

HUMAN BONDAGE IN SOUTHEAST ASIA

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Asia on the Move
Peoples of Southeast Asia
Filipino Immigration

Human Bondage
In
Southeast Asia

————— *by* —————

BRUNO LASKER

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Introduction

WHY another book on Southeast Asia? Although that part of the world has in the past been somewhat neglected by American scholarship, the flow of books and articles on that region or parts of it has not been scant in recent years. But with few exceptions these explorations have moved on the surface of current happenings, with only an occasional probing of causes and origins "way back"—five or ten years ago. Such lack of depth is dangerous in a time when the foundations of old policies are shaking. Today nations with but little former concern in that great segment of human experience are drawn into responsible relations to it. The rising awareness of this change in conditions is shown by the willingness of the American Congress to rescind from its statutes on immigration and naturalization the remaining discriminations against Asians and at least by a symbolic gesture to accord them the dignity of fellow beings who share many problems and aspirations with the rest of mankind. It is not enough to know the people of the region here under review merely through their actions during and since the recent war. If we wish to cooperate with them for a free world we must try to know much more about them.

In Asia, human actions and the motives from which they spring do not respond with that immediacy to the events of the day which we expect at the Stock Exchange. Conditions of life and labor do not alter, as the East Side of New York is altered, by a single generation's transience of needs and purposes. Long after an institution has disappeared, the social customs and attitudes to which it has given rise survive and impede progress or retrogression, as the case may be. One cannot ascertain the causes of the Indonesian revolution by studying the war record of its leaders, or understand the uprising of the Karen in Burma by considering only their immediate grievances. Too many of the published interpretations of current Asian affairs are written by news gatherers who hop from one trouble spot to another or who interview informants who themselves have but slight roots in the scene. When

they are documented with more solid reports, these often apply to the judgment of movements in traditional societies the values inherent in modern industrial civilization.

Thus every week's crop of news—and especially from Southeast Asia—brings new mysteries. In one place "bands of brigands" break out of the jungle to vex the authorities. In another a possible political compromise is jeopardized by a sudden stiffening of resistance. An emperor renounces his throne. A popular assembly cuts its country off from the only source of capital readily available to develop its infant industries. Peaceful villagers, nurtured in the gentle tolerance of Hinayana Buddhism, turn upon aliens in their midst. There are strikes, and out of nowhere appear large parades carrying communist banners.

There is also unexpected heroism and self-sacrifice for some noble cause. Reputed "savage tribes" go to unbelievable lengths to carry on a war of resistance in behalf of a government that has done nothing for them. Classes and population groups that have been hostile to each other come together for common ends. Villagers who could not be brought effectively under the discipline of a modern regime discipline themselves with perfect harmony when the authorities imposed on them are withdrawn. Representatives of peoples held in subjection for centuries appear at international conferences fully equipped to engage in diplomatic activities.

Surprise is heaped on surprise, not because millions of human beings suddenly behave out of character but because we never knew what their character really was or what instrumentalities were at work to transform it. There have, of course, been serious and enlightening studies in Southeast Asia as elsewhere by ethnologists and other social scientists. But their work is rarely consulted by those interpreters of current events whose writings have a wide circulation. Could not, the present author asked himself, all the knowledge we have—scientific studies and public reports, travel accounts and news—be so combined as to provide real insights, clues to causal probabilities if not complete explanations?

The attempt is here made with regard to a single fundamental factor which in one guise or other appears in all the countries of Southeast Asia and which has been singularly neglected in most of the recent literature on that part of the world: the lack of freedom from which so many millions of its inhabitants have suffered through history and to our own time. References to vague abstractions do not help understanding. In the present eclipse of Western civilization, as Asia has known it, "imperialism" is not a concept that moves the masses to revolt. Neither is "nationalism." And of course not "communism." The uprising of large sections of the population in the region against their rulers makes sense only when we view it as the outcome of a pervading discontent, and that discontent rooted not alone in recent experience but in

a long and hitherto unsuccessful striving of men for freedom and decent respect. To understand the attitudes and motivations which prevail from Burma to the Philippines and from the foothills of the Himalayas to the tropical forests of Indonesia, we must try to realize not only how the 150 million people of this region have fared in recent years but also what they remember and how their memories affect their present outlook. For, among simple peoples, many of them illiterate, memories are long. They brood deeply over wrongs suffered not only by themselves but by their fathers and fathers' fathers.

There were few symptoms of revolt against their fate before the war. Returned civil servants and travellers have pictured the dwellers in the Asian tropics as gay and reckless or languid and unambitious—in either case too improvident for their own good. But such behavior may hide deep wells of feeling. Long subjected to the will of others, many of these population groups have survived either by submission or by finding refuge far from their former haunts. All of them have at one time in their history been independent, all of them remember—or have easily recalled to them—a former state of freedom, even of glory. They are not suddenly aroused to strange new concepts. They are not concerned solely with political rights or with improvements in their material conditions. But as in recent times they were drawn more closely into contact with the modern world, some of them caught glimpses of the springs of our Western civilization and others learned at least at second hand that humble peasants and workers like themselves elsewhere had gained their right to full participation in the benefits of that civilization. As governments and missionaries, even the agents of those who wished to exploit them, urged them on to master its tools and to adopt the discipline essential to its working, as they found their own grievances and aspirations echoed in other Asiatic lands, men speaking many tongues—perhaps still fearing each other and remembering many past wrongs suffered from each other—came to hope once again that they, too, might rid themselves of their chains.

This book is concerned, then, with the background, both in actuality and in recent memory, of human bondage in its diverse forms, from which springs the motive power of the uprisings throughout Southeast Asia. We must try to visualize what these peoples have suffered—not only under colonial rule but quite as much under that of their own princes and privileged classes—if we would realize what, in their sometimes confused and exaggerated declarations, it is that they demand, and how they have come to demand it.

There are two additional reasons why a study of different forms of bondage of which vestiges still exist in Southeast Asia is especially pertinent at this time.

One is that in this region, as in few others, different stages of historical development exist side by side, so that it is sometimes difficult to perceive

just what stage of social evolution is dissolving or taking shape in a particular situation. In his well-known study of English medieval history, Paul Vinogradoff distinguished three great landmarks in social evolution, set by three modes employed in the organization of human labor: using the manual worker (1) as a chattel at will, (2) as a subordinate whose duties are fixed by custom, and (3) as a free agent bound by contract. "These landmarks," he wrote, "probably indicate molecular changes in the structure of society scarcely less important than those political and intellectual revolutions which are usually taken as the turning-points of ancient, medieval, and modern history."¹

The second reason is that, just because so much of the ancient and medieval world survives in Asia, the peoples' striving for freedom can be observed on three levels, roughly comparable perhaps with the mental attitudes preceding the slave revolts in ancient Sicily (104 B.C.) and near Naples (73 B.C.), the French Revolution, and the Chartist uprising in England. Correspondingly, policies designed to lessen unrest by constructive measures must act on three levels, designed to deal with open and disguised forms of slavery, with peonage and other forms of servitude "fixed by custom," and with the evils that arise from insufficiently controlled contract labor. This is clearly evident in the resolutions adopted at New Delhi in November, 1947, by the Preparatory Asian Regional Conference of the International Labor Organization. Although mainly concerned with the relatively small modern industrial sector of Asian society and therefore following recent occidental models, that conference also went to the heart of the problems found in tribal life and in the traditional economy of the great majority of the peasantry.

The New Delhi Conference of the I.L.O. received added significance from three other events: the Delhi Inter-Asian Conference of 1947; the adoption in December, 1948, by the General Assembly of the United Nations of an international Bill of Human Rights; and the new plan announced by President Truman in his inaugural address for "making the benefits of our scientific advances and industrial progress available for the improvement and growth of undeveloped areas." The first broadly laid the social and cultural basis for the cooperation of Asian nations in a continental program of reconstruction. The second provided, in more general language, a framework for international agreement on a planetary minimum standard of human liberty. The third announced in broad outlines the willingness of the strongest and richest power to participate in measures to build up the economy of backward areas. All three occasions signified a reassurance that the new instruments for world cooperation created since the war would be used not merely for a shallow pacification and a rehabilitation of war-swept areas on the old lines of exploitation of the weak by the strong, but that the energies available for world reconstruction would largely be devoted to an equalization of opportunity for all.

The Bill of Human Rights went further in one respect than the Four Freedoms which President Franklin D. Roosevelt had announced in an address to Congress in January, 1941, as the goal for a policy "attainable in our time and generation." It specifically mentioned one freedom that is usually taken for granted in civilized society but which recent occurrences in Europe and Asia have shown to be in need of emphatic reassertion: the right of adult humans to dispose over their own persons. Article 5 declares: "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." Under Article 14, "Everyone has the right to freedom of movement and residence within the borders of each state." And under Article 24, "Everyone has the right to . . . free choice of employment."

The "Charter of Human Rights" has yet to be ratified by the member states of the United Nations. Its preliminary adoption was the logical outcome of the purposes announced in the United Nations' own charter and in the declared war aims of the allied nations that preceded its formation. On both occasions it was intended that the implied promise of powerful aid should be taken seriously by the weak and burdened members of the human family. Article 3 of the Declaration of Human Rights expressly states: "The rights set forth in this Declaration apply equally to all inhabitants of trust and nonself-governing territories."

Freedom, it may be objected, is a relative term. Even in an anarchist community, founded to emancipate its members from every kind of political control, people would still have to adjust their actions to some agreed rules of conduct. Somehow, the common will would have to be ascertained, and the individual be persuaded to bow to it. Laws and conventions are necessary in any society if its members are to enjoy a measure of security. If compulsion in the ordinary sense is ruled out as a permissible expedient, still the force of public opinion must be strong enough to compel a socially desirable behavior on the part of all. There must be an accepted code. Whether such a code be rooted in folk experience or adopted but yesterday at a meeting of revolutionaries does not alter that basic proposition. Even in the least restrained society, individual choices of making a living will be limited by social approval and disapproval. The social interest must prevail; and if the individual does not conform he must either starve or, by one pressure or another, be brought to subordinate his interest to the interest of the community, and his judgment to the judgment of those entrusted by that community with the making of its policies and of its laws.

It is true, freedom is relative. But it is not true, as is sometimes falsely assumed, that its realm diminishes progressively with the rise of civilization and the growing complexity of its mechanism. The member of a highly industrialized society, though disciplined to a degree that would be almost incomprehensible to freemen of an earlier age, has far more opportunities for

the exercise of personal choices in matters that are important to the individual than has the member of a primitive preindustrial society. Both his social and his geographical mobility are infinitely greater. But once having made an important choice, say in the matter of vocation or citizenship, he is bound by the rules which he has voluntarily accepted. Not only this; he is free within the limits of his ability and influence to change those rules.

Freedom is relative. But it is not synonymous, as is sometimes asserted, with adequate purchasing power or with a satisfactory plane of living. In every society and in every clime there are restrictions of choice that spring from poverty; but it is not difficult to distinguish them from those restrictions which derive from inequality of legal status and from institutional inequality in bargaining power. In tropical countries, personal freedom often goes together with extremely limited possessions when there is access to land sufficient to meet the wants of a peasant family living in simple traditional style. A warm climate makes it possible to dispense with elaborate clothing and shelter; though it prevents the storage of food in the absence of modern techniques, there is no long waiting period between planting and harvest, and some food ripens all the year around. But where the fertile land is limited in area, even an ideal growing climate is no guarantee that the peasant may not find himself forced to work for others on terms which he is in no position to influence. Therefore, in discussing the lack of freedom which prevails in the countries of Southeast Asia we must distinguish between the limitations placed on personal choice by lack of balance between resources and population, and the imposition of institutional forms of servitude. There is general agreement that both indigenous and colonial governments in Southeast Asia, sometimes in spite of "an honest progressivism in political matters," have failed to free the mass of the population, the peasantry, from its ancient handicaps.² But it is not of the limitations which ignorance and neglect have placed on progress that we shall speak in these pages. Reared upon these basic conditions there has throughout the region grown up an institutional exploitation. This also deserves study and has received much less attention. Some may say that every social structure which gives one class or caste power over another rests on inadequacy of resources—an inadequacy which some group or other can exploit to its own advantage, either by having secured priority of access to the resources, or by having acquired through conquest and being able to uphold their claims by military force, or by appeal to sanctified tradition—as in the case of an acknowledged nobility or a priesthood. But even that interpretation shows a mixed economic and cultural origin of institutionalized degrees of dependency which, at least in tropical Asia, never result only from overpopulation or only from conquest.

The recent war brought home to many people the fact that even the most elementary freedom, the right to sell or use one's labor and to form one's

own intimate associations, is not yet fully established everywhere. The compulsions imposed by despotic regimes merely enlarge and dramatize conditions still to be found in many parts of the world, conditions that do not conform to the dictates of human freedom, however defined. They flout that basic prerogative of responsible participation in society without which there can be no genuine improvement in social conditions.

The terms "reasonable labor standards" and "social security" must be reinterpreted as often as conditions change sufficiently to necessitate new definitions of what constitutes a reasonable degree of comfort, of decency, of provision for future need, and so forth. Similarly, the term "personal freedom" must be regarded as of unchanging meaning only in its basic content but subject always to reinterpretation under different social traditions and in different social situations.

In connection with labor relations, the basic meaning may be said to exclude any form of compulsion other than that applied in legal punishment for crime, in the control of minors, and in that of mentally afflicted persons. And even those compulsions can be reduced to a minimum. A labor market permanently favorable to an employing class that enjoys a monopoly of capital or of land is not free because the workers can be forced to accept its terms—or starve. There is more of freedom if the workers can—in practice as well as in law—organize in trade unions and so create a monopoly of the labor supply without which capital cannot operate and the land cannot be put to productive use. It is not compulsion if an individual worker or business man is, by the joint action of his fellows, prevented from accepting work or trade under conditions of which they disapprove—as long as he has the right to become one of them and help in formulating the rules and the strategy of the organization formed to advance the interests of his class.

Freedom is impaired when a worker belongs to a minority group that is discriminated against by employers or wage-earners in a given field of enterprise. For, although he is free to seek a career in some other field, the compulsory limitation of his choice sets arbitrary limits to his ability to put his talents to their most profitable use. Even more restricted is the freedom of a sharecropper who is bound by debt to his landlord-employer when the law does not permit him to improve his situation by seeking work elsewhere. From the position of such a man it is only a small step to that of a serf: freedom vanishes the moment a person can no longer dispose over his own person.

These general considerations suffice to indicate that diverse forms of bondage exist in many countries, including the Western democracies. They are here advanced to protect the author from a possible charge that in the present study he directs attention to the prevalence of a great social evil in another part of the world, without admitting its occurrence—sometimes in similar forms—in our own occidental society. Vestiges of serfdom, among us as in

Asia, most often are residua of a former social system. They explain many other social ills, especially in the field of labor relations. Even slavery continues in new forms. One does not often nowadays read of lines of human beings chained together and driven off to be sold on the auction block. But in some regions where slavery has been practiced in recent times it has left a heritage of involuntary labor only thinly disguised, if disguised at all, by creditable contractual relationships. Ownership may no longer be recognized in law, but it survives in the power actually wielded by employers and landowners over their dependents.

The right to dispose over the life and labor of others is not always exercised with wanton brutality. It may crush the spirit of human beings and reduce them to bondage even though the provision made for their material welfare may be adequate according to modest standards. An employer may even think of himself as a father to those who work for him, yet use his power to deprive them of all initiative and of all responsible participation in decisions that affect them closely. The writer had an experience of this not long ago when a cotton planter in Tennessee spoke to him with affection about the colored families employed and living on his estate for several generations: he repeatedly called them "my niggers" and pictured them as charming exhibits of a perpetual, race-conditioned childishness.

Under modern conditions such a relationship and such an attitude, no matter how greatly modified by paternalism, condemns those subjected to them to a life which, despite all outward appearance of cheerful acceptance, can be described only as hell on earth. For no longer do the disinherited regard themselves as born to live in servitude, destined by an unfathomable Providence to labor as do the beasts in the field. At least the promise of a nobler purpose has penetrated to the remotest corners and the lowliest population groups of the world.

In many parts of tropical Asia, with which more especially this study is concerned, economic pressure still degrades the lives of workers incapable of emancipating themselves unaided from the involuntary yoke. Often that economic force is supported by political force and by the law itself. The civilized nations are signatories of an international convention on slavery; and yet, the ownership of human beings continues. Many nations have signed an international convention which permits wage-earners under contract, after due notice, to leave their employment. Yet, by the testimony of many of the governments themselves, serfdom in various forms and degrees continues.

It is this persistence or the more general condition out of which it arises that stands in the way of the "improved labor standards, economic advancement, and social security" which the nations of the world are now called upon to realize through concerted action. In Southeast Asia, millions of persons do not

yet freely dispose over their own persons, do not yet enjoy a full choice of activity and enterprise within the range of their abilities and resources. For in this region the memories of compulsory servitude, native and colonial, are recent, the exercise of the governments' police power is not yet everywhere effective, and the three humanizing religious faiths, Christianity, Mohammedanism, and Buddhism, have not yet fully penetrated the old tribal moralities—or have themselves been diverted from their one-time social missions.

It is for these reasons that lack of personal freedom must be reckoned with as a retarding factor in any and all plans for the improvement of labor standards. Whatever may be true of other regions, here at least, with the actual labor relations and attitudes that prevail, it would be unrealistic to think of applying complicated conventions on hours of work, minimum wage, safety in industry, protection of women and children, health provisions, social insurance, labor arbitration, and so forth, without also dealing with the major source of backwardness in the development of all these things.³ You cannot impose a modern labor code on a social situation resembling that of Europe when it was just emerging from the feudal age, or that of South America in an early stage of the Spanish and Portuguese occupation.

The governments of Southeast Asia are as yet more class-bound than are most governments in Europe and America, at least to the extent to which they recognize legal distinctions between groups determined by the accident of birth. Even when their policy is ostensibly guided by the desire to serve the common welfare, they are often interested in a cheap and docile labor supply because they themselves are large employers of unskilled labor and because a large part of the public revenue is derived from the returns on private enterprise that uses such labor. In the not very distant past, some of them have been among the worst offenders against the dignity of man. If in recent times they have become champions of the oppressed, this is largely because of the victory of liberalism the world over. But it is also, as we shall see, because some of the more important employing groups no longer feel as dependent as they once did on cheap and unfree labor. They have come to recognize the value for the success of their ventures of voluntary cooperation on the part of an at least moderately stable and contented labor force.

As conditions in totalitarian countries have again shown, this humanitarian progress cannot be regarded as automatic. There still are possibilities in Southeast Asia of reversions to methods of human exploitation not long ago thought to be on the verge of extinction. Disinterested world opinion which demands action against powerful offenders is usually a long way off, unorganized, and without adequate information. Hence the wide demand for the creation of permanent international regional machinery to guard over the

maintenance of those elementary human rights without which all others are illusory.

There is need, then, for a true and comprehensive picture of labor conditions in one of the largest undeveloped regions—a region destined soon to enter into a new and more creative relationship with the rest of the world. The author at first attempted to construct such a picture from the published reports of the respective government labor departments and from those of the International Labor Office and other international agencies. He failed. The picture did not come to life. These reports are couched in the language of occidental discussions which take for granted that the human realities behind such general terms as “living wage,” “trade union,” “labor dispute,” or “social security” will be more or less correctly visualized. But this is by no means the case when such subjects are discussed in relation to tropical agricultural industries in which most of the labor force is but a short step removed from the concerns of a medieval peasantry; or in relation to manufactures still carried on in shops and small factories where a master with small resources and little education, half patriarch and half slave-driver, controls the lives of a score or so of dependents. Another reason was that such reports usually are concerned with conditions in the modern sector of industry only, or with conditions that obtain in the larger centers of population; for it is these that labor legislation in technically undeveloped countries is mainly designed to regulate. The reader of such reports therefore often receives no inkling of the state of affairs over the larger area of wage employment. They must be brought into relation with ethnological studies and historical writings that take some less industrialized section of the population or the people as a whole for their theme.

For the future of the economic development and of the international economic relations of the region it is, of course, necessary to know something about that part of the population which may be said to make up its “working class” in the full meaning of that term. But if only the state of that small minority, its progress, and its problems, are presented, an erroneous idea of the labor situation for the country as a whole will be formed. It is precisely in the borderland between traditional and modern economy, between peasantry and full-fledged industrial “proletariat,” that most of the acute difficulties for an effective welfare program lie. Even if one were concerned only with postwar development of modern enterprise in Southeast Asia and the labor questions which it faces, it would still be necessary to understand the social and psychological background out of which spring the customs and attitudes of even the most advanced groups of wage-earners in this region. Therefore it seemed worth while to attempt at least a partial approach to this rather formidable task. The author chose the subject of personal servitude in its various mani-

festations for such an essay, because it seemed to him by far the most significant and revealing aspect of the larger inquiry. Out of that condition, and the growing awareness of it, arise many of those social discontents which under certain circumstances take the form of popular political movements. Such discontents and such movements are likely to grow during the period of post-war reconstruction; this is reason enough why they should be studied and why the soil from which they spring should once again be examined.

In attempting such a presentation, it seemed necessary to pay special attention to those social arrangements which at one time were much more widespread than they are today, and some of which—outright slavery, for example—have all but disappeared. For the memories of injustice and suffering are among those realities that cannot be ignored with impunity: they continue to affect social attitudes for many generations. Normally hidden below the surface, the fears and hatreds of population groups formerly oppressed reappear in moments of crisis and assume an intensity that baffles the administrator and the student. The author hopes that his intention will be understood. Wherever he could, he has underlined the progress already attained under enlightened governments from the evils of traditional despotic social systems and from the horrors of the early colonial era to the humanitarian and liberal principles of labor relations now universally adopted in the civilized world. It would be foolish to ignore that progress, not only because the truth is manifest but also because further advances in welfare policy, while democratic labor organization is yet in its infancy, depend on the courage and unimpeded effectiveness of the forces which before the war had produced in Southeast Asia the beginnings of an industrial democracy. It would be unjust not to acknowledge the large efforts which legislators, public officials, industrial managers, labor leaders, research workers, missionaries, and publicists have contributed to this end.

This study was started during the war as one of several inquiries into labor conditions in Southeast Asia initiated by the International Secretariat of the Institute of Pacific Relations. It was completed and is published under the auspices of the American Institute of Pacific Relations. Although the author alone is responsible for all statements of fact and opinion contained in these pages, he wishes to acknowledge the aid received from both. Likewise, without wishing to claim their authority for his interpretations, the author expresses his gratitude for information, "leads," advice, and criticism of his manuscript to Professor Rupert Emerson, of Harvard University, Dr. Karl J. Pelzer, of the Department of Geography, Yale University, Dr. Virginia Thompson, Mr. Wilfrid Benson, Chief of Dependent Territories Service, International Labor Office, and Professor Ifor B. Powell, of the University of Wales.

Never having dedicated any of his writings to his wife, the author also wishes on this occasion to acknowledge his indebtedness to Margaret Ward Lasker, who, through many years of joint concern in social problems, always has led him to focus his attention on the pains and perplexities of real people.

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Memories and Remnants of Slavery

SLAVERY has been legally abolished throughout the world. But evidences of its continuance are recent; it survives in many places and in many forms. Such old institutions do not at once disappear when they have become repulsive to the conscience of the world. There are three reasons for this. Under weak governments, law does not penetrate to the more remote regions or to the hidden corners of the social structure. When famine threatens to kill off the strong as well as the weak, the sale of children has in many civilizations been deemed justified by necessity and still is so regarded by some tradition-minded people. In every land there are scoundrels who will take advantage of misery and allow no moral scruples to stand in the way of a traffic if there is a profit in it. Moreover, a legal prohibition which seems to mark a catharsis in social morality does not necessarily reflect an actual change in social outlook. The ideals proclaimed by the French Revolution led to the adoption of new concepts of human liberty throughout the civilized world, but the phraseology of the new laws and constitutions which it generated often remained a thin veneer beneath which old social relationships and attitudes continued to determine behavior.

By slavery, as distinct from other forms of bondage, is meant the ownership of one person by another or by a social institution, involving the right of disposal by gift or sale though not necessarily by violent death. As in other parts of the world, so in Southeast Asia, it has been accepted through the ages as a necessary part of the social order, and elaborate cultures have developed from the division of functions in society which it made possible.¹ Its abolition is recent and has in almost every instance resulted from outside pressure rather than internal revolt. Since much of the region is undeveloped and lacking in means of communication, that abolition—along with other prohibitions, such as that of headhunting—has been difficult to enforce.

It is important at the present stage of world cooperation for social ends to remember that progress cannot be uniform. For geographical reasons alone, if for no others, some areas will be in the front and others lag behind in the movement for reform even though a uniform rate of advance may hopefully

have been agreed upon. We must reckon with differences in degrees of civilization that have been reached, not as determinants of future progress, or the lack of it, but as conditions calling for measures of different sorts in different places. The social history of Southeast Asia shows that neither the physical environment nor the innate qualities of peoples suffice to explain the standards of social conduct they have reached. Some groups have with seeming ease jumped straight from a primitive mode of life into an almost full participation in world thinking and world economy. Others, which for centuries have enjoyed a much higher culture, somehow fail to adapt themselves to new conditions. Neither backwardness nor relative advance, neither abundance nor scarcity of natural resources insures freedom or produces stagnation and dependency.

Only one condition seems to be present wherever human bondage survives in any form. Always there lies back of it a history of war and conquest. Once again, in our day, war with its fears and hatreds has made peoples contemptuous of each other and made some men willing to assign other men to a subhuman kind of existence merely because of their group belonging. Without that contempt, without that disregard of the elementary principles of all our world religions, slavery is unthinkable.

In every part of Southeast Asia we see communities living from hand to mouth and close to privation, yet enjoying harmony and equality within the tribe. The region also offers examples of ethnic groups which in one situation cringe before those superior to them in power but in another are independent, well able to take care of themselves—perhaps even inclined to look down upon and to oppress weaker groups. Slavery is but one of the disabilities which sociologists have found to occur in similar patterns throughout history, wherever war and conquest have distorted normal human relations. Where there is slavery there is also likely to be a class structure which assigns social status in accordance with ethnic origin; women tend to be subordinated to men; a warrior class imposes its moral code upon the society as a whole; land ownership and the control of man power are concentrated in the hands of an aristocracy.² Slavery does not occur as an isolated phenomenon but within a social complex which nearly always can be traced to war—whether within living memory or in a distant past. Even when other causes of enslavement are present, the predisposition of a society to tolerate conditions of slavery stems from war.

What are these causes? Taking Southeast Asia as a whole, with all its diverse populations and social circumstances, there were five main ways in which individuals might become enslaved: (1) capture in warfare, including inter-tribal feuds; (2) condemnation for crimes; (3) raids, both by pirates and by professional traders, and subsequent sale; (4) sale of dependents, usually of children by their parents—or in the case of orphans by the head of the family

—but sometimes of whole tribes and village communities by their lords; (5) indebtedness. The last-named cause, although by far the most potent in recent times, does not go very far back since it attaches an importance to private property which it did not have in primitive societies. Moreover, "slavery" for debt is not in principle permanent but may be liquidated if the bondsman can manage to pay what he owes or have it paid for him. We shall therefore consider it in a separate chapter as a form of involuntary servitude that is distinct from slavery as here defined.

Tribal wars were still common enough a generation ago to account for the—often unadmitted—presence of slaves in the more backward parts of Borneo, Celebes, the Moluccas, Mindanao, Upper Burma, Laos, and Cambodia, and possibly also in other parts of the region.³

Here and there in Southeast Asia, as we shall see, the institution of slavery survived almost to the present day as a residuum of even more primitive conditions. In earlier times, as far as we know of them, captured foes were slain; with an appropriate ritual, their blood, their hearts, their brains, or other parts of their bodies were eaten to transfer to the victor something of the victim's vitality and courage. When captives were preserved and led away, it was either for the purpose of serving similar rites on a later occasion, to be a sacrifice to appease an unknown spirit or to please a defunct chief in another world, or to replenish a population dangerously depleted by war. Where feuds were frequent, there were many childless families, and to these gifts might be made of captured women and children. A more advanced planning reveals itself with the retention of adult male captives to serve the chief—that is, the whole community—as a military and labor reserve.

From the assumption that captives in war have forfeited their lives derives the widespread custom in primitive society of regarding one who has offended against the laws of the tribe in the same way as one who may either be condemned to death or, if his labor can be utilized, be permitted to work off his indebtedness through lifelong servitude. Where the general standard of living is very low, the treatment of slaves is usually not different from that of secondary wives and adopted children. The reports summarized in the following pages often express surprise concerning the mildness of that treatment in primitive communities.⁴ Under more advanced conditions of economy and social stratification, the economic exploitation of slave labor is correspondingly more frequent. This is the case, in Southeast Asia, as regards those recent remnants of slavery which had their origin in a demand for slaves as an article of commerce, a demand met by raids and a holding of markets at stated times in stated places. Such a demand existed in early historical times but did not become extensive in Southeast Asia until Chinese and Arab trade had gained access, directly or indirectly, to defenseless indigenous populations.

Since piracy has again raised its dragon head since the collapse of the

Japanese navy, it may be well to consider briefly the relation between that nefarious business and slavery.⁵ Sir Thomas Stamford Raffles in 1811 drew attention to the close connection between piracy and the slave trade. He found that Arab traders were taking advantage of the slave-hunting proclivities of Bugi pirates in the Celebes Sea and elsewhere. At times the Arab merchants and mariners promoted raids which furnished human chattels for the market of Africa and China; trade routes came to be established that have lasted far into the nineteenth century.⁶ A British student of the subject wrote in 1849:

When we consider that each pirate prahu carries away on an average about twenty captives into hopeless slavery, and that the number of these prahus, at a very moderate calculation, amounts to several hundreds in the Archipelago, every humane and reflecting mind must be shocked at the extent of this crying evil and its most unhappy results. When we further consider that no single island of the entire Archipelago has been clear from the descents of the pirates, we may judge how formidable is the system. The coasts of Java, Sumatra, Borneo, Bali, Lombok, Celebes, New Guinea, the Philippines, and other smaller islands have each experienced this terrible scourge. . . .⁷

Although there are few historical records, it is possible to reconstruct the origin of coastal communities reputed to engage in piracy as part of their traditional livelihood. The Chinese pirates of Kwangtung and near-by islands evidently are descended from a population group in that province or in Kwangsi that was dislocated by a successful imperial military campaign against rebellious provinces either in Ming or in early Manchu times—the same dislocation that has given the Pearl River delta its landless and until recently almost rightless boat people. The pirate communities that infest the Strait of Malacca and adjacent seas are descended from defeated, warlike Malay tribes, first in Sumatra and later also on the Peninsula. These settled in small groups in the mangrove swamps of the river mouths where they were almost safe from attack, since it took intimate local knowledge to reach these settlements; and there for two centuries they were able to defy sizable European naval forces. Robert Heine-Geldern believes that these Proto-Malay settlements originally were composed of peaceful fishermen who acquired a taste for piracy under alien tutelage. "More especially their enlistment in war services by their Malay and Bugi overlords," he says,

must have played a part in this. But not only their princes and sultans have made such use of them; occasionally also individual pirates and alien pirate groups combined with them and used them on their raids. Thus the Orang Rayat of Johore often made common cause with the pirate fleets of the Lanun of Borneo and Mindanao; and the Biadju of North East Borneo rendered auxiliary services to the Moro of the Sulu Isles.

Moreover, Malay, Bugu and Chinese pirates often settled among the Orang Laut

[that is, the descendants of Proto-Malays who had adapted themselves to river and coastal life] and at times, by marrying a chief's daughter, secured leadership of the community.⁸

It would be a mistake, he adds, to regard these pirate communities as chance aggregations of riffraff flocked together from various places; they have retained much of their original character. He also notes a peculiar reciprocity which seems to show that piracy results from a combination of circumstances and does not belong to any one particular culture. That Papuan slaves from New Guinea have been carried off by Bugi and Malay raiders who sold them not only in Celebes and Borneo but also in more distant markets, is well known. But it is also a fact that Papuan pirates from New Guinea have settled among Malay populations—chiefly, of course, in eastern Indonesia; and this accounts for Papuan features occasionally found in Malay coastal communities.⁹ Pirate communities on the coasts of Borneo and Celebes, on the other hand, and distributed over many of the smaller islands of the Celebes, Molucca, Ceram, and Banda seas, are residues of invasions.

Almost nowhere, except in the Philippines, was agriculture close to the inlets and river mouths sufficiently well advanced, when these settlements took place, to motivate a permanent subjection of the local people and of their lands. Raids were for loot and for slaves, and it was more profitable to export the slaves than to employ them in the settlements themselves because it was too easy for them to get away into the jungle-covered hinterland. However, a certain number of slaves were needed for manual work and to man the boats. Because of sales overseas and a high death rate caused by unaccustomed exertions demanded of these simple jungle dwellers, there was a large turnover, and the raids extended farther and farther, not inland but to other coasts and islands. In some instances this led to the establishment of new settlements, in others to the crystallization of the slave trade around particular markets and depots for further distribution. A glance at a map of the Western Pacific will show why, in the course of centuries of growing specialization, the Sulu Islands were destined to become the most important slave mart in the whole region. Even in the beginning of the nineteenth century, when Sir Thomas Stamford Raffles sent an agent to investigate the traffic, it was still the institution of slavery rather than material booty that gave its special character to piracy in the East Indies. Indeed, that agent and others reported that the prices of material goods, such as rice, silk, the purchase-price or rent of boats, were often given in numbers of slaves, who therefore served not only as chattel but also as currency.¹⁰

Some apologists for the Malays maintain that piracy and the cruelty of disposition associated with it result from historic circumstances rather than innate character. Like the Iban, or "Sea Dyak," of Borneo, the coastal Malays

of the peninsula, they say, were probably the offspring of Buginese mariners or Atjehnese warriors, brought there, from Celebes and Sumatra respectively, some three hundred years ago by Arab merchants and pirates. With little opportunity for other modes of livelihood, the descendants of these conscripts, according to such accounts, themselves turned to piracy.¹¹

Sir Frank Swettenham believed that the small Malay population which Sir Stamford Raffles found, with a sprinkling of aborigines, on the island of Singapore in 1819 made their living by piracy. Nor were the early British officers able entirely to suppress it. For twenty more years, the records show measure after measure taken to cope with it and with the capture and sale of women and children incidental to it.¹²

Two aspects of piracy, as it was experienced especially in the seventeenth and eighteenth centuries, need to be distinguished: the organized attacks on shipping, primarily in quest of loot but also often prolific as a source of slaves who, when not needed to propel the pirate ships, could be sold at lucrative prices; and the invasion of peaceful villages and small towns by fleets of smaller boats with slave-raiding as the main purpose. The South China Sea was unsafe even for European and American shipping until far into the eighteenth century.¹³ Prahus almost a hundred feet in length with double rows of oars needed a frequent replenishment of captive man power but at times also, after a successful expedition, realized upon their human cargo as part of the salable plunder. Malay and Dyak pirates operated from the Sulu Islands, from Sumatra, from Borneo, and from the western coasts of Siam and Malaya. One of their trades was the supply of man power to the Achinese and other small rulers who through frequent wars and tribal raids suffered from the depopulation of their domains.¹⁴ As will be shown in more detail below, they went far afield and already had established regular collecting centers and markets when, under the impact of European and American trade demands, the uses for slave labor among the potentates of the region reached new heights.¹⁵ The argument has repeatedly been used that there can have been little slave raiding in the area between North Borneo, Mindanao, and the Straits of Malacca before the end of the seventeenth century, since William Dampier does not mention it in his famous diary.¹⁶ But there is evidence enough that it goes back to much earlier days. When Portuguese and Spanish ships first came to these seas, the very distribution of population and the construction of towns were testimony to the unsafety of peaceful settlements on the coasts and on the banks of navigable rivers. Piracy and inland raids supplemented each other. The enslavement of large numbers helps to explain the ease with which in pre-European times capital cities have repeatedly been moved in Burma, Siam, and Annam. In many of these instances, a substantial transfer of war captives followed fluctuations in the fortunes of war. They and

their descendants not only built new fortified cities but were settled to produce food and, in some instances, to develop flourishing industries.

Swettenham tells of a Malayan community, Larut, which in modern times was reduced to wilderness by "pirates, robbers, and murderers" from being a thriving center with twenty or thirty thousand inhabitants, with an annual revenue of \$200,000, and with hundreds of substantial homes.¹⁷ Similarly, it was in modern times, after the capture of the Burmese in 1568, that Ayuthia, one of the greatest medieval cities of Asia, was reduced to insignificance—not so much by the rasure of its fortifications as by the removal of its population.

The institution of slavery, then, in Southeast Asia as in other parts of the world, had more than one root. It originated with the first division of labor in aboriginal tribal society, when it was discovered that a more profitable use could be made of prisoners than to kill them.¹⁸ It became legally defined and conditioned with growth in landed property, with the transformation of tribal into semifeudal relations, and with the substitution of large-scale war strategy and population policy for intertribal skirmishes. It reached its highest development under the domination of nonindigenous civilizations.

Distinct from the general traffic in slaves is their use to extract mineral wealth from quarries and mines. This has a long history, apparently in every part of the world. The back-breaking labor held no attraction for free men. And since the seats of high civilizations were usually situated on fertile plains rather than close to the outcroppings of mineral ores, that labor had for the most part to be carried on far from the security and comfort of highly organized communities. It was natural enough to employ war captives on the irksome and dangerous toil of extraction. But the supply of such captives gave out; and so on the outskirts of both the Roman and the Chinese empires there developed a commercial labor supply based on raids. Nearer home, criminals were condemned to work in the mines; but it was not deemed safe to permit large aggregations of lawless elements where they might become troublesome or to withdraw too much man power from other employments.¹⁹

In Southeast Asia mining as an industry does not seem to be indigenous, though small quarries, mines, and even oil wells have been in local use from the oldest recorded times. The industry was almost certainly developed by Chinese previously engaged in similar operations on the Chinese side of the border. At any rate, it was the advent of Chinese—later also Arab—traders that made mining a profitable export industry to which the rulers consigned war captives as opportunity and need arose. When this source of supply was not available, convicts were condemned to work in the mines, or "rebellious" tribespeople were kidnaped and sold to the operators.²⁰ H. G. Quaritch Wales tells of "strange primitive tools" found in old shaft workings along

that tin-bearing range which stretches from Burma through Siam into the Malay Peninsula. Manacled human skeletons discovered in a Burmese shaft he attributes to an ancient chain gang.²¹ In view of much evidence that Chinese entrepreneurs worked tin and silver mines in this region many centuries ago, and of the recent domination by Chinese of mining in the northern Malay states, it is almost certain that these old workings must be attributed to Chinese enterprise. But unless the skeletons were measured it remains uncertain whether they belonged to indigenous or imported mine workers.²²

Even in the northern and eastern parts of Southeast Asia, the expansion of Chinese mining enterprise was a peculiar and historically unusual cause of slave exploitation. In much the greater part of the region, it was the spread, first, of Hindu and, then, of Islamic conquests that converted the more primitive forms of servitude, already firmly established, into a commercial traffic in human beings. Because it saved the war prisoner from death and, by assigning to him the most menial work, alleviated the lot of women, slavery under these two great religious systems has often been considered a boon, the more so since in the course of time it persuaded men of the value of steady and planned productive work. But in all civilizations the essential cruelty of enslavement was recognized when the great majority of slaves no longer were members of a hated enemy group but had inherited their status or been commercially procured.

Under Hindu rule, serfdom rather than enslavement and transplantation was the typical lot of the conquered.²³ Though captives might be given away in large numbers, there was relatively little trade in them. Only with the advent of Arab and Indian shipping as an important means of transportation did the slave trade become a major instrument of economic exploitation through colonization and the production of mercable products. Because of the growth of slavery under the stimulus of trade it is sometimes falsely assumed that inhumanity is a particular attribute of Moslem civilization. This is far from being the case. The Koran is more explicit than the Bible concerning the treatment of slaves, while both accept it as a traditional element of the familiar economy.²⁴ Soon after the death of the Prophet, war against infidels became a religious duty, and it was prescribed that the women and children of defeated enemies should be sold into slavery. But the humane treatment of slaves was provided for in the Koran, and manumission was encouraged.

In principle, the master who mistreats or neglects to support any of his dependents is subject to ostracism and punishment. Nevertheless, it was under the Koran—and later under the Bible—that "labor" in Southeast Asia became a commodity necessary to economic enterprise, and that the slave, when not engaged in domestic services, was often treated impersonally with about the same regard for his welfare as a prudent farmer might have for his livestock.

It is perhaps significant that in the traditional, precommercial sectors of Southeast Asian society the captive and the bought slave still retained, as will be shown below, a considerable degree of recognized personality, and that public opinion did not permit his mistreatment. As in ancient Greece, slaves often attained to reasonable prosperity, and their children came to be assimilated in the free membership of the tribe. In the more advanced sectors of that society, both custom and written law regulated the mutual rights of slaves and masters.²⁵

Having said this much about the effect of Hindu and Islamic conquests on the institutions of human bondage in Southeast Asia, it is only fair to add that according to some authorities the Christian impact—or rather the influence of nominally Christian Europeans—has been no less marked. Thus, the Court of Directors of the East India Company received a minute in 1774 from the Governor in Council of Bengal to the effect that the practice of kidnaping children and selling them as slaves had increased since the establishment of the British Government (that is, since the middle of the seventeenth century).²⁶ Large-scale modern enterprise throughout the region has, as we shall see in later chapters, created a demand for cheap and unattached labor, of which unscrupulous persons have taken advantage by supplying man power through means not sanctioned by any of the established moral codes.

E. D. Morel, though he speaks mainly about Africa, goes so far as to say that, though there has long been slavery, the slave *traffic* which revolted the human conscience in the nineteenth century came into being only with the Portuguese world conquests in the fifteenth century and reached its climax when the Spaniards, the British, the French, the Dutch, and others had followed suit and built up colonial economies based on slave labor.^{26a} He mentions in passing that with the Europeans, too, as with the Moslems, the subjugation of pagan peoples was at first partly motivated by a religious concern. As we shall see, this certainly was an important element in the *encomienda* system which the Spanish Crown established—first in the Americas and later in the Philippines. But the economic interest which soon dominated all other interests was not the same. The Arabs wished to settle among conquered populations to exploit them and so exercised over them a despotic but not usually a cruel rule. The *conquistadores* were more destructive in their operations: intent only on loot, they pillaged the land, and their successors carried people in large numbers off to places, far from their homes, where without a decent cultural life of their own they would produce for the alien government the commodities it desired. Even when he stayed, the European never made common cause with the people but undermined their initiative and reduced them to a state of abject servitude.

Insofar as Hinduism, Buddhism, Islam, and Christianity influenced the religious beliefs and moral attitudes, they unquestionably strengthened the

natural tendency of simple peasant peoples to regulate their conduct toward their slaves in a way most conducive to social peace. There were easy transitions from one form of bondage to another. The son of a freeman and a slave woman might be entirely free, yet with a slight blemish on his status. The son of a freedman also might be free, yet under an unwritten law bound to his father's master as a "client."

Although slaves were exported, Southeast Asia does not at any time seem to have been a scene of slave hunts as large as those conducted in East Africa or in Melanesia. More often, enslaved coastal Malays were part of the Arab merchantman's labor supply. Thus, one writer refers to the presence of a Malay population of 16,000 in Cape Colony as a result of the old slave trade.²⁷ There is reason to believe that the Dutch East India Company, in its anxiety to provide a labor force for its establishments in South Africa, was not too scrupulous how it obtained at Batavia for shipment there crews of both Javanese and Chinese workers.²⁸ However, even before the Portuguese colonization of East Africa in the seventeenth century, large Malay settlements existed along the coast. Their racial and cultural impact still is discernible, especially in Zanzibar. The north coast of Australia, likewise, since early colonial days, has had a small Malay coastal population, the origin of which seems to have been voluntary immigration rather than forced colonization.²⁹

Lieutenant General Sir George MacMunn, shortly before the outbreak of the Second World War, made a survey of slavery throughout the world and came to the conclusion that slavery, in an exact meaning of the term, no longer existed anywhere under the rule of a European power, although "there are . . . , in out-of-the-way pockets of the British and French Empires, certain customs and tenures of a slave nature, not necessarily unbenevolent, the prompt ending of which is politically inadvisable."³⁰

This officer, who served in India and Burma before retiring to write a number of ethnological studies, is not alone in making distinctions among the degrees of inhumanity shown by different forms of slavery. The term is often loosely applied to all forms of bondage but in the present context is used to imply actual ownership.³¹ Slavery, in the strict meaning of the term, still does exist in China and, indeed, shortly before the war, during a period of widespread economic distress, had there once again assumed large proportions.³² In Japan, likewise, the ancient practice of selling children into bondage in times of dearth survives under the thin veneer of modern civilization.³³ European folklore contains reminders that the sale of children under extreme distress is by no means limited to Asia. R. H. Barrow, in his work on *Slavery in the Roman Empire*,³⁴ tells us that the practice of relieving poverty in this way was not only legislated against by one of the Antonines but must have persisted in the empire through the centuries. He adds, quoting Philostratus and Tacitus, that the Phrygians saw nothing shameful in selling their children

into slavery, and that the Frisians revolted against an intolerable burden of tribute payments to the empire only after, to meet these exactions, they had sold their lands, their wives, and their children.

There is evidence, not only from Europe and eastern Asia but also from many parts of southern Asia, that over long periods young slaves were a favorite article of trade. They were acquired for domestic and outdoor services, to be trained in useful skills, to serve the pleasure of their masters, or simply to add to the owner's prestige by making up large retinues. According to the prevalent demand, the reputation of their race, and the circumstances of the traffic, the fate of the juvenile slaves might vary all the way from the horrors of the salt mines to the relative comfort of servitude in a household where their treatment was similar to that of the children of secondary wives. It was thus that the traffic in slaves—as distinct from an occasional sale within the confines of a single community—became so important a part of world trade that it is mentioned as such in the annals of most of the advanced countries of the ancient and the medieval world.

Within living memory, the trade in slaves was a reality and a burning issue in international politics, not only in Africa but also in Melanesia.³⁵ According to John H. Harris, nearly half a million slaves in these regions had been set free within twenty years of the time at which he was writing, 1933.³⁶

Perhaps the most convincing proof of the recentness of slave raids in many parts of Southeast Asia is the enmity shown by certain population groups toward strangers, a trait in striking contrast with the friendly attitude of the great majority of Indonesians.³⁷

Before turning to the specific evidence on the nature and history of slavery as it developed in the various countries of Southeast Asia, a few introductory words must also be hazarded on its economic aspects. In that connection we must, of course, distinguish between the parts which slavery, in this region, has played in the preindustrial era and, more recently, in modern capitalistic enterprise. As for the first, it may perhaps be ventured that a purely economic motivation can rarely be ascribed to the institution of slavery in the traditional social pattern. We have already seen glimpses of origins and later ramifications that have served a variety of purposes embedded in the culture, some of them remote from economic motivation. Only exceptionally, as in the supply of mines with a labor force, were men enslaved for an exclusively economic function. Indeed, it was easier in Asian society to levy tribute upon subject populations than to set them to work, under direct administration, on productive enterprises. The social harm and the social benefits of the institution cannot, therefore, be judged in terms of output and labor costs.³⁸

In theory, the employment of slave labor becomes economically significant in a capitalistic regime where it may vie with, and even replace, the employment of free men. Actually, the part which slave labor has played in the

capitalistic exploitation of Southeast Asia has never reached a point of economic significance. It was, indeed, the abolition of slavery that turned the great plantation industries from the Americas and the West Indies to an as yet unexploited part of the world which combined the advantages of cultivable land in large areas, a climate helpful to rapid growth, and a seemingly inexhaustible supply of cheap labor. As has often been said before, it would hardly have mattered if labor had cost a little more. Vast fortunes were drawn from the region, in spite of the not inconsiderable cost of subjecting these areas and holding them. As in pre-European times, the Portuguese, the Spaniards, the Dutch, the Chinese, and other colonials found it convenient in the sixteenth, the seventeenth, and the eighteenth centuries to maintain slaves for a variety of purposes. But there seems to have been no difficulty in switching over to the employment of nominally free men at the very point in the development of the colonies when profit ceased to come mainly from a collection of native products and instead came from productive labor on crops recently introduced and cultivated in large plantations. Slaves, it was found, had been a luxury: they had to be supported whether efficient or not, in sickness as well as in health, in old age as well as in the prime of youth. As long as wages could be held down to a subsistence level, the paid laborer cost no more and involved less responsibility. He might even produce more since the employer had no economic interest in safeguarding his health.³⁹

We are in this chapter concerned, then, with an institution that has left deep marks upon the social customs and attitudes of various peoples in Southeast Asia but has not influenced the region's present economy to an extent comparable with the impact of the traditions and institutions to be considered in later chapters.

INDONESIA

The conditions which have obtained at various times among the peoples of Indonesia are especially well documented. Studies made in the archipelago by Dutch and other European scholars are not only profuse and thorough but, because of the insight they afford into the thinking, practices, and customs of population groups in various stages of cultural growth, can probably be held to apply also to other societies of mainly Indonesian or Proto-Malay origin. Many of these studies have been systematically summarized in an inclusive ethnological survey.⁴⁰ Originally connected with head-hunting, the taking of slaves was primarily for the purpose of offering human sacrifices on the death of chiefs or other notables—that is, to provide them with servants in the hereafter. But a similar custom is apparently also to be found independently in primitive societies either where there is no proof that head-hunting ever was an accepted practice or where it lies far back in the prehistory

of peoples. The number of lives taken on such occasions never seems to have assumed hecatombic dimensions or, indeed, to have exceeded either a single slave or the equivalent of a modest household staff of persons. The ceremonial connected with the killing of these captive slaves was in strict accordance with prevailing beliefs. In some instances, preference was given to the killing of former warriors in the prime of life; in others aged and infirm aliens were purchased at a low price to serve the ritual purpose.⁴¹ In modern times even the slaves taken in raids appear for the most part to have been placed in the service of economically more useful purposes, in behalf either of individual owners or of the community as represented by the chief as its arbiter.⁴²

The great majority of slaves found or heard of in Vroklage's investigation were descendants of captives, either through a line of captives or through the intermarriage between captives and free persons. The rules determining the permissibility of such marriages in these tribes vary but are stringent. Similarly, an inflexible set of rules determined the ownership of the offspring of such marriages and the point in the chain of generations at which freedom was granted.⁴³

A freed slave or the free child of an intermarriage between a slave and a free person enjoyed every right of the other free members of the community; but even where that freedom was not attained, there often was no noticeable distinction in everyday life between slaves and free. No master would ever mistreat his slave.

A detailed description of the differences in the ways in which people became slaves and in the customary laws relating to their treatment, their gain of freedom, and the fate of their descendants would fall outside the scope of the present study. It may, however, be pointed out that in those areas for which adequate data have been collected it is often possible to recognize a relation between these customs and the basic social system as circumscribed by the group's history and manner of living. Thus, Loeb finds that "slavery was originally unknown to matrilineal Menangkabau, although it flourished in the patrilineal communities of Nias and Batakland."⁴⁴ Among the Batak, a rather strong development of the institution, until it was finally abolished in 1914, may possibly be connected with the greater impact upon them of Hindu civilization, although they, too, were a largely self-sufficient mountain people. More probably it was by some accident of history that the Batak discovered brigandage as a paying trade and added slavery to a complex feudal type of society, while the Menangkabau survived and prospered by spreading over a larger area and engaging in the arts of peace. The Atjehnese, again, definitely show the influence of Moslem civilization. They imported slaves—including those from surrounding countries, as well as Chinese women from the Straits and even Negroes brought as house servants from Mecca by Arab merchants

—and treated them humanely. Since under Moslem law the children of free men are free, the offspring of slave women were absorbed in the general population which now is racially very mixed.⁴⁵

J. Kremer, whose comprehensive work on Atjeh is one of Loeb's principal sources on this part of Sumatra, in his turn quotes Dampier, who visited Atjeh in 1688, to the effect that at that time the Atjehnese depended for all heavy work on slaves imported by British and Danish mariners from the famine-stricken Coromandel Coast of India. These Indians, he says, carried on what cultivation of rice there was—and this only enough to meet one-fourth of that consumed, the rest being imported. They also did all the deep-sea fishing and gold mining. No Atjehnese would carry any load if he could help it; if he had no slave of his own he would hire that of another, even if it was only to fetch the rice from a place a hundred steps away.⁴⁶

Kremer further emphasizes the *Herrenvolk* character of Atjehnese civilization by showing that marriage with slaves, though usually permitted under Mohammedan law, was practically unknown in Atjeh, and that children born of concubines were not accepted as on the same social level with the offspring of legal marriages, though this was usual elsewhere under Mohammedan law. Among the Gajo, even intercourse of a master with a slave of his own was illegal under the *adat* (customary law). Moreover, it may perhaps be regarded as indicative of a civilization which largely rested on militancy that the price of female slaves as a rule was higher than that of male ones: in the Gajo land, the normal price for a male was from thirty to sixty dollars, that of a female from forty to one hundred dollars.⁴⁷

In the district of Tempassuk, North Borneo, slaves had assigned to them fields and gardens which they cultivated for their own benefit. In case of delinquency, the master might beat his slave, but he might not kill him. If a stranger beat a slave he had to pay a fine to the owner. Both here and in other parts of North Borneo, it was permissible for slaves through trade or side occupations (usually the exercise of a craft) to make earnings of their own which sometimes they were allowed to keep for themselves but usually shared with their owners. In theory they could buy their freedom, but in practice this did not often happen. Attempts of slaves to run away were rare. Among the Kenya of Apo Kayan, slaves were allowed to collect rattan and fruit in the forest; but while freemen enjoyed this privilege without charge, slaves had to pay the chief one-tenth of what they garnered.

Interesting is the statement that among the Sea Dyaks or Batung Lupar it was sometimes the enormously high interest rate on debts contracted that forced tribesmen into slavery. For, as we shall see below, in Chapter III, it is the same monopoly of credit and the same rate of interest—100 per cent of the rice borrowed—which in much more advanced peasant communities of Java is sometimes responsible today for the virtual enslavement of debtors.

The proportion of debt slaves to hereditary slaves—that is, descendants of captives or bought slaves—seems to have been much greater in South Borneo. Here the debt slave and his family were not heritable. He had a right to one-tenth of the harvest and to any profit he could make through trade. In theory, at least, he could buy his freedom simply by earning and saving enough to pay his debt. Indeed, an elaborate ceremony was provided for in the native law to give the fullest publicity and public sanction to the manumission of such a man.

Another instance indicating the native origin of forms of involuntary servitude that still continue in much more advanced circles of Indonesian society was the custom in Pasir, on the southeast coast of Borneo, that a man enslaved for debt might transfer his allegiance to another master, provided the new owner would pay the whole amount of the debt he owed the old. On the other hand, a master could not sell a slave against his wish. Indeed, it appears that the status of this person was more that of a serf than of a slave. The master had a right to his labor; but the servant could pay his debt in installments and in order to do so might with his master's consent work elsewhere and divide his gains with him. Sometimes such a slave or serf, unable to find anyone to pay his debt to an individual master, usually a wealthy tribesman, could get the head of the community or chief of the tribe to take him over. In so doing he would seem to have changed his status from that of a serf in the usual meaning of the term to that of a helot, who though he may be assigned to work on privately owned land is bound only to the community as a whole. This arrangement could come into being, however, only because in such groups as the Bahau and the Kayan all captives belonged to the chief as representing the tribe, and among some of the Dyak tribes were recognized specifically as property of the whole tribe. In some groups, slaves though in individual ownership owed an obligation under customary law to perform certain work for the chief.

On the island of Timor, likewise, the institution of slavery, though distinct from other forms of servitude, was conditioned by them and linked with them. A prince would be able to rely for his revenue on the harvest-shares and other taxes imposed upon his free subjects, or he might dispose—as in some of the Belu states—over a sufficient number of domestic and state slaves to reduce to a minimum his dependence on the freemen. The state slaves were either war captives or persons condemned for crimes; the domestic slaves usually were born into slavery. There were also temporary "debt slaves." All these classes intermingled, and all classes of slaves could be and frequently were absorbed by marriage into the society of free men, except for the higher nobility. Considerable miscegenation took place even while the class divisions were rigidly observed, since the children of slave mothers usually were acknowledged by their free fathers.

A complicated system of obligations that rested on the community of freemen took for granted their disposal over the labor of unfree persons even when slavery as such was no longer recognized. A lay administrator or *fetor* (probably from the Portuguese term *feitor* or *factor*) was interposed between the subjects and their sovereign and sometimes managed to divert a considerable part of the impost for his own benefit. Largely because of this burden, well-to-do families continued, and perhaps continue to this day, to have the heavy field work performed by dependent workers whose remuneration consists in their keep and an occasional gift in kind but no money wage or an exceedingly small one.⁴⁸

In Celebes, Vroklage found the same types of slaves as in Borneo, with a greater predominance of persons enslaved for debt. This was in contrast with the Moluccas, where apparently such slavery as still existed in recent times—and it was by no means common—was predominantly a result of tribal wars, raids, and trade. From New Guinea, which does not enter into Vroklage's study, there still was not long ago a limited but lively illicit sea-borne slave trade.

The complexity of slave-holding traditions in Malaysia was observed when they still widely prevailed by Louis de Backer⁴⁹ and by William Marsden,⁵⁰ authorities quoted, with others, by Charles Jean Marie Letourneau⁵¹ to show that the gradations among outright ownership and various forms of serfdom were many, and that, because of the interactions of these forms, it was possible for servile classes to survive in spite of the abolition of slavery, especially in Celebes, Timor, and among the Batak of Sumatra.⁵² Thus on Sawu, a small island south of Flores, members of a former slave class at the time of Captain James Cook's visit⁵³ a generation or two later were alienable only with the soil; that is, they were serfs rather than slaves, and the owner no longer even had the right to chastise them without permission of the rajah. Among the Batak, on the other hand, all forms of actual slavery survived until quite recent times: those captured in war or hunts were more in the category of chattel; those born into slavery, condemned to slavery for crime, or fallen into that state through indebtedness still were "persons" with recognized rights.

De Backer points out that even these categories did not exhaust the various degrees of bondage in Batak society. There was no absolute contrast between "slave" and "free," but many other groups and individuals in that society were only partially free, being permanently subject to the head of a household, for example, or temporarily "belonging to" a creditor with whom the debtor, while his condition lasted, might live in a state of complete servility.⁵⁴ Marsden explains the coexistence of diverse forms of bondage in Batak society by the fact that under the *adat* the slaveholder's rights were held in check, so that the ordinary freemen preferred to have the work done by dependent relatives or by debtors—whose continued service was assured by the law that if they fled

members of their family could be forced to replace them.⁵⁵ Moreover, the Batak owner's rights were limited. He was entitled to all the slave produced or acquired (even by theft), and the slave had to do the work ordered by the master. But the owner was obliged to feed and clothe the slave or give him time enough off to meet these needs. When the slave was fined, his owner had to pay the fine. He was even on occasion publicly censured for overusing his rights over unmarried female slaves; and once in a while public opinion forced him to relinquish a woman who had become his property only through a liaison with one of his slaves. If the freeman's marriage was dissolved for any reason, he was obliged to return to his "in-laws" the slaves brought by his wife as part of her dowry—or others of the same estimated value.⁵⁶

Although slavery in the Netherlands possessions has been outlawed since 1860,⁵⁷ its continued existence among the Batak was vouched for also by J. von Brenner.⁵⁸ H. J. Nieboer has classified all the evidence in existence at the turn of the century and displays an astonishingly long list of "positive cases" recorded by reputable witnesses.⁵⁹

Slavery among the Menangkabau of Central Sumatra certainly was a result of Hindu conquest, since it could not have arisen under the old matrilineal system of society and was, in fact, no part of the general economic system but only provided labor for the chief.⁶⁰ In addition to Loeb,⁶¹ it is possible to cite on this subject a German ethnologist who spent some time on the Rokan River in 1907. At that time there still were 228 slaves in the Rokan states who were shortly to be set free.⁶² As will be shown below (p. 77), slavery here was closely associated with lack of caste or "uncleanliness." The treatment of these slaves reflects the origin of their degradation as penalty rather than a result of capture in war:

The often draconic punishments inflicted for crimes were usually commuted to money fines, and when these could not be brought together, by enslavement of the convict. Such slaves came into the power of the Rajah as also did children born out of wedlock. For these classes of slaves as well as for those bought and inherited, the Dutch government had fixed a redemption price of 30 gulden, and those under six years 20 gulden. The slaves usually did not live in the houses of their masters and owned cultivable land and other property. But their masters had full rights of disposing over their persons. Slaves without property who cannot pay the purchase price must serve their masters for a period equivalent to the monthly payment of fl. 1.50 until the whole price of their self-redemption has been met.⁶³

It has been pointed out that "in the little, independent states" of Menangkabau "a chief's power depends upon the number of his slaves, who till his lands and strengthen his forces in warfare."⁶⁴ We find here superimposed three methods by which the nobles could obtain the inexpensive man power of which they felt in need: the ancient enslavement of war prisoners, the Hindu-introduced subjection of a despised and rightless class of pariahs, and the full

use of legal and economic power to bring free but poor tribesmen into a state of servitude. Conviction for crime was one such instrument of power; enslavement for debt—to anticipate a fact pertinent to the subject of a later chapter—was another. There were also, according to Moszkowski, in slavlike dependency on the rajah those who, unable to make a living as freemen, voluntarily subjected themselves to his virtual ownership in exchange for protection and support, and those who had lost their freedom by marrying slave women. Their numbers were further augmented by the children of such marriages, who also were slaves, though the grandchildren were free. The usefulness of such ownership appears from the fact that all these slaves seem to have been treated quite leniently. When peace became more certain under the assumption of larger police authority by the Dutch rulers in this outlying part of their empire, there was little desire, apparently, to continue the system; the Government was able to set the remaining slaves free with transactions of purely symbolical significance. A token payment of fl. 5.00 legally dissolved the bond between master and servant.

The reader may have observed that the testimony thus far offered girds the central island of modern Indonesia and the seat of its government, Java. The reason is that Java has for so long been under the domination of foreign culture systems that little of its original customs remains. Hindu civilizations, beginning about 500 A.D., disrupted the quasi-democracy of the old Malay tribal society and introduced at least the rudiments of a caste system. It subjected the masses of the people to the rule of a hereditary aristocracy and thereby made slavery superfluous. The conquest of Islam in the thirteenth century dissolved the caste system but substituted for it another quasi-feudal social arrangement in which again a nobility secured rights over the life and labor of all the common people. (Many of the older Hindu aristocracy fled to the Outer Islands and there continued their characteristic civilization, which today survives in its fullest form on the island of Bali.) Only after Portuguese and Dutch officers and merchant princes had set the example of surrounding themselves with large staffs of imported slaves, did some of the Javanese sultans and lesser nobles follow suit. The law which governed the status and treatment of these slaves, as Nieboer points out, was Roman-Dutch and not Mohammedan law.⁶⁵

Vroklage does not believe Mohammedan rule in other parts of the Indies either to have been responsible for a great increase in slavery. With their conquest, whole villages were reduced to a subject state, but the distribution of the burdens imposed upon the population was in conformity with its previous class division. He quotes P. J. Veth⁶⁶ in support of his contention that even in the matter of purchase of concubines the native custom rather than Mohammedan law prevailed. Vlekke leans to the view that under Mohammedan rule slavery increased—"it was more common in the completely

Islamized Bantam than in the empire of Mataram, where the old traditions were much stronger"—but perhaps only because of increased trade and debt-bondage.⁶⁷

Of course, Indonesian civilization itself was superimposed upon more primitive aboriginal tribal systems and, in some of its aspects, seems to have retained the characteristics of a regime of conquest. Nieboer refers to evidences of an early importation of slaves from New Guinea⁶⁸ and even from Africa.⁶⁹ In the remoter parts of Sumatra and Celebes, more especially, which the Dutch administration did not penetrate until late in the nineteenth century, vestiges of slavery have been reported by many observers.⁷⁰ For example, the Toradja people of the central hill country of Celebes were continually hunted by the vigorous Bugi. On the smaller islands, such as Bali and Lombok, even more than on Java, the traits and forms of organization pertinent to any one stage of their cultural development have, in the course of repeated conquest and continuous foreign relations, so merged with those of others that any attempt to separate the remnants of aboriginal from imported elements gives rise to controversy.⁷¹ Alfred R. Wallace reported in 1879 about the Moluccas:

Slavery has long prevailed in these islands, and . . . by means of piratical fleets, slaves have been brought from the remotest parts of the archipelago. The Ternate and Goram people are great traders to New Guinea, and Papuan slaves are very common.⁷²

It would be a mistake, then, to regard slavery as an institution peculiar to native Malay culture and abhorrent to the mores of other contemporary civilizations. The institution undoubtedly has its native roots and was later reinforced, even reintroduced, by oriental traders, especially Chinese, who transplanted to the *Nan Yang* social relations long current in their own country.⁷³

During the period of colonial expansion slavery was also introduced by European traders as a means of providing themselves with a cheap labor supply. Enough has been written about the infamy of the slave raids, the laments of the innocent captives, their appalling death rate on voyages in unsuitable and insanitary vessels. Books have described the demoralization of Europeans who acquired wealth and ease at the cost of so much suffering, though less has been said about the moral rectitude with which other Europeans of an earlier generation stood up for standards of conduct not too different from those they had been taught in childhood.

Often quoted as a well-documented example of the character and unforeseen results of slavery as a deliberate policy to insure a labor supply, is the colony established by the Dutch East India Company on the Banda Islands, a group of the smaller Spice Islands, just south of Ceram. Here in 1627 the Dutch, after their victory over the Portuguese in 1609, divided the lands of a once

prosperous peasantry among those of their own who wished to settle there. The enclosures or "parks," as their estates were called, were held in freehold, provided the new owners delivered the entire nutmeg crop to the Government at a fixed price. The park proprietors, or *perkeniers*, had to import rice from Java to feed their Bandanese workers, now reduced to peonage. After a time they discovered that it was cheaper to substitute a diet of sago. But this is much less nutritive, and the population died off rapidly from overwork and undernourishment. The descendants of the original European settlers therefore resorted to the importation of slaves, and raids took place in the neighboring island chain of Sangir and farther afield. Some were brought from as far as Arakan on the west coast of Burma.

A similar policy was pursued on Java and other islands with an intensified production of export crops.⁷⁴ As a consequence, a sort of continuing internal war was set going in which the settlers of diverse islands under the company's rule tried to grab a labor supply for themselves by offering good prices for slaves from other islands. In Amboina, during this period, the population is said to have fallen from about 150,000 to 50,000 and the output of cloves from about 3,500,000 pounds to 1,000,000 pounds. The Aroe Islands, east of Amboina, in the Moluccas, discovered by the Dutch in 1606, and rich in pearls and other desirable products, became a favorite depot of Papuan slave labor. But it would be a mistake to underrate the enormous extent to which subjects of Malay race and of a relatively high degree of civilization were drawn into this indecent traffic.

To return to the Banda Islands, many of the Dutch settlers married native women, and the population, with the arrival of new slaves from a wide area, became one of the most hybrid in the Western Pacific. For two centuries and a half the freeholders, originally consisting of a few score of "white" colonials, practically ran a little empire of their own. For, although they still were subjects of the Netherlands and servants of the Dutch East India Company, they could never return to Europe. Each estate was practically self-governing. The *perkenier* and his family lived in a great mansion, enclosed with its outbuildings and slave quarters, usually on the site of a former native village. In the early days, more especially, the estate had to be fortified for defense against possible uprisings or raids. With the abolition of slavery, in 1860, the Government endeavored to compensate these *perkeniers*, as the mixed-blood descendants of the settlers were still called, for their loss of labor power by shipping to them convicts. These, for a time, added yet other strains to the population. But little came of it; and the islands today are a weird exhibit in the museum of human folly—as will be shown further below (p. 75).⁷⁵

As in ancient Rome and later in the American colonies, the lot of those enslaved for field labor was harder than that of the domestic slaves who sometimes enjoyed a position of trust and relative comfort. The total number and

the proportion of the two classes will never be known. An official estimate of more than 27,000 slaves in Java in 1815 has been questioned as likely to be far from the actuality, since for some time some 3,000 new slaves had been brought to Batavia every year, mainly from Celebes and Sumatra, but also from Bengal and the southwest coast of India. This importation was not discouraged by a fairly substantial head tax⁷⁶ and must have been highly remunerative since it attracted scoundrels of many nationalities. Field workers from Timor, at the beginning of the nineteenth century, were worth from 24 to 50 guilders;⁷⁷ but much larger sums were paid for Buginese women, or those of Nias, who were considered especially attractive and, bought or kidnaped, contributed a steady stream of human merchandise to the Batavian market. This traffic had a special explanation in the great demand for women on the part of Chinese immigrants who, under the laws of the Manchu empire, were not allowed to take Chinese women with them to their foreign settlements.⁷⁸

Ownership of many slaves, as in ancient Rome, conferred prestige and was evidently a matter of "conspicuous consumption" quite as much as one of utility. Even if perhaps some farm workers or helpers in storehouse or business were included, a reported ownership of several hundred slaves in wealthy European households, and of "only" twenty or thirty in less wealthy ones, seems to indicate this. As a rule, good care was taken of a slave once he had entered the service of a European master. At the time of abolition a class of artisans versed in European crafts and specialized household workers, such as cooks and gardeners, had grown out of the former slave class.⁷⁹

The Netherlands East India Company itself owned many slaves, some of them apparently craftsmen who were also free to work for their own account part of the time or might in other ways earn for themselves. They had, we are told, no cause to run away.⁸⁰

As early as the seventeenth century, Dutch clergymen realized that the institution of slavery militated against the spread of Christianity. In 1683 Batavia had ten resident clergymen, and in 1721, eleven: five for Dutch congregations, three for Portuguese, and three for Indonesians. But in the greater part of Java the church worked mainly among slaves and, eventually, among liberated slaves.⁸¹ Yet, the use of slaves by Europeans in Java for both domestic and field labor did not diminish until late in the eighteenth century.⁸² Indeed, it was only after the French Revolution, which had generated an intensive movement of social liberalism in Holland, that it was no longer regarded as respectable to buy and sell slaves, even though the cruder elements of the traffic had long been kept outside polite conversation. (Even the Romans had called the traffic *quaestus inhonestus*.) As in the United States, mere ownership of human beings carried no stigma until far into the nineteenth century. And like the devout Buddhists of Burma (see below, p. 94), so the European Christians, too, sometimes eased their conscience with the false

belief that most of the slaves had fallen into their dismal state through some moral defect. This impression was reinforced somewhat by the similarity of their fate and that of men who had fallen into bondage through the commission of a crime or through improvidence. Moreover, these slaves for the most part were dark-skinned, since native Javanese had been ordered to be freed a century and a half ago.

The espousal of the antislavery agitation by Sir Thomas Raffles, during the brief British sovereignty over Java, 1811-16, did not help to make that cause popular among the Dutch colonials.⁸³ When finally, in the fifties, slavery was declared illegal, there was little overt opposition in these quarters. By that time the specter of a badly deficient labor supply had vanished. Moreover, the cost of slave labor was not appreciably lower than that of paid labor. Throughout the period of Dutch rule, slavery in the Netherlands Indies was relatively free from those extremes of inhumanity which characterized it in Africa and elsewhere. Perhaps the explanation for this is to be found not only in the scruples of the European masters or in their greater managerial efficiency but also in the example which was provided for them by the relatively high morality of the Indonesians.

In the early part of the nineteenth century, agitation against slavery grew in the Netherlands; by 1815 the reformers had become strong enough to secure prohibition of the slave trade, thus preventing the extension of the institution. In 1854 a constitutional regulation was adopted prohibiting the public sale of slaves and providing for the total abolition of slavery by 1860. The bondage of debtors, however, was treated as a separate institution.⁸⁴

During the Napoleonic wars and for some time after, the Netherlands Indian Government was too weak fully to enforce the progressively more stringent laws and regulations for the prevention of servitude. But before the Japanese occupation, the elimination of slavery and serfdom even in the farthest outposts of the Netherlands Indies was more advanced than in any of the neighboring countries except, perhaps, British Malaya.

PHILIPPINE ISLANDS

Slavery was an established institution in the Islands when Spanish rule began. As in other countries of Malaysia, it was indigenous in its more elementary forms but had developed into a traffic and a more complex system under the impact of alien conquest. The Tagalog "sacrificed their slaves without scruples to accompany their masters to another world"⁸⁵—that is, they kept slaves for domestic and hence also sacrificial service. The Bagobo of Mindanao at an annual drinking festival sacrificed a slave to the war god.⁸⁶ Fay-Cooper Cole believes slavery to have been rare in aboriginal Philippine society. Injuries between tribes were settled in blood, not by taking captives. On the more southern islands of the archipelago, and especially on Mindanao,

slavery was introduced by Hindu-Javanese conquerors and extended later by Mohammedan invaders.⁸⁷ While possession of the Philippines still was under dispute between Spain and Portugal, the latter opened slave markets in the Philippines.⁸⁸ The Spanish defended their claim to the Philippines before the Vatican with the plea that they were more concerned with converting the heathen than with enslaving them. Nevertheless, and in spite of explicit prohibitions,⁸⁹ a mild form of slavery spread through the islands under Spanish rule. The weaker ethnic groups, such as the Negritos, were pushed back and dispossessed of all rights. Their children often were sold to Europeanized Filipinos in the cities; those of Nueva Viscaya and Isabella provinces more especially are mentioned in this connection.⁹⁰

There were two kinds of slaves, and these could be owned by either chiefs or freeman (*timagua*). One class, *saguigulire*, were owned by individual families and served them in field and home. Others, called *namamahay*, were field workers, and their status resembled more that of serfs. Their masters were of noble lineage. They were called upon to help on the land during the busy seasons of sowing and harvesting, to assist in building boats and houses, to row, and at times to serve in the house during the entertainment of guests. As in the Indian Archipelago, ownership of the descendants of slaves was strictly regulated by native law. If one of the parents was a free person, the first child assumed the status of the father—whether free or slave—the second that of the mother, and so on alternately.⁹¹ If there was only one child or an odd child after equal division, his condition was a matter of arbitrary decision. In practice, whether his unfree parent was a *saguigulire* or a *namamahay*, his status was more or less like that of the latter class; i.e., he did not serve his master continuously but only on stated occasions.⁹²

Although the treatment of slaves among the more primitive groups is usually reported as mild, it must not be supposed that differences in status were not appreciated and did not have practical consequences. Thus, among the Bagobo, as among other groups, it was customary for the father of a bride to present the groom with a present of about one-half the value of the price paid for her, to insure her recognition as a free woman.

Both the Spanish Government and the church at various times issued decrees to regulate the trade in slaves and their treatment and in the nineteenth century prohibited it.⁹³ But slavery still existed in the Islands when the United States took over, and may exist today. It was, of course, prohibited under the first organic act (Act of Congress, July 1, 1902, section 5); but that act was not at once implemented, other than to nullify the owner's legal claim to have a runaway slave returned to him.

When the Government tried to make good this omission, it met unexpected resistance on the part of the Philippine legislature, which refused to admit that slavery as an institution survived in the Islands.⁹⁴ Four times the Com-

mission approved an act to "prohibit slavery, involuntary servitude, peonage, or the sale of human beings," only to have the Philippine Assembly table it. Confronted with the evidence of the existence of the traffic, the assemblymen indignantly repudiated that interpretation of what they pleased to regard as adoption of children, with a small money present to the parents or guardians.⁹⁵ It was true, they said, that such children, usually Aetas, a Negrito group, and always of non-Christian aboriginal parentage, served their masters without recompense other than their living, but they were baptized and treated kindly, sometimes even sent to school.⁹⁶ If they ran away, in spite of an up-bringing that was favorable compared with that in their native villages, the owner neither could nor would try to claim them as his property. Despite these protests, the Commission, as sole custodian under the constitution for the aborigines, enacted a decree (Act 2071, Philippine Commission, August 7, 1911) which, according to its report in the following year,⁹⁷ resulted in "the release of a considerable number of Ifugaos [the inclusive term often used for aborigines] held in slavery by Filipinos in Nueva Vizcaya."

