One, The Lands Below the Winds* (New Haven, Yale University Press, 1988), p. 175.

19 *Adat Aceh*, pp. 25-46; see also Takeshi Ito, 'The World of the *Adat Aceh*: A Historical Study of the Sultanate of Aceh', (Ph.D. dissertation, Australian National University, 1984), pp. 217-27.

20 P. Mundy, *The Travels of Peter Mundy in Europe and Asia, 1608-1667*, ed. R. C. Temple, works issued by the Hakluyt Society, 2nd series, 45 (London, Hakluyt Society, 1919) 3: 121-3.

non-Muslims were given the choice of accepting Islam or execution, after having been defined as enemies or criminals. It happened frequently in Aceh, and also in Banten, Mataram, Makassar, and Bāb Allāh's Ternate. This is of some importance in itself as showing that these states did, to a greater extent than before or after, define themselves as being necessarily Islamic, despite the presence of non-Muslim minorities in all of them. I believe there is also a tendency to accentuate the religious as against the political character of such executions as we move towards the middle of the 17th century.

One indication of this is Makassar, an exceptionally tolerant haven for all religions, especially Catholic Portuguese. I have seen evidence of this kind of choice being offered only under the last ruler, Ḥasan al-Dīn (1654-69). In 1658 two Portuguese were condemned to execution there for a murder they had committed, but were offered a pardon if they became Muslim. One refused and was executed with a *kris*, while the other was 'so daunted at the sight' that he accepted Islam and was spared.[21]

Three cases where religious motives appeared to play a larger part, and about which we know more than usual, all occurred in 17th-century Aceh. Frederic de Houtman, leader of the first Dutch expedition to Aceh, was held captive on shore when a fight broke out between his men and the Acehnese in 1600. After some months of captivity he was told that Sultan ʿAlā al-Dīn had decided he would be killed unless he agreed to become a Muslim. When he refused, saying that one could not be forced to believe what one did not believe, the judicial officials of Aceh set about trying to convince him. They explained that Muhammad was the last of the prophets in the line of Moses, David and Jesus, and that it was as illogical not to acknowledge him as it would be to say that only the earlier kings of a dynasty were ordained by God and not the later. They asked him how Christians could worship stone idols as in Catholic Melaka, how they could believe that God had a son, and why they did not accept circumcision since Jesus himself was circumcised. All he need do was repeat the *shahāda* – a greater understanding would come later. De Houtman's report on this declared that if he narrated the whole of the debate it would fill a half a book.[22] When he remained obdurate, they took him to the river for execution, waved a sword over his head shouting '*mau Islam?*' and threatened to trample him with elephants. Nevertheless the Sultan clearly wanted him alive rather than dead, and eventually his release was negotiated.

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[21] D. Navarette, *The Travels and Controversies of Friar Domingo Navarette 1618-1686*, ed. J. S. Cumming, works issued by the Hakluyt Society, 2nd series, 118 (Cambridge, Hakluyt Society, 1960), 2: 121-2.

[22] F. de Houtman, 'Cort Verhael' in W. S. Unger (ed.), *De oudste reizen van de Zeeuwen naar Oost-Indie, 1598-1604* (The Hague, 1948), pp. 96-100.

The Portuguese usually kept clear of Aceh because of the intense mutual hostility which had built up between themselves and Aceh. In fact one of the first references to non-Muslims being given the 'Islam or death' alternative was in connection with a group of Portuguese traders who visited Aceh during what they thought an interval of peace, in 1565, only to find an ambassador from Turkey there who successfully urged the Sultan to have them all killed if they did not embrace Islam.[23] After the death of Sultan Iskandar Muda and the accession of his son-in-law Iskandar Thani in 1637, however, the Portuguese viceroy sent a mission to Aceh from Goa in the hope of establishing peace, since Iskandar Thani was known to come from Pahang, a state often friendly to the Portuguese. The Portuguese were encouraged to come ashore, and then all were immediately imprisoned. The sixty Europeans in the party were all to be executed if they did not agree to convert, though the Indian Christians were evidently treated more leniently, and returned to tell the story in Goa. The most detailed surviving accounts are in the pious literature about one of the two priests in the party, Denis of the Nativity (born a Frenchman, Pierre Berthelot), who was beatified by the church on account of his martyrdom. The Acehnese appear to have given particular attention to trying to convert the priest, who spoke Malay fluently. He was kept as a slave in a prominent household for a month, and regularly punished and humiliated while being promised a good life and a wealthy wife if he converted. 'By order of the king, one, two or several *casis*, who are their priests, were continually around him and his companions', preaching and arguing with him about the merits of Islam. According to the hagiographic literature, the Acehnese were so impressed with his sanctity that none wished to be the one to kill him, so he was eventually krissed by a Portuguese who had already converted to Islam.[24]

It is arguable that such events have nothing to do with Islamic norms, since there is nothing in the Sharia that encourages such acts against the *ahl al-kitāb*. Nevertheless, the theological effort put into trying to convert these unbelievers says something about the strength of Islamic ideas in the trading cities of Southeast Asia. It also contrasts markedly with the more relaxed mood only two decades later when Christian missionaries were allowed to operate in Aceh (though not among Muslims).