The United States Senate, under pressure of public opinion, demanded a report from the War Department which at that time administered the Philippine Islands; and in consequence the Secretary of the Interior in the Philippine Government, Dean C. Worcester, collected the available evidence,⁹⁸ much to the disgust of leading Filipino politicians who saw in this aggressive attack on slavery a maneuver to discredit the Filipino people in American eyes and therewith to obstruct the rising sentiment in the United States to grant them independence. Former President William Howard Taft, first civil governor of the Philippines (1901-04), explained the peculiar situation to the American public:

. . . Slavery and peonage continue to exist as a social feature in many parts of the Philippines. The actual slavery is generally confined to the purchase, by Christian Filipinos, of the youthful members of the non-Christian tribes that live near the Christian Filipinos in the rural parts of the islands. The purchase is often peaceable commercial transaction with the parents of the children sold, and sometimes with the forcible captors, members of a hostile tribe. The Christian Filipinos, who buy and keep the slaves, reconcile their views to the practice by the thought that in this way they are bringing them into Christianity.⁹⁹

Mr. Taft's amiability seems to have succeeded in quieting the aroused feelings, and the Commission passed a resolution, with the consent of its Filipino members, requesting the secretary of war to submit to Congress the draft of an antislavery bill. The outcome was even more favorable for good American-Philippine relations: instead of doing as requested, the War Department referred the bill to Governor General Harrison for action by the newly created Philippine legislature, which adopted it by unanimous vote as

one of its earliest acts (Act No. 2300, Philippine Legislature, November 28, 1913). In substance it is the application to the Philippine Islands of the United States statute against slavery and peonage.¹⁰⁰

While the purchase, even the abduction, of children could sometimes be covered with the mantle of charity when the subsequent life of the slaves thus obtained was made tolerable in the homes of Christian Filipinos, slavery in Mohammedan Moro areas—that is, especially in Mindanao—played a somewhat different role. Here it was not a clandestine practice limited to a few well-to-do households but an institution openly upheld. The old tribal system of degrading war captives to the level of slaves or helots survived, and to some small extent still survived twenty years ago, in the form of a class structure which recognized the right of *datus* and lesser village notables to accept human beings, and especially women, as their share in the booty after a successful raid upon primitive native tribes. Fay-Cooper Cole suggests that the slave raids against neighboring tribes, which he found a regular institution among the Bagobo of Mindanao, are not part of the aboriginal social system but were introduced either with the expansion of the Hindu-Javanese empire or with that of the Mohammedan, as part of an alien class system superimposed upon the democratic indigenous village government.¹⁰¹

Pertinent to Mindanao probably are Alfred R. Wallace's observations concerning the existence, in the seventies, of a flourishing slave market in the Sulu Islands. This he explained by their central position for piratical expeditions.

Here are to be found pure Malays from Sumatra, Papuans from New Guinea, and even natives from Siam in the north, and of Java and Timor in the south. These slaves are bartered with traders, and thus find their way to remote islands, and must have helped to produce those mixtures of various races which often render it difficult for an anthropologist to determine the affinities of many of the so-called Malay peoples. Although the check upon piracy has also had considerable effect upon this trade, there is no doubt that it is still largely carried on, and the Spaniards are powerless to stop it. The chief market and port of export is Maimbun.¹⁰²

Again, the question is whether the survival of Islam through the whole period of Spanish rule has anything to do with the modern—and, according to some witnesses, recent—continuance of slavery as a social institution. Kroeber apparently shares the view of some of the Dutch authorities (see above, p. 32) that Mohammedan custom made for the subjection of whole populations to the autocratic rule of an alien sultan and a semimilitary type of feudalism rather than an elaborate system of individual ownership.¹⁰³ N. M. Saleeby also held that Mohammedanism only laid a thin veneer over a social system corresponding in the main to the native traditions.¹⁰⁴ Even the great reformer, Abu Bakr, founder of the Sulu sultanate in the second half

of the fifteenth century, seems to have interfered no more with basic social customs than did the Spanish conquerors a century later.¹⁰⁵

Orosa distinguished two—or perhaps three—distinct classes of Sulu pirates.¹⁰⁶ There were those who took service under the sultan and presumably, as was also the case on the west coast of the Malay Peninsula, provided him with an appreciable part of his revenue; and there were privateers. Among the latter, again, one may distinguish between those who enjoyed a sort of license and handed over to the ruler 20 per cent either of the booty or of the price realized for it, and independent free-lance crews. In addition to the sultan, local *datus* and other chiefs also often received a cut. Precious metals and slaves seem to have been the booty most easily disposed of and therefore most desired.

Salceby explains the survival of slavery among the Moro with the fact that the Spanish never exercised real control. . . . Piracy was completely suppressed in 1878, but slavery remained an established institution of the land and its continued practice among the Moros was neither vigorously denounced nor effectively restricted.¹⁰⁷

This he holds to be true equally of the Sulu Islands and of Mindanao. Moreover, in the interest of a rapid pacification, the American occupation during the first four years followed the same policy of letting the Moro manage their affairs with little interference.¹⁰⁸ This was justifiable, according to this eminent authority, because slavery was of a very mild character, resembling peonage rather than outright ownership. With the passing away of the feudal system, as wealth rather than blood came to dominate social relations, slavery, now a legal crime, would disappear.¹⁰⁹ In illustration of this point, one may perhaps refer to Emerson Brewer Christie's comparison of the condition of the Subanun people of the Zamboanga Peninsula of Mindanao, as he found them some years after the American occupation, with conditions in the seventeenth century, as reported by Spanish Jesuits.¹¹⁰ At that earlier time, the Subanun were treated with the utmost contempt as a subject and serf class. Offenders against the Moro code of prohibitions often were reduced to slavery, while all were called upon on special occasions for contributions of provisions and services. The Spaniards, says this author, in their policy toward this minority, as to others, went from one extreme to the other—sometimes making a strong effort to convert them to Christianity and to assimilate them to the culture of Christian Filipinos, more often abstaining from interference with the Moro in their despotic exercise of rights over these people.

Although not, perhaps, scientific evidence, it may be permissible here to quote an American writer's graphic description of the very recent position of those unfortunates who occupy the lowest place in the Moro social system. After describing a small village in western Mindanao—and the villainous

assemblage of kris-armed men who guarded the home of the *datu*—he proceeds:

This *Datu* had several hundred Moros under his control. Most of them were devoting a part of their time to the development of the *Datu's* fine plantation. The guardsmen who enforced his authority sat silently on the porch chewing betel and spitting copious streams of red across the trail. This *Datu* had a typical Mindanao racket. It was the old story of the strong oppressing the weak. He had a few drops of Arab blood which definitely ranked him above his fellows and which gave him a great deal of prestige.¹¹¹

A great proportion of the *Datu's* large dwelling was devoted to the quarters for his women. He had four wives and a complement of slave girls. . . . Among the women present I saw several *Bilaan* hill girls. They were attractive little creatures about fifteen years old. The *Datu* said that he had taken them in on a debt. More than likely his *krismen* had waylaid them on the mountain trails.

"I have to keep a number of hill girls on hand," he said, "for rewards for my men and for the entertainment of visitors."¹¹²

Older and unattractive women fared worse:

The way home led through a Moro village near the town of the Sultan. I stopped for a few minutes at a house on the edge of the village. A *Bilaan* slave girl was working under the Moro's house. She was pounding rice to remove the husks from the *palay* as it came from the field. This *palay*, or unhusked rice, was placed in a large stone mortar and the girl was wielding a heavy wooden paddle.

Her job continued twenty hours per day and she lived on scraps from the Moro's table. Any passing visitor could have her for a night, for she was common property. This was the most savage case of ill-treatment I saw in the Islands. Usually the Moros were kinder to their slave women.

He adds:

I am seeing more and more evidences of this human slavery about which nothing can be done.¹¹³

Fay-Cooper Cole, who had made a far more thorough inquiry into this situation than the novelist, gives it as his opinion that slavery has nearly vanished among the Moro, but that the former slaves are still in a very inferior position.¹¹⁴

BURMA

While the Philippine Islands even in recent times present examples of slavery typical of situations in which a culturally more advanced ethnic group of superior strength exploits more primitive ones, the remnants of slavery in Burma are more representative of that older situation which not so long ago existed also in the less accessible parts of the Outer Islands in Netherlands India. Here slavery was part of an aboriginal social organization as yet little disturbed by its outer contacts. Such a situation can exist only, of course,

when that organization covers a fairly large contiguous territory. In the north of Burma there is such an area, of some 250,000 square miles, between Assam and the Chinese border, most of it mountainous but containing the so-called Triangle plateau and the Hukawng Valley. Some sectors of the political frontier are uncertain, and the whole area until 1934 belonged to the "unadministered" or "lightly administered" tribal area of the Burmese hinterland which the British Government did not attempt to govern with any rigor—more especially since the climate of much of this land is vile.

Here British officials, in investigations conducted for the League of Nations, confirmed the existence of slavery as a widespread institution.¹¹⁵ As was also the case in other parts of tropical Asia, most of the slaves had been obtained in the first place through raids—some of them conducted across the border at the instigation of professional slave traders, Kachin, Karen, and Chinese (or tribal people under nominal Chinese rule). Subsequently, they might be traded repeatedly or, more often, leased out by their masters, who were considered entitled to all their earnings. Slaves could not own property. As elsewhere, an intricate customary law, reinforced in Lower Burma by the Buddhist moral code, the *Damasat*, regulated the relative degrees of freedom to which their descendants might be entitled. Their treatment, on the whole, was not inhuman, since they performed valuable economic functions for a large part of the community.¹¹⁶

Conflicting reports on the status and function of slaves in Burma result from the use of that term for very different social categories. For example, the "king's slaves"—to be further considered below—were inalienable serfs. Hereditary slaves merged sometimes with those in bondage for debt, who at least in theory could buy themselves free, and in other circumstances become almost indistinguishable from those who under the Buddhist social system were outcastes: lepers, incurably afflicted persons, prostitutes, and those by heredity condemned to such occupations as the burning and burial of the dead. The most miserable among them, according to all accounts, were the pagoda slaves—descendants of human gifts made upon the establishment of temples for the purpose of keeping them clean.¹¹⁷ The Buddhist law contains threats of eternal damnation against any powerful monarch or official who might attempt to alienate this human property or put it to uses other than those contemplated by the original donor, or to liberate these consecrated servants of the church.¹¹⁸

Sir James George Scott, among other writers, has speculated on how it came that, with his deep devotion to the temple and everything it stood for, the Burman regarded as almost worse than outcastes those who served the temple.¹¹⁹ They were considered so unclean that no respectable person would eat with them, and that a freeman would not even be seen sitting on the same level with them. If by chance a Burman were to marry a *para-gyoon* (pagoda

slave) woman, not knowing her condition of servitude, he would forfeit not only his freedom but that of any children that might have been borne to him by a previous wife. Even though originally the pagoda slaves undoubtedly were war captives presented to the pagoda by a conquering ruler, or criminals sentenced to hereditary bondage, their numbers had been augmented in more recent times by the arbitrary enrollments of villagers—in theory all alike owing absolute obedience to the king. In this case, the selection made, though no doubt it hit the poor more than the rich, was apparently unrelated to personal character. One must conclude that in a despotic and corrupt society, such as was that of medieval Burma, weakness itself is the greatest crime.

The pagoda slaves in the spiritual history of Burma took the place of those war captives who formerly were sacrificed to insure the happiness of their noble master in the hereafter.¹²⁰ Nieboer quotes authorities for the statements that among the Stieng of the Shan Hills it was customary to take captives for eventual use in burial sacrifices, and that a Karen war lord, after keeping his captives for a time, if none came forward to redeem them, would auction them off in exchange for oxen or buffalos.¹²¹

The prevalence in former times of slavery among the Chin, the Kachin, and other Burmese peoples is related to the traditional feudal organization. Although, as will be shown in the next chapter, the chieftains had at their disposal serfs who had to help with the building of houses and the cultivation of extensive estates, their principal use was military service, and tribal warfare was almost continuous. As a consequence, man power to replace these dependents in the humbler tasks of field and home, to serve as carriers, and to keep up human reproduction, required also the presence of slave colonies. After a victory, many slaves might be sold or given away; but their possession was an insurance against a calamitous defeat.

T. H. Lewin took the view that the desire for a more rapid reproduction was the original motive for taking prisoners, namely women and children, and that the enslavement of male war captives came later.¹²² Although such slaves could be sold, they could not, in the village communities of these simple hill people, for long be treated with great severity, but they became members of the household and in the course of time acquired rights to property and, under certain conditions, to freedom for themselves or their children. Two consequences sprang from this, which will be further recognized in later chapters: a class structure developed under which free women no longer were willing to perform the most disagreeable labors,¹²³ and, in the absence of cruel abuse of the slaves, the institution of self-pledging could arise, in which persons in debt or close to starvation voluntarily sold themselves or their wives and children to a master who would guarantee their support.

Marshall found that there was a regular schedule of prices for different age groups, but that evidently the basic price level varied from time to time with

changes in the market—or perhaps with the frequency of wars and raids. Just before or during the British pacification of Burma, men and women of from thirty to forty years of age were sold for about one hundred rupees, young girls and boys about three hundred rupees, and adolescents, from fifteen years of age, about four hundred rupees. But in 1868, two Shan women were sold in Karenni, according to an eyewitness, for only fourteen rupees each.¹²⁴ He also was told of a great difference in the treatment of slaves captured in warfare, who suffered from the animosity of their captor, sometimes were beaten and crippled, even killed, and of those who, after sale, had entered the household of their master as valuable servants. Since it was a general practice for war captives to be redeemed, those who stayed behind because no one came forward to buy them free seem to have been in a category rather similar to that of debt slaves (further to be described in Chapter III); they were regarded as members of the household, and their children often lost their unfavorable status and were accepted as regular members of the community.¹²⁵

Among those kidnaped by the Red Karen or the Khakyen before the practice was put an end to, one should distinguish the lot of those of the first generation of slaves who, torn from their homes, usually as children, had to undergo the misery of the traffic which might subject them to several masters and several long trips from one market to another before they were finally settled; and the lot of their offspring, who often were born, lived, and died in the same community and the same household. Kidnaping still was practiced on a large scale within living memory¹²⁶ and is responsible for the extreme shyness still shown by some of the hill tribes.

Even in quite recent times missionaries and travellers have observed a habit among the women of certain tribes to blacken their faces or simulate disfigurement when forced to go among strangers. Thus F. Kingdon Ward tells of the Nung of North Burma that

the girls are tattooed between the ages of fourteen and seventeen. There is no special ceremony. Men are never tattooed. The reason for it is probably to safeguard in some degree the women, who are carried off into slavery by the Tibetans, though men are also taken. . . . The further west we went the less tattooing I saw.¹²⁷

While Major Enriquez was much concerned with the reputation of some of the hill tribes for being too slow and heavy in manner to be suitable material for army recruiting,¹²⁸ Sir J. G. Scott recognized in the long tradition of slave raids the cause for that despondency which had been observed. The Red Karen, he reported, themselves slave hunters at one time, had been subdued and, though they used to have a reputation for being great drinkers and trouble-makers, had become sombre and lethargic.¹²⁹ Hill Karens still locate their villages far from roads and rivers because of old inherited fears of all strangers.¹³⁰ The Kachin of Kamaing were not long ago said to be well provided

with slave labor from the unadministered Hukong area, but the Kachin of Lashio have been demoralized by long subjection to the Shan;¹³¹ and in other parts of the Triangle slaves were so plentiful as to be worth no more than a few pigs.¹³²

On the other hand, Father Sangermano's account reveals that in Burmese society a century ago human property was very valuable, indeed. Masters were admonished to treat their slaves like children. Every conceivable contingency of transference of slave property through marriage or sale or indebtedness was provided for to reduce litigation. As under customary law, so under Buddhist law also, a strict code ruled the circumstances under which a slave or his offspring was entitled to freedom. Slaves were the currency in which a husband was compensated for the violation of his wife—two slaves for a poor but free woman, four for the wife of a merchant, eight for that of a rich or wise man, fifteen for that of a lesser mandarin, and so forth.¹³³ And generally these household slaves in Burman homes seem to have been well taken care of. Apparently this was partly because it was possible in certain circumstances for a slave, if he was a valuable worker, to get himself formally adopted by a freeman and thus become a member of his family.¹³⁴

That the commercial value of slaves must have fluctuated considerably in the preceding centuries can be inferred from such accounts as we possess of the Burmans' fortunes in war and of their raids on neighboring peoples. Both occasions sometimes yielded large additions to their bonded labor power. But the exact status of the captives often is uncertain—for example, whether the price represents complete ownership or merely an arbitrary sum imposed upon the victim by repayment of which he could redeem his freedom. Also the exact equivalent of the currencies mentioned is not always known. Thus a list of inscriptions from Pagan, published by the Burma Archaeological Department in 1921 and apparently referring to the fifteenth or sixteenth century, indicates an average price of $27\frac{1}{2}$ *klyap* for 64 slaves sold. But more revealing are the differentials: a potter was worth half as much again as a gardener; one slave was sold for a boat; some were bought for measures of areca-nuts or given—presumably to officials—as *douceurs* (*tangchuiw*) or in settlement of debts or wagers. Sixty-six Indian slaves were bought for one elephant, forty for a horse.¹³⁵

Most of the nineteenth-century references are to debt slavery (see below, pp. 136 ff.), but British rule in India up to the time of the occupation of Burma was concerned almost entirely with the effects of the large Burman raids on their neighbors, already referred to, for these raids sometimes drove embarrassing numbers of refugees into British-held Bengal. Thus, we read that the Burmans [in the early years of the century] depopulated the countryside by impressing thousands of Arakanese for work in Burma. Three thousand were taken to assist in digging the Meiktila lake, two thousand to assist in building the

Mingun Pagoda and several more thousand to take part in raids into Siam. It is therefore scarcely to be wondered at that the province [Arakan] was reported to be almost entirely denuded of inhabitants.¹³⁶

With the growth of world sentiment against slavery after the French Revolution, and the actual abolition of it in many European colonies, a tendency appeared in "Farther India," as elsewhere, to disguise both actual and virtual slavery by some kind of contractual relationship. Thus, the first British Commissioner to Mergui wrote, in 1825 or 1826:

Though the system of slavery under the Burmese rule be nominally bond service, yet owing to the but little limited authority of the master, to the impoverished state of the country, and the small chance of a debtor slave obtaining justice against his creditor in the Courts, it may be looked upon as real slavery.¹³⁷

One of the early British commissioners to the Tenasserim Provinces referred to relief from the slave raids as the main cause of the welcome extended to the British by all classes—and this not only in the territory actually occupied but also in the surrounding region.¹³⁸ Drawing upon the journals and reports of his surgeon, D. Richardson, who had travelled far into the interior, he gave a vivid picture of the effects of wars among Burman, Karen, Shan, Talin, and other groups, wars often carried on for no other purpose than the capture of women and children to improve the captor's man power for future conflict.¹³⁹

The report made in 1925 by Sir Harcourt Butler, then governor of Burma, on a personally conducted investigation¹⁴⁰ contained the estimate that nearly one-third of the population in the malarial Hukawng Valley were slaves, with a commercial value averaging Rs. 80, but amounting to Rs. 200 or five buffalo for an able-bodied man in his prime. The India Office, then charged with the administration of Burma, at once undertook to make an end to this condition by compensating the owners for the release of existing slaves and prohibiting the purchase and ownership of human beings thereafter.

Three years later, the Burmese Government was able to present a supplementary report, according to which the freedom of almost 3,500 slaves had been bought in the valley at a total cost of not quite Rs. 200,000, that is, considerably less than the preliminary estimate. The Burma Frontier Service, entrusted with the task, continued it through the following years. In 1926 a military police contingent extended operations to the Triangle area and there released another four thousand slaves through negotiation with the owners. In 1929, the League was informed that in the two areas together a total of nine thousand slaves had been released. At the same time, this border region was placed under "light administration," and the Kachin Hill Tribes Regulations were extended to it.¹⁴¹ In the next two years, according to the official reports, the remnants of slavery were eliminated altogether.¹⁴²

Lady Simon, champion of the abolition of slavery in every part of the

world, gives credit to the perseverance of Sir Harcourt Butler and to the heroism of J. T. Barnard, Deputy Commissioner of the Burma Frontier Forces, and his colleagues¹⁴³ for the almost unbelievable rapidity with which the abolition of slavery in this remote corner of the British Empire was accomplished.¹⁴⁴ Since it may become necessary to perform similar tasks elsewhere, the bloodless method adopted in this instance deserves particular attention. First, the governor personally, at a Durbar attended by all the notables, explained in strong words the incompatibility of slavery with British rule. When some of the local native chiefs petitioned the government for permission to retain the slaves subject to themselves, the governor again visited the region and insisted on complete abolition, in keeping with the conscience of the world. From that point on the campaign became one of detailed negotiation, after a preliminary survey intended to arrive at a reasonably fair compensation. The rates eventually adopted were based on age and ranged from Rs. 15 for children under five years of age to Rs. 120 for persons in the most productive period of life, ages twenty-one to forty-five. Those over sixty years of age, by common agreement, were set free without compensation. Originally it had been the intention to collect the payments made through a deduction from the wages earned by those holding a certificate of manumission. But when it was realized that many of them might seek to escape that obligation by wandering off into the hills and leave their former employers without an adequate supply of labor, this plan was dropped, and no effort was made to recover the cost incurred by the government. As a result, many of them in more recent inquiries were found still to be working for their former masters, but now entitled to enjoy the wages they earned, and to cultivate land of their own.

However, Lieutenant General Sir George MacMunn, in a book published just before the outbreak of the Second World War, expressed the view that even then there were, in the more inaccessible pockets of the Himalayas and the upper basin of the Irrawaddy, remnants of slavery, results of former raids and of breeding, which the administrative and police forces of the empire had not yet been able quite to eradicate—and this distinct from other surviving forms of personal bondage.¹⁴⁵

MALAYA AND BRITISH BORNEO

Burmans in the lowlands never own slaves, so that the problem of slavery in Burma is limited to those northern population groups which still, for the most part, live in a traditional economy and in relatively small communities regulated by native law. In Malaya, on the other hand, whatever vestiges of slavery may still be found in tribal society are likely to be part of that human bondage which was caused by the impact of other cultures—Mohammedan, Chinese—and by the greed of early European settlers. By keeping close to

a very limited definition of the term, as involving an active trade in human beings, it is possible to declare that there is no slavery today in British Malaya. There is, however, some consciousness among the more primitive tribes of slavery as a threatened status if Mohammedan Malay rule should again become supreme. Fay-Cooper Cole reports that members of the central division of Sakai "never use that name in referring to themselves or related groups since it is a derogatory Malay name meaning 'slave.'" He also mentions that among the Jakun "it is customary for the bride's family to make a return gift of about half" to secure the status of the girl as a free woman.¹⁴⁶ A. D. Machado reported that, like the Sakai, the Jakun also resent the use of the Malay name for their identity and call themselves *Orang Ulu*, up-country people. In business dealings with the Jakun, the Malays call them *Pa Angkat*, adopted father, *Ma Angkat*, *Adik Angkat* (adopted younger brother), and so forth. "This pleases them hugely, though not to the extent of parting with their stock any cheaper or in greater quantities." Nevertheless, at the turn of the century these aboriginal groups still were very much harassed and robbed by the Malays, "in particular those who have some authority over them."¹⁴⁷ R. J. Wilkinson refers to the confusion produced by certain anthropologists who have accepted the self-identification of Semang tribesmen who call themselves Sakai, whom they regard as of somewhat higher status than themselves, and by a general tendency to designate any groups that have accepted Islam as "Malay."¹⁴⁸

Walter William Skeat and Charles Otto Blagden, at the beginning of this century, found the effects of former slavery in Malaya fairly widespread. One of their objects, a correct racial classification, was made difficult by the existence of Malay groups in Kedah which had intermarried so consistently with their Negrito slaves as to become similar to them in appearance.¹⁴⁹ In Malay households in Perak, there still were Sakai women whose children were treated the same as other members of the family.¹⁵⁰ In Selangor, too, there were many descendants of Sakai slaves, carried off in childhood. Such raids had been so frequent as to prevent the aboriginals from settling down to an agricultural life.¹⁵¹ The Mantra of Malacca were so continuously the prey of a Malay tribe called Rawa, originally from Sumatra, that many of these slave traders eventually settled among them, hunting their girls and selling them in Pahang. In the end, the Mantra had to leave their ancestral home and scatter over the country.¹⁵²

So much has been said about the relatively mild treatment of aboriginal slaves in Malay households that it is important to recall the ruthlessness with which they were hunted down, the extreme severity with which they were punished when they tried to run away, and the degradation which they suffered even when, perhaps, they were adequately fed. Sir Hugh Clifford, who had many personal experiences in trying to deal out justice to both

slaves and slave owners, wrote that the former, generally speaking, "were regarded much in the same light as the kine in the rice-swamps, and possessed no rights of any sort."¹⁵³ The Malay Civil and Criminal Code, the *Kanun*, contains many examples of the callousness with which the lawgivers looked on the lives and well-being of slaves. The Mohammedan religious code, as modified by Malay custom, permitted a light-hearted disregard of the humane rules for the relations between believers, when hunting or punishing the resistance of nonbelievers and selling their wives and children.¹⁵⁴

It was one of the great disadvantages of indirect rule that no immediate interference with local custom was deemed expedient or practicable during the half century or so which it took to convert the tenuous British protectorate over the Malay States into something more like actual government. Individual magistrates and other officials did a good deal to defend and protect runaway slaves and even occasionally bought them free at government expense, but they were usually a long way from those small and scattered Malay communities and from the courts of petty rajahs, where custom had full sway. Sir Hugh Clifford, in the essay just quoted, tells of two slave girls who fled 120 miles downstream to the nearest white settlement, in order to escape a cruel master. In that instance, the owner, when he appeared in pursuit of the girls, was legally condemned and fined. But even such casual making of examples when circumstances permitted had rarely been possible two or three decades earlier. Thus a Major Fred McNair, writing in 1878, although shocked by examples of Malay barbarity toward Sakai and Jakun captives which he had witnessed or heard of, was so impressed with the precariousness of the European officials' position as mere advisers to the sultans that he counselled great caution. Rigid measures to suppress slavery, he held, would be ill-advised. Instead, British influence should be directed toward the gradual softening of the native laws and the persuasion of the rulers to set examples of greater mildness in their treatment of subordinates.¹⁵⁵ But he also had to admit, as so many others have said, that on the whole the rulers and chiefs were the worst taskmasters and the greatest offenders against a European sense of justice.

By the year 1884 slavery had been legally abolished throughout British Malaya. But it is difficult to draw a sharp line between different forms of servitude. Apart from the wide prevalence of forced labor on special occasions, which even a watchful government has not been able altogether to eliminate,¹⁵⁶ there still are occasional relations to which the word "ownership" may fairly be applied. Of enslavement for debt, which not long ago was prevalent in Malaya, we shall have more to say in Chapter III. Since in theory it is temporary, it may be held to belong to a different category of bondage. The doubtful classification of "the king's slaves"—an old established institution on the Malay Peninsula—has already been remarked upon. Throughout Malaysia, the number of slave troops which a rajah could command was both

a symbol and an actual indication of his wealth and power.¹⁵⁷ To some extent, this class was identical with the rural slaves who cultivated the sultan's fields and served him as carriers and laborers. With long periods of peace, under British rule, the nobility and even wealthy commoners often seem to have acquired former slaves or descendants of slaves who, converted into sharecroppers or even wage-earners, served them much as they had formerly served a master who owned them.

Among some of the pagan groups, slavery—except for sacrificial purposes—does not seem to have arisen, simply because they were too mobile to have much use for permanent slaves, and the food supply was none too lavish. De Morgan in the eighties found debt bondage and compulsory labor customary among the Sakai and Semang, but not slavery.¹⁵⁸ Actually, however, the pawning of children and even of wives "for keeps" was observed as recently as the turn of the century. Sir Frank Swettenham, whose knowledge of Malayan character and institutions was unparalleled, explained this traffic by the easygoing quality of the Malaysians, who until comparatively modern times did not share the horror of other peoples at the separation of families but apparently valued wives and children as salable commodities. Perhaps it is permissible to add that a mental condition of that sort would only testify to a degree of debasement and demoralization in the native population under foreign rule which few colonials would at any time have admitted.

Under Moslem law, Swettenham reminds us, no Moslem can be a slave, but in practice there often is little difference between the forbidden human ownership and slavery for debt.¹⁵⁹ The master of a slave had the right to kill him; that is, he owned him, body and soul. The absolutism of the Mohammedan rulers more especially did not always permit of close distinctions between their rights to *kerah*, or forced labor on stated occasions, and the continuous use, without compensation, of landless helots for the ruler's personal enrichment.

In the tribal society itself, slavery as a result of raids did not greatly differ as an institution from that in neighboring countries, though of course there are minor variations, duly recorded in the works of Skeat and other ethnologists. This kind of slavery unquestionably has been abolished under British rule, which, as far as the rajahs are concerned, can claim at least to have transformed their former absolute control over some of their subjects into much more limited rights to their services, further to be discussed below.

British rule also did away with the remnants of slavery that can be attributed to European raids in the early days of Portuguese settlement.¹⁶⁰

This brief account of slavery on the Malay Peninsula would not be complete without separate mention of Chinese piracy on its western coast, which occurred as recently as the 1870's and had its origin in the peculiar conditions of Chinese mining enterprise in the Perak highlands. Here dynastic rivalries

had produced a general state of disorder and even of terror in which, to protect themselves against extortion, Chinese communities were forced to employ armed guards. Although they had been mining tin in this region for centuries, the property rights of the Chinese themselves had no safe foundation, and strife frequently arose among different factions. With the participation of armed guards, the skirmishes developed into battles and a continuing war among secret societies. One faction, driven from its homes and villages, without access to any other accustomed source of livelihood, drifted to the mouth of the Perak River and there created a number of strongholds from which it preyed both upon passing vessels and upon peaceful Malay villages. The depredations of this group incidentally led one of the rival claimants to the sultanhip of the state to ask for a British administrative adviser—a request from which sprang the system of Residencies and British indirect rule on the peninsula.¹⁶¹ Although the slaves kept by the Chinese pirates were set free and their stockades were destroyed with British naval aid, it took many years to restore peace and order in the mining district which thenceforth, with typical Chinese enterprise and skill, became the principal source of public revenue for decades to come.¹⁶²

In British North Borneo, as in Malaya, a mild form of slavery has existed among the indigenous tribes since times immemorial. But it was their subjection by Mohammedan tribes, moving inland from the coasts, that produced the much more extensive and more inhuman forms of bondage which survived almost to our day. Here, also, alien tutelage at times converted peace-loving, even timid groups of relatively low culture to a life of depredation. Thus Heine-Geldern says of the Punan and related groups that, being excellent marksmen with the blow-pipe, they have often been used by invaders to serve as guides and participants in slave raids and, in consequence, have become warlike and adopted the practice of head-hunting, which was not originally a part of their culture.¹⁶³ The Kedayans, the bulk of the rural population of the island of Labuan, distinguished from the Orang Laut, the Borneo Malays, by a real love of the soil, are believed to be descended from Javanese slaves brought over from Brunei.¹⁶⁴ The Chartered Company of North Borneo, established in 1881, made a determined effort to suppress slavery and seems to have been entirely successful.

The aboriginal forms of slavery have been described by Owen Rutter, as follows:

Under the pagan customary law, a man might obtain a slave (*a*) as a prisoner of war, (*b*) by purchase, (*c*) in default of payment of a debt, (*d*) as blood-money for a relative whose head has been taken; a male slave for a man's head, a female slave for a woman's head, and a child slave for a child's head. . . . Such slaves might be either sacrificed or retained, as was considered expedient. . . .

As a rule, slaves were regarded more as domestic servants than anything else,

whose service to their owners would be impaired if they were neglected or harshly treated. They were hewers of wood and drawers of water, but there was no sense of degradation; they lived as members of their owners' families and there was nothing tangible to distinguish a slave from a freeman.¹⁶⁵ It appears, however, to have been the custom, in the rare cases when a slave married a free woman, for the woman to take the status of her husband and for their children to be considered born slaves. On the other hand, a female slave who married a free man became herself free and her children were born free.¹⁶⁶

Hugh Low, at that time Colonial Secretary at Labuan (the small island off North Borneo attached to the Straits Settlements since 1907), gave in 1848 a detailed description of slavery in Sarawak, which its first rajah of the Brooke dynasty was even then trying to abolish and had, in fact, succeeded in reducing considerably.¹⁶⁷ Because of its interest and inaccessibility, his description is reproduced below in Appendix B, p. 289. From this account it appears that the lot of the Dyak slaves was in some respects more secure and comfortable than that of their free tribesmen in the interior.¹⁶⁸

While there was little if any of such slavery left at the beginning of the present century, a new form of bondage introduced by the Chinese has given a great deal of trouble to the British authorities both in Malaysia and in Hong Kong: the infamous system of child slavery, or *Mui Tsai*. It has been the subject of several investigations, including one by a Commission appointed by the Colonial Office, which reported in January, 1937.¹⁶⁹ It is linked to the traditional Chinese conception of the family which gives the husband and father complete authority over his immediate dependents.¹⁷⁰ To say that child slavery conformed to Chinese customary law does not mean that it was a harmless element of the accepted social order. John H. Harris quotes an eyewitness as saying:

The sale of the girl by the parents is itself such a shock to the child's self-respect, that it utterly destroys forever that feeling of individual worthwhileness and self-confidence. The foundation on which the child's personality is to be reared is thus swept away. The stimulus to moral and spiritual growth having been subtracted, the whole development of the child as a human being is arrested.¹⁷¹

Anyone who has seen groups of these children in the receiving homes of Hong Kong or Singapore will have become conscious of the mental retardation and disturbance of many of them.

Concubinage, as traditionally practiced in China, is largely motivated by the desire to add to the size of the family in order to secure its continuity. And concubinage as practiced in China has elements almost indistinguishable from purchase. Similarly, the old established custom of adopting children served a purpose little different from purchase, since it imposed no obligation whatever upon the adopter while giving him complete control over the boy or

girl taken into his household. Although the sale of children has fallen into disrepute and is now illegal in China, it still takes place on an extensive scale in areas suffering from famine and in areas, especially in the south, where population pressure and absentee landlordism make for a high degree of uncertainty and misery even in normal times.¹⁷²

Mui Tsai originally was the term for an honorable form of child adoption but has, with the increasing poverty in those provinces and counties from which the great majority of emigrant Chinese are drawn, come to denote not a "little sister" but a "little slavey," a young girl who, to use the Commission's definition, "has been transferred from her own family, either directly or through a third party, to another family with the intention that she shall be used as a domestic servant, not in receipt of regular wages and not at liberty to leave her employer's family of her own free will or at the will of her parent." A *Mui Tsai* originally was often adopted at a tender age to be brought up as a possible future wife for a son of the house. The advantage was that at the time of marriage she would already be experienced in meeting the requirements of that duty—and this means especially in her obligations to the future mother-in-law. In modern times she has become an article of commerce in the domestic labor trade, and to a lesser extent in the white slave trade, both in South China and in the Chinese settlements overseas.

After an agitation against the system going as far back as 1880, the Straits Settlements and the Federated Malay States provided special protection for immigrant women and children in 1914, and new legal bars to their introduction for purposes of prostitution or sale. In practice, the prevention of the ill-treatment of such bought girls in domestic service has become the largest activity of the officials. The penal code was amended in 1921 to give teeth to these measures, and steps were taken in Hong Kong to prevent as far as possible the shipment out of China of women and girls destined for illegitimate purposes. Winston Churchill, then Colonial Secretary, told the House of Commons in 1922:

I desire to make it clear that both the Governor and I are determined to effect the abolition of the system at the earliest practicable date, and I have indicated to the Governor that I expect the change to be carried out within a year.

The Secretaries for Chinese Affairs in both the Straits Settlements and the Federated Malay States made intensive studies of the matter and suggested changes in the labor code. Further legislation of a protective character was adopted in 1927, 1929, and 1932; women inspectors were appointed, and offenses against the *Mui Tsai* Ordinance were vigorously prosecuted. As a result, the majority report of the Commission ends on a fairly optimistic note. A minority report, on the other hand, draws attention to the continuing existence of the loophole afforded by legal adoption through which

the illegitimate transfer of girls and their ill-treatment were said to continue on an extensive scale.

The Legal Advisory Committee, in its 1938 report, above referred to, expressed itself satisfied with the progress achieved and, while recognizing the difficulties encountered by the British authorities in dealing with contractual adoption of children as distinct from sale, approved of their methods. The same report states that because of measures taken to suppress it, the *Mui Tsai* system had completely disappeared from the Netherlands Indies. In Macao, on the other hand, according to the testimony of the Portuguese expert, the system "is still tolerated by custom"—and by the authorities.¹⁷⁸

About that time, the present writer, under the guidance of Victor Purcell, then Acting Immigration Officer, paid a visit to a home for *Mui Tsai* in Singapore. It may be worth while here to record briefly some of his impressions.

Situated on one of the highest spots of the city, yet conveniently near to most parts of it, the institution seemed admirably adapted to its purpose. The government was trying here in a serious and generous way to bring back to normal health, mentality, and social functioning the victims of an iniquitous traffic—some of them hardly old enough to render any effective service even in a modest household.

All the staff and all the inmates were Chinese (mostly Cantonese)—except one Malay girl who had been temporarily placed in the home by order of a court. One of the older girls had given birth, in the same home, to a child that was still with her, now at the age of six months. About one-half of the girls had been sold by their parents or mothers and had been taken from their mistresses by court order because of ill-treatment. The other half represented a miscellany of cases in need of protection.

Many of them were under treatment for venereal diseases, and these by no means only the older ones. Mistresses convicted of crimes against slave girls—most often that of using them for immoral purposes—were fined sums ranging from \$40 to \$100 (Singapore currency); and these sums were deposited in a local bank as a dowry for the individual children. These were usually kept in the institution to the seventeenth or eighteenth year of age, then jobs were found for them, mostly in domestic service—for which they were well trained—with the requirement that they report once a quarter.

A surprising feature of the enterprise was the large number of girls adopted from the institution into private homes while yet of tender age, with the obligation of regular reporting. One condition of such adoption was that the child must attend school until the age of fifteen; compliance with this condition, and with others, was checked.

Another surprising feature was the large number of marriages of inmates from the institution. Young Chinese men, especially those too poor to offer an acceptable marriage gift for a desirable mate suggested by a marriage broker, repaired to the home to select a girl of marriageable age, sometimes even to entrust the staff with the choice of a suitable spouse for them.

A few of the children were mentally defective, others showed marks of the abuse

they had suffered. Only one, in response to an inquiry addressed to the older girls, expressed a desire to return to her mistress—on the plea that she did not receive as much milk to drink in the home as she had been accustomed to. Her mistress had been a prostitute.

The success of the campaign directed toward the elimination of girl slavery in Hong Kong and Malaya is difficult to prove; according to Chinese interviewed in Singapore, many of the mistresses escape registration. On the other hand, confidence in the fairness of the Government grew, and each year more witnesses appeared of their own accord at the office of the Chinese Protectorate or in a local court to report cases of ill-treatment of young girls that had come to their notice. In Hong Kong, an estimated 10,000 *Mui Tsai* in 1929 had been reduced to less than 3,000 in 1939; the proportional reduction of those in Malaya must have been at least as great. But in his report on the *Mui Tsai* system for the second half of that year the governor of the Straits Settlements introduced a disturbing note by pointing out that as yet no legislation existed in the colony to prevent the traffic in boys.¹⁷⁴

With the deterioration of economic conditions in South China, the enslavement of girls for sale overseas again became an acute problem for the British authorities in Hong Kong and Singapore in the late forties. In July, 1948, it was reported that scores of these "white slaves" were being smuggled past immigration officials despite all efforts to halt the traffic. Some of them were destined for the traditional adoption by the purchasers, others for a life of prostitution. An official of the Social Welfare Department in Singapore gave \$5.00 (in United States currency) as the average purchase price of young girls in China and \$500 as the average price realized on the secret slave market in that city.¹⁷⁵

In spite of this setback, the Singapore authorities believe that, with the enforcement now possible of the Straits Settlements Children's Ordinance as amended in 1939 and soon to be adopted for the whole Malayan Union, the need for separate measures to deal with the *Mui Tsai* problem has disappeared. At the beginning of 1938 the number of *Mui Tsai* registered in Singapore was 270; at the end of that year it was 208. During the Japanese occupation the register was destroyed, but it is assumed that since then all the registered *Mui Tsai* have reached the age of eighteen, at which they pass into the general population. The matter, therefore, has become largely one of preventing illicit immigration.¹⁷⁶

The prewar status of antislavery legislation in Malaya and Borneo was indicated by the Government of the United Kingdom in 1938 in a report which gave for each dependency the statutes under which the punishment of slavery offenses was then provided for. In brief summary, the situation was as follows:

The Penal Code of the Federated Malay States (Chapter 45 of the Laws

of 1935) is based on the Indian Penal Code.¹⁷⁷ In Pahang, the Slavery Regulation Repeal Enactment, 1906, provides for the abolition of slavery, including debt slavery. In Perak a similar peremptory law was adopted in 1882.

In the Unfederated Malay States the following laws have been enacted: in Johore, under a 1935 law, the same prohibitions obtain as provided in the Penal Code of the Straits Settlements. In Kedah the law is assimilated to that of India. In Kelantan, a law adopted in 1913 abolished debt-bondage, slavery being regarded as having been non-existing in the state for many years; the Straits Settlements Penal Code is in force here since 1930. In Perlis the same Penal Code obtains as in Kedah. In Trengganu an act was adopted in 1919 abolishing debt-slavery. The provisions of the Penal Code for punishment of slavery are, since 1933, identical with those of the Straits Settlements.

In North Borneo the Charter of the British North Borneo Company of November 1, 1880, provided for the gradual abolition of "any system of domestic servitude existing among the tribes of the coast or interior of Borneo; and no foreigners, whether European, Chinese, or other, shall be allowed to own slaves of any kind in the Company's territories." Under Section 3 of the Procedure Ordinance, 1926, the Indian Penal Code was adopted by the state, including the provision for punishment of slavery offenses.¹⁷⁸

SIAM

Few independent recent studies are available concerning internal social relations in Siam or, as it was recently—and is now again—called, Thailand. Under King Chulalongkorn, who ascended the throne in 1873, every effort was made to modernize the country; and slavery was one of the particular objects of attack. But we know from the history of the attacks on that evil made in neighboring countries that the custom of human bondage is too deep-seated, has too many forms and connections with other social institutions and arrangements, to be easily uprooted: the *Pi-Marong* law of 1880 did not at once liberate all slaves. This, according to one student of the subject, "would have set against the royal house numbers of wealthy Siamese—wealthy above all because of the herds of slaves they owned."¹⁷⁹ It did not affect the debt-slaves, for example, but emancipated their children and grandchildren, the former from the age of twenty-one years and the latter from birth.

Freedom of person is an old Siamese ideal. A stone inscription in the Khmer language, found in 1833, said of the reformist King T'ammaraaja Lüt'ai (reign period, 1347-61): "In his time there were no slaves in all the land. All men were free and happy."¹⁸⁰ Under later kings, too, slavery was reported to be unknown; and although this statement may be presumed to be exaggerated, there seems to have been no written law before the seventeenth century acknowledging the legal existence of the status and providing for the punish-

ment of abuses. The decree of 1637, apparently the first of this kind, and many subsequent enactments relate, however, to enslavement for debt, a fairly modern development which can originate only in a society far advanced in the recognition of private property. They do not preclude the existence on a large scale of more primitive forms of bondage, which were taken so much for granted¹⁸¹ that even the more liberal reigns, impressed though they were by the sufferings of the debt slaves—especially those of their own ethnic group—did not feel called upon to suppress them. Civilization in Siam developed later than in Cambodia. Its monuments indicate that the harnessing of draft animals prevailed over the use of human carriers, at least in the ceremonial voyages commemorated in stone. Turpin, in his history of Siam,¹⁸² refers to a hereditary slave class recruited from war prisoners. He explains its presence among the freedom-loving Thai with the statement that as fervent Buddhists these do not like to shed blood and prefer to take prisoners in war. Such captives were harshly treated, however, and kept in chains like condemned criminals. They were engaged in heavy labor on public works or in the king's gardens and fields, and are not to be confused with domestic slaves who, he says, were treated rather leniently, as were debt slaves, and were sometimes undistinguishable in treatment and status from dependent relatives.

Aymonier sketches a system of gradations of freedom in historic Siam by describing a society in which, below the king, the royal family, and the mandarins, only the bonzes and the talapoins enjoyed a personal and at least temporary freedom, while all the other subjects were classified as slaves, serfs (or at most members of tribute-paying tribes), freemen bound to perform *corvée* duties, and alien Asiatics with no rights. Slaves, unless born into that status, might, as in Burma and Cambodia, have been degraded by capture in war or punishment for crime, but above all by insolvency, which evidently accounted for the great majority. These were persons who voluntarily had accepted servitude to pay a debt, or had been sold on the demand of creditors, and those condemned by court order to serve a creditor. Young children of debt slaves and those born to them while in such servitude could be assigned to the master as permanent, hereditary slaves. They were still numerous at the turn of the century, since a law proclaiming the freedom of children born into slavery upon attaining the twenty-first year of their lives had been adopted only in 1890.¹⁸³

In the pre-Thai society of the country, the enslavement of captives undoubtedly was an important institution. Of the Thai conquerors it is said that they developed the practice much to their economic benefit.¹⁸⁴ This full development of slavery and serfdom in various forms has been attributed to the long-continued wars of the Thai, which caused a serious underpopulation when they finally settled the large territory under their sway. Slave-hunts, chiefly among the Khas, were undertaken to make up this deficiency. Whole

village populations were taken from their homes.¹⁸⁵ Professional Chinese slave raiders also contributed their stint of man power. At one time, slaves made up one-fourth or even one-third of the total population; and since they were essential to the support of their owners, they enjoyed a relatively humane treatment.¹⁸⁶

A British ambassador on a special mission to Siam in 1855 induced a British resident at Bangkok, evidently schooled in law, to describe the various forms of slavery then existing in Siam. Although this gentleman did not consider that term entirely applicable to some of the forms of personal bondage which he had observed, he followed precedent by including prisoners of war, slaves by purchase or indebtedness, and slaves by birth. Since few readers will have access to this analysis,¹⁸⁷ it is given in full in Appendix A, below. The account is interesting in that it points to the diversity of forms of slavery as outcomes of different social and historical origins. The range of causes of enslavement includes at one extreme a self-submission little different from a voluntary contracting out of labor and, at the other, but much more rare, a harsh traffic in human beings treated impersonally as investments.

From the middle of the seventeenth to the beginning of the nineteenth century, Siamese legislation on the subject of slavery was for the purpose of its regulation and humanization rather than its abolition. From 1870 on sharper measures were introduced, partly under the influence of foreign opinion, to eliminate whatever traces could be found of the maltreatment of slaves, but more especially to enable larger numbers of them to purchase their manumission.

The distinction of having made an end to slavery in Siam is generally attributed to King Rama V, who, in 1905, decreed its final abolition.¹⁸⁸ The date is important because, again, it reminds us of the recentness of slavery as an acknowledged institution in Southeast Asia. The enjoyment of "full liberty of person, abode, property, speech, writing, publication, education, public meeting, association or vocation" was again assured to the Siamese people under section 15 II of the Constitution of 1932.¹⁸⁹

A considerable heritage of peonage and other partial servitude still saddles the people of Siam, as will be seen in a later chapter. But it is significant that neither Carle C. Zimmerman¹⁹⁰ nor James M. Andrews,¹⁹¹ in their surveys of rural conditions, mentions the existence of slavery. That there still are traces of it in the more primitive hinterland must be assumed. Miss Thompson mentions, on the ground of substantial documentation, a large traffic in women and children.¹⁹² This seems, however, to be a symptom of urbanization and of Chinese influence in the capital, rather than of normal social life. At the League of Nations Rural Health Conference at Bandoeng in 1932 the statement was made that "out of the total of seventy provinces in the whole Kingdom of Siam there are only four, including the capital city of Bangkok,

in which tolerated or licensed brothels exist.”¹⁹³ Despite the vigilance of the Secretary for Chinese Affairs in the Straits Settlements, a traffic in *Mui Tsai* between Singapore and Bangkok undoubtedly took place, but it was by its nature limited to the two Chinese communities. A parallel tradition of children being sold by their parents under stress of circumstances exists in Thai society. As in China, it was originally conditioned by a strong love of children and did not lead to serious abuse until modern times, when the traffic in young girls for immoral purposes became a highly remunerative enterprise. The prewar Government as recently as 1938 took additional steps to get rid of it.

Since the war, the “white slave” traffic seems to have revived in Siam. Virginia Thompson¹⁹⁴ tells of a raid by the police of Bangkok in September, 1946, which resulted in a roundup of four hundred unlicensed prostitutes and was quickly followed by a second raid. Most of these women had been recently brought in from China. Public-spirited members of the Chinese community aided the authorities in buying free these unfortunate young women and, in most cases, finding domestic employment for them. Furthermore, it was revealed that Annamite and Laotian girls also had lately been brought into Siam. A new Criminal Code passed during the final session of Parliament that year provides for prison terms in the punishment of both brothel keepers and procurers.

INDO-CHINA

Aboriginal society in most of Laos and Cambodia is much the same as in Siam, whether its boundaries are taken as those of 1940 or those of 1943. The Laos and Khmer civilizations covered a large part of the territory south of Yunnan; and the Thai conquest itself extended far into Tonkin and Cambodia. Most of the population, in fact, with all its diversity, stems from the Mongoloid race which from prehistoric times seeped down the river valleys of Sikang and Yunnan.

A French student of the subject concludes from the bas-reliefs of Angkor Thom, Angkor Vat, and others, that slavery had assumed serious proportions at the height of Khmer power. He shows palanquins carried by four bearers; baggage carts drawn by men; large, six-wheeled covered wagons partly drawn and partly pushed (also at times carried, i.e., moved by a combined process of rolling and lifting)—evidences that human bondage had been established long enough to produce instruments for its effective use.¹⁹⁵ Related evidence has been found in both the Khmer and Sanscrit inscriptions: together with the lands donated to temples and monasteries, these often list the names of slaves attached to them and dedicated to the service of the sanctuaries. In so far as their duties henceforth were to render menial services, the transfer may be represented as signifying a change of their status from that of serfs to that of slaves.¹⁹⁶ For some of them, an origin is indicated which suggests

that actual hereditary slaves and debt slaves also were included in these "gracious" gifts. Among them were war captives and their descendants; servants of whom for one reason or other the noble master had no further need; men and women given to the founder for the purpose of the temple endowment by a grateful (or perhaps timid) client; serfs who had fallen into the possession of the king as heir to all intestate estates; slaves bought or bartered for some other cherished possession. Sometimes whole village populations thus changed hands. And occasionally ownership was disputed and led to long-drawn-out lawsuits.¹⁹⁷

Paul Pelliot has discovered and translated the account of observations in Cambodia by Chu Ta'uan, an ambassador of the Mongol emperor to the court at Angkor, who resided in that city from 1296 to 1297, that is, in the heyday of the Khmer empire. This Chinese eyewitness reported:

The grandees and rich people . . . employ in their houses at least a hundred slaves, who do all the work. Even middle-class families possess from ten to twenty per household, and only the poorest of the poor have none. These slaves are aborigines from the mountain solitudes. There are two kinds of such savages: those who understand the prevailing tongue—the ones sold in the town—and those who can speak no language and have never lived in houses. . . . Even in a city, these slaves dare not show their noses outside the door, nor, in a house, may they sit or lie down except under the stairs [that is, on the bare ground under the raised floor]. In pursuit of their duties, they may sometimes have to come upstairs, but then they must kneel, salaam and prostrate themselves before they can proceed with their business. They call their master "Father," and their mistress "Mother." When they make a mistake, you may beat them, and they must not move; but otherwise you may have nothing to do with them. If they try to run away, you make a blue mark on their faces, or sometimes place iron fetters on their legs, or round their necks, so as to make sure of them.¹⁹⁸

In Annam, travellers used to report that inferiors were often harshly treated by superiors—wives by husbands, laborers by farmers and artisans, these in turn by landlords and mandarins. This tradition seems to stem from a social system in which old class divisions are sharpened by the labor requirements of an exceptionally dense population. The customary exertions of free peasants do not produce enough food or enough of anything. Here also the hereditary slaves of former times were for the most part the descendants of war prisoners and gifts of returning warlords to their favorite or more distinguished vassals. These in turn often transformed such gifts into cash by the simple process of offering them in the market, a market which tended to be glutted after large victories with an oversupply of untrained "savages."¹⁹⁹ One result of this long history of maltreatment still discernible in our own time is the suspicion of the Annamites, found throughout Laos and Cambodia, a suspicion and hostility so great that the French Government of Indo-China

finds impracticable the settlement of large numbers of Annamites in these western provinces.²⁰⁰ Alberti declares that the Annamite social system, being based exclusively on distinctions of merit, does not permit of the enslavement of Annamites or others recognized as belonging to the same "race," particularly Chinese. But Laotians and Cambodians are looked upon as inferior beings from the standpoint of marriage, and at the time of the French occupation slavery existed in Lower Cochin-China.²⁰¹ These aboriginal mountain people are to be distinguished from those fallen into bondage through debt, their own or that of members of their family. The latter had the right of ransom, whereas the former were owned in perpetuity without such right, though sometimes the master arbitrarily fixed a sum with the payment of which such a slave might buy his freedom. These aborigines, says Alberti, are still chased in the eastern mountains like wild beasts, or sold by their parents at an early age, traded in like merchandise, and treated very badly.²⁰² Colquhoun tells a similar story, with additional detail. There was, in the eighties, a good market for the aborigines, he says, not only in Annam but also in Siam and Cambodia. They were at one time worth eight hundred francs, while Cambodian slaves fetched only five hundred and Annamite ones no more than two hundred.²⁰³ The traders attributed this to the greater reliability of the Shan hill people, but it is to be feared that this derived simply from the fact that they were farther from home, or had no homes to return to, and hence had less desire to abscond. It is to be noted that the Shan themselves took part in this nefarious traffic. When French explorers asked for price quotations on the principal local products, the village chiefs would invariably mention slaves among other commodities.

Shifting cultivators have little use for slaves. But whenever they settled for any length of time the various tribes, according to the nature of their environment and of their stage in cultural development, fell quite naturally into the use of captives both for sacrifices and as sources of work power. Throughout the western mountain region of the peninsula are to be found "slave tribes": residua of ethnic groups subdued centuries ago and continuing to live in bondage to the dominant group. Sometimes the subjection of whole villages and tribes of aboriginals to the status of "slaves" was brought about not by direct capture but by treaty, and even through the traffic of powerful Thai, Cambodian, Laotian, and Burman government officials.²⁰⁴ The aboriginal tribes themselves have rarely been reported in modern times to have slaves other than war captives taken for the purpose of sacrifice. Nieboer, in 1900, mentioned positive cases for hill tribes of present northern Siam and eastern Burma rather than Indo-China itself.²⁰⁵ Whether the status of the captive tribes should be described as that of slaves is a moot point. They were found to work for others without compensation and to be subject to their orders in many things, but they were not objects of sale, and their lot was that of helots

or serfs rather than of human chattel. Many of them had developed special crafts, as did the descendants of Greek slaves in Rome, and were not severely oppressed by their dependent status.

Slaves made by capture predominated in the distant past; but their offspring, when one of the parents was free, soon passed into the general body of the tribe, having lost all traces of cultural separateness, much like the Algonquin, on the North Atlantic coast of America, who passed into the possession of the Iroquois. Slave trading, as has already been observed, is of more recent origin, and slavery through indebtedness came last in order—when it was not, as it often is especially in Indo-China, merely a disguise for one of the older kinds of bondage.

The military campaigns of the Khmer created both state and individual property in war captives. The latter conferred such absolute rights upon the owner that only a change in economic conditions could produce even the beginnings of legality in the treatment of slaves and their right to gain freedom in certain circumstances. That change was an increasing transference of slaves from domestic duties to productive agricultural work, a transference which implied a certain amount of responsibility and cooperation on the part of the slave if his employment was to be of appreciable value. When the demand for field laborers became more pronounced, slave raids and slave trading became common features throughout the region.

Having ostensibly adopted the principle of indirect rule, the French colonial Government faced the difficult task of eliminating as fast as possible all types of slavery and bondage without undermining the customary law and the authority of the local princes. To effect this purpose it relied on three expedients: treaties signed with the native rulers; the example set by the immediate emancipation of all slaves who in one way or another came under direct French jurisdiction; and continuous pressure for the reform of native law through the influence of French administrators. Thus state or "king's" slavery was the first to be abolished. Slavery for debt in Cambodia was suppressed by law in 1897.

The French empire already had experienced a somewhat convulsive history of dealing with the problem of slavery when it confronted the existence of that institution in Indo-China. The National Convention, elected in 1792 "to give happiness to France," probably was the first modern legislature to outlaw slavery (February 4, 1794); but this prohibition, extending to all colonies, only lasted for eight years. An act of the republican government, under the Consulate, of May 19, 1802, rescinded a law which had been merely on paper and which it would have been impossible at the time to enforce. After the overthrow of the monarchy of Louis-Philippe in 1848, slavery was again abolished for the whole empire—as one of the first acts (April 27) of the new republican government. This decree followed the general lines of the British

abolition act of 1830. Although it was a "bolt from the blue," as one historian calls it, it did not prevent the continued recognition of slavery as an established institution in territories under indirect French rule, first in Africa and later in Asia.

In Indo-China, the first effective prohibition of slavery was a royal order in Annam of July 17, 1887; but this was directed solely against the enslavement of insolvent debtors, a subject further to be discussed in Chapter III.

The Siamese reforms already referred to also affected, of course, those parts of Laos which, at the time they took place, were under Siamese rule. Many Laotians gained their freedom under the decrees of Siamese kings, who used this device to strengthen their man power in their long rivalry with the Annamites. But these Laotians were descendants of slaves, already on the way to freedom, when in 1880 they secured their manumission; and the decree of that year only permitted debt slaves to buy their freedom without giving them any particular economic help to fulfill that ambition. In the eighties, when the French took over step by step, slave trading was already a punishable offense, but it was still carried on under influential Laotian, Cambodian, and Siamese commercial auspices and was not easy to suppress.²⁰⁶ The serfdom of the Khas, in whole communities, was even more difficult to abolish, since in the areas where it obtained the local Laotian economy was based on it, and efforts to get rid of it through use of force produced a number of revolts. The eventual enfranchisement of the Khas, in 1898, resulted in one of those peculiar arrangements, already alluded to as characteristic for the whole region, under which the social and economic reality of bondage is retained with little modification while in law the people are free to come and go, to enjoy the fruit of their labor, and marry whom they please.²⁰⁷

Before the First World War, the French authorities endeavored also to make an end to the slave trade carried on by Annamites in the Moi country.²⁰⁸ But the clear-cut policy of the reformist administration had no effective arm to carry out its decrees in that difficult terrain; and before the war it was believed by some officials that slavery in Tonkin still continued—though within narrow limits and in disguised forms—as an active self-renewing institution.

Long periods of subordination to superior groups have impressed upon the people of Laos—a sub-group of the Thai—and other ethnic groups of Indo-China those characteristics of improvidence and apathy which are to be found wherever repeated invasions have destroyed the results of effort and therewith the natural ambitions of a peasant people.²⁰⁹ There is thus, and not only among the Laotians and Moi but also among others of the mountain peoples, a predisposition to accept a certain amount of servitude as the price of a modest livelihood and security. Enterprising Annamite and foreign employers were not slow to take advantage of this attitude when large-scale commercial

agriculture took root under the protection of French arms. But there seems also to have been, until quite recent times, a continuing trickle of slave importation from China, the government of which has practically at no time been able to give adequate protection to its aboriginal subjects in the border region.²¹⁰ Of the influence of this general situation on modern labor conditions more will be said below.

In 1938, at the last meeting of the League of Nations Advisory Committee of Experts on Slavery, the French Government presented a lengthy statement concerning the status of involuntary servitude in its various colonies. It claimed, as it had done in previous reports, that slavery had completely disappeared from all territories under French authority. Indeed, it had been one of the first (1848) to abolish it legally throughout the empire. However, the report admitted, pledging for debt not only of the debtor but also of members of his family, disguised sale of children, and an imposition of labor duties so severe as practically to constitute serfdom, continued in Cochin-China, despite a progressive legislation attaching increasingly severe penalties to these different forms of subjection, right up to 1933 and the even more recent Annamite Civil Code. The report concluded:

The evolution in the condition of persons in Cochin-China since the country became French territory shows that it is not merely by legislation that the vestiges of slavery in the country can be abolished.

The disguised forms which remain will finally disappear as a result of the changes occurring in the mentality of the natives. Their way of thinking and acting has been rapidly changing for some years past.²¹¹

This statement, it may be added, is equally true of other territories in Southeast Asia where, as we have seen, the legal abolition of slavery has not yet eliminated every vestige of the reality.

THE ROAD TO CONCERTED ACTION

Reports and rumors of slavery from Southeast Asia were among the most impelling calls to joint world action after the humane services of the League of Nations were organized. They showed better, perhaps, than those from Africa that slavery is a product of conquest, sometimes remote and sometimes traceable to relatively recent events in the internal history of the areas affected. And it did not take a very thorough inquiry to demonstrate that international action is needed if the traffic in human beings is to be finally abolished. Not only this, but even the conditions of bondage which arise solely from internal causes in any one of the countries are of practical international concern, because the moral effects of slavery are disastrous to peaceful progress. As Lord Lugard often had occasion to explain, the evil psychological effects of slavery on the master—his habituation to the exercise of

despotic power and to cruelty, the weakening of his self-control, his susceptibility to flattery, his contempt for manual labor—all are likely to be transferred to other human relations, and especially those of an employer with those who work for him. To the slave, likewise, even where moderating influences are at work—such as was the spread of the Christian faith—the institution is demoralizing. One must beware not to mistake an easy acceptance of the lot, where the conditions are not too harsh, for proof that the institution is harmless. One of the greatest difficulties which governments have today in countries with a widespread experience of slavery is that of arousing those who have been subjected to it—even several generations ago—from the continuing apathy and indifference that go with lack of responsibility and of provision for the future.²¹²

When the League of Nations took up the problem of slavery, this was not, then, only out of a general moral sentiment but with concrete social and economic aims. Slavery already had been made illegal by Great Britain in 1833, by France in 1848, by Holland in 1863, by the United States in 1865, and by Portugal in 1878. At least by implication these prohibitions covered both the homelands and all their dependencies. But in practice even the strongest of these and other powers sometimes had difficulty in eliminating the situation from all the territories under their sway, particularly when these were protectorates, that is, under indirect rule.

There was some opinion in the League Assembly in favor of limiting international action to the international trade in slaves, so as to avoid any possible friction.²¹³ But eventually it was decided to limit, if necessary, the modes of action by the international body but not the scope of its concern. Indeed, the Covenant of the League, in Article 23, already had encouraged it to take a large view of its responsibilities. Those who framed it were well aware that this might mean “interference” with the sovereign rights of individual nations. Nor was this an altogether new conception of international responsibility, for the suppression of slavery in the Congo Basin had been the object of multipower treaties in 1885 and 1890, and these had been confirmed and revised in the Treaty of St. Germain in 1919, by which the United States and six other powers bound themselves to effect “the complete suppression of slavery in all its forms and of the slave trade by land and sea.”

After preliminary discussions, the League Council appointed in 1924 a Temporary Slavery Commission which reported the following year²¹⁴ and provided the documentation of the Anti-Slavery Convention of September 25, 1926,²¹⁵ which the United States ratified in 1929. It is not necessary here to go into the details of the Commission's report or of the Convention.²¹⁶ A Permanent Slavery Commission was appointed in 1929 and made its first task a thorough investigation of slavery in Liberia. Although its report could not but condemn the neglect that had been shown by the Liberian Government,

no international incident occurred. On the contrary, a representative of that government took part in the formulation of a League program designed to give Liberia effective aid in the forceful elimination of the evil.

The student of slavery as an institution will find interesting material in the subsequent reports of the League's Advisory Committee of Experts on Slavery—the last of them dated April 5, 1938.²¹⁷ More recently, international opinion has reasserted its unanimous condemnation of slavery in every form through the adoption of Article 5, Section 1, of the *Minimum Standards of Social Policy in Dependent Territories*.²¹⁸

International agreements, it may be contended, are one thing; action by the competent authorities is another. But in spite of a certain skepticism as to the value of international agreements induced by recent events, the power of world opinion has shown itself to be a real force. We have already seen, for example, that the British Government, generously aided in this matter by the Indian Government, set to work in Burma before any question of League interference could arise. In the same way, the existence of the international commission, the reports which it had collected, and the constructive nature of its deliberations unquestionably have been responsible for other corrective actions taken by various authorities in the region here under consideration.

Adequate experience exists to build up the necessary machinery for eliminating slavery—within the strict meaning of the term, at least—in all the countries of Southeast Asia, without danger of arousing enmities. For all the governments in that region already have shown their eagerness to get rid of the last vestiges of slavery; and, while the task for the most part must fall on them individually, they all have to gain from regional international cooperation in the study of the facts, the suppression of the slave traffic and of raids, the joint working out of programs of social improvement. Such programs may have to be modified to meet the exigencies of particular situations, but all of them can be made to embody the best available technical knowledge. For it is not the political boundaries between these states and dependencies but the various stages of cultural and economic development that make for differences in the conditions under which slavery obtains. And several such stages can be found in each of the countries here reviewed.

In this connection, it needs to be emphasized that international conventions and their national embodiment in legislation are but the outer symbols of inner change. Throughout the region, the abolition of slavery is linked with movements that penetrate deeply into the structure of free society. One of these is the emancipation of women, which everywhere goes together with larger social programs and, in the case of Islam, with a liberal reinterpretation of religious doctrines.²¹⁹ Another is the growth of nationalism, which often carries with it a newly acquired pride in those elements of the traditional culture that are universally deemed praiseworthy by modern humanitarian

standards, so that both the declarations of revolutionary parties and the constitutions of states that have won their political independence are replete with references to the dignity of man and with promises for the rapid elimination of customs and social arrangements that detract from it. Third, under the influence of Christian missions, of communism, and of other world-embracing impacts on social attitudes, even the politically more backward societies of Southeast Asia have experienced a stimulus to organization for economic self-help. The peoples of Southeast Asia are rapidly learning that, by joining their forces, even the most humble of men can master the instruments and processes of making a living by which they have so long been enthralled.²²⁰

It is significant in this connection that the Preparatory Asian Conference of the International Labor Organization, held at New Delhi in 1947, not only passed numerous resolutions concerning the improvement of social conditions and agrarian relations that prevent the farmer and the laborer from obtaining a fair return for their labor but also went out of its way to bring to the attention of the governments the particular conditions in backward and isolated areas which contain the largest remnants of disguised forms of slavery today. Resolution XVIII, of November 7, 1947, reads:

1. Aboriginal tribes and untouchable castes in various Asian countries, due to their extreme backwardness and ignorance, suffer from special disabilities, disadvantages and exploitations in economic and social spheres, particularly in regard to opportunities and conditions of employment, and the problems of these sections of the population require special attention and treatment.

2. The Conference therefore draws the attention of the Governments of Asian countries to the necessity of taking immediate steps for the amelioration of the conditions of the aboriginal tribes and untouchable castes and it requests the Governing Body to instruct the International Labour Office to assist the Governments of the countries concerned in a study of these problems.

3. The Conference further requests the Governing Body in the light of the progress made in these studies to place one or more aspects of these questions on the agenda of future sessions of the Asian Regional Conference.²²¹

The formal abolition of the "untouchable status" in India on November 29, 1948,²²² has further contributed toward strengthening the resolution of all Asian governments with remnants of the caste system to get rid of these, not only in name but also in practice, as fast as possible. There is, as we have seen, a close relation between the often fanatically retained distinctions of social status and traditions of slavery. The new and perhaps final attack on the socially most harmful aspect of the caste system can therefore be expected to be reflected in a more rapid elimination also of various forms of servitude.

Some attention has been given in this chapter to a specialized form of slavery now happily on the way to extinction in Southeast Asia, that of the *Mui Tsai*. But conditions of actual slavery, or bordering on it, are occasionally to be

found also in the employment of children in industry, especially in old-fashioned mines and in small factories and shops under indigenous or Chinese management. The enslavement of children is a particularly ugly manifestation of greed. There is but one remedy for it, and that is the enactment and enforcement of legislation to regulate apprenticeship, to debar children of tender years from gainful employment, and to reduce the temptation of child employment by rigorous rules as regards hours and conditions of work. The subject was discussed at the New Delhi labor conference in 1947, and suitable legislation was recommended.²²³

Unfortunately, a greater stringency in the industrial employment of children seems to have led to a mere displacement of child workers from regulated to nonregulated occupations. It is obviously impossible to extend the labor inspection services to every small shop. On the other hand, as the writer can tell from personal observation, it must not be thought that, in the small establishments where the personal relations between employer and employed are close, more humane standards prevail than in power-using factories. The contrary is often the case. Sometimes the father receives a premium for leaving his child at the mercy of the employer and with the receipt of that payment practically abandons all his rights. Apparently, the only remedy is as rapid as possible an education of public opinion in this matter.

To some extent this is true also of employment conditions resembling slavery, to which laborers sometimes are forced by circumstances to subject themselves, in the unregulated segments of industrial and craft production. Their liberation can be aided but not completed by further advances in labor legislation. The organization of public relief work in times of exceptional unemployment helps, especially in the larger towns. Any alternative to sweated labor that is afforded by increased credit facilities, easier access to the land, and a wider choice of vocational opportunities, helps to eliminate the bonds created by extreme poverty. There will be no more slavery or quasi-slavery when the people generally have attained to a greater sense of human dignity and a larger habit of mutual aid.

CHAPTER TWO

Serfdom and Peonage

THE League of Nations Convention on Slavery of September 25, 1926, defined slavery as "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised." The experts had been struggling with a definition which, as finally adopted, recognizes only one of several possible causes of slavery but was fairly successful in marking the distinction between slavery and serfdom:

. . . A "slave" is a person who is either the victim—or else is the descendant of a victim—of an act of personal violence, resulting in capture and subsequent detention and use as an article of property; and the services rendered by a "serf" are connected sometimes with the relationship between one tribe and another, sometimes with the fact that his lot is bound up with that of agricultural land or grazing grounds, occasionally with employment in or around the household of a "master", and in some cases quite possibly, as a curious medley of all three. It is true that the treatment of "born slaves" . . . has in many places become so mild that they are nearly indistinguishable from "serfs". It is important, however, to keep the fundamental distinction clearly in mind, and to realize that the status of "serfdom" is a condition "analogous to slavery" rather than a condition of actual slavery, and that the question whether it amounts to "slavery" within the definition of the slavery Convention must depend upon the facts connected with each of the various systems of "serfdom".¹

Actually, no inclusive legal definition thus far devised provides exact guidance as to the presence of "ownership" in all the various systems that permit the subjugation of one man's working capacity to the will of another. For example, in several of the countries here under consideration, the right to *trade in* human beings was abolished long before it was feasible to abolish the right to *dispose over* the bodies and working power of individuals. In some of the tribal codes slave trade, even raiding, is permissible, but not the punishment of a slave with death. In some, as we have seen, the treatment of slaves is so mild that they may even acquire property, or may have the right to buy freedom

by withholding from the master part of their earnings and saving it for that purpose. In some instances, of which we shall see further examples below, hereditary "slavery" of whole clans or tribes was so mild in its recent application that those subjected to it preferred to stay with their masters instead of entering the free labor market.

The League was so occupied with the elimination of the grosser forms of slavery—of which a round five million victims were estimated to be distributed over different parts of the world in 1930—that it failed fully to investigate the incidence of those partial rights of ownership, for such they are, which are comprehended in the terms "serfdom" and "peonage." The latter term may, of course, be given a narrow definition in keeping with its Spanish origin,² or it may be used in a wider meaning as a synonym for serfdom.

The terms "serfdom," "feudal," and "semi-feudal" cannot, when applied to non-European societies, be used in a legally and historically circumscribed narrow sense. Both writers about Asia and Americanists³ employ such terms as rough equivalents for institutions with an almost infinite variety of shadings. Even for European conditions of servitude there does not exist entire agreement on terminology, and so great an authority as Vinogradoff tried to get around the difficulty by including "serfs" with other classes of bondsmen as "subordinates whose duties are fixed by custom"—almost too inclusive a term to be useful.⁴ In the present chapter, and throughout this study, "serfdom" will, like "bondage," "involuntary servitude," and similar terms, be used to designate a dependency that falls short of the master's right to sell and is usually, but not always, connected with rights of ownership or use over land cultivated by persons thus bound.

In parts of Asia that have come under Hindu influence, the class concepts often are further complicated by considerations of caste. Even when there is no fully developed caste system there tends to be a sense that those who for one reason or other are condemned to carry out the most menial tasks are degraded below the rank of full members of the community, that is, outcastes. They are degraded and despised but not in a state of slavery, that is in individual subjection to members of the higher classes.⁵ So-called "slave tribes," usually the inhabitants of conquered districts or population groups shifted from them *en masse* and attached to a court, an estate, or a village community, perform certain services and pay tribute in kind or money, and so are serfs, not slaves. In practice, of course, the duties imposed on them may be so various and so arbitrary that no lower status than theirs is easily imaginable, and so it is not surprising that travellers and historians often describe them as slaves.

As in medieval Europe, so in Southeast Asia, serfdom is a status which under a seeming similarity of function hides widely divergent origins.⁶ It is recruited both from above and from below: free men are degraded to hereditary servi-

tude through a loss of their privilege to use the common resources of nature, and also at times through a voluntary abdication of their rights to a protector; tribal slaves, in the evolution of agriculture, become connected with a distinct part of their lord's domain and in time gain the right to a definite share in their produce and a certain degree of self-direction beyond that enjoyed by the slave.⁷

For present purposes it may be said that serfdom and peonage are distinct from slavery in that their victims are not chattel, that may be owned separately as individuals and apart from the particular land they serve. The serf and the peon are bound to the soil—and go with the soil when it is transferred from one owner to another. They have no voice in determining what shall be grown on that soil or, in practice, what their share in its product shall be—even when under the law they are in a contractual relationship with the owner. The distinguishing feature of both is that capital confronts land and labor as a single unit in the production process and not as separate factors to be bargained for separately; who owns the land also disposes over the human labor power attached to it. This rather general description includes many varieties, influenced by local conditions and by the historical relation between the dominant and the subordinated ethnic group. Almost always there is in the background a history of conquest; and traces of it are to be found sometimes in traditional social relations when the conquest itself has long been forgotten.

Wherever there are sultans, rajahs or other native lords and monarchs of any kind, such as the sultans of Malaya and the East Indies, the five hundred great maharajahs and princes of India, sultans or the old *illustrado* princely owners of haciendas in the Philippines, they live off the populace and use them as beasts of burden with a bland callousness which would make the most hardened Western capitalist a philanthropist by comparison.⁸

Throughout Southeast Asia we find traces of former subjection in contemporary relations of social and economic subordination by older indigenous groups to ethnic groups whose mastery over them derives from their ability to perpetuate their domination and their control over the land. It is no part of the present study to describe this historic connection; but it is important to realize that the remnants of serfdom which we find in the region do not all stem from the ruthless imperialism of the Western colonial powers; they are to a much greater extent the residue of previous, often successive, regimes based on the rights of conquest.⁹

With the drift of nomadic peoples from the mountainous highlands into the more fertile river valleys and plains, this pattern of repeated subjection forms the core of the region's history. It is still clearly recognizable both in social organization and in the legends and attitudes of the people. There has,

however, also been a reverse movement. Proto-Malay groups forced out of their habitat to inhospitable coasts and across the seas to the thousands of adjacent islands have produced those sturdy nonagricultural fishing and maritime robber communities which, as we have seen, often have in their turn invaded the richer lands and imposed their rule upon them.

In historical times, the spasmodic conquests and raids by relatively small groups have continued to some extent but have more often been amalgamated into campaigns under experienced army leaders, bent on the subjection of large areas and their domination by responsible administrators or by friendly princes. Such was the character of Cambodian, Hindu, and Mongol empires and the expansion of Thai rule over the greater part of Siam.

The labor relations of the Western-owned plantation enterprises sometimes, before the modern era of reform, represented a superimposed imported type of peonage. But that term is appropriate only within narrow limits, where such enterprise depends for its labor on the indigenous population or on a population planted on land set aside to become the habitat for a permanent labor supply which for part of its subsistence must look to the estate enterprise. The term is not appropriate in relation to contract labor introduced from a distance and returned at the end of the contract period, no matter how similar in other respects the conditions of employment may be.

Attempts to define closely the status of different classes are especially hazardous when applied to periods of social change. In this respect, conditions in Southeast Asia somewhat resemble those of the late Roman empire. In both instances, the impact of external forces and the rise of new economic needs tended to obscure, though not to eliminate, old distinctions.¹⁰ The seeming confusion of different forms of bondage mentioned in the following pages may be explained by the changes which began even before the "Western expansion" had reached the stage of full capitalistic exploitation. Under the impact of alien Asiatic rule small fighting units had coalesced into large armies, and petty principalities into kingdoms and empires. During this feudal period tribal class divisions and obligations largely survived, but the traditional simple relationships no longer dominated the scene. Already questions of man power, both for military operations and for the support of nonproductive classes, became important. Trade extended over greatly expanded areas. And even the breakup of the political structures built by Hindu, Moslem, and Mongolian armed might did not bring with it a return to the old local self-sufficiencies. World trade, and the wealth to be derived from forcing subject peoples to collect and produce what the market demanded, had already revolutionized the traditional agrarian economy.

European colonialism profited from the rights which chiefs and nobles already had assumed over the property and persons of their subjects. During the early stages of colonial exploitation little changed, except that European

colonials forced those possessed of power to use it even more ruthlessly or reduced them to mere agents of their own aggressive greed. Not until large-scale production of export crops became the recognized road to wealth was there much interference with the established social relations in the indigenous community.

What happened then, again,⁸ was not a complete substitution of new forms for old. The main requirements of efficient production in commercial tropical agriculture are so different from those in the traditional agriculture for home consumption and tribute that the old relations are submerged. But this is true only of that sector of the economy which serves the new requirements. By far the greater part of Southeast Asia—and this not merely far from the areas producing for export but also intermingled with them—to this day remains devoted to production for domestic use. Here the historic social relationships of tribe and simple peasant community often still stand out with rocklike permanence. Even when landlordism and money-lending have disrupted the older arrangements, there usually remains in customs and attitudes much of the old give-and-take, much of that domination of noneconomic motives which perturbs and angers the apostle of capitalistic efficiency. New differentiations of status, in keeping with new responsibilities and a new division of wealth, still have to battle against older ones that derive from the social heritage. We are therefore dealing in this chapter with a conflict between traditional and modern claims, the outcome of which is by no means certain. Old forms of bondage are interwoven with new; and, as colonialism is on the wane, it is by no means certain which of them will survive.

INDONESIA

In Java, quasi-feudal institutions developed from the imposition of Hindu rule over an old tribal organization which, as we have seen, was on the whole based on equality though it enslaved war captives and stray newcomers, as well as those who had lost their status through some crime against the community.

Bondsmen and slaves were excluded not only from the *kraton* [court] of the Hindu-Javanese princes with its hierarchy of officials and priests but also from the old *desa* community. The decrees which were issued after 882 A.D. nearly always refer to a group of individuals who were not considered to belong to the *Wang Yukti*, a term which might be translated with "people belonging to a community." Those who were not of the *Wang Yukti* were persons who plied certain handicrafts, mostly magically dangerous ones, such as smiths, potters, and dyers, but also *kraton* servants or slaves and aliens: Cambodian, Dravidian, Klingalese, Peguan, and others. These foreigners, of course, never belonged to the Javanese communities. The others were presumably reduced to a condition of serfdom under the prince through being captured in defeat or through being in debt.¹¹

The effect of the Mohammedan conquest was very different. Islam in principle recognized a difference in social status only between believers (including converts) and nonbelievers. But it did assign a special place of honor to those learned in the faith and to the members of pious fellowships. In the course of time these groups assumed special privileges and escaped some of the heavy exactions to which the rest of the population was committed by the new rulers. This new pattern, superimposed upon the old, again complicated social relations—not only in law but also in attitudes and customs. Conflicts and uprisings never quite ceased.

With the coming of the white man, yet another stratum of authority and power was added at the top. The newcomers differed from their predecessors in that, apart from fortifying their own superior position, they did not attempt to impose their own class distinctions upon the existing ones. Instead, they took such advantage as they could of the social stratification they found. New conflicts, of course, arose through the unintended consequences of an indirect rule directed exclusively toward economic exploitation. To summarize an intricate series of events, one might say that this drive greatly enhanced the wealth and position of those who already in one way or other had the power to impose their will upon others and could grasp for their own benefit and that of their kinsmen a large share of their product. Moreover, this pattern varied in different parts of the Indies with the time and force of the earlier impacts. Ancient tribal morality, an *adat* deeply influenced by Hinduism, Mohammedan law, and the as yet faint respect paid to Dutch (i.e., Roman) law determined in varying degrees the character of the various communities. To call the general condition of submission to foreign rule a category of serfdom would be a misuse of that term. But as foreign controls became more stringent, as more and more they permeated—from the beginning of the nineteenth century—sections of society that had previously had little occasion to change their accustomed way of life, Indonesians gradually came to see themselves as a subject people: the vestiges of feudalism which remained in their indigenous system of social relations no longer seemed important compared with the economic and cultural strictures now experienced.

Going back to pre-European days, we find in Indonesia a striking illustration of the universal tendency of feudalism to develop extreme forms of oppression, not when it is at its height, but precisely when it is in decay, when there is no longer a strong imperial or royal hand to restrain the ambitions of the nobility and the lesser princes. Under the Majapahit rulers (fourteenth century), the feuds and wars of native princes had been held in check. Consequently, raids by one upon the labor resources of another were rare; and the peasants, serving masters of their own group, were less harshly treated than was the lot of recently subjected peoples. Moreover, Hinduism, in spite of its rigid class structure, had encouraged a degree of humanism which appears

to have had a civilizing influence on the surviving primitive institutions and customs.¹² On the other hand, the decline of the empire's power and the attainment of virtual independence by the vassal principalities was achieved by the new unifying force of Islam, which substituted a more vigorous and socially divisive principle of government for that of the Hindu empire. Indeed, since the militant nobles joined the ranks of the faithful, while the masses in the eyes of their leaders could be despised as infidels, the economic status of the peasantry was lowered. Even then, the village democracy remained a substantial reality, and it was not until the seventeenth century, with the rapidly growing demand of Europe for the products of the Indies, that the rulers, large and small, made use of their power to reduce the cultivators virtually to the status of serfs.¹³

During the eighteenth century, the Dutch regime in the island archipelago, with its heavy impositions upon the native rulers—now Regents appointed by the East India Company—and disregard of peasant interests, tended to strengthen the harshness of the formers' rule and the economic bondage of the latter.¹⁴ The Regent

was in the habit of considering his Regency with all it contained as his property, with this restriction, that he, with all his property, was under the control of the Company. He administered the Regency with almost no interference. He made his power felt mainly in three ways: by demanding services, by levying taxes, and by administering justice. . . . It might please the Company to leave him in the enjoyment even of some rights which nowadays are considered sovereign rights . . . and [it] gave some Regents the power of life and death, which they had not possessed under Mataram.¹⁵

Not only this, but the settlement of Europeans became—as it had also been under the Portuguese—the occasion for introducing new areas of serfdom and even for creating new classes. An interesting example of the latter process is offered by the social complex of the Banda, already described (p. 34) as the site of a particularly ruthless experiment in slavery by a colonial power.

Banda . . . still owes to Holland the most defective side of its social organization. It retains even to this day a group of *perkeniers*, the descendants, after a period of nearly three hundred years, of those to whom the brutal Jan Coen distributed extensive holdings after having caused or permitted the massacre of numbers of inoffensive natives.

Their veins, at this late period, largely filled with native blood as the result of continual "crossing", the *perkeniers* form a kind of superior caste which holds the native in contempt, and in matters of precedence ranks immediately below the island's few European officials.¹⁶

A more recent visitor to the island gives the following description of the social residue of Jan Coen's experiment:

The present-day coloured population of Banda, made up as it is of the descendants of the people from all over the Indies, most of them dragged here by force as slaves, is naturally very different from other island populations. It has no roots in the soil; and, though the people seem to go about their business contentedly enough, they lack entirely that unmistakable, unconscious air of "belonging", so characteristic of the Javanese and others. . . .

The village chiefs nowadays have no authority, and the smoothly working local government usual elsewhere in the Indies is here entirely absent. Thus are the sins of the long-defunct *Kompani* visited upon the admirably ruling modern Dutch, who are seriously hampered in the Banda group for lack of the efficient native co-operation which is of such inestimable benefit to them elsewhere.¹⁷

Evidently a nimbus of caste survives, as it does in postfeudal European society, after the economic power—especially over the land uses—which gave rise to it has disappeared. But it is precisely the hereditary social rank which again and again becomes the nucleus in the formation of new classes of social and political influence. And this tends to be especially so in a colonial society when the former landed aristocracy, related in blood to the dominant alien group, becomes absorbed in the bureaucracy, as has so largely been the case in the Indies and in the Philippines.

Another relationship, which however falls too far outside the frame of the present study to be pursued in any detail, is that between the established system of property and the ways—and degrees—in which a new conquest-produced master group can appropriate the product of the subject people's labor. Some of the reports on the social organization of various Indonesian groups point to the importance of a tradition of common village and even tribal effort as a basis of service to the monarch and the nobility. To what extent is that tradition itself an outcome of imposts on the common people that go far back into the history of the indigenous society? Certainly, the joint effort in cultivating common fields is an ancient way of supporting soldiers and priests—those whose specialized duty it is to guard the community against danger from potential foes, human and invisible. As power came to be concentrated in the hands of a hereditary nobility, this was able to annex the produce from the common land. The "gifts" formerly made to insure the goodwill of a powerful personage became stereotyped taxes; and the easiest way for such a person or family to collect that revenue was to collect it from the community as a whole by obliging it to hand over the produce from a given farm area, from certain kinds of trees or animals, on specified occasions as a share in what the villagers together might gather in the woods for their own use. The first impact of Europe with its demands for certain natural and cultivated products of the islands was to sharpen the claims of the native princes and to extend them to commodities which previously they may not have thought of as possible sources of their own enrichment—

the collection of sandalwood, for example, which was not regarded as "state property" until it became an important item of trade.¹⁸

The systems of serfdom themselves are, of course, imbedded in the native society of precolonial days.¹⁹ There is some doubt as to whether they are indigenous in the aboriginal society or have been introduced by Hindu and Moslem conquerors. Two explanations, however, seem to stand out as adequate to account for most of the remnants of serfdom in Malaysia. The conquerors brought with them principles of local rule that recognized a class structure of society in which they assigned the lowest rank to their new subjects. But one of the primary economic effects of conquest often is the change of production from an economy of self-sufficiency to an economy of tribute—i.e., production of certain commodities requiring a discipline which automatically makes for class division. Thus, among the Batak of Sumatra, Fay-Cooper Cole finds the village still an autonomous unit. But the chief (*pengulu*) is selected from a certain family which might be called "noble," while the "commoners" until recently had below them yet another class made up of debtor and captive slaves.²⁰ In Bali, where the native economy has been kept most nearly intact, inherited Hindu caste divisions are not reflected in contemporary class divisions. Everybody except those who fulfill priestly functions for the whole community lives much in the same way as everybody else.²¹ On the island of Java, according to Vlekke, "slavery was more common in the completely Islamized Bantam than in the empire of Mataram, where the old traditions were much stronger."²²

Reference has already been made to the peculiar relation between slavery and the Hindu caste system in the Menangkabau country of Central Sumatra (above, p. 31). Here former slaves, although their descendants mostly passed into the general community, also gave rise to a class division which was unknown in the original matrilineal social organization:

In the town of Rokan, there are seven old and three new *sukus* (gens). . . . Two of them are called the "unclean *sukus*", because they are composed of freed slaves. Their members owe special services to the prince, as for example on the occasion of the great *khapduris* feast, when they have to do all the dirty work. For this reason they are also called "those who come first and leave last." When the prince builds a house, the members of the "unclean *sukus*" cannot enter but must clean and prepare the ground underneath it. Nor may their chiefs (*putjuhs*) take part in the more festive meetings of the *krapatan* (assembly of nobles).²³

In southern Celebes, B. ter Haar found legal class distinctions based on ancient clan distinctions, and these in their turn resulting from the subservience and dependence of vanquished groups, of debtors, and of their offspring.

Vestiges of the slave class, now extinct, may in many communities be discerned

in marriage practices, amount of bride-price, and treatment at festivals. The triad consisting of chieftain class, commoners, and slaves was very common.²⁴

In Central Celebes and in Borneo also he found diverse tribes living in bilateral kinship communities, each on its own territory—the original inhabitants continuing in a subordinate position to the invaders who had settled among them.²⁵

Both Raymond Kennedy and J. H. Boeke connect rural social stratification with economic subjection and the specialization of labor, distinguishing it from the various imitations of the Indian caste system which here and there break through the superimposed layer of Moslem civilization.²⁶ With this twofold heritage, the Indonesian communities were easily brought under European control. Having for many generations paid rent, taxes, and services to their semifeudal rulers, these communities did not resist when some of the product of their labor was drained off to support the colonial government, since the process was slow and at first indirect. And their hereditary rulers were able to recompense themselves for their immediate losses of revenue by adopting measures urged upon them to increase the productivity of their lands and the efficiency of their labor forces.

The village chief and the wealthier peasant could produce more only by bringing more land under cultivation or by farming more intensively and exhausting the land more quickly. Both processes increased the demand for labor, sometimes to the point at which wage-labor had to be introduced, and sometimes depriving small peasants so ruthlessly of their rights in common lands, and of their ability to increase their holdings by purchase, that—as in England at the time of the enclosure of common lands—they were only too willing to give up their relative independence in exchange for a more assured existence.

As one of the landlord's expedients during the transition period, mention must be made of the employment of resident man servants who were either slaves advanced to a responsible position or impoverished freemen. The *moempang* or *noesoep*, in addition to his keep, received a small yearly sum in cash. In his functioning as his master's right-hand man, he sometimes had the privilege of hiring a crew of day laborers during the busy season. The elder Cato would have no difficulty in recognizing in him the *vilicus* whom he admonished to be "the first to rise in the morning and the last to retire at night."²⁷ As on the country estate of the Roman of preimperial days, so in Java, the trusted household servant became a person who had an interest in getting work done and in keeping down costs. He was a sort of bailiff, practically indispensable to the conduct of the "manor" as a revenue-producing enterprise, and eventually came, perhaps, to purchase a few acres for himself and thus rise in rank. But in the circumstances no small owner long could maintain

his status. With repeated division, the holding shrinks in size; the master's right-hand man again becomes superfluous.²⁸

Such reduction in the size of holdings took place, precisely as centuries earlier it had done in England—and to some extent also in continental Europe—when the burdens resting upon the landowner became so great that he could no longer meet the charges imposed on him and had to permit some of his serfs to become freeholders—or at least copyholders and leaseholders, freed of the most onerous of services.²⁹ The occasion, in Java, was the introduction of the "culture system" by Van den Bosch in 1830. This system, by demanding as a tax contribution the produce from one-fifth of the cultivated land, laid a wholly new burden on the farm owner which he could not shift onto his tenants, sharecroppers, or serfs. Farms were cut up into smaller holdings, and the old social divisions often lost their solid economic foundations. Land ownership came to be more widely distributed, but the prestige associated with it did not altogether disappear.

In Java now, as was the case in England, it is the landed proprietor's family that has best survived the vicissitudes of natural calamities and of price fluctuations between good years and bad. He still commands the labor of the landless—ever increasing in number with the growth of population, unrelieved as yet by a corresponding growth of cities—and of those with insufficient acreage to meet the needs of their households. In bad years such an owner can lend from his store to the less fortunate. And so a new system of dependency supervenes upon the old, as we shall have occasion to see in the next chapter. But first let us look at some other elements in the native economy significant for our purpose of tracing the roots of personal bondage in so far as it still exists in Indonesian society.

The social ties of the *desa* (a group of hamlets or a larger village) are so close that no serious injustice to anyone can arise as long as a desire for movable property and money in the bank has not superseded the values inherent in the indigenous scheme of things. Unless there is already such shortage of cultivable land that some are driven to work for others, the cultivation of the larger farms on a share basis is the natural expedient.

In all those regions where the population increases at a faster rate than the amount of cultivated land—and that means most of them—one may observe as a consequence a rapid increase of joint ownership.³⁰

It is almost impossible to exaggerate the importance of neighborly cooperation in the native economy. Whether this derives entirely, as some sociologists contend, from the nature of wet-rice cultivation itself, with its uneven distribution over the year of the need for labor, may be questioned.³¹ For it is already evident in the tribal customs of peoples that subsist by dry-rice cultivation.³² The attitude did not altogether change when large European

estates first made their appearance in the areas where it prevailed; in the consciousness of the simple peasants the new owners merely took the place of other wealthy neighbors for whom it was their custom to work for a few weeks every year, especially at harvest time. And since these estates are thickest where the land is most productive, they are surrounded by a dense population, so that the supply of labor is plentiful. Indeed, many of the neighbors could not live at all if it were not for their share in the big man's harvest, or, in more recent times, for their wage earnings, however small. Male and female, young and old, have become dependent on the estate, though their status as peasants has not changed in their own minds.

A certain amount of specialization took place, and the skilled rubber tapper or cane cutter became indispensable to his employer. Such workers, therefore, became tied to the estate and could not leave easily even if their treatment or their compensation came to look to them unsatisfactory, as more and more they compared their status with that of other specialized workers, or as they were reached by agents of spreading discontent. There is also in such regions a mutual influence of changes in the position of peasants and craftsmen. Both were willing, at first, to exchange the customary work in the village for work in some larger neighboring enterprise, even though the difference in compensation was little more than better food. But the craftsman could go farther afield—particularly with the excellent road- and motor-transportation system in Java; and so the discrepancy between the earnings he could make in his home village and in some near-by town became far greater than the discrepancy between the peasant-laborer's earnings in the native economy and in the neighboring estate economy. Attracted by the higher living standards of the town, the craftsman was likely to fall into debt and thus succumbed to a form of bondage which will be further discussed in the next chapter. But the peasant-laborer who stayed wedded to the land of his fathers might come to consider himself as practically owned by the estate of which, as time went on, he became as much a part as were the seedbeds and the tools.

This is not the place to describe the evolution of the culture system and the history of its dissolution. Suffice it to say that the wealth of the Netherlands during two centuries derived to a large extent from the ability of capital to exploit the precapitalistic peasant psychology of the Indonesians.³³ For even when the state took the place of private concerns in setting them to work on the production of export crops, the cultivators never ceased to be peasants. In their minds, rent and taxes were almost interchangeable terms, both being paid in kind. Even in the days of Raffles, Javanese peasants fled from the areas of heavy pressure. Later the flight of the Bantam people from oppression gave rise to a continuous migration to Sumatra, until toward the middle of the nineteenth century there arose that general crisis and rebellious spirit which Multatuli has described in the well-known work, *Max Havelaar*.³⁴

For many of them it had become almost impossible to live on the pittance that was left to them when they had satisfied the ever growing requirements of their masters.

Not only in Java but also in Borneo and in Bali, peasants driven to extremes by rapacious and oppressive local rulers sometimes simply moved away. This "natural freedom" had to be stopped by the Dutch authorities because too often it was used by unscrupulous regents to attract by promises of better conditions dissatisfied village populations from other regencies.³⁵

Indirect rule, linked to the desire of the colonial power to draw as much wealth as possible from the Indies, helped to reinforce the power of the native rulers and set up many of them in establishments of a wealth and pomp their fathers would not have dreamed of. Regents in the eighteenth century, writes Vlekke,

sought to appropriate all income from the coffee culture for themselves and left practically nothing for the people who really did the work. Following the example set by the princes of Mataram, they considered the peasants as well as the soil their personal property. The people of the Preanger were divided into three classes, the nobility, the personal followers of the regents (the *menumpang*) and the subjects (*tjatjah*). All burdens were loaded upon the shoulders of the unfortunate *tjatjah*. The regents if possible kept their *menumpang* free from forced labor in the coffee gardens that they might cultivate their ricefields and produce food for the chief and his court. Thus only part of the population suffered under the Forced Deliveries, but this section suffered really very heavily.³⁶

Later on Herman Willem Daendels, governor general from 1808 to 1811, acted upon a theory which he did not take the trouble to argue about and which the Netherlands Government later discarded; he ruled that under native law the land and the people belonged to the native chief, and, since the sovereign rights had passed to the Netherlands, it was perfectly proper to order the sale of land already populated and cultivated by native farmers.³⁷ It was thus that for a time large estates in Java were assembled in European ownership. The land grants carried with them manorial rights over the native cultivators, that is, power to levy taxes in the form of labor services for fifty-two days in the year, in addition to a share in the crops produced by them for their own use.³⁸ On the sugar and tobacco estates of Central Java, the compulsory labor services sometimes amounted to as much as 250 days, with no pay other than the food consumed by the workers. These oppressive conditions were, as is so often the case in like circumstances, justified on racial grounds by those who benefited from them.

The one-time free or almost free Javanese farmer was "lazy" and "unable to look after himself." His unfavorable reaction to the regime forced upon him was interpreted as innate stubbornness. Where financial or other incentives might have produced the willing cooperation of a population singularly pro-

ficient in the arts of agriculture and horticulture, the sense that he was not allowed to enjoy the fruits of his labor made the Javanese cultivator neglectful and, eventually, rebellious. The attitudes engendered by such a change from relative freedom to social dependency and oppression continued long after the occasion that gave rise to them had been removed. An illustration of this may be found in the report of a study made eighty years later by a man whose judgment as to the capacities and mental traits of the Javanese obviously was influenced by the predominant prejudice of the European planters. After lamenting over the worsening quality of Java coffee under *monosoeko* production—that is, peasant farming under general European supervision rather than plantation farming—this Dutch investigator contended that an offer of higher pay would only speed the deterioration of Java coffee:

The higher the wages—paid as they are now—the quicker the coffee will be dried, prepared and delivered, out of eagerness to obtain those wages; the more the good and bad coffee will be blended so as to get the so-called first quality.³⁹

The native of Java is, once for all, so constituted that he, for various reasons, prefers to sell his coffee to buyers to-day for 8 or 10 shillings a picol, to preparing it himself and getting, weeks afterwards, pst. 1, 3 sh. 4d. per picol for the first quality, delivering it at the warehouse. . . .

If coffee-planting in Java is to be made a popular industry, it must be pruned of all the faults that now cling to it, and the native must be brought back to the only natural position, that of planter and picker [that is, a cog in the wheel of the big estate].⁴⁰

And yet, the forced production, with its degrading labor conditions, probably was not justified on economic grounds.⁴¹ This may be surmised from more recent cost comparisons as between “native” production of rubber and estate production. Not only in Java but also in Ceylon and elsewhere, experience has shown that, properly instructed, the native peasant proprietor, working for himself, can compete with the European owner, who of necessity must employ a highly paid managerial personnel.⁴²

Under the new “ethical” policy, supervised peasant production was encouraged, wherever practicable, under contracts approved by the colonial Government. Sometimes a whole community would contract for the cultivation of a crop on land set aside for that purpose, while the inhabitants now were able to give more of their time to their individual holdings. Labor contracts, however, were concluded individually whenever the need arose to hire whole-time workers. New laws and regulations followed each other in quick order and need not all be reviewed here. The definitive agrarian law of 1870 embodied the basic principle devised to end peonage: that the renting of land and the hiring of labor must be distinct and separate acts, though both may concern the same persons and extend over the same number of years—never more than five.

After granting private estates to outsiders, which deprived the Javanese people of almost a million acres to this day, the Netherlands Government was the first to protect the indigenous population's main source of livelihood, the land, from continuing to fall into the hands of outsiders. In Java, more especially, that population could not have grown to its present size without such protection. It might even have been decimated by the introduction of alien Asiatic wage laborers, so much more easily regimented and induced to recruit themselves in large numbers. Even so, there has been an increase in large estates, especially in western Java, and an increase in native absentee landlordism. These landlords, as Boeke points out,⁴³ are still motivated largely by precapitalistic ideas: land is not only safe investment but confers prestige and political power. But the peasants who cannot succeed in bidding against the urban *hadjis* (merchants and other well-to-do persons returned from a pilgrimage to Mecca) when land is for sale are degraded to the status of peons.

As in Russia under the Tsars, the landowner feels himself master, not only of so many acres of land, but in addition of so many souls who till those acres for him and look up to him as their liege lord.⁴⁴

In the present century, the compulsion which degraded free and self-respecting peasants to the status of serfs has lessened considerably—again in keeping with the Netherlands Indies Government's deliberate policy—with the systematic enlargement of wage-earning opportunities through migration. These efforts were impeded at first by the evil reputation which plantation contract labor in the Outer Provinces had in the home villages of Java. Of the successful labors of the Government in the transformation of the dreaded contract labor system of a generation ago into a system acceptable to poor but self-respecting Javanese peasants more will be said in Chapter V.

Wage-earning opportunities under modern conditions in Java itself also increased, but not in keeping with the growth of population. Peonage, as we know only too well in the New World, may flourish despite industrialization, when the owners of large estates have the power, through their influence on legislatures and on the instruments of law enforcement, to prevent those on whose labor they depend from leaving the land; when labor recruiting for work at a distance is, under the domination of the local employers, made a punishable offense, and the police system can be used to return to the master servants whom he has placed in his nominal debt through various machinations and bookkeeping devices. This power is more circumscribed, probably, in the Netherlands Indies than in any of the neighboring countries. There is still much involuntary servitude there, too, but not through any official recognition of peonage as a permissible system. Americans know how difficult it is to eradicate that system once it has taken root in a particular area⁴⁵ and can sympathize with the Dutch officials whose business it was to enforce modern

labor legislation on those great European estates in Java which for more than two centuries had flourished through the exploitation of the local people. Nevertheless progress was made. One need only compare any recent prewar report with one made thirty-five years ago on an estate in West Java, described as "a very picture of neglect." In ten years it had had five owners and six different managers. The administration was so entangled that the residents had paid no taxes for a year. The Javanese population was depressed and demoralized—unless it was inflamed to revolt, as it was on one occasion when it attacked the local prison to set free a local *hadji* (a man who had made the pilgrimage to Mecca and therefore was revered by his pious neighbors). Some of the dry-rice fields could not be cultivated because the irrigation ditches had been neglected and there was no water. "Neatness of person is no special virtue of the local people. But rarely have we seen houses as foul as theirs. . . ."46

At present, the popular complaint is more often in the opposite direction, namely that Indonesian farmers who produce specialized crops for European-owned estates have not been allowed to participate in the immense technical progress that has been made and to reap benefits therefrom. These marginal planters bore the brunt of the economic depression in the early thirties because the reduced markets were monopolized for the more scientifically produced and processed products of the big estates. When production had to be restricted to prevent price-destructive oversupplies, it was the small man, formerly cajoled to devote a large proportion of his land to the planting of export crops, who found himself crowded out.⁴⁷ It was precisely such a situation which in Merovingian and Frankish times had made once free farmers the serfs of the great estates in France. The more they suffered from the impositions of the great landowners, the more the remaining free peasants were forced to look to them for support. Many became serfs or had to depend on pitifully small wages to eke out an insufficient livelihood. Protected against the loss of their land, the Indonesian agrarian masses nevertheless complain that even in recent prewar times their security and their economic advance have been sacrificed for an illusory colonial prosperity that did not reach their villages. When they united in nationalist parties, it was not merely to gain political independence but also to guard against the growing encroachment of big business on their cherished freedom, the twentieth-century version of the manorial system. As Rupert Emerson wrote, before that revolutionary movement had reached its crest:

While the society as a whole contains all the elements of any modern community, it can never be left out of account that the social classes tend to coincide with racial lines and that the social mobility from class to class is very low. . . . It is a society characterized by horizontal stratification rather than vertical integration.⁴⁸

In the political struggles that still lie ahead the fundamentally social character of the Indonesians' aspiration should not be lost sight of.

PHILIPPINE ISLANDS

A mission of investigation sent to the Philippine Islands in 1921—the so-called Wood-Forbes Mission—reported in the mildest possible terms on the prevalence of a system which they must have known to be distinctly one of serfdom or peonage:

Such social organization as exists is of a patriarchal form, characterized by a strong clan feeling and centuries of leadership by a few influential individuals known as "caciques". The subservience of the people to these leaders has not yet been supplanted by new ideals that come with modern education or by a confirmed sense of duty to the State. . . . The people generally are unaware of their civil rights.⁴⁹

The incidence of peonage in Mindanao, as well as in Pampanga and other provinces of the Philippine Islands, unfortunately is beclouded by the uncertain terminology of some of the writers who endeavor to describe it. Thus, Dean C. Worcester defined it as "the condition of a debtor held by his creditor in a form of qualified servitude to work out a debt."⁵⁰ W. Cameron Forbes accepts much the same meaning,⁵¹ and it must be assumed that in modern Philippine parlance that is the meaning attached to the term. But temporary or permanent bondage of an individual for debt (which will be discussed in the next chapter) is not peonage either in its original meaning or in that current in Spain and Spanish America today.

Peonage in the Philippines, as a matter of fact, antedates the Spanish occupation. It arose in the first instance from the *kasama* sharecropping system which was widespread in Malay society.⁵² The *kasama* is a peon who works the land of the owner and keeps part of the crop. That part rarely suffices, and debt ties him to the *cacique*. Spanish peonage succeeded a long history of subjection in those parts of the Visayas and of Luzon which in pre-Spanish times were most plagued by piracy. Here the native people often had experienced at the same time two forms of personal bondage: women and children were carried off as slaves, and so were some of the men; but many of the able-bodied adults were left behind to continue the cultivation of their lands as serfs or villeins. It is significant, perhaps, that among the Tinguian of Luzon, who live on the western side of the Cordillera Central, the island's principal mountain range, and are further separated from the coast by a secondary mountain range, serfdom apparently did not exist before the Spanish conquest, and slavery gained no foothold.⁵³

The Spaniards found this *kasama* system convenient as a means of securing with native labor the largest possible returns from the lands assigned to

themselves in large estates.⁵⁴ To this day, most of these estates are cultivated by tenants who receive a share of the crop. Modern enterprise often is carried on by companies that rent sections of such estates, and, since the local people have no other means of livelihood than acceptance of a share contract on such terms as the company is willing to grant, they may properly be described as peons: they go with the land, not as a matter of law but as one of economic necessity. That many such tenants, unable to strike a favorable bargain, are forced to go into debt to their landlord-employers is an accompanying circumstance of great significance but does not determine their status. They are bound to the soil, except to the extent that the Government comes to their aid by providing them with new opportunities through migration.⁵⁵

The character of their social status is indicated significantly by some of the conditions that attach to their bread-earning activity:

Extra services and fines which mark the landlord-tenant relationship are, in many instances, remnants of feudal practices which were introduced by the Spaniards. Obligatory services appear as a legalized practice in the contracts. One agreement which I saw in Nueva Ecija provides, among other things, for compulsory attendance at the Roman Catholic Church and work at fixed times by the tenant and his family, without pay, at such tasks as cutting bamboo for the landlord. It also forbids visitors from outside the hacienda. Fines of from two to four cavans of rice are imposed for violation of any of these terms. Where contracts do not exist, as is most often the case, the compulsory services and fines are even more severe. . . . The extra duties commonly required from the tenant include domestic service in the home of the planter, the building of roads, bridges, dams and fences, and the planting of fruit trees.⁵⁶

The reverse of the *kasama* or sharecropper is the *cacique*, a descendant of the Malay chiefs or *datus* who later, under Spanish rule, combined the functions of landlord and magistrate, of guardian over the morals of the people, and of course of their political "representative."⁵⁷ This class owes its power to much the same circumstances that have tended to create and perpetuate oppressive regimes in conquered countries throughout history: the victor finds it convenient to appoint to positions of stewardship those whom he regards as men of administrative experience. Thus village chiefs and heads of the larger or wealthier families, previously but little elevated in social status, now find themselves clothed with an authority that permits them to reduce their neighbors to a dependent status. Through their hands flows the tribute extracted by the conqueror from the peasantry—and some of it sticks. When the United States took possession of the Philippines, the process that had started with the beginning of Spanish rule repeated itself: the *cacique* class dominated the political scene; and since it was desired to turn the government over to the Filipinos as soon as possible, it was all the more natural to confirm the privileged position of this class and to permit its dominance not only in

legislation but also in the economic system, where it was bound to perpetuate its privileges at the expense of the common *tao*.⁵⁸

The history of the *encomienda* system in the administration of the Spanish empire has an important lesson for our day when once again a great nation has made the expansion of civilization to backward peoples and "undeveloped areas" a main ingredient in its foreign policy. Like President Truman, the Spanish monarchs of the sixteenth and seventeenth centuries were inspired by a sincere idealism. Civilization for them, it is true, did not involve "scientific advances and industrial progress," but the spread of the Christian faith; nevertheless, the propagation of that faith meant for them not merely a formal baptism but a genuine application of humane principles to the relations between men. Unfortunately, from the very start, the administrative agents of this policy, though they shared this faith and acknowledged these principles, permitted selfish motives to enter into their practices; and gradually, as through intermarriage the heirs of their possessions and their powers became more and more Filipino, that is, more and more remote from the source of the culture which embodied Christian morality, the profit motive outweighed other considerations. Almost from the beginning of Spanish rule (1565) and with mounting anxiety, the Spanish Cortes tried to stem the encroachment of the *encomenderos* on the Crown's own rights and the deterioration of its civilizing mission.

There were only about a hundred grants of *encomiendas* in the Philippines at first, compared with some five thousand which then existed in the Americas. A dictionary definition of *encomienda* is "a grant of protection or patronage given to some person by royal favor over a portion of Indians, to teach them the Christian doctrine and to defend their persons and possessions." In other words, it was an arrangement to facilitate good government, not a land grant. More circumstantial definitions likewise stress the purpose of the system as in the main concerned with collecting tribute from the inhabitants of a given area in return for the protection of their life and property and for advancing their spiritual and material welfare.⁵⁹

In theory the system was beneficent and had both religious and economic motives. The religious motive of converting the Indians to the Catholic faith is emphasized throughout the laws, but the economic motive of securing a cheap labor supply was uppermost in the minds of the *encomenderos* (the holders of the *encomiendas*).⁶⁰

The ensuing quarrel between the Spanish home Government and the colonists, and later their mixed offspring, the *caciques*, hinged partly on the fact that they did not fulfill their obligations to the subject people but more and more on the fact that they refused to recognize the Crown's right to the ownership of the land which they appropriated. J. H. Perry, in his lectures on

The Spanish Theory of Empire in the Sixteenth Century,⁶¹ presents in two chapters the case for and against the *encomienda*. Even before the occupation of the Philippines, laws had been introduced in Spain to insure the personal freedom of the subjects in the colonies and to prohibit the sale of their lands to Spaniards. As later incorporated in the law code of 1681 these decrees prohibited slavery, even in the mines, and the employment of natives as carriers in personal service. Finally they struck at the *encomienda* system itself and ordered its abolition, as an anomaly in a centralized system of government.⁶² Very interesting, because through the intervening centuries it occurs again and again as an argument in defense of economic despotism, was the reply of the *encomenderos*—now supported by interested ecclesiastics—with references to “natural law”: “the corollary to natural aristocracy is natural servitude”; special pleading that the subjects are an inferior people, incapable of an orderly civilized life unless placed under the control of their betters; and the argument that before people’s souls can be saved they must form the habit of obedience.⁶³ The *encomenderos*—one is tempted to evoke comparisons with country squires and industrial magnates of other places and times—considered themselves devout and upright men, incapable of brutality; and although the restrictive enactments followed each other in rapid succession, so great was their sense of obligation to their native charges that they continued to find loopholes in the laws and thus continue to this day in their paternalistic absorption of the greater part of the revenue from the labor of the peasantry.

The clerics also had their reward. Under the Treaty of Paris (December 10, 1898) which concluded the Spanish-American War, the United States Government bound itself to recognize the ownership of some 400,000 acres of the best farm land by Dominican, Augustinian, and Recollect church corporations. This land was cultivated by some 60,000 tenant farmers under conditions of servitude even more onerous—because of the complete domination of local government by the friars—than those which obtained on individually owned estates. It was not until the power of social legislation was vested in a Philippine republican government that a beginning was made with the liquidation of the estates owned by religious orders. But by that time the peasant population had become so large and so impoverished that a redistribution of the land no longer offered an adequate remedy, and large-scale resettlement in less densely populated parts of the Islands was the only means of gradually establishing an independent peasantry.⁶⁴

The bondage, not only of the tenants but to some extent also of the small farmers, who cultivate their own land but cannot escape the exactions of the local gentry under the *cacique* system, is generally admitted in the Philippines today. The Government has tried to reduce the power of the *caciques*. The mildest judgment is that it is an outdated survival of the excessive power granted under Spanish rule to those whom they found in local positions of

leadership in the course of the expansion of their control over the Islands.⁶⁵ But even with the impairment of their political power, under American rule, the *caciques* as a class impeded every step toward the improvement of the common lot.⁶⁶ Under their domination it has been difficult for the tenant class to assert its economic and political independence.⁶⁷

Many explanations have been given of the postwar rebellion of armed peasants against the established authorities, especially in central Luzon. Perhaps the most plausible is that the tradition-minded small farmer finds his hardships under the old feudal regime tolerable as long as his local lord and ruler fulfills his one essential function in the system, that of protector and organizer of defense in case of aggression from without. But it was precisely in that role that the *hacenderos* conspicuously failed. At the first shot they fled to the capital, leaving their peons to fend for themselves as best they could. It was then that the peasants discovered among themselves leaders who knew what had to be done and who could be trusted. At this point the old feudal edifice collapsed. The Government might force the "Huks" back by armed might, arrest some of their leaders, and bargain with the rest. But even though they may still seem to have the national Government under their control, the *caciques* know that their history as beneficiaries of the old *encomienda* system henceforth will be one of retreat and the only way to salvage something of their economic power and social influence is to enter wholeheartedly into an era of free and modern agricultural relations.

It should be observed that only exceptional circumstances in recent prewar years brought the *cacique* class into open opposition to the national Government. During the greater part of Philippine history, it managed to hold its own even when in opposition to the national power; and that was not difficult since by virtue of the privileged status which it enjoyed the *cacique* class was able to maintain law and order at little cost to the central administration. This was true not only throughout most of the period of Spanish domination but also under American rule. During the war, members of that same class again collaborated with a government established by conquest. Today many of them are working for a continuation of some sort of American super-government which, they hope, will once more fortify their position. But the privileges of this class are no longer supported by a monopoly of higher education and technical qualifications for judicial positions, lawmaking, and public services. Even before the war it was on several occasions forced to accept legislative compromises designed to regulate the relations between landlords and tenants in the interest of social peace if not of complete equity. In many parts of the Philippines, the *tao* is today a self-respecting citizen, associated with his fellows to protect his rights, sometimes to rise against oppression in well-organized tenant strikes. Indeed, the interests of sharecropping tenant farmers and of laborers in some instances have become so identified that it is

difficult in the public pronouncements and in the literature to distinguish which class is meant. Yet, as will be seen in subsequent chapters, the long history of peonage over so large a sector of Philippine society has affected all labor relations. It has produced even in industry master-servant attitudes and conditions of servitude that are difficult to eradicate. It has made immeasurably more difficult the task of bringing the country into the world of modern economy without the creation of new areas of class domination and subjection in the life of the people.

A few words should be added about the survival but gradual decline of the feudal system among the Moro, already referred to in the previous chapter (p. 39). As Najeeb M. Saleeby foresaw, the *datu*, once "God's vice-regent on earth" and endowed with despotic rights over the persons and property of all but a small privileged class of his subjects,⁶⁸ has lost much of his power. Purified of its accretions during a long period of undisputed rule by the descendants of Malay conquerors over the indigenous population of the southern Philippines, Mohammedan law is not in conflict with the modern legislation of the Philippine Government but at many points supports it.⁶⁹ Thus, in 1931, a former director of the Bureau of Non-Christian Tribes wrote:

Throughout the non-Christian territory of the Philippines, particularly in the sections inhabited by Mohammedans, there is taking place a new order of things. Every day it is becoming more manifest that the people are inclined to take their troubles to government authorities for settlement. . . .

With the spread of education and the free intermingling of the Christian and non-Christian Filipinos as the result of greater facilities for travel, the principles of democratic government are gradually, but surely, filtering into the minds of even the common people. The *sacopes*, or slaves, who under their patriarchal or absolute form of government had no individual rights at all, are rapidly finding out, to the great inconvenience of the ruling class, that they have certain rights as citizens which are as sacred as those of the most prominent or powerful.⁷⁰

Educated Mohammedans, he continues, and especially Mohammedan women, in spite of the backwardness of the hierarchy, are contributing toward the establishment of a single code of morals and a single standard of civilization in the Philippines.

BURMA

The history of Burma until modern times has been a history of invasions and conquests. Peoples of Tibetan and Chinese origin poured over the north-eastern borders for eighteen centuries after Buddhism had become established in the western and coastal kingdoms. It was not until after the Third Burmese War, in 1886, that Upper Burma was pacified by the British and brought under effective subjection. In such a country, with a central plain of great fertility,

enclosed by wild mountains, one would expect to find many reminders of former conquests in continuing ethnic relations and social institutions. The dynasties which followed each other between the eleventh and the eighteenth centuries were autocratic in character. Half a century ago, Letourneau, quoting Herbert Spencer and Dubois de Jancigny,⁷¹ stated that in theory—both in present Burma and in Siam—all goods and persons belonged to the king: any woman that pleased him must become his concubine, and he had the right to conscript any able-bodied man for service in his army or in public works. This did not, of course, necessarily involve absolute ownership, but it is a typical condition of serfdom based on conquest. In fact, "the Burman, Siamese, Annamite, Conchinchinese and Cambodian monarchies were or still are all of them organized on the same pattern, that of an almost complete Asiatic absolutism."⁷² Colquhoun testified that the sovereign's rights to the services of all his subjects were real and not merely nominal. "No man can call time or labour his own."⁷³ Among the Burmans, however, this pattern was modified considerably by the introduction of Buddhism, which makes for at least a minimum degree of humanity in the treatment of all living beings.⁷⁴ Nieboer made the point that "slaves of the king" should be regarded as persons over whom the monarch had certain rights but not as alienable property.⁷⁵ However, he admitted that in practice their status was often indistinguishable from that of actual slaves.

Indeed, writers wishing to describe the social system—or systems—of Burma have found it difficult to apply the familiar categories of class or caste. Certainly there neither is nor was a caste system comparable to that of India; and there was no feudal system resembling that of ancient China. Yet, out of the separate experiences of its ethnic components, Burma had developed institutions that were at least analogous to those of neighboring lands. The principal distinction probably lay between the class system which in the course of time developed among those Burmans who, for centuries settled on fertile lowlands, reflected the attitudes common to tropical Asian peasant societies, and the class systems which still prevail among the hill peoples. Some of the non-Burman groups, such as the Karen, occupied a middle position, not having fully adopted the Buddhist religion or the settled village life of the wet-rice cultivator.

We have in the previous chapter assigned to the *para-gyoon* the status of slaves (see above, pp. 42 ff.), because they were not attached to land but were human chattel, handed over to the pagodas with other gifts as expressions of the donor's piety. But some writers regard these slaves as the lowest stratum of a caste system, namely those deprived of all caste privileges because they were altogether outside the social pale. They were pariahs or, as Gandhi would have said, *harijans*, "God's people." But there were also the "king's slaves" who, although originally drawn from the same source as the *para-gyoons*, namely war prisoners, convicts, and victims of raids, usually were

attached to particular estates; and although they too are sometimes described as outcastes, their status was that of villeins rather than of slaves.

J. H. Hutton mentions five other classes of outcastes in Burma,⁷⁶ all of them below the level of even the humblest recognized members of the community: they could not enter a monastery or become monks; they were "untouchable"; and those closely associating with them were held to share their lack of status. These classes were professional beggars, gendarmes (who also were jailers and executioners), lepers, deformed or mutilated persons, and gravediggers. Although these categories are not recognized as such in law, the attitude displayed toward them often is indistinguishable from that shown by Indians toward the depressed classes. As is so often the case, a feeling of aversion and contempt remains long after the taboo to association has officially been lifted. For as customary law such taboos are older than any legal codes. They exist, Hutton tells us, not only among the Burmans but also among Chin and Kuki tribes that have never come under the influence of Buddhist culture.

The influence of China, on the other hand, may be suspected in a historic political structure in which the public service rather than militarism provided an upper class that could at times assume the powers and gain the perquisites of an aristocracy. Until recent times, Burmese officials went without salaries but were expected to compensate themselves for their administrative services by getting out of the people what they could—both in "gifts" and in labor assignments.

To neither India nor China can be ascribed the origin of the high status which women occupy in Burma and which, in turn, influences other social relationships, making for an appreciation of the value of personal freedom that is rare in Asian society. The explanation probably lies partly in an unusual abundance of natural resources, partly in underpopulation in former times, and partly in the combination of a strongly developed Buddhist educational system and successful resistance to the encroachment of Hinduism.

Although certain similarities exist, the traditional social class division among the non-Burmans, about two-fifths of the total population, is essentially different from that of the Burmans. Among them are not only small remnants of a large variety of primitive tribes and of not-so-primitive yet isolated highland peoples but also such substantial population groups as the Shan and the Karen—more than a million each—the Kachin, and the Chin. All of them have at various times challenged the supremacy of the Burmans and have succeeded in retaining some of their inherited institutions and customs.

The differences which exist between the ideas of the Burman and non-Burman population groups have not been sufficiently appreciated in the world at large, so that the recent rebellion of the Karen against the continuing dominance of the Burmans came as a political surprise. They are partly to be explained by differences in ways of living which, again, have their origin

in differences of environment. For, although in modern times many of the Karen, and others of the hill peoples as well, have been drawn into the lowland wet-rice and commercial economy, substantial numbers still are engaged in a more or less self-sufficient form of agriculture; and their village life remains essentially tribal in spite of its feudal and hierarchical accretions.

We do not yet know very well what changes in their internal organization and external relations may have been brought about by the explosions and dispersions of the war period. Before that disturbing series of events, Burman domination had gradually expanded under British rule and tended slowly to modify the inherited social systems. But it failed to transform them, nor was it so aggressive as to consolidate the indigenous societies into stanch bulwarks of cultural nationalism. Each of these population groups simply carried on its accustomed ways; and so, what we find among them of diverse forms of bondage represents more their separate heritage than a common pattern of subjection. It is this mixture of separate institutions and joint experience under the Burmese kingdom (later under British rule) that blunts the edges of many of the reports on Burmese society.

For example, among the Kachin, the *Duwa*, or tribal chief by inheritance, could claim certain rights and privileges. If his house needed repairing, or he wished to build a new house, he could conscript as many villagers as he pleased to perform the work. They also had to help him with his harvest and with other agricultural tasks.⁷⁷

Among the Burmans the high official enjoyed these privileges. The phrase *kyo sa*, literally "the eater," says De Jancigny, perfectly describes the system:

The chief magistrates are compensated by the allocation of land; or, more accurately, the king places at their disposal the labor and skill of a given section of the population. The lesser officials pay themselves by legal fees, emoluments, compulsory "gifts", and all sorts of exactions. They are without exception greedy and corrupt. The variety of fees and charges is enormous. In addition to the services required for the government of the kingdom and the maintenance of the court, every member of the royal family has a court of his own, where the elaborate and costly establishment of dignitaries and servants is reproduced in miniature. . . .

What the governors and chief magistrates do in the large cities of the kingdom, the "eaters" do on their estates or in their temporary fiefs. In addition to the tithe on all the land produces, they receive one-half of the fees collected by the mayor or the village chief and the judge for their services. Whenever he has a new house built or an old one repaired, or a pagoda or monastery constructed, the "eater" demands or extorts from his vassals what his fancy might claim.⁷⁸

The cruelty of this system is expressed by the Burmese proverb: "Fire, war, storms, robbers and rulers are the five great evils."⁷⁹

Although the village organization was of the usual quasi-democratic pattern, the deliveries and services imposed upon it often constituted a heavy and,

of course, uneven burden. In fact, a system of serfdom similar to that of "king's slaves" in Malaya and Cambodia obtained: those serving in the king's army were supported by others in the village from land assigned to them tax- and rent-free. But the village as a whole had to provide the rice for the provincial granary. As in other parts of the world, village headmen, at first elected officials, often were able to free themselves from these burdens and to enlarge their own authority until their functions and status became those of a privileged hereditary class. This occurred more especially when they had managed to get more than one village under their control. The country thus was divided into many almost independent small quasi-feudal baronies, only loosely controlled by the central Government, until the British took over (partly in 1826, but fully only in 1885).

Conditions resembling serfdom closely verge on slavery among the more primitive aborigines of the mountain and hill country, where every degree of bondage from that of kidnaped members of enemy tribes to debt-slaves has been found until quite recent times.⁸⁰ Among the now dominant people, the Burmans, the influence of Dravidian India was so great that it is easier to discover among them reflections of the western caste system than of the eastern tribal customs. The word "tribe" is often used where "caste" is really meant. The two concepts, in fact, overlap when social group distinctions originate in war and conquest. As whole tribes, like the Chin, were subjected, or captives by the thousands were introduced from Manipur, Assam, Cachar, and elsewhere,⁸¹ it was but natural that these groups were assigned a distinct place and function in society and state.

People were subordinate not so much to the local headman as to the overseer of their order or tribe, though both offices were frequently combined in the person of the *myothugyi* who was the overseer for the servile classes in his area. . . . The various classes were clans, with rights accruing from a certain office which it was their hereditary duty to fill; marriage outside the clan entailed loss of status, and the king could degrade a man from one clan to another, for instance from the *sadawchet-asu*, fish-cooks, to the *hsindaing-asu*, elephant scavengers.⁸²

Sir James George Scott found that a religious sense of caste difference had arisen among both Chin and Karen groups which had long been oppressed by the Burmans; and that their legends account for the low state into which they have fallen.⁸³ He evidently was troubled by the question of how the appalling abuse of the slave and serf minorities could be made to harmonize with the Burmans' fervent adherence to the teachings of Buddha, and came to the conclusion that there was really no contradiction as long as the poorest and most miserable were believed to be suffering for sins in a past existence and to be capable of winning credit by their suffering for a happier lot in the next.⁸⁴

Perhaps it would be safer to distinguish two phases of subjugation, the one

associated with primitive, pre-Indian social traditions, the other resulting from the power acquired by Burman rulers and their desire to codify and stabilize social relations in accordance with the needs of the state and the precepts of their religion. The mutual subjection of relatively primitive tribes and peoples antedates Burman conquests and has paralleled them up to modern times. Thus, for example, the Kachin, before they themselves were subjugated, and as recently as 1915, raided the weaker Shan tribes in the unadministered territory northwest of Myitkiana and degraded them to the status of a serf minority. A British officer describes how whole Kachin communities virtually lived as parasites on Shan ones:

Every year when the crops are ripe, the poor Kachins come down from the hills and billet themselves on the indolent Shans for a month or two, and eat their fill; and when the time comes for them to depart they take with them a few baskets of rice, or a few pigs, or poultry or cattle, even a girl or two—anything, in fact, for which they have a fancy.

Between host and parasite the utmost friendliness prevails, and the transactions are marked by profound peace, for though the Shans loathe the Kachins, their loathing is tempered by a wholesome fear. . . . Since the British came to Hkamti Long this amiable relationship has ceased.⁸⁶

Although Burman domination also started with raids and conquests, Burman depredations eventually came to be motivated by state policy, namely, the desire to strengthen the population against other aggressors. Captives were taken largely for purposes of settlement, and this of course in inferior positions of servitude. The slave raids or, what comes to the same thing, the wars undertaken mainly with the aim of taking prisoners, were but the reverse aspect of a policy forced upon the kingdom to replenish a population exhausted by generations of intermittent war: no Burman was permitted to leave the country without a passport, and this was issued only for good reason and for a limited period. No woman ever was accorded that privilege. The rigor of this prohibition can be explained only by extreme concern over the sparsity of population.⁸⁶ The ethnic minority groups were not only augmented by taking captives but also served as convenient sources of women with whose aid the Burmans might increase, as they thought, their own stock. Thus a Chin tribe explained that they were tattooing the faces of their women because the Burmans were always carrying off the pretty ones.⁸⁷

Descriptive accounts of the Karen people also often refer to the extreme shyness of those village communities which until relatively recent times have experienced the insecurity of a weak minority surrounded by aggressive enemies.

Centuries of subjugation and oppression have filled them with fear. During the protracted period of their tribulations, to be caught by a Burman was to be stripped

of everything, even of one's clothing, and to be beaten into the bargain. Where only a few families lived on the plains, the women with child dared not undergo confinement in their houses, lest they could not escape from a sudden attack by their oppressors. Karen cartmen still drive around a village rather than through, although they know there is little danger of having dogs set on them, as there used to be.⁸⁸

The way in which captive slaves were allocated as servants—according to the rank rather than the need of the recipients—suggests that accelerated population increase may originally have been the strongest motive, since the prices realized for slaves in the open market when the beneficiaries of the royal grants wished to dispose of them were exceedingly low. Moreover, all observers agree that the slaves, once they had secured a permanent master, were treated almost as members of the family. From this status to that of hereditary dependents with a considerable degree of personal freedom, though bound to the land, was but a small step. The transition stage between the status of slave and outcaste is well described by Sir James G. Scott from personal experience. A man known to have pagoda-slave blood had been appointed a local magistrate. His subordinates refused to act under him and resisted all he did; petitions flowed to his superior, begging that the disgrace of such an appointment be removed from the district. The British are, of course, immovable in such matters, and with great tact and patience the deputy commissioner eventually quieted the aroused feeling. The account continues:

Here and there in Rangoon and Maulmein are a few men [with hereditary taints] who have got into business, but it is only by carefully concealing their antecedents, and they live in constant terror that the few who know them will betray their secret and reduce them to ruin. The great bulk of the liberated, however—if they can be called liberated when they never had any direct master—find that the force of public opinion is too much for them and are driven to staying about the old sources of their shame and selling offerings to the pious on their way to worship.⁸⁹

The great majority of former *para-gyoon* and their descendants undoubtedly have by now escaped the stigma of their heredity by moving to some part of the country where they were not known. But the treatment of the *para-gyoon* is not the only reflection of the Indian caste system in Burman life. Down to the English annexation, writes G. A. Harvey,

society . . . was honeycombed with class distinctions. Before men "went mad and cast aside their hereditary dignities" a member of the cavalry levy would not eat with a *lamaing* (crown serf) or even sit on the same level. . . . Probably these class distinctions originated in war.⁹⁰

The Burmans once were a belligerent people, but today they have a reputation for characteristics typical of a nation in possession of ample resources: they are disinclined to work or worry, charming and humorous. They certainly do not permit poverty to drive them from the populous plains of Central and Lower Burma into Upper Burma and the Shan States where life still is hard, though in that hill country the opportunities for a diversified modern economy of mixed farming, arboriculture, and small industries are promising. The Shan people have in part been absorbed by the Burmans; in part may be found to fill many of the lowly and menial positions in Burman-conquered areas; in part keep up a rather poor but independent existence in their own hills. Less advanced than the Shan are the Chin and the Kachin, who also are partly absorbed in the general population; are partly subjected; and partly carry on their tribal and traditional way of life on the higher mountain slopes. It was in their territory, difficult of access, that slavery still flourished two decades ago, as described in the previous chapter. It is in their territory also, and among the Shan, that various forms of serfdom have been reported recently and probably survive to this day.

In short, although Indian caste concepts enter into the complex social stratification of Burma today, the main cause of that stratification lies in a long history of conquest and subjugation and, partly as a result of it, in periodical and localized population shortages which compelled the substitution of land settlement for economically wasteful uses of captives. The recognition, in some instances, of chiefs of the ethnic minorities as officers responsible to the Government for order and revenue—hence also recognition of the indigenous social institutions of such local groups—differs in its social consequences from the arbitrary imposition of Burman officers in other instances. But although these different forms of regimentation made for variety in the relations between peasants and chiefs, the main division that ran through Burmese society before foreign rule introduced further complications was between the *ahmudan*, a serf class that carried the main burden of the state's revenues in addition to supporting the local chiefs (mainly in the form of frequent, unpaid public service), and the *athin* class that made up the bulk of the armed forces, paid only a head tax, and served under their own hereditary officers.⁹¹

Both in Upper Burma and in Lower Burma, the relative stability which this social system still had in the seventeenth century fell into decay with the defeat of the Pegu empire. The Chinese invasions and other wars in the eighteenth century further depopulated the lowlands. As under similar conditions in Europe and in China, the continuing decline of the dynasty produced a widespread usurpation of rights and powers by the local officials. At the time of the British conquest, 1885-86, the country was divided by internal strife, with deplorable effects on the lot of rural society.

Only fifty years ago, all of Burma was organized more or less on a feudal basis. As long as subsistence farming prevailed and cultivable land was plentiful, even a predatory central government could not upset the relative stability of the economy. For "effective political control centered in the personalized relationships of various types of feudal groupings."⁹² But the country's intensified commercial exploitation under British rule, greatly though it added to the total annual output, accentuated social inequalities and made for the servitude of the poorer farmers.

Practically all of the annual increment of the new rice land, although held under Burman title as a rule, was subject from the outset to mortgage obligations to the Indian moneylenders.⁹³

With commendable realism, the popular party of discontented farmers vented its protests not only against the Chettyar moneylenders, the immediate makers of their misfortune, but against a regime which, in the interest of foreign business, supported the outmoded agrarian system from which they suffered. They found themselves the unwilling serfs of an economy which lacked the relieving features of local personal adjustments that had made feudal relations bearable in the past.

In the past, misfortune and improvidence had meant poverty. Now, for thousands of Burmese farmers, they meant not only loss of land but also loss of social status. The effect was not dissimilar to that of Cromwell's confiscation of land in Ireland: although the poor may have been hardly better off under landlords of their own speech and faith, they made common cause with them after their disinheritance and nourished a hatred for the new moneyed upper class that has not diminished with the generations.

With the end of the war, assurance of political independence has come to Burma, and a clear-cut division has formed between the haves and the have-nots. The prospect of being once more dominated by men of their own race rather than by foreigners does not satisfy the people. The popular demands—sometimes disguised in the terms of alien ideologies—are centered upon freedom of a higher order and of more intimate meaning in everyday life than the right to join the society of nominally independent nations. In so far as one can judge from the incomplete expressions of the popular will that have reached the outside world, the millions of small rice-growers who not long ago seemed so lethargic in their response to public affairs now call for far-reaching social reforms that will sweep away the last remnants of human bondage.

Now also at least one of the large ethnic minority groups, the Karen, has risen up to assert its rights; and in this uprising, too, the sins of their fathers fall heavily upon the luckless members of the dominant group. In the midst of their own troubles they must also defend the newborn state against attacks by a part of the population which cannot see them in the role of redeemers.

On the outskirts of Burma, other minorities, long in spasmodic rebellion, similarly appear to be getting ready to fight once again for their own freedom and accustomed ways of life. Thus the abolition of serfdom cannot be a simple and clear-cut task. As diverse and confused as the forms of servitude have been in the past, so many-sided will have to be the measures to get rid of them.

MALAYA AND BRITISH BORNEO

Like other parts of Southeast Asia, the Malayan Peninsula entered the modern world with a variety of feudal institutions superimposed upon each other through the southward drift of aboriginal population groups and centuries of conquest by more highly civilized peoples. Since customs and practices have become intermixed and even the names for them sometimes confused, those who have studied the social relationships in modern times have found it difficult to distinguish clearly among evidences of different forms and degrees of servitude. There is some similarity, for example, between serfdom, which obliges the bondsmen to work for his lord without recompense on numerous occasions and for numerous purposes, and forced labor, or *kerah*, when it is exacted from nominally free men and these are also obliged to meet such arbitrary and onerous exactions of rent or tax payments in kind as to make them in practice dependents—the more so when a quasi-religious authority of the ruler demands an attitude of reverence toward his person.

The feudal rights of exploitation of the common people, imposed by conquerors, no longer are recognized under modern law. But they persist as customary law, together with many of the much older tribal customs which, though they limit the individual freedom of the tribesman, are on the whole motivated by considerations of the common safety and welfare. Indeed, the often observed loyalty of the Malay commoner to his chief or rajah is explainable only by a quasi-feudal origin—that is, in terms of a dependence of recognized utility to society. Until capitalism invaded the simple native economy, the whole Malay population may be said to have been subject to absolute rule and in a state of serfdom. To quote a native writer, describing conditions before the advent of British rule:

The peasantry or rayats lived to serve and attend to every beck and call of the rulers; their efforts in anything and everything never went to benefit themselves but always to gratify the ruling classes.⁹⁴

The Resident of Pahang in 1888 summarized the various limitations imposed on the freedom of a *rayat* (or *ryot*, as he called him) by saying, "He had practically no rights, whether of person or property, not merely in his relations with the Raja, but even in those with his immediate District Chief."⁹⁵

Sir Hugh Clifford, also speaking of social conditions in Pahang at about the same time, admits that the free villagers had certain rights, such as for example

the undisturbed use of forest land for the planting of temporary crops and outright ownership of fields that were, or at one time had been, cultivated by them or their ancestors; right also to the inheritance of such lands. But in practice such ownership availed nothing if someone in a stronger social position desired that land. Moreover, the supposedly "free" peasant was obliged at any time to take up arms if his chief or village headman so ordered; had to pay many taxes and exactions; had to supply any of his superiors with his labor free of charge, whenever they required it; had to join the retinue of his chief when that gentleman desired to cut a figure at court. The same author also describes the bad effect which this reliance on unpaid services had on the upper classes, the self-indulgence, cupidity, and lack of consideration for others especially among the petty rajahs, and the resulting contentions of which the peasants bore the brunt.⁹⁶ Another outstanding observer, Sir Frank Swettenham, thus summarized the situation:

There was, in 1874, a very broad line indeed between the ruling classes in Malaya and the *rayats*, the people. The people had no initiative whatever; they were there to do what their chiefs told them—no more, no less. They never thought whether anything was right or wrong, advantageous to them personally or otherwise; it was simply, "What is the Raja's order?"⁹⁷

As has already been shown (pp. 48 ff.), serfdom as an institution is linked also to a history of slave raids which a physically stronger or better armed group—usually Malay—has carried on for generations among a weaker or more primitive aboriginal group. From the habit of slave-hunting there seems to have resulted here and there a relationship comparable with that of the so-called slave-clans in South China, such as the present writer saw ten years ago in Kwangtung villages, guarding the rice fields, doing the dirty work, and living in squalor. Skeat and Blagden describe such an ethnic minority in Sungei Ujong, who complained of bad treatment on the part of their Malay masters—that is, the whole Malay community.⁹⁸ The Rev. Father P. Favre, Apostolic Missionary, who travelled widely in Malaya a hundred years ago, repeatedly referred in his writings to the mutual hatred between the Malays and the aboriginals. Thus, for example, the Jakun detested the Malays, who oppressed them, and, in turn, were despised by the Malays as infidels. But the former suffered the impositions of the stronger group because it offered a market for dammar, the only commodity they could exchange for things they wanted.⁹⁹ Ivor H. N. Evans, who gives testimony to the same effect, makes the relation between Malays and Negritos a peculiarly interesting case study of a condition to be found in many parts of the world: the transition from hatred and distrust to an accepted symbiosis in the relations between a primitive and a more advanced group when the latter itself is as yet close to an animistic cosmology in spite of its shrewdness in such matters as trade. The Malays

he says, though they despise the people of the forest because of their animal-like existence, are for that very reason also afraid of them, considering them possessed of the secrets of the supernatural forces that govern human lives.¹⁰⁰ Yet, particular Malay communities have managed to get such control over the aboriginal groups in many parts of the peninsula that no one else can get their produce. Sometimes, especially in Perak, coastal Chinese play this role of monopolist "protectors"; indeed, it is from them that Malays have learned the abominable trick of teaching their victims to smoke opium, the more certainly to get them under their control.¹⁰¹

After several hundred years of exploitation by Malay traders, of slave raids which again and again deprived it of its strongest members, of compulsory services to Mohammedan rulers who possibly regarded these infidels as not quite human, an aboriginal tribe is likely to have lost much of its own culture; and lacking in cultural pride it offers less resistance to further injustices. Such a group are the Besisi who live on the southern slope of the Selangor mountains. Their accommodation to the coastal Malays is so complete that a traveller has paradoxically described them as "parasitic" and as seeming to prefer dependence to their former independence.¹⁰² Yet, elsewhere, the same author showed his awareness of the true cause of the misery in which some of the aboriginal groups still find themselves under indirect British rule. Mohammedanism, he says, weakened the force of the customary law against the tyranny of those in authority. It substituted for the Hindu caste system a system of two classes, believers and infidels; and since little effort was made to convert the scattered Semang tribes, their kidnaping and enslavement was countenanced, and they were left without protection even against murder.¹⁰³

In addition to slaves caught or purchased or tied to them by debt, landowners had many retainers whose services, unremunerated, were those of peons. Under the system of indirect rule, the British Government had little interest, other than humanitarian, in the improvement of labor conditions which lay outside the realm of modern capitalist enterprise; for the foreign owners of mines and plantations had early discarded the use of Malay labor in favor of the more efficient and docile labor of imported Chinese and Indian contract workers. The non-Mohammedan aboriginal groups either continued to live a primitive jungle and mountain existence, exposed in the past to occasional slave raids, or they had become subjects of their Malay neighbors and formed the nucleus of the rightless labor forces with which the wealthier nobles surrounded themselves.

In recent times, good roads, a much stronger civil service, and indeed a great extension of effective British administration have increased almost beyond recognition the protection and welfare of the aborigines even in the more remote mountain districts. But with the extension of rubber cultivation and clearing for other economic purposes,¹⁰⁴ the forest area available for a

livelihood based on hunting and fishing or on a primitive "slash-and-burn" agriculture—the shifting cultivation of dry rice—has been greatly reduced. To judge from the population statistics, many thousands of the original inhabitants of the land must have been driven by hunger to the settled areas, there to suffer the usual ignominy and deprivations of despised minorities.

SIAM

War prisoners by the thousands were enslaved in the course of the many Burmese, Cambodian, and Siamese wars of the sixteenth and seventeenth centuries for territories now incorporated in the kingdom of Siam. Many of them were settled to form the nuclei of a serf class to repopulate the northern provinces when their man power came to be depleted by the incessant strife.

In southern Siam, on the neck of the Malay Peninsula, the same ethnic groups often are in bondage to Siamese which across the border are bound to Malay masters. They are Semang and Sakai tribes which, as a result of long persecution, have been so degraded that they retain only primitive culture traits of their own, while they exchange forest products for the more advanced articles and tools they use (see above, p. 101). Even in recent times, Europeans have found it difficult to establish contact with these shy forest dwellers.¹⁰⁵

Most writers distinguish between war captives and persons convicted for crime when enumerating the origins of slavery and serfdom. Actually, there is little difference; subjected tribes and the populations of conquered territories were in frequent revolt against their oppressors and, when captured, might be treated as criminals rather than enemy warriors. Because of the destructive effect of the continuous warfare on population, an economic use of captives in the common interest of the dominant group, as symbolized by the sovereign, was early adopted. Thus Aymonier traces back to an early period the branding or tattooing of prisoners for purposes of identification and their registration as serfs belonging to specific landed estates or administrative areas. The hereditary serfs, he says, were in theory labor reserves of the crown, assigned to the service of princes and mandarins. Their status in the course of time seems to have become similar in practice to that of debt slaves; they had enough economic liberty to accumulate savings and buy themselves free, or, on the other hand, to fall into hopeless debt and bondage to their creditors. As serfs they enjoyed certain privileges: their master had to pay their head tax; they were free from *corvée* duty, which was the principal tax burden on so-called free men; and only their master could punish them, so that the neighbors of such serfs, unable to get any judgment against them from a court of justice, often suffered from their deprivations and misdemeanors.¹⁰⁶

Because of the bondage of so large a proportion of the native population and the iron chains of customary service (see further below, pp. 189 ff.) that limited their actions, the Chinese were able to get into their hands most of

the trade and most of the industry of the country. The native farmers' outlook is defensive rather than progressive. "There are many intelligent and patriotic Siamese," writes James M. Andrews, "who believe that the country people of the Kingdom will be happier if they are left in their present uncommercialized stage of development without the cares which are a part of all commercial expansion."¹⁰⁷ An earlier writer attributes the success of the Chinese in insinuating themselves into the economic life of Siam to the fact that "they are neither serfs nor slaves, and can go as they will throughout the country."¹⁰⁸ Because of this freedom of movement, the Chinese also became the favorite "tax-farmers" of Siamese governments and thus were able to lay the foundations for those fortunes which made them, or the descendants of their marriages with Siamese women, the capitalist class of the country.

The abolition of slavery, from 1870 on, did not at once set free the productive forces of the Siamese countryside. The former slaves, in many instances, merely augmented the large numbers of peasants of uncertain status, descendants often of war prisoners, who had imposed upon them hereditary duties of service not only to the state but also to private individuals. Undoubtedly, a system of *corvée*, as Virginia Thompson observes,¹⁰⁹ formed part of their obligation, but it was by no means the whole of it. For they were bound to the soil and if talented in some craft could not fully enjoy the fruits of their labor but were forced to render "service in the patron's household, under disadvantageous economic and social conditions."

In working for their masters and not for themselves, these artisans lost their initiative and stifled what creative impulses they had. This inheritance of professions and trades characterized all classes of Siamese society. . . . The sons of the king's goldsmith or elephant boy were legally required to train their sons to become assistants to them. In practice this amounted to a real restriction of labor and a limitation of profession.¹¹⁰

We have, then, in this hereditary bondage of the indigenous population the explanation not only for the success of the Chinese in the commerce and finance of Siam but also for their usurpation of the country's skilled trades—a phenomenon often falsely attributed to lack of ability in the Siamese.¹¹¹ Today this evil heritage from Siam's age of internal wars seems to continue more in attitudes than in institutions. Under the modern legal code there is no room for serfdom;¹¹² and even the scope and severity of labor services to the state have, as we shall see, been greatly reduced. But we know from other examples in many parts of the world that remnants of quasi-feudal relations may long survive even in modern labor conditions which nominally rest on contractual relations between employers and employed. And this tendency for the spirit of outmoded labor attitudes to survive the formal suppression of the institutions from which they sprang was reinforced in Siam, as we shall

see (pp. 140 ff.), by the barbarity of the new labor relations imported from without under the auspices of modern commercial enterprise.

H. G. Quaritch Wales has described with great understanding the effect which both the draining of the country's wealth by a small minority of Siamese and Chinese and the continued observance of feudalistic practices produce on the younger generation of educated Siamese. He says:

Can one be surprised that students fresh from Oxford and Harvard were sickened at the sight of Siamese servants grovelling on their bellies before their masters, a practice which, though abolished in public, was still rigidly adhered to [in the 1920's] in princely households? It did not escape them either that the rural masses were denied anything but the rudiments of monastic education and were regarded by the government mainly as the necessary machinery for getting in the rice crop.¹¹³

INDO-CHINA

If one had no other evidence, frequent descriptions of Annamite psychology in the by no means scanty literature of French military and colonial officers would provide the clue to a social history in which lack of personal freedom has played a large part. A superstition and a fatalism almost unmitigated by many centuries of contact with Confucianism, disregard for personal appearance, cruelty in the treatment of outsiders coupled with generosity as a binding tradition within the narrow circles of clan and community, dreaminess and dislike of exertion, love of repose rather than of luxury, sensuality and lack of foresight—how often does not one come across such characterizations of the Annamites. But the same descriptions with minor variations in emphasis are to be found in Western characterizations of *any* Asian population group that has long been subject to the domination of others. Such descriptions, it is true, are rarely objective; but since they are made not only by enemies but also by sympathetic observers, there must be some basis of truth for them: at least enough members of the group described conform to the pattern to impress it upon the mind of the recorder.

An obvious explanation of the mentality and social organization of the Indo-Chinese countries is that they have been more thoroughly and more continuously subjected to Hindu influences than any others in Southeast Asia. Both Cambodia and Champa became and remained the seats of theocracies that emphasized the essential distinction between a master and a servant class without developing also the intricate intermediate caste system that came with it from India. "There was," says Kenneth P. Landon,

constant intermarriage between the two upper castes which formed the aristocracy and patronized Hindu culture. The real social distinction lay between the aristocratic Hinduized society and the mass of people who continued as usual in their folkways.¹¹⁴

The aristocracy not only managed to sustain the usual privileges of a quasi-feudal landowning class but also added to its strength by adopting many of the social and political concepts of Confucianism—more especially by taking over, as a hereditary bureaucracy, an authority which formerly had rested in the people. As a result, both Buddhism and Confucianism have yielded the ingredients of a ritualism associated with class dominance, while the people at large, though they may practice some of these rites, are in their attitudes and customs closer to the simple nature worship and social ideas of their ancestors.

The situation is not altogether unlike that which existed in preindustrial Europe. An almost feudal internal social division does not prevent the Annamese from enjoying as a people rights of domination over culturally less advanced neighbors and minority groups. Even before their recent emancipation from French rule, they were by no means one of the most oppressed peoples of Southeast Asia. On the contrary, their enthusiasm for the national cause has for the moment united classes as far apart as were the tax-burdened peasants and the small gentry before the French Revolution. The typical earmarks of subjection are to be found among the ethnic groups that live either in the inhospitable interior or as despised minorities near Annamese communities that exploit them. As one compares the numerous descriptions given by European writers of the diverse peoples of Indo-China, there emerges a picture not of different "racial" characteristics but rather of characteristics hinting at the influence of two kinds of environment: on the one hand an isolated mountain residence and independence, on the other a descent to the valley and a history of deterioration from freedom to dependency. Sometimes the line cuts through the same ethnic group—in Burma and in Siam as well as in Indo-China. The name by which a people is known may give no clue to its beliefs, its attitudes, and its behavior. A Muong or a Man may be of one social type two thousand feet above sea level and of a totally different one below. It is said of the Cambodians that they are shy and surly. The Annamites despise them because they will submit to any imposition and any indignity. French employers say they are slow, unreliable, timid. Yet there are also Cambodians reputed to be militant and impatient of any interference with their accustomed way of life.

The Miao tend to be despised by their neighbors, the Thai, because, when they are driven by misfortune from their hills to dwell among the latter, they are usually too few in number to form distinct communities of their own and so accept with repugnance but docility the burdens placed on them. But in their own realm, the higher mountain ranges, they maintain a spirit of robust independence and consider themselves superior not only to the Thai but also to the Man, who also dwell below them (usually in the middle ranges between 300 and 900 meters altitude).¹¹⁶ Similarly, the Moi in the northern

parts of Tonkin have largely fallen under the domination of their neighbors, the Laotians. But in the south, "in spite of their proximity to the warlike and powerful Annamites, the Moi have, to a large degree, resisted absorption and preserved their independence."¹¹⁶ Indeed, they have been known to make raids on the Annamites to replenish their stores of slaves.¹¹⁷

Of the Thai in French Indo-China (as constituted before the Japanese gave away some of it) it is often said that they are lazy and let their women do all the work. They are the descendants of a group which invaded the rich Mekong Valley from the north and enslaved the native inhabitants. But they were driven back by the Khmer, and descriptions of those now to be found in the lower altitudes are peculiarly reminiscent of similar descriptions of other oppressed population groups anywhere. Like the people of Laos (see above, p. 63) they are reported to be lazy, given to gambling and opium-smoking, apathetic, superstitious, fatalistic, and lacking in resourcefulness.¹¹⁸ Both Khmer and Laos are poor farmers, and leave the cultivation of land to their women. But the Laos have perfected the arts of hunting and fishing and, poor as they are, have another tribe, the Khas, as hereditary serfs.

The Lolos were reduced to subjection when, driven out by the Thai, they descended to the valley. But they are still a great people in northern Laos and Tonkin, and across the border in Yunnan, where they are much more numerous today.¹¹⁹ The same spirit of independence—and shyness in contact with aliens—characterizes the Man and the Méo (Miao). Most of the last named, having come over the mountains most recently, never left the highlands at all but took possession of the highest slopes which nobody else wanted because of their infertility. Others, who invaded Tonkin in the eleventh century, were driven back by the victorious Thai and Man. They are shifting cultivators with an exceedingly low standard of living but very different from the subjected peoples in their attitudes and characteristics. Indeed, they have never quite submitted to the French, who leave them alone as long as they pay certain taxes and refrain from raiding the lower villages.¹²⁰

The Moi and their various subgroups display, perhaps, the greatest disparity in reputation. Those who live on the narrow plateau along the rice-growing coast of Annam and many others scattered through the mountain regions are relatively backward and are looked upon as always potentially dangerous to their more propertied neighbors. Some of them, driven out of their forests by the ax of the concessionary, have joined even more primitive tribes in even more remote forest fastnesses. But those driven south have come under Annamite domination. Their lands were taken from them, and many of them were reduced to serfdom. Smallpox and other contagious diseases took their toll among them. Such despondency set in that neither Christian missionaries nor colonial officials sincere in their desire to help them could revive those of the Moi settlements that had gone far on the road

to ruin—and they were many. After a visit to this region, the well-known writer Roland Dorgelès wrote:

What have they learned thus far about “civilization”? Taxes, forced labor, the militia. And now yet another of its benefits menaces them: the plantations, the mines.