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23 Joseph Wicki (ed.), *Documenta Indica 1566-9*, Monumenta Historica Societatis Iesu, 89, and Monumenta Missionum Societatis Iesu, 19 (Rome, 1962), pp. 33-4, 89.

24 Philippe, *Voyage d'Orient* (Paris, 1652), pp. 496-515; C. Breard, *Histoire de Pierre Berthelot*, (Paris, 1889); D. Lombard, 'Voyageurs francais dans l'Archipel insulindien, XVIIe, XVIIIe, XIXe siecles', *Archipel*, 1 (1971), pp. 146-7.

Much more unusual was the execution of a learned Muslim for heresy, presumably as an apostate or *murtadd*. I am only aware of one such clearly documented case in Southeast Asia, if we set aside the semi-legendary stories of the execution of Syeh Siti Jenar and other Javanese mystics for having revealed truths that ought to be hidden – rather a different thing. This case occurred in the reign of Iskandar Thani of Aceh (1637-41), which should be regarded as the extreme point of the application of Islamic norms in Southeast Asia before the 19th century. The incident lends greater significance to the case of the executed Portuguese which occurred in the same short reign.

It is well known that with the death of the influential Shaykh Shams al-Dīn in 1630, and still more of his patron Iskandar Muda in 1636, the adherents of the pantheistic *wujūdiyya* school in Aceh lost their dominance in the city. The Gujarati Nūr al-Dīn al-Rānirī, the champion of orthodoxy, rushed back to Aceh as soon as Iskandar Thani was enthroned. He began attacking the pupils of Shams al-Dīn and Hamza Fansūrī, and had the works of these popular figures burned in front of the great mosque in Aceh. Al-Rānirī himself explained in his *Tabyān* how he debated with these mystics in front of the Sultan and showed that they equated themselves with God. 'All the Muslims gave a *fatwā* that they were *kāfir* and would be killed. And some of them accepted the *fatwā* that they were *kāfir*, and some repented and some did not want to repent. And some of those who repented had also been apostates (*murtadd*), they returned to their former faith. So all the principal legions of the unbelievers were killed (*terboenoehlah segama tentara oepama jang kafir*)'.[25] From Dutch sources we know that the most prominent victim of this inquisition was one 'Shaykh Maldin [Jamāl al-Dīn?]'. After the death of al-Rānirī's protector, Iskandar Thani, one of this Shaykh's pupils, a popular Minangkabau Sufi named Saifurrijal, returned to Aceh from Surat, and recommenced a bitter debate with al-Rānirī. Popular feeling in Aceh was evidently on the side of the *wujūdiyya*, and al-Rānirī was lucky to be able to escape Aceh with his life at the end of 1643.[26]

This stern imposition of orthodoxy was thus short-lived, and certainly uncharacteristic of Southeast Asia. Nevertheless its timing is very significant, as marking a turning point for Aceh and perhaps the whole region. What followed was in part a reaction against the excesses of al-Rānirī, in part a reassertion of a more orthodox but still very popular mysticism under the *Shaṭṭāriyya* Shaykhs, 'Abd al-Ra'ūf of Singkel and Yūsuf of Makassar and in part a long-term decline

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[25] Quoted in C. A. O. van Nieuwenhuijze, 'Shamsu 'L-Dīn van Pasai: Bijdrage Tot de Kennis der Sumatraansche Mystiek', (Ph.D. dissertation, University of Leiden, 1945), p. 200; see also al-Rānirī, *Bustān*, p. 8.

[26] T. Ito, 'Why did Nuruddin ar-Al-Rānirī leave Aceh in 1054 A.H.?', *BKI*, 134 (1978), pp. 489-92.

in the influence of international, commercial, and urban elements in Southeast Asian Islam.

Public Observances

It is impossible to make judgements about the degree of devotion of Southeast Asian Muslims at these remote periods when sources are so inadequate. A few external observances, however, were sufficiently striking to have been noticed by foreign travellers, whose remarks may help give an impression of the process of change in the most public areas.