Timber is cut in the forests where they live, where they have their villages and their rice patches. Concessions of thirty and forty million hectares are handed over for exploitation. Their only choice is either to join the unsubjected Sedang to the north or the Stieng and Ruong rebels of the southern forest clearances, or else to become coolies and slaves, while they wait in misery, sickness, and alcoholism to bring about their extinction.

France cried out in indignation when Americans drove the Indians from their prairies and all but wiped out their race. Today we must turn to the plateaus of South Annam to see three hundred thousand people . . . at least three hundred thousand in imminent danger of being enslaved without having the least opportunity to rise to our level.

Savages, say the traffickers who are engaged in reducing them to human cattle.¹²¹

In contrast, some of the Moi groups—those ensconced in the higher mountain ranges, have a reputation for independence and defiance of their enemies similar to that of the Lolos. One such group, the Sedang, who live in fortified villages, themselves used to engage in slave raids before the coming of the French. In recent times, those who could be induced to enlist in the French army have proved superior in soldierly qualities to other population groups in the peninsula.¹²²

We are prone to think of the great monuments of past cultures, such as those of the Cham and the Khmer in Cambodia, as expressions of highly developed cultures, when in fact they often are monuments to the power of a small class of conquerors whose arts and high spirits were sustained by the sweat of servile classes.¹²³ The Khmer of today, though a fine and vigorous people, “quail before authority and their fellow man, particularly the Annamites.”¹²⁴ Once they themselves were the lords of the forest and before them quailed the more primitive aboriginal groups which they had conquered. The Cham, driven from the rich lowlands of Cambodia by the Annamites, and all but exterminated except for the small remnants that found refuge in the mountains, still were a great people in the days of Marco Polo, who described their wealth and power though he cannot have penetrated far into their realm. One of their waterworks, serving to irrigate an arid plain, was reconstructed under French auspices as recently as 1932. Their art is esteemed by many connoisseurs superior to that of the more famous Khmer. They had been Indianized, of course, and Javanese invaders likewise have left their mark; but the Cham themselves were militant enough at one time to destroy all vestiges of Hinduism in the greater part of the peninsula.

Today the Khmer have practically disappeared in an amalgam of non-Annamite Cambodian population groups. The Cham number no more than fifty thousand and are counted with the primitive tribes. They have found refuge in the Moi country of southern Annam and, like the Khmer, mix with them more and more. The Annamites in modern times have been relentless in the persecution of both groups. They regard all the forest and mountain people as inferior; and they exploit them in ways not easily prevented by their own law and law-enforcing agencies or those of the French.

The Cambodian society of today, in spite of the theoretical recognition of its political equality with the Annamite under French rule, shows all the earmarks of a population long held down by force and still carrying the stigma of inferiority in its present relations with the dominant group. Thus Letourneau, quoting a recognized authority on Cambodian law,¹²⁵ says:

Those free in name are not altogether so. The central power has its hands on them in order not to lose sight of them. Thus every reputedly free Cambodian is obliged to choose a patron among the mandarins. This patron protects his clients but also to some extent uses them. He represents a client before the court, and he is informed if perchance a client of his is arrested and committed. Moreover, the mandarin patron is charged with the collection of the head tax which he also guarantees, with inducting his client into the army and with calling him up for *corvée* service. He is in fact the eye and the hand of the State.¹²⁶

Most of French writers who have made a study of the subject are agreed that the so-called "king's slaves" in Cambodia really should be classified as serfs. It is true their status was one of dishonor, but even this was mitigated somewhat by the prestige derived from direct service to their royal master. They were far better off, says Letourneau,¹²⁷ again leaning on the exhaustive researches of Leclère,¹²⁸ than were private servants. Those who served as soldiers and palace servants were always assured of food for themselves and their families; they often had tax-free agricultural holdings and fisheries from the royal estate, which they could cultivate for their own benefit and might even rent out to free Cambodians; they legally owed their master ninety days' work per year but usually performed much less; they could be mortgaged but not sold; they might even escape service altogether by buying themselves free or by entering a religious order.

In addition to internal raids and subjugation of ethnic minorities, external pressures and invasions have contributed to the decay of ancient civilizations in that unhappy land. After many attacks by the Thai, the Khmer empire was finally reduced to ruins about 1430. On that occasion and later many Khmer villagers were enslaved and carried off to Siam. In the sixteenth century Burmese invasions of Cambodia similarly left their mark. After a brief Cambodian recovery, Annam joined the ranks of terrorist neighbors.

This invader, too, was not content with payments of tribute but occupied some of the best farming land in the Mékong delta and encouraged the taking of slaves. Late in the sixteenth century, the Cambodian dynasty, through Christian missionaries, sought the aid of Spain and Portugal. However, apart from a small Portuguese settlement which incidentally helped to promote a profitable trade with Japan, no effective protection came from this source, and the seventeenth and eighteenth centuries of Cambodia's social history were dominated by the rivalry of Siam and Annam for its human as well as its natural resources. By the middle of the eighteenth century, Annam was practically secure in the domination of Cambodia, although for many decades more the weak kings of Cambodia often were able to play Siam and Annam off against each other. From this time on, Annamese culture traits and the Annamese social order became supreme.

All this led to an ever firmer subjection of the people. When not carried off into slavery, they had to render unprecedented labor services to protect their own overlords against the encroachment of foreigners on their lands. As a result, such minority groups as the Cham and the Malays of Cambodia revolted against their Cambodian rulers and took refuge in Annam. Thus, the social disintegration of Cambodia and the Cambodians' hostility to Annam became predisposing causes for the establishment of the French protectorate in 1863.¹²⁹

Because of the long-continued population losses, serfdom at that time was an established and, from the standpoint of the nobility, a necessary part of the Cambodian economy. There were several thousands of "king's slaves." They were descendants of rebels and of criminals whose families served out their commuted death sentence in perpetuity, Laotian war captives, and those cast out of normal society because of malformations. Some only paid a rent in kind, but most of them rendered *corvée* services or might even be employed by the crown at trades that require an apprenticeship and special knowledge handed down from father to son: elephant guards and drivers, musicians, harem gatekeepers, and royal bark attendants. Their women were sometimes obliged to weave a certain amount of cloth from yarn handed out to them, of which in theory they were allowed to keep a certain portion for their own use. Although they had the right to purchase property, to go into debt, and to sell their labor, their services were not much sought by private employers because the hold of the mandarins over such unfree persons and their *corvée* duties limited their dependability.¹³⁰

In a report of April 15, 1882, a French governor of Cambodia complained that the king still behaved like an autocrat endowed with absolute power over his subjects. Slave hunts were still taking place among the Penang and the Stiang; the mandarins, still unsalaried, continued their exactions; the venality of the magistrates had not diminished; piracy was worse than ever; public

services existed in name only; public works had fallen into decay, and some of them had disappeared; all taxes were farmed out to Chinese; the country was depopulated and near to ruin. At the same time, the pomp and luxury of the court had greatly increased.

"The Cambodians," he added, "no longer can have recourse to rebellion, the last resource of the oppressed; for the French flag covers with its all-powerful protection all this royal abuse of authority."¹³¹

In Laos, similar conditions of servitude existed, ranging from real slavery to temporary bondage for debt and including a system of serfdom which, as elsewhere, had its roots in conquest. Thus, Alberti reports that in the kingdom of Luang Prabang certain tribes of Khas were after many revolts reduced to a state of serfdom and placed under the domination or patronage of the king, princes, and other members of the nobility.¹³²

We have so far dealt mainly with the history and vestiges of human bondage in the mountainous hinterland of Indo-China. But it is important to remember that in Annam, Tonkin, and Cochin-China similar conditions of serfdom obtained until relatively modern times. Because these territories have more completely come under European rule and exploitation, traces of indigenous serfdom are today more obscure. A century ago, an outstanding French authority was able to say:

In theory and practice, the government of Cochin-China is purely despotic. . . . All the empire is supposed to be administered like a family. But the bamboo rod is the principal means used to that end. . . . There are only two classes; the people and the mandarins.¹³³

As in Burma and Siam, service of the state was obligatory for the whole able-bodied population. Forced labor, however, was only one element in a regime under which in theory the private citizen owned nothing except by the grace of his superiors—and these by the grace of the king—and the citizen himself was part of the property assigned to the king's officers and favorites. Not until 1881 were laws introduced in Cochin-China to give its inhabitants the elementary human rights recognized in civilized society, and to abolish the barbaric penal code of the Annamites.¹³⁴

Of the shocking oppression of the Tonkinese settlers by the Annamites since the beginning of the nineteenth century French chroniclers have had much to say. Following upon two centuries of war, the occupation introduced all the elements of subjection designed to reduce a once independent people to a state of bondage. They were deprived of all functions of government; surplus products could be sold only to the mandarins at prices dictated by them; both external and internal travel was restricted; poor peasants took the greater part of their crops to the mandarin to avoid imprisonment under one pretext or another. Taxes and contributions were arbitrarily fixed. Bandits

and pirates prospered in the general misery and disorder, invading villages not only to take away what little movable property was left but also to carry off young women and children. Incapable of stemming the force of these massed attacks, the mandarins pretended to pursue the bandits, actually using their limited military power further to intimidate and oppress the innocent villagers.¹³⁵

In the case of Indo-China it is especially difficult to distinguish clearly between forms of servitude that merely linger on in memory and those which still occur at the present time, or to estimate the relative importance of the latter. The French Government itself has admitted an occasional difficulty in distinguishing between legitimate arrangements and disguised vestiges of human bondage. For example, it lists as a "degree of slavery" a widespread obligation of a farmer (*ta-diên*) or tenant (*ta-thô*) to perform labor services for which he is not paid, only to add that "as the parties agree to the contract, this form of serfdom hardly appears to justify the criticism sometimes passed on it."¹³⁶ However, when one examines the nature of the obligation, one finds that, in addition to labor relating to the conservation of the land and its irrigation, it also extends to personal services to the owner's family on the occasion of ceremonies and feasts—clearly an indication of a personal status of inferiority which the farmer is not free to refuse. It may be true, as the report states, that such practices are tolerated by custom, but it can hardly be agreed that when it permitted them to continue the colonial Government either insisted "on the respect due to human personality and freedom" or even contributed to "colonial public order."

Among French writers, E. Lunet de Lajonquière was one of the first to observe the failure of the colonial administration to protect the subject peoples of the Annamites. The result of this neglect, he said, was not, as might be expected, to effect a rapid assimilation with the Annamese but, on the contrary, to throw some of the border groups into closer dependence on the Chinese and others into the arms of their Thai neighbors. "It seems to me that with our methods we have neither protected the rights of the new subjects nor our own."¹³⁷

Even when all vestiges of serfdom have been abolished in law, the characteristic social relations may long survive. We have seen this to be the case in the Philippines, and it is also true of Indo-China. Thus, the geographer Pierre Gourou describes the effects of continuing extortion and maladministration on the interior colonization of Tonkin:

A simple peasant recoils from the labyrinth of administrative orders. If he signs up as a colonist he is devoured by the intermediaries—men of law, people who pretend to have connections in administrative circles, and some of the indigenous authorities themselves. All this in the end proves beyond his resources and saps his self-confidence. That is why one so often sees small native settlements established

close to a French concession: these peasants are entirely independent of the French planter, but his nearness gives them a hope of security against the extortioners, and of potential help when confronting the local authorities. Through ignorance of his rights, the small settler who has cleared a corner of brush-covered land which, when irrigated, might produce a few mou of rice, consents to pay the community a part of the crop he grows. From the moment that his holding is well cultivated, the commune which previously got no value at all from this land tries to evict the occupant: it makes a thousand demands on him, increases his tax in kind, and in the end takes possession of his rice patch without having contributed anything toward bringing it under cultivation—at the latest on the death of the settler whose heirs, discouraged by all this hostility, leave the district.¹³⁸

CHAPTER THREE

Debt Bondage

THE TRANSITION from one kind of servitude to another is often gradual and subtle as the native sense of right changes and seeks new sanctions for old established customs and institutions. In practice, as we have seen, there is often little to distinguish the status of adopted children from that of bought children. But in theory and law there is a world of difference between the one and the other. H. J. Nieboer, similarly, tries to make a distinction between the person who has obligated himself to perform a fixed amount of work in payment of a debt and the person who, hopeless of ever being able to satisfy his creditor, enters his service without limit as to the amount of work the master may exact from him. Both are "pawns" and both have the right to extricate themselves from their obligation if they can, but he calls the one a temporary serf and the other a temporary slave.¹ There may be occasions when it is important to keep an eye on this difference. Actually, as Nieboer admits, with borrowings often far beyond the debtor's capacity to repay, with charges which if allowed to run on double the capital sum owed in a few years, the pawn is as a rule a permanent dependent, and his master more often than not treats him as such from the start.

In the mind of a simple person the distinction between slavery and serfdom is not sharply drawn. Nor does he perceive that one who has sold himself to a creditor is better off than a captive taken in war; and so he calls him a slave, too. Our Western folklore is full of tales in which a countryman "sells his soul" to the devil for a fancied immediate gain, and this "sale" often makes use of all the paraphernalia of a contract. Nor is the payment limited to moral or even physical tortures; as often as not it involves quite definite services to the Prince of Darkness.²

Under Roman law, and the law of Western states derived from it, self-sale has never, as far as is known, been recognized as valid. Nevertheless, under the empire men occasionally pretended to be slaves when they could not make a living as freemen; and with the expansion of the empire self-sale, which was

customary with many peoples of the Near East, was tolerated in the provinces, just as in recent times it has been tolerated in European colonies under indirect rule.³ The concept of labor as a salable commodity, apart from the person of the seller, is relatively recent in the history of civilization. There were no proletarians in ancient Asian society who could leave the protection of their native community, which guaranteed their status, to offer their labor abroad without danger to their liberty. If in times of great distress men fared forth, nevertheless, to offer their strength or their skill, they were aware that they also offered to the potential employer disposal over their persons, at least for an agreed period of time. Thus not only war captives and fugitives faced slavery but also the victims of disaster or—as in the case of gamblers—of their own folly. A contractual enslavement, in Southeast Asia at any rate, can be found in relatively primitive societies, as yet several stages of social evolution removed from a mature industrial capitalism.

On the other hand, such pawning of persons is to be found also in societies where division of functions and disparities of wealth have gone far enough to produce predatory classes which seek new sources of cheap labor. Whatever may have been the relation between the expansion of the Roman and the Chinese empires during roughly the same period and the growth of a sizable international traffic in slaves at their borders, it is certain that a similar "pacification" through the emergence of powerful regimes in Southeast Asia has in that region produced a much larger reliance for labor on contractual enslavement. During most of the period of recorded history here, large-scale wars of conquest increased the domains of princes and even of the lesser nobility. While a constant succession of small wars and mutual raids continued to insure a supply of war captives, and while whole peoples were subjected to conditions of serfdom, there were still great opportunities to exploit a more mobile supply of human chattel if such could be found. With the *adoucissement des mœurs* which followed the widespread conversion to Buddhism and Mohammedanism, reliance on slave raids either fell into disuse or no longer sufficed to supply in sufficient numbers the household servants and field hands—also the craft workers, porters, and general laborers—which the man of means required. More especially in times of war and pestilence, as we know from historical records in Farther India, the labor supply sometimes came to be all but exhausted. What more natural at such times than to rely on a system of bondage, nominally to pay off a debt but actually to secure a supplementary and flexible labor force?

Another circumstance came to the assistance of those who had an interest in making this bondage recognized in customary law: in times of war and devastation, of famine and invasion and widespread poverty from any cause, the robust self-discipline of those always close to starvation is likely to become undermined; and reliance on chance takes further precedence over reliance

on industry and thrift. In tropical Asia, to stay within the experience of the region here under discussion, the ability of the hunter and fisher, of the hoe cultivator, and even of the somewhat more advanced agriculturist, to master his sources of livelihood was always limited by an unusual instability of his environment. The whole elaborate system of religious observances and magic rites by which he regulated his life was his impotent yet ever hopeful gesture of appeasement to the capricious invisible powers that surrounded him. He knew himself dependent on chance, yet also persuaded himself that it was possible to influence the unseen sources of his fortunes and misfortunes.

If he tried to better his outlook for the morrow it was by "taking a chance." From the dice found in prehistoric caves to the elaborate gambling casinos of contemporary men, the trust in luck is essentially a primitive man's response to forces which he finds himself unable to master by reasonable and ordered effort but which, nevertheless, he hopes to control through the exercise of some mystic ability given to him and not to other men. One trusts in a charm, another in a number system, yet others in a constellation, a coincidence of names and dates, and other "signs." And from prehistoric times, we may assume, there have been those, a little shrewder or more experienced than the rest, who took advantage of their fellows' superstition and gained power over them. The parasite may be a sorcerer almost as ignorant as his dupes or a bookmaker, a distributor of slot machines, a promoter of lotteries, a card-sharp. Always such a racketeer flourishes most where men suffer from oppression, from long-continued want, from disillusionment. In times of depression, from whatever cause, men tend to fling all caution to the wind.

The particular evil with which, in the main, we are concerned in this chapter arises from that mood but represents a special phase in its exploitation. It is modern in so far as only the class differences which we find in modern society make possible the systematic, large-scale exploitation of this source of profit; but there have always, since the beginning of private property, been persons unscrupulous enough to subject a fellowman to their will by playing upon his trust in luck. The deliberately scheming employer who encourages gambling among his servants in order to keep them poor and in his power belongs to a very old fraternity—even when he turns up in the guise of a labor manager in modern industry. Such men may act as individuals or as a class. Our racecourses, and those of the British Isles, are crammed with workingmen misled into believing that the fleecing to which they subject themselves is a noble sport. And that attitude sometimes has been encouraged by outwardly respectable elements in the community. Thus, whether deliberately or not, they undermine the self-reliance of wage-earners and prevent them from recognizing the power they have through their own industry and perseverance to bargain for better terms of employment and raise their standard of living. "To hope," wrote J. Ramsay MacDonald,

that a labour party can be built up in a population quivering from an indulgence in games of hazard is folly. Such a population cannot be organized for sustained political effort. . . . Its hazards absorb so much of its leisure; they lead it away from thoughts of social righteousness.*

He went on to explain the predisposition to gambling by "profoundly unsatisfactory conditions of life"—either the "dreary drudgery" of the sweated laborer or "the unsatisfied craving in the life of a man too proud to take his place amongst the working classes but too poor and despised to be received in professional ranks." It usually goes together with other dissipations, all pointing to a social breakdown.

Why this digression, an impatient reader may ask. Our purpose is to indicate the universality of a social phenomenon, whether observed in England, in America, or in Java. In a chapter which might be interpreted as harping unduly on a failing in the character of certain Asian groups, it is especially important to make it clear at the start that we are here dealing with conditions which, with minor variations, are to be found throughout the world and everywhere produce strikingly similar consequences. This is not to say that the insecurity of life in the Asiatic tropics, which lies at the root of so much reliance on chance, may not have been modified in some of its phases by the contact with Western civilization and the penetration of a capitalist economy.

When critics point with scorn to colonial administrations as having failed to eliminate serfdom from the societies under their sway, it may well be replied that this and other forms of personal bondage prevail also in the independent countries of the region and among those indigenous groups in the dependencies that have been least touched by foreign rule. The pledging of personal services in discharge of a debt is common in most parts of Asia, not least in India and China. Everywhere it has its origin in precapitalistic social practices, and nowhere have legislative measures succeeded in eliminating these. The reason is the extremely low income of the masses of the people, which makes of every financial emergency a catastrophe that faces the unfortunate with the dilemma of either trusting to luck or taking his problem to the money-lender. In either case he risks his freedom. Both in India and China, as in Southeast Asia, this form of servitude is most prevalent in "depressed classes"—created either by caste distinction or by overpopulation. It also occurs in geographical areas, such as newly reclaimed forest lands and submountainous tracts, where aboriginal groups with simple traditions of intra-tribal mutual aid fall easy victims to the machinations of more sophisticated groups settled among them.⁶

In short, there is no question that debt slavery antedates capitalistic enterprise. The latter may have reinforced it under certain conditions, but, by providing millions of people with alternatives to traditional subsistence farming, it has also tended to provide new means with which to pay debts or to

avoid falling into hopeless indebtedness. That such enterprise also has disrupted here and there the easygoing older relationships, and that by raising land values and favoring growth of population it has tended to impoverish the countryside, is undeniable in some areas, while in others the economic benefits of such enterprise may demonstrably outweigh the harm they have done to rural life. The question of land indebtedness and its consequences lies outside the frame of this study. But we may well ask whether the modern sector of the economy has not perhaps increased the evil—first, by raising the wants of people without providing earning opportunities sufficiently regular to satisfy them at all times, and second by lessening the local capital available for personal loans and thus increasing the tendency to charge usurious interest rates for them. As we shall see in the following pages, the kind of capital that goes into modern enterprise, whether European, Chinese, Indian, or from local sources, was not in precapitalistic society available to the small borrower on more satisfactory terms. Interest rates in Asia have always been extremely high for the peasant or artisan who has little or no security to offer. It is largely because he has no other choice than to borrow at an exorbitant rate that the small cultivator—in India and China as well as in Southeast Asia—is rarely quite independent; that feudal class differences survive without an appreciable increase in social mobility. Asian lawgivers and religious leaders no less than occidental ones have been outspoken in their condemnation of those who take advantage of the misfortunes of their neighbors, but society was not organized for effective mutual help in the matter of credit.⁶

Raymond Firth, in his study of a fishermen's community in Kelantan, Malaya, describes ways of easing their conscience that make it possible for even orthodox Moslems to engage in usury. The interest is disguised as profit-sharing in the cultivation of a piece of land, in an orchard, or in a boat. In such cases the repayment of the loan is insured by a nominal capital investment on the part of the creditor, which grows with the accumulation of arrears.⁷

Governments, aware of the bad social consequences of usury, can legislate against it and can declare illegal the pawning of the debtor's person that springs from it. But no social legislation is effective that does not provide practical substitutes for the customs it condemns. It may legally abolish servitude for debt, but it cannot prevent such a relationship, when it is rooted in a native social system, from continuing under newly assumed legal forms. Thus, in all of Southeast Asia we see peonage and other forms of perpetual bondage replaced by what outwardly appears to be a legal contractual relation: the self-imposed duty of a person in debt to work for the creditor until the debt is paid.

In some instances, as we shall see, the content corresponds to the form at least to the extent that some individuals actually work themselves out of debt

and thus regain their freedom. More often the debtor knows that he will never be free again. And yet, his position is not that of a serf. On the one hand, he usually has less liberty than the peon who, though bound to the soil, often disposes over his time and energy as he sees fit and may have no overseer standing by to watch his every move. On the other hand, he has more to look forward to: his status is not hereditary under customary law, and his children need not share his fate. Moreover, it is precisely such a man who still counts on the possibility of a lucky chance and thus may not be altogether depressed in spirit. If he shows enough self-discipline to keep his winnings and apply them to his debt he can ease his lot; for no master will work to death so profitable a dependent. Not only this, but industry and perseverance may win for him the favor of a new master if the one he has should be especially brutal—a master impressed enough with his value to take over his debt and thus attach him to himself. The debt slave must obey like any other, but his place in the social order is a little higher: his status is popularly regarded as a result of misfortune and not of inherent inferiority.⁸

Within the general category chosen as the subject for this chapter there are great differences in kinds and degrees of unfreedom. In some instances, what is called bondage for debt is, as has already been mentioned, actually a thinly disguised hereditary serfdom. In others, the debt slave's status is similar to that of a man unsuccessful in business whose assets are bought by a competitor on the understanding that henceforth the debtor must work for him as an employee. The colonial official who visits a native village in the remote hinterland on the report that its inhabitants are "enslaved" to a neighboring community may find that all of them, because of some debt contracted by a former generation, are thus held in bondage. This may be a genuine statement of historic fact or it may be a fiction. The owner of a slave girl may declare before a court that she is merely a hostage for her father, who owes him a certain sum of money and can take her back as soon as that sum is paid. This also may be truth or fiction. A labor contractor may have books to show that all the men who toil and sweat for him at starvation wages are in his debt; but privately he may confess that he knows of no way to make men work for him unless he first gets them into his debt by paying their transportation and tempting them with luxuries which they cannot afford. Thus there are many variations on a theme that goes through the economic development of Southeast Asia as one of its main motives—one without which, some labor managers believe, there would be no supply of indigenous wage-labor at all, at least none of noteworthy dimensions. But the varieties of actual situations described in the following pages for different countries of the region will give a better idea of the importance of debt as an element in its social organization.

INDONESIA

In pre-Dutch Indonesia, war and insolvency were the principal causes of human bondage. But whereas the capture and use of war prisoners—use at least for sacrificial purposes and for personal service—have a very ancient history, the enslavement of debtors presupposes a stable agricultural society in which surplus products can be preserved, traded, and used to enhance the power and prestige of those who can command the labor of others. Although slavery for debt is known in almost every part of Indonesia, we find it most fully developed among coastal peoples and those that have come most under the influence of mercantile civilizations. In Batak law, as explained by Edwin M. Loeb,⁹ three phases of this kind of slavery can be distinguished: (1) the commutation of a death sentence into a fine, and of the fine into permanent bondage when there was no longer a possibility of meeting it; (2) the temporary and voluntary pawning by a person of himself, which also became permanent servitude when he had lost all chance of redeeming himself; and (3) the involuntary assignment, under religious or customary law, of the debtor as the permanent slave of his creditor when his debt was large, of old standing, and unlikely ever to be paid. "The custom of pawnship," says Loeb,

was borrowed from the Malays. If a man had a debt he could not pay he was forced to borrow from his chief, since the chief was responsible for the debts of his subjects. The man himself was then held as security and had to work for the chief, and was not allowed to leave the village. A chief never collected his debt in full, for he valued the possession of his subjects more than wealth or goods. Thus the subjects of a radja were virtually his slaves, in fact even though not in name. Since interest was reckoned at a hundred percent, if the pawn was not able to pay a good portion of the debt the first year the amount was doubled. In two or three years the debt increased sufficiently to equal the price of a slave, and then the debtor lost his freedom. The heirs of a Batak inherited debts as well as possessions. The heirs of a pawn, however, were not placed in pawnship.¹⁰

Among the Atjeh, the position of such pawns was very different from that of the many captured or bought slaves. They could purchase their freedom and, since they had many opportunities to earn money by engaging in trade, often did so.¹¹

Among the Menangkabau of Central Sumatra, as among other Indonesian groups, social solidarity is so strong as to make insolvency an offense against the community:

Every *suku* and every *induk* is responsible for the debts of its members. Therefore, no person may contract a debt without permission of his chief (*mamak*). If he does so the *mamak* has the right to declare him "free as a bird." He is handed over to the rajah as a slave in return for payment of the debt. The redemption sum equals the amount of the debt with an added 5 Spanish real or fl.1.25.

The *mamak* of a family in debt also has the right to sell others of its members who may be innocent of any part in its contraction. In their case, the repurchase price is the same as the sum of the debt, but without the addition of the premium.¹²

In contrast with these systems, indicating a relatively high state of civilization, is the slavery for debt among the Alfour, rather primitive inhabitants of the northern part of the largest of the Moluccas, Halmahera—tribes that have remained untouched by Moslem civilization and among whom hereditary slavery is unknown. The Alfour recognize slavery in payment of a debt for terms limited to ten years. The debtor does not leave his own village "where, considering the solidarity of communal village life, it is not likely that his lot can be very hard."¹³ In Central Ceram, likewise, the Alfour, though here a more virile group, "hold quarrels, slavery, and usury in abomination."¹⁴ Vroklage does not recognize this arrangement as "slavery" but states that "on North Halmahera only war captives were known [to be enslaved]." However, on neighboring Kei he found a noble who had married a slave woman and become a debt slave. This man had his own house and his own property which was inalienable. On Tanimbar and on Aroc, to the south, he found both bought and debt slaves.¹⁵ On Celebes he found only debt slaves among the Loinang and only bought slaves among the To Balantak.¹⁶ Of the Land Dyak of North Borneo, Vroklage says that those in bondage through debt "are fairly free. No master will ever maltreat his slaves."¹⁷ Similarly, among the Iban, or Sea Dyak, those enslaved through debt, as indeed slaves through capture, too, were well cared for.

Formerly it was the custom to demand in repayment twice the quantity of rice borrowed. It sometimes happened after poor harvests that the borrower was unable to repay twice what he had received. In that case he had again to pay double the loan from the next harvest. So it arrived that a family could not get out of debt and became enslaved.¹⁸

This statement is significant because we shall find that ratio—"twice the quantity borrowed"—again in the relatively modern usury practice of the Javanese batik industry, where the employer uses it to keep an indebted worker permanently in his service. However, the debt slave, so-called, has rights which the hereditary slave does not possess. In South Borneo, debt slaves are those tribe members who through improvidence or misfortune cannot get out of debt. Such a person can never become a heritable slave. But when a man becomes enslaved his wife and children join him in that status. A debt slave has the right to one-tenth of the harvest and to any profit he may make in trade. That is, he can earn enough to buy his freedom if he is frugal. Sometimes he is assigned a field to work for his own benefit.¹⁹

Again, a striking similarity with practices still prevailing among the much more sophisticated employers and workers in the Javanese batik industry is

afforded by Vroklage's account of bondage for debt in the Pasir district of the southeast coast of Borneo:

They [debt slaves] may own property and if they are dissatisfied with their master may seek work elsewhere, with another. In that case, however, they must pay their debt to the old master first. [That is, the new master must compensate the former master, and thus take over the debt].²⁰

B. ter Haar traces in Indonesian folk law (*adat*) an uninterrupted old sense of obligation to expiate by service to the victim any injury done to him. When that injury was done to the community as a whole, the expiatory labor service was meant to restore the social equilibrium that had been disturbed by the unsocial action. When a money debt could not be paid by a debtor or his kinsmen, both he and they were liable to payment by their labor. A person who sought the help of a powerful chief against hostile creditors became the chief's peon. "Even though this practice has been suppressed, the idea on which it was based still permeates native relationships."²¹

It is hardly necessary, in the present connection, to give further examples of the wide acceptance in Indonesian society of temporary bondage as a fair and socially advantageous method of settling debts. It goes far back in customary law to a time when a "debt of honor"—as, for example, in a blood feud—also could be paid off through voluntary enslavement to another in lieu of death. As an economic transaction between debtor and creditor, this acceptance of unlimited service, whether for a lifetime or until the debt has been repaid, is not slavery or serfdom in the accepted meaning of these terms, but neither is it a voluntary labor agreement. The debtor makes himself over, body and soul, to the creditor, who becomes his master and sometimes that of his family as well. He does not pay merely through his work but by completely abdicating all right to dispose over his time and himself while the arrangement is in force. Raymond Kennedy calls this an ancient custom of pawning. "In many tribes," he says,

men will pawn themselves and their families to work as temporary slaves for the sake of getting immediate advances of goods for such things as funeral feasts, sacrificial rituals, and the payment of gambling debts.²²

He points out that the colonial Government recognized this, like so many other local customs, and only indirectly tried to abate its obvious evils by the planting of government-owned pawnshops throughout the archipelago.

The Government has, in fact, attempted to deal with the matter in various ways for a long time. But it was difficult to do so aggressively because, during most of the nineteenth century, a "liberal" colonial policy was interpreted as meaning one interfering as little as possible with the established customs. Thus, referring to the legal code of 1854 (see p. 36), J. S. Furnivall observes that some of the clauses are mutually inconsistent, as for example one which

requires the Government to eliminate debtor-bondage while another prohibits intervention in village life.²³ The Constitutional Regulation of that year prohibited debtor-bondage in Java from 1860 on but left the Government free to choose the time for extending that provision to the Outer Provinces as it thought expedient. However, even such limited prohibition had its difficulties, and in 1859 it was decided to indemnify the owners of debtor-slaves. Only in 1872 were steps taken toward the gradual abolition of debtor-bondage throughout the archipelago.²⁴

An ordinance of 1916 was intended to combat usury by permitting certain courts to cancel any agreements, at the request of either party, if the terms seemed unreasonable. In practice, debtors usually were too ignorant or too intimidated to take the initiative in such legal procedure; and creditors who did so sometimes denied the existence of a formal contract if the judgment went against them—in which case, unless the debtor could produce legal evidence, the court was powerless. In 1938, this ordinance was amended to permit its application if in the judgment of the court a usurious debt agreement existed, whether or not the debtor had entered into it with full awareness of the terms, and if these terms were deemed by the judge to be socially harmful. At the same time, a system of registration and control was introduced to curb moneylending as a form of business. This ordinance, however, extended only to Java and the east coast of Sumatra and, of course, did not touch the vast number of small loans, retail sales on credit, wage advances, and prepayments for future crop deliveries, from which by far the greater part of the peasants' indebtedness results.

That the evil of bondage through wage advances continues in spite of the gradual substitution of modern labor relations for ancient forms of dependency is revealed in many government reports. As one would expect, it prevails in those preindustrial crafts and in those small shop and home industries that are still close to traditional village life. But it is to be found also in industries of recent introduction, both under Javanese and under foreign Asiatic management. For it so happens that bondage for debt coincides not only with Malay but also with Chinese traditions.

Bondage for debt is the price paid for improvidence. This mental attitude cannot be uprooted by prohibitions, nor can its consequences be prevented by legislation. The Netherlands Indian Government has tried both. For example, cockfighting in Bali—and perhaps also in other parts of the archipelago—is now permitted only on feast days. Alas, where the peasant lacks in thrift there thrives the usurer who knows how to take advantage of the weakness of his fellows.²⁵ But how does it come that the Indonesian people are so lacking in foresight? They are known to be reasonable enough in other social arrangements and, indeed, highly competent in the management of intricate community affairs. The answer has already been touched upon in

the introduction to this chapter: it is the residuum of a folk experience of helplessness through many generations. The precariousness of life in a volcanic country, exposed in part also to violent rain storms, is only part of that experience; a long history of conquest and subjection is the other.

In a climate where most kinds of property are perishable it is especially difficult for thrift to take root. But only the possession of lasting wealth lends prestige; hence in most societies exposed to similar tropical climatic conditions two other avenues to social prestige assume unusual proportions: the avenues of individual prowess and of lavish hospitality. There can be no reliance on riches precariously stored against rain, rats, and rust. A triumphant gamecock may be more impressive than a herd of water buffalo. To have many retainers counts for more than a large house which the first typhoon may sweep away.

Thus not only the product of industry and self-denial but also the occasional windfall is liable to be quickly consumed—not in individualistic self-indulgence but in a generosity so prodigal that occidentals experiencing it for the first time are awed by it. In the indigenous village society of Indonesia no great harm may come from such a predisposition to improvidence. But with it there can be little accumulation of capital, and so native society remains bounden to the foreign moneylender when it endeavors to enter into the world of modern economy. Not only this, but only by the utmost energy in the enforcement of the land laws can the Government prevent the land from passing into alien hands. And it cannot prevent the movable property from being encumbered with debt and the once carefree peasant from being driven into the ranks of proletarian wage-earners.²⁶

The indebtedness of peasants and workers is a general social evil, permeating all ranks of Indonesian society, and one of the most difficult obstacles to the improvement of labor conditions. Not only does it expose a few individuals widely scattered over the country to the risk of losing their freedom, but throughout the modern sector of the country's economy it makes for inefficiency and low productivity. A labor inspector may be able to prosecute an employer for overt offenses against the labor law; but what measures can he take, in any specific case, against labor standards so low as to breed disease when the main cause lies in the native mores and not within the control of the employer as an individual? Reliance on luck rather than on planning and steadfast labor makes Indonesian labor expensive despite low wages and long working days.²⁷ Out of the mental attitude arises that fatalism which permits of no effective organization among the workers for the improvement of their condition. Where that condition is too oppressive, or where an employer's greed is too obvious to escape the attention of the men who work for him, one occasionally comes across a case of sabotage, sometimes a spontaneous cessation of work or a wholesale escape of the wage-earners and return to their villages—but rarely effective joint effort and organization.

The following extract from a report on labor conditions in the metal industry of Soerabaja is to the point:

In the *kampong* investigation, the Javanese workers' improvident way of living became strongly evident. Among the scores of *toekangs* [native workers] there was not one who was not in debt. It seems that on Sundays many of them have not a cent left over of the wages received the day before. Pawnshop tickets and *mindringan* [receipt of wage advances] are woven into their lives as warp and weft.

Of *toekangs* who are short of ready cash it is said that they "sell their salary." There seem to be moneylenders who make a special business of this. A worker who earns f.2.40 a day can after four days of employment get a loan of f.8.00 or a little more on the security of his earnings. For this loan he has to pay [at the end of the week] f.9.60 to the moneylender who already waits for him at the factory gate. The amounts which these men had thus paid out in interest were found to be enormous.

One of the *toekangs* said that he had on such a "China account" a debt of f.25.00 which he was obliged to pay off in thirteen weeks at the rate of f.2.50 a week, that is, at an interest rate of 120 per cent. Another had a debt of f.5.00 for which he had to pay back f.6.00 after six weeks, i.e., at an interest rate of 170 per cent.

Besides their debts to the public pawnshop and these "China accounts", most of them also owed the little stores where they buy their daily necessities. And it is by no means only the low-paid worker who in this way gets into debt. The better situated workers are just as much in debt to the Chinese and Arab moneylenders. As is still the common habit, almost everywhere among the native people, they live from hand to mouth; they live above their means with not a thought of the next day—much less of the more distant future.²⁸

There were before the war hundreds of government-owned pawnshops in Netherlands India, and the value of unredeemed pledges in bad years amounted to a hundred million guilders. The important part the government pawnshops played in cushioning the effects of the great depression in the thirties on the small Indonesian peasant and wage-earner may be illustrated by the following figures:

The circulation of silver token money, small change and currency notes fell to 30 per cent between March 31st, 1929 and the same day in 1936, or from f 171 to f 51 million. The total of outstanding loans at the government pawnshops dropped to 33 per cent between December 31st, 1929, and December 31st, 1935, or from f 78 to f 26 million; that of the banks amalgamated under the name General Bank for Popular Credit from f 63 to f 19 million (30 per cent), that of the village banks in Java and Madura from f 8 to f 2.6 million (32 per cent).²⁹

In other words, the gold pins used to fasten the women's jackets, their earrings and bracelets, really were—as not so long ago the diamond shirt studs and

cuff links of the American gambler were—the nest egg which, pledged during the minor misfortunes of a hazardous career, is lost forever during a period of continued bad luck. Melted down, these savings in the form of “conspicuous consumption” became a substantial part of 158 million guilders’ worth of bullion exported between 1931 and 1936 to shore up the waning credit of the Indies. It was a tax imposed mainly upon the poor to pay for the inadequacy of the colony’s economic system. In this sense as well as in that intended by the author, it is true that “Credit tends to impoverish the village population.”³⁰

The remark just quoted refers, of course, to the fact that the Indonesian’s productivity simply did not keep up with his standard of living when he was connected with the modern part of the economy as agriculturist or laborer. The elaborate measures taken by his government to keep him out of the clutches of the usurer (though the government itself charged up to 24 per cent per annum on small loans) did not aid in the accumulation of native capital. Almost always use of these credit facilities was for the purpose of liquidating an obligation already entered into that urgently called for settlement. Enabled to pay off one debt with government assistance, the poor man immediately contracted another.

The literature on this subject bristles with references to the iniquitous role of the *minding Chinese*, the Chinese peddler and debt collector who tempted the poor with offers of installment purchases. (The Arab and Indian moneylenders, as a rule, dealt with urban workers and business men of somewhat higher economic status.) But among the wage-earners, and especially those in the small industries, the total amount of outstanding debts to employers for wage advances received may be even greater. Often these advances are made at the time of hiring; and it would be no exaggeration to say that in the small industries, especially those producing native consumer goods, a majority of newly recruited workers are practically indentured from the day they start upon their career as wage-earners. They work for wages because they need money immediately, and the bargaining power which labor theoretically enjoys in times of labor scarcity here determines the size of the advance payment which the employer is willing to make, not the size of the weekly wage.

Deductions from wages to repay wage advances prevail widely [in the tobacco industry of the Javanese principalities]. They resemble the wage deductions customarily found in the employment of day labor *borongan*, in field work, to enable the workers to purchase rice seed when they need it, or hoes, and also for other purposes. Not only the laborers but also the women employed to sort tobacco usually ask for an advance which afterwards they pay off in regular small instalments. The companies supply the coolies with hoes of a good quality at cost price; and these sometimes sell the hoes at a profit to their friends in the *desa*, when the season is over.

The women who work outside the factories, the so-called *locroegans*, also receive substantial advances which are deducted from their wages. An inspection of the books indicates that everywhere in the administration of these advances and their repayment good accounts have been kept. After the borrowers receive a card on which both loans and repayments are entered and each entry stamped, so that everybody knows exactly how he stands.³¹

A casual reading of such reports as these may give the impression that, although in some instances the interest rates are high, there is nothing very wrong with a system of borrowing and working off debts which is so deeply rooted in the social traditions and which, as the various reports show, is often managed not only with fairness but also with consideration. Is not the worker, it may be asked, better off when he can borrow from his employer than when he gets into the debt of a professional moneylender, who charges an outrageous interest and who usually, as a foreigner or member of a foreign Asiatic minority, is less influenced by public opinion and less concerned with the welfare of the debtors, whether as individuals or as a class? The answer is that the professional moneylender impoverishes the people but rarely enslaves them. The employer who makes a regular practice of giving wage advances, on the other hand, often does so deliberately with the intention of sapping the independence of those who work for him, of transforming the self-respecting worker into a cringing retainer who will do what he is told at almost any wage and under any kind of working conditions as long as he is not left to starve. The most substantial and detailed evidence of this is given in yet another report from the Netherlands Indian Labor Bureau, extracts from which are given in Appendix C,³² and which provides a rounded picture of the part played by wage advances in the labor relations of the batik industry of Java.

It is clearly apparent from the evidence that debt bondage is a very serious element in those relations. Advances are made not as a convenience to the workers but with intent to get them into the employer's power. Not only are wages kept below subsistence level, but, by means of taking over their debts, wage-earners are practically sold from shop to shop like chattel. A temporary shortage of cash which forces a simple country woman to seek work is taken advantage of to force her into the permanent ranks of sweated wage-earners; and in some instances the organs of local government—needless to say, very much to the chagrin of the higher authorities—lend themselves to reinforcing the employers' claim by allowing the use of policemen to intimidate the workers. In short, we have in some of the cases described a situation so closely resembling peonage as to be almost indistinguishable from it.

The author of the report on the batik industry—which was made at a time of considerable anxiety in governmental circles over the growing economic influence of the Chinese middle class in Java—tends to throw most of the blame on Chinese employers, who are sometimes described as veritable ogres.

But a closer examination of the data shows at least a resemblance of some of the practices with those indigenous to Indonesian society: the advance payments at holiday time; the sense that, until he has paid up, the debtor owes his employer-creditor not merely money but a fealty going far beyond that of the ordinary employee in industry; the purchase price paid—for that is what it amounts to—at the time of hiring which harks back to the custom of self-enslavement; even the use of dependents as hostages and the transference of a debt from those who have incurred it to their kin.

It would take a more searching inquiry than the existing literature permits to discover why bondage for debt prevails in some of the small industries and not in others; but we shall not go far wrong in concluding that the size of the available labor supply in relation to the demand is the main factor.³³ The evidence shows rather conclusively that skilled workers (metal industries, batik, etc.) are difficult to replace, especially in good years, while there is always a large reserve of unskilled labor and normally a surplus of available labor in those industries which are only a stage removed from the home and village crafts practiced by ordinary farmers and their families. Worker indebtedness to the employer is characteristic of a large sector of Indonesian industry. It assumes malignant forms mainly in those branches where, and at times when, employers are in active competition with each other for labor. Not the size of the wage but the degree of anxiety on the part of the employers to insure themselves of an adequate labor supply is correlated with the use of the more extreme and ruthless methods to bind the worker to his job. As an additional proof of this, it is possible to refer to a report on the manufacture of cheap straw-covered cigarettes for native consumption which shows that either no wage advances at all or only small advances are made in this industry so largely conducted with unskilled labor and in comparatively large centers of population.³⁴

Pieter H. W. Sitsen, late Director of the Industrial Division in the Department of Economic Affairs, noticed that in the centrals of East Java the quasi-independent home workers always had credit accounts in the finishing business and could draw against it in an emergency. He traced this custom to the intimate knowledge of their private affairs possessed by the *bakul* or middleman who was the real financier and manager of the cottage industry. His influence arose from the fact that in the affairs of the poor villagers he had usurped the place formerly occupied by a more affluent neighbor, himself a farmer. With the old established mores of the Javanese *desa*, practically every householder must at times borrow to defray the cost of an elaborate ritual or entertainment. In former days his trust in the decency of the lender if perchance it took him longer than expected to repay such a loan was rarely misplaced. The *bakul*, however, uses that position of trust to dominate the economic life of the community. Through their debts to him—which he encourages in every pos-

sible way—he keeps the nominally independent producers so dependent on him that he can take the better part of their earnings. For example, in the furniture industry of the region, more than one-half of the gross return went to the *bakuls* when Dr. Sitsen made this study in 1936. By splitting up the industry, these middlemen kept the villagers ignorant of the cost and price structure. In the cottage textile industry, likewise, the relations between production, supply of materials, technical supervision, and disposal of the products often are so manipulated by shrewd Javanese and Chinese middlemen as mercilessly to exploit both the full-time and the part-time labor of the villagers. And it is always done by first getting them into the debt of the entrepreneur.³⁵

In modern industry under Western management a considerable change has taken place in the use of labor incentives. Some of the older estate managers still take the view that the native worker will not exert himself, or will be unreliable in his work attendance, unless he is placed in the position of working off a debt.³⁶ They have found that the usual incentives to reduce the labor turnover do not work in the Asiatic tropics. Even high piece rates and bonus payments of various sorts, they say, do not often have the desired effect: the more the Indonesian laborer can earn in one day the less certain it is that he will work six days a week under the discipline of a modern enterprise. From old, he is accustomed to work for others only in order to pay for some immediate need; and even that purpose is easily abandoned if the need is not urgent. Now, of all the needs the most pressing certainly is that of paying for commodities and services already enjoyed—particularly if the creditor is in a position to put on the screws. It is not surprising, therefore, that in former times estate managers—or their native or alien-oriental foremen and labor contractors—simply took over the time-honored methods for getting the workers whom they wanted into their debt and keeping them there. They did not hesitate to create new needs where those inherent in the traditional way of life did not suffice to induce acceptance of the terms of employment they were willing to offer. Thus Furnivall reports that one way in which Indonesians managed to survive the economic depression of the thirties, which deprived them of land rents and wages paid by the estates, was to “sacrifice the petty luxuries, largely imported, to which they had been taking of late years. This demand for luxuries,” he adds, “was largely artificial and stimulated by the advances given by planters.”³⁷

J. H. Boeke takes the view that the Western entrepreneur does not need any special devices to get into his power the small and once independent indigenous farmer who produces a market crop for him. Almost invariably, he contends, the modern method of production involves supplies for which the grower can pay only out of his part in the return. Plant disease or crop failure may force

the grower to borrow money as well as leave unpaid what he gets of seeds, tools, or fertilizer.

Usually he has to pay interest on the loans without which he cannot operate; when the quality of the produce does not come up to expectation, prices are reduced. In his perpetual need for cash, the poor peasant is like wax in the hands of the large concern and its agents.³⁸

No purpose would be served by reviving in detail old scandals happily rare in recent prewar times if not entirely wiped out; but to understand present-day labor attitudes it is necessary to remember that less than a generation ago otherwise kindhearted European employers sometimes did not consider it wrong to get wage-earners into their power by tempting them in every possible way to spend more than they could afford and by advancing money to them which they could never hope to repay. The penal clause of labor contracts³⁹ was reinforced—if not directly by the employer then by a foreman-contractor whose practices were no secret to the men at the top—by the methodical employment of gambling, tempting displays of luxuries, and prostitutes, to prevent the workers from accumulating earnings with which they might go home, and if possible to get them into a debt making it practically obligatory for them to renew the contract after its expiration in order to work off what they owed.⁴⁰

In recent times, the virtual enslavement of contract workers through debt occurred more often under Asian than under European management and was difficult for the Netherlands Indian Government to deal with. Ta Chen gives an example of this from one of the few large industries in the Indies whose labor force is almost entirely Chinese, the tin mines of Banka. He describes a visit to a home for old men on that island, all the inmates of which had come from South China:

They had lived here for from ten to thirty years. Most of them were over fifty-five years old. From a conversation with 31 of them, it appeared that of this number two had visited China twice since they first left it, seven once, and the other twenty-two not at all. They seemed to assent to the explanation of their predicament given by one of them: "We have no money. Our wages were small; and gambling and opium smoking have taken the little we could save from these small earnings."

Gambling among the tin miners was seen to be carried on freely during the intermission between shifts, in other off hours, and on holidays.⁴¹

The licensing, in the past, of Chinese gambling houses by the Netherlands Indian Government, though it brought in almost a million guilders in fees, was costly to it in its social consequences. It was not, like organized prostitution and the opium trade, merely a luxury which Indonesian farmers and

workers could ill afford, but it was a device often deliberately used to prevent the wage-earners from leaving their employment to improve their lot.⁴² This is said not in defamation of the Chinese population of the Indies, most of whom are honorable members of society, but rather in illustration of the fact that in a time of transition from a native economy of self-sufficiency to a modern commercial economy the more tradition-minded members of the community are exposed to exploitation by any small and unscrupulous group which possesses the means of degrading them. The manipulation of credit, combined with instruments of temptation, suffices to ruin a whole generation of worthy country people.

This is not the place to describe in detail the many positive measures by which the Government of the Indies has tried to reinforce the restrictive measures against usury that have been mentioned (p. 124). No branch of social legislation has received greater attention from it in recent times, and the results are discussed in many reports.⁴³ The promotion of thrift through state-aided credit institutions was an early objective of the "ethical" policy. But no more than other governments did that of the Indies succeed in bringing financial relief to the small farmer whose need for credit is the most urgent and who has the least security to offer. Nor did the establishment of cooperative credit agencies, begun in 1915, easily fit in with the realities of *desa* society. Only when cooperation was taken up by Indonesians autonomously, in the spirit of nationalist self-defense against foreign middlemen and moneylenders, did the movement take on life. But before the war that movement was on an exceedingly limited scale, more among civil servants and organized urban wage-earners than among tradition-minded villagers. Anyhow, the movement is too recent, going back in its legal foundations only to 1927, to have achieved noteworthy permanent results. It is significant, however, that of a total of 535 cooperative societies in 1938 no fewer than 415 were credit unions, with another 47 societies devoted to the freeing of their members from debt incurred before joining, and 13 federations. Nearly all of them were in Java.

At the New Delhi conference in 1947, the International Labor Office in its report on this part of the agenda mentioned Indonesia and Siam as comparing favorably with the other countries of the region in the adoption of measures to reduce farmer indebtedness, "although in these countries too the petty financier has been much in evidence in recent years."⁴⁴

PHILIPPINE ISLANDS

When the Spaniards took possession of the Philippine Islands, slavery for debt was an old established custom. In the indigenous society of the Islands it played a role not essentially different from that in the more primitive communities of Indonesia, as described above. "The Ifugao," writes A. L. Kroeber,

is constantly going into debt. Sickness frequently makes necessary the purchase of animals required for the sacrifices which alone are believed capable of inducing recovery from illness. A death involves an elaborate feast for all who attend the funeral. Other occasions require expenditures which must be made from loans if available property is insufficient.⁴⁵

He describes the use of land and other property as collateral and shows that indebtedness is not a personal but a family concern, since it is not extinguished by death. Again we come across mention of 100 per cent per annum as the customary rate of interest on loans, and the doubling of the interest with the debt from year to year.⁴⁶

Under relatively primitive conditions, such as those observed by Kroeber, indebtedness may lose its sharp edges in the give and take of a closely knit village society. At any rate, the peasant who "shoots the works" at a wedding or funeral and then borrows from a rich neighbor or from the local magnate to keep himself going until the next harvest or even beyond does not necessarily lose his social standing. But in a more advanced society reliance on mutual consideration has its risks: in a time of general economic pressure the more affluent neighbors may be unable to help, and the poorer ones have no means of meeting the now urgent demands of their creditors. They become, as Hayden has called them, a "depressed minority." The *kasama* (tenant farmer) who again has to borrow from his landlord soon after the crop has been divided and the debt has been paid, will find it difficult to resist new charges arbitrarily imposed upon him—charges which, since the interest rate is settled by custom, often take the form of additional services or simply of cheating over the volume of his deliveries or over the value of supplies, such as clothing. The net result is a tightening of the bondage from which the luckless debtor cannot hope to extricate himself.

Under the pretext of guaranteeing a loan, parents readily sell their children (male or female) into bondage; the child is handed over to work until the loan is repaid, but as the day of restitution of the advance never arrives, neither does the liberty of the youthful victim. Among themselves it is a law, and is still a practiced custom, for the debts of the parents to pass on to the children, and . . . debts are never repudiated by them.⁴⁷

The origin of enslavement for debt is hinted at as a customary restitution exacted under tribal law for theft if the thief was unable to pay back what he had taken and the fine imposed on him.⁴⁸ But, as has already been pointed out, enslavement in Ifugao society—or, for that matter, in other aboriginal Malay societies—never was the debasement and burden which it was to become under foreign oppression.

If a man and his wife owed a debt that could not be paid for in other ways, they were expected to give their services until it was liquidated, but this did not lead to

servitude. As a matter of fact, it appears that slavery was little if at all developed among the interior tribes of northern Malaysia.⁴⁹

We get a sense of the relation of debt bondage to other forms of unfreedom also in the social system of the Moro. They distinguished from hereditary slaves those who for any reason had been liberated but remained in perpetual serfdom in exchange for release from absolute ownership.⁵⁰ But slavery itself among the Moro often was the outcome of an indebtedness which the debtor and his family were unable to liquidate.

As in indigenous Indonesian society, so among the Filipinos, too, indebtedness through improvidence and, especially, the love of gambling goes deeply down into the traditional mores. Only the exploitation of the trait can be blamed on the owner class, but that exploitation apparently increased with the introduction of a money economy.⁵¹ Cockfights have long been common, as they are today. Even relatively poor people lavish care on the breeding and training of their cocks. What is new is the deliberate encouragement of gambling as a means of forcing laborers into a dependent status. The Igorots, through their contacts with Christian Filipinos when engaged in road work, learned new games, but the idea of staking their possessions on faith in a magic spell was not new to them.⁵² Temperate at other times, Filipinos even in more sophisticated circles will on the occasion of a feast or a party gamble for stakes they cannot in the least afford. The Government has tried to stem this tendency by both legislative and educational means,⁵³ the most important of which were the anti-usury laws of 1916; but only a substantial rise in living conditions and a more certain economic future for the great majority will make such efforts really fruitful. The pool table is almost indispensable to the Filipino labor contractor as long as he is in the business of supplying large numbers of irresponsible, dumb, and fear-driven men who have never known of any other existence than from hand to mouth. With direct employment and decent labor conditions, the ubiquitous pool table of the Filipino working force also is sure to go. The rise in the status of women is an element of importance in the matter, too. In former days, with few other outlets for their energies, Filipinos spent a large part of their time and, sometimes, of their household income, on card games. For this, modern vocational opportunity is a sure remedy.

Because of the great variety of forms in which bondage appears in aboriginal society, and the large part which indebtedness plays in them, it is perhaps not surprising that the word "peonage" in Spanish times and since does duty for various relationships which that term does not really cover in its classical definition or in the usage of other lands. The report of the Wood-Forbes mission, sent by President Harding to the Philippines in 1921 to determine the readiness of the country for self-government, used the term as defined by

Dean C. Worcester (see above, p. 85). In his book, W. Cameron Forbes has further explained and modified that use. There he speaks of frequent complaints against extreme action by justices of the peace under the provisions of Act 2098, "which enables employers of labor to prosecute their laborers for breach of contract, and in many cases to hold them against their will, resulting in a kind of legalized peonage."⁵⁴ To achieve this, employers brought laborers into their debt by advancing money and supplies; the luckless victims had to agree to pay back such loans by working for a specific time on terms prescribed by the employer. If they failed to do so, they could be punished for obtaining money or supplies under false pretenses.⁵⁵ During the fiscal year 1918, the mission reported, there had been 3,266 cases of this nature, of which 1,456 led to convictions. Dean C. Worcester gives a similar account of the skill with which a dishonest Filipino employer could "manoeuvre his employee into a position bordering on peonage." He adds that the prices demanded for articles sold to the laborer were nearly always excessive, and the interest charged on money loans was as much as 10 and even 20 per cent *per month*. Often, after months of hard work, the debtor would find that he owed his employer more than at the start. He rarely could hope to pay the principal. "Once a laborer got into the toils of these unscrupulous persons his freedom was gone. He became little better than a slave."⁵⁶

Lest it be thought that "these unscrupulous persons" are a peculiar feature of Philippine society, the author feels obliged to add that many Filipino laborers fared no better when they came under American employers (though the foreman in such instances usually was a Filipino). A study of Filipino emigration which he made some years ago showed that, at the time of maximum use of Filipino laborers in continental United States, American employers were not averse to using almost identical methods to defraud these workers of their just earnings. To give just one example:

It was for long the practice of Alaskan contractors to provide the workers with a decidedly unappetizing diet on board the ship and at camp, but to place on the table at each meal tempting canned foods upon the sale of which they made a heavy profit. It also used to be charged that contractors induced the wage-earners to participate in gambling games during which they would adroitly possess themselves of their anticipated earnings in advance of pay-day.⁵⁷

Probably with no sinister purpose at all, but in ignorance of the relations between foremen and laborers in which gambling plays so important a part, American large-scale employers of labor in the Philippines at first thought it a good idea to attract and stabilize a sufficient labor force by providing cockpits along with dance halls, churches, and other attractions.⁵⁸

How the system worked in an individual case is described by Vic Hurley. Although the locale is Mindanao, the incident occurred on a Spanish, not a Moro, plantation:

The young mestizo boy who had acted as interpreter . . . beckoned to me from behind the shelter of the corral.

I walked over to see what the boy wanted. He was visibly frightened and he kept a lookout for Enriquez. He told me that he had come to work for Enriquez from his home in some small town in the northern islands. Enriquez had advanced him money for transportation and had given him credit in the trading store for food.

"I owed him thirty pesos when I first came. Now, after I have worked for him for ten months, he tells me that I owe him two hundred pesos and that I must continue to work for him until my debt is paid. I wish to get away from Enriquez, sir. I wish to go home where I can receive pay for my work."

The boy was caught in the oldest racket in the Philippines. He would probably spend the rest of his life working for Enriquez and he would never get out of debt.⁵⁹

Sometimes the relation between the creditor and the debtor and his family is friendly enough. In his ignorance, the poor peasant or landless laborer may even be grateful to patron and employer for relieving him of the anxiety for his daily bread. But apart from what it does to the dignity of the individual, the system is one of the main supports—or was until quite recently—of that class rule which so identifies the landowning *cacique* oligarchy with government as to make a mockery of any pretensions to democracy. And in this, too, the Philippines do not stand alone but could, if they wished to use the *tu quoque* argument, point to similar conditions not very far from Washington.

There is also the immediate economic effect of this thralldom. The small peasant who must borrow from his landlord to tide him over from one harvest to the next is in no position to make the most advantageous use of his little farm. The landlord determines the crop; to produce the required amount of it, the tenant must if necessary starve and exhaust the land. Settlement customarily takes place at the end of the harvest season, when prices in the locality, irrespective of world prices, are lowest in the year. Then the tenant starts borrowing again, either from his landlord or from a Chinese storekeeper. Being bound to his creditor, he is unable to take advantage of retail competition, and his lack of free choice helps to keep up an unreasonably wide margin of profit between wholesale and retail prices.

Exactly how extensive bondage for indebtedness has been at any time in the Philippines it would be difficult to determine, since, as has already been stated, this particular form of servitude is closely connected, and at times confused, with others. A member of the American Public Health Service in 1928 estimated that "no less than 20 per cent of the total laboring population of the islands are held in perpetual slavery."⁶⁰ He had come across cases where the accumulated interest on the loan amounted to ten or more times the original principal. More recently, in its report to the regional conference at New Delhi in 1947, the International Labor Office stated:

In the Philippines, notwithstanding the adoption of legislation to prevent usury, the practice of charging rates of interest ranging from 60 to 200 per cent a year seems to persist if only because the tenants, who often borrow from their landlords, are not sufficiently well acquainted with their rights.⁶¹

The establishment of the Agricultural and Industrial Bank, in 1939, and of a Farmers' Loan Division in the Department of Labor in 1941 are mentioned as tokens of an earnest endeavor of the Philippine Government to combat usury by providing farmers with credit on easy terms.

While the pawning of adults in payment of debts has diminished, there is still some tolerance for the practice of pawning children. Erich H. Jacoby writes:

When the tenant sees no other possibility for additional income, and all his sources for credit have been exhausted, he may pay his debt to the landlord by sending his minor children to the home of the landlord as servants, where they may possibly have to work for years without pay. This form of child labor is mitigated under favorable circumstances by a patriarchal attitude on the part of the landlord. In the majority of cases, however, employment agencies in Manila take over the children (as a rule between 8 and 10 years of age) for a lump sum, pay their fare from the provinces, and support them until an employer is found. The latter then pays a fixed amount for the child (before the war 20 pesos) and repays the agency's expenses in small monthly installments, which are considered the debt of the children. Until the entire sum is repaid, the children do not receive one centavo in wages, though they have to work hard, as a rule, without any education and often without adequate food and clothing.⁶²

That the system of personal pawning in liquidation of debts, intimately associated with the structure of Philippine village life, has also crept into industry is evident. The present writer took note of an example of this when he called upon a professional man in Manila whose family had, he was told, long been identified with building enterprise in that city.

"When I was young," he said, "my family owned a lumberyard and a sawmill here in the city. We lived *intra muros*. So did all our workers. Wages were only about one-half then of what they are now, and there was a great deal of poverty. But somehow, I think there was less bad feeling between masters and men. The employers knew their men as neighbors. Sometimes they belonged to the same church and the same sodality.

"Some of the laborers, I remember, lived back of the house. Often one of them would come to the office and ask for a little loan. If he was a decent fellow my father would give him what he needed. If there had been illness and he could not pay his rent the landlord, again my father, knew him personally and permitted him to go into arrears.

"But now all those who have a little money live on the outskirts of the city. Every demand for a wage increase becomes an impersonal quarrel between the

company and the union. The relations between landlord and tenant have become impersonal, too. A man has to pay his rent even when there has been a death in the family or when he has gambled a little and lost. So he comes to his employer asking for a loan. But there is no longer the sense of mutual responsibility that there was formerly. The loan, unless asked for by an old employee, is quite likely to be refused. Or if it is granted the worker will not feel under any special obligation because of it, may even squander it and think nothing of it until he is again in need. . . .

"I sometimes think we were better off in the old days," he concluded, "though we did not live as well as we do now. There was more of a family feeling between master and servant, more mutual consideration. Neither of them felt free to get rid of or leave the other. But they were more content, thus bound together, than they are now when they think only of the size of the wage."

From an employer's standpoint this view is understandable. Impartial observers rarely have such regrets. Industrialization, in fact, has proved the quickest way out of the old traditional exploitation of the economically weak by the economically strong which arose precisely from the fact that, with the lack of communications and the cohesion of the family, the individual was more or less chained to the locality where he was born.

The wage-system in the factory, compared to the share-system in the agricultural communities, leads more to independence. Thus the worker in the factory who is paid in cash develops a wider chance for investment and method of expenditure to maintain his family than the rural folk who are paid in kind. He has also a greater freedom in moving around to look for work that suits his skill and individual progress.⁶³

That indebtedness and the involuntary servitude which sometimes results from it are regarded as a national calamity by many thoughtful Filipinos is indicated by the many proposals that have been made in recent years to cope with it. Twenty years ago, for example, three outstanding educators suggested a program for its control which may be summarized as follows: encouragement of athletics and other wholesome forms of recreation as substitutes for the cockpit; further encouragement of savings and loan associations, rural credit banks, and other institutions to facilitate financial cooperation; the encouragement of small-scale savings; increase of wages above the level of mere subsistence for the masses; increased land ownership among small farmers; a land settlement policy designed to spread the ownership of mortgageable property; education in habits of thrift; direct legislative attacks on usury itself and the creation of a public opinion that will make it disreputable.⁶⁴

BURMA

The problem of indebtedness in Burma is so bound up today with the system of land tenure, with alien immigration, and with large problems of land

utilization that one is likely to lose sight of the deep roots of the problem in the traditions of the people. One has to go to the economically less advanced hill peoples to see the importance which a debt has in the age-old ethics of the tribesmen. While blood feuds still were frequent, servitude often was a kind of parole in lieu of capital punishment. The debtor was in honor bound to carry out the stipulation with which he purchased his life—even if it meant lifelong slavery.⁶⁵ So also in the milder mores of modern times, enslavement may be the penalty for a contract unfulfilled—a penalty recognized as just by everybody. When a pig has been borrowed and no repayment has been made for five years—whether interest payments have been agreed upon or not—the chances of ultimate liquidation are considered so slim among the Haka Chin that some other form of restitution is required under the customary law. Until the British Government intervened, this took the form of enslavement—sometimes not only of the debtor but of all his family—to the creditor; or the latter would be entitled to take part of the marriage price of the debtor's female relatives and for generations prevent his female offspring from finding husbands unless they worked off their debt to him.⁶⁶

J. P. Mills (of the Indian Civil Service in Assam) tells of a curious combination of bride purchase and debt bondage among the Lhota of the Naga Hills:

The Lhotas used to leave marriage prices unpaid for years, and often a youth would find himself liable to pay the price for his mother that his father ought to have paid. In such cases, his creditor would seize his brothers and sisters and sell them as slaves. A good number of these reached the Rengmas [on the Assam side of the watershed that divides the two countries], who would pay about two cows for a young man.⁶⁷

Unless they were resold, the lot of these debt slaves does not seem to have been very severe:

The buyer of a female slave would never marry her or cohabit with her. He would either sell her to someone else at a profit or give her in marriage and recoup himself from her marriage price. If a male slave was not resold, a house was built for him and he worked for his master, who would provide him with a wife in the ordinary way.

The custom of mortgaging one's own person either to liquidate a debt or to pay off a loan had already, a hundred years earlier, struck as peculiar a British officer travelling in that region, because it occurred not among some downtrodden subject population group but among the wild and freedom-loving Pykes whom, as a matter of fact, the British themselves had no little difficulty in subduing.⁶⁸

Among the Burmans themselves, similar traditions prevailed until the time of the British conquest. British missionaries and officials "notice with pity a revolting incident of insolvency, whereby the wife or daughter might be

sold at the suit of a creditor, and thus condemned to the public brothel.⁷⁰ In the middle of the nineteenth century, debt slaves were far more numerous than hereditary slaves.⁷⁰ Often a man would sell his wife or his children to pay the taxes imposed on him by an unjust and ruthless officialdom. Or he would pawn them for the amount needed to pay his obligation, hoping to be able to redeem these human pledges by working for his creditor.⁷¹ An American Baptist missionary, a Mrs. Judson, commented in 1827 that this system was not unlike that familiar to Bible readers under the Mosaic dispensation. She added that the sale of wife and children, and eventually of himself, by a poor husbandman might not take place until he has been reduced by torture to a state of hopeless desperation. What made matters worse was that the money-lender might not have any use himself for children come into his possession with the death of their debtor parents but sell them off for whatever sum he could obtain to end the account.⁷² Perhaps debtors or their children occasionally were able to extricate themselves from their painful position; but the large numbers of slaves found among Burmese hill people and, a hundred years ago, among the Burmans of the plains, would seem to show that the condition spread until a powerful colonial government, unhampered by the harsh indigenous code, made an end to it. Former enslavement for debt, together with the unemployment of local craftsmen through the importation of manufactured goods, was the source, at the beginning of this century, from which a propertyless and landless proletariat formed in many of even the richest villages.⁷³

The first British Commissioner to Mergui, previously quoted (p. 46), was impressed by the seeming levity with which Burmans sold themselves, their wives, or their children in payment of a debt which often to an outsider did not seem worth so great a sacrifice. The only possible explanation is that the lot of the debt slaves was not much harsher than that of other impecunious persons, and that enough of them succeeded in buying themselves free—being permitted, often, to carry on businesses of their own—to make the hope of that achievement appear realizable to many others. Under Burman law, the maximum purchase price of a male slave was fixed at 30 ticals—not quite 30 rupees—and that of a female slave at 25 ticals.

Mr. Maingy tried to make an end to all forms of bondage by a law or "regulation," as it was called, which provided for complete registration in the local courts and a reduction from the amount of the debt for every day spent in the service of the creditor. But—as later also happened in the Malay Peninsula—the wealthier classes were reluctant to give up their cheap domestic and field labor and resorted to all sorts of procrastinations. What set many of these debt slaves free was a by-product of war:

The occupation of Tenasserim [by British forces] was followed by a great rise in prices and wages. Rs. 30, a small fortune in Burmese times, came to represent

no more than the wages of unskilled labor for a few months. It is true that at the same time the cost of a slave or debtor servant rose to Rs. 120 or 180, but this did not affect previous contracts. Within two years, Mr. Maingy was able to report that almost all the slaves had succeeded in redeeming themselves, and in his last report before relinquishing his charge he stated his belief that the number of slaves were less than one-tenth the number under Burmese rule.⁷⁴

Those Burmese who became insolvent during the boom period were less fortunate. After some years, British judges with authority over the courts in Tenasserim were shocked to learn that slavery still was tolerated in that province. Mr. Maingy's successor was more complacent or at least more reluctant to interfere with the indigenous notabilities. He therefore recommended a new "regulation" under which, after a certain period, the courts would refuse to enforce the claims of "owners" on the services of absconding debt slaves. In this way, "persons of fair and honest character" would still be able to secure credit on the security of their own person, while creditors might become more cautious and discriminating in lending money. The judges would have preferred outright abolition; but the Board of Directors of the East India Company liked the idea and ordered acceptance of Mr. Blundell's proposal.⁷⁵

Burma still is a country of small farms, though in the remoter parts there are common lands farmed by the community. After abolition of the despotic government which exploited the people, the life of the Burmese has, on the whole, flowed in a quiet and unruffled current. Returned English travellers before the war used to praise the simple pleasures of the Burmese countryside: the market boats that floated up and down the great rivers, stopping at every village to make a fair and a holiday; the homely wisdom of the small farmers seated somewhere in the shade to enjoy each other's company; the beauty of the Buddhist temple ceremonies; the gaiety of youth in the temple schools. But at the turn of the century 14 per cent of the Burmese land was owned by people who were not agriculturists; and in 1934 the proportion had gone up to 30 per cent.⁷⁶ Not only this, but by far the greater part of the fertile cultivated land was included in the land area owned by absentees—almost one-third. In Lower Burma, the proportion owned by absentees was almost one-fourth of the total in 1901 and more than one-third in 1934. Who are the owners of all this rich farm land? They are, J. Russell Andrus tells us, moneylenders who "have little or no interest in the welfare of the villagers."⁷⁷

This statement should perhaps be qualified. The Indian moneylenders to which it refers, although often without roots in Burma, were not always eager to assume ownership but, according to Mr. Andrus' own testimony,⁷⁸ often "nursed" debtors and even reduced rates of interest to keep them paying what they could. The difficulty is that, to escape this thralldom, the Burmese small farmer was likely to take a chance and often managed for

this purpose to obtain a loan without security from a Burmese lender at an interest rate even higher than the rates charged by the Chettyars.

Nevertheless, with the calamitous fall of prices, and especially that of rice, in the thirties, the alienation of mortgaged land became precipitous. By 1936, about one-fourth of the acreage in the most productive rice-growing districts was in the hands of aliens, and of the remainder perhaps one-third was so heavily indebted as to make foreclosure only a question of time.⁷⁹

Originally, the financial power of the Chettyar moneylenders resulted from an economy which, although colonial, did not rely on mass production of staple crops. European capital, which elsewhere flowed into the profitable business of large estates, here helplessly confronted a multitude of small and independent land holdings, most of them devoted to the intensive cultivation of rice. But the colonial Government had a direct interest in extending this kind of farming and encouraged a large Indian immigration. It was from the needs of these moneyless immigrants for credit that the Chettyars, a caste of hereditary moneylenders in South India, developed their flourishing—and at first by no means parasitic—stake in Burma's rural economy.⁸⁰

Although popular opinion among the Burmese holds the Chettyar moneylenders responsible for the appalling rural indebtedness of the country, the report of the International Labor Office to the regional conference at New Delhi in 1947 laid the blame on the introduction, with British rule, of a legal system, appropriate to a more fully developed economy, which was not suited to the existing conditions and broke down the customary restraints against usury. The substitution of commercial for subsistence farming also contributed to this result.⁸¹

On the other hand, many observers have told us that the Burmese have only themselves to blame for their indebtedness and the constraint which sometimes springs from it.⁸² A British officer commented in 1878:

All classes and both sexes are inveterate gamblers. Under his native rule, which allows debt slavery, a Burman will gamble away his wife, children, and finally his own liberty. This, of course, cannot take place under English law; but the owner of a fine trading boat of three or four tons has been known at the end of a journey to step on shore with only the cloth around his waist, having gambled away boat and everything he owned on his trip up the river.⁸³

Yet one hesitates to accept this as the main cause of the prevalence of debt bondage in Burma. There is another side of the picture: the smiling profile of the exploiter in whose interest it is that people should gamble and fall into debt.

Chetties and moneylenders bought the cultivator's crops a year ahead, lent him money on his land (all the farms are small), and encouraged him to squander it on plays gratis to the neighborhood, boat races, cock-fights, and trash made in Ger-

many, and there was a danger that all the holdings would fall into the hands of strangers to the country, who sent all their money out of it. Therefore the Burman had to be protected by Government against himself. It has not been an easy task.⁸⁴

But the success of the Chettyar itself needs explanation. It is not an accident that so many fish jump into his net. Debt bondage arose from the high rates of interest on loans that were legally permitted;⁸⁵ and they were permitted because in the past a despotic government was able to take advantage of the system to secure unpaid labor for public works. The rate of interest on loans, in 1885, was 6 per cent a month for the first three months and 3 per cent a month thereafter. Where articles which the creditor could use were pledged, this often took the place of interest payments. But the debtor who had nothing to pledge but his own person was, when he defaulted on his interest payments, handed over to the public authority and made to work in a chain gang until somebody came to release him—either from kindness or because by now the unfortunate man was ready to sell himself.⁸⁶ The conditions under which a man sold himself or a member of his family were subject to minute regulation, so as to protect the purchaser from fraud—such as absconding on the part of the victim—and the seller from extreme cruelty. And the resale of debt slaves by the creditor to another master was also the subject of substantial legislation, a sign that the state was not disinterested in the social effects of these transactions.⁸⁷

As a result of much popular agitation, especially against the Chettyars, the legislature in 1937 passed a law for the protection of tenant farmers. "Reform" proposals have wavered between measures to limit the freedom of tenant farmers to enter into advance contracts for the sale of their produce and measures for a large-scale repurchase by the Burmese state of agricultural land lost to foreigners.⁸⁸ It can hardly be contended, however, that either the various legislative proposals or the steps actually taken come to grips with the fundamental difficulty, which arises from excessive land values. These, again, are explained by the failure of the Government to protect the native population, first, from the land hunger of Indian peasants, who were willing to pay more for the right to use the land even if it meant a life of abject poverty; and, second, in more recent times, from the speculative land purchases of Indians no longer engaged in agriculture. The original Burmese owners, especially in areas of Lower Burma newly opened up to the cultivation of rice, were easily tempted to part with the land, only to find subsequently that they could hardly make a living as tenants against the competition of immigrant Indian tenants and in competition with each other. Moreover, during the first great land boom, which arose as a result of high food prices during the First World War, higher levels of consumption had come to be established among the farmers of Lower Burma, and, as the artificial prosperity waned, excessive borrowing at high rates of interest was the consequence. The estab-

lishment of cooperative societies and credit banks under government auspices could not proceed fast enough to overtake the growing indebtedness of the agriculturists to Indian and Chinese moneylenders who, in turn, were largely able to borrow from European banks. Especially with the onset of the world economic depression and a disastrous fall in prices, conservative banking institutions were no longer willing to lend on the security of grossly overvalued land.⁸⁹

James M. Andrews takes a pessimistic view of the situation because of the supreme political issue which now complicates it. He writes:

The only obvious answer to Lower Burma's agricultural dilemma at the present time would appear to be a colossal scheme of government purchase of Chettyar land, perhaps at scaled-down prices, and re-sale to cultivators on easy terms. The Land Alienation Act passed before the war might then prevent re-alienation of land by necessitous or extravagant borrowers. But the successful implementation of such a scheme would require a great deal of careful planning and efficient and honest administration. Whether the present government, committed to preparing Burma for Dominion status at an early date, will feel justified in entering upon such a major experiment in social engineering, remains to be seen. The alternative to some such positive program, however, appears to be acute agrarian unrest, with a resulting increase in the already high crime rate, and the retarding of practical steps toward self-government.⁹⁰

So much for farming in Burma, which has become one of the world's outstanding demonstrations of how even in modern times a rich and fertile territory can be economically depressed and an independent population of landowning freemen can be reduced almost to the level of peonage. This demonstration does not to any noteworthy degree extend to industry because of the peculiar character of Burmese industrialization. It would be no great exaggeration to say that, apart from industrial processes closely connected with commercial agriculture, such as rice-milling, modern industry in Burma before the war was limited to extraction of valuable raw materials and hardly had entered yet the production of consumer goods. With the mention of rice mills, sawmills, mines, and oil wells, the enumeration of Burma's large-scale industrial enterprises is practically exhausted. Cotton mills and rubber factories are few and small; metal, chemical, leather, ceramic, and wood-using industries are but little removed in their present development from the level of pre-industrial home crafts. The relatively small reserves of indigenous labor required by industry are more than adequate—hence ill remunerated—and mobile. As a result, industrial labor may be regarded as a potential escape from bondage through indebtedness rather than a field in which that bondage is a widespread evil. Of course, the wage-earner, heir to the improvident and speculative social philosophy of the peasantry, easily gets into debt; but there

is not as yet an industrial proletariat that can be held down in subjection to a master class, such as exists in some parts of Java and of the Philippines.

At least one phase of bondage through debt, however, is sufficiently common in Burma to have received some attention. The sale in Burma of girls by indigent parents remains a problem that requires attention. The system in its modern form differs in one important respect from the contracting out of daughters for a given number of years. The debtor's daughter does not go to the factory to earn the dowry for her marriage, but stays on until the debt is paid in full. It is difficult for governments to interfere with such arrangements except on the ground of cruelty, and this is difficult to prove when the treatment of the victims is not too harsh. However, a Labor Legislative Committee set up in 1947 on popular demand to review all labor legislation has, as one of its first acts, examined the Children (Pledging of Labor) Act of 1933 with a view to its amendment. In the meantime, an act to amend the Factories Act of 1934, passed in 1948, has restricted the industrial employment of children so severely—by raising the minimum age for admission to employment from twelve to thirteen and by limiting factory work by children to a maximum of four hours a day—as to make the cost of child labor almost prohibitive except in domestic service, agriculture, and household crafts.⁹¹

The virtual bondage through indebtedness of immigrant industrial laborers is a sufficiently distinct and serious aspect of our subject to deserve separate consideration. It is—as has already been shown by other examples—the old story of the deliberate exploitation of contract workers by labor contractors and foremen.

Practically all the paddy carriers [in the rice mills of Rangoon] and the bagging and stitching coolies are indebted to their sub-maistries. The general practice is for the employer to advance money to the head maistry at the beginning of the season, and he makes advances to the sub-maistries. . . . The paddy carriers recruited in India always arrive in this country indebted to the sub-maistries and usually remain so for the rest of their lives.⁹²

Accounts are not kept in such a way that the coolie knows exactly how much he owes. When he goes back to India, it usually is under an obligation to return to Rangoon when the boss needs him; and even at home he is under the supervision of that individual, who has taken care to recruit workers in his own home village or its neighborhood where they and their families cannot escape him, except with the loss of what little property they may have. The majority of the immigrant Indian laborers in Burma—not only in the rice mills—are young men with no home life in the foreign city; it is easy to tempt them into expenditures that will make them dependent on wage advances. Thus the debt bondage of the mill laborers—"they are willing to do anything in order to raise a little ready money"—is linked to the sale of native women

into prostitution. As so often in such circumstances, the report adds: "As a rule the employers know little or nothing about the relations between the maistries and their coolies."

A more elaborate report, evidently based on the same original study,⁹³ is equally outspoken about the evils of the maistry system but attributes the excessive indebtedness of Indian laborers in large part to the high rents paid in Rangoon, in relation to earnings:

In the majority of cases, the indebtedness was attributed to the insufficiency of income due to the low scale of wages earned or to underemployment.⁹⁴

MALAYA AND BRITISH BORNEO

In a moving speech to his government in 1915, shortly before his death, Sir Charles Brooke, founder of the Sarawak dynasty of his name, warned the people against the loss of their land and their liberty through debt. He said:

I beg that you will listen to what I have to say, that you will recollect my words, and endeavor to call them to mind when I am no longer with you. . . . I have lived in this country now for sixty years, and for the greater part of that time as Rajah. . . . I think that after so long a period you will allow me to give my opinion truthfully. Has it ever occurred to you that after my time here others may appear with soft and smiling countenances to deprive you of what is solemnly your right, and that is the very land on which you live? This land is your inheritance on which your flesh and blood exists, the source of your income, the food even in your mouths. If this is once lost to you, no amount of money could recover it. That is why the cultivation of your own land by yourselves or by those that live in the country is important to you now. . . .

Unless you follow this advice you will follow your birthright, which will be taken from you by strangers and speculators who will in their turn become masters and owners, whilst you yourselves, you people of the soil, will be thrown aside, and become nothing but coolies and outcasts of the island.

This wise ruler spoke of a danger that had become an evil in reality in several of the neighboring states. Indebtedness to strangers—Chinese and Sikhs and Hadjis from Java—had like a raging pest infested the Malay communities of British Borneo until no statecraft sufficed to save the people from impending economic subjection.⁹⁵

An English factory manager and engineer in Brunei writes in his memoirs:

I tried to keep the men under me out of the clutches of moneylenders, as many of them were paying away half their wages in interest. But my efforts did not meet with success. The Brunei appears to think that if he does not owe money somewhere the world is out of joint. Nowadays I can appreciate his point of view. A Malay without means who is not in debt is a man of small account. But the more people he owes money to the more people are interested in him. Consequently

a man heavily in debt stands more than a chance of being a person of public importance. . . .

The average factory coolie's system of finance was this. He would come to me at the beginning of the month and borrow half his wages in advance. Then he would go to the Sikh watchman and borrow a few dollars at heavy interest, and then on to the Chinese grocer and get his month's supplies on credit. He was then a happy man, especially if a few Mohammedan saint's days were coming along, as they did nearly every month, and prevented him from working and earning money to repay his indebtedness.⁹⁶

How immediately this improvidence under the existing circumstances led to virtual slavery, the author reveals in the following paragraph, reporting a conversation with a *pangiran*, or noble, who came to borrow money from him :

I asked him why he did not work and earn some money. He told me with an air of pride that his three wives all worked, and that therefore he was not yet reduced to the necessity of working. He was no coolie, he said, but a man of rank. His wives were weavers of native sarongs, very good ones, too, I heard afterwards. My informant told me that the wall-eyed noble kept his wives hard at it and spent all their earnings in advance.⁹⁷

In neighboring British North Borneo a similar situation prevailed. The moneylenders, in this case usually Chinese storekeepers, kept a large part of the working population permanently insolvent. Both Dusun and Bajau contract laborers were attracted to the estates by cash advances—nominally for their transportation and deductible from pay in monthly installments—limited by law to a maximum of thirty dollars. After gambling away this advance or spending it on gaudy clothes and trinkets, a Bajau laborer often found life unbearable and sought to return to his native village. But acceptance of the money advance bound him to his job. The Dusun hill people, according to one observer, a local magistrate, usually had a definite purpose for which they needed a cash advance—an engagement gift for a desirable girl, redemption of a pawned heirloom, the purchase of a buffalo, or the like. Both the sporting Bajau and the more sober Dusun, however, through the ease with which they could acquire novel, often imported, articles, tended to acquire tastes which the simple village life of the Bornean backwoods could not satisfy; and so a new estate proletariat, always in debt, came into being.⁹⁸

Ivor H. N. Evans, when he was still a rubber planter in British North Borneo, was impressed with the difference between Dusun and Bajau gangs of laborers. The former were hired individually and had a pecuniary interest in doing a relatively efficient job. The Bajau, on the other hand, were poor and dispirited workers. They had been recruited for contract labor under conditions closely resembling those described for the hiring of Indians to

work in Burma (above, p. 143). The recruiting agent, furnished with funds by the employer for his job, tempted the Bajau villagers to gamble far beyond their means and, when they owed him money, got them to work for the estate that had sent him—lending them the amount of their poll tax and a little more for travel expenses. While employed on the estate, under contract for six or twelve months, these men were given every opportunity to gamble further and, with further advances from the man who had recruited them, to sell out their freedom. For when they tried to escape the whole power of the Government was used to restore them to their employer, and the cost of their capture was added to their debt. These facts were observed in the Tuaran District about 1915, and there is reason to believe that conditions have considerably improved since that time.⁹⁹ On the tobacco estates of the colony, Chinese laborers at the time probably fared not much better at the hands of the *tandil*, their compatriot foremen; but there is no mention of actual enslavement for debt.¹⁰⁰

What we see in all these instances is the growth as well as the partial transformation of a very old institution in Malay society. "A system of debt-slavery under which not only the debtor but his wife and their most remote descendants were condemned to hopeless bondage" was among the evils enumerated in 1888 by J. P. Rodger (later Sir J. P. Rodger, K.C.) as rampant in the state of Pahang on the Malay Peninsula, of which he was at the time the Resident.¹⁰¹

It is true that the Malayan's condition of servitude, before any of the modern reform measures under British rule became effective, was not primarily caused by debt. But, as in other parts of the world, a much older relationship of peonage increasingly assumed the semblance of a bondage entered into through debt. Sir Frank Swettenham has branded it as an iniquitous method of upholding class privilege in Malay society.¹⁰² He has also shown how the formerly wealthy Malay of the western States became impoverished and indebted to Penang Chinese. In his day the country was full of members of the nobility who, in the unsettled state of its finances, tried to recoup their losses by every known device to squeeze more out of the poor wretches who cultivated the land or worked for them. Of the families of chiefs and their retainers he says:

As no one had a hired servant or ever paid wages, it followed that all menial work was done by debt slaves and by a very few real slaves, either aborigines caught for that purpose or Africans who had been purchased.¹⁰³

He speaks of "the infamous practice of debt-slavery" as one of the regularly accepted methods of oppressing the poor:

This custom, common to all Malay countries, consisted in the forcible detention of persons said to be indebted. Very often there was no real debt; the creditors in-

vented one, or inflicted a fine for an offence never committed, and then compelled the reputed debtor, with his wife and family, to enter his service and treated them all as chattels. Of course the supposed debt was not paid, because, according to the creditor, it always kept increasing. Very often the original circumstances surrounding the claim were lost in the obscurity of past generations: the debt slaves were *pēsāka*, an inheritance, like any other property. . . . The creditor did what he liked with his debt slaves, and when they found life intolerable and ran away, if caught they were killed and no one objected, because every one of any position had debt slaves of their own.

It is necessary to mention this custom, because its abolition created more trouble than any other question with which the Residents had to deal. It should also be added that if a free man or woman married a debt slave the free also entered into bondage, and the children of the marriage with them. Moreover, it was very common for a creditor to sell his debt slaves when he was tired of them or wanted money, and the bondspople not infrequently suffered by the transfer.¹⁰⁴

Skeat has given us a picture of the method by which the wily Malay trader used to get whole tribes of Sakai and Semang into his dependence, a picture which in almost every particular follows the same model as that found in the Indian Archipelago. First, the confidence of a primitive community was won by means of "silent trade." Some objects which the tribesmen were known to covet were left in a convenient spot, there to be exchanged for camphor, eagle-wood, dammar (a resin), wax, or some other product of the jungle which the trader wanted. Gradually the suspicion of the tribesmen was overcome. In addition to the cloth, rough earthenware, and knives, goods with which they were previously familiar, they were now acquainted with the use of new luxuries, which thereafter they were eager to acquire and for which they would be prepared to leave large quantities of collected forest materials of no or little value to themselves. At this point, the trader was able to raise his prices, in terms of barter commodities, and brought the community into a debt from which no amount of effort to satisfy him could ever extricate it—or those unfortunate individuals who had made individual bargains. In one instance, a whole Jakun village in Johore was found to have left its fields untended, forced by a creditor to collect rattan for him.¹⁰⁵

These, no doubt, are exceptional cases. More often, as for example reported by De Morgan for the Sakai of Perak, the debtor worked for only a limited period of a month or two to satisfy the creditor, during which time he was in the position of a slave. But such debtors were despised by their fellows who had learned to keep out of the Malay traders' clutches.¹⁰⁶

Bondage through debt, then, whether real or imputed, was a widespread condition in Malaya, not in the remote past but almost in our own time. It was legally abolished in Perak only in 1884. Nor was it a mild and merely formal relation of servitude in distinction from the severity with which it

was observed in former times. During Swettenham's own Residency in Selangor, in the late nineties, three debt slaves, all under twenty years of age, who had run away, were caught. One of them, a boy, was killed with a knife; the two others, girls, were drowned. In a sense, then, debt-bondage represents a transition stage between older, feudal forms of serfdom in Malay society and the less overt modern practices of squeezing the small peasants and keeping landless workers in their employers' power.

Probably typical of the process by which debt bondage as a recognized system was abolished under British rule in the Federated Malay States are the measures adopted with this end in view by the Government of Perak in 1882. Here, as in the Burmese provinces (see above, p. 139), procrastination resulted from the disinclination or inability of the higher officials to interfere too radically with the local chiefs and the large landowners. After much discussion, a set of regulations was adopted on October 9 of that year that only went part of the way to immediate abolition, which evidently had been desired by the Resident. The main clause was to the effect that "on the 31st day of December, 1883, slavery and bond-indebtedness shall entirely cease and be absolutely abolished in the State of Perak, and all claims arising out of either condition shall be understood to have lapsed and to be irrevocable."¹⁰⁷

Maximum prices were set for compensation of bond-slave owners at thirty dollars for males and sixty dollars for females. Bond slaves could expedite their manumission by at once borrowing the sum needed for their compensation from the Government and paying back with services on public works; from the wages they would receive deductions would be made until the thirty dollars were repaid. In the case of female slaves, the same regulation applied with the provision that only thirty dollars of the loan need be repaid, the other thirty dollars being a free grant from the Government.

Sir Hugh Clifford, in an account which in other respects does not differ much from those already quoted, comments on the great difficulty British officials had in their efforts to stamp out the system of debt slavery under a protectorate that permitted of little direct action.

In some cases the Government itself stepped in and acted as debt-payer, freeing those who were held in servitude by refunding the sums originally borrowed; in others, debt-slaves were registered with the amount of their liabilities, a certain fixed value was placed upon their labour, and they were thus enabled to work off their indebtedness. Gradually—not without much trouble, not without heartburnings among the folk of the opulent classes, not without strenuous opposition in many cases from the slaves themselves, who preferred the security of their indolent servitude to being cast upon the world, there to seek a living by the sweat of their brows—the whole system has been stamped out.¹⁰⁸

He also confirms the fact that, no longer able to rely upon the courts to uphold their claim upon the person who has signed away his freedom as security for

a loan, the owning classes have become much more chary in extending credit. Only in remote and outlying districts, where the poor man's recourse to the courts is difficult, are nobles and chiefs still able sometimes to work on the fear and ignorance of peasants and secure their labor without cost by first getting them into their debt.

Because of the economic dominance of the Chinese in the life of Malaya, special mention of the part which gambling and indebtedness play in that community are called for. Reference has already been made to their appalling effects on the welfare of Chinese miners in the neighboring Netherlands-owned islands of Banka and Billiton (p. 129). What has been said there also is true of the Chinese mining communities on the Malay Peninsula. Open-cast mining and panning are still for the most part done by hand with antiquated tools, and the labor conditions are correspondingly unsatisfactory. Victor Purcell describes *dulang* washers, Hakka women, who "are bent double for hours in the heat of the sun, often immersed to the knees in water, and often with a baby strapped to their backs."¹⁰⁹ Chinese contract labor, which for a long time was the chief source of the mines' labor supply, was abolished in 1914; but it is to be feared that the excellent labor inspectorate of Malaya has never caught up with the many forms in which indentured labor survives when the source is not immigration but a transference of impoverished urban and plantation workers and their families to the mines. Indeed, it is certain that in periods of economic depression, when departures of Chinese immigrant workers outnumbered arrivals, conditions in South China still were so much worse than in Malaya that labor recruiters were able to sign on many thousands to replenish the mining population, and this without offering conditions superior to those customarily endured by debt slaves. Most of the mining laborers were Hakka. The typical form of contract shows the mine worker to have been bound to the contractor in a way that made problematical his receipt of a money wage when the amounts advanced to him for provisions (including opium) had been deducted.¹¹⁰

In the past, when Chinese workers made up a larger proportion of contract laborers on rubber plantations, the abuses to which they were subjected by contractors of their own nationality and ethnic group were notorious and, in fact, were one of the reasons for the introduction of the Chinese protectorate.¹¹¹ Here, too, the encouragement of gambling was extensively resorted to by Chinese headmen to bring the workers into their debt and thus to keep them under their control.

Among the Chinese urban population, gambling and subsequent bondage for debt has always been a great evil since Sir Stamford Raffles tried to abolish the licensing system which he found in operation in Singapore. This system was an important source of public revenue along with the opium concessions. As early as 1805, the Penang Court of Directors asked for the suppression of

both as dangers to the social order. Fifty years later, gaming houses still were standard equipment of practically every Chinese community. A hundred years later, they could still be found, although the system of licensing had long been abolished. Only in 1917 was the *kang chu* system abolished in Johore, under which enterprising Chinese pioneer settlers had exercised a local right to what practically amounted to the domination of a servile class through carrying on gaming houses, pawnshops, and the sale of opium and alcoholic liquor.¹¹²

SIAM

Debt slavery in Siam is recorded from the beginning of the Ayut'ia dynasty, that is, the middle of the fourteenth century. Or perhaps it is much older but at that time first received legal recognition. Again, debt slavery is inseparable in its history and manifestations from other forms of serfdom, with which, in the literature, it is sometimes confused. In its name are described abuses which can be effectively abolished only by a reform of the land system.

A law on slavery passed in 1637 contained provisions for the punishment of masters who had killed or injured their slaves, and for means by which debt slaves might regain their freedom.

Unfortunately, as was inevitable, the more merciful provisions of this Law were too often disregarded, and the lot of the debt-slave in Siam was often a very miserable one, even in modern times, until the year 1905, when King Chulalongkorn (Rama V) performed the most noble act in his long and memorable reign, by finally abolishing once and for all the last remaining traces of slavery in his Kingdom.¹¹³

The sale of children for the purpose of discharging a debt seems to have been especially prevalent in medieval Siam. Together with this, the fact that many persons entered bondage voluntarily suggests that the lot of the debt slaves cannot have been very severe. In fact, the whole business was legitimized by a judicial procedure which demanded a written contract, and such respectable witnesses as Bishop Pallegoix and Sir John Bowring testify that even those slaves who by their physical appearance were recognizable as belonging to one of the aboriginal tribes often were treated like members of the family.¹¹⁴

Hugo Adolf Bernatzik has recently described in some detail the survival of this practice of adoption by purchase among the Akha and the Miao. Child purchase stems from child adoption through agreement between two families of the same tribe, one lacking in children, the other rich in them. Only when no children of suitable age and the desired sex are available within the tribe, are efforts made to buy a child outside. This requires an intermediary, usually the Chinese trader, or *haw*, who peddles his wares from village to village during the dry season. Among the Miao a young girl is worth about fifty pieces of

silver, a boy about seventy. Age (rarely above ten years) and state of health determine the price. Even though regarded as an alien, the child is adopted into the family with a ritual that signifies its acquisition of all the rights of family membership, including that of inheritance. Such children are treated like natural children.¹¹⁵

The Akha apparently purchase children of a younger age, paying only twenty rupees for a boy and ten for a girl. Payment of such a sum makes the adoption legal without need for any ceremony. Theft of children is regarded as one of the few serious crimes.¹¹⁶ Although under certain circumstances creditors among the Miao have a right to the children of their debtors, the system of purchase for adoption is so customary that temporary servitude to pay off a debt is rare. In fact, it appears that even adult debt slaves when sold by a Chinese middleman for the benefit of the creditor are offered for adoption.¹¹⁷ Direct sale into slavery is unknown today among the Miao.

Returning to the Thai, a minor motif is threaded through the major theme of customary dealings with debtors which has already been indicated. It is the provision, in a more general law on debts passed in 1648, which stipulates that a person who has defaulted on payment of what he owes and denies his liability for his debt before a court of law may be ordered to pay double the original amount.¹¹⁸ Although no longer enforced in modern times, this legalization of an old tradition must have given an excellent handle to any landowner who desired, with the aid of a corrupt magistrate, to impose perpetual serfdom on a restless servant. Indeed, the law of 1880, already mentioned (p. 56) as designed gradually to liberate the slaves, did little to alleviate the lot of those enslaved for debt. While others might work off a price arbitrarily set on their freedom, such payments as a debt slave might make to his master by virtue of industry and abstinence were held to be in the nature of interest on what he owed either on his original debt or, if that debt had been discharged by a patron, on the price paid for his services. Only where the debt was a relatively small one—not exceeding fifty-six *ticuls* in the case of men and forty-eight *ticuls* in that of women—did the law stipulate that the debtor might be allowed to buy himself free by paying off the principal.¹¹⁹

Traditionally, the interest owed by a debt slave on the original loan was not allowed to accumulate to an amount exceeding it. When through failure to repay even the interest a debtor had doubled his debt, he was regarded as a poor investment and was sold to another master, presumably on even more unfavorable terms; and the purchase price went to the original lender and master. But the debtor could also in the first place sell himself to another master; in this case he would get a smaller sum than if he were selling himself outright.¹²⁰

Even in more recent times, the debt slave, though he had the right to buy himself free, rarely succeeded in doing so; "for, the creditor charges him

so much every day for the cost of his clothing, food, medical care; and so the debt instead of lessening almost always grows."¹²¹

The Thai, once a freedom-loving mountain people, are much addicted to gambling. This has been observed not only in Siam but also in the northern parts of Indo-China, even in the more remote valleys where their habits have not to the same extent become affected by the wiles of professional Chinese gamblers and concessionaries of gambling establishments.¹²² But as a contemporary social evil, the excessive faith in luck to improve one's fortune which is to be found in lower Siam must largely be attributed to the ability of both Chinese and native entrepreneurs to gain highly remunerative lottery privileges from the government and to encourage the gambling fever with other commercialized enterprises.¹²³ Many travellers in Siam have observed that wherever wages are paid out to a substantial number of workers a Chinese gambling entrepreneur soon finds his opportunity. Thus Adolf Bastian noted in 1863:

In the course of the day a gambling party was organized at which the Chinese acted as croupiers and through dice and other games soon brought all the loose money into their own pockets.¹²⁴

Again, however, it is important not to lose sight of the deeper cause of which the propensity to improvidence and gambling itself is a symptom—namely the sense of futility, and hence the irresponsibility, induced by oppression. Colquhoun, in the eighties, made a calculation from which it appeared that a Siamese between eighteen and seventy years of age—that is, on the list of available labor conscripts—would pay a head tax of 10 shillings, a land tax of 266 pounds of rice, worth about 6 shillings, and a fee for relief from corvée labor of £2, a total of £2.16.0. He added: "If indebtedness due to heavy taxation continues in Siam, soon all the subjects will be slaves." Moreover, he pointed out, the unrestrained graft of the officials who collected these taxes had created a habit of self-indulgence that enfeebled the master class while hunger and sickness enfeebled the manhood of the people.¹²⁵ As we now know, that manhood reasserted itself in another generation, both among the masses and among the saner elements of the nobility. But indebtedness still is a serious problem which the government is attempting to control.¹²⁶

Despite their propensity to gambling, the Thai people have not in recent times to any large extent had to sell their labor in perpetuity under the thin disguise of working off a debt owed to a creditor. The reason probably is that usually there is a labor shortage rather than a labor surplus, so that even those who are entirely deprived of landed property can sell their labor at a reasonable price. When the creditor is a Chinese professional moneylender, motivated by expectation of gain, and not, as in Malaya, a native aristocrat motivated in part by considerations of prestige, the relations between debtor and creditor

are different, too. The Chinese has no wish to surround himself with a retinue of half-starved and inefficient bond servants: he wants to get out of his Thai debtor as much as he can, and therefore leaves him some freedom. Hence, while the native creditor may exact a high and illegal rate of interest which the debtor cannot hope to pay, the Chinese more often charges an inflated price on the commodities which he sells on credit. When he does lend money, he often insists on a written contract and security.¹²⁷

On the whole, the burden of debt does not seem to lie heavily on the Thai peasantry, considering the general lack of foresight which it shares with other societies of this region. Nevertheless, the agricultural development of Siam suffers greatly from lack of a public system of agricultural credit designed to reach the small man and to encourage thrift. The respectable farmer usually can borrow from neighbors on his personal security when he needs help in meeting the cost of a feast or a funeral. But, when he is in a jam, he must go to a professional moneylender, Siamese or Chinese, who will charge as much as 30 per cent interest and make his loan conditional on the sale of the rice crop to himself; this enables him to make an additional stiff charge through his control of price and measurement. Carle C. Zimmerman, who observed this process, was reminded of the very similar credit system which prevails among the small cotton and tobacco cultivators of the southern parts of the United States.¹²⁸ James M. Andrews refers to the fact that the "oppressed" Thai farmer often is a man of poor reputation who has to go to the trader for credit because nobody else will lend him rice or money.¹²⁹ But the "bad" man who borrows more than he can easily repay or who takes bigger risks than his neighbors may, to judge from the American analogy, be a more ambitious person who, with reasonable credit facilities, would be an asset to the community, however much disliked by its conservative elements.

Evidently, cooperative organization of credit still is in its infancy in Siam, in spite of the interest the reform Government of the country showed in this subject during the few years in the thirties in which it held office. The need for it is urgent because of the great opportunities that exist, in Siam especially, for improved farm production. Even so, the practices of the cooperatives in this matter already have produced a problem: it is charged that they give money too easily at low rates of interest to the more substantial farmers,¹³⁰ who lend to their less prosperous neighbors at much higher rates of interest.¹³¹ Such an arrangement is obviously conducive to a rise of land values rather than to better farming and tightens the chains of the small cultivators rather than loosening them.

According to the more recent inquiries of the International Labor Office, interest rates of 25 or 30 per cent for advances made at the beginning of the harvest season still are common in Siam, but it is believed that the measures already mentioned and, indirectly, improvements in the system of taxation,

promotion of education, health services, irrigation, prevention of epidemic diseases among livestock, and other reforms can be counted upon to relieve the situation.¹³²

As for Thai industrial workers, the situation is not very different from that in Burma. The Thai prefer almost any kind of self-employment to wage-labor and have been willing to leave the staffing of modern industrial enterprises to immigrant contract workers. The home industries are, to a large extent, intermittent when they are not limited to the plying of manual crafts handed on from father to son and from mother to daughter. The skilled craftsmen are often in debt for their supplies but are usually able to retain their freedom because their market is not organized to permit the mediacy of a middleman. The less skilled, for whom industrial employment usually is a side occupation, for the most part take wage-employment only if they already are in debt. But the home industries that make use of wage-labor are not as fully developed as they are in Java or the Philippines.

INDO-CHINA

In both Cambodia and Laos enslavement for debt goes back to pre-colonial times and is connected, on the one hand, with punishment for crime and, on the other, with the captivity of prisoners of war who can escape perpetual slavery for themselves and their descendants by the payment of ransom. Customary law, reinforced in modern times by royal statutes, regulates the rights and duties of a debtor; but the gradations of power as between classes and ethnic groups admit of arbitrary interpretations of the rules. When the French took over, they found in many places mandarins so corrupt as to permit a wide latitude to creditors who greased their hands in the enforcement of such claims as they cared to make upon their unfortunate victims. Aborigines, long held in subjection, now were often serving their alien masters as they had done before, but in the guise of insolvent debtors. We cannot describe the system better than by translating a passage from a discriminating French source. "Civil and criminal laws," says J.-B. Alberti,

constantly increased the number of slaves. Every debtor who permitted his interest to accumulate until its total equalled the original sum he owed fell under the power of his creditor. This person could legally seize him at any time and either have a court assign the debtor to himself or demand his public sale by legal condemnation [for his benefit], unless perchance the debtor voluntarily exchanged his promissory note into a slave contract, found a new lender who would buy off the old, or even took flight and for ever left his home community.

Not only the debtor but his wife, his children, and sometimes the whole family, fell into slavery. . . . Poverty, indebtedness, fines and punishments, all tended to transform once free men and women into slaves, ever since the beginning of the kingdom [of Cambodia]. They were still numerous at the outset of French rule.

They constitute a class of citizens temporarily deprived of their liberty simply because they are insolvent. By their servitude the growth of interest on their debt is arrested, but the capital sum and the interest accrued up to that time remain intact as debt indefinitely. In exchange for the unpaid interest and for the food and upkeep which the master owes them, they are obliged to serve him in his home, to devote their time and their labor to him. Sometimes they live outside, gain their own livelihood, enjoy a certain degree of liberty, and come to the assistance of the master only under given circumstances. Some even carry on a trade of their own or cultivate land and bring their master the fruit of their labor, the product of their industry.

To the master and his family the slaves owe respect, obedience, and daily labor. They may be flogged in punishment and are severely chastised if they falsely accuse their master before a court. His consent must be obtained before they can marry. Their sons are indebted from birth for a certain sum, about sixty francs, to indemnify the master for the temporary incapacity of the mother to work and for the cost of the infant's nurture. On his part, the master owes board and support to the slave and may not employ him on degrading or injurious tasks. He has the right and the duty to deal justly with him. In an extreme case, he may be obliged by a court decision to liberate a slave if he has wounded him seriously or if he has maltreated him in ways unauthorized by the law. He may even be condemned to death for having killed a debt slave. Nor is he allowed to separate the members of a family serving him collectively for nonpayment of a single debt.

Every [debt] slave has the permanent and indefeasible right to find a new master if he can find one willing to reimburse the old. He has the right to buy himself free at any time, simply by paying the sum due; his written note is then returned to him, or rather he sees it destroyed before the magistrate and receives a certificate stating that his debt has been paid. Sometimes it happens that a master, from humane motives, displays publicly or before a court some pieces of money, fictional symbols of payment received, and enfranchises his slave by tearing up the act of commitment.

With the possibility of ransom always open, this kind of servitude is fairly mild: the masters usually are moderate in their demands or apathetic and treat their slaves as ordinary house servants. But by holding their daughters at the disposal of the masters, the system makes for polygamy, lowers the moral tone and creates abuses which the venality of the judges renders only too easy and too frequent. When an inventory is taken, these slaves figure alongside of animals, rice fields, and other assets.¹⁸³

Since enslavement for debt has so largely taken the place of more direct methods of forcing people into servitude, it carries with it much of the old debasement of status and personality. The system was one designed to keep the members of inferior "savage" groups under the domination of a master group. Under the forms of a legalized method of securing justice for creditors cheated of their due, we have here an enslavement of simple tribespeople, prolific in its permanent effects on the social structure. The debt slaves not

only served their masters but also were a reliable source of revenue for the king who, since their value could be estimated with some precision, was able to collect about one-third of it by way of a special tax on the creditor. Or the creditor might be obliged to have the luckless debtor serve a given portion of his time on public works, in addition to paying off what he owed. He was thus, as Leclère suggests,¹³⁴ "at the same time a permanent slave of the king—for the *corvée* duty continues—and a temporary slave of his creditor." In fact, the availability of such slaves was so profitable both to those who could afford to purchase their services and to the state that all sorts of procedures were current in Cambodia to keep up their number. Leclère mentions court sentences against men as insolvent debtors or as having stood bail for them, even sentences against young persons charged with having stolen from their father or mother or teacher and then auctioned off to pay with labor the fines imposed on them.

The condemnation therefore arises from the particular case, and its sanction is almost fictitious. In effect the court may condemn a child who has stolen from his father to a fine; the father must then pay two-thirds of the amount stolen as well as two-thirds of the court charges, after which the son becomes the father's slave¹³⁵—which in fact does not much change the situation. For, in Cambodia the father of the family enjoys rights similar to those of the *pater familias* in ancient Rome. The wife and the children are always *in manu*—that is, the property of either father or husband.¹³⁶

There was even an accurate system of bookkeeping—so much being written off for each day's labor. And this introduced new complications, always in favor of the creditor.

Often the master sends certain of his [debt] slaves out to sell produce for him in the open market and imposes on them the obligation to return to him in the evening a given fixed minimum. If the return fails to come up to the prescribed minimum, the difference is added to the debt. Such charges are also imposed to cover the cost of any articles that may have been broken.¹³⁷

In short, adds Letourneau, apparently with unconscious humor, "the Cambodian slave is not altogether at the mercy of his master; his position is regulated by law."¹³⁸ Elsewhere he reports, however, that a debt slave who considered himself ill-treated by his master did not have the right to bring the matter before a court until after he had bought himself free.

Captain Henri Baudesson, a French official who surveyed the backwoods of Laos, at one time conversed with a Moi village chief about the advantages of thrift. "If I were to start putting by a store," the chief said gravely, "my elder brother, the white warrior, would take it from me to feed his escort." The captain vigorously denied that French soldiers would confiscate such store of grain. "In that case," said the chief, "my younger brothers in the

neighborhood would seize it. So I am prudent and keep no store at all."¹³⁹ This experience would seem to illustrate a condition peculiar to Indo-China; for the structures built for the storage of rice are among the architectural sights in the Menangkabau villages of Sumatra, in Bali, in East Java, and in many other parts of Malaysia. Who are the "younger brothers" who would take the grain away? In all probability the chief meant those Annamite adventurers and usurers whose greed, as we have seen in an earlier chapter, the simple mountain people of Laos have found it difficult to resist. But mention of such uncomfortable neighbors—no doubt it would be possible to find an exact counterpart in the native economy of the Ifugao of Luzon—points to the core of the whole problem of improvidence and indebtedness in the greater part of tropical Asia. There can be no thrift where there is no security.¹⁴⁰

In a primitive form, debt slavery is a very old institution in Indo-China, as almost everywhere in the region. Under the customary law of the *Moi*, a borrower who cannot repay what he owes becomes the property of the lender, who assumes the obligation to support him, and this relation of dependency lasts until the debtor's death. Captain Baudesson blames lack of communications for the frequent occurrence of *Moi* family enslavement in times of famine when abundant food supplies exist in the more fertile provinces.¹⁴¹

Among the Cambodians, likewise, remnants of serfdom in the guise of bondage through debt occur. Sometimes whole villages have been found thus enslaved; and, as has already been stated, the status of their indigenous populations was simply that of conquered and enslaved tribes. In the course of centuries the crueler elements in the relation between masters and so-called slaves have given way to an institutionalized mutual accommodation.

Ancient conquest and insecurity in more recent times are not, however, the only causes of the unusual prevalence of improvidence, indebtedness, and resulting lack of freedom in Indo-China. There is also the fact that the Annamites and the ruling class generally have for long been subject to Chinese cultural influence. And from the southern Chinese provinces organized and commercialized gambling has come with the opium trade and commercial prostitution. Games of chance in Indo-China significantly are permitted during the week of the lunar New Year festival, though forbidden at other times. Unlicensed games, among them popular varieties of *fan-tan*, are played throughout the year—either in secret or openly with the sanction of corrupt local authorities, but without benefit to the treasury. As a result, the institution of bondage is kept alive not only as a disguise for other forms of serfdom but also quite genuinely as a means of extracting compensation for a debt which presumably will never be settled in cash.

The small peasant, writes Pierre Gourou, gets into debt not only because of his poverty, which forces him to borrow as soon as he confronts an emer-

gency, but also because he cannot resist the temptation to borrow when it is easy to do so—not for productive ends but to pay the expenses of a marriage, a funeral, or an anniversary, perhaps to subscribe to a campaign expected to procure him some communal or cantonal appointment. A third cause is usury.

It is the borrower's bad faith that forces the lender to charge enormous interest rates so as to cover the losses he risks. . . . Interest rates still are extremely high, though the lender no longer can count on the support of the law.

As for the landless laborer, he can borrow only minute sums of money or quantities of rice which he must repay by means of small economies or by working without pay on the lender's land, or by selling one of his children. In that case, the child is made over to the lender as a domestic servant in exchange for the sum borrowed. After an agreed period, the debt is considered liquidated and the person thus engaged regains his liberty. In short, usury leads . . . to the dispossession of the small owner and the enslavement of farmers, tenants, and laborers.¹⁴²

The close historical connection of the various forms of servitude is illustrated again by the fact that members of backward aboriginal groups, or groups conquered and subjected in the course of centuries of internal warfare, such as were formerly held as slaves or helots, now are most numerous among those held in servitude for debt. Since under native law the debt is not extinguished with the death of the debtor, it often continues through generations; thus endogamic marriage may have contributed to the enslavement of whole villages, noted above.

It would be a mistake, however, to consider enslavement through nominal or actual indebtedness no more than a vestige of ancient tribal practices. As in the Philippines, so in Indo-China, too, it is an active process, made the more cruel by the increased disparity in education and shrewdness between the cheaters and the cheated. The simple Moi or Kha is no match for the Annamite with his heritage of Chinese business acumen.¹⁴³

"In the eyes of the peddlers who visit him," writes a French observer, the Moi is an inferior and stupid being whom it is entirely right to cheat. . . . One may still often find Moi who through indebtedness have fallen into some kind of slavery to their Annamite usurers, unable to liquidate their debts. The French courts are too far away and inaccessible to the Moi because of the cost of their procedures; even if the Moi debtor could get to them, he would be held under the terms of a law which can but find judgment in favor of the creditor if, as is usually the case, this person can produce proof of his title, properly attested.¹⁴⁴

The *Thô* of the Sikiang basin, a subgroup of the Thai, according to Maurice Abadie, indulge a great deal in games of chance. The croupier is generally a Chinese. The Chinese gambler manages the game so deftly that on the evenings of market days he can pluck a large clientele.

These games of chance, if such they can be called, are forbidden by the authorities

but are carried on clandestinely. The playing fever of the Thô is so great that he cannot help himself from being victimized, all prohibitions notwithstanding, even though it is certain that he will be fleeced.¹⁴⁵

De Montaigut adds that the abuse they suffer gives the aborigines an unfortunate idea of the working of French justice. He suggests that the local Government adopt a system to be found in the customary codes of Cambodia and Laos, namely, to rule (1) that accumulation of interest on debts is suspended from the day the debtor enters the service of his creditor, and (2) that a certain sum is deducted each month from the debt for services rendered, so as to extinguish it more rapidly.

Politically, the matter had before the war become of importance to the French authorities because it no longer affected merely the relations between different ethnic groups in the primitive hinterland; the Annamite money-lender had become as much a factor of disturbance in modern labor relations as had his Indian counterpart in Burma and the Chinese in many parts of Malaysia.¹⁴⁶ Between the employer in search of cheap labor and the gambler or brothel-keeper, whose business it is to get the laborer into debt, there often is an Annamite, perhaps a foreman at one of the older plantations, who has an understanding with these parasites. He usually makes his home at the crossroads, near a railway, where labor crews are assembled.

For some planters without scruples, this foreman-tempter is an indispensable assistant; he receives advances and becomes a kind of partner. Nobody inquires how he procures the laborers who work under his orders and for his account. . . . If this foreman needs additional labor, the workers whom he has already corrupted are his best agents: they enter the camps [of competing companies] at night and paint glowing pictures to their comrades of the superior positions which wait for them. On certain estates, important tasks are entrusted to foremen who almost exclusively employ laborers they have thus brought into their power.¹⁴⁷

It is symptomatic of the legalistic character of the French concept of social justice that, while slavery was almost immediately abolished when the French Government could force reforms upon the kingdom of Cambodia with the treaty of June 27, 1884, bondage for debt remained at first untouched. The French evidently accepted King Norodom's statement:

This enslavement for debt is one of the foundations of the Cambodian State. Our subjects reduced to that servitude are the happiest of all.¹⁴⁸

However, this form of bondage was abolished in 1897.¹⁴⁹ The French Government found itself in the predicament of all those colonial powers that endeavored to control a large domain by indirect rule. Relatively innocuous deviations of customary law from the principles of Roman law could be tolerated if on the whole they made for stability and order without departing

too far from the dictates of humanity. But under the tricolor flag, the "rights of man" ever have to be respected in their basic simplicity. Therefore treaties with the local monarchs and special legislation for the protection of aborigines were relied upon to make the French conception of elementary justice dominant. In the course of time, it was hoped, the local authorities would adapt their jurisdiction over aboriginal groups to the models set up by the colonial administration wherever it was able to exercise direct juridical functions on their behalf. The socialist deputy Alexandre Varenne, who took office as governor general in 1925, endeavored to complete the suppression of slavery attempted thirty years earlier by Paul Doumer. He so amended the law relating to bodily constraint as automatically to set free as individuals all debtors held at the mercy of their creditors, without permitting the local judge to decide whether they were held in good faith or in bad. Thereafter bodily constraint, i.e., personal servitude, no longer could be ordered by a court in civil and commercial cases, except at the express demand of a creditor who could show to the satisfaction of the court that the debtor had acted in bad faith. Physical punishment also was abolished and disappeared from local jurisdiction.¹⁵⁰

While commercialized gambling is more prevalent in the towns, an appalling indebtedness, only in part caused by thriftlessness, pervades the whole countryside of Cochin-China. This has been described in detail in a report of the International Labor Office¹⁵¹ and can here be only briefly summarized in so far as it relates to our present subject. Borrowing is part of an economy in which the native farmer works almost entirely for a commercial market, and this on land so high in value that he cannot afford to cultivate enough of it to meet the food needs of his family, much less its need for other commodities, from one harvest to another. The credit structure of the modern rice trade lies heavily on an indigenous culture in which the old prestige value of large occasional expenditures still plays a conspicuous part. To the extent to which the old social system and attitudes here remained unchanged, the public credit institutions established under French rule for the benefit of small farmers do not function as they were intended to: tenant farmers have no security to offer which the credit banks find acceptable; and the landowners, themselves moneylenders in times of high commodity prices, and sometimes engaged in semi-industrial enterprises, quickly exhaust their sources of credit when there is no return from their investments. Thus, even in recent prewar years, the professional moneylenders, mostly Indian and Chinese, flourished and could charge interest rates that often rose above 120 per cent per annum. Whether he owed money to his own landlord or to another, the sharecropper retained no freedom of action.

The poor are at the mercy of the rich, accept any conditions, refuse no obligations and are subject to the domination of the stronger party. They live from hand

to mouth and therefore require advances of money, grain and food. . . . In the case of small loans granted to a person who possesses nothing at all, it is usual to pay back three times the amount of the loan. Thus a person who owns property is not required to make any effort at all, since the poor cannot refuse to slave throughout their lives, and even to lose their lives, in the service of the person who provides them with the means of subsisting.¹⁵²

In Indo-Chinese society, the concentration of capital is largely the result of the precapitalist class division, which has made it exceedingly difficult for the small man to get out of debt. One-third of the peasants cultivate no land of their own. For the most part they deal with the unfeeling agents of absentee landlords who live in the towns and cities, no longer agriculturists but deriving an even greater income from lending out money at usurious rates than from their rents.¹⁵³ It would be difficult to say whether the propensity to take a chance, which is observable in Indo-China to almost the same extent as in other countries of Southeast Asia, is cause or effect of the insecurity in which the small man lives out his life. Those who have observed the Annamite wage-earner incline to the view that, however it may have come about in the first instance, his inability to resist the temptation to gamble now stands in his way to such improvement as recent labor laws and a more paternalistic type of management permit. Robequain, for example, states that the frequent voluntary renewals of labor contracts in recent times result not so much from greater satisfaction with the conditions of employment as from the laborer's improvidence and love of gambling, which often leave him penniless and in debt after three years of continuous employment. Since wages are paid directly, he can no longer easily be cheated of his earnings by foreman or recruiting agent. But he can and is tempted to wager the little he has. As for labor and living conditions, Robequain believes that the contract laborer from the north abominates as much as ever the confinement of the lumber camp and the strict discipline of the plantation. Improved housing conditions do not appeal to him when they mean substitution of a small house for the "coolie line," because in his longing for home only the sociability of the dormitory offers some solace. Even when he has his family with him, he remains an exile in his feeling.¹⁵⁴

The fact is that, in spite of all improvements, age-old traditions of class control and exploitation are not at once eradicated. The native foreman and sub-contractor, or *cai*, still "is indisputably the coolies' worst enemy," still collects his percentage on the laborer's small earnings, still sells him food and clothing and medicine at a fantastic profit, still manages to get him into his debt and by brutal treatment keeps him too afraid to complain.¹⁵⁵ The report of the International Labor Office, previously quoted, holds the *cai* responsible for some of the worst labor conditions in Indo-China, and especially for the mass desertions from the mines.¹⁵⁶ Some improvement resulted in the thirties

from a larger employment of European supervisors and from more knowledge of the Annamite language on their part, "but the best measure would certainly appear to be the elimination of the recruiting *cais* by dealing directly with the workers as individuals."¹⁵⁷ This would not, of course, eliminate all those abuses which have given labor conditions in French Indo-China a bad name. But it is only through a more direct contact with both the recruitment and the management of their labor forces that the large employers will learn that the work attitudes they hope to elicit among their workers cannot develop in a system of involuntary servitude, whether induced by threats or by debts. "To believe that usury is responsible for the peasant's misery," writes Paul Bernard,

is to confuse cause and effect. Usury is a poisonous mushroom that prospers with poverty; and there exists no form of credit, even mutual, that can get rid of it.¹⁵⁸

Bernard does not agree with the pessimists who see no remedy for this poverty because they assign its cause to overpopulation.¹⁵⁹ Nor does he, with certain socialists, blame everything on the "capitalist system." Rather, he looks to technical progress as the way out of poverty and bondage toward accumulation of savings, and hence of capital, higher living standards, and freedom. In the meantime, a full enforcement of the existing labor statutes would go far to eradicate the psychological causes of that propensity to improvidence which has been falsely blamed upon the innate character of the working population but which is actually caused by a sense of frustration. For example, many subsequent complaints seem to indicate that the order issued by the governor general in 1927 to protect the contract laborers against the loss of their earnings through gambling was never fully enforced. It provided that employers of such men must deduct 5 per cent from their wages and deposit it to their account in the Post Office, from which these amounts could be withdrawn only after completion of the contract.¹⁶⁰

These measures obviously can benefit only a small part of the population suffering from indebtedness and in danger of losing its freedom through insolvency. To meet the larger problem of the rural as well as the urban indigenous community, the Government relies mainly on the operation of its system of public pawnshops. In summarizing a detailed statistical report for the year 1938, for example, which financially was a very satisfactory one, it claimed that "the heavy sacrifices made to bring low-cost credit to the aid of the population have begun to bear good fruit and promise to afford an effective weapon against the misdeeds of the moneylenders."¹⁶¹

It would take us too far outside the scope of the present discussion to consider the effects of the more general provisions made by the Government of Indo-China for rural credit. Suffice it to say that as early as 1875 loans were made available for that purpose but that, except under direct French rule in Cochin-China, no adequate machinery was provided for the next fifty years

to have such credit percolate to the small cultivator, The *Crédit Populaire Agricole* established in 1927 for that purpose also did not at once meet that purpose.

Sometimes an Annamite landowner would turn to the Agricultural Credit Funds for funds which he would subsequently reloan to his fellow-citizens on more stringent terms.¹⁶²

Too often money obtained from the credit bank at 10 per cent interest was used to pay off part of the sums owed to Chettyar and Chinese moneylenders without discouraging further injudicious borrowings from these sources. Nevertheless, during the economic depression, the public funds made available drew out even larger loan funds for agriculture (though mostly for large-scale commercial agriculture) from private sources and thus helped to mitigate the general distress. Direct adjustment of debts was attempted but again only benefited the larger estates. Unfortunately, the very success of various complicated measures taken to deflate credit and keep up the prices of agricultural products, thus to keep large agricultural industries afloat, produced the impression that Indo-China's economy was substantially sound. Actually this was true only—if such a judgment can be partially true—on the higher commercial level. The situation of small owners, tenants, and sharefarmers remained desperate through the intervening years; nothing happened to loosen the grip of the professional moneylender on the fortunes of the small man.

INTERNATIONAL ACTION

The Temporary Slavery Commission of the League of Nations discussed debt bondage on July 20, 1925. It took notice of the fact that in most countries, including those surveyed in the present study, the pledging of persons for debt was illegal, but that it survived in various disguised forms as an essentially involuntary servitude upheld by the traditional mores. Several of the governments, according to the statements submitted by them, found it difficult to distinguish legally between the lack of freedom resulting from arrangements under which a creditor simply takes over the body of his debtor—often after his inability to become solvent has been formally established—for his service without limitation as to time or permissible kinds of labor and, on the other hand, the freedom of individuals to pledge the performance of services in payment of loans received. Under the French law, for example, such pledging of a person—whether the creditor himself or a member of his family—for a definite period is considered legitimate.¹⁶³ Under the law obtaining in Portuguese colonies, all agreements for repayment of debts by performance of labor are considered annulled at the expiration of three years. The experts came to the conclusion, however, that the form of debt-slavery

known in some countries as peonage was "much graver in its social effects than those which arise out of native custom":

The latter for the most part are methods of redeeming debt owed by one native to another of approximately equal status; they affect individuals only and they are usually well understood by both parties. The former, on the other hand, is imposed by persons of a higher civilization upon peoples of a lower; it affects not only individuals but large groups, resulting in the formation of a permanent debt-slaved class; and finally its *modus operandi* does not appear to be understood by the class affected by it.

The Commission considers that this form of debt-slavery, wherever it exists, calls for immediate action. Legislation might be adopted, for example, with a view to securing that the terms of contracts or agreements in regard to repayment of advances are reasonable. All such contracts should require the approval of the Administration before being held valid. In general, the efforts of the Governments concerned should be directed toward the prevention of future cases of debt-slavery of this kind. . . .¹⁸⁴

Most of the governments believed that their existing laws for the punishment of slavery offenses provided sufficiently for the abolition of debt slavery. Additional handles for coping with it existed, they said, in the laws adopted for the regulation of contract labor. Only one of them, that of the United Kingdom, seems thus far to have ratified the 1939 Convention of the International Labor Conference which required, *inter alia*, the stipulation of a maximum period of service for all contracts of employment of indigenous workers. At the 1939 session of the Conference, however, the delegates of several other governments—including those of France, the Netherlands, and the United States—also voted in favor of this article; and again, at the 1944 session of the Conference, government delegates of the same countries supported a recommendation to extend the same provision to all contracts of employment in dependent territories. Even this agreement, if carried into effect through corresponding legislation, would cover only persons employed under written contracts and therefore would not protect the large numbers of workers held in bondage over long periods or permanently, by indigenous or alien Asiatic employers, under arrangements sanctioned by local custom. In their case, supplementary legislation and, above all, education are needed to provide effective remedies.

Now and then the suggestion is made that a "lift" be given the indebted peasantry of a country by cancelling, through appropriate legislation, all personal debts on which interest has been paid over a certain number of years. Another frequent proposal is for a scaling down of debts through a process of official adjudication. Especially if such a step were taken at a time of rising prices, it is thought, tenants and small owners might, with industry and thrift, become solvent again. All such proposals overlook the probability

that, unless other steps also were taken to insure the independence of the cultivator, and unless he were enabled to take full advantage of rising prices for the commodities which he produces for the market, his position would be only temporarily improved. Even if his more favorable position were not immediately absorbed in higher land values, the first misfortune would again force him to seek a loan; and there would be no assurance that he could obtain it on less risky and degrading terms than in the past. When land holdings and labor returns are too small to provide any elasticity whatever in the countryman's economy, while interest rates reflect the lender's power rather than the borrower's financial ability, the latter's dependent status will remain. "The credit problem cannot be solved without attention to the whole of the economic life of man."¹⁶⁵

A new spur to international action on the indebtedness of peasants and wage-earners and the evils arising from it was given after the war by two concurrent movements: the desire of new national governments and nationalist parties to support their political programs with constructive attacks on social evils, and the desire of colonial governments to justify their claims on the loyalty of their subjects with a more rapid enactment of protective laws. Both strains of desire were evident in the preparations for, and the discussions of, the Preparatory Asian Regional Conference of the International Labor Organization, held at New Delhi in 1947, and in many of the proposals and discussions of the Geneva Conference of that organization, held the same year.

The former conference dealt with the matter mainly by indirection, through the passage of numerous resolutions which would lessen the burdens now resting in many parts of Asia on the rural populations and would provide new opportunities of productive employment. Unfortunate systems and traditions of land tenure and land utilization and inadequate statutes for the protection of wage-earners, farmers, and aborigines were attacked, rather than the more specific, immediate evils of usury and debt bondage. Some of these resolutions, therefore, are discussed in other parts of the present study.

At Geneva, the International Labor Office presented a draft for a "Convention concerning Social Policy in Non-Metropolitan Territories" that had been worked out in cooperation with the interested member countries.¹⁶⁶ In this Convention the problems discussed in the present chapter receive ample and specific consideration, under provisions dealing with general welfare, migrant workers, and independent small producers.

Article 8 calls for measures to promote productive capacity and the improvement of living standards, among them "(a) the elimination to the fullest practicable extent of the causes of chronic indebtedness," and "(b) the control of the alienation of agricultural lands to non-agriculturists so as to ensure that such alienation takes place only when it is in the best interests of the territory." It also indirectly serves to eliminate excessive rural indebtedness

by demanding "(d) the supervision of tenancy agreements and of working conditions with a view to securing for tenants and laborers the highest practicable standards of living and an equitable share in any advantages which may result from improvements in productivity or in price levels."

Several of the articles in the fourth part of the Convention, concerned with migrant workers, attack the machinations by which contract workers so often are brought into penury and to a status of dependency. Article 12 directs that measures shall be taken to "provide that the worker shall enjoy protection and advantages no less than those enjoyed by workers resident in the area of labor utilisation." Article 15, if generally adopted, would cut the ground from under many of those practices that bring such workers into debt, either to their employers or to contractors or others able, sometimes in connivance with these, to force these wage-earners into a renewal of their contract on disadvantageous terms. It provides for fair wage fixing, keeping a register of wage payments, and wage payment in legal tender only and directly to each worker. It seeks prohibition, in particular, of the substitution of spirituous beverages for money payments and of wage payment in stores and taverns; it enjoins wage payment regularly at such intervals as will lessen the likelihood of indebtedness among wage-earners.

Where food, housing, clothing and other essential supplies and services form part of the remuneration, all practicable steps shall be taken by the competent authority to ensure that they are adequate and their cash value properly assessed [Article 15, par. 7].

All practicable measures shall be taken: (a) to inform the workers of their wage rights; (b) to prevent any unauthorized deductions from wages; and (c) to restrict the amounts deductible from wages in respect of supplies and services forming part of remuneration to the proper cash value thereof [Article 15, par. 8].

Having thus limited some of the causes of excessive debts incurred by contract laborers, the Convention comes to grips with the core of the evil:

Article 16: 1. The maximum amounts and manner of repayment of advances on wages shall be regulated by the competent authority.

2. The competent authority shall limit the amount of advances which may be made to a worker in consideration of his taking up employment; the amount of advances permitted shall be clearly explained to the worker.

3. Any advances in excess of the amount laid down by the competent authority shall be legally irrecoverable and may not be recovered by the withholding of amounts of pay due to the workers at a later date.

Such legal protection is, of course, already given in many countries to all classes of wage-earners. Its inclusion in the Convention insures not only its wider general enactment but its enactment specifically in that branch of labor relations where, in so many countries and not least in those which use large

numbers of alien laborers to produce for the export market, it has thus far been conspicuously lacking. Such legislation probably would be difficult to enforce if positive provision were not made for the encouragement of thrift among these migrant workers and for opportunities to secure credit on reasonable terms when it is needed for a socially harmless purpose. This is foreseen in Article 17 of the Draft Convention, the second paragraph of which reads:

All practicable measures shall be taken for the protection of wage earners and independent producers against usury, in particular by action aiming at the reduction of rates of interest on loans, by the control of the operations of money lenders, and by the encouragement of facilities for borrowing money for appropriate purposes through co-operative credit organizations or through institutions which are under the control of the competent authority.

There can be no question that these proposals go to the heart of the problem discussed in this chapter. They are far from revolutionary but embody measures already taken in almost all the countries, for example, of Southeast Asia—both dependencies and self-governing. But by signing such an international convention as this, the respective governments would express their willingness to enforce existing statutes with increased energy, to close up the many loopholes through which the professional usurer and the unscrupulous employer still can reach out for the fair earnings and even the persons of honest workers in field and factory. They would give an indication of their design to combat more effectively those recurrent emergencies that drive people into debt. Not least, they would attack that insecurity and that fatalism which lead men into improvidence and into bondage.

The problem considered in this chapter was fully considered also at the First Asian Relations Conference, held at New Delhi in the spring of 1947. Although most of the countries represented have legislated against usury, agricultural workers—and especially those engaged in farming for local consumption in communities not yet reached by modern credit institutions—often have little protection. It was recognized by the delegates that the system of bond service is pernicious not only to those immediately affected but to the social welfare; and it was agreed that all remnants of the institution where it still exists should be abolished.¹⁶⁷

CHAPTER FOUR

Compulsory Public Services

THERE IS, as we have seen, no clear-cut division in oriental society between work performed under compulsion for a noble master and such work when it is performed for a public authority. Even in Western civilization, it may be recalled, the dividing line between personal and public services, though recognized in law, is sometimes transgressed. The hereditary ruler and the elected official are only too easily tempted to confuse their own needs with those of the public good. In the United States, roads have been built within living memory to connect the country estate of a municipal boss with the city; contractors have been compelled to furnish free services even to minor officials if they would receive favorable attention to their bids on public contracts; contributions have been levied, in addition to the legal license fees, on those who would operate stalls in public markets. Wealthy corporations, through their influence on public affairs, have been able to divert public funds and the labor of public servants to the improvement of their properties; public utility companies have been able to appropriate all the income from enterprises undertaken jointly with public authorities and at the cost, mainly, of the taxpayers.

Practices such as these, it may be said, however deplorable from the standpoint of public morals, have nothing to do with a power over individuals which deprives them of the right to dispose over their own time and their own persons. But they illustrate that tendency of the man in power to identify his right with that of the legal authority vested in him to impose demands on others, a tendency which even a high state of civilization has not been able to eliminate. Forced labor is merely one form of that compulsion which deprives a man of his freedom of action for the benefit of another. Sometimes it survives or reappears in its more primitive forms. Throughout the world, there are still to be found tenants who must perform tasks for their landlords not written into their lease contracts, employees who must render private services to their employers for which they are not paid and which are outside

the orbit of their accustomed vocational duties, public servants who must devote their own time to enhancing the political fortunes of the man to whom they owe their appointment. None of these people are altogether free.

A French jurist, some years ago, compiled an unprejudiced summary of the social benefits claimed for forced labor and of its dangers to the general welfare. Because the present pages are necessarily weighted on the side of its speedy abolition, it may be well to follow Jean Bastet in listing the arguments advanced in favor of forced labor, especially in economically backward countries.

Among the advantages claimed are: the ease afforded by compulsion to secure the cooperation, subsequently voluntary, on the part of the indigenes in measures designed for their moral education and social benefit—such as greater economic security, a better price realized for the products of native labor, construction of better communications, with resulting advantages for trade in which the natives participate, getting greater value from natural products for which the natives themselves have no use, and because of all this higher living standards; also acquisition of the habit of sustained effort, instruction of natives in the cultivation of new crops under competent supervision, the civilizing influence of greater and more diversified possessions; furthermore, combat against plagues and against ignorance that results in epidemics, famines, and insect pests, increased energy with better nutrition, jungle clearance and decrease of malaria, lower death rates and increased enjoyment of life generally; economic development and a better distribution of population.

On the opposite side, among the dangers of forced labor, he lists, first of all, a denial of some of the advantages claimed: it creates new wants without helping to satisfy them; interferes with the customary mode of life; leads to immorality rather than education, and new social ravages (venereal disease); causes depopulation, rebellion, disturbance of the accustomed economy, and hence produces as a net result loss of security through the loss of self-subsistence, as well as causing many new abuses.¹

Forced labor, it may be said, has long been abandoned by civilized governments, though admittedly it persists here and there in disguised forms. But the advantages and disadvantages claimed for it also apply in part to compulsory public services which, though reduced in scope by modern legislation, nevertheless are to some extent carried on openly and have their defenders.

Unless there were complete agreement on fundamental social values, it would obviously be impossible to balance one of these sets of arguments against another. There is, however, a frequent subconscious weighting of arguments in this connection against which it is particularly important to be on guard. For the potential working participants in a system of forced labor a fairly realistic set of motivations is assumed; in the case of the work-

givers, on the other hand, it is too often assumed that the sharp edge of self-interest is normally blunted by a sense of public responsibility, and that where greed gets the upper hand it is only because an unscrupulous minority has not been held in check. J. A. Hobson, the well-known British economist, displays another fallacy that has often implemented pleas for forced labor when he argues on biological grounds that the inhabitants of tropical countries cannot be expected to respond to the work incentives which in the temperate zone produce voluntary acceptance of the discipline of modern enterprise. He comes close to saying that if necessary such "natives" must be trained by force in the arts of industry because civilized society has a right to utilize the undeveloped natural resources of such regions.

Force is itself no remedy, coercion is not education, but it may be a prior condition to the operation of educative forces. . . . The real issue is one of safeguards, of motives, and of methods.²

In other words, if only the necessary safeguards are adopted not to kill too many persons in this process of "education," not to destroy too ruthlessly the culture of which they are the heirs and which may be well adapted to their environment and their abilities, then the foreign capitalist and the foreign power behind him have every right to treat these persons as part of the region's natural resources and to force them into an economic and social pattern that is strange and abhorrent to them. Fortunately Hobson somewhat redeemed his reputation as a leading liberal by adding that such interference, though in theory legitimate, cannot safely be left to private enterprise. Perhaps, if he were still among us, he would be willing to concede today that so dangerous an enterprise cannot be left to the responsibility of a single state, either, but would have to be undertaken by and for civilized society as a whole.

It is, indeed, remarkable how greatly the whole picture has changed in recent years. Who would say today that in the Asiatic tropics the people are content with their traditional standards of living, do not respond to the attraction of commodities which only hard-earned money can buy? Who would argue, as Hobson did, that they are wholly unprogressive and that they cannot organize themselves for a fuller and more rapid exploitation of their resources? And who, in Southeast Asia, can point to a single large-scale enterprise or category of enterprise that still relies for its success to any appreciable extent on forced labor? There has, in the modern sector of the economy, at any rate, been an almost complete abandonment of that principle, though only in very recent times. For the use of force, where such was used in the past with open or fictitious apologies, has come to be substituted reliance on those very incentives which residents in tropical countries had previously been said not to be responsive to. The theory was abandoned, too, that the indigenous population is a natural resource without rights of its own; for it has become easier

to shift populations about and to employ different racial and ethnic groups more often in keeping with their special abilities and their preferences.

Then came upon the scene an Asian nation, itself in the thrall of a medieval social philosophy, to revive for a time an economy of forced labor in all its horror—and by doing so to discredit it forever.

Among the governments and large employers of Southeast Asia it is no longer necessary to point to the inefficiency and costliness of compulsion in private enterprise. But the Japanese interlude may open the eyes of some of those who have not yet shaken off entirely the feudal traditions of the past. For, as has already been shown in previous pages, forced labor not so long ago fitted into a social organization which, starting with the economic use of war captives, had here and there derived labor power also from slave raids, the subjection of whole tribes, and the degradation of once free men to a dependent status through induced indebtedness.

Compulsory labor in the furtherance of public objects has only recently emerged as a distinguishable separate category. The assignment of war captives and other slaves to individual chiefs in the traditions of the Malay peoples often is linked with their assignment to military and other public tasks that serve the whole community. The colonial authorities—even in dependencies directly administered—have taken over native customs which sometimes make little distinction between the personal rights of monarchs, nobles, and village chiefs to the occasional services of peasants, and such rights when exercised by those in authority in their capacity of functionaries in behalf of the state and the community.

When Japanese occupying forces in Southeast Asia compelled the inhabitants to construct vessels for them as well as roads, or to grow and deliver cotton as well as food for the occupying forces, the simple countryman did not ask whether perchance his involuntary labor really served the state—his own or the enemy's—or whether incidentally it was also used to pile up profits for business firms and corporations. For in the historic experience of his own people the two kinds of purpose have never been clearly kept apart. The conqueror was an autocrat who helped himself to what he wanted; and he was surrounded by vassals who did the same to the limits of their ability. Indeed, until recent times the exactions of the colonial governments themselves, in so far as they served the productivity of foreign investment and the advancement of trade, could hardly be ascribed in whole to public as distinct from private purposes. To that extent, even the new and cruel burdens imposed upon the common man by the Japanese military administration and its satellites represented but a familiar incident in the exercise of power.³

This chapter, however, is more especially concerned with involuntary labor as specifically an instrument of public policy—an instrument to get things done which the legal authority considers necessary and either wishes or, lacking

other means, is obliged to have done without paying adequately—or paying at all—for the expenditure of labor. Needless to say, under modern conditions such use of involuntary labor is respectable and creditable only when it is not motivated by the furtherance of private interests, though it may, of course, incidentally serve them. The late Lord Lugard, wise colonial statesman, at one time said:

Compulsion is only justified where labour cannot otherwise be procured for public works of an essential and urgent nature.⁴

and Lord Cromer wrote:

We reluctantly admit the necessity of compulsory labour in certain cases, and we do not stigmatise as slavery such labour when, under all possible safeguards against the occurrence of abuses, it is employed for recognized and indispensable purposes of public utility. On the other hand, we regard the system, when employed for private profit, as wholly unjustifiable and as synonymous with slavery.⁵

INDONESIA

In the Indies, the occurrence of compulsory labor in various forms is not only rooted in local traditions, where it is closely connected with remnants of serfdom, but is connected also with the former colonial policy of compulsory crop production and with the wide powers permitted in former times to the foreign owners of private estates to exact labor services from the resident population.⁶ Such historic origins of bondage also exist in other dependencies, of course, and, wherever they are as recent, have produced the same predisposition, when opportunities occur, for unscrupulous individuals to take advantage of surviving traditions and thus lay a heavy task on the authorities when they endeavor to enforce the law. "We must remember," writes Cabaton, that the Javanese native was exploited for centuries by all his rulers; that he has had to work for them unremittingly; that he could call nothing but his life his own; and we must not forget that slavery was officially abolished only as lately as 1860.⁷

Forced labor, B. ter Haar tells us, has no roots in the folkways. It grew up as the demands of the rulers for levies (both in money and kind) and services increased and their officials, permitted to retain part of these contributions, pushed themselves into the position of the local chiefs and, with their mounting exactions, disorganized the traditional mutual obligations of villagers and chiefs.⁸

The East India Company did nothing to free the Javanese peasant from these burdens but, if anything, added to them.⁹ After its collapse, about 1795, the Government took over the existing system with all its traditions, native and superimposed, and in the next twenty years simply followed precedent,

which, as has already been described, included a sort of universal serfdom for all those who cultivated land. During that period Holland recovered from the Napoleonic War and permitted no humanitarian scruples to stand in the way of squeezing whatever wealth it could from the colony. Its exactions combined the use of native labor in lieu of tax payments with the use of the Company's commercial policies—which were those of an employer who need fear no shortage of labor and can sweat the workers to the point of complete exhaustion, there being no law other than that of his smothered conscience to place limits on his ruthlessness.

In 1802 a commission was appointed to investigate the administration of the colony and to make recommendations for its improvement—improvement, be it understood, solely from the standpoint of securing if possible even greater financial assistance to the mother country. There was no thought, under the administration of the notorious Marshal Herman Willem Daendels (1808 to 1811), of relinquishing any of the compulsory services the Javanese were in the habit of rendering their own rulers. And these services became more exacting as the rulers and the courts acquired a taste for some of the luxuries and refinements of Western civilization. In the home country, the exploitation of the occupied parts of the Indian Archipelago was considered as in line with the principle of "free enterprise" which then imbued political thinking, with the general idea that humanity would prosper most if economic forces were permitted full sway, unimpeded by legal limitations on their exercise. That this laissez-faire policy, when applied to the operations of a colonial government and a hereditary nobility in relation to a helpless peasantry, spelled virtual slavery for the masses was a fact discreetly kept in the shadow by those who knew the actual conditions, and probably was not realized by the great majority of intelligent but uninformed citizens at home.

Among the various reforms which Sir Thomas Stamford Raffles introduced during the brief British rule in Java (1811 to 1814) was an order abolishing all forced services and deliveries. His intention was to substitute a single poll or house tax—a design which, in view of the established traditions, probably was impracticable and which, in any case, he did not have time enough to carry out. When the Dutch Government returned, it simply disregarded this order.

In 1830 Daendel's successor, Johannes van den Bosch, introduced the so-called "culture system," already mentioned (see p. 82), which, although more humane in intention than the system which it replaced, nevertheless failed to give relief. The thought behind it was that if, instead of paying two-fifths of their main crop to the Government as land rent—on the theory that all the land was Government-owned—the cultivators were to contribute one-fifth of their working time and as much of their cultivable land as could be utilized with that amount of labor, and this under skilled European supervision,

the total productivity of their labor would be so increased that they would have far more left over for themselves than they had before. This was the emphasis on incentives with which economists at that time began to concern themselves; large areas of cultivable land, previously confiscated by the Company, were turned back to the native rulers, who by this means were won to use their still potent influence over the people in a constant drive for an increased yield of commercial crops. The native rulers and officials also gained from the recaptured prestige of their status as large landowners—a not inconsiderable inducement in any Eastern society—and from a bonus payment by the Government on the value of the export crops raised in their respective districts. The small man, despite the meagerness of the price which he received from the Government for that part of his crop which he was obliged to turn over, was supposed to be won by a relatively high market price for the rest of his commercial output—there evidently being at that time a prospect of a continuing *hausse* in the colonial products offered on the free markets of Europe.

The unforeseen effect of this system was its removal of the restraint on the greed of the local rulers and aristocracy which at least some of the Dutch officials had been able to exercise in the past. For now the interest of both parties was almost identical. The native officials were for all practical purposes clothed with the power of government in economic matters. They were given a direct interest in driving their people to the utmost exertion; and they in their turn delegated their power to local native governmental organs and village officials called *bekels*, tax farmers who bought the right to bleed the people and were deeply hated, as such local despots always are. The expected benefit to the peasants dwindled, as in a famous anecdote the jewel-encrusted golden watch of the best make, which a court-ridden Russian tsar wished to bestow upon an artist who had won his favor, dwindled: by the time the gift reached the recipient it had through various stages of graft become transformed into a cheap watch encased in lead.

Forced labor was the essential core of the system. For those in a position to enrich themselves by the labor of others were not content merely with higher returns from their own land or with their share in the product of compulsory cultivation. They also built up into a supplementary structure of exactions three types of compulsory service which derived from the native social system: the occasional labor owed by the villagers to native officials, or *Pantjendiensten*; the compulsory labor on public works, or *Heerendiensten*; and that on local village projects, or *Desadiensten*.

Unfortunately, European officials had little understanding for the close connection between the customary exactions of rajahs or the lesser nobility and the tradition under which the villagers were accustomed of old to combine in work parties for the execution of public works—including the obligations

which they owed in common to their superiors. For the simple peasant who has never been more than a few miles from his home, it is one thing to work with others on a manorial field, even though there is no recompense, and quite another to be torn from his family and friends and from the familiar sights of the home village to work under the harsh orders of a strange taskmaster.^{9a} There was no precedent in Indonesian memories—except that of forced abduction by pirates or slave raiders—for impositions that required so threatening a break with their customs. An illustration of the fact that labor in common, rather than the conscription of individuals, was the original form of forced labor, later absorbed in the *Heerendiensten*, is given by Fiedler in regard to road work and other corvée services in Timor. "Formerly," he writes,

great difficulty was experienced in recruiting the necessary number of laborers from the various settlements, and the work performed was lamentably poor. When, however, whole clans and tribes were called up together, the work went much better.¹⁰

The combination of the three kinds of *Diensten* or services in a year-around system of obligatory services became confusingly complex as each beneficiary attempted to enlarge the scope of the labor services to which he felt entitled, and as each residency and locality endeavored to give the sanction of tradition to its particular claims. This is the main cause why the abolition of these services was so slow. Furnivall¹¹ mentions other complications: the fear of planters that in a free labor market the state would compete with private enterprise for a limited labor supply and thus raise wages; the difficulty of compensating for unpaid labor without a considerable increase in taxes; the doubt whether village officials without the authority of the state behind them would be able to put on enough pressure to recruit an adequate labor supply for private enterprise. In the minds of uninformed villagers there may have been no clear understanding of the respective powers of the village heads and of other parties interested in their labor, especially the owners of large-scale private enterprises in the district. This is shown incidentally by the belief which still often exists that these *loerachs* act within their official authority when they force those who have left private employment to return to their former master or punish them when they fail to do so.¹²

The compulsory services owed to the local officials, the *Pantjendiensten*, were originally a perquisite in lieu of salary; the local official was compensated by having villagers do some of his disagreeable work for him and some of the daily chores. These jobs were probably never assigned with regard to what would be considered a fair allocation of duties in accordance with democratic principles. The Javanese and other Malay class structures make it appear natural that such duties be imposed on the classes with lowest social status in the community. In 1866 and again in later years, Van de Putte, then governor

general, attempted to substitute a money salary for this perquisite, but did not succeed in securing the necessary appropriations.

The slowness with which the use of paid labor in public services gained ground is explainable only by the interest which minor officials and private employers had in preventing it. Construction of the harbor works and fortifications of Soerabaja in 1849 was the first construction project of any magnitude built with paid labor. It was so satisfactory that two years later orders were given to employ paid workers on all government buildings. This policy was further formalized in 1857 when a public works department was established.¹³ However, as in other Asiatic countries, a distinction was recognized between construction involving varieties of skill, on which the employment of paid labor had proven more efficient, and such elementary work as digging ditches and laying road beds, where the use of compulsory labor still was the cheapest. It was not until 1885 that the construction of extensive irrigation systems in the Indies with unpaid labor was prohibited.

There is plenty of evidence that the employment of unpaid, involuntary labor was as wasteful as it has proved to be everywhere. As early as 1888 a local investigation showed that the Government had no notion of the real amount of forced services exacted in Soerabaja. In some cases, forced services and taxes amounted to more than the yield of the land after the proper costs of cultivation had been deducted.¹⁴

During a time of scarcity thousands of natives in Malang (Paseroean) were employed, without compensation, in constructing a gutter along the roads. The gutter was badly made, was useless in many places, and a public nuisance in others. The result was that after a time the government ordered that the gutter should be in some places partly, in others wholly, filled up.¹⁵

Throughout tropical Asia, and especially in the areas with heavy rainfall, the felling of trees and clearing of jungle are such irksome occupations that recruiting labor for these purposes often meets with difficulty. The teak forests of Java were not, in fact, economically exploited in spite of the use of compulsory labor until 1865 when, under the influence of the laissez-faire principle then dominating economic thought in Western Europe, the Government decided to permit Dutch private companies to exploit these forests. This led to an improvident denudation of the mountain sides until regulations in the interest of conservation were introduced a few years later. It also led to an exhaustive and cruel use of human energy. As elsewhere, the economic progress achieved during the "liberal" era was exceedingly costly. Employment conditions grew steadily worse as one economic activity after another was transferred from public to private enterprise, as the control of operations steadily moved into the hands of alien promoters who were undeterred by moral scruples and uninfluenced by considerations of social peace and amenity.