In general, especially in eastern Indonesia, Europeans thought Islam sat very lightly on the population. In the Philippines, as we might expect, those in the earliest stage of Islamization around 1600 were described as having given up pork without really understanding why, and knowing virtually nothing about the doctrine or practices of Islam.[27] In Ternate in the 1480s the practice and prayer of a minority were relatively orthodox, but 'even now their manners are heathen for the most part, and some people of the lower classes are still pagans'.[28] In Mindanao as late as the 1680s only the court circle appeared to frequent the mosque. 'The meaner sort of people have little devotion: I did never see any of them at their prayers, or go into a mosque'.[29]

External Muslim strictures on the nature of Southeast Asian Islam could also be severe prior to 1500. The famous Arab pilot Aḥmad ibn Mājid was not flattering about the people of Melaka:

They have no culture at all. The infidel marries Muslim women while the Muslim takes pagans to wife. You do not know whether they are Muslims or not. They are thieves for theft is rife among them and they do not mind. The Muslim eats dogs for meat for there are no food laws. They drink wine in the markets and do not treat divorce as a religious act.[30]

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27 A. de Morga, *Sucesos de las Islas Filipinas*, ed. and tr. J. S. Cummings, works issued by the Hakluyt Society, 2nd series, 140 (Cambridge, Hakluyt Society, 1971), pp. 280-1; Blair and Robertson, *The Philippine Islands*, 3: 165.

28 A Galvao, *A Treatise on the Moluccas (c. 1544), Probably the Preliminary Version of Antonio Galvão's lost* 'História das Molucas', ed. and tr. Hubert Th. Th. M. Jacobs, Sources and Studies for the History of the Jesuits, 3 (Rome, Jesuit Historical Institute, 1971), pp. 85-7.

29 William Dampier, *A New Voyage Round the World*, ed. A. Gray (London, Argonaut Press, 1927), p. 231.

30 G. R. Tibbetts, *A Study of the Arabic Texts Containing Material on South-East Asia*, Oriental Translation Fund, New Series, 44 (Leiden and London, E. J. Brill and Royal Asiatic Society, 1979), p. 206.

Although this may be less than fair, the great Malay chronicle gave a similar impression that Melaka Malays were more relaxed than Arabs about alcohol when it made fun of the great Arab scholar Mawlānā Sadar Johan, who came off worst in some repartee with a drunken Malay nobleman.[31]

During the period 1570-1680 it was the strictness of observing the fasting month in the major maritime cities that most struck outsiders, next to the ban on pork. Francis Drake was very impressed at the rigour with which the Ternatan aristocrats who came aboard his ship observed the fast in 1579, refusing even a cup of water during the day and feasting at night.[32] Similarly in Mindanao 'They are not very...strict in observing any days or times of particular devotions except it be Ramadan time...In this time they fast all day and...spend near an hour in prayer'.[33] In Aceh, according to al-Rānirī,[34] prayer five times a day and the keeping of a strict fast was imposed on the people by the pious Sultan 'Alā' al-Dīn Perak (1577-85), and again by Sultan Iskandar Muda (1607-36). Visiting between these two rulers, van Warwijck thought the fast was kept very strictly so that no one over twelve was allowed to eat during the day.[35] On the other hand de Houtman, who was in a much better position to know as a result of a years residence there, noted that the fast was observed and celebrated elaborately at court, but 'the ordinary man keeps this fast no more than he pleases'.[36]

In Jambi even the Dutch noticed that religious observance was remarkably increased in the 1640s, as a result of the factors sketched at the beginning of this paper. The people there, they complained, were 'at present so religious that the ordinary man is half like a pope [the usual Dutch pejorative term for an *'ālim*], and the nobles wholly so'.[37]

The Application of Sharia Law

On this most important issue there are three types of sources: law codes, Southeast Asian chronicles, and the observation of outsiders. All are problematic, but all tend to support the impression of a movement towards greater

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31 C. C. Brown, 'Sejarah Melayu or "Malay Annals"', *JMBRAS*, 25: 2, 3 (1952), p. 153.
32 F. Drake, *The World Encompassed*, ed. R. C. Temple (London, Argonaut Press, 1926), p. 72.
33 Dampier, *New Voyage*, p. 234.
34 Al-Rāniri, *Bustān*, p. 33, 36.
35 W. van Warwijck, 'Historische Verhaal van de Reyse gedaen in de Oost-Indien' in I. Commelin (ed.) *Begin ende Voortgangh van de Vereenighde Neederlandsche Geoctroyeerde Oost-Indische Compagnie* (Amsterdam, 1604).
36 De Houtman, 'Cort Verhael', p. 86.
37 Quoted in B. W. Andaya and Y. Ishii, 'Religious Developments in Southeast Asia, c. 1500-1800' in N. Tarling (ed.), *The Cambridge History of Southeast Asia* (2 vols., Cambridge University Press, 1992), 1: 541.

implementation of Islamic laws in the 16th and 17th centuries, and a movement in the opposite direction thereafter.