For now local officials, once content with modest perquisites derived from their command over small crews of men obliged on occasion to work for them, could amass fortunes by mobilizing huge involuntary labor forces to man large-scale developments.

Another consequence of the system was the emigration of Javanese to Malaya both before and since the British domination of the peninsula—an emigration which, considering the mental suffering which it involved in a tradition-bound society, and the unsafety of travel during much of the time, was large.¹⁶ Wyndham estimates that about a million Javanese have entered Malaya since the eighties and there constitute at present about one-half of the Malay population. He adds that the number would have been even greater had not the Dutch Government placed restrictions on emigration since the twenties.¹⁷

Only in 1882 was a decree issued which abolished all compulsory services to officials and substituted a head tax. The employment of involuntary labor on public works had become inefficient and irksome when such works came more and more to be directed by trained engineers and necessitated something more than muscular effort and drudgery. It is significant that the digging of irrigation ditches, even on a large scale, continued for some years to be done by compulsory labor when the use of paid labor had already become customary on construction jobs. The knockout blow was given to the use of forced labor when the returns from the head tax proved greatly to exceed the expectations. Indeed, a considerable part of this income had quietly been absorbed in the general revenue when compulsory labor on public works still continued in some parts of Java; and it was only on the insistence of fair-minded officials that in 1893, forty years after the initiation of "gradual" abolition, this labor system was finally done away with in all the Residencies. However, the obligation that rested on villagers to work on local projects (*Desadiensten*) continued here and there for another ten years until it was finally remitted. The reason for this action was that, contrary to the intentions of the Government, some of the native officials had quietly transformed the former *Heerendiensten*, now no longer permissible, into *Desadiensten*, which were.

Van Delden Laerne, reporting in the eighties on coffee culture in America, Asia, and Africa, quotes a German observer to the effect that the formal abolition of forced labor did not produce any real change in the condition of the people.¹⁸ Laerne himself, like many other professional managers at that time, was by no means hostile to compulsory labor. His arguments are similar to those still sometimes used by European and Australian planters in Melanesia to justify indentured labor: compelling the people to work on export crops under modern discipline would make for the greater prosperity of the country and thus eventually for the welfare of the native people. Through the extension of plantations new centers of population would be created, and "through the

greater number of people, the forced labour becomes so much the lighter, so much the more easily borne."¹⁹ The population actually did rise phenomenally—from five million in 1815 to eleven million in 1860, thirty-four million in 1920, and forty-eight million in 1942; but, as Vlekke points out, so far from lessening the individual farmer's labor, this only produced excessive land values and subdivision, heavy indebtedness, and a widespread misery from which even a conscientious paternal government has found it impossible to protect the people.²⁰

An official investigation made in 1905 to find out whether the abolition of government services had merely resulted in enabling the local authority to add an equivalent burden to the Javanese farmer's labor tax came to a negative conclusion.²¹ However, it indicated a need for government intervention to strengthen the village community against too rapid an encroachment of individual enterprise upon the traditional economy and, with the findings of other inquiries, led to the Village Regulations of 1906, designed to preserve useful village services and amenities.²²

Forced labor never was an absolute obligation in theory. The members of certain classes which could pay their taxes in cash or, in the Outer Islands, those who could hire others to take their place in the labor line were permitted to do so. In practice, the Javanese were so much further advanced in the modern money economy, and the supply of wage labor was so ample in Java, that no need for compulsory labor existed under the welfare-oriented public works policy of recent prewar years. It was here that the use of compulsory labor on government lands or projects was first abolished. In 1938 it was found possible to extend to the Outer Islands the right of everybody to pay taxes instead of laboring for the state. In 1941, under the terms of a Road Tax Ordinance, tax payment in cash was even made obligatory upon those whose living standards were judged to exceed a certain level, while everybody else had the option of paying the road tax or working it off in the maintenance of the public roads.

On some private lands, especially in Western Java which, perhaps not without significance, became the first scene of anti-European riots after the re-occupation of the island in 1945, the legal use of forced labor on privately owned land still existed at the outbreak of the war, although from 1910 on much public money had been spent on the expropriation of these lands and their development on more modern lines by a semiofficial limited company. This program unfortunately remained uncompleted.²³

There seems to be some evidence that the legal abolition of compulsory labor was not yet fully enforced in the late thirties. Three foreign students may, perhaps, be quoted on this matter without attempting to generalize from their necessarily limited observations.

Certainly, forced labor was formerly common enough, when the chief demanded

it, and the chief had a claim to taxes, but the regular "conscription", by which everybody is forced to serve, in building roads especially, and the new taxes exacted with European punctuality, have much more the stigma of compulsion.

The impression thus created is heard most clearly in the complaints coming from the natives of Nias, who declare that the building of houses and the manufacture of the old kind of clothing have become impossible, because "conscription" occupies so much time. It is significant when work done for what seems to them an alien purpose makes the natives become conscious of the idea of time. They complain that the taxes are a direct attack on the *Adat*.²⁴

Farther on, we came across scores of natives in loin cloths. They were busily engaged in road-mending. Obviously they were working for the government. I asked Bagoes what rate of pay they received. He told me, none. These were the Balinese who cannot pay their taxes. The government takes it out of them in forced labor.²⁵

One survival of the forced labor system still persisted in the Indies in 1941. All able-bodied men up to the age of fifty had to toil a certain number of days per year on the roads or public works. A native might provide a substitute or, if he could afford it, might pay a head tax instead of performing his labor duties. Most Indonesians were too poor to buy themselves off, however, only about 600,000 of the 3,000,000 natives subject to forced labor being able to do so each year. The average number of days required annually was approximately twenty. I can imagine no more convincing proof of the inefficiency and morale-destroying character of the scheme than the mere sight of a gang of natives doing their duty on a Javanese road. It was common knowledge that they all hated the system, and the best term to describe their behavior was "slow sabotage."²⁶

At the regional conference in New Delhi, in 1947, the International Labor Organization did not hesitate to refer to the continuing practice of some of the authorities in Indonesia of accepting labor services in lieu of tax payments in cash as "virtually a system of forced labor." It acknowledged, however, that a systematic policy had been adopted gradually to eliminate forced labor, in line with the laws passed for Java in 1934 and for the Outer Provinces in 1941; and that only the economic depression of the thirties and then the war had delayed the final consummation of this objective.²⁷ Indonesians critical of Dutch rule do not accept this explanation. They point out that some Dutch employing groups in Java have never ceased to regret the passing of the institution of compulsory labor on public works. Such employers claim that the commutation of cash dues into labor services accustoms large numbers of people to a labor discipline which they would never undergo of their own free will. Considering a large and continuous production the ultimate safeguard of the public good, they welcome compulsory labor because it tends to make the somewhat milder discipline of the big estates more acceptable to inde-

pendent peasants. But the chief value of compulsory labor to the managers of big estates, the critics contend, is that it helps to keep down the level of wages by making it appear—or, perhaps one should say, by confirming the old tradition—that unskilled, back-breaking labor has a very low value in terms of money.

It should be emphasized once again that the various impositions named in this section have at no time extended over the whole of the archipelago. Even on the island of Java many of the native rulers and higher officials continued to receive their payments from the Government in money when the culture system was introduced. On the Outer Islands, even when they were brought under effective control, there was no immediate possibility of introducing an intensive system of compulsory production of commercial crops for the state. Not even the greediest employing groups would contend, for example, that it was practicable to export a Javanese labor surplus to Sumatra by force, without paying wages. But compulsory labor service in lieu of tax payment and in the execution of public works were old institutions which, since they fitted in with the colonial Government's often urgent requirements, it was not loath to utilize and which it may wish to utilize again when they offer the least painful or damaging way of repairing the ravages of war.

Nevertheless, on the Outer Islands, too, the wishes of the Government often clashed with those of the local rulers. Albert C. Kruyit gives an example of this as an illustration of the strength still possessed by the native law when it comes into conflict with the modern national law. He speaks of the resistance of the Poso, a Toradja tribe of Central Celebes, who came under Dutch administration as recently as 1905, to either the work obligation or the head tax when an attempt was made to impose these on them.

The greatest difficulties in connection with this meeting of East and West were experienced by the chiefs. The European administrative officials took them for men who could order their people to do anything they wanted. . . . This was not the case and . . . they exercised only adat rights [rights traditionally bestowed on them under native law]. If the chief gave an order which fell outside his ordinary jurisdiction the people refused to follow it. They did this now when the headmen, at the instigation of the officials, ordered them to make roads and carry burdens for the military patrols. Time and again the headmen were held responsible for the inhabitants' failure to carry out orders, although the headmen themselves were unable to command obedience.²⁸

Celebes happens to afford a recent prewar example also of the difference in popular attitudes toward compulsory services when their social value to the people is recognized and when it is not. An official tells of the different spirit with which *Heerendiensten* were performed in a certain district when it was a

question of making roads which the villagers could see as of advantage to themselves, and when it was a matter of keeping up a steamship service for the use of government officials. The former task, though burdensome, led to no difficulty; the latter was resented. As a result, it was found wise to develop overland transportation, which might serve both government purposes and the local economy. If the expense on water transportation is cut, more money is available not only for roads and bridges but also for irrigation and other works from which the people benefit directly.²⁹

The experience of the Netherlands Indies with the acceptance of traditional forms of compulsory labor, with the introduction of new forms, and finally with attempts to eradicate compulsory labor altogether except within the limits sanctioned by the international Convention and by world opinion, has here been set forth at some length—not because that experience was unusual nor because conditions in the Indies were especially bad, but simply because both are exceptionally well documented.³⁰

Three general conclusions may, perhaps, be drawn from that experience. First, the “dual economy” and the “cultural dualism” of the Netherlands Indies rested on the assumption that it is possible simultaneously to carry on the government of a colony in the economic interest of the mother country and for the welfare of its indigenous inhabitants. We have no absolute evidence—at least in the considerations here adduced—that this assumption is either true or false. But we have evidence of the extraordinary difficulty of squaring the two concerns in a consistent policy. It took sixty-five years, from 1854, when the gradual abolition of compulsory labor was initiated, to 1919, when it was more or less completed, to carry through so elementary a reform.

Second, the memories of simple-minded peasants are long. Millions of peasants in Java and others of the islands are still so near to the experience of forced labor when it was an arbitrary imposition by those who had the power to demand it, that many of them cannot to this day distinguish between labor services which they are obliged to undergo because it is their lot to bow to the strong, and labor services that take their place in an orderly and just system of government as a form of taxation.

Third, the use of force to meet an economic need, while it seemed convenient and, perhaps, at times unavoidable in the interest of public safety, proves an immense handicap to any government which subsequently desires to govern with the consent and with the voluntary cooperation of the governed. At every step in its administrative penetration, first of Java itself and later of the Outer Provinces, the Netherlands Government has met with a popular resistance that can in part be traced to the expectation of the people that they would be enslaved by a power stronger than any they had known before and from whose exactions and demands there would be no escape.

PHILIPPINE ISLANDS

Under the Spanish regime, a system of *corvée* was used in the Philippines which apparently differed little from that previously in use under indigenous rule. The construction of roads and public buildings by forced labor was barely distinguishable from other obligations resting on the small peasant. Land grants made to Spanish settlers conveyed to them the same rights over the cultivators of the land as had previously been exercised by their native or Malay overlords. Among the more common tasks performed by forced labor were lumbering, work on roads, and the rowing of Spanish ships. "The Filipinos, in spite of the humane 'Laws of the Indies' issued by the Spanish monarchs, received few benefits from the rule of their new masters."³¹ One of these laws was directed against the compulsory delivery of fish for the lord's Friday dinner.³² J. H. Perry inclines to the view that in Peru, and therefore probably also in the Philippines, the worst abuses were connected not with the *encomienda* system but with the imposition of additional burdens by the *caciques* to whom were entrusted the collection of taxes and the organization of the *mita*, or public labor tribute.³³

Long abolished in law, the services which not only the tenants of a piece of rented land but all the inhabitants of a given area have to perform for its principal landlord and magistrate survive in various forms and guises, both in Latin America and in the Philippines.³⁴ For example, the *cedula* tax in the Philippines, like the poll tax in the United States, as Hugo H. Miller reminds us,³⁵ was a residue of compulsory labor on public improvements. It took the place of an annual contribution of fifteen days' labor on roads and public works for each adult male, exacted during the greater part of Spanish rule. Commutable into money payments, it was eventually absorbed into the tax system.

A distinction must be made between the forced labor that went into the building of the magnificent churches and monasteries of the islands, a labor imposed however mistakenly—as it has been in the missions of America—from religious motives, and the forced labor that went into the enrichment of private estates and exporters of the products of sweated labor. At least, this is the charitable view of a later Protestant missionary, who defends the compulsion applied by the Friars and Jesuits because of the agricultural and industrial arts they taught the Filipinos—including the making of bricks, building of stone houses, animal husbandry, new crops, commercial development of cotton weaving in Iloilo, and others.³⁶ On the other hand, forced labor in the seventeenth century, not only on the land but also in the forests and in the shipyards, became the cause of insurrections, all the way from Mindanao to Luzon. The embers of a latent discontent that smoldered after their suppression were to flare up into even more serious revolts in the eighteenth and nineteenth centuries.³⁷

With American rule, forced labor as a recognized tax was abolished. Or, rather, the customary relation between labor and money tax was reversed by a decree in 1907 under which provincial boards were authorized to double the poll tax—the increased revenue to be devoted to road construction—on condition that any person desiring to do so might pay off the tax by work on the roads at a stated ratio between money and labor payment. Portage still is compulsory whenever needed, but now it is paid for.

Present labor conditions in the Philippine Islands offer a striking example of the insufficiency of modern legislation as a means to remedy ancient wrongs when the basic agrarian economy of a country still follows the traditional despotic pattern. The socialist leader, Pedro Abad Santos, said at one time, "What we need in this country right now is *more* capitalism." As in other dependent territories, colonialism, with its emphasis on the large-scale production of export commodities, reinforced the control of industry by the landlord class. And although the United States did not, except in the Mohammedan parts of the archipelago, adopt the system of indirect rule, nevertheless the political controls reinforced the traditional power of the *cacique*, who did not need to distinguish overmuch between the burdens he might impose as owner and those he might impose as a public officer.

The "social justice" program inaugurated by the late President Quezon was motivated largely by a desire to separate these powers. It was not only a program for the "abolition of poverty" but a program, above all, for the abolition of human bondage. It was not a program designed primarily to interfere with the rights of property,³⁸ but one designed to increase vertical mobility.

Compulsory labor, as the term is used in this chapter, no longer was an issue in the Philippine Islands before the war. After forty years of American rule, public bodies no longer attempted to build roads or to maintain public works with involuntary labor, except in rare emergencies. How the right to conscript labor was misused under Japanese domination will be discussed below (pp. 315 ff.).

BURMA

In ancient Burma, as throughout Farther India, persons other than nobles legally were, as we have seen, the king's property. He had the absolute right of disposing over their persons. In practice this meant that the monarch had his choice of women, that able-bodied men could be called to arms at any time, and that anybody could be called upon to take part in public works for a reasonable amount of time each year. The fortunes of the humble villagers varied greatly with the ebb and flow of war between rival dynasties. At the height of their power, the Pegu and Thaton dynasties were as cruel as those of other parts of tropical Asia. But when the rulers had to fight for their lives

and depended on the loyalty of their soldiers, the peasants seem to have been treated with greater consideration. Thus the last founder of a Burmese dynasty, Alangpaya (1752 to 1760), an upstart, fighting desperately against the usurpation of power by allies of the Manchu emperors of China, aroused the enthusiasm of his followers by treating them as free men. Later this former village headman was practically canonized, not because he had been a great soldier but because he had been an emancipator of his people. His successors again followed the old pattern of oriental despotism and, without a popular following, eventually were defeated, in 1824, by British arms. The old attitude of the Burmese rulers toward the people continued even after that event. Speaking of the Burmese governor at the port of Rangoon in 1850, a historian says:

According to Burmese custom, he regarded his government as his estate, to be made the most of while he continued to hold it.³⁹

The period was one of revolt, nurtured by the widespread discontent of a population not unaccustomed to oppressive levies. Later, the British Indian Government was to suffer from the long association in the minds of the people of public works with coercion. Roads and other public works were neglected long after order and stability had been restored; and in many districts labor for construction and maintenance was difficult to recruit, even when the pay offered was fair and pains were taken not to call up cultivators at seeding or harvest times, to exempt those unaccustomed to hard outdoor work, and to introduce a system of rotation of duty.⁴⁰ In his travels through the Shan States in 1861 and 1862, the ethnologist Adolf Bastian repeatedly found villages deserted because the inhabitants no longer could stand the oppressive labor requirements of the officials.⁴¹

As has already been shown (pp. 91 ff.), it is almost impossible to distinguish serfdom from forced labor in pre-British Burma. This is especially true of the unadministered territories of Upper Burma, where the traditional identification of seigniorial rights with taxes in kind and labor obligations survives to some extent to this day. Public officials were not held to give an account of the use they made of those called up for *corvée* duty. Moreover, it was the established custom for those who could afford to do so to buy themselves free from such duty; and their payments, unspecified in any law, were not necessarily entered in any public account. In normal times, the system may not have worked too badly: the local official who drew up the roster for a crew demanded by the Government for a given piece of work could make it the means of mild extortion. The well-to-do farmer, when the official proved too greedy, probably had a debt slave whom he could send as a substitute; and when the work was not too arduous or of too long duration the debt

slave may have welcomed the opportunity to lay up credit toward the ultimate cancellation of his debt and of his bond. But it was in times of trouble, when the king needed soldiers to pursue bandits or to make war in a distant territory, or when some building was to be erected far from the conscript's home village, that protests arose. For then the crews could not even be sure of their daily bread.⁴²

For good reasons, compulsory labor was conspicuous for its absence from the greater part of Burma in recent prewar times. An abundance of available Indian labor made it unnecessary for private employers to rely either directly or indirectly on governmental agencies to supply them with whatever labor force they might consider themselves entitled to. There was no temptation to exaggerate—as has been the case in other colonial dependencies, especially in Africa—the quasi-public character of economic enterprises using large numbers of workers. Moreover, there was not during the formative years in the agriculturally productive sections of Burma a shortage of land that might have made for the submission of Burmese peasants to labor services of an onerous character. As a result of these and other favorable circumstances—one of them the watchfulness of the Indian Government over the conditions under which Indian immigrant laborers were employed in Burma—the labor code of Burma in recent prewar times was more fully developed than in most dependencies. Many official and unofficial reports attest to the Burmese Government's efforts to eliminate the shockingly bad conditions which still pertained in the lesser industries—i.e., those other than mines, oil fields, and other large-scale enterprises—where large numbers of unskilled laborers found seasonal and casual employment. Above all, the relatively advanced indigenous participation in legislation and administration helped to prevent the rise of forms of employment in times of pressure and in relation to public works which could even loosely be described as involuntary. Both Burman and non-Burman labor were represented in the legislature of the colony, a guarantee that their grievances were not overlooked. As a result, there was more complete freedom of contract in Burma than almost anywhere in Eastern Asia.⁴³

In the "Excluded Areas"—comprising a large part of the Shan States; the Arakan, Chin, and Kachin Hills; the Triangle plateau; the Hukawng Valley; and other territories which were not part of the political structure of Burma—many indigenous tribal customs survived of which, as we have seen (above, pp. 43 ff.), slavery was one until recent times, and which also included other forms of involuntary servitude. Although themselves subjected to the Burmans, the Shan people were invaders whose supremacy shows all the social earmarks of Asiatic conquest. The lesser population groups were able to maintain their freedom only to the extent that they could adapt their lives to the wild and sparse resources of the mountain slopes. But many more

entered into typical inferiority relations, and their descendants in the river valleys were subject to the same restraints to which conquered and oppressed peasant groups are subject everywhere.⁴⁴

The organization of Burmese hill people for public works received wide publicity during the Second World War with the building of the Burma Road, one of the great technical achievements of the land campaign in Asia. Although the bulk of this work was done in China and with labor forces recruited in Yunnan, the accomplishment in the Northern Shan States of Burma probably represents the greatest concentration of human labor ever attempted in that area. And although most of the published accounts evade the possibly embarrassing question as to the precise methods by which that labor was recruited, it does appear that the feat would not have been possible without recourse to compulsory labor. This, indeed, was one of those emergencies contemplated in the International Draft Convention of 1930 (see below, pp. 200 ff.). In so far as they lay in the so-called "excluded areas" over which the Burma Government exercised only indirect rule, the Shan States were administered by their local chiefs, or *sawbwas*, according to the customary law which gives them absolute power over their subjects in time of war. It was under the exercise of this power that whole villages, whole districts—men, women, and children—were compelled to toil with primitive tools, the picks and hoes with which the soil was loosened, the baskets in which it was carried away, and the primitive small hammers with which boulders were cut to produce the material for metalling miles of road. Often supplies of food and fuel were deficient. There were many accidents and deaths. Some of the Shan, Wa, and Lolo workers came from villages that had never engaged even in the discipline of regular agricultural pursuits.⁴⁵

In 1947, it was in this frontier region of Burma, as well as among the Naga villages on the Assam side of the frontier, that uprisings against the authorities were reported (not to be confused with allegedly communist-inspired organized uprisings, in 1948, of Karen in the area bounded by the Sittang and Salween rivers and Tavoy). While no proof exists to connect this outbreak with the resort to large-scale compulsory labor several years earlier, historical parallels suggest that its sanction on so large a scale for one purpose may have given rise to a continued, arbitrary use by the lesser chiefs of an ancient tradition thus re-established, with the concomitant of raids upon the man power of neighboring communities.

MALAYA AND BRITISH BORNEO

"All labor in Malaya is free," according to the reports of the government labor department. The system of indentured labor was abolished as it affected Indian contract workers in 1910, and as it affected Chinese in 1914. Javanese laborers, under a Netherlands Indian law, are subject to a special enactment

which does not permit of as free a movement as does the law governing other immigrant groups.⁴⁶

No evidence exists to contradict the claim that involuntary labor is no longer used in Malaya; but detailed reports on public improvement projects in various parts of the colony sometimes show labor costs so low as to suggest that in some instances the wage incentive may after all have been supplemented by an exercise of compulsive powers, sanctioned by tradition. This impression is reinforced by reports to the effect that, where Malays are employed on public works, they do not depend on their wages but rely on their own holdings for the necessities of life and use their money earnings for minor luxuries.⁴⁷

It is, of course, in the northern states of Malaya, annexed during the war to Thailand, where modern enterprise has not yet deeply penetrated, that one would expect to find some survival of institutions that go back to tribal days, perhaps even abuses which the welfare-minded Government of Malaya may not have been able altogether to eliminate. Moreover, it is not always easy to decide in what circumstances the use of compulsion to secure the man power necessary for the execution of public works may not have been justified by the existence of an emergency or a benefit to the whole community that could not have been obtained in any other way. Thus, L. Richmond Wheeler, a writer who cannot be accused of indifference to the public welfare, wrote about twenty years ago:

In Malaya the old feudal rights of the sultans are the foundation of the excellent land system by which its public ownership and use for the benefit of the resident community are enforced. Another example lies in a modified and purified use of the "kerah" or forced labour, formerly exacted by Malay chiefs without food or wage, whether for public works, such as roads, or for the chief's private advantage in building his "palace" or carrying his goods. This system was abolished by the British owing to its shocking misuse. But it is interesting to read in the Report of the Resident of Perak for 1924 that "communal labour was used in three cases to improve irrigation at a cost of one quarter of the contractor's prices. The innovation—or rather return to former custom—was generally appreciated."⁴⁸

Before British rule became entirely effective, even the state of Pahang was the scene of "an unlimited *corvée*, or forced labor, for indefinite periods and entirely without remuneration."⁴⁹ Porterage services for sultans and other great lords were commonly enforced.⁵⁰ Carriers were obtained from the village headman, and no wages were paid. Even though the laborers were supposed to be fed at the cost of the employing rajah or official, this was not always done.

In North Borneo, as well as in Malaya, the system of securing labor free of cost through a faked criminal procedure—a system still exemplified in the United States by a case in Florida in 1945—probably gained currency with the encroachment of European law, which frowned upon the much simpler older methods of temporary enslavement. In neither case are private and

public purposes clearly distinguished: the requisite number of men are fined for some imaginary offense and must work off the fine without pay other than their food. It would take us outside the scope of the present study to inquire into the extent to which, and the circumstances under which, convict labor has been used in India to further public projects. But it should be mentioned that many of the much admired older public buildings in Malaya, including Government House and the Cathedral in Singapore, have been built with Indian convict labor. That private individuals shared in the benefits of this free labor appears from the naive statement of an army officer who wrote:

For any particular or neat joiners' work, the Europeans are mostly dependent on the Chinese, who have erected nearly all the handsome dwellings in the British Settlements north and south of Perak; though a large share of praise is due to the admirable application of convict labor . . . mostly from India.⁵¹

He was sorry to see the exile of Indian convicts deflected to the Andaman Islands. A youthful British official in North Borneo similarly takes for granted that the use of convict labor for the benefit of individual employers is generally approved:

A certain Javanese coolie, named Kromo, . . . according to the manager, was a most desperate character, a rotter, a bad hat, an absolute "stinkbug", and was charged by him with the serious offense of "Criminal Intimidation". But boiled down I could only make the offense one of a very minor assault and sentenced him accordingly to a month's gaol.

Curiously enough at this time most of my wicker and cane-bottomed chairs required mending and I discovered that Kromo was an expert craftsman. So in prison clothes and keeping prison hours he sat under my house and worked—entirely to my satisfaction. Then one day the manager took it into his head to visit me and the fat was promptly in the fire with a vengeance! His tirade was lengthy, and nothing I could say would appease him. Government was a farce. The whole system of gaols was a farce, and my behavior was simply scandalous. Here was the biggest rogue unhung in the district, who ought to have been doing six months at least, sitting under my house and mending chairs!⁵²

Another British magistrate in his memoirs caustically accepts the use of prison labor for the private benefit of officials, evidently unaware that tolerance of this custom is likely to lead to a revival of despotic traditions.

Gaol-birds usually make good servants, and I have had many of them in my service for varying periods. In a country where there are no schools and time does not possess any real significance for the majority of the inhabitants, a few months in prison does a man a lot of good. It teaches him order, punctuality and discipline, and, to some extent, cleanliness. The nature of the crime is of some importance, and I never took on anyone who had been convicted of petty theft or any mean felony of that sort; but the adulterer, the head-hunter and the buffalo thief have

shown themselves to be men, and are worth a trial, at any rate, after they have purged their offences.⁵³

In North Borneo, as elsewhere, the divergence of criminal justice in the interest of the ruler—of which recent examples of the exploitation of prison labor are merely mild survivals—is, of course, a residue of conquest. For example, when the native kingdoms of Brunei and Sulu were overrun by the sultanates which now rule them, a feudal system was introduced under which every means of appropriating the labor of the indigenous inhabitants was permissible.

Each pangeran or datoh had his band of sycophants and retainers who battered like leeches upon the country. Their one object was to extract, by fair means or foul, the uttermost farthing. The limits to their extortion were set at the point where their own precious lives were placed in jeopardy or where there was danger of their victims, already shouldered out of the coastal districts by the Mohammedan settlers, migrating to a district possibly less fertile, but beyond the reach of their oppressors.⁵⁴

The use of a counterfeit judicial procedure was one of the earliest and most widely used means of effecting this purpose:

In districts where the writ of the pangeran ran, custom, however immemorial, and justice itself, counted for nothing if the feudal lord's interests were involved. The courtier, or the rich man with a weak case, went to the pangeran for his verdict, either as a court of first instance or by way of appeal, in sure and perfect hope that he would win. . . . The age-long authority of the village headman was eclipsed and the whole system of village administration undermined, not only within the sphere of the feudal lord's immediate sway, but within an indefinite radius beyond.⁵⁵

The British North Borneo Chartered Company, established in 1881, during the next twenty years bought out practically all of the feudal rights, reintroduced respect for the customary law of the people, and gradually supplemented it with laws expressive of the Western regard for fair dealing as between members of all classes.⁵⁶

SIAM

Thailand means "the land of the free." But Siam has not through the ages been free of men's desire to appropriate the fruit of others' labors. We have already reviewed the various forms of slavery and serfdom which, as in other parts of Asia, are best explained as institutional residua of conquest—in the case of this kingdom a long series of conquests from medieval to modern times. Compulsory public labor services, or *corvée*, here were difficult to distinguish—as they often still are in countries of more advanced civilization—from

compulsory military services. Both in theory were obligatory for the whole able-bodied population;⁵⁷ both were enforced much in the same way and equally resented by the people. Indeed, involuntary service was bound up with the class system which characterized Siam until recent times. Forced to follow a given occupation, a laborer or an artisan was easily compelled also to place his labor and his talent at the disposal of his lord and of powerful officials.⁵⁸ The dividing line between serfdom and occasional compulsory labor for a superior is difficult to draw. At every royal succession, the rights of the sovereign to the services of his "free" subjects—*Phrai Luang*—were reasserted by the enrollment of all adult males over seventeen years of age or, if of uncertain age, of a minimum shoulder height of 1.27 meters. All the lists were kept in the capital, and in theory those registered were obliged to give three months of every year to the execution of public works, such as the building of roads, canals, fortresses, pagodas, and naval installations. Only exceptionally could they be called up for work of more than one month a quarter or during planting and harvesting time. Around the turn of the century, the fee for commuting corvée duty—which might be paid in such products as bricks, lime, resin, or timber—was about fifteen or eighteen tical per annum—about fifty francs at the rate of exchange then prevailing. Of this amount, the provincial governor was supposed to deduct a portion for his fee, but often all payment was pocketed by intermediaries.⁵⁹ The army, in recent pre-reform times, seems to have been composed more of tribesmen of such ethnic minorities as Cambodians and Laotians than of Thai. But custom in this as in other regards, and the extent to which the Siamese crown could depend on the services of the various classes for either military service or public works, varied greatly from time to time; and the accounts of different authors do not agree.⁶⁰

The imposition of public services upon the supposedly "free" sector of Siamese society, on top of the many kinds and degrees of involuntary servitude suffered by a large part of the population, was sufficiently severe in its long-range effects to discourage enterprise. This tendency apparently increased in the nineteenth century and, according to some observers, led to a decline of arts and industries which had flourished in former times.⁶¹

The first extensive European account of Siam, written in 1771, mentions that every subject, free though he might be in name, at that time owed the king six months of work every year. But this was in theory only; actually only the poorest peasants served, and the rest bought themselves free of corvée by payments in kind:

Since the king has no use for the labor of all his subjects for six months, most of them buy themselves free of this service by paying about 24 *livres* of our money per month; others, less affluent, give rice, eagle-wood, aloe, ivory, or birds' nests. If all these payments reached their destination the king's treasury would be overflow-

ing; but the cupidity of the collectors ruins the people without enriching the monarch. He is, above all, cheated in the tax payments even though the taxes are collected with the greatest rigor.⁶²

But even these exactions were not all the peasants had to bear. They were exposed to arbitrary demands of their overlords which made life as hard for them as it was for the slaves.

The citizen never really owns a field or a garden; for as soon as the harvest has been estimated, soldiers come along to guard it for the king or for some favorite minister. These despoilers take an inventory of crops and tell the owners what is expected of them. When at harvest time the quantity is less than that in the preliminary estimate, the owner is penalized as though in fact he were guilty of larceny. Therefore some may be found who prefer to cut down their fruit trees rather than expose themselves to punishment for having neglected to watch over the ripening of fruit they have no hope of enjoying, anyhow.

This despotism stifles talent and industry. The workman is afraid of gaining a reputation for excelling in his craft because his superiority would expose him to the imposition of unpaid work for an ungrateful master who knows only to punish but not to reward. Thus also, during their six months' service to the state, they fulfill their duties without a taste for them and without exerting themselves. They are afraid of inviting perpetual servitude by doing their work too well.⁶³

The functionaries who made the advance inventories and collected the produce could be bribed; and the artisans no doubt had opportunities of paying back by cheating on the amount of material used in their work. But nothing could relieve the lot of the peasant who had to serve the master by bearing arms or digging ditches for six months of every year. W. A. Graham mentions⁶⁴ that in the 1850's requisitions and *corvée* labor still sometimes took as much as one-third of a man's labor. Ruth Benedict, in a memorandum commenting on this statement, suggests that there was an important distinction between these two forms of imposition. Agricultural labor, in the traditional nature of a work-party to cultivate the common land, even when most of the produce was taken away, was not as deeply resented as was forced labor on public roads. One reason for this was, of course, that *corvée* labor often took the peasants a long way from their homes and exposed them to unfamiliar discomforts, dangers, and tribulations.

Under the influence of a sympathetic British envoy, Sir John Bowring, a progressive monarch, King Mongkut (1810-1825), had endeavored to limit the recourse to forced labor by decreeing that wherever possible public works should be done with paid labor. During his reign, the waterways of the kingdom actually were built and repaired with free labor. But the rural population was still conscripted for road construction, canal dredging, police work, and portage. Officials still managed to requisition labor and services for their

private benefit—even during harvest time, when no man could easily be spared. Only by slow steps did the principle gain ground that forced labor for private profit was illegal; that public work was to be paid for at fixed rates; that conscripted labor was to be used only when no free labor was available.⁶⁵

Several circumstances combined to make reliance on voluntary labor hazardous during the modern period of Siam's economic development. With a peasant class still accustomed to regard wage labor as an exceptional supplementary source of income, with distances and fragmentary means of transportation which made it difficult to assemble a labor force adequate for any substantial project, and with the impetuous demand of large, tax-paying foreign enterprises for improvements—and sometimes also for help in securing their own labor requirements—continued recourse to compulsory labor was almost inevitable. Prison labor was drawn upon extensively, and still is to this day, though under conditions more humane than a century ago.

The prisoners are mostly turned out by day, and employed in public works of all sorts. At night they are all fastened together by one long chain, and it is said they are so crowded that there is scarcely room for their bodies on the ground where they lie. Groups of criminals are constantly met within the streets, bearing fetters from the lightest to the heaviest, and escorted by the police, armed with muskets or thick staves of bamboo.⁶⁶

In the subsequent period of economic expansion, prison labor could not suffice to meet such large and growing needs. It is but natural, therefore, that the poll tax, forcing people to earn money wages if they would avoid jail sentences, still was quite recently the principal reliance of the Siamese Government for a labor power which it either could not or would not purchase at current standard wage rates.⁶⁷ "The Siamese people," wrote James M. Andrews,

plainly do not like to perform arduous daily labor on wages, and are very ready to leave this field of occupation to Chinese immigrants. In regions where economic conditions are very bad the rural Siamese perform various odd jobs in order to earn the cash to pay taxes and, in many cases, they find it easier to perform labor for the government than to pay taxes. Sometimes, even, they make money at this: the government supplies them with a daily food allowance while they are working off their head taxes and most of them save this allowance for other purposes and consume their own home-produced food.⁶⁸

The first reform—though largely on paper—was the prohibition of forced labor in 1900, when the central Government reserved for itself the right to impose compulsory service on works of public utility instead of permitting any local official to enforce unpaid services. In the next decade, it was decreed that compulsory labor services might be imposed only at times and in places where wage labor could not be obtained. This also, in practice, meant a continuation of compulsory labor in many parts of the kingdom where the

habit of working under discipline had not yet found entrance and where any kind of labor away from home still carried an implication of degradation. This attitude was strengthened by the exemption of those able to pay the poll tax from all obligation to work for the authorities. However, during the economic depression of the thirties, which hit Siam with great severity, the reform Government decided on a large integrative program of road construction, both to ease unemployment and to facilitate the combating of banditry; and at this time the traditional hostility to the acceptance of public employment on such works seems to have been successfully overcome.

INDO-CHINA

As in Siam, the distinction between serfs and freemen often is so vague that the best authorities disagree as to nomenclature and definition. In Cambodia, for example, until modern legislation was forced upon it under French rule, practically the whole population below the rank of mandarin owed the king services which at times were quite onerous. As in Siam, the so-called free men were sometimes referred to as men of the forest, or men charged with functions in the forest; and perhaps the best nonlegal description of this group is to conceive of them as people who, not attached to any particular landed estate or agricultural exploitation, were primarily woodsmen and hunters, hence also potential warriors, with all the independence, subject only to the will of the ruler, which their way of life originally implied. But as time went on, the *anaprajanuras*, or "assembly of human beings," became the subjects of the court and mandarinates with their alien culture and superior knowledge: *rastra* and *dasakarya*—plebs and servitors. Still nominally free to travel and settle where they would, they were now weighed down with heavy *corvée* duties. Writing at the turn of the century, Aymonier said:

The whole male and ablebodied population of the kingdom between 21 and 50 years of age owes up to ninety days a year for *corvée* service—having to find their own food. This principle, elevated to the rank of a national tradition, explains a number of historical problems. . . . The bonzes, Brahmins, the Brah Van, mandarins, and their servants, and all employed by the king, are exempt from *corvée*.⁶⁹

When this was written, the traditional labor obligations had already been modified by a number of French Government measures.⁷⁰ Indefinite and multiple demands for services had been abolished or commuted into a precise system of "labor dues" (*prestations*), as a form of taxation for the sole purpose of carrying out necessary public work, such as road maintenance and improvement (*travaux de vicinalité*), local sanitary services, and the combating and prevention of fires, floods, insect pests, and other calamities. The principle of this commutation of traditional compulsory labor services was first recog-

nized in a decree of May 10, 1881, which later was extended from Cochin-China to other parts of the peninsula. In December, 1917, the governor general combined a number of previous decrees, some of them optional, in an inclusive order resolving all compulsory labor services in the general tax law, defining their commutation into money payments, and stipulating ten days' labor as the limit to which provincial authorities might oblige villagers to work without pay on the maintenance of local roads and dikes.⁷¹

Today, compulsory labor in Indo-China survives more largely in the areas with traditional economic production and organization than in those with a predominance of modern large-scale enterprise. The mountain populations of the interior for the most part are required to give ten days a year to public work; but five of them may be commuted. However, it is sometimes difficult to make clear distinctions between some form of hereditary serfdom and a customary *corvée*. Both have been legally abolished, and of both there are still traces in areas remote from the direct control of the colonial Government. According to a recent prewar report of the Labor Inspection Service:

Forced labor is in principle prohibited and has only been retained as a transitional measure in some outlying areas without means of communication, where no wage-paid labor whatever is available. The regions where recourse may be had to forced labor are limitatively enumerated, and their number is steadily decreasing.⁷²

In Cochin-China, forced labor was abolished in 1898; in other parts of the Union soon after. But full enforcement of the prohibition did not seem advisable for two reasons. In some areas—for example, among the Muong tribes of Laos—the system is so deeply integrated with other customs and with the whole social organization that the French Government, always unwilling to interfere too much with the traditional ways, has thought it best to leave it undisturbed. In other circumstances—as, for example, the constant need for protecting river dikes in Annam and Tonkin, without which there would be devastating floods—it was difficult sometimes to distinguish the public interest very clearly from that of private landowners; here the Government saw fit so to interpret the Geneva Convention (see below) that emergency work on the repair of dikes, though often of benefit to individuals, is regarded as public work and, should the need arise, assigned as a compulsory task to near-by villagers.⁷³ Moreover, at about that time there came an insistent demand from certain employer groups that the Government permit them to recruit labor as best they could in consideration of their contributions to the colonial budget. A too rapid growth of population and a consequent need to relieve overpopulation by the irrigation of more land for rice cultivation was one of the reasons why, apart from projects of resettlement, there were also in recent prewar decades frequent movements of labor gangs, especially from Annam to Cochin-China. At one time—in the late

nineties—the Government's public works program was so large that private employers complained of its interference with their normal labor recruiting. Recruiting, at that time, was itself often conducted in such a way as to be almost compulsory. Hereditary village authorities still disposed over a large man power (see above, p. 108) which they were not averse to sell to the highest bidder. In fact, so scandalous had the mass contracting of laborers through their rulers become in Tonkin⁷⁴ that, after an official study of the situation, the Government promulgated an edict in 1910 imposing direct supervision by labor inspectors of the Union Government of all labor contracts entered into with local authorities. Contracts had to be sent to Saigon for registration, after permission for them had previously been obtained from the local administrator, and were then sent for his approval to the Resident of the province where the laborers lived. This system remained in force until the end of the First World War, when the return of large labor contingents from Europe made necessary even more stringent measures of control.⁷⁵ In 1916, a labor ordinance was enacted which listed in great detail the occasions on which the use of forced labor was permissible and the conditions under which it might be used.⁷⁶ In the minds of the local notables, who alone were in a position to procure large supplies of man power for either public works or private enterprise, the distinctions were by no means clear. Not only had the private interests of the hereditary rulers and the lesser mandarins always been served along with those of the community at large, but in the recruitment burdens had always been laid upon those least able to protect themselves and those who for any reason "deserved punishment." Porterage services especially were supplied with an abundance of labor, and these services even more than others were disastrous in their effects upon the hapless victims. They often had to go long distances from their homes, exposed to difficulties of terrain and weather and insufficiently fed, exposed also to maltreatment by labor overseers unrestrained by the watchful eyes of the home people. "The horror of burden bearing," writes Miss Thompson,

is profound in the hearts of all men. Even when they were well paid, requisitioned coolies did not emerge physically and morally unscathed. And sometimes force had to be used on them. Men were often taken from far more useful work in the fields. . . . Village notables arbitrarily selected their victims who were perennially the same. These men spent their lives perpetually in transit from one *corvée* to another, without fêtes or family life. Villages were deserted at the approach of a traveller who might have a permit to requisition assistance.⁷⁷

Officially, all this has been abolished.⁷⁸ Actually, the habit of having work performed by unpaid laborers persists, and sometimes the dividing line between forced, unpaid labor and voluntary, paid labor is less a reality than a legal concept. Thus, as recently as 1937, *corvée* was again abolished in the area under

direct administration; and in the areas under indirect rule the stipulation that it may be resorted to in emergencies continues to permit a loose interpretation. Indeed, the exemptions that were still claimed by the French Government in ratifying the Forced Labor Convention adopted by the International Labor Conference in 1930 went even beyond the liberal use of such labor permitted under the general provisions of that code. Under the Convention, no person may be required to perform forced labor for more than sixty days in the year. The French ratification, applicable to all dependencies of the empire, permitted the employment on general public works of forced laborers without limitation of time. Moreover, it eschewed the self-imposed limitations of other signers of the code on the exaction of forced labor as tax payment.⁷⁹ While, therefore, ratification of the international Convention remains incomplete, the law of December 30, 1936, passed while the Front Populaire was in power, went somewhat further to protect those less advanced tribes of Laos and Cambodia which especially had been victims of officials enriching themselves with the proceeds of forced labor. It established the right of all subjects to commute traditional labor services to their chiefs into tax payments, reduced the maximum number of days of labor that might be required of any person to sixteen or twenty, and the work place to a short distance from the laborer's place of domicile; it provided that enough able-bodied men must be left to take care of the crops, according to the season, laid down minimum requirements regarding housing, food, tools to be supplied, and other conditions of employment, and set limits to the portage services that may be commandeered. If it can be fully enforced, this law may be said to have made an end to the inhuman forms of compulsory labor formerly current in Indo-China.⁸⁰

One of the first promises of the Democratic Republic of Viet Nam has been that of complete abolition of compulsory labor on public works as a form of taxation.⁸¹ In the areas under French rule it was finally abolished under a decree of July 24, 1947, which defines it as "any work or service required of an individual which he did not seek of his own free will, except work arising from his constitutional, civil, or military obligations or from the serving of a sentence under common law."⁸² Unfortunately this decree—which also covers other matters—contains a clause which suggests that the prohibition of compulsory labor may possibly not be enforceable precisely in those economically and politically backward areas where it is most needed. It will apply "without distinction of race or nationality and *without prejudice to the rights of the associated States in question.*"⁸³

To complete this section, it is necessary to refer to the large use of Annamite labor forces in France during the First World War. While other Allied powers also used such labor battalions made up of dependent subjects (including a small contingent of Filipinos), none of these "colored" auxiliary labor troops were so numerous as the Annamite (which numbered about a hundred thousand),

and none complained so much about the treatment received. Although the recruitment was voluntary in name, it was actually no more free than that for the phosphate quarries of New Caledonia in the following decade.

It was reliably reported that there was a fearful wailing and gnashing of teeth in the little country villages where the unwilling recruits were collected under military guard. Some jumped overboard from the transports in a frenzied effort to make good their escape.⁸⁴

It is believed in well-informed circles that the iniquities connected with the recruitment of Annamite labor, first for war work in France, and then for degrading and crushing contract labor in New Caledonia and the New Hebrides, have had not a little to do with the growth of the nationalist movement in Indo-China.

This movement was strengthened by the heavy burden of forced labor to which the peoples of Tonkin, Annam, and Cochin-China were subjected by the Japanese from 1941—with the connivance as it seemed to them of the Vichy Government. In 1943, labor services became compulsory for all able-bodied persons between sixteen and forty years of age, without distinction among public works, productive work for private employers, and war work. Severe punishment was provided even before that time for incitement to boycott or strike. In spite of measures taken to win the voluntary cooperation of farmers, miners, and industrial workers, and in spite of repeated "reorganizations" of the administrative machinery, the experience of the war years gave a strong impetus to the nationalist movement on its social as well as its political side. After a brief period of undisguised Japanese rule, in 1945, the Democratic Republic of Viet Nam was proclaimed—but not soon enough to prevent the re-establishment of French rule in September of that year.

This is not the place to review the complicated political and military operations since that time. Suffice it to say that both the French and the Republican declarations of purpose throughout the period of conflict have stressed the adoption of economic and social policies that would go much further than those of previous reform administrations to convert an essentially colonial regime into one motivated primarily by the welfare of the people. And in these discussions the rights of ethnic minorities, of oppressed classes, and of populations suffering from unliquidable indebtedness and dependency, are playing a conspicuous part.

INTERNATIONAL ACTION

Reference has been made throughout this chapter to the close connection between forced labor and other forms of involuntary servitude. Perhaps none of them, short of slavery itself, has received so much public attention. As far as the dependencies in the Pacific are concerned, governmental concern and popular opinion in the home countries have produced a body of legislation

which in some instances has, in the tenor and precision of its prohibitions, gone beyond the general principles embodied in the international conventions further to be discussed below.⁸⁶ There are, however, as we have seen, remnants of legal compulsion embedded in the indigenous customs recognized in territories under indirect rule. Forced labor—in the sense that legal force is used to drive unwilling persons, sometimes whole communities, to work for private enterprise—still rears its head occasionally in places to which the arm of the central Government does not penetrate and where indigenous rulers or local officials are exposed to bribery by employers unwilling to pay a fair price for the local labor they wish to use in their enterprises. This is a problem which more adequate transportation facilities and more effective methods of administration can probably be counted upon to solve.

More difficult to cope with is the task of recruiting adequate labor for public works in sparsely populated areas which also are difficult of access. Most of the governments in Southeast Asia have legislated for a strict regulation of such public compulsory employment, as we have seen. They have subscribed to the international standard that compulsion shall be applied only in cases of emergency, on works of public utility, and that the labor employed under such compulsion must be paid for at current rates, must not be for more than a stated maximum number of days in any one year, must allow for the essential services in the seasonal agricultural work in the home community, must select its labor crews only from among able-bodied adults, and must be surrounded by every safeguard against ill health and excessive exertion or discomfort.⁸⁶

One special form of compulsory labor, however, still awaits developments in some of the countries and dependencies of Southeast Asia to make legislative action effective—compulsory transportation service. A former chief of the Native Labor Section in the International Labor Office has called portage “a hardy annual,” since it frequently comes up for fresh consideration, and “the worst scourge under which many native peoples suffer.”⁸⁷ Although this comment had particular reference to Africa, similar complaints occasionally come from Southeast Asia. In the absence of good roads, essential government services are impeded by lack of transportation unless local villagers can be called upon to carry necessary supplies. The case made for the retention of the legal right of government agencies to conscript labor for portage or for inland navigation often is supported with reference to medical services in times of epidemics or the exigencies of surveys and other expeditions for purposes beneficial in their expected results to the social welfare. Actually, in some mountain areas private commerce and even tourist travel has been built up, almost literally, on the backs of carriers who had no choice to refuse services on the ground either of being engaged on more essential tasks or of being dissatisfied with the offered terms of employment. The legal powers of

compulsion have been greatly misused, and no complete remedy has yet been found.⁸⁸ It is not even possible under all circumstances to determine when an emergency exists, such as that recognized in the international Convention as permissible ground for compelling village people to leave their regular work and take part in a public undertaking. Especially when the site is remote from the scrutiny of protective agencies, there is always a possibility that local rulers and private enterprises will take advantage of such an occasion to secure free labor for some construction work of special profit to themselves.⁸⁹

In some of the countries of Southeast Asia, as elsewhere, such compulsion has at times been excused with the statement that it serves as a means to educate indigenous people for disciplined and regular work. However, experience has shown that this claim has no foundation in fact; and world opinion today tends toward the view that the use of compulsory powers to recruit labor for any purpose whatever, no matter how beneficial, should be discouraged by legal provisions for its payment at rates no lower than those current for similar exertions in the labor market, and under regulations fully safeguarding the welfare of the workers. But even such legal provisions cannot completely rid the sparse populations in remote areas of the dreaded calls for man power to perform unaccustomed heavy tasks, sometimes far from home, and under a discipline derogatory to human dignity. Improved transportation, the gradual dissolution of antiquated forms of local administration, improved labor inspection services, and above all education and democratic participation in all stages of legislation and administration are needed to eradicate the abuses that have grown up around the compulsory use of labor.

These matters were repeatedly discussed in the Assembly of the League of Nations. Indeed, the League Covenant initiated official international action in this field. The League's principal contribution was to lay the responsibility for the use of compulsory labor on the central government of any territory, so as to lessen the danger of abuse by those local interests that might overshadow the local government and divert that use to private ends. The Convention adopted on this point reads:

In all cases, the responsibility for any recourse to compulsory or forced labour shall rest with the competent central authorities of the territory concerned.⁹⁰

The problem of compulsory labor significantly first came up in a committee of experts charged to recommend international action for the eradication of slavery. This Temporary Slavery Commission, set up in 1924, reported that the greatest danger for the recurrence of conditions of slavery lay in the widespread use of labor not technically slave, yet unfree. The compulsion of subject people to work for private employers, though it did not produce legal ownership, was even more injurious in one respect—namely, the absence of any incentive on the part of the user of such labor to provide reasonably adequate

subsistence and humane treatment. On the strength of this report, the Assembly of 1926 both abolished slavery and agreed to "take all necessary measures to prevent compulsory or forced labor from developing into conditions analogous to slavery." The Convention adopted contained one clause, however, which prevented many governments from ratifying it, since it seemed in practice to prohibit the use of compulsory labor under any conditions, even the mildest—a clause to the effect that such labor must not involve the removal of the workers from their usual places of residence. In any case, the stipulation that such labor must be adequately paid at local customary rates seemed preposterous to those authorities which were in the habit of using it precisely because they were unable to find the money for improvements and developments which in their judgment were desirable in the interest of the native people themselves.

Resolutions and conventions framed in such general terms as to be acceptable in countries and dependencies with the most varying conditions and traditions obviously could not go very far. The League therefore instructed the International Labor Office, which already had made one report on native labor, to study further the subject of compulsory labor. Because of this, and since similar problems had arisen in the Mandates Commission, the I.L.O. set up a Committee of Experts on Native Labor, largely composed of colonial administrators. Probably as a result of this composition, the committee decided that forced labor could be internationally regulated but not immediately abolished. The use of such labor on profit-making private enterprises was universally condemned; but there was some question as to whether, where enough free labor was not available, the use of private contractors for the construction of public works with forced labor could be entirely eliminated. Moreover, realists pointed out that local authorities nominally subscribing to such elimination often could get around it. They might "advise" native villagers to accept labor contracts offered by private employers with an urgency practically amounting to official coercion.

A Draft Convention adopted by the International Labor Organization in June, 1930, looked toward eventual abolition of compulsory or forced labor. The signatory states undertook to suppress it "within the shortest possible period" and meanwhile use it "for public purposes only and as an exceptional measure."

During the transitional period, forced labour is to be used only for necessary work of important direct interest to the community concerned. Only physically fit males over eighteen and under forty-five years of age are to be called up for such work, and their number is never to exceed 25 per cent of the resident able-bodied male population. The period of work is not to exceed sixty days in twelve months; hours of work are to be the same as those of voluntary workers; wages are to be paid in cash; workmen's compensation for sickness or accident is to

be provided in some form; special measures are to be taken when men have to leave their homes for lengthy periods; workers are to be permitted to forward complaints to the authorities, and adequate provision is to be made for inspection. Special restrictions are placed on porterage, labour for chiefs and labour exacted as a tax. Compulsory cultivation is only to be permitted as a precaution against famine or a deficiency of food supplies, except where production is organized on a communal basis.

No forced labour is to be allowed for private employers, and administrative officers are not to put constraint on the population under their charge to cause them to work for private employers. Necessary exceptions provided for include cases of grave emergency, minor communal services, service of a purely military character exacted under compulsory military service laws, and the labour of convicts (provided, however, that convict labour must not be made available for private employment).⁹¹

This Convention was reaffirmed and amplified by the Recommendation of the Committee on Social Policy in Dependent Territories of the Twenty-sixth International Labor Conference, held at Philadelphia in 1944. Article 7 of that Recommendation—which, of course, merely registers a general consensus until it is accepted by any government—reads:

1. The use of forced or compulsory labor in dependent territories, which may have been inaugurated during the present war emergency, shall be eliminated entirely within the shortest possible period. In the meantime measures shall be adopted in dependent territories to increase the spontaneous offer of labor.

2. The use of forced or compulsory labor in all its forms shall be suppressed within the shortest possible period.

3. Where forced or compulsory labor is used in dependent territories as a temporary and exceptional measure the conditions and guaranties provided for in the Forced Labor Convention, 1930, shall be respected. In no case shall the use of forced or compulsory labor by private employers be permitted, irrespective of whether or not the State contracts with the employers.

4. Consideration shall be given to the possibility of eliminating or withdrawing any exceptions to the application of all the provisions of the Forced Labor Convention, 1930, in dependent territories.

5. Consideration shall be given to the application of the Forced Labor Convention, 1930, to those dependent territories in respect of which the Convention is not already in force where forced or compulsory labor may occur.

6. Consideration shall be given to the desirability of ratifying the Forced Labor Convention, 1930, by such States as have not already done so and are responsible for dependent territories where forced or compulsory labor may occur.

Relevant also is Article 8:

With a view to avoiding the development of indirect compulsion to labor, consideration shall be given to the application of the principles set forth in the Forced Labor (Indirect Compulsion) Recommendation, 1930.

The conditions so carefully laid down in the international Convention of 1930 have repeatedly been invoked in the countries of Southeast Asia as justifications for a continued use of compulsory labor. But it is almost always a matter of judgment rather than of objective fact whether the contemplated project is "important" and whether a sufficient labor force could not be attracted by an adequate offer of wages. In practice, the use of labor conscription is limited in normal times to sparsely populated areas and to areas with an indigenous population still unaccustomed to the use of money. However, it may be questioned whether in these latter instances resort to compulsory labor is not, the international Convention notwithstanding, sometimes motivated rather by the desire to exact contributions from the more primitive population groups toward the tax revenue than by the urgency of the public works on which they are employed. Hints of this will have been recognized above, in the sections on Indonesia and on Indo-China. Moreover, in both of these areas, and in others, too, forced labor for private employers still survived to some small extent in recent times, and the sense of the rightfulness of its use under the native concept of law is still too much alive to promise a very speedy completion of its total abolition. There are those who believe that it will be impossible to get rid of these vestiges of abuse until forced labor for public purposes, too, under any conditions except those of a public emergency, is abandoned.

In the literature on our present topic, private and official, the same terms are often used for different things, and different terms for the same thing. The International Labor Organization has tried at various times to secure agreement on definitions that lead to a clearer understanding of the distinction between involuntary work when performed for private interests and when performed for public purposes.⁹² It takes the stand that in world opinion the use of forced labor for private purposes is already outlawed; that the only question for public policy is the extent to which, and the rate at which, its use for public purposes shall be abolished.⁹³

Progress in the elimination of compulsory labor was temporarily halted by the war. The Japanese military authorities coerced millions of people in Southeast Asia into services which were in part contrary to international law and in part against the most elementary principles of humanity and justice. Military mastery was not the only purpose. There also was the aim of making as much as possible of the region's man power subservient to the economic interests of the Japanese homeland. In addition there was the more justifiable use of compulsion to insure the subsistence of millions of people at a time when the regular channels of external trade were clogged and some of the normal processes of production and internal exchange were interrupted.

It would take us outside the scope of our discussion to review here in detail the character, extent, and consequences of Japan's use of compulsory labor in

Southeast Asia.⁹⁴ The present chapter would be incomplete, however, without at least passing mention of the special difficulties in the elimination of compulsory labor—to which all the governments of the region are dedicated in principle—which the wartime revival of this institution has produced. For apart from the brutality of many of the measures taken to secure labor for defense works and production, they were also in many instances designed to revive class concepts and divisions that are inimical to the growth of democracy. This secondary purpose and effect should not be overlooked.

Three centuries ago, the East India Companies and the colonial governments found compensation for the weakness of their military installations in the use of indirect rule. Its perpetuation into modern times has kept alive, as we have seen, traces of Asian despotism which a more radical interference with the cultural heritage would have eliminated. During the war, the Japanese tried to use the existing class structure in the same way as a means of fortifying their rule. The class concepts of former times were revived to justify compulsory services to the authorities. Although in many instances wages were nominally paid for work which once, under customary law, had been obligatory upon some or all of the subjects, these wages were kept so low as to be insufficient even for bare subsistence. Sometimes labor services were so organized as to make them the duty of particular groups of the population. A pseudo-voluntary recruiting of workers for particular services often was so manipulated as to accentuate class and group differences. Separate labor squads thus were formed, for example, for Chinese, Moslems, Buddhists, Eurasians, racial groups. Students were enticed to join special labor corps with promises of training for careers of "leadership" over less advanced population groups.

These tactics need only to be mentioned to show how sinister, with a prolonged Japanese occupation, they might have become for the social unity of the people; how close the masses of the people have been to losing once again the established recognition of universal human worth which is their greatest hope.

As intimated in the International Labor Conference Resolution (above, p. 201), wartime deviations from the accepted principles have been justified with reference to public necessity. In certain instances, they are to be explained more correctly in terms of military convenience. Not a few cases could be cited in which the use of forced labor on military works has been continued when the immediate military emergency—under which the international commitment permits it—was over, to supply man power for works of administrative and general economic utility that could have been carried out with resort to voluntary recruitment. In the Pacific area, and especially in Southeast Asia, the Japanese have been more guilty of this practice than the nations allied against them—mainly, of course, because they were in occupation and had the opportunity for construction works, large and small, in the

interest of the regimes they had inaugurated or were sponsoring. But the main reason for their frequent resort to compulsory labor was the haste with which they attempted, first, to strengthen their military effort with the material resources of the conquered territories and, second, when shipping tonnage had become hopelessly inadequate, to strengthen their outer defenses. Examples of these compulsions will be found in Appendix D. Here it need only be stated that Japan had ratified the Forced Labor Convention of 1930 in 1932 and so in this matter as in so many others has been guilty of disregarding an international commitment.⁹⁵

International labor conventions disregard, as outside the operation of civil governments, the compulsion often applied to the use of labor forces in wartime. All civilized states, including the United States, saw fit, during the two world wars, to continue a tradition which may be said to wipe out any claim to the use of a "democratic" procedure in the pursuit of war aims. Subject peoples and segregated racial minority groups, even when conscripted on the same plan and with the same population quotas as members of the dominant groups, were largely or wholly assigned to labor services. Or if some were enrolled as equals in assignment to the fighting forces and admission to the higher ranks, the majority of these—usually "colored"—groups had no such choice. In the dependencies of Southeast Asia, the indigenous conscripts during the Second World War often made up a substantial part of the regular army; when sent to other theaters of war they were invariably assigned to the labor battalions.

This use of compulsory labor—for that is essentially what it amounts to even when nominally recruited on a voluntary basis—was first resorted to in a large way during the First World War. It was relied upon to a much larger extent during the Second World War, but this time, because of transportation difficulties, more fully in the western Pacific than in Europe. While this extensive use of compulsory labor in war is no part of the present study, the opinion may perhaps be hazarded that it is contrary to the growing sense of human dignity among the masses in all the countries here under review, and that because of this it has contributed not a little to the outcome of the war. First, the popular revulsion against the excessive and brutal military employment of indigenous labor by the Japanese occupation forces was an important factor in the resistance which slowed up and eventually defeated the Japanese plans. Second, as illustrated more especially in the case of Burma and Indo-China (see above, pp. 106 and 197), the revival of large-scale compulsory labor in wartime may have been an important factor in the subsequent movements of insurrection against both foreign and indigenous authority which characterized the period of postwar reoccupation and resumption of normal government. Be this as it may, it is certain that a world opinion which has condemned the use of compulsory labor except in cases of extreme necessity

will not sanction its continued and increased use in time of war. As long as military services are compulsory, the requisite labor services connected with them must, of course, also be compulsory; but recent experience, the world over, tends to show that a discriminatory assignment to them on grounds of lower civil status leads to resentment and is incompatible with the humanitarian aims of the labor conventions.

Both in war and in peace occasions arise when the adjustment between economic demand and supply of labor does not operate fast enough to supply the masses of the people with a living. In such emergencies international sentiment permits the temporary use of compulsion as the organizing force. More dubious is its use in developments of a less urgent nature which ultimately are for the benefit of the indigenous population but which that population with its limited experience cannot immediately recognize as such. It has been contended that without compulsory labor many of the jungle-overgrown plains of the Asiatic tropics could not have been cleared for commercial agriculture rapidly enough to warrant the necessary investment; swamps could not have been drained; roads could not have been laid through thick forests and over steep mountains. Some historians aver that without the imposition of labor services or of taxes payable in cash, hence forcing the indigent subjects into wage labor, modern civilization could not have taken root at all. The question whether the indigenous population really has experienced a net gain must be left to the social philosopher—at any rate cannot yet be answered with any certainty. But that the use of coercion by an enemy power to entrench itself as conqueror and to bolster up its economic mastery can produce only harmful social effects permits of no doubt.

Actually, the war experience has served to strengthen the demand for the abolition of involuntary labor in every form throughout continental Asia. At the Preparatory Asian Regional Conference of the International Labor Organization at New Delhi in 1947, resolutions were adopted to eradicate forced labor and agricultural servitude.

Some forms of forced labor, illegitimate exactions, and servile land tenure still persist in varying degrees in the agrarian structure of certain areas of some Asian countries, and their existence is not only a denial of the fundamental rights of human beings but also a menace to the speedy and full development of the economy of the areas concerned.

The Conference therefore requests the Governing Body to call the attention of the Governments of Asian countries to the immediate necessity of taking effective steps for the eradication of forced labor and servitude in all their forms where such exist, and to instruct the International Labour Office to study this problem with the assistance of the Governments of the countries concerned.⁹⁶

Other recommendations agreed upon would have the effect of so improving

the position of small farmers, agricultural wage-earners, and aboriginal nomads that they could pay modest taxes without pledging their labor. Furthermore, the recommendations provided for the two prerequisites of protection against unjust demands: effective application of the principle of freedom of association, and the maintenance of an adequate system of labor inspection.⁹⁷ With the exception of Viet Nam and Indonesia, all the states of Southeast Asia were represented.

The report prepared by the International Labor Office on this part of the agenda registered improvements in the region during recent prewar years in the regulation of employment on public works projects, but added that abuses still frequently occurred in the mobilization of local labor for building roads or bridges in sparsely populated areas.⁹⁸

In spite of the political changes and readjustments of the postwar period, the situation in Southeast Asia is favorable for a large advance in protective labor legislation. Impelled by public opinion, most of the governments of the region desire to cooperate in this matter with each other and with the agencies of world opinion. In this general atmosphere of reform lies the hope that the last vestiges of forced labor will be eliminated in this generation, and that resort to compulsory employment on public works will become a rare occurrence in times of peace.

Labor Relations in Modern Enterprise

ALL OBSERVERS except the most prejudiced are agreed that during the last quarter of a century labor conditions in Southeast Asia have greatly improved in the modern sector of the economy. This is not the same thing as saying that the welfare of the people generally, including the whole peasantry, has experienced a commensurate improvement.¹ On that question, as we shall see, opinions are divided. Nor are labor conditions anywhere in this region on a par with those in Western countries or their dominions. Yet, an era of bold legislation and of creative managerial thinking separates present employment practices from the thoughtless greed which formerly ruled the exploitation of Asian labor.²

For more than two centuries, the capitalist heir of the power formerly possessed by native rulers was able to appropriate a large share of the labor power of native peasants and of immigrant laborers. Aided by traditions of long standing—rooted for the most part, as we have seen, in conquest—that had made the peasantry submissive, colonial merchant companies and their governments were able to secure at low cost also a large part of the product of nominally free and independent farmers. Before the latter part of the nineteenth century, the welfare of the indigenous population hardly entered into the policies of its rulers except in so far as it might affect the production of wealth.

“In the tropical plantations,” writes the Indian sociologist Radhakamal Mukerjee,

the need of organizing labor for the production of only one kind of crop in large quantities is largely responsible for debt-bondage, contract and forced labor, which are often more inhuman than the old system of domestic slavery.

And again:

Labor is demoralized by the herding of masses of men, recruited from the countryside, into the plantation centers, which either keep apart the sexes, by employing men only or women only, or else permit their indiscriminate intercourse owing to the neglect of housing in such centers.³

This is not a prejudiced Asian indictment but one shared, a generation ago, by many qualified Western observers, including scientifically trained travellers, estate managers, and public officials. The condition summarized in the quoted paragraphs still represents the reality for many people, because it gave rise to a substantial literature, whereas the great improvements since introduced not only have failed to attract popular attention but also have escaped impressing themselves on certain reputable writers, who, in describing the conditions of the past, believe they are doing justice to those which now obtain. But quite apart from this, the part played today in the uprising of dependent peoples by vivid memories of conditions of which many of them, or their progenitors, have been the victims, has an importance that can hardly be overestimated.

It is the source of many otherwise incomprehensible outbreaks of xenophobia. These outbreaks were unforeseen to some extent because the peasant populations which carried on a supposedly independent existence on areas reserved for them near the large estates were considered unprogressive, satisfied with their lot, tradition-minded. But some of them did produce commercial crops under foreign tutelage, and some of them worked intermittently on the plantations themselves. Neither of these groups could remain entirely uninfluenced by typically proletarian ideas; and some of them, as Boeke and other trained observers have shown, did acquire new tastes that could not be satisfied by adherence to the inherited economy. When indigenous or alien Asiatic contractors acted as intermediaries between them and the estate management, they were likely to suffer from exploitation as well as from the pressure of an unaccustomed discipline without enjoying all the benefits afforded by the newer, welfare-motivated labor policies of the colonial administrations. And when, during the economic depression of the thirties, these dependent growers and marginal labor forces lost the source of income on which they had come to rely, their lot was not so much that of servants who had regained their freedom as that of bondsmen who had suddenly lost their master and the whole apparatus of production to which their existence was geared.

"The demand for plantation labor," says a recent report of the International Labor Office,

is determined entirely by the world demand for the products of plantations, and hitherto that demand has been subject to violent cyclical fluctuations. At the time of the great depression between 1929 and 1932, the price of rubber dropped from tenpence a pound to less than twopence, and the price of tea from 0.75 guilder the half-kilo to 0.28 guilder; and the prices of other plantation products fell on the average to something like one third to one quarter of the pre-depression level.⁴

Yet even in times of economic depression, the capital invested in Asian

plantation enterprises often earned a dividend which would be considered normal in other industries—simply because of the extremely low cost of labor and because of the fact that, with the employment of contract labor and with short-term planting contracts with the local farmers, the consequences of reduced markets could to a large extent be devolved upon the helpless producers.

Within the native sector of the economy that had remained separate, incentives for the improvement of the poorer peasants' conditions had always been few and feeble. The moral precepts of Buddhism and Islam, no less than of Christianity, were widely enough observed, perhaps, to prevent the cruelest forms of inhumanity, especially where personal relations between members of different classes still moderated a crass pursuit of gain. The romantic exaggerations of travellers' tales should not blind us to the fact that modern ideas of human worth have to some extent penetrated all Asian society. The contented villager who has never heard of the outside world, never seen and desired products of our machine civilization, is largely a myth.

Despotic and exploitative practices in labor relations which once were general do not automatically disappear with the progressive transformation of a precapitalistic economy into a modern one. A large area of production is precapitalistic though it makes use of modern tools and techniques. The attitudes still are those of masters and servants, not of employers and employed. Indeed, it would be unreasonable to expect that labor laws and modern labor standards would be fully enforced in a society whose labor supply and lower management personnel are as yet largely drawn from the indigenous population of peasants and craftsmen, steeped in the customs of the past. Lastly, it may be questioned whether in any society it is possible to dissociate lack of freedom in labor relations from other elements of thralldom and to apply emancipatory measures to it. How can the wage-earner stand up against his employer when he belongs to a community where the agrarian system is dominated by a feudal relationship or where only the owning class is enfranchised? Many writers have pointed out that political independence is a hollow achievement if the people upon whom it is bestowed or who have acquired it do not also enjoy a corresponding degree of independence in matters of livelihood.⁵ But it is equally true that individual freedom in labor relations, or that degree of it which the wage-earner normally enjoys in modern industrial society, cannot be guaranteed by law if the making of laws or the civil service which enforces them is monopolized by a class that is interested in low labor costs.⁶ In this respect, obviously, national political autonomy is no protection; for the pressure of an indigenous capitalist class differs but slightly from that of a foreign one when it has the reins of government in its hands.

Yet, it was colonial expansion and the domination of foreign enterprise in the less developed of politically independent countries that made the exploitation of labor in modern times different from what it had been before. By and

large it would be true to say that before the coming of large-scale modern enterprise the landless laborer was a servant. However ignoble and burdensome his status, he usually had certain rights, examples of which have been given in previous chapters. With the introduction of the labor manager and recruiting agent, his relation to his employer was depersonalized. As one of a gang of captives in the earlier setting, he may have been treated as chattel; but there were limits both to the supply and the uses of unfree labor, and the human cattle had a market value. We must not forget that principles of human rights have been formulated and widely accepted millennia before their association with political rights, and this in oriental no less than in Western society. There is no foundation for the contention—a stock argument in the defense of Western rule over Asiatic peoples—that “all they know of freedom they have learned from us.”⁷

Certainly, the early European settlers did not bring a highly developed respect for the rights of the individual to tropical Asia. Whether they operated in areas under the direct rule of their home country or, usually with the aid of local princes, brought their capital and enterprise into nominally independent countries, their plans of economic development in every case envisaged something very different from a voluntary offer of their labor power by the inhabitants. If there was at times a greed for land bordering on the irrational, there always was an insatiable greed for man power. With their energy and organizing ability, the colonists saw no reason why their enterprise should not expand over every undeveloped landscape offering possibilities of gain with the application of human labor. Where the locally available labor supply was insufficient in relation to the natural resources waiting to be exploited, or where its use was considered inexpedient, there was an almost inexhaustible additional labor supply to be had not so far away as to make its cost prohibitive. Colonial economic enterprise usually started as collection of produce and from that developed forced production. During this second phase, though in most areas native labor still sufficed, began the herding of labor as a commodity for sale to users elsewhere. With the humanization of labor conditions in the nineteenth century, contract labor everywhere took the place of slave labor. But the problems and methods of recruitment still resembled those of former times; financial inducements alone did not suffice to disconnect the peasant from his native heath. Until recent times, colonial and semicolonial types of enterprise were carried on with labor which, though nominally free, actually was under constraint once the laborer had been cajoled into signing a contract.⁸

It is not difficult to show the organic relation of the indentured labor of the nineteenth century to the slave and serf labor that preceded it. The external trade of Southeast Asia changed from one of collection to one of production for export precisely at the point where the slave traffic was no longer tolerated in other countries. It was not an exceptional fertility or climate that gave to

the countries of Southeast Asia so rapid a development through plantation agriculture, but nearness to the enormous labor reservoirs of India and China, and also the rapid growth of population that might be expected with peace and modern administration.⁹ Obviously, there would also have to be large enough continuous stretches of arable land, sufficiently supplied with water, to make such development possible. But availability of cheap labor was the primary consideration. And, indeed, often the new enterprise in Southeast Asia was a direct transplantation of one closing down elsewhere.¹⁰

The following example, although it relates to India, is fairly representative for the labor regimes of the period when large-scale production, in southern and southeastern Asia, was substituted for reliance on the collection of export commodities produced on peasant holdings:

What [tea] planters sought in the contract was to secure a hold over the labourers. So long as the indenture system gave them the best security, they were unwilling to employ labour under any other condition. A recommendation in favour of free labour was made as early as 1868, and legislation to that effect was enacted in 1873 and 1882, but planters declined to make use of them. The only other legislation which offered them somewhat similar security was the Workmen's Breach of Contract Act of 1859, and as the plantation legislation was gradually modified, planters resorted more and more to Act XIII of 1859, which was a much cheaper and easier form of contract.¹¹

Abuses immediately resulted from the use of professional recruiting agents:

The earliest recruiting of labour for Assam tea-gardens was done by contractors. Since there was no restriction upon the contractors, the system became known as the free contractors' system. It led, however, to gross abuses, such as deception in recruitment, insanitary conditions at the depôt and on steamers and country boats, and heavy mortality on the way to labour districts.

The system of requiring contractors to be licensed for recruitment was first introduced by the Act of 1863.¹²

Far into the present century, the opinion prevailed among persons acquainted with the employment of Asian and African labor in a capitalistic enterprise that the political power of the employing group was in many cases too great to promise an effective enforcement of protective laws, unless humanitarian world opinion were organized and embodied in international agreements. Thus, Stephan Bauer, the Swiss pioneer of protective labor legislation, supported the establishment of an international labor organization with these arguments:

All those acquainted with the matter look upon contract labor in the colonies as the heir of slavery. What goes on at the time of recruiting and again when contracts are renewed leads to forms of employment similar to slavery. . . .

International agreements, it is true, are an important means of giving legal

validity to reforms found necessary through expert and unbiased study; but they remain on paper if there is not a living organization, filled with idealistic political purpose, to watch over their enforcement.¹³

Exchanges of views at the meetings of the Committee on Social Policy for Dependent Territories at the Philadelphia session of the International Labor Conference in 1944 showed that there still prevails in some minds the idea that indentured labor, even with considerable limitations on individual freedom—i.e., the infliction of penalties upon the laborer attempting to leave before complete fulfillment of his contract—has a civilizing value for the human beings thus brought into the orbit of modern enterprise. And the same general tendency is traceable in some of the articles and letters in favor of indentured labor for Papua and other Oceanic dependencies, which occasionally appear in the pages of the *Pacific Islands Monthly*.¹⁴ Alfred R. Wallace dealt with the matter in his great work on Australasia in 1879:

The New Hebrides formed at one time the almost sole recruiting ground of the labour traffic, the natives being taken away in large numbers—often by force or fraud—to work on the plantations of Queensland, Fiji, and New Caledonia. There is much difference of opinion as to the effects of this traffic. Mr. A. Trollope, who has seen the natives at work in Queensland, thinks it must be beneficial; that the islanders learn lessons of civilization and that work produces property; that they learn to sow, dig, plant, and to clothe themselves. Mr. F. A. Campbell, who has studied the returned labourer in his native place, gives a very different picture. He declared that the New Hebrideans are not in the least improved, but rather injured, by their three years' labour. Whatever goods they bring home are at once distributed among their friends and relations; they throw off their clothes, paint themselves, and resume with eager delight all the savage practices they have so long been deprived of. The only accomplishment they bring back, and of which they are proud, is the facility of swearing in English. . . . On the whole, there can be little doubt that, viewed in every aspect, there is an overwhelming preponderance of evil in this modified slave trade.¹⁵

Because of the unusual difficulties of police supervision, the conditions of island recruiting have an especially bad history and may not in every respect be comparable with those in the greater part of Southeast Asia, even at that time. Nevertheless the system of penal sanctions has only recently been outlawed in either region; and, indeed, remnants of it still occasionally come to light. It was for this reason that in 1936 the International Labor Organization recommended the Indigenous Workers Convention, further to be referred to below, and, because of the almost universal lack of ratification,¹⁶ adopted a further strong recommendation at its twenty-sixth conference session in 1944.¹⁷

The old colonial system was characterized by the close mutuality between government and management. Not only did the latter have every conceivable advantage as an effective pressure group, in some cases augmented by the

power of actual representation in government, but it also had bestowed upon it legal powers which in free societies are exercised only directly by the state through its own organs. Thus, the system of penal sanctions in practice made the court an ineffective supervisory organ of the government or an executive arm for the employer of labor. In either case, the last-named decided whether a laborer under contract was or was not fulfilling his obligations; his word could not effectively be disputed; and at his behest the court inflicted prison sentences and fines or sanctioned those already inflicted upon the rightless laborer by the employer's legally recognized direct judgment.