The chronicles, of which al-Rānirī's *Bustān al-salāṭīn* is the most informative, record of some pious rulers that they imposed certain requirements of the Sharia, though this may have been no more than a token gesture, not backed up by legal institutions and codes. The law codes appear to show that Islamic law was known by the compilers of the 15th and 16th centuries, though the Sharia provisions are sometimes tacked on in what appears to be a learned footnote rather than a law expected to be followed. The *Undang-undang Melaka*, for example, sets out the rather lenient penalties for rape (marry the woman or pay a fine), and then adds 'But according to the law of God, if he is *muḥsan,* he shall be stoned'.[38] As cosmopolitan communities identifying strongly with Islam grew in the commercial cities (of Arab, Indian and Chinese as well as Southeast Asian origins), they must frequently have been given the option of using Islamic law among themselves (as was still the case in the *kauman* of Javanese towns at much later dates). A Muslim writer in one of the coastal cities of 16th-century Java confirmed this kind of pluralism, in a nominally Muslim polity, by insisting, 'It is unbelief when people involved in a lawsuit and invited to settle the dispute according to the law of Islam, refuse to do so and insist on taking it to an infidel judge'.[39] To judge from the *Undang-undang Melaka*, the *Luwaran* of Magindanao, and other codes which appear to have their origins in this period, Islamic law was borrowed from most fully in matters of commercial law, where there were presumably few local alternatives of any relevance to the cosmopolitan traders of the town. Muslim marriage, divorce and inheritance law, laws of evidence, and laws relating to slave-holding, were also widely incorporated into law codes of the period, though less widely applied in practice. Laws relating to royal prerogatives were entirely a Southeast Asian matter very little affected by Islam.

The handling of what we call criminal offences, especially theft, was perhaps the best indicator of change over time of the commitment of states to the Sharia. Because Shāfi'ī law imposed the penalty of amputation of the right hand, left leg, left hand and right leg for first, second, third and fourth offences respectively, with regard to the theft of an item worth at least a quarter dinar (about a gram of gold), it tended to be noticed by foreigners wherever it was applied. Hence we know from visitors to Aceh throughout the 17th century – Martin and van

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[38] Liaw Yock Fang, '"*Undang-Undang Melaka*" : A Critical Edition' (Ph.D. dissertation, University of Leiden, 1976), pp. 84-5.

[39] G. W. J. Drewes, *An Early Javanese Code of Muslim Ethics*, Bibliotheca Indonesica, 18 (The Hague, Martinus Nijhoff, 1978), p. 37.

Warwijck under 'Alā' al-Dīn Riʿāyat Shāh al-Mukammil (1588-1603); Beaulieu under Iskandar Muda (1607-36); Bowrey under Iskandar Thani (1636-41); and Mundy and Dampier under the queens – that there was a system of chopping off alternate limbs which could only have been based on the Sharia.[40] They also note various other, crueller amputations, of noses, ears, lips, and vital organs, but these in most cases were for crimes in relation to the royal person, for which no punishment seemed too severe.[41]

Aceh was not alone in applying these Sharia punishments. Brunei in the 1580s punished theft by cutting off the right hand, though in other respects its procedures were more traditional.[42] Banten under Sultan Ageng (1651-82) applied the same penalties and Magindanao at least included them in its law code.[43]

Sexual offences, we noted, were treated very differently in the Sharia than in Malay tradition, but there are some cases among the urban elite, at least, where tough Islamic judgements were imposed. In Aceh three cases of *zinā* offences where the death penalty was imposed were witnessed by foreigners, in 1613 and twice in 1642. Death was painfully administered by flogging, as indicated by Shāfiʿī law, though women were in some cases strangled.[44] In Patani two young aristocrats were killed for a *zinā* offence around 1601, by Malay methods of krissing for him and strangling for her. In Banten and Brunei the death penalty was also imposed in this period.[45]

More important of course than these external signs that the Sharia was being applied was the question of how far properly-constituted Islamic courts were set up using Islamic procedures, and to what extent cases were referred to them.