Special powers are given to employers for the recovery of deserters, and the harboring of deserters and the encouragement of others to absent themselves from work or desert are made offences. Damage to livestock, tools, or other property of the employer is an offence also punishable by fine or imprisonment. In some cases the fine may be deducted from the wages due to the worker, or the amount or a part thereof may be paid over to the employer in compensation for the loss sustained.¹⁸

No doubt the harsher forms of applying the system of penal sanctions are practiced only rarely today, in remote regions to which the watchful eye of the higher officers of colonial government does not penetrate. But, as Dr. Du Bois convincingly shows, it is still impossible for the outside world to gain an objective picture of what goes on behind the front of official reports and statements of policy.¹⁹ He admits that progress has been made in the elimination of the worst evils of colonial exploitation; but the continued existence of autocratic forms of management, even without penal sanctions, remains a blot on colonial labor relations, especially where legal requirements on management, enacted to protect labor, are not enforced.

The case for penal sanctions in labor contracts as a necessary protection of the employer still is occasionally made with some force;²⁰ but the weight of the argument unquestionably rests with the opponents.²¹

Students of labor management in modern colonial enterprises make a distinction between the use of compulsory practices by an employer or his agents to obtain labor, and their use to insure contract fulfillment by the labor force.

"When does contract labour become slavery?" asks the well-known crusader against unfreedom, John H. Harris. "The answer is quite simple—when the person under contract has been secured by force or fraud."²²

The recruitment of contract labor, where it involves large numbers and international travel, has been more open to disinterested observation than its treatment at the place of employment. In modern times it has been the subject of many attempts at international control and regulation. But historically compulsion and fraud in securing labor for colonial enterprise have

been as rampant as have been cruelty and waste of human resources in its management. In South China, the demand for coolie labor overseas provided a market for the children of famine-stricken peasants and for refugees from the oppressive rule of the Ch'ing dynasty governors.²³

The presence of large numbers of Asiatics in certain colonies has not been due to Indians or Chinese pushing their way into lands where they were not desired. They have been recruited, actively searched for, at great trouble and expense, because their services were absolutely needed.²⁴

World opinion, after a slow start, eventually came to recognize that the best way to get rid of the evils connected with mass employment through recruitment of contract workers is to eliminate such recruitment altogether. Colonial experience in many parts of the world has shown that it is practicable to substitute free employment through the development of a spontaneous offer of labor attracted by normal incentives. This theory underlies both the Elimination of Recruiting Recommendation of the International Labor Organization, adopted in 1936, and the Minimum Standards adopted in the Recommendation of 1944.²⁵ Contract labor with penal sanctions meant that the employing enterprise did not meet the total cost of the labor it used. A management enjoying the power to inflict penalties for nonfulfillment of the worker's contract obligations was uninhibited in exploiting every ounce of his strength. Disability and ill health resulting from overwork hardly affected management's cost accounts when the contract permitted it to ship home any man it could no longer use. The recruiting agent, operating at a distance, could get away with monstrous misrepresentations which even a watchful labor inspection service in the sending area might not always detect. He could take advantage of droughts and floods and civil wars that drove a desperate population into his clutches, with only the vaguest promises as to the conditions to be found at the place of employment. The home governments of the emigrants could to some extent supervise the hiring process and prevent outright cheating. They could supervise also the conditions of travel, though they did not always do even that. But they could not protect their subjects effectively—that is, other than through diplomatic protests—against fraud and inhumane treatment, once they were on foreign soil.

All this has changed in recent times, as far as Southeast Asia is concerned, partly because of the growing political power of the two principal sending countries of emigrant labor, China and India, partly because the governments of the receiving countries and dependencies were no longer willing to permit inconsiderate employers to throw the cost of misery and ill-health upon others. They became increasingly conscious of the duty they owed to the indigenous population and also of the importance of friendly neighborly relations with the other countries of Asia.

The way for a comprehensive international regulation of contract labor had, as we have seen, been prepared by actions of the League of Nations on slavery and forced labor. The Forced Labor Convention of 1930 was based on a report which questioned some basic assumptions concerning labor in tropical countries that were still current: the assumptions that nonwhite populations were innately lazy and had to be compelled to work if they were to take part in economic developments of eventual benefit to themselves; the assumption that a rapid increase in money earnings would improve social conditions and habits. There is no question that this Convention and the discussions which preceded and followed its adoption had a stimulating effect on colonial administrations. It was followed by the Recruiting of Indigenous Workers Convention in 1936, the Contracts of Employment (Indigenous Workers) Convention in 1939, and the Penal Sanctions (Indigenous Workers) Convention of the same year.

Under the last-named, the signatory power had the right to specify the particular territories under its jurisdiction to which it undertook to apply the provisions as stated, or with modifications, or not at all. This should have made easy the ratification of a convention arrived at on the basis of recommendations by a group of experts with scrupulous attention to experience in both the more and the less advanced countries and dependencies. Nevertheless, with the exception of Great Britain and Japan²⁶ there was general hesitation to commit the governments. The time was one of mutual suspicions and of fear of international interference with national and imperial sovereignty. The world economic depression had increased the urgency of far-reaching changes in the colonial economies, so that even sympathetic administrators in some instances considered the time inopportune to press for reforms in the labor system without relation to other plans, especially since these reforms threatened to throw new burdens on depleted budgets. It was also a period of apprehension and preparation for war. In spite of the resulting failure to secure a wide official acceptance of principles that had been endorsed by practically all progressive colonial administrators, the International Labor Office nevertheless could register some advance. It found that the conventions, though so sparingly adopted, had a considerable effect on policies and practices. This was borne out by discussions at the conferences in 1944 and 1945, when both government and employer representatives reported experiences and expressed opinions highly favorable to a more rapid introduction after the war of the humane and reasonable provisions recommended by the I.L.O. on the basis of actual practices in the more progressive dependencies.²⁷

In other parts of the world, the improvement of labor conditions in commercial agriculture has resulted mainly from intensification and refinement of production. More expensive tools and equipment have been introduced, sometimes power-driven machinery. Storage and transportation facilities have

been created that can be made to pay only with continuous production and with the maintenance of high qualitative standards. In short, agriculture has not only been commercialized; it has to a large extent also been industrialized. In Southeast Asia there has been much less change in these respects in recent times, partly because many of the region's most typical forms of production permit of little further intensification, and partly because as a matter of policy subsistence farming is prevented from changing significantly in motivation, while estate farming has from the start been commercial in character. Yet, in this tropical region, too, the owners of large enterprises have been forced more and more to substitute rational uses of labor for wasteful and degrading uses. Only under "frontier" conditions and when both land and labor appear to be plentiful, can the plantation owner afford to rely on the old methods of recruiting and treating his labor force. These conditions, however, are becoming more and more exceptional, and the labor manager is rare today who expects profitable results from a tyrannical exercise of an almost military discipline over masses of unintelligent, unskilled, half-starved, and intimidated "coolies."²⁸

In tropical agriculture, the use of high-yielding strains introduced a selective element also in the use of labor. Where, as in Southeast Asia, most of the perennial plantation crops are tree crops, possibilities of mechanization are limited; but here pressure has come from two sources to impel a more provident use of labor. First, such control schemes as that in the rubber industry have set limits to expansion and made it impossible for employers to escape the enforcement of labor laws by moving off into new country difficult of access to the inspectorate.²⁹ Second, Western democracies, such as the United States, eventually refused to purchase the products of sweated labor after whole industries had been transferred from the temperate to the tropical zone precisely for the purpose of keeping down the labor costs.

Charles Robequain concludes a detailed description of the technical improvements made in all the large agricultural export industries of Indo-China with a discussion of their effect on labor conditions. Greater efforts were made to secure larger numbers of the workers who had proved most reliable and efficient, namely those from the deltas of North Annam and Tonkin. Improvements were introduced in methods of recruiting, in labor and housing conditions, and in forms of management, all designed to reduce the labor turnover and thus secure permanent working forces of skill and experience. Contract labor in the thirties rapidly gave way, in Cochin-China, to "free" labor; soon northern contract workers—in the past often homesick and likely to run away—asked for permission to stay on after the completion of their three-year contracts with the guarantee that the employer would eventually repatriate them.³⁰

Harold Butler, Director of the International Labor Office, in one of his

reports referred to Malaya and Sumatra as admirable examples of what can be done to raise the level of civilization in the East when scientific methods are applied on a sufficiently large scale to a country possessing the necessary natural resources for intensive production.³¹ These gains were demonstrable not only in balance sheets but in immensely improved vital statistics in both of the countries just named. They go far to make up for the increased insecurity which arises from fluctuating world prices.³² This insecurity may be dealt with to some extent through international agreements on quotas of production and sale, as in the case of tin and rubber. Less amenable to remedial action is the danger which arises for a country that relies for low production costs on scientific methods rather than cheap labor if there is competition for its major industries in countries so overpopulated and so close to the threat of starvation that wages fall below the subsistence level.³³ Both dangers, experience has shown, proceed from a preventable lack of international cooperation and not from the principle of rationalization itself.

In Java the intensification of export production, with the use of scientific methods, reached such heights that some observers became alarmed about the overflow of this movement into the native sector of the economy. J. H. Boeke, for example, takes issue with J. Van Gelderen who, in a lecture at Batavia in 1938, demanded "improved working techniques, more specialization, slightly larger agricultural businesses, so that a real peasant class may come into being." He points out that further intensification of food crops that enter into native consumption will not improve the prosperity of the people, it will only enable the population to reproduce itself to a new and more dangerous level of self-sufficiency.³⁴ In short, labor policies and general policies of economic development are too closely interwoven for a fruitful separate discussion of either.

Specialization and intensification in the foreign-owned industries of tropical Asia at first tended to introduce a regimentation of labor alien to the traditions of the people. The importation of more docile workers under a contract system that permitted of little freedom of movement sufficed to man these enterprises as long as the planning of operations could be separated from their execution, and the necessary knowledge be kept a monopoly of a small, highly paid, alien staff. But as in the West so in tropical Asia, too, the stage is not far off—if it has not already been reached—where a clean-cut division of labor between drafting room and shop, between office and field, is no longer practicable; where an unintelligent obedience to orders no longer suffices to produce the best results. It was on approaching this point that employers became interested in methods, not only to hold down the labor turnover without troublesome penal sanctions but to engage the interest and willing cooperation of the workers. In the colonial and semicolonial countries of Southeast Asia this development has not yet gone far enough to produce a striking

change of labor relations and mutual attitudes between labor and management. For this, the traditions on both sides still are too strong. But it may be counted progress that through a large part of the region provision is now made for the workers to live like human beings, to benefit when the market is good, to get a modicum of education for themselves and their children, and a glimpse of better days to come.

As Joseph P. Chamberlain, that champion of modern labor legislation, has pointed out,³⁵ the prohibition of contract labor with penal sanctions helps employers of such labor to recognize that it does not really pay. To keep men at work against their will, because they were inveigled into the signing of a contract they did not understand, does not make for efficiency in production.

INDONESIA

Contract labor gained entrance in the Netherlands Indies even before the abolition of slavery and the indemnification of debt-bondage employers. Mainly due to the awakening conscience of Dutch citizens, the change was at first one of principle more than of practice. Colonial employers sought to devise ways in which they might escape the stigma of slave-owners and yet have the advantage of disposing over labor crews bound to their work and costing little more than their subsistence. Early regulations of contract labor were drawn up in this spirit. Under police regulations adopted in Soerabaja in 1829, coffee planters and other employers had the legal power to punish their servants for nonobservance of labor agreements. By 1851, such penal sanctions had spread over the greater part of Java and the estate districts of the Outer Provinces. Such decrees were codified in a police regulation of 1872, but this was repealed in 1879. Up to this time the concept underlying all regulation was that of a master-servant relationship, and not one between employer and wage-earner in the modern sense.³⁶ The relationship really was a hangover from the days of slavery, when the estate included both home and plantation, and the owner-employer could shift his "hands" at will from domestic to productive purposes. But with the steamboat and a greatly increased export trade, the character of the typical colonial establishment changed. While Javanese workers still were regarded by their European masters as servants permanently attached to their estates, the tobacco growers of East Sumatra already had brought in thousands of Chinese "coolies" whose one idea was to return home after the fulfillment of a contract for a stated number of years. The labor relations of the new plantation industries were bound to affect those in other areas. In 1880, the "Coolie Ordinance" in force for the East Coast of Sumatra was extended to all the Outer Provinces, so as to give employers of large imported labor forces the effective control of penal sanctions and, incidentally, to protect the laborers from being suddenly thrown on their own resources far from their homes. In Java, the estates,

relying almost entirely on indigenous labor, even then did not feel in need of that power; but they, too, were more and more drawn within the orbit of the new, depersonalized concept of labor relations. The Government itself found it necessary to incorporate the penal clauses in its labor contracts for certain types of construction.

After the First World War, the Government of the Indies wavered between the desire to proceed more rapidly with the humanization of labor conditions and the desire to give greater security to the producers of tropical products. An ordinance passed in 1924 again asserted the need for penal sanctions. The Government now was afraid that with the uncertain future of their hold on the accustomed labor supply the great estates might curtail their operations and dangerously reduce the revenues of the state. "The companies no longer troubled to invest their capital in new enterprises, and the development of the Outer Provinces was threatened."³⁷ It was hoped also to attract more non-Dutch capital to finance an imaginatively planned program of industrialization which would give the Indies some relief from its excessive dependence on enterprises plagued by violent price fluctuations. In such a program even the Volksraad, which is more often influenced by social considerations than are the States General, looked upon retention of the penal sanctions as a necessary evil in those types of employment where a high labor turnover might create uncertainty as to costs.

The total number of Indonesians engaged in contract labor³⁸ at home or abroad may not seem very large in proportion to the total population, but it is important in relation to total employment in modern economic enterprise. The number of Javanese "coolies" employed on estates in the Outer Islands has varied between 200,000 and 340,000 in recent prewar years and, in the case of men, made up from two-thirds to three-fourths of the total labor force (in the case of women, from one-fourth to one-third). On the island of Java, because of the abundance of the local labor reserve in almost every part of it, contract labor is almost entirely limited to the sugar estates in the east.³⁹ Those working on coffee estates—and they are much fewer than in the past—reside for the most part in neighboring villages. In contrast, almost one-third of the population of the East Coast of Sumatra is composed of Javanese and Madurese immigrants—of course, no longer all of them employed on estates.⁴⁰ During the depression years, there was a good deal of repatriation. It would be a mistake, however, to believe that the labor transfer between Java and the Outer Islands consisted entirely of a well-regulated and well-supervised temporary migration between large population centers and associations of large estates run on model lines. Individual employers were permitted, between 1915 and 1936, to do their own labor recruiting in Java and made extensive use of that privilege.⁴¹ There also existed until quite recent times a floating population of Javanese contract laborers to the nutmeg estates of the Moluccas

and others of the lesser islands. Reports suggest that enterprises which attracted migrants in small and irregular numbers, giving no opportunity for the growth of a permanent Javanese settlement, and difficult to supervise, were precisely those most likely to produce unsatisfactory labor and working conditions.⁴² Under the "coolie ordinances," the workers subject to the "coolie sanctions" suffered the constraint imposed by the penal sanctions, but in the course of time they enjoyed protective provisions not shared by the "free" workers: stipulation of maximum working hours, free lodging and medical care, free transportation home on the termination of the contract.

Recruitment of Javanese workers for employment in foreign countries was permissible only through special agreement with the Government. When both the sending and the receiving governments had fairly high labor standards, as was the case with Java and Malaya, such an agreement made a useful temporary contribution to the relief of overpopulation. But grave doubts arose over the issue of such a permission to the French Government in 1936 to recruit 1,500 Javanese men and women for work in New Caledonia, which has a scandalous history of labor exploitation;⁴³ and binding international agreements will no doubt be required in the future before any paternalistic or democratic government will enter into such "export trade in coolies."

The Dutch have always been hard workers and expected hard work from others. It was thus that they built up a flourishing agricultural colony in the Hudson Valley and great industries in the West Indies. With a background of personal experience, P. Endt wrote:

When our European manager orders an assistant to "see to it that the coolies work hard enough," both of them, no matter how long they have lived in the tropics, still have in mind European standards of labor performance. They themselves, especially the assistant managers, often work at a tempo quite out of keeping with climatic conditions. The reason is that they always look forward to returning to Europe after fifteen or twenty years as wealthy or at least prosperous men. That outlook makes a daily physical exhaustion bearable to them. But the Javanese knows nothing of a "will to power" in this economic form. He is in no hurry. . . . His labor tempo is much slower than that of the European worker and also that of the Chinese who has come from a subtropical area.⁴⁴

Bernard H. M. Vlekke has given a colorful picture of life in Batavia both before and after the restoration of Dutch rule in 1816.⁴⁵ It certainly was no bed of roses. In that hot swampland European laborers hardly could earn their keep. There was no voluntary Asiatic immigration of any magnitude. But it was possible to use crews of laborers hired en masse without even the necessity of caring for them in sickness and old age, for the incapacitated workers could be repatriated at small expense.

When the immense fertility of those parts of the Outer Islands which had volcanic soils was discovered, streams of Javanese and Chinese "coolie" migra-

tion already had become reliable in their flow. It was possible now to employ capital beyond the resources of the Dutch merchant-entrepreneurs themselves and to establish companies in which these reaped the major benefit from the employment of both foreign labor and foreign capital. Labor was without protection, and international capital without a conscience.

The popularly written accounts of the plantation regime early in this century given by the Hungarian plantation manager Ladislao Székely⁴⁶ and his wife, Madelon Lulofs,⁴⁷ are too substantial to be easily written off as imaginary. There is corroborative evidence.⁴⁸ For example, in 1915 and 1916, a conservative Javanese newspaper conducted a discussion as to ways in which attacks by Javanese contract workers on European assistant managers might be prevented, a correspondence which revealed that even in Java such extremes of friction developed, though perhaps only on the more remote estates where "coolies" were deprived of personal freedom.⁴⁹ There is, nevertheless, reason to believe that the discipline and the labor requirements on Dutch estates have always tended to be rather more severe than, for example, on British ones.

The Dutch are sometimes high-handed in their treatment of the natives, demanding a great deal in the way of servile respect for their personal dignity, and always intent on extracting the largest possible amount of labour from their employees. The natives of the East Indies are notoriously difficult to deal with in this respect, but the system of indentured labour in force in the archipelago, both in private and in government undertakings, is difficult to justify.⁵⁰

P. Endt at about the same time observed such attacks by contract laborers on Europeans in Deli and attributed them to a preference of plantation managers for the use of corporal punishment as a means of discipline instead of going through the time-consuming procedure of taking disobedient laborers before the court at Medan.⁵¹ He also was aware of the infamous practices of the Javanese labor "veterans" employed by the tobacco companies to recruit contract workers in their home villages, and compared their methods with the frauds perpetrated by the European agents of steamship companies in touting for emigrants to North and South America.⁵² Behind these inhumanities stands the peculiar general setup in the Outer Provinces: here both management and labor were imported, the one "white," the other "colored"; both were without ties in local traditions that might modify their impersonal relations. Hence every conflict of interest here was sharper than in Europe or even in Java, where the sweated indigenous laborer at least had the solace of his home environment and often an alternative in access to the land as a poor but independent farmer.

In the annals of history, the improvement of labor conditions may appear to have been rapid; to the reformers of the time it appeared painfully slow.

It did not, indeed, get fully under way until after the First World War, when the estate industries acquired a magnitude necessitating more rational and stabilized methods of production. Only at this time did labor inspection really become effective, did employers look upon it as a possible aid and not as a nuisance. Recognition that the coerced efforts of cowed, ill-fed, diseased, homesick, and ignorant laborers did not pay came late, but it came. In Europe, at this time, large industrial employers were preoccupied as never before with questions of efficiency. The idea of "scientific management," initiated in the United States, was developed into something less rigid. European industrialists knew that they would have to carry the sentiment of labor along with them if production was to be regulated by the results of scientific experiment. Experts trained in this new school went out to Sumatra and Malaya, looked at the "coolie lines" and the uncomprehending contract workers who carried out their assignments without thought of active cooperation in a joint effort of management and labor. They helped to change the physical setting, introduced schools and clinics, organized recreation in keeping with native tastes, provided new incentives where they could—not simply to speed up production but to secure active participation.⁵³ Some of the old supervisors and foremen could not be won for the new ideas; others were re-educated and helped further to develop the process of modernization. The greatest hindrance in the Outer Provinces was, of course, that recourse still was had in the main to labor brought in from Java, and that efforts to settle these workers for the purpose of building up a constant and reliable labor reserve were impeded, not only by the cost but also by the enormous fluctuation of employment.

Until 1930, less than one-fourth of the "coolies" in the Outer Provinces were free laborers; the rest were indentured and subject to penal sanctions.⁵⁴ Their condition was already greatly improved compared with that in the past. A revision of the General Police Regulations for the whole of the Indies in 1872 had made the penal sanction applicable to all laborers on estates. Not only absence from work but also laziness and refusal to perform a task demanded were legally punishable. This decree aroused considerable protests in the mother country;⁵⁵ but interestingly enough, a compromise measure which was subsequently introduced only freed the laborers in Java and Madura from these regulations, and not those of the Outer Islands, where the supply of free labor was less abundant and where the proportion of aliens among the contract workers, Chinese, was much greater. Some changes in the law were introduced in 1904 and throughout the subsequent two decades. Labor inspection was provided for the plantations in East Sumatra, and court procedure was gradually substituted for direct action by the employer. Eventually, agitation against the system of penal sanctions in the Indies merged with that in other parts of the world, and the International Labor Conference

took the matter under advisement.⁵⁶ The material conditions of employment in the Indies had already greatly improved by the end of the First World War. With the continuing rapid growth of the Javanese population, the Government now was opposed to the introduction of more Chinese laborers for work on the Outer Islands. The time also was one of stabilization in plantation enterprise and greater demand for experienced workers.

Politically, abolition of the system had become necessary with the gradual ripening of the Government's so-called "ethical policy" and the growing strength of the Volksraad as the recognized forum of public opinion. In 1931, the Government at the suggestion of the Second Chamber adopted the plan of revising progressively every five years the law governing contract labor, beginning with a 50 per cent reduction of the number of "contract coolies" in the enterprises still employing them during the first five-year period. At the same time the categories of cases to which the penal sanction might be applied were reduced, and re-employment contracts were exempted from its operation.

The employer organizations, of course, continued to oppose abolition of the sanction and were responsible for the compromises enacted into law. They were shocked into action by an unforeseen threat to their own principal market: in 1929, the United States Congress adopted an amendment to the Tariff Law under which goods produced under penal sanctions were added to those produced by convict labor as nonadmissible to this country.⁵⁷ This affected only the tobacco growers of Sumatra, since importation of commodities produced under penal sanctions is made unlawful only if the same products can be grown in the United States—which means that the provision at the time was not held applicable, for example, to rubber.

As a result, the proportion of free labor employed in the Outer Provinces grew from less than one-fourth in 1929 to more than nine-tenths in 1934, and on the East Coast of Sumatra from one-seventh in 1929 to almost 100 per cent in 1934. The world economic depression was a factor in this change; it brought to the gates of the estates many peasants who previously had worked for wages only intermittently or not at all. In 1936, therefore, the Government was able, with the assent of the planters, to enact an ordinance under which the penal sanction was to be completely abolished by 1946. At the same time the permissible term of contracts was shortened from three years to two. At the outbreak of the war, only a small proportion of Indonesian laborers were still under contract with penal sanction. In the United States the demand for the exclusion of Sumatra rubber and tobacco had died down.⁵⁸

Since the actual reduction of the ratio of workers employed under penal sanction to free workers employed was even more rapid than the minimum provided for under the law, it was decided in November, 1941, to repeal the Coolie Ordinance altogether, though current contracts were permitted

to run out. In 1942, the Volksraad passed a new law for the regulation of migrant labor in the Outer Provinces to take its place, a law in consonance with the Penal Sanctions (Indigenous Workers) Convention, 1939, of the International Labor Conference.

In justice to the Sumatra planters and the Netherlands Indian Government, it should be added that, while the system of contract labor with penal sanction has often been described as "slavery" and "serfdom,"⁵⁹ the worst abuses had been eliminated in the first two decades of this century. For this the credit belongs to the courageous efforts of the labor inspectorate which was established in 1904. The law itself made evasion all too easy. For example, it provided that special consideration be given a first offender: in his case the penalty for desertion was not to be imposed if the worker returned to his place of employment within the time allowed by the magistrate. Legal limits were set to the permissible amount of wage advances, so that the laborer should not fall into debt to his employer and thus be forced to renew his contract. The workers' conditions of living and employment, in short, were likely to be improved only to the degree to which they passed under the scrutiny of a zealous inspectorate.⁶⁰

The small proportion of employment under the penal system which remained in the middle thirties was that of men engaged in the unpleasant work of clearing the jungle. Eventually it was found that the conditions of even this task could be sufficiently improved to attract free workers. A report of the International Labor Office summarizes the result of the transference from contract to "free" labor by saying:

The necessity of the penal sanction system may . . . be regarded as disproved, and it is in any case doomed to disappear. It has been found in the Netherlands Indies as in Ceylon and Malaya that estate work can be performed as well, if not better, by free labour, provided that reasonable conditions of employment and remuneration are provided. In other words, the ordinary economic incentives operate in Asia as in the rest of the world with the result that the plantations are now endeavoring to make their service sufficiently attractive to secure all the labour they need. In this they appear to have been successful, at a cost which has not proved by any means uneconomic.⁶¹

Another official of the International Labor Office, J. Woudstra, warned against two assumptions: first, that the abolition of penal sanctions necessarily contributes to the welfare of the Javanese contract workers in the Outer Provinces, and, second, that a sufficient spontaneous outflow of such workers eliminates all the evils of the recruiting system. On the first point, he warned that with penal sanctions there disappear some of the special measures of protection designed for the contract laborer—unless the legislature otherwise provides for them. He believed that organized employer recruiting of labor

under close government supervision would be necessary for some time to come.⁶²

As has already been mentioned, it is sometimes claimed that the rigorous discipline of the contract labor system has a favorable effect on the native economy in that it teaches the workers the advantages of an orderly and painstaking procedure which, it is assumed, they then transfer to their own modest land holdings. Unfortunately, this argument can be neither proved nor disproved for Sumatra, as the local peasants never worked on rubber plantations. That those who grow rubber on their own have learned little from their more experienced or scientifically schooled neighbors appears from the following remarks of a sympathetic observer:

The most permanent impression which I gained of these Malay rubber estates was not so much the peculiarity of the sites chosen [usually on rising ground], but the untidy and casual manner in which the trees were planted. Still more striking was the fact that, with very few exceptions, I did not see a native's estate weeded. Mostly these rubber plantations were hopelessly mixed up with forest trees, jungle-scrub and long grass. Even the immature trees had been tapped in many instances. . . . Near Batang Taroe [between Sibolga and Kota Nopan], I noticed a number of well-kept estates. They compared favorably with many seen in British Malaya. Vast areas thereabouts seemed to be under rubber cultivation by the Dutch. The contrast between the Dutch and Malay methods was very marked indeed.⁶³

Indirectly, the large use of contract labor in the industrial enterprises of the Netherlands Indies in former times prevented that growth of individualism which marked the transition from a feudal agrarian to a modern industrial economy in Europe. At first a casual or seasonal worker, the peasant of course shows an unusual degree of freedom in his attitude toward his employer: he works when he needs the money or when it suits him; he stays at home when his garden requires his attention or when he prefers leisure to the additional comfort which a wage income might buy. He leaves work on small provocation. Industrial surveys have shown that the relatively high labor cost in Javanese undertakings—as compared, for example, with Japanese—is not a result of a low innate ability but of the large labor turnover and the high rate of absenteeism—between 30 and 40 per cent.⁶⁴ Yet, making no allowance for the recentness of even the beginnings of vocational education, Western employers and officials apparently find it difficult to rid themselves of the idea that, while Japanese are essentially "northerners," Indonesians are born to function well in modern industry only under Western management.⁶⁵ Increased efforts in recent prewar times to make the selection of colonists for settlement in the Outer Provinces more rigid were reflected also in the recruiting of contract workers by employer associations. Unless labor conditions improve greatly—

as indeed they have done in most instances—such selection for physical vigor tends to give employers yet another advantage at the cost of the Javanese home communities, which now must support a larger proportion of less sturdy individuals, without necessarily making for more continuous performance by the contract laborers. This can be secured only by appropriate psychological stimuli.

Originally, it should be remembered, the unreliability of the Indonesian worker, from the would-be employer's standpoint, was the major if not the only reason for the importation of alien workers. But as soon as he has submitted to the discipline of contract labor—in earlier days often under compulsion, in recent times more often through population pressure and a resulting rise in land values—the "coolie" becomes a member of a working crew and subject to mass conditioning. Conflict itself, as yet more often expressing itself in abandonment of the job and retirement to the village than in strikes with concrete demands, often took the form of mass action, even though there was no organization whatever and no recognized leader.

The fact that the entry of the Indonesian peasant-worker into modern industry has been gradual, that he has been able to keep alive his ties with the village and the old traditions of a closely knit community, prevented occurrence of that misery which the Industrial Revolution brought to many of the European peoples. Especially in recent times, what caused his discontent was a paternal limitation of his freedom rather than the hopelessness of the urban slum. Even in Java, where the growth of power-using industries was rapid in the thirties, the great majority of the workers are employed in small factories, under conditions resembling those of the small craft shops of former times. Perhaps one-half of the industrial workers live in villages. The textile and small metal industries absorbed the great majority of these wage-earners; but as the excellent reports of the Labor Department on these industries suggest, their management was for the most part in the hands of small-town business men with little technical knowledge of modern methods.

It is, of course, a universal phenomenon that the small industries, often organized by "self-made" men with little capital and education, offer the greatest resistance to the introduction of humane and efficient conditions of employment.⁶⁶ This only signifies, however, that legislative remedies appropriate for large enterprises are unsuitable, and sometimes also that something more fundamental is needed than protective labor legislation, namely economic measures that have the effect of channeling industrial enterprise of this sort into cooperative institutions where adequate control, education, and technical assistance can be brought to bear on them. Simply to declare that the many small industrial undertakings run by Javanese, Chinese, and Arabs cannot effectively be subjected to Western standards⁶⁷ is an appeal to despair not worthy of a modern government. It is true, nevertheless, that the greater

part of what is called industry is a link with the social past rather than the social future. Only few industries in Indonesia are large enough to permit of rationalization; and these, together with the estates in European ownership, thus far alone provide the bridge from the traditional to the modern economy.

Nevertheless, one cannot easily agree with the defenders of the plantation system that it has on the whole been beneficial to the welfare of the masses. Quite apart from the former brutalities of an autocratic form of management now outmoded and outlawed, it has held up too long the development of a wholesome social form of self-protection on the part of the workers. With the exception of small classes of skilled and unskilled workers in transportation and industry, the Indonesians face the coming age of accelerated industrialization without widespread experience in democratic organization.⁶⁸ Their freedom exists only in the degree to which labor management has been humanized and the degree to which the traditional economy survives untouched by the demands of big business; it is not the freedom of men schooled in the pursuit of common ends through the self-discipline of organized action.

At this point, a brief departure from the self-imposed limitation of our subject matter (see p. 5) is unavoidable. Realism demands at least passing reference to that economic pressure in the Netherlands Indies which neither the paternal care of a welfare-minded government nor the progressive policies followed by employer groups in recent prewar years were able to relieve. Colonialism, even under the most favorable circumstances, condemns the masses of the people to live in poverty. The subjection of the Indonesians to a foreign power prevented them from taking part, to the limit of their abilities, in that rise of the working classes which in the occident is the outstanding social phenomenon of the last century. The capitalistic organization of subject population groups is for the very purpose of making their effort contributive to the wealth of others. Even the small industries, which come closest to the traditional home crafts, change in their essential character under the control of the foreign entrepreneur and middleman. The Indonesians who, with the growth of population, became dependent on employment under alien masters often did not receive even a subsistence wage, although the individual worker's daily output was often multiplied with the aid of advanced methods and techniques. Under the colonial system, parasitic outside interests are able not only to take the greater part of the value imparted by the laborer to the material on which he works but to appropriate the industries themselves, which they can then transfer from one place to another, wherever the cost of labor is lowest. To some extent this is true also of the larger industries and of all commercial agriculture that has come under foreign capitalistic management.⁶⁹

During the economic depression of the thirties, the smaller industries in eastern Java fell by one-half and three-fourths. Because of a high density of

population, large numbers in that region now depend for their living on wage employment.

From some shops and factories the wage-earners went home even after an eight-hour work-day with only from one and a half to two and a half (guilder) cents; in the hat industry of West Java few were able to earn more than two and a half or three cents a day, even in 1933.⁷⁰

Wages earned on some of the European-owned plantations, with a large labor reservoir in the surrounding villages, amounted to between four and nine cents a day in 1935 and 1936. Some of these estates responded to demands made by the Government in 1937 that they revise their wage schedules; others refused to the end to interfere with "the law of demand and supply."⁷¹ In the Outer Provinces, with a labor supply imported, trained, housed, and looked after by the large estates, wages held up much better, mainly because the law provided for just such a contingency and partly because it was possible to repatriate at small cost most of the surplus of immigrant Javanese workers. Even so, minimum wages for men stabilized at 32 cents a day in the rubber and tobacco plantations of Sumatra can hardly have met the low minimum subsistence level stipulated under the law.

Perhaps it is more noteworthy for our purpose that before the collapse of the foreign markets these workers in well-conducted and efficiently managed agricultural industries received less than 40 cents a day in addition to rather primitive housing, medical care, and other perquisites. Javanese in the tin mines of Banka and Billiton received even less. Male workers on the sugar estates of Java in 1924 could earn 37½ cents or more in an eight-hour day; but their real wage had not kept pace with the rise in the cost of living since 1913.⁷² It may well be contended that workers who have to accept such wages are not really free men. They are too seriously hampered in bargaining power even to organize effectively for self-protection.⁷³ To this day, the trade unions in Indonesia are few, relatively small, and almost entirely limited to Java. They fluctuate greatly in membership—as in the case of sugar workers, who at times have shown surprising organized strength in spasmodic action—or are composed of a westernized elite of factory, transportation, and public-utility workers. The permanent nucleus of organized labor, before the war, never included more than a few tens of thousands of wage-earners, and these largely motivated by nationalism. Indeed, the federation of these unions was brought about by leaders of the *Sarekat Islam*, in the interest of that political movement. As far as the masses of poorly paid wage-earners are concerned, only a national government inspired by democratic ideals stands between them and unmitigated destitution.

Nothing could show more clearly the effect of the colonial attitude on labor relations in industry than the reports of the labor inspectorate. In professionally

dispassionate language they display a point of view very different from that of officials in countries where wage-earners are respected and take part in a more or less democratic social process. A report by A. G. Vredde, at the time Chief of the Labor Office of the Netherlands Indies, on the strike movements in Soerabaja between 1920 and 1925 must suffice to illustrate this point. After agreeing with the local authorities and employers that these movements were in the main results of communist agitation, the national investigators upheld them in their decision to make a blow against it the major and almost the only weapon to combat labor unrest.⁷⁴ They agreed to the principle of fingerprinting all the workers who had been on strike and to the use of black and red lists for the purpose of condemning those who had taken an active part to "permanent unemployment" in the industry. The only point on which they differed from the local employers was that they thought greater care might have been taken in the compilation of these lists. In principle, the officials also approved of the decision to exclude from employment all workers who might at some future time become "ring leaders"; but they thought the employers had gone too far in excluding from employment all workers who could read and write and all ex-pupils of the Trade School. They also thought that employment contracts should be more firmly drawn. In short, the labor relations favored by these officers, and seemingly approved by the colonial government which publicized them, are very far from those nowadays considered to be in harmony with the status of a free and self-respecting working class.⁷⁵

Boeke and Furnivall seem to be agreed that, in spite of an enormously increased output of wealth, in spite of many outward appearances of progress and prosperity, and in spite of half a century's earnest effort to improve the condition of the people, there has actually occurred a deterioration in living standards and in enjoyment of freedom. As to the latter, the Netherlands economist speaks of the distinction which the Javanese tobacco grower used to draw between the crop which, as lessor of estate land and contractor of his own labor, he had to deliver and which, impressed with the official seal on the contract, he called *tembakau segelan*—and, on the other hand, the tobacco which he grew for himself or for local sale and which, alluding to the freedom from interference which he enjoyed in its production, he called *tembakau préman*.

"This freedom," writes Dr. Boeke,

was inevitably and constantly to decrease. One cause of this [was] . . . the large amount of capital invested in the enterprise. Another was the urge of the Western pioneers to expand their enterprise. . . . The one-man concern soon is brought under a limited-liability company. The European in the tropics knows labor only when it is organized—with himself as leader. But labor so organized is bound

labor. Western "leadership" means that there are large numbers of inferiors; otherwise that leadership could not be adequately paid for. . . .

The native farmer is also pushed out of the market. . . . The tobacco grower who works under contract . . . is hardly more than a wheel in a machine that is becoming more and more intricate. He remains an individual in his attitude toward his work, but he faces an organization that constantly expands in breadth and in depth.⁷⁶

Not only as a producer of tobacco, but also as a producer of sugar, coffee, cocoa, and other crops, the formerly independent peasant found himself regulated and hampered by a government whose budget and very existence depended on the prosperity of the economically infinitely more weighty enterprise of Western capital. J. S. Furnivall refers to overpopulation as one element in this situation. The best interests of the indigenous population now necessitate a vastly increased national income. In this connection he quotes a Committee of Enquiry into Native Education (1928) on the almost hopeless task of getting schools provided for all the children. On the subject of freedom he quotes the conclusion of a study made in 1924⁷⁷ to the effect that "deplorably little autonomy remains." He also sums up the general opinion that the Indonesian population has not shared in that accumulation of wealth which is so apparent in the statistics of the Indies.⁷⁸

In this interpolation dealing with general poverty as an underlying cause of involuntary servitude, rather than with particular forms of it, a word should also be said about the peculiar position of the Eurasian, or Indo-European. As has already been intimated, the person of mixed blood has a relatively high legal and social status, is in fact classed with the European rather than the Asian part of the population. But in recent times Indonesians and Chinese have come to compete with him in the preferred employments of government and business, while under the land laws of 1870 he shares the European's and alien Asiatic's handicap of being prohibited from purchasing land from Indonesians.⁷⁹ During the economic depression, unemployed Eurasians in many instances were obliged to take refuge in Javanese *kampongs*. Eventually the Government leased some small tracts to Eurasians for truck farming.

The protection of the Indonesian farmer against such thoroughgoing alienation of agricultural land as has taken place in Burma, for example, must continue to be an indispensable element of social policy, under each constituent government of the Indonesian Federation. In any case, the Eurasians' active demand for agricultural land probably is of no economic importance, nor is it likely to become so. But it is interesting to observe that under colonial conditions the wage-earner, even when he belonged to a privileged ethnic group, still was handicapped in bargaining over terms of employment because he could not fall back, as an alternative, upon the primary resource of the free, able-bodied worker, the land. To judge from prewar reports and discus-

sions, there is reason to believe that in the areas continuing under Netherlands rule some modification of the land law in favor of the small European and Indo-European farmer will be made, without abandonment of the restrictions against large-scale alienation.⁸⁰ But the prerequisite for this accommodation is that these groups abandon other economic privileges which they now enjoy or, conversely, that the civic status of the Indonesians be raised to equal theirs.⁸¹

PHILIPPINE ISLANDS

The effect of surviving forms of involuntary servitude on modern labor conditions is so much better documented for Indonesia than for any other country or dependency of Southeast Asia that the proportions of space here assigned to the various areas must needs be disproportionate. The fact that conditions already described for Indonesia are taken up at considerably lesser length for the Philippines should certainly not be taken to mean that in the author's opinion existing conditions in the one are so much worse than conditions in the other. On the contrary, a case could easily be made out to demonstrate that the Indonesian worker has on the whole been better protected in his livelihood and fared better than the Filipino. While conditions vary enormously from Residency to Residency and from province to province, it is probably true to say that before the war the Indonesian worker was less conscious than the Filipino of injustice suffered at the hand of the employing class. The Filipino was not as well protected against falling into his employer's debt. What is commonly called "debt peonage" (see above, p. 132) probably increased for a time under American law. Though scrupulously fair in intent to both sides, it actually strengthened the hands of the employing group and subjected thousands of laborers who could not pay their fines or debts to a life of subjection.⁸² Private industrial employers inherited the attitudes and to some extent the power of the great landowners of Spanish times. The American-sponsored progress toward self-government sometimes meant that the American Commissioners gave in to the desires of a Philippine legislature in which the landlords and the moneyed interests held full sway while the wage-earners and the small farmers were practically unrepresented.⁸³

For over four hundred years the Philippine *hacienda* has been the stage of frequent rebellion. In recent times, a revolt broke out somewhere in the islands on an average once every ten years; and the reason was that the system under which commercial crops were produced required the whole labor power of the peasantry precisely during those seasons and on that land from which the poor tenant must get practically all of his living. It was impossible for even the industrious and thrifty *tao* to achieve modest prosperity. Always a bad season or a low price, lying altogether outside his control, would deprive him of slight gains. Under American rule, many improvements were introduced, but they did not increase the basic security of the country people.

Since the national economy was focused upon exports, it was inevitable—as it is in all dependent territories—that the improvements were designed primarily to benefit the large industries, the mines, the transportation and commercial enterprises that served the big owners and the foreign investors. Considering the enormous advance in the Islands' production of wealth, it cannot be held that the masses received back more than a fraction of what they contributed to it. They had a longer life expectancy, perhaps, but not the freedom and opportunity for which they had fought so often and so valiantly.

Not even the much vaunted system of public education in the Philippines has gone far enough to free the peasant from the ignorance and fear of the unknown through which the *cacique's* power over him is held intact.⁸⁴ A vicious circle was set up by an overall national policy which recognized the liberating power of free compulsory education for all children, yet was unwilling to break the monopoly position of the great landowners, so that not even approximately enough money could be raised through taxation to finance the building and maintenance of enough public schools.⁸⁵

Both Indonesia and the Philippines differ from some of the neighboring countries in that they have been far less dependent on immigrant Asiatic labor, so that the typical problems connected with the employment of contract labor have been less pronounced.⁸⁶ Under the basic law (Act 2071, sections 1 to 3, and Act 2300, in conjunction with sections of the general Administrative Code), the Philippine Bureau of Labor was charged with investigating "any information regarding involuntary servitude, services in payment of debt, and the purchase and sale of human beings, and to denounce thereupon any violation of Act 2071." But in practice, whatever infringements of the law occurred in recent prewar years arose more often from iniquitous tenancy arrangements than from contracts for wage employment; and there seems to have been no recent major investigation of the conditions of wage labor on large estates. The relatively high degree of literacy in the Philippine villages probably is a partial protection against the skulduggery so often associated with recruiting of labor at a distance. That the Philippine Government itself has so largely directed the migration of labor, whether seasonal or for permanent settlement, also is a factor of importance; for this activity deprives the large private employer of his monopoly power over the landless laborer. However, the main reason why contract labor is not the source of a major problem in the Philippines is that there has as yet been little development of pure wage employment in Philippine commercial agriculture. And this results, of course, from the greater profitableness of various forms of tenancy and sharecropping which permit the large estates to exploit the labor of the peasants in the more densely populated parts of the country.

Under the existing land system, farmers with insufficient or no land often

are obliged to enter the services of a landlord-employer who can practically impose on them whatever terms he sees fit. In January, 1920, the Philippine legislature passed an act which formally established a mutual obligation between employers and laborers, in that it provided punishment by fine or imprisonment not only for workers who might fail to live up to the terms of their contract but also for employers convicted of such failure. The American Philippine Commissioners approved the law, apparently not realizing how unfairly it was bound to work in a situation where the employing group could pull all the political and social strings while the workers had no power at all. Only a decade later, when the matter had been aired in the United States Congress, was the act amended to give greater protection to the workers.⁸⁷

Quite apart from its essential injustice, the Philippine system of peonage, as it survives to this day, also affords evidence that it is economically unproductive. An American farm expert called in some years ago to report on technical matters unwittingly gave a complete answer to the claim often made that under such a system the land yields more wealth, and therefore eventually benefits society more than does a system of peasant ownership, when he reported:

There is in the Philippines at present a stupendous waste of human labor and of human time. I saw bands of able-bodied men and women pass through the rice fields reaping the grain with a knife, the process requiring twenty hours for each cavan of grain harvested. In other fields I saw farmers cutting rice with a hand sickle such as was used in Biblical days.⁸⁸

Where capital has been invested to produce economically for the export market, as in many of the sugar centrals, working conditions and equipment often are modern enough; but farming for the home market continues to suffer from archaic methods. The owners of such estates usually have neither the knowledge nor the incentive to introduce methodological improvements; their privileged position rests in tradition.

As in Indonesia, the best labor conditions in modern industry are to be found in enterprises conducted in a spirit of paternalism. This is especially true of American-owned sugar centrals and mines, probably because Western industrialists as a rule find it easier to invest capital in improvements—such as housing, sanitation, clinics, recreation facilities—the returns from which are not immediately recognizable. An American newspaperwoman who just before the war visited some of the most modern of these enterprises came to the conclusion that a paternalistic system of management, including the organization of a company union, works particularly well in the Philippines precisely because the people have not before the advent of modern industry been free but in the past experienced their greatest welfare when the *cacique* fulfilled

his function as father of the community with a modicum of generosity. But there is no real happiness under either system.

No one visiting the Benguet mine has the slightest reason to shout about a labor Utopia in Haussermann's extravagant terms, nor even to believe that the regimented, well-policed lives are particularly happy. Nevertheless the stomachs are somewhat fuller, the bodies a little healthier, than they are in many another Philippine town—or than they were fifty years ago. That is something—and the same can be said for certain of the sugar mills.⁸⁹

William F. Boericke, a mining engineer who for some years has served in the Philippine Bureau of Mines, relates the marked recent advances in the wage rates of Philippine mine labor to corresponding increases in the productivity of the workers, and these again to the improvement in physical efficiency gradually brought about over a twenty-year period by the attention which the American mine operators have given to nutrition and health conditions.⁹⁰

Kenneth K. Kurihara, who made an extensive study of Philippine labor conditions in the late thirties, is even more explicit on the relation between the terms of employment in the modern industries of the islands and those continuing as a heritage of the Spanish colonial regime. He points out that agricultural wage-labor is used extensively only on the sugar plantations, while other rural employers of labor find it more profitable to rely on the old share-cropping system, which keeps the workers bound to the soil.⁹¹ As a result, he finds, the labor movement in the Philippines reflects the essential lack of freedom of the great majority of workers. It was their lack of civil rights before the advent of American rule that gave to the Philippine labor movement its peculiar political direction: "the struggle . . . for political independence underlined even the most innocent demands of the Filipino workers and peasants."⁹² Because of this political orientation, the operations of Philippine trade unions sometimes appeared irrational to American observers.⁹³

On the other hand, just because so much of the modern industrial enterprise financed from America was still in the colonial tradition, Filipino-financed industrial enterprise became an expression of the patriotic desire for independence. Although at first it was quite as anti-Chinese as it was anti-occidental, Chinese-Filipinos tended to side with their neighbors of indigenous and Spanish blood; and a movement resulted which was directed principally by the desire to parallel political independence with the creation of a financially independent middle class. This went so far that even conservative business circles welcomed a considerable degree of government enterprise and participation as a step in the emancipation from American control.⁹⁴

Lack of savings and the slowness with which the native capital resources grew explain the dependence of industrial progress in the Philippines on either

foreign or government initiative; and with the prevailing hatred for the unassimilated Chinese middleman (many of the best Filipino families have Chinese blood), there was really only one practical possibility. But we shall misunderstand the situation if we leave out of sight those psychological factors which, as has been shown in previous chapters, go with the survival of pre-capitalistic attitudes. In Europe, the Industrial Revolution sprang in part from novel uses of commercial profits; in the Philippines, these profits were largely exported in the form of currency to subsidize a land-poor peasantry in South China. In Europe, that revolution also sprang in part from the mechanization of crafts carried on by independent artisans. The small shop which became the factory was a place where master and journeymen and apprentices labored together at common tasks. The idea that it was unbecoming for the master or members of his family to dirty their hands would have been inconceivable to a class whose dignity and independence even the lords and princes had respected for centuries. But in the Philippines anyone whom industry, thrift, or luck had placed in possession of money almost invariably invested it in land and thus changed his social status. To engage in any kind of physical labor would have held down his social position.⁹⁵ The process of industrialization thus was greatly handicapped not only by the export of potential capital but also by the absence of a class of manual workers who, when successful, would invest their savings in technical training for themselves or their children and thus build from the ground up enterprises of growing complexity. Instead, the successful man became an *illustado* whose son, if of a progressive frame of mind, might prepare himself for a career of industrial management or teaching, but always with a view to functioning in the office or the classroom, never in the shop. Those who blame the Filipinos for this propensity do not understand the historical background. The idea that a manual worker may be a free man is spreading slowly. The "social justice" movement, already referred to, connected the ideas of political and economic freedom and thus tended to dignify the position of the wage-earner. But all economic and social as well as political progress in the Philippines still is held back by a psychological heritage which continues to divide society. This, to some extent, is true of all societies that have but lately come within the orbit of modern economic life. But, to quote the late Professor Joseph Ralston Hayden (vice-governor of the Philippine Islands, 1933-35):

The Philippines is organized as a political democracy; it contains no legally privileged classes; under its liberal constitution all men are equal before the law. Yet forty years under the Stars and Stripes and the Filipino's own *bandera de libertad* have done little more than prepare the way for social and economic and, for that matter, genuine political equality.⁹⁶

Louis H. Pink not long ago tried to answer the criticism that the United

States has handed over masses of Filipinos to a small governing class whose aim has never been other than their exploitation. He pointed out that, with the goal of Philippine independence in view, the United States Government could not have imposed upon the Islands a class structure entirely different from the old inherited one. Nevertheless, "the extremes of richness and poverty, ignorance and cultivation, are less sharp than in earlier days." Nor is it true that American capital is dominant in the Philippines.

After almost half a century of opportunity to "exploit" the Philippines, only approximately \$250,000,000 of American money is invested there. . . . American capital has played an important part in the development of sugar, hemp, gold, copra, the railroads and utilities in the Philippines, but the land is owned by the Filipinos, and Filipinos control the industries and the natural resources.⁹⁷

Although American (and Chinese) interests own a substantial part of the business property in the city of Manila, the prevailing system of labor management in Philippine industries is not modeled on American or any other modern examples but deeply permeated with the spirit of the traditional master-servant relationship.⁹⁸ Therefore, although trade unionism is probably more fully developed in the Philippines than in neighboring countries, it has as yet attained little power. The potential supply of industrial labor, in proportion to total industrial employment,⁹⁹ because of the greater mechanization of agricultural processing than in most tropical countries,¹⁰⁰ is too large to permit organized labor to stabilize the position of any class of workers except the skilled. In the more intensively cultivated parts of the Islands, transportation often is well enough developed to make even the owners of sugar centrals somewhat independent of the local labor supply; and since that industry offers many stages of employment between the seasonal harvest hand and the operator of a machine, many *haciendas* carry on without ever paying more than legal minimum wages even to engineers and other responsible workers.

As in Indonesia, the mines and the processing industries connected with large-scale commercial agriculture—sugar, coconut oil and copra, tobacco, cordage—are the real bridges between traditional and modern economy. The manufactures are, for the most part, in small units. One of the largest industries included under that heading is embroidery, notorious the world over for sweating, though the Philippines no longer are an important seat for the lowest and most parasitic branch of that trade. In recent prewar years, there was a remarkable growth in the number and variety of small industries, producing such consumer goods as textiles, furniture, soap and cosmetics, paints and varnishes, small metal and ceramic articles, processed and canned foods, mats, hats, and other fiber products, shoes, and rubber goods. None of these were important as regards the amount of capital invested or labor employed;

but together they were beginning to pave a broad avenue out of the traditional dependence on the land and the landlord into the greater freedom of modern industry. Labor conditions in these small industries, even in Manila where wages were somewhat higher than elsewhere, still were deplorable because of the poor provision for the health and safety of the workers. They may be expected to improve somewhat with the return of settled conditions because some at least of the slums have been removed by the ravages of war and under a progressive government may be replaced with buildings of a more sanitary type.

In the Philippines as elsewhere in Southeast Asia, the greatest handicap to a rapid improvement in the lot of wage-earners is the social heritage of servitude. It permeates the mutual attitudes of employers and employed and gives even minor legislative campaigns the character of head-on collisions between reformers and vested interests. Reformers complain that, because of the paramount influence of the employing group on the Government, labor laws are not enforced, and the wage-earners are still exploited.¹⁰¹ During the war reports from Manila indicated that, in spite of the all but universal loyalty of the Filipino masses to their government in exile, there had developed a strong radical movement which would soon make itself felt in politics.¹⁰² Like similar tendencies in some European countries freed from enemy occupation, this movement was at the time attributed to "guerrillas, who were drawn largely from the poorer classes, and who feel that they should receive compensation for their sacrifices and hardships, as against those who lived comfortably under the Japanese." This view, however, failed to take into account that there had been much discontent in the Philippines before the war. It is psychologically improbable that the demands for far-reaching economic reforms which the returning government had to face were raised primarily on the ground of justice for those who had done the fighting. Subsequent events have shown that they represented the much larger groups of those who for many years had demanded social justice for the masses.

Although under both American and Commonwealth rule the organization of labor has been encouraged, this was more for the purpose of insuring an orderly presentation of grievances through responsible spokesmen than from a desire to aid substantially in equalizing the respective bargaining power of wage-earners and employers. As long as the Islands' economy was dominated by the great export industries, the interest of the employer was bound to prevail. Thus, the machinery of arbitration was used to end labor disputes more quickly and to reduce the number of strikes (which had been rising rapidly in the thirties), and not to place the influence of the Government behind the movement to improve the lot of the workers. In 1940, the number of strikes suddenly decreased because of a ruling by the Supreme Court that,

since the establishment of the Court of Industrial Relations, providing an "adequate instrumentality to forestall strikes," workers no longer had the right to strike.¹⁰³

One of the difficulties faced by the Philippine Government is that labor costs are higher than in the neighboring countries, so that only concerted action in raising output and reducing unit costs can retain for Philippine export industries the slight advantage which they possess in foreign markets. For example, the production of Manila hemp, largely developed by the Japanese before and during the war in the Davao district in Mindanao and now carried on by land-hungry former guerrillas who have settled on the abandoned plantations, declared government property in 1947, has become precarious unless the corporation set up by the Government to control, regularize, and improve the industry succeeds in raising the yield and holding down the cost.¹⁰⁴

Another difficulty is that the iniquitous land system which the Philippine Government has tried with varying degrees of energy to break is not maintained exclusively by economic interests. As Robert L. Pendleton points out,¹⁰⁵ the ownership of large *haciendas* has for centuries been a means of prestige for the Spanish colonists and their descendants, and—more important—an instrument of administrative control for the Government. As a result, the machinery of government even today is geared to a participation of the *hacenderos* in local government comparable with the "squirearchy" of England before the land reforms beginning with the Small Holdings and Allotments Act of 1907, and peasants who try to assert their independence become automatically dangerous rebels.

In interesting contrast, the mining industries of the Philippines, although they suffered strikes in 1946, are being rehabilitated without serious social upheavals. It is not, perhaps, hazardous to conclude that these industries, carried on under modern principles of management and in some instances with unusual solicitude for the welfare of the workers, are free from the basic social conflict that perturbs the countryside. William F. Boericke tells an incident which goes to show that under a paternalistic regime even the old antagonism of an ethnic minority toward the encroachment of modern enterprise may be dissolved:

Labor disturbances in the Baguio field have happily been absent. The attitude of the native miners has been highly cooperative. . . . A delegation of Igorots, learning that a new piece of road had to be built to the mill site, asked for the privilege of building the road on their own time as a gesture of good will to the management in taking the lead in restoring the mining industry in their province.¹⁰⁶

The governmental organization of the Philippine Republic since 1946 for

the protection of labor is based on the constitution of 1935 and does not essentially differ from that existing before the war. It is sometimes claimed that in the Philippines alone of Southeast Asian countries a modern body of labor laws (modeled on that of the United States) was operative even before the middle thirties. But one need only look at the actual number of persons enrolled in trade unions and the number of collective agreements recorded by the Philippine Department of Labor—and then at the number of disputes and the number of persons involved in them—to realize that the modern machinery of control in the public interest was, on the whole, limited to relatively few key occupations and even there was far from comprehensive. Wage rates in some of the provinces, as recently as 1939, were below a subsistence level.¹⁰⁷ The burden of servitude that rests on the Filipino laborer and the sharecropper has yet to be lifted.

BURMA

In Burma and in Malaya modern industrial agriculture developed with full reliance on imported labor. Indian labor immigration has only in recent prewar years been freed from those socially undesirable features which once were common under like conditions. The contractor, or *maistry*, recruited the workers and, on depositing a security with the employer, received and paid out the wages. This method, under which the wage-earners often were deprived of large parts of their earnings, was carried over into other industries and occasionally created sufficient unrest—as, for example, on the docks of Rangoon—to make necessary its abolition by the Government. Its last stand in Burma was in the rice-milling industry. Now it may be said to have disappeared altogether. However, the essence of the system still survives here and there under arrangements of nominally direct payment of the workers when in practice the foreman has the power to hire and fire: the *maistry* tradition is strong enough to enable him to collect a commission on the workers' earnings.

Characterizations of the Burmese people in the English literature about Burma suggest that local labor supplies simply were not available for large-scale enterprise or for any kind of modern industry, and that this was the reason for the wholesale importation of Indian workers. But when taken in conjunction with other known facts, these statements about Burmese character suggest that from the start it was a matter of policy to make use of cheap labor from neighboring Indian provinces and to let the Burman peasants become the chief carriers of an expanded and intensified rice production on peasant holdings.¹⁰⁸ There is a striking similarity in the mental outlook ascribed to subject peoples by their foreign rulers, when for any reason it suits the rulers better to have them follow their traditional ways than to enroll them for rationalized production: they are described as happy-go-lucky, without a proper grasp of the value of money, content with very little, proud

and jealous of their indigenous culture, uninterested in the state of the world or even of their own country. They are, in fact, "superior people" who "must not be spoiled" by being made acquainted with the mechanism of modern civilization. They may be kept poor by an alien middle class that appropriates the fruit of their labor, but they must not be permitted to be driven to the sort of desperation out of which might grow dangerous ideas and forms of organization.

Only in very recent times were Burmese admitted to employments demanding skill and responsibility. An almost revolutionary nationalist and specifically anti-Indian movement had to come into being before opportunities for vocational training were opened to them. They had most of the freedoms announced on January 6, 1941, and since; but not the essential freedom to plan their own careers, or to serve their country on the same terms as aliens. With the acquisition of much of the arable land by Indian moneylenders, a landless Burmese proletariat had come into being which now had to be protected against the usual forms of labor exploitation, both indigenous and alien. Violent strikes and outbreaks of tenant farmers too poor to make a living rendered a little silly the old pictures drawn of the nonchalance and contentedness of the Burmese masses. A commission of inquiry appointed in 1939 and usually referred to as the Baxter Commission disclosed that even then, after two decades of more or less continuous agitation, less than one-third of the workers employed in the industries of Burma were Burmese; but their relative "independence" in comparison with the docile attitude shown by the Indian wage-earners was practically gone. Their numbers were largest in the smaller industries or those broken up into small units, such as rice-milling, inland rather than on the coast, related to local consumption rather than export.

The tide of Indian labor migration still ran quite heavy in the years just before the war—in 1939 almost a quarter million immigrants by way of the port of Rangoon, and a somewhat smaller number of emigrants. Chinese immigrant workers, much fewer in number, were conspicuous only in the mines, where they constituted not quite one-fourth of the labor force. With many of the larger concerns under direct British management, and because of their relative recentness, labor standards were higher than in most dependencies; and this was especially true as regards methods of management that affect the freedom and status of the workers. The legislation regulating labor relations dates, of course, for the most part to the years before Burma's separation from India. Its shortcomings—again speaking in relative terms—resulted more from difficulties of enforcement in a country with widely scattered industries than from low aim. Thus, for example, a Payment of Wages Act passed in 1938 to break the unfair hold which employers were still found to have over their employees through arbitrary impositions of fines and

wage deductions, did not extend to those industries where the need for protection of the workers is greatest, namely, the small factories with frequent changes in ownership.¹⁰⁹ In one case, in 1940, the inspectorate acted upon a complaint which involved that familiar figure, the *maistry* who had walked off with the wages of his crew.¹¹⁰ Many other cases, however, arise from a tendency of employers illegally to withhold parts of the wages earned by contract workers "in order to keep undue hold on their labor."¹¹¹

Nothing, perhaps, shows better the progress of Burma toward democratic modern labor relations than the growth of a genuine, albeit immature trade unionism. It was, however, a movement permeated with political and cultural motives, and it was divided by the cleavage between Burmese and Indian nationalism. This meant that strikes and legislative programs were in the forefront of activity; there was little experience as yet in negotiation for small advances in wages and terms of employment. The psychology of Burma's labor leaders more than any other phenomenon displayed the oriental and colonial character of the main task. In spite of all recent improvements, and in spite of the newly won political freedom, this still is essentially a task of emancipation from precapitalistic forms of servitude. Obviously, that task is linked to a population policy designed to prevent a swamping of the labor market with immigrant workers. Mr. Rafi's study of Indian colonization in Burma, already referred to,¹¹² shows that, even from the Indian standpoint, a strict regulation of migration between India and Burma is highly desirable. In the next stage of her economic development, India will have far more to gain from vigorous trade with Burma than from occupational opportunities gained at the cost of Burmese welfare and goodwill.

During the war and since its reoccupation, Burma has suffered a social as well as a political revolution, and the end is not yet in sight. British economic policy naturally was directed largely toward the rehabilitation of the great export industries, especially oil and teak; without the revenue from these the damages to the country's transportation system and other public installations could not be repaired. But Burmese participation in the shaping of economic policy has been dominated, both on the right and on the left, by considerations of political advantage rather than those of rapid reconstruction. Not only anti-British and anti-Indian sentiment, fanned to new ardor by Japanese agitation, and a more rapid infiltration of communist ideology, but a heritage of accumulated grievances have made the bulk of the peasant population impervious to the appeal of prudence.

For a while it looked as though the large ethnic minorities (see above, p. 92) had been won over to accept the anti-imperialist program of the Anti-Fascist People's League, the major political party, and for the time to relinquish their own separate programs of liberation from oppressive burdens of debt and of antiquated agrarian relations. But the promise of participation in

a self-governing and completely independent Burmese republic evidently has not sufficed to eradicate the memories of old enmities. In Lower Burma itself, where the major concern long has been the elimination of absentee landownership, banditry has increased with the new postwar pressure on farmers for a maximum rice production—the principal means of securing public revenue. As in the Philippines, exhortations by government leaders imbued with genuine patriotic ardor have failed to impress rebellious peasants with the need for exchanging their arms for hoes. A law decreed in November, 1947, making the carrying of firearms a capital offense, failed in its purpose.

One reason for this outbreak of civil disobedience among the Burmans themselves is that they do not, for the most part, have a direct interest in the soil. As ever shifting tenants—about one-half of them changed from one holding to another every year—they have become a proletariat, easily excited to make exorbitant demands when a friendly government seeks their cooperation in the execution of a necessarily gradual program of rehabilitation.

In theory, the outlook for rehabilitation is bright. First the racial riots, then the persecution incident to the Japanese occupation, have halved the Indian population in Burma and have made the remaining Indian landowners even more willing than they were in the past to give up their holdings for fair compensation.¹¹³ Progressive measures have been enacted to curb money-lenders, to ease the lot of tenant farmers, and to facilitate land purchase by those who cultivate it. In 1947, an act was passed to relieve the rural debtor. The murdered prime minister, Aung San, and his successor, Thakin Nu, both of the major political party, have sponsored legislative programs designed to produce greater freedom as well as greater prosperity. The country's staple products have ready markets at home and abroad. The national budget for 1947-48 was almost balanced. Both Great Britain and India are in the mood for generous settlements of outstanding differences.

As in other countries, the continued unrest stems from opposite sources of dissatisfaction: that of a powerful group of wealthy Burmese landowners and capitalists who hope to salvage something of their waning power, and that of unassimilated wartime resistance forces, torn out of the former lethargy of the typical distressed tenant farmer and incapable of transmuting their revolutionary zeal into a desire for unexciting, peaceful cooperation.¹¹⁴

MALAYA AND BRITISH BORNEO

The Straits Settlements, acquired between 1786 and 1824, were under the government of India until 1867, so that it was natural to have recourse to Indian labor when the indigenous peasants failed to respond in sufficient numbers to the recruiting appeals of British employers.¹¹⁵ By 1875, labor immigration was already an established practice, and an ordinance was passed to regulate it. Other ordinances, reflecting changes in the demand for labor

rather than a consistent policy, followed each other in rapid order during the following two decades. They were prompted by a group of planters who justified their neglect of available Malay man power with the allegation that the governments of the Straits Settlements and those of the States had pre-empted the supply of indigenous labor.

It was natural also for the planters to adopt the system of management with which they or their predecessors had been familiar in Ceylon and British Guiana, a system of indenture binding on both employer and employee. There was, however, an important difference in that, because of the nearness of the Indian Government, the Straits employer could not as easily get away, as he might in Guiana, with arbitrary interpretations of his rights and duties. He was, for example, put to greater expense in looking after the health and welfare of his immigrant workers. The system of penal sanctions, therefore, never worked quite as much to the employer's advantage as in theory it might have done; and when it was eventually given up, the employment of so-called "free" labor already had made great progress.

As in Burma, the labor contractor played an unfortunate role and in retrospect may be seen to have increased the cost of labor for the planter and not, as was long assumed, rendered an indispensable service to the rubber industry. But even when the old *maistry* system with its corruption and cruelty to the workers had been relinquished, labor recruiting in India still remained the happy hunting ground of crafty speculators. Only now they were *kangany*, trusted foremen sent over to hire labor directly for the employing company. Conditions still were misrepresented, and money was advanced to the labor recruits which had to be repaid at usurious rates of interest. Workers still were made to feel that they owed their employment to the man who had hired them and that it was legitimate for him to demand a part of their earnings. The so-called "free laborers," though no longer bound to the job by penal sanctions, nevertheless often were unfree through their dependence on the *kangany*.

Chinese labor first came to Malaya in noticeable numbers at the beginning of the nineteenth century, when Chinese merchants in Malacca engaged in the risky and illegal but lucrative "coolie trade."¹¹⁶ An auction resembling a slave market took place at the docks, as the junk owners endeavored to collect from would-be employers as much as possible to cover the cost of passage and other outlays, such as payment of debts incurred by the emigrant's family. The laborer himself, knowing nothing of differences in conditions of work, was willing to sign a contract obliging him to work for a year for little more than his keep and a few dollars in cash.¹¹⁷ Eventually this trade developed into a more systematic recruiting in times of active demand for labor. The contract more often was entered into in the Chinese port of departure and made legally valid in the port of arrival by a British official certificate. It

usually was made binding for a year of three hundred working days. In spite of the establishment of a protectorate for the Chinese, in 1877, the system always was weighted in favor of the work-giver and did not prevent diverse ways of cheating the work-taker. It is true, the larger plantations and those within easy reach of the labor inspectorate were more concerned with efficiency and with winning the laborer for a voluntary renewal of his contract than with cutting down on legitimate costs of maintenance; the system of indentured labor nevertheless came into bad odor and, toward the end of the century, was more and more replaced with employment of "free" labor.¹¹⁸

There is reason to believe that the prospect of an almost unlimited supply of Indian labor was the chief attraction of the Malay Archipelago for the British investor. In the early days of the plantation regime, the Chinese probably excelled in efficiency. But they also introduced problems, and the cost of their importation was higher. Even in recent times, the greater submissiveness of the poverty-stricken Indians was a factor that weighed in their favor:

The planters prefer the Tamils, because they are very docile and subservient. Long years of social and economic subordination have left indelible marks of servility in their minds, which it is very difficult to get rid of.¹¹⁹

Indentured labor was abolished for Indians in 1910 and for Chinese in 1914.¹²⁰ The employers of alien oriental labor in Malaya may be said never to have been free from supervision and, perhaps, interference by government agencies, as first the Indian and then the Chinese immigrant workers came to be objects of special protection. Between the Indian Immigration Act of 1907 and the Labor Ordinance of August 27, 1923, there was a series of decrees, designed, first, to make the system of penal sanctions more workable and, later, to find adequate substitutes for it in the regulation of employer-employee relations.¹²¹

Nominally an exception to the system in vogue, penal sanctions still were in force, when the First World War broke out, in respect of Javanese laborers hired under the Netherlands Indian Laborers' Protection Ordinance of 1908. These laborers, according to such detailed accounts of plantation regimes as have already been referred to, were desirable in many respects but were much less disciplined than Indians and more likely to refuse to work on grounds of doubtful validity. Fines and imprisonment in their case were regarded as necessary threats to assure fulfillment of their contracts. However, in practice very few Javanese were hired under this act after 1925, and the ordinance permitting the infliction of sanctions was repealed in the various parts of Malaya from 1932 on.¹²²

Perhaps the best testimonial to the improvement of labor conditions in Malaya is contained in a report of Srinivasa Sastri, the labor inspector for

Malaya appointed by the Indian Government, for the year 1936-37. He was favorably impressed with the general conditions on the estates.¹²³ No complaints had been made to him of physical violence or coercion. Throughout the country it had become the custom for the managers to pay out the wages directly to each worker. Every laborer, on being hired, was told that he was free to leave at any time on a month's notice. Mr. Sastri noted that managers were conforming to the obligation placed upon them to allot land to those laborers who desired to stay.

In the absence of long-term contracts, the estates could obviously not be held to give laborers security of tenure on their holdings. Nevertheless, Indian workers often remained on the same estates for many years. According to one informant, large families lived together, and while some of the members might be working on the estate for wages, others, including their wives and children, cultivated the holding. The children usually attended in the afternoon a school provided by the estate. "All the coolies look on their *dhorai* (master) as the father and mother."

Discontent among these settled Indian workers seems to have arisen in the main from two sources: when there was a fall in the price of rubber, the laborer's wage—rarely much more than covering bare subsistence—suffered immediately, while the salaries of the managers and estate staffs remained uncurtailed; and Indians of long residence claimed that they were entitled to political representation and demanded admission to employment in public services—both opportunities still denied them. Nevertheless, it was generally agreed by observers that on the whole the Tamil laborer was better off in Malaya than he would be at home. The change in the employment system also has made for a change in the mutual relations between management and labor. As a psychological phenomenon, the rapidity with which this reaction is said by some observers to have taken place¹²⁴ is surprising. One might have expected that it would take more than one generation of Tamil or any other laborers who have been oppressed at home and abroad to understand and accept the spirit of cooperation demanded by modern enterprise under scientific and humane management. And it took a new type of manager to discard the prejudices that underlie the former reliance on regimentation and autocratic discipline.

The more general claim, on the other hand, may be conceded, that the Indian laborer is better off under the sort of management that prevailed in Malaya in recent prewar years than he ever was at home.¹²⁵ A similar claim has also been made with some show of evidence concerning the lot of the indigenous Malay who has entered the service of a European industry in Malaya. There is a consensus that such a worker is infinitely better off under a British employer and under British rule than he ever was under a native landlord and under the old native rule. But in his case, too, the cause of his improved status and

fortune does not necessarily enter into the consciousness of the individual. For long after, perhaps for several more generations, the Malay, like the Tamil, will be likely to esteem personal freedom and leisure the highest values, not the accumulation of wealth. And so the thrifty Chinese has passed both on the upward path to prosperity.¹²⁶

The condition of Chinese laborers in Malaya was originally very bad because many of them were hired in poverty-ridden districts of South China for work in the Straits Settlements without that protection which the Indians had because they were able to appeal to a strong government behind them. They were, indeed, wholly at the mercy of those who paid for their transportation, often men with few scruples when employing others than members of their own family or clan. The Chinese "coolie," however, had a traditional sense of cultural superiority over non-Chinese and a traditional shrewdness, which often enabled him to save from his meager earnings and either return home to improve his position in his native village or engage in some lucrative trade which, however small at the start, might eventually establish him as a substantial merchant. Some combined farming and small industries with store-keeping and eventually became leaders of their overseas community. The less fortunate were those who got into debt to one of their own countrymen, from which they could rarely extricate themselves. However, protective legislation of increasing severity, aided by the establishment in 1880 of a Chinese protectorate, as an agency of the Straits Settlements Government, has done much to clear the "coolie traffic" of the stigma which once attached to it. In recent prewar years, Chinese workers constituted a large majority in practically all the skilled trades and in mining, while they remained a substantial minority in commercial agriculture. Some of them have become organized in unions, and these, despite their nationalist orientation, evidently have been successful in securing improved labor conditions.¹²⁷ Conditions of relative servitude, as in other British dependencies, survive only where, because of distance and the scattered character of an industry, it is difficult for the labor inspectorate to make its influence effective; and this usually means under Chinese employers who, unlike their leaders in Singapore and Penang, have not yet adopted modern methods in the conduct of their business.

The outstanding illustration of an industry "carried on by means of the most up-to-date machinery and also in the most primitive manner imaginable"¹²⁸ is the mining and smelting of tin.¹²⁹ Although Chinese workers in this industry were able to send regular remittances to their families in China, this was only because of the wretched conditions under which they were willing to live. Payment was by the truckload of ore, which means that the foreman of a crew took the cream (up to 25 per cent of the earnings) and the "coolies" were at his mercy.¹³⁰

Recent prewar reports indicate progress in the improvement of labor con-

ditions in the Straits Settlements for almost all categories of workers.¹³¹ As regards the freedom of the wage-earners, two changes are especially worth noting: the great increase in the introduction of Indian and Chinese women, and the beginnings of a genuine trade unionism.¹³² The former is a direct result of the substitution of free immigration for the contract system and, in turn, makes for greater stability and regularity of work attendance, with the result that managers no longer feel that they must rely on coercive forms of discipline to get the work done. The formation of trade unions, though permissible under certain conditions for many years, actually was discouraged by regulations which treated them as suspect of bolshevism. The recognized unions were more in the nature of company unions than instruments of self-protection. Strikes of mine and transportation workers were correspondingly bitter and often accompanied by violence. To prevent such strikes, and especially those on public works, the Government introduced a system of arbitration. As a result of this experience, and perhaps also in view of growing alarm over the danger of war with Japan, the Government in the late thirties and in 1940 introduced a number of constructive labor laws, based on British and New Zealand models, including a Trade Unions Ordinance and a Trade Disputes Ordinance—the latter endeavoring to separate the permissible business and functioning of unions from the operations of bodies created to use strikes for political ends.¹³³ In practice, such an endeavor to make a distinction between legitimate and illegitimate trade unionism tends, of course, to invite a succession of arbitrary decisions. Whatever the success of the 1940 Trade Unions Ordinance may have been on the negative side, it cannot but have had the effect also of discouraging the growth of socially desirable labor organization and activities.