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40 F. Martin, *Description du Premier Voyage fait aux Indes Orientales par les Francais de St. Malo* (Paris, 1604), p. 46; van Warwijck 'Historische Verhaal', p. 14; A. Beaulieu, 'Memoires du Voyage aux Indes Orientales' in M. Thevenot (ed.), *Relations de Divers Voyages Curieux* (Paris, 1666), 2: 102; T. Bowrey, *A Geographical Account of Countries Round the Bay of Bengal, 1669 to 1679*, ed. R. C. Temple, works issued by the Hakluyt Society, 2nd series, 12 (Cambridge, Hakluyt Society, 1903), p. 314; Mundy, *Travels*, p. 135, 331; W. Dampier, *Voyages and Discoveries*, ed. N. Penzer and C. Wilkinson (London, Argonaut Press, 1931), p. 96.

41 Ito, 'World of the *Adat Aceh*', pp. 171-83.

42 J. Carroll, 'Berunai in the Boxer Codex', *JMBRAS*, 55: 2 (1982), p. 7.

43 Dampier, *Voyages and Discoveries*, p. 97; N. Saleeby, *Studies in Moro History, Law and Religion*, Department of the Interior Ethnological Survey Publications, 4/1 (Manila, Bureau of Printing, 1905), p. 68.

44 Ito, 'World of the *Adat Aceh*', pp. 168-70.

45 *Relation des Missions et des Voyages des Evesques Vicaires Apostoliques, et de leurs Ecclesiastiques, aux annees 1676 et 1677* (Paris, 1680); Carroll, *JMBRAS* 55: 2 (1982), p. 9.

Here again we know most about Aceh, where there was at least one Sharia court throughout the first-half of the 17th century. Beaulieu in fact tells us there were two, one for offences against the requirements of prayer, fasting and religious orthodoxy, and the other for matters of debts, marriage, divorce and inheritance.[46] In 1636 a Dutch observer noted specifically that 'the great bishop' (Shams al-Dīn's successor as *qāḍī*) presided over a weekly court in Aceh to judge theft, drunkenness, and offences against royal etiquette.[47] Other sources also note the importance of the *qāḍī* in Acehnese affairs as early as the 1580s. Ito shows that while Sultan Iskandar Muda may have set up some of these institutions, it was his two successors who for the first time allowed them to work without the constant interference of arbitrary royal decrees. Perhaps the clearest indication of the attempt to give real force to the spirit of the Sharia was Iskandar Thani's decree that the age-old Southeast Asian system of judging cases by ordeal (immersion in boiling oil or water was most common) be abolished, in favour of the Islamic requirements for witnesses.[48]

Elsewhere there are also frequent mentions that a *qāḍī* played a role in state affairs. The only definite evidence I have for a functioning Sharia court outside Aceh, however, is in Banten under Sultan Ageng (1651-82). There a resident French missionary reported that:

They have two principal judges, of whom one is called the grand Chabandar [*Shāhbandar*], who knows all commercial affairs; and the other carries the name of Thiaria [Sharia], who extends his jurisdiction over all civil and criminal cases, and who among other crimes, punishes theft and adultery rigorously.[49]

When colonial officials and the earliest ethnographers began to provide detailed information concerning the Muslims of Southeast Asia towards the end of the 19th century, they saw little evidence of Islamic law, of Sharia courts, or of rulers publicly celebrating Islamic rituals. Gullick's reading of the British colonial evidence on late-19th-century Malaya, for example, was that there were 'no kathis', no evidence that the Sharia was 'effective law', and 'no public rituals of

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46 Beaulieu, *Memoires*, pp. 100-2.
47 Ito, 'World of the *Adat Aceh*', pp. 155-60.
48 Reid, *Age of Commerce*, pp. 139-44.
49 *Relation des Missions*, p. 93.

Islamic content'.[50] Similarly Snouck Hurgronje emphasized that Islamic law was very seldom applied in Aceh, that justice was effectively in the hands of secular authorities (*uleebalang*) and that penalties for theft and *zinā* such as those above were almost unheard of.[51] We should not conclude (as they tended to) that it was ever thus. In human history nothing is more constant than change.

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50 Quoted in A. C. Milner, 'Islam and the Muslim State' in M. B. Hooker (ed.), *Islam in South-East Asia* (Leiden, E. J. Brill, 1983), p. 23.

51 C. Snouck Hurgronje, *The Achehnese*, tr. A. W. S. O'Sullivan (2 vols., Leiden, E. J. Brill, 1906), 1: 93-114, 2: 277-314.