Actually, because of the war and Japanese occupation, it was not until the end of 1945 that a number of unions were registered under the terms of the ordinance. Apparently, it offered no sufficient inducements for doing so. For although after the reoccupation of Malaya "a large number of incipient trade unions came into being, their activities ceased after the settlement of a particular dispute."¹³⁴ There was, however, a new effort to bring the public interest to bear on the unequal struggle between employers and wage-earners in the determination of wage rates. Under an ordinance of September 1, 1947, wage councils were established to conduct wage inquiries, and to submit to the governor proposals for wage regulation.¹³⁵

It should be remembered that before the war, in spite of greater coordination of services, each state still had its own labor legislation. There was a certain similarity in the effort to adapt that legislation, and administrative practice, as far as possible to a common policy and to international conventions; nevertheless differences in enforcement could be noted, arising from the time lag between the passage of these laws and from the nature of the predominant

industry, whether concentrated or dispersed, whether close to native villages or obliged to secure its labor supply from a distance. Thus, for example, in the Unfederated State of Perlis, because of the availability of sufficient numbers of Malay peasants who could be attracted to wage-employment during the off-seasons, labor conditions were relatively good.¹³⁶ In Kelantan, close to the border, the situation was even more favorable to the employment of local Malays on the scattered rubber estates. The labor policy here, in recent prewar years, was that of integrating the work on these estates so closely with the native economy that "tapping tasks are looked on almost as a family possession, and if a laborer wants a rest or change or to attend to his own business a brother or an uncle will take his place."¹³⁷

It is difficult to summarize the effects of the war and of postwar policy on the Malayan labor situation. As in the other countries of the region, it is not possible to distinguish clearly between economically and politically motivated expressions of the popular will or between the peasants' and wage-earners' demands, on the one hand, for a more secure livelihood and, on the other, for greater freedom. In the newspaper reports as in those of public officials, one detects a tendency to relate the forces of dissatisfaction in these far territories to movements of discontent that are rife in the Western world and with which we are more familiar. Thus the essential explanation may sometimes be lost sight of.

What is this communist movement in Malaya of which there have been so many evidences since the war and which toward the end of 1948 the Government announced it had succeeded in making harmless? There has been and is a communist party in Malaya which, like those in the neighboring countries, continues as an underground conspiracy when it is driven out of public life. It has its known connections with international communist headquarters both in Russia and in China. It also has affiliations in India. In so far as it operates through recognized trade unions, its membership is almost entirely Chinese and its major field of operations is Singapore. Its purpose, as elsewhere, is to create disturbances and to hinder economic reconstruction rather than to improve labor conditions or even to advance socialist aims. It is essentially anti-imperialist; and what gives it significance in relation to the theme of this study is that it is primarily directed against large-scale enterprise and especially the plantation system of agricultural production. "There are many puzzling features about the risings in Indonesia and Malaya," writes a well-known correspondent of the *London Times*.¹³⁸ Why, after initial actions against Chinese capitalists, were three British planters attacked and killed in June, 1948, and thus the whole force of the British police and military power brought into motion with the certainty of complete suppression? He concludes that "the Communists were forced into direct action before they were ready—almost that they drifted into revolution." This explanation

conforms with the cumulative evidence produced in many of these pages that a long history of oppression has, in Malaya as in other parts of Southeast Asia, kept alive the embers of a discontent, ranging from a mild pining for the recognition of men's worth to sullen defiance—a discontent that may be kindled into open rebellion by inadvertence quite as easily as by a concerted plan. There may have been miscalculations on the part of communist leaders in Malaya, as Mr. Morrison contends; but in historic retrospect these and other surface occurrences are quite likely to appear minor incidents in the gathering force of a social movement which not even those who wished to manipulate it for their own ends could control. For that movement is made up of many rivulets of human desire all springing from the same timeless source of liberative human energy: the uprising of Malay and Proto-Malay population groups long held in subjection by invading usurpers of their heritage, former plantation laborers and their offspring with vivid memories of insufferable exploitation and indignities, wage-earners forcibly prevented before a Labour Government in England took up their cause from organizing effectively for the protection of their rights. As the British commissioner general, Malcolm MacDonald, has pointed out, the recent uprisings in Malaya are too diverse in character to be explained by a single cause, be it communism or nationalism; they are eruptions of a seething revolt, not only against this or that remnant of despotism in industrial relations, not only against colonialism or foreign rule as such, but against every arbitrary exercise of authority that deprives men of their dignity and freedom.

It is not sufficient in this connection to think only of human relations in the large enterprises. An important element in the prevailing discontent is the position of the fringe of indigenous agriculture that surrounds so many of the large branches of estate cultivation. More and more drawn into the orbit of world commerce, the millions of small farmers who contribute to it have never been able to make their influence felt; both in the industry itself and in the Government their interest has been, if not altogether neglected, yet assigned a secondary place. This, too, resulted in restrictions on freedom and injustices which, during the years of the great depression and since, have produced resentment. In a recent controversy on the working of the rubber regulations in Malaya, two economists familiar with the facts agreed that, in the rubber industry, especially, the application of estate standards to small holdings had produced adverse results for hundreds of thousands of small holders. Yet one of them, referring to a chapter on monopolies in Alfred Marshall's famous *Principles of Economics* (1890, p. 491), writes that the identification both in the popular mind and by civil servants of a few of the largest firms with "the industry" is a familiar phenomenon.¹³⁹ When this happens in a colonial society where all the small holders are Asians (Malay, Chinese, and Indian), while the big plantations are European- and American-

owned, more than the usual difference of interest between the small and the big operator is involved. Like forced labor and other oppressive conditions of employment, such a relationship compels the people to adopt unwanted and disadvantageous, sometimes even degrading, modes of making a living. Sooner or later there was bound to be an eruption in Malaya; and not even the more considerate measures adopted in the last two decades could prevent it.

Opinions are divided on the probable long-range effect of the constitutional reforms upon the freedom of the workers. Unification and centralization of the labor laws and their administration is likely to benefit greatly the wage-earners and share-farmers, especially in the Unfederated Malay States. New public controls will help to eliminate surviving malpractices in the lesser industries and in enterprises under Asian management. On the other hand, it is contended by the popular parties that the rule of the sultans is strengthened so that traditional class domination is given another lease of life, while the growth of a genuinely democratic system of government is further delayed.¹⁴⁰

Most of the things said on previous pages are true of British Borneo, Brunei, and Sarawak as well as of the Malay Peninsula. But conditions vary, and our information on labor conditions in these lesser dependencies and protectorates is a little more sketchy. The development of modern industry here is not quite as advanced, largely because of natural conditions. There is little Indian labor, and the indigenous population is either fully occupied with agricultural and other traditional pursuits or even more adverse to continuous employment under strict discipline. For these reasons, Chinese laborers were early introduced and in the course of time have manned not only almost all the European-owned industries but also others of their own. Indeed, they and not the Europeans are the real colonials in Borneo and there have founded flourishing coastal communities.

J. A. Hobson uses the British North Borneo Company as an example, among others, of the transformation of trading bodies into organizations more and more devoted to the control and development of agricultural and mining resources to supply the Western markets. Here, as in similar conditions elsewhere, "a purely or distinctively commercial motive and conduct have furnished the nucleus out of which imperialism has grown, the early trading settlement becoming an industrial settlement involving force for protection, for securing further concessions, and for checking or punishing infringements of agreement or breaches of order."¹⁴¹ Actually, his analysis of the historical process applies much less here than, for example, in Java, because the company never felt obliged to rely exclusively on local labor. When it began to operate on a large scale, it was at once able to draw upon immigrant contract labor. Moreover, whereas in Java large numbers of skilled peasants, accustomed to hard and continuous labor, could be forced into the service of export agri-

culture, the much smaller areas available for large-scale cultivation in North Borneo could not advantageously be manned to any large extent with a working personnel drawn from the adjacent jungle.

The informal reminiscences of a British official in North Borneo provide a rather naïve but revealing picture of labor conditions in that territory, a remnant of the British empire formerly administered by chartered companies.¹⁴² Writing in 1924, he defends indentured labor as the only system under which industry could be carried on there. To quote:

Apart from what may be termed the purely legal aspect of the contract, the state of development of the country, the supply of, and demand for, labour, and the mentality and civilization of the labourer are to be considered. A tropical country in the throes of development plus an insufficiency of local or indigenous labour, and the consequent importation of a supply from an outside source; labourers of Asiatic origin, and of a low mentality and natural standard of living, are all parts of conditions which, if they do not actually demand indentured labour, at least go far to excuse its employment.¹⁴³

Labor contracts, since 1936, are on a monthly basis and follow the same pattern as those in Malaya. Before that they were governed by the demands of a Labor Ordinance approved in London and were for three hundred working days, at the end of which the laborer must if he so wished be repatriated. The contract provided for termination at a month's notice from either side; but the laborer could not leave until he had paid any debt he owed the employer, including the cost of his importation or such part of it as the Protector of Labourers declared to be fair—never more than thirty dollars. This debt relation—an old trouble in North Borneo¹⁴⁴—was the greatest remaining cause of servitude, its removal a genuine act of emancipation.

The authorities, as a matter of fact, looked with disfavor on the increased employment of Dusun and Bajau contract workers on the estates. British North Borneo grew only about one half of the rice it consumed, and the Dusun produced the larger part of that home supply.

Every native away from normal village life meant less rice grown during that year. But this, though serious, was not the worst feature of existing conditions. It was noticed that the younger generation showed a distinct disinclination to return to the old life. Planting failed to attract them; they lost their sense of individuality and clever craftsmanship; they became one of a crowd—housed, fed, and cared for. . . .

True, they were given medical attention, learned the value and necessity of discipline and cleanliness. But these virtues or advantages never became more than skin-deep, and a return—if return there was—to village life meant a return to the old bad habits with new bad habits added.¹⁴⁵

Needless to say, the contracts were in former days administered solely in

the interest of the employer. The Chinese laborers were imported by a labor contractor who had complete control over them and who held out to them as the chief attraction an opportunity to acquire fertile arable land. The clearing of the land usually was done by indigenous Dyak laborers familiar with the special difficulties of the undergrowth and with the climate. As land passed into Chinese ownership, plantation conditions for contract laborers grew worse. Sometimes strikes broke out; the workers were practically defenseless. Those who fled and, despite all hazards, left the security of their community to take up land on their own at a distance sometimes succeeded and, indeed, contributed materially to the development of the colony.

In Sarawak, as we have already seen, the Government—a sultanate under British protection between 1888 and 1946, when it was ceded to the British Crown—has been solicitous of the welfare of the native population since the Brooke family began to rule in 1855. Here also Chinese immigration made up a large part of the labor force in modern enterprise, but the rights of the indigenous population to the good arable land were better protected. The Malayan type of monthly labor agreement was introduced in 1935. By a proclamation of March 31, 1941, the rajah announced his intention to replace absolute rule with a representative form of government; and on September 24 of that year a constitution was promulgated.

An account of labor conditions was given in a government report for 1940. Agricultural estates—chiefly rubber—and lumber camps provided employment for about 20,000 in a total population of about 600,000. Of these wage-earners about 8,000 were Chinese, 2,500 Javanese, and the rest indigenous. During the year laws had been decreed in close conformity to International Labor Conference recommendations: repatriation at employer's expense after six months' service for laborers recruited overseas; validity of labor contract limited to 180 days; unless otherwise arranged, contracts to be held to have been made for one month; contracts which stipulate conditions of employment materially less favorable to the laborer than those customary in the district of employment to be declared void. The conditions laid down in the Recruiting of Indigenous Workers Convention of 1936 were ratified. The system of labor inspection was strengthened, with the aim of eventually providing for at least one annual visit of inspection to places of employment with more than twenty and less than fifty employees, and two visits to those where more than fifty were employed.¹⁴⁶ Because of this Government's solicitude, wages and working conditions on estates also seem to be superior to those in other parts of Borneo.

The intentions of the new colonial administration are indicated not so much by new labor legislation, since the statutes already are assimilated to the progressive standards that rule in the peninsula, as by an unprecedented budgetary provision for health, education, and public works—about one-third

of the total approved budget for 1947. In addition, Sarawak's economic growth will benefit from the financial provision made by Parliament, since the war, for colonial development and welfare.¹⁴⁷

Petroleum and rubber are the only large-scale industries in Brunei, and the total employment provided by them is small. As elsewhere, Chinese do much of the skilled work, but there is not much recent immigration. As a result, labor conditions are much like those in the Unfederated Malay States where native peasant labor is relied on. There is no indentured labor, and work agreements unless otherwise specified are for one month. The law provides for reasonable working conditions, including payment for overtime. Although the laws of the sultanate are made by a state council, administration is linked to that of Malaya; and the code, like that of the Malayan States, has recently been brought into harmony with the international labor conventions ratified by Great Britain. Methods of management on the larger enterprises are paternalistic and, within that frame, modern and successful.¹⁴⁸

SIAM

Even more than of the Burmese, it has been said of the Thai that their attitude to life is cheerful and free. Visitors sometimes compare their proud, gay, and easy ways with the servility and apparent unhappiness of Indians.¹⁴⁹ But this does not mean that in their economic and social relations the poorer peasants and the wage-earners really are free. Appearances are deceptive; many a traveller has returned from the most landlord-oppressed provinces of China and from our own blackest South, dilating upon the cheerfulness and cordiality of the common people toward strangers. Americans, with the high value they place on political independence, are likely to see in other self-governing countries a general difference of social attitudes from those in dependent countries. As a matter of fact, neither the social history of Siam nor the basic conditions under which its modern industries are carried on are so different from those in neighboring dependent territories as to show such obvious results in bearing as are claimed by some writers.¹⁵⁰

As has already been noted, most large-scale enterprise in Siam has until recently been foreign enterprise. Because of this, it is not surprising that labor conditions in this kingdom somewhat resemble those in neighboring colonial dependencies. In spite of their cultural differences, foreign employers and indigenous wage-earners are bound together by a common interest. Any modern enterprise dependent on the voluntary offer of labor in a country still permitting the bulk of its population a relatively secure livelihood in agriculture must offer conditions at least no worse than those found in the native economy. On the other hand, cash wages with which to purchase desired modern items of consumption could until recently be earned almost exclusively in enterprises under foreign management. Foreign employers, therefore, could

not afford to despise the indigenous population on which they had to depend; and to the Siamese laborers such employers did not appear in the guise of foreign devils.

Indeed, where antagonism toward Indian and Chinese employers did flare up in Siam in recent prewar years, the reason was resentment over the preference shown by some of these for employees of their own respective nationality. Such preference is exercised by both Siamese and foreign employers not so much on national or racial grounds but because it is almost impossible to combine in a single enterprise the employment of wage-earners who offer their labor individually and of immigrant workers whose labor is almost always contracted for in bulk through a contractor. Even if this were not so, the labor attitudes of Siamese, Chinese, and other alien Asiatics are sufficiently different, as are their whole outlooks on life, to make the blending of these elements in a single labor force a precarious business.

To some extent, the long tradition of slavery and serfdom of Siam, referred to in previous chapters, which continued to the middle of the nineteenth century, still is reflected in present-day labor attitudes. The initiative and self-respect even of craftsmen had been undermined. Class differences had been exaggerated by the ability of the well-to-do to buy themselves free from services which the masses had to render as a hereditary duty to their king and their noble masters. All manual work had come to be looked upon as degrading and to be avoided whenever possible. When more enlightened views made themselves felt in the national capital, and labor laws were adopted to safeguard the rights of wage-earners, the arm of the State was not strong enough to see these laws enforced throughout the land. Corruption continued to impose uneven burdens on different classes.

In the prewar years, Chinese immigrants, in spite of restrictive and discriminatory laws, still supplied most of the industrial labor. Shortages of man power developed in the rubber and tin industries. Because of the prevailing dislike for the Chinese, neither the plight of Chinese industrialists nor the poor working conditions suffered by Chinese laborers aroused much sympathy.¹⁵¹ The feeling gained ground that perhaps in the particular circumstances of Siam a larger degree of mechanization would be the way out of the labor shortage and at the same time the way toward better living conditions. But there was no real economic basis for the immense capitalization that would be required if Siam's leading industries were thus to be enabled to emancipate themselves of alien labor and to provide adequate employment for the Thai. With the avowed aim of bringing Thai workers more rapidly into modern industry, the Government therefore took three steps during the short reform period in the thirties, steps which may be expected to influence future plans: they took under direct auspices, i.e., socialized, a number of industries which Chinese capitalists had previously carried on as

virtual monopolies; they provided for vocational training so as to replace alien skilled workers with Thai; and they improved the labor inspection service so as to create working conditions which self-respecting nationals would accept. The Government at this time also tried to encourage the arts and crafts, realizing that in the skills of the indigenous population the country had an economic asset that could be brought into play under free institutions to relieve the rural worker of partial unemployment and to give more varied opportunities to the urban population.

Labor legislation in the main followed the examples set by the more advanced neighboring governments. After the *coup d'état* of 1932, a closely supervised trade unionism was encouraged as a substitute for secret societies and other forms of organization that threatened the public order. Wage legislation and incipient social insurance laws for certain classes of government employees followed. Attempts to effect a broader protective labor legislation for private industry, however, were defeated, and even a general labor survey announced in 1937 had not yet been carried out five years later, when political circumstances prevented it. In short, the liberal tendencies that had developed in Siam were not yet strong enough to expand the Government's concern with labor conditions in the public service and in the national capital to the whole area of private industry. Liberation of the country's economy from alien monopoly still remained so large a task that no effective beginning had yet been made with the equally important task of freeing the laborers from the age-old oppression of their own native ruling class. Although great progress had been made in two generations to regulate and reduce compulsory labor, this had not yet been eliminated and survived more especially in those regions where a backward aboriginal group, such as the Lao, was available for exploitation by Thai landlords.

The best hope for a genuine protection of Thai workers against traditional and new forms of involuntary servitude probably lies in the beginnings of an autonomous labor movement. The Government did not succeed entirely either in suppressing it when it still was illegal or in controlling it when it had to be recognized. Organized labor was able in the thirties to erect a barrier against the employment of immigrant (Chinese) labor, and in the few industries where it enlisted a majority of the workers, all in Bangkok, gained a number of concessions. It also presented, in 1937, thirteen candidates of its own for election to the National Assembly. This movement, of course, as yet hardly affected the fortunes of the great majority of workers throughout the country. But it did provide an aspiration which a liberal government might nourish and canalize into constructive participation when the economic development of the nation again becomes a major aim of policy. Already, in the brief period of its power, the reform Government, through its industrial and educational programs, its support of the cooperative movement and other

progressive causes, has helped to lift the weight of those iniquitous social traditions which have ruled so long in ancient Siam.

Two contradictory principles have struggled for supremacy in Siam during the last two decades. On the one hand, the country's Buddhist religion, under a succession of liberal rulers, had permeated both public and private life with a tolerance and goodwill which, in the absence of calamitous inroads on the people's livelihood, promised an era of graduated long-range reforms. On the other, the country reacted to increasing pressures from without with growing fear and hatred of foreigners. With three million Chinese in a population of eighteen million, the unwillingness of that large minority, strongly entrenched in business and industry, to shed its allegiance to a foreign power produced an understandable reaction of heightened nationalism among the Thai. Their Government, yielding to popular demand, heaped one discriminating measure on another.

Siam's three years of alliance with Japan, from 1942 to 1945, cannot simply be explained in terms of hoped-for territorial gains. Popular sympathy was with the Allies, and the underground resistance forces—including high officers of the Government itself—had wide support. Fear of bloodshed and devastation sufficiently account for a political step which, as subsequent actions have shown, was seen as only a temporary expedient even by those who planned it. But during that period even more radical steps than before were taken to free the people of Chinese economic domination. For example, in June, 1942, it was ordered that twenty-seven trades and professions were to be reserved exclusively for Thai. Temporary Japanese domination of the economy did not prevent the active pursuit of part of the long-range program to raise standards of living: cotton growing on a large scale, for example, and irrigation projects, and others designed to increase the production of staple products.

At the end of the war, under two statesmen both of whom had in the past contributed to a lessening of the power of the crown, the nobility, and the army, the larger program of the people's emancipation was resumed. Resistance on the right continued—and again became dominant; but there was now on the left an organized "communist" movement, with some thirty thousand members in Bangkok alone. As in Burma, past sins against minorities have come to plague the postwar regime. In the southern provinces, Malay insurgents demand freedom from Thai rule. In the eastern provinces, Cambodian groups seek junction with their kinsmen across the border—not from a desire to become French colonial subjects but dreaming of a recreated great Cambodian state.

In this situation, made more difficult by the reparations claims of France and the United Kingdom, the fundamental reform program of the thirties was for a time resumed. To deal with insurrection a road system was to

be built that would serve not only military purposes but also those of agricultural development. Groups of officials were sent abroad to study possibilities of rural electrification, advanced methods of dry farming, and cattle breeding. Agricultural education and public health measures were pushed to the outskirts of the realm; producers' cooperation and schooling were encouraged. Practical assistance was and is sought through the new international agencies to speed the general economic development of Siam.¹⁵² There is at least a possibility that the chauvinism which has grown up in that kingdom under the external and internal pressures of recent times will dissolve in that larger movement now taking form under Indian leadership for a combined attack of Asian peoples against the remaining vestiges of despotism.

INDO-CHINA

A long history of oppression by their own rulers and by China had rendered the peoples of Indo-China powerless against exploitation by Western adventurers when colonialism spread eastward from the small European settlements in India. They were powerless to withstand the demands of the merchants and planters and industrialists who followed, for these were sustained not only by military force but also by the greed of indigenous princes and mandarins. At times, it is true, French policies in the peninsula have reflected the spirit of the Revolution and faith in law. But their essential character was imperialistic: they were as closely geared to the interests of the metropolitan power as those of any other colonial regime. Even in recent times, when some of the worst abuses had been eliminated in keeping with world opinion, reform administrations in Indo-China often found themselves hampered by their heritage: the continuing despotism and corruption of many of the indigenous leaders; the continuing pitiless disregard of the people's welfare on the part of big business.

As in other dependencies, the colonials had only one concern—an abundant production of export commodities at low cost. When Cochin-China was to be developed for commercial agriculture, the overcrowded delta sections of Tonkin and northern Annam offered an abundant and cheap labor supply. Systematic recruiting of labor for long-term contracts started in 1905. However, although recourse to contract labor followed every forward step of effective French control over the fertile parts of the peninsula, it was not until after the First World War that this form of employment assumed large proportions, and it never became a main reliance of commercial agriculture. The reason is that rice production does not lend itself especially well to any kind of regimentation, but rubber production does, or at any rate did before the recent intensification of scientific methods. The rubber industry provided jobs for a little over 20,000 northern contract laborers in 1927. Its demand for labor fluctuated enormously but on the whole was in an upward direction—

until the great depression which brought an almost complete cessation of employment between 1930 and 1932. In 1937, the employment figure for 1930 was again exceeded.

Although the contracting laborers were nationals and not imported aliens, many evils crept into the system of recruiting from the start, for this remained in the hands of a professional class of agents, the *cais*. The conditions under which peasants in the northern delta areas were induced to leave their homes, were transported, and were subsequently cheated of their rights at times became scandalous¹⁵³ and aroused indignation among the organized workers in the French homeland. Repeated orders were issued—for example, in 1927, 1928, and 1930—to improve the ordinances under which these agents were licensed and to provide for their supervision;¹⁵⁴ but the abuses continued, and the penal sanctions of the contracts were enforced only against defaulting workers, never against defaulting employers. One means of oppression permitted under the law was that a worker who could not save money enough to repay the cost of his transportation and the money advance usually made at the time of hiring forfeited his right to free return transportation.

Promises that were never fulfilled and intrigues between labor recruiters and local magistrates sent vast numbers of laborers to southern plantations, where sanitary conditions were poor and provision for the comfort and satisfaction of the massed and helpless workers was practically nonexistent. The bad reputation of the worst plantations unjustly clung to the better ones and there, too, made for insurrection, flight, and inefficiency. Not until October, 1927, was an agreement reached between the local Government of Tonkin and the employers of Cochinchina under which labor recruitment in the northern state was limited to an annual maximum of 25,000. The situation that gave rise to this regulation has been described as follows:

Abuses inevitably occur, both on the part of recruiters of labor in Tonkin and Annam and on that of the plantations themselves. Urged on by the needs of the planters, the recruiters turn to the native authorities for help in securing labor; these do not hesitate to send them, either with their consent or by force, all the undesirables, vagabonds, human wrecks who swarm in the hive of the lower delta; veritable convoys of coolies whom nobody has submitted to medical inspection since their sailing from Haiphong, land at Saigon, where they are hastily dispatched to the surrounding plantations.

There these persons, in poor physical condition, are subjected to a labor made onerous both by the climate and by the bad conditions under which they live, and soon become victims of marsh fever and of intestinal diseases. Many, entirely disgusted, take flight and try either to find less severe labor conditions or to regain Tonkin.¹⁵⁵

This was ten years before that crisis in the affairs of the colony in which the Government depended for its very existence on the loyalty of the people. In

1925 and 1926, one out of every ten of the workers employed on the plantations deserted. On some of them the average number of cases of disability was more than one-third of the number employed. These extreme symptoms of social maladjustment were characteristic of the newer plantations that had but recently imported their working forces; far more settled conditions prevailed on the older estates. Nevertheless, the situation was exploited by the revolutionary press of Annam and later served the Japanese as a psychological weapon against the continuance of European rule.¹⁵⁶

In 1927 the Government of Indo-China set up a general labor inspectorate and, on the recommendations of that inspectorate, issued a basic statute for the protection of the migrant workers from Tonkin. In that year and the following, about 18,000 workers were sent south under that supervision of their transit, their contracts, and the conditions of their employment, which had previously been lacking. The governor general issued a special order for the accumulation of deferred pay so that even the most improvident workers should be able to return to their homes when the terms of their contract permitted them to do so, and so that those who finished their three years' contract should have savings of some value to take home. It is interesting to note in passing that, as a result of previous deception and maltreatment, there prevailed so much suspicion among the workers that they could not at once perceive the benefit to them of these regulations. Only some years later, when workers had been repatriated in some number after completion of their contracts, and their deferred wage payments had been made, were these measures fully appreciated.¹⁵⁷ Breach of contract and desertion figures unfortunately cannot be used to illustrate the same theme. For although they greatly increased in the years immediately following the Government's introduction of protective measures, the labor inspectorate explained this by enticement of contract workers during a period of full employment by recruiting agents for plantations which themselves employed free labor.¹⁵⁸ The vehemence with which the labor conditions on rubber plantations were defended at the time of maximum communist activity in Indo-China¹⁵⁹ may be taken as evidence that conditions in many of the large establishments were still very bad, and that years would have to pass before the new labor regulations and inspection services could take full effect.

In later years, the worst of the remaining vestiges of the early days of colonial exploitation probably was the system of labor management, both on plantations and in mines, under which the foremen, or *cais*, also were responsible for hiring. Their cupidity, the cause of most of the misrepresentation and of the cheating of the workers, could not be regulated away, although the labor inspectorate did its best to do so. It was possible to protect the worker when signing a contract and in transit; but, when he continued to remain under the exclusive and autocratic control of the *cai* who had hired

him, he often was subject to such excessive overwork and theft of his legitimate earnings that, without access to any protective agency, he decided to secure his freedom through flight.¹⁶⁰ Eventually, persistent efforts to secure direct employment by the mining and estate companies produced better results. The order of 1927, obliging employers of transient labor to deposit 5 per cent of their pay with the post office (see above, p. 259), although probably not fully enforced, also must in some degree have helped to ease that side of the tension which sprang from the helplessness of the workers and their sense that they were being mulcted. Schools of foremanship were set up in connection with the Tonkin mines, and a new incentive to efficiency was given to Annamite foremen by admitting them to higher positions previously held by Europeans.¹⁶¹

Miss Thompson points out that maldistribution of the population, and this largely resulting from lack of railway facilities, has been the main cause of the contract system in Indo-China and the evils connected with it. It was difficult to attract enough free labor to the southern areas under new development, while at the same time overcrowding and extreme forms of poverty in the north made only too easy the deceptive practices of the old-time labor recruiter.¹⁶²

In this connection, at least passing reference must be made to yet another policy adopted after the First World War by the French Government to ease the population pressure of Tonkin and northern Annam: this was to develop New Caledonia and other French possessions in the eastern Pacific with the surplus labor and surplus capital of that area. Apart from its obvious economic advantages, such a movement of population would, it was thought, help to strengthen the defenses of the French Pacific empire and reduce the unrest which even then made itself felt among the Annamite workers.¹⁶³ As we now know, the application of that policy miscarried, largely because of the abominable labor conditions that were tolerated in French Oceania.¹⁶⁴ But that is a story which belongs in another book.

Further legislation, in 1936, curtailed the hold of foremen on the crews of laborers employed under them by prohibiting the previously widespread compulsion of the latter to use company stores or stores run by company officials. Prices had to be posted conspicuously, and store debts were no longer allowed to be deducted from wage payments.¹⁶⁵ Labor organization and collective bargaining—the only genuine guarantees of labor's freedom—were placed on a stable basis of legal recognition in 1937, when the Front Populaire overcame the last opposition of conservative employer groups to the enactment of progressive social legislation, both at home and for the colonies. Looking back upon the economic development of Indo-China just before the war, a French businessman suggests that the main obstacle to the growth of modern labor conditions and the rise of living standards was the short-sighted opposi-

tion of French industrialists to the forms of industrialization in Indo-China which were practicable and desirable. The colony failed to provide opportunity for skilled labor in modern enterprise, and therewith for constructive leadership among the workers. By keeping corked up the outlet which basic and processing industries might have provided for two or three million workers, it aggravated the effects of overpopulation in the river deltas of the north and gave unscrupulous employers every chance to exploit an impoverished peasantry. If they are wise, French capitalists will now endorse all those measures, he avers, which will help to increase the producing and purchasing power of the Indo-Chinese people, thus insuring a large new market for the French themselves.¹⁶⁶ Such action, going considerably beyond a mere protection of labor, would help to give reality to the political plans of transforming Indo-China into a partner in the French Commonwealth.

It is interesting to note that in Indo-China, as in the Netherlands Indies and in the Philippines, the development of indigenous consumer industries constituted a definite trend in the informed social thinking of recent prewar years.¹⁶⁷ It was advocated primarily as a solution of the problem of underemployment in such overpopulated areas as Tonkin and North Annam. But it was seen also as a step toward independence from foreign capitalism, which has tended to reinforce rather than to dissolve the class barriers that had grown up under the impact of internal wars and survivals of Asiatic despotism. With the aid of cooperative institutions, the small industries, it was held, might serve the gradual accumulation of native capital—still on a limited scale, to be sure, but promising to make an ever growing section of oppressed manual workers over into free and self-respecting members of a democratic social order.¹⁶⁸

More far-reaching and more fundamental objectives, as appeared later in their published manifestoes, already occupied the minds of the nationalist leaders. Much has been written to describe and explain the rise and growth of the independence movement before and during the Japanese occupation. We are here concerned not with the historic events that brought it to full flower but with its character and its relation to the discontent of the masses. In that respect the program announced in August, 1945, by the Viet Nam Independence Party (the Viet Minh), newly come into power, is a revealing document. For whatever the connection of the leaders at that time with international communism may have been, almost every major clause in this program seems to spring directly from the experience of the people as here reviewed in previous pages. In the political sphere, not only democratic representation is stressed but also "promulgation of democratic rights and privileges for the individual, right to own property, freedom to organize . . . right to assemble . . . to strike, to travel," and so forth. "Respect for the rights of national minorities" is mentioned. In the economic sphere, "abolition

of the poll tax and all other taxes promulgated under foreign domination" is announced, and the enactment of a new tax system "on the most democratic principles." In addition to measures for the development of industry, commerce, and agriculture, a body of proposed social legislation is announced in language reminiscent of preoccupations of League of Nations organizations rather than of the Comintern. In the sphere of international relations, consciousness of the basic problem is again expressed in a clause proposing "fraternal alliance with all oppressed peoples."

Such declarations, it may be said, are calculated to win favorable opinions abroad and may mean little. But it is significant that in such a document the needs of oppressed classes and persecuted minorities are so prominently displayed. The movement was essentially a liberative one. For once, there is some justice in the claim that the metropolitan power itself, by making the study of its own culture available to representatives of the dependent people, had produced in them the very desire for freedom that led them on to rebellion. The intellectuals of Annam—or of Viet Nam as they now prefer to be called—had been influenced by Chinese writers steeped in the ideas of the French revolution. They had also read Rousseau and Montesquieu in Chinese translation, and some of them had participated in the Chinese Revolution of 1911.¹⁶⁹ Some of these intellectuals first had sought for themselves a full participation in modern cultural life. Only frequent denial of equality in this and other respects had driven them to identify their own wrongs with those suffered by the masses of their countrymen, to recognize their own wants as connected with the more elementary ones of those whom their own class was wont to despise.

As in Europe a century earlier, a revolutionary movement resulted from the combination of feudal arrangements no longer tolerable to those bound by them, repression of workers' organization, and resentment of a class-bound culture. What gave unity to the revolutionary party was not a common ideology but common antagonism to a regime that stood revealed by the events of the war years as unable to lead the people into an era of freedom and progress. The controls of the economic and social life had increased in severity. Important provinces had been ceded to Siam like so much empty real estate. The economy had deteriorated to the point of collapse. The announcement, at the Brazzaville Conference in 1944, of a political reconstruction of the French empire on more democratic lines, did not convince or did not seem to go far enough. When, after the coup of March 9, 1945, Japan recognized Annam, Cambodia, and Laos as independent states, that crafty move, too, did not convince anyone—other than the few collaborating officials who stood to benefit from it. The Viet Minh did not become pro-Japanese but kept its trust in inner unity.

On the return of the French troops, an era of peace and cooperation could

have been inaugurated, had the French realized the strength of that unity and negotiated for a political structure free in all its parts of the old colonialism. But the sacrifice of Cochin-China—the only colony on the peninsula, the rest being composed of nominal protectorates—seemed too great, and war ensued.

One cannot predict the outcome. There may well be an early end to hostilities by compromise; but such a compromise is not likely to be enduring. A changed world situation may persuade the French to give up their precarious hold on old-style colonialism. The Vietnamese, on their part, as they come to work concretely on the social objectives of their constitution and legislative program may find that they have more to gain than to lose from continued cooperation with France. For that nation has in the past shown its respect for Indo-Chinese culture and, by permitting at least some of its Asian subjects to share its own inherited civilization, has helped to awaken the slumbering self-confidence and pride of the people.

GENERAL TRENDS

The low production cost of tropical products long seemed to benefit mankind by helping to supply many commodities at low prices. But this was only because a large part of the cost remained invisible: it was borne by millions of human beings who bred and lived out their wretched lives in total subjection. The occidental wage-earner and farmer may have thought that, as consumers, they profited from the low price of foods and raw materials raised with sweated labor.¹⁷⁰ Eventually they learned that, as producers, they were losing what as consumers they gained: their freely offered services were pitted in the world market against the servitude of the oppressed. Little did it advantage them to receive the raw materials for their own industry at prices that did not allow for the whole cost of the labor expended upon their production. Whether it was coconut oil or soybean cake, tungsten or tin, rubber or hemp, that was bought too cheaply—in every case it meant that the potential outlet for their own product was unduly narrowed. The greater part of the world's population, including that of Southeast Asia, could not afford to buy the foods and manufactures for which—especially in the years of economic depression—the occidental producer desperately sought customers.

Why is it, it may be asked, that those Asians who have entered the modern, capitalistic side of the economy do not organize to protect their interest? The answer has been well stated by the Dutch economist, J. H. Boeke. In some memorable pages¹⁷¹ he shows that neither in the agricultural plantation industries nor in the manufacturing industries has the Indonesian wage-earner yet become to any large extent a "proletarian." He is usually still attached to the village economy; and it is the village, with its preindustrial social traditions,

that carries the burden of his upbringing and of his care in incapacity and old age. Moreover, without the seasonal opportunities which native farming affords, the Western enterprise could not employ large numbers of people on seasonal work at a piece rate that supports them only part of the year. And there would be no available margin of man power for times of unusual labor demands. When he returns to his village at night or leaves his family there, the wage does not even fully pay the laborer for his subsistence and that of his family during the time he does work for the company. When, on the other hand, he has left his home community to become entirely dependent on wage-employment at a distance, such a man is not sufficiently compensated to contribute his full share to the village that has reared him and to the support of those too young or too old to support themselves. Such men cannot effectively organize—some because, to quote Boeke, “they have no more than at most one foot in the enterprise,” others because their whole lives are under the control of their masters.

There were spontaneous strikes, of course. The workers simply left or if they feared interference escaped at night with their few belongings. If they were not housed on the estate they simply failed to turn up for work.¹⁷² In extreme cases, sabotage accompanied the walkout. In the Netherlands Indies, statistics have been kept for many years—especially in the early twenties, when such occurrences were frequent—of cane fields burned over, tobacco sheds destroyed, and other damage done. But from such spontaneous protest actions against particular wrongs there could not in the colonial agrarian society develop that class consciousness and cohesion which elsewhere in similar circumstances have given rise to a permanent labor organization. And since the employers usually tried to prevent the access of professional trade-union organizers from the outside, an effective machinery for the orderly presentation of grievances did not come into being. In many instances preventable causes of exasperation, accentuated by use of violence and forcible suppression, went on for years before a government inquiry was made to probe them.

In its effect on both indigenous and alien Asiatic contract workers, the situation differed essentially from the labor situations in which workers are free and accustomed to defend their interests. It was not simply a question of high or low wages, of a large or small reserve of labor. Colonial types of exploitation, whether they occurred in dependent territories or politically independent countries—such as the teak concessions in Siam—were dominated by an impersonal foreign capital. They were not the concern of some local community or even of a single nation. The economic effects of labor conditions in tropical Asia could be felt throughout the world. That region's disconcert with basic human values exuded a noxious fume; it threatened the welfare of distant peoples. The social attitudes that arose from unwholesome labor

relations spread to other lands. Modern forms of labor management could not easily gain a start in Southeast Asia because its capitalistic industries originated so largely from the desire to retain the advantages formerly obtained with the use of slave labor in the New World. In their turn, these industries, during the earlier stages of their growth, were a drag on the industrial democracy that was evolving all too slowly in the West.

Take, for example, the impact of colonial enterprise in Southeast Asia on the home countries of the colonials. High earnings for the owners, high salaries for the occidental management personnel, experience of exalted, privileged position and of sumptuous living, did not, as now can be seen in retrospect though it was not always obvious, benefit the metropolitan and the capital-exporting countries.¹⁷³ Rather, the special advantages gained strengthened the *rentier* class, hence impersonal industrial control and political reaction, and so made for an accentuated class conflict. The occidental—especially the western European—wage-earner had arrayed against him the financial power derived from investments in the exploitation of sweated and bound labor overseas. Although industrial and commercial enterprise benefited from access to cheap raw materials, there was no commensurate improvement in the condition of the working classes until late in the nineteenth century. Those who had been overpaid for professional services in the dependencies subconsciously sided with those who habitually strove for the maintenance of privileged positions at home. Until fairly late in the history of organized labor, the common man was not even aware of the strength which the conservative forces arrayed against him derived from their undisputed right to exploit subject peoples.

Not all of this is finished history. However much conditions have improved, the continued existence of typical colonial forms of enterprise in Southeast Asia is inherently in contradiction with the welfare policies now pursued throughout the region. Its governments have, as Rupert Emerson observes,¹⁷⁴ to some extent been able to compel the Western industrialists "in their own interest to accept the advantage of long-run over short-run profits." They have secured the cooperation of employers in the passage and administration of laws that safeguard the health and advance the security and prosperity of the subject people. Wilfrid Benson, the studious specialist of the International Labor Office on social policy in nonself-governing territories, has drawn attention to the far-reaching changes which practical welfare measures must be expected to produce in the basic attitudes of employers and wage-earners toward their respective responsibilities; without the disappearance of the primitive master-and-servant relationship the success of such measures is impossible.¹⁷⁵

Public servants in the dependencies have in their thinking long been in advance of the employer groups. Their influence became paramount only,

however, when the world economic depression reduced the strength of the colonial plantation and industrial interests. Where these had formerly fought against even modest measures of reform, they now had to plead for government help to prevent a complete breakdown. This necessitated a voluntary acceptance of government "interference" previously scorned. In the late thirties, sugar centrals in Java, rubber estates throughout Southeast Asia, cooperated in the administration of laws and regulations designed for the welfare of their laborers—often measures which but a few years earlier they had declared to be unworkable.

In the processing industries, in lumbering, and in the mines there also was a perceptible growth of mechanization and what might be called scientific management. Modern machinery was introduced even in the tin mines of Banka and Billiton, although the methods used to extract the ore on the whole remained rather primitive, and labor very badly paid. It was especially in the processing of plantation products, however, that technical advances and increased competition made impractical the former typical reliance on hit-and-miss procedures. Here and there this increased concern with efficiency also seems to have influenced the labor policies of large estates where possibilities of technical change were few. There was somewhat greater division of labor. Foremen were instructed to conserve the working power of experienced men. More attention was paid to incentives and to the prevention of disability. With the increased concentration of capital control, the demands of the home offices for greater economy became more urgent but, with the large sums involved, now also often more understanding and constructive than they had been in the past. Thus even in some lines where the utmost in rationalization seemed previously to have been attained, further technical improvements were found possible in the depression years.¹⁷⁶

Quoting an expert on the mining industry of Tonkin,¹⁷⁷ Charles Robequain comments on the relation between the growing technical skill that came with the introduction of more highly qualified European superintendents and the introduction of improved methods of recruiting, training, and organizing native personnel in the large coal mines of that province.¹⁷⁸ Similar testimony is to be found in official reports from other parts of Southeast Asia. Incidentally it indicates that questions relating to the welfare of the wage-earners in modern enterprise cannot be altogether separated from large educational questions and, thus, the central problem for colonial policy: how far is it expedient and desirable to admit the subject people to opportunities hitherto preserved for himself by their foreign master? The Tonkin miners who had attended a vocational school could hardly be expected to be satisfied with the rank and emoluments judged good enough for an inferior population group. Some of them sought to advance to the highest managerial positions; others placed their knowledge and ability at the service of a popular political labor

movement. The importance of education as a lever had not escaped the members of the Temporary Slavery Commission when, in their second report to the Council of the League of Nations, they said:

The most important object in view is to get rid of the servile attitude of mind among the backward races. The realization of this ideal will be promoted: (1) by encouraging a system of education fully adapted to the conditions of native life; (2) by permitting native communities to participate in the conduct of their own domestic affairs; (3) by allowing them to participate in the working of enterprises, conducted by the more advanced races and giving them a share in the profits.¹⁷⁹

Long before the war, the large industries of Southeast Asia were permeated with labor unrest. And this, too, undoubtedly was a factor in the greater willingness of employers to accept new labor regulations and to introduce changes in their methods of management, even to make experiments that at first were adding to the labor costs. Here again, economic motives do not appear in a pure form: spasmodic strikes and other outbreaks of discontent could have been dealt with by proved methods of breaking the morale of a laboring group that did not even have the coherence of a working class. But ever more industrial discontent was mixed with antforeign attitudes, and colonial enterprise itself, in so far as it must rely on cheap and docile labor, was in jeopardy.¹⁸⁰ Among the more primitive peoples, apathy and hopeless subordination to the incomprehensible wishes of the masters had been the reaction to white rule.¹⁸¹ In the formative years of colonial rule, riots and uprisings were frequent. Only when that rule had become more humane, when doors had been partly opened to educational and vocational advancement, and the white man's ways no longer were mysterious, did orderly movements of resistance develop; and they were movements of resistance not only to economic exploitation but also to the domination of a foreign ruling class.

Looking upon the postwar labor scene, we should not allow the magnitude of the task yet to be accomplished blind us to the magnitude of the progress already achieved, largely through the efforts of conscientious legislators, officials, and, yes, also here and there a group of employers. Preceding chapters have indicated the character and direction of that progress; it is impossible to measure it.¹⁸² In some of its most important aspects, that progress is related to technical changes, to changes in world trade, and to changes in political purposes—all matters which the limits of this study do not permit us to pursue. Yet, these connections will stand out clearly enough. It will be obvious, for example, that one of the main causes of both poverty and lack of freedom in Southeast Asia is insufficient productivity. This, again, is largely a result of the traditional reliance on cheap labor as a major asset. There is need, then,

for new incentives to secure advances in efficiency—both of management and of labor—corresponding to the improvement of tools made possible by new inventions. Placing their faith in science, high-wage countries have entered into successful competition with those tropical countries and dependencies that still place theirs in sweated labor. In the production of such commodities as rice and sugar and textile fibers, of vegetable oils and nuts and minerals—not to speak of manufactures—the modern heirs of the tropical slaver no longer can rely on the advantages conferred on them by favorable soils and climates. Even rubber production, which did not start in Southeast Asia, may perhaps before long develop in the Americas along lines that cut out the difference in labor costs. The great export industries of Southeast Asia must choose between seeking more strenuously to apply scientific methods and seeking yet other reservoirs of submissive labor. The governments of the region must choose between forcing the pace of modernization or permitting rich areas in their trust to fall back into a primitive self-sufficiency.

There are those who believe that the end of colonial rule will inevitably mean the second choice: no group of capitalists, they say, would wish to invest in industries that cannot be certain to hold their market. Opposed to this view is that of men, some of them as closely allied with the colonial tradition, who believe that the economic development necessary to insure a substantial export surplus can be brought about only if provision is made for a new relationship between capital and labor as well as metropolis and dependency. Employer and labor representatives at the New Delhi conference agreed that

the conditions of life and work of the vast number of laborers engaged in many of these plantations [rubber, cinchona, tea, coffee, and sugar cane] in certain countries are unsatisfactory, particularly in respect of recruitment, wages, housing and freedom of association, and are not adequately regulated by national legislation or otherwise.¹⁸³

A special study of this subject by the International Labor Office and preparation of a special conference agenda on it by the Governing Body were requested in the resolution.

Among those who have studied these matters primarily from the standpoint of efficiency—convinced that it is utopian to expect a very great further improvement in wages and working conditions unless there is a larger output—many realize that under the changed political conditions the frame of reference must be wider. The prodigious increases in industrial productivity in other parts of the world have come in part from a larger mechanization but also from a larger sharing of the workers in responsibility and concern with methods and results. And that change in attitude came, not with the Industrial Revolution, but with the extension of the franchise to the working classes.¹⁸⁴

Twenty years ago, Dutch officials in the Indies often said: there is no such thing as an Indonesian nation; the people are too divided culturally and historically to have a sense of community. Today, many of them admit that progress—even survival of the gains already achieved under Netherlands rule—is impossible without a consciousness of citizenship among at least the more advanced of the Indonesian people in the economically more developed portions of the archipelago. Perhaps the supposed absence of a sense of citizenship among the Malays of Malaya is just as illusory. At any rate, enough of them seem to have understood the meaning of the Japanese invasion for their future and to understand their danger of being assigned to a permanent role of inferiority under Chinese and European dominance to make the framing of a workable constitution a difficult task. Similarly in Siam and in Burma recent internal disturbances show that political education of the masses has proceeded far enough to preclude successful solutions by economic measures alone. Throughout Southeast Asia men are asking not only for a greater measure of security and freedom but also for a larger participation in the making of decisions that insure both.

Conclusions and Prospects

I

WHAT GOES BEFORE cannot easily be summarized. This is no "case study" that closely examines some small fragment of human experience. It is not a "social survey," for it ranges over conditions that have long passed away as well as those to be found today. It is not a history, though an attempt has been made to trace the origins of recent happenings. From intensive local studies, from accounts of travel and exploration that traverse vast areas, and from historical records—as well as from public reports and the periodical press—we have tried to distill insights and clues. The question we have set ourselves to answer as best we could is: what part has human bondage played in the social development of Southeast Asia, and to what extent do its remnants and memories color present conditions and present attitudes?

If there is an underlying thesis it is that the present unrest in almost every part of that region cannot be explained by agitation, whether emanating from Tokyo or from Moscow,¹ nor can it be blamed exclusively on "imperialism," or too rapid an absorption of Western concepts by an oriental society. There still are some, to be sure, who believe that the colored races or, what comes to the same thing, the inhabitants of regions with a hot climate and psychologically under its influence, are somehow predestined to be subservient to a white master class. And there are those who regard the emancipation of the colored races from the yoke of white domination as the paramount issue. Persistence in either belief and action upon it would produce that very clash between East and West, that very division of the civilized world into two permanently opposed branches of the human family, which Japanese imperialism tried to bring about. A look at the reality suggests a very different conflict.

Subjection is as old as war. Enslavement, its original form, has been practiced at one time or other in every part of the world—in England and Scandinavia no less than in Babylon, in Judaea, and in the Roman Republic. When white men sought their fortunes in tropical Asia, it was precisely because life and

labor there were cheap. Involuntary servitude in many forms they found firmly established there; they only had to decant its advantages into new channels to serve their own ends.

Today such servitude is found most often under precapitalist conditions in areas too remote from the seats of government for effective interference, and in areas under indirect rule where the will of the civilized world finds the greatest resistance to innovation. We have in the interest of impartiality indicated here and there the strong resemblance of conditions to be found in the backwoods of Southeast Asia with conditions in other parts of the world, now or in the past. There is nothing characteristically Asian about any of the institutional forms of servitude. Traces of peonage, even of slavery, as cases before our courts reveal from time to time, still occur in the United States. Less than half a century ago, the lot of rural laborers in some parts of England—under the iniquitous “tied cottage” system—was hardly better than that of the squire-ridden peons in Central Luzon. It may be thought that human bondage, in whatever form and under whatever name, can survive only where it is to the interest of the master class that it should. But too often that class itself lives mentally in an obsolete feudal world and does not know where its best interest lies. Institutional bondage does not necessarily spring from conscious parasitism. Rupert Emerson a few years ago expressed this so well in a letter to the author that, with his permission, we quote:

At least in the recent past, and probably in the present as well, many of the old established institutions [of bondage] are accepted passively by both sides as the natural order of things. Where that is the case, the ukase of an enlightened government decreeing the abolition of such institutions may for long meet with opposition or indifferent noncompliance.

It is to be feared that future independent societies in Southeast Asia may have to go through a period during which individual and democratic freedoms will be badly observed in the communities where these traditions exist. The maintenance of democracy and of personal freedom must in large measure rely on the readiness and ability of individuals, conscious of their rights, to stand up and do battle for them. Societies which throughout their history have been controlled by assumptions of caste and hierarchy are predisposed to accept passively also other controls, forced on them from without; here the elements of vigilance and determination which make democracy and freedom effective may be lacking. Thus, the worst labor conditions in modern times are, apparently, to be found in the smaller native establishments or those under alien Asiatic rule. Even in the Philippines there already were indications before the war of a somewhat dictatorial trend and of lessened concern for personal rights. The grant of independence and far-sighted legislation require as their counterpart that the ordinary human being become fully aware both of his rights and of the procedural machinery for protecting and advancing them.

The prerequisite of "awareness" involves a knowledge and an ability to compare which peoples that live close to the soil often do not possess even when the instruments of their own local governance are fairly intricate and require a commensurate discernment.

The various forms of human bondage do not always appear as separate and easily recognizable social ills for which it is possible to devise specific remedies. One form of submission merges into another; to define each sharply as slavery, serfdom, peonage, or forced labor may be misleading. Sometimes new institutions of servitude are disguises for old ones. Thus, a system of fines for vagrancy imposed on persons in transit from one job to another may merely be peonage in a new form. Or a debt relationship is artificially introduced to conceal a permanent, even hereditary, dependence. Nearly always the social organization in which such remnants of serfdom are embedded has back of it a history of subjection of one ethnic group by another. Slave raids and piracy have played their part; but most often an institutionalized system of servitude has its roots in conquest. Sometimes one can trace, superimposed one upon another, the residua of several succeeding conquests, each recognizable in the present order of society by some peculiar identification of class with ethnic origin.

Abolition of the slave trade and legal prohibition of serfdom in all the countries of Southeast Asia have gone far to eradicate the most degrading forms of involuntary servitude. They have liberated hundreds of thousands of people whose near ancestors lacked the elementary rights of man. But the conferment of legal status does not necessarily insure humane social relations. Even where machinery exists to enforce it, too often a slightly different form of subjection is substituted for the one outlawed. Not everywhere has public opinion itself been revolutionized.² In many parts of the region, laborers still are bound to the land by conventions that have no legal authority. And these conventions have become transformed, rather than discarded, in some sectors of modern industry. Penal sanctions may have been eliminated and "free labor" been substituted for recruited contract labor without changing the conviction of local employers that it is immoral for a laborer to transfer his services from one plant or plantation to another. Under the law, the laborer may be permitted to sell his services where he can strike the best bargain; actually an employers' association—perhaps aided by agents of the law—will see to it that he does not stray by refusing him employment elsewhere in the industry. So the luckless man must submit to whatever terms he may unwittingly have accepted when first he entered that industry.

The old-time impositions of forced labor may have been converted into a poll tax; but where that tax is payable in cash, local employers, landlords, or officials may take advantage of the power which this arrangement gives

them to force the peasant into wage employment on their terms. Not so long ago, simple people found themselves convicted and fined on the flimsiest pretenses and forced to work off their fines at whatever wage might locally be offered. Even prison sentences might be inflicted under circumstances suggesting that they served as a subterfuge to secure cheap labor either for the public authority itself or for some influential private employer to whom the prisoner was hired out. Debts incurred under compulsion—as through obligatory purchases from company stores or from a plant official at unreasonably high prices—still have in recent prewar years been enforced by court decisions or by the arbitrary ruling of magistrates; and local police officials have helped to intimidate the debtor. Sometimes they knew that the debtor, once such a liability had become an obligation to serve the creditor, would never again be able to regain his independence. Obviously, then, there are bridges from the unrestricted power of certain classes under the old order to the nominal acceptance of free labor bargaining under the new; from practices condoned by native custom to those condemned by the ethics of capitalist society.

To be sure, the primary producers of tropical Asia are today much freer from burdensome and humiliating bonds than ever they were in the past. And before Japanese aggression broke rudely into the process of their gradual emancipation, they also enjoyed the boons of law and order. This book is about ills which all the governments of the region are pledged to eliminate as best they can and as soon as they can. Some of these governments have gone far in the accomplishment of that task, others are somewhat lagging.³

The importance of the remnants of personal bondage to the world at large does not lie in their magnitude. It lies in their harmful influence on social relations, and especially labor relations, everywhere. They tend to interfere with progress all along the line. The subjection of some to the will of others does not affect only them individually; it has an impact upon others, nominally free. In extreme instances, that impact reverberates throughout the world.⁴ Even from areas where there is no longer a trace of personal bondage but where it is a memory of recent experience, there emanates a fatalistic acceptance of poverty which detracts not only from their own ability but also from that of workers elsewhere to improve their lot. The protest against degrading forms of servitude still rises, for the most part, from outside the areas where they prevail.

Colonials rightly resent use of the term "slavery" when it is applied to the present condition of subject peoples; a more discriminating vocabulary surely would aid understanding. But it can hardly be denied that social attitudes typically connected with colonial and semicolonial dependency impede the growth of modern citizenship. And this is equally true whether we

think of the tradition-bound tribesman or the resentful urban protagonist of "nationalism," whether we think of the old-fashioned planter or of the well-trained manager of today.

Assumption of dictatorial powers and peremptory rights on the one hand, subservience or mute rebelliousness on the other, still are features characteristic of too large a sector of labor relations in Southeast Asia to be ignored. The problems they create should not be confused, as they sometimes are, with those that arise from overpopulation. For even in sparsely populated areas, the worth of labor is often determined by hereditary or imposed status and not by the relative value of the product. Precisely this makes the lack of personal freedom a matter of world concern: the cost of labor in these Asiatic countries is artificially held below a level at which it would be possible for the workers employed to live a worthwhile existence—not in terms of Western civilization but in terms of their own. The principle of free competition as a regulator of world trade cannot operate if all the participants are not equally free to bargain.

II

With all that still remains to be done, it is difficult to appraise justly what has already been done in every one of the countries here under consideration. If in the Balkans or in Central America reforms had been adopted at the same rate as they actually were in Southeast Asia, especially during the thirties, such progress would have been proclaimed as noteworthy. What stood in the way of world recognition was that, on the whole, reform still was within the orbit of paternalism. Until recently the governments seemed more eager to defend undemocratic basic conditions than to bring about their change.⁵

There remains the question of what the war and the events that followed it have done to affect the direction and rate of progress toward free and democratic labor regimes in this region. The Japanese occupation revived a recourse to forced labor that had been disappearing from the scene in prewar years. Had it continued over a longer period, Japan's gigantic effort to support its unique industrial position in the East with the "slave labor" of millions of Indonesian, Filipino, Annamese, Malay, Thai, and Burmese subjects might well have prejudiced for generations to come the progress already made in many parts of the region toward a modernization of its economy with the aid of free labor.

Some of the earlier reports on the extent of the operations initiated to increase the flow to Japan of food and raw materials of Southeast Asia now appear to have been exaggerated.⁶ But many communities were compelled to transform their rice fields into cotton plantations, to build roads, to cut down trees and transport them to the sea, to double and treble the output of mines without suitable tools, to render porterage services on a scale never

experienced before, to build ships, to construct fortifications, and to make munitions. Some refused and paid with their lives or imprisonment. Some fled into the wilderness and organized the resistance. But many were conditioned to accept the yoke placed on them by a strong foe—seeking survival as their ancestors were forced to seek it in ages past. Under the gale of adversity the little flame of their recently gained confidence in their own manhood and value as human beings flickered, though it did not go out. And many of those who collaborated with the enemy, whether willingly or not, to regiment the peasants and workers for this hard and ill-rewarded labor—members of the old nobility, village chiefs, landowners, business leaders, and officials—were reconditioned, too, to accept the old system under which it was respectable to exploit one's fellow man. Laws adopted for the protection of laborer and tenant farmer, slowly worked out in conflict with preindustrial traditions, were set aside. The whole apparatus of government, including the labor inspection service, either fell apart or was diverted from its purpose.

With the return of the legal governments these disasters were not simply forgotten. Their agencies could not continue just where they had left off. There is reason to believe that some of the seed sown by the intruder has sprouted on fertile soil. Some of the local authorities have seen how easy it is to get people to work for you if you are prepared for a little show of force. Not all the great landowners had suffered when, under compulsion, their tenants and laborers had cleared some of their land and prepared it for the production of profitable crops. Not all those who led the "voluntary labor service" parades lost more than they gained from the new low in wage rates so obligingly fixed for their subsequent benefit by the occupying authority.

The radical demands of labor and the rebellious mood of tenant farmers in many parts of Southeast Asia after the reoccupation did not result so much from Japanese propaganda against "Western imperialism" as from a release of pent-up protest against quite concrete, personally experienced indignities and ill usage. Where they were directed against European rule, as in Malaya, Indonesia, and Viet Nam, it was because, as far as these simple and unschooled people could understand what had happened, that rule had failed to protect them. But almost everywhere this outbreak of quasi-nationalist vehemence was intermixed with a strong feeling of bitterness against their own ruling class. Only to this can one attribute the sudden rise of socialist and radical parties to political power. The chapters of this book contain many examples of the blind trust with which tradition-bound peasants and workers in Southeast Asia have allowed themselves to be exploited by their social superiors. That trust seems to have been destroyed. This does not mean that the local rulers will be deposed or that governments dominated by a military aristocracy, as in Siam, or by an educated middle class, as in Viet Nam, will be unable to carry on in the face of stubborn opposition. It does mean that the religious

bond which holds these societies together itself is changing in character. The old isolation has broken down. And although "the masses of the people continue almost as usual in their traditional practices, . . . never before have invading religions penetrated Southeast Asia at a time when the village was so profoundly shaken to its foundations as it is now."⁷

Such tendencies as there are of a revived despotism in agricultural and labor relations are likely to be short-lived. Class privileges nurtured by colonial rule and accentuated by the Japanese occupation will not stand in the way of a truly democratic reorganization. This reorganization, however, cannot be expected to be even or rapid. If our study shows anything, it is that social attitudes do not change immediately when the conditions that have given rise to them disappear. Even from our Western society the psychological residua of traditional class divisions and obligations, of family- and tribe-bound moral concepts, have by no means entirely gone.

The one new factor which makes all predictions hazardous is the emergence of powerful international forces for reform both regional and global in scope. We do not know how deeply they will penetrate, how long they will last, or whether they will in important ways be deflected from their present aims. The International Charter of Human Rights, like other international declarations of policy that have preceded it, is in terms too general to be implemented by clear-cut agreements.⁸ Even so, not all the governments of Southeast Asia may ratify it. The conventions recommended by the International Labor Organization go a great deal further. But although they limit the obligations entered into by those governments which will be likely to ratify them, we know from the experience of industrially much more advanced countries how difficult it is to translate such undertakings into enforceable statutes. Similarly, the pacts likely to grow out of the new agencies of regional cooperation now taking shape under India's leadership may for long be more forceful as expressions of joint purpose than they can be as tools of social transformation.

There remains to be considered the probable effect on social relations in Southeast Asia of the proposal for international action in undeveloped areas advanced by President Truman in his Inaugural Address. That proposal is couched entirely in terms of technological and economic assistance. It opens no prospects of a deliberate encroachment upon existing policies of development and the traditions that lie back of them. As further foreshadowed in subsequent discussions, that plan might be held to consist of nothing more than making ampler funds available for policies of economic development already well established and worked out. Indeed, it has been so interpreted by many commentators. But it takes little knowledge of history to be aware that such aid is likely to have repercussions in the social structures affected by them. Take transportation facilities, for example, one of the most obvious capital investments to make a given area commercially more productive. There is a

mass of evidence, not least from Southeast Asia itself, that improved communications are revolutionary in their influence on the peoples brought by their means out of age-old isolation. But communications may be developed primarily as an aid to bringing larger areas under cultivation of commercial crops or to cheapen the transportation of such crops to their market. In that case, the traditional part of the economy may derive little direct benefit from it; and indeed a fresh boost to the plantation industries, unless other steps are taken simultaneously, may impoverish the villages by taking still more of their sturdiest residents away to work for wages at a distance and by breaking up the delicate fabric of cooperation and mutual aid on which the population has relied both for its economic security and for the fullness of its cultural life.⁹

The eagerness with which the plan was accepted in principle in European financial circles shows that it is regarded not as a "bold new program" but as a promise of assistance in the rehabilitation of certain territories which they have desired and asked for since, and even before, the end of the war. They are interested in a dredging of channels, silted up by the war, through which a wealth of raw materials may again flow from the "undeveloped areas" to Western industry and the Western consumer. But there were also those who, when the plan was presented to the United Nations Economic and Social Council on February 25, 1949, at once recognized in it possibilities of advances that would lift the burden of extreme poverty from populations engaged mainly in traditional agriculture for self-sufficiency. This would involve not only a systematic improvement of production and transportation but also commensurate advances in education. Assistant Secretary of State Willard L. Thorp, who submitted a request for study of the plan, revealed its larger intention when he said that "old forms of status and caste, archaic systems of land tenure, and resistance to science and technology may be holding back economic development." Indeed, it may be said that the Truman plan is intended to implement a promise made five years earlier by President Roosevelt in the heat of the war. "We are determined," he said on August 14, 1943,

that we shall gain total victory over our enemies, and we recognize the fact that our enemies are not only Germany, Italy and Japan: they are all the forces of oppression, intolerance, insecurity and injustice which have impeded the forward march of civilization.

Millions of democratically inclined citizens the world over have followed not only the discussions already named but also those of the Trusteeship Council and of the General Assembly of the United Nations. There is little danger that the proposed new source of international assistance will be preempted by governments and corporations desirous only of strengthening their

grasp upon the resources of undeveloped lands. There is more danger that miscarriage may result from defects in the plan itself.

There is a curious resemblance between the sincere idealism of President Truman and that of the Holy Roman Emperor Charles V (Charles I of Spain). That monarch, too, desired to bring the undeveloped areas of the world as soon as possible under the benign influence of civilization. But the means which he devised to that end not only failed him but produced serfdom and misery in the Americas and in the Philippines for many generations of those who came under the sway of his *encomienda* system. The men entrusted with the task of civilization served only their own greed and before they could be recalled had assumed a power which no Spanish king or court subsequently could dislodge.

The Castilians sent out to administer New Spain were enjoined to consider the natives as free vassals, not to molest their properties nor to subject them to forced labor, and to pay them wages. They found that they could get no work out of the subjects assigned to them—the *encomienda* was an assignment not of land but of authority—without compulsion. Thus the subjects became serfs. Almost immediately a high-minded Dominican missionary, Bartolomé de las Casas, attacked the spirit of rapine, greed, and cruelty which imbued the *encomienda* system, and for almost half a century the Spanish crown and parliament tried to reform it. In 1542 an attempt was made to abolish it entirely by revoking the grants which had been made only for the lifetime of the grantee. But it was too late. The *encomenderos* regarded themselves as holders of hereditary titles; in some of the colonies the New Laws of the Indies were not even promulgated. The royal prerogative and with it the humane intentions of an energetic and well-meaning monarch lost out.¹⁰

Other civilizatory efforts have gone wrong, too, of course.¹¹ The atmosphere in which the present effort takes place is different from that which surrounded previous efforts. For the first time, not only those elements in the indigenous society of Southeast Asia which may seek to maintain and enlarge privileges which they already possess but also representatives of classes that have suffered from exploitation are ready to assume responsibilities—and at least some of them are equipped for them by specialized training. Throughout the region, an indigenous civil service is in the making that can be drawn upon by the agencies of reconstruction with every prospect of conscientious and skilled application to the task. But it is important, too, that those experienced occidentals who have contributed so much to the improvement of conditions in the last two decades be allowed to function without jealousy and resistance. The Philippine Government, the Burmese, the Vietnamese, and that of the Indonesian Republic have gone out of their way to invite the participation of foreigners whose professional ability is beyond question and as much needed as ever. Difficulties in mutual relations under the new dispensation are more

likely to arise in large-scale private enterprise. Again, it must be emphasized that social attitudes do not disappear when the conditions that have given rise to them are changed. There will be suspicion on one side, and on the other an excusable inclination to assert authority.

One cause of special difficulty which has already shown itself is the difference in temperament and mode of action between those who know that a transition from quasi-feudal institutions to democracy must necessarily be gradual and those—usually less well equipped to realize the complicated nature of that task—who insist on immediate radical innovations that disregard both the economic realities and the persistence of custom and mental habit. In Southeast Asia it may be necessary, as it has been at times in China and in the United States, to indicate basic aims with sweeping legislative gestures, to stimulate thought and action rather than with a view to a full immediate enforcement. The legal abolition of slavery by a rapid succession of enactments in all the civilized countries of the world was such a gesture. Actually, as we know, it did not at once eliminate slavery everywhere. What it did was to set the stamp of world approval and even world urgency on every step taken by every government to make abolition effective.

In spite of the revival of certain forms of forced labor during and since the war, it is possible to say that world condemnation of involuntary servitude now extends to every one of its institutional embodiments. There is a common policy in this matter, even though some nations have gone further than others in the liberation of individuals and groups still held in subjection to others or to the state. For several generations it has ineffectively been tried to build democracy in industrially developed countries while continuing to condone human bondage in the technically less advanced parts of the world. Today it is clear that the abolition of slavery was only the first in a series of steps needed to eliminate one of the greatest causes of war: the selfish exploitation of differences in fortune and natural endowment. Wherever there is degradation, despotism, contempt, there glow the embers of unreasoning hatred easily inflamed to violence. To preserve and recreate human dignity everywhere is to preserve peace.

APPENDICES

APPENDIX A

Historical Forms of Human
Bondage in Siam

*Quoted from THE KINGDOM AND PEOPLE OF SIAM, by
Sir John Bowring, F.R.S. (London, 1857), I, 189-99.*

THROUGHOUT the whole of this paper I have used the terms "slave" and "slavery" to express the Siamese words "*bau*" and "*B'at*". I have used them in deference to the opinions of preceding writers, but I consider that some other words would much better express their meaning.

The various classes of slaves were distinguished by a King of Siam who reigned in the year 1359, Siamese sacred area—that is, about 937 years ago. He divides them into seven classes; but as some of these bear a great resemblance to each other, I have taken the more common division, and make only three distinct classes:—

- 1st. Slaves captured in war.
- 2nd. Slaves by purchase.
- 3rd. Slaves by birth.

I. Prisoners of war (now in Siam) may be divided into the following nations:—

(1) Malays, amount to	5,000
(2) Cochin Chinese, to	10,000
(3) Peguans, to	10,000
(4) Laos, to	20,000
(5) Burmese, to	1,000

These nearly all belong to the Kings: some few are given to the principal nobles; but, even in that case, they are always considered as *bau chauchawit*, or "King's men."

The Cochin Chinese mostly belong to the second King, the first King having a great antipathy to that people.

The Malays and a few Peguans are employed as sailors—average pay eight ticals a month, whilst the Serang gets from twenty to thirty ticals.

The Cochin Chinese, some Malays and Peguans, and the Laos men, are employed as soldiers. Their pay, whilst on service, amounts to four ticals *per mensem*; they also get their rice during that time.

They must serve three months during the year; the remaining nine they may employ as suits them best. Their children, if sons, become slaves to the King; if daughters, their parents are at liberty to sell them the same as Siamese.

Of these nations, the Malays and Cochin Chinese hold high character for honesty—the Burmese quite the reverse; in fact, the Burmese village of Kok-kwai, immediately below Bangkok, is so well known, that when a boat is stolen, the loser goes directly to Kok-kwai, and it is seldom that he fails to recover it for a consideration.

All these various nations have small villages scattered about the country; for instance, the Malays at Ayuthia, the Peguans at Paklat, &c.

King's men consider themselves decidedly superior to any other slaves, and presume considerably upon their fancied superiority.

II. Slaves by purchase

These are divided into two classes—redeemable and irredeemable. The latter class are not numerous; they are chiefly young girls sold by their parents. With these no security is given, and, as a natural consequence, more than four-fifths abscond when they get an opportunity, and the owner has no redress. They thus become rather a losing investment.

We now come to the principal class of slaves in Siam,¹—slaves by purchase, and redeemable. These are either sold by their parents, or sell themselves after having once been free. No one can sell a slave without his own consent.² Prices of slaves vary from eighty to one hundred [ticals] for women. The method of selling and buying is very simple:—every slave has a paper; which paper his master retains, but must give it up whenever the slave produces the amount mentioned in it. A copy of a female slave's paper is given in Bishop Pallegoix' book. The difference between that and a man's paper is very slight.

“Wednesday,³ the 7th day of the waning moon of the 11th month of the year 1217 of the little era (Chuulasakkarat). I, Kow, the husband, and Nu, the wife, sell our son Pau to L'uang Lurassakon, for the sum of one hundred ticals; our son being the slave of no one else, nor of the King. For the truth of which I hold myself responsible; and if the said Pau should run away, I hold myself responsible for him.”

Such is the bill of sale; but as nearly always the father and mother are slaves, some other surety is required, which is given in another paper.

Anything that the slave may break, or whatever money he may borrow from his master, is added to the original amount; so that we have instances where the papers represent four hundred ticals.⁴

Masters are bound to furnish rice and salt fish, but no clothes; and it has always remained a mystery to me how they ever manage to get new sarongs. The only way I can suggest is, that sometimes they manage to pick up a stray fowl or duck; or if they are hired out, sometimes the master will, in an excess of generosity, throw them an old *panlung*.

III. The position of slaves by birth differs in no respect from that of slaves by purchase; the treatment is the same, and the mode of purchase, with the exception that there is a fixed price for them when they reach manhood, viz., forty-eight ticals.

The laws with reference to this class of slaves are so accurately defined, that it is not necessary for me to say any more respecting them.

I will now proceed to make a few remarks upon slavery in Siam, and endeavour to give my reasons why it cannot, with reference to the two last classes, be considered as slavery in the European sense of the word.

Bishop Pallegoix states that slaves are "*well treated in Siam*—as well as servants are in France"; and I, from what I have seen, would be inclined to go even farther, and say, better than servants are treated in England. This is proved by the fact that whenever they are emancipated they always sell themselves again. Masters cannot ill-treat their slaves, for they have always the remedy of paying the money they represent; and he must be a very worthless character who cannot get somebody to advance the sum. If they are treated harshly, you may make certain that generally it is the man's own fault. The only punishment which can be considered severe is the being put "*into chains*"; and this is rarely done until every other means have been tried. If no improvement takes place from this last punishment, the slave is handed over to the King, and takes his place with the convicts—a punishment to which death itself is far preferable. But these are men whose crimes would be as heavily punished in England. It is true, there is no trial required; but no man is so foolish as to lose his slave unless there are weighty reasons for so doing.

In small families, the slaves are treated like the children of the masters; they are consulted in all matters, and each man feels that as his master is prosperous, so is he. The slaves, on the other hand, are faithful, and when their master is poor, will devote every *fuang* they can beg or steal to his necessities, and, as long as he will keep them, will pass through any amount of hardship.

Seldom do you see such attachment between masters and *paid* servants in England.

Despite of what the Bishop says about the humanity and virtues of the Roman Catholics in Siam, I believe that no slaves are so ill treated as those of Christians; and he should, when mentioning the cruelties practised upon Christian slaves by the Siamese, have made some mention of the opposite case.

The principal hardship that slaves suffer is an insufficiency of food; and as their food is so simple, they require plenty of it—and they certainly do consume an enormous quantity.

Men purchased "*K'ai fak*" cannot be considered slaves, as they have the power of redemption in their own hands.

That the slave is a simple debtor, and gives his services for the interest of the money lent, may be proved from the fact, that the surety, in case of the man dying while in your service, must refund to you the original sum; that if a man is sick, and is attended to in his master's house, the surety is liable for the interest during the time of the man's illness; that men may borrow money upon interest, and live apart from their master's house, and yet in some cases they are liable as his servants. If we consider them, then, as debtors, we shall probably be correct; and especially as the rate of interest in Siam is about thirty per cent, it does not appear astonishing that a man should prefer working to paying such an extortionate rate.

Laws of Slavery.—There are seven classes of slaves—viz.,

1. Bought with money. 2. By birth. 3. Left by legacy. 4. By gift. 5. Those who become so from gratitude. 6. Voluntary slaves in time of famine. 7. Prisoners of war.

These seven classes may be claimed, and compelled to work.

The following six classes cannot be compelled to work:—

1. Manumitted slaves. 2. Those slaves whom the master has allowed to become talapoins [monks]. 3. Those whom their master has given to the talapoins. 4. When the master himself has become a priest. 5. Those who come to live round the man's house. 6. Those who come to live upon his lands.⁵

Slaves bought with money are subdivided into three classes:—

(a) Those slaves who are free by payment of the debt. [These must have a security.]

(b) Those who are bought irredeemably. [These have no security.]

(c) Those who pay interest and do not work.

Husbands may sell their wives, parents their children, masters their servants.

When children are sold under the full value, they must not be beaten till they bleed.

When slaves *K'ai fak* (a) take their master's place in prison, half their

money must be remitted; but if they are *K'ai kat* (b), no part is to be remitted.⁶

If a man sell a slave, and after receiving the money refuse to give up the man, he shall pay twice the price,—three quarters to the buyer, and one quarter to the Government.

If a buyer disapproves of a slave before three months have elapsed, he may claim back his money. If a master strike a slave so that he die, no claim can be had upon the surety, and the master shall be punished according to law.

Anything that the slave shall break after the money has been paid, shall be added to the redemption-money paper.

If, in minding cattle, he should be negligent, and they be lost, he shall pay; but if more be given than he can possibly look after, he shall pay half. But if robbers *bind* him, and steal the cattle, he is not liable.

Any claim against the slave must be made before he is sold to another master.

If a master insist upon a female slave marrying against her will, half her redemption-money must be remitted.

If a slave go to war in lieu of his master, or by the King's command, and fight there, all his redemption-money must be remitted; if he do not fight, half must be remitted.

If a slave be placed to plant rice, &c., he cannot leave until the season be finished.

If a master sell a slave, and then repurchase him, if the master dies, only half can be demanded from the slave.

If, when rice is dear, a slave sells himself below the standard price (forty-eight ticals for women, and fifty-six for men), when rice gets cheap, his price shall be raised to the standard.

If a slave injure himself when at work, compensation shall be allowed according to the amount of injury.

If a slave die in defence of his master, nothing can be demanded from the security.

In case of any epidemic, and the relations of the slave who is ill with it attend him, nothing can be demanded.

If a merchant have a slave who has been in the habit of collecting accounts and selling goods for his owner, and that slave abscond with money received on his master's account, his master cannot claim; or if he has bought goods on his master's account, the seller cannot claim.

If a man have several wives, the smaller selling themselves to the higher wives, no interest can be claimed, as they are all considered sisters.

If a master wishes to get rid of a slave and cannot, he may take him to the judges; and if they cannot sell him within three days, and another person buys him after that time, he must be "*K'ai kat*."

The children of slaves who are relatives of the master are free.

If a slave run away, the money expended in apprehending him must be added to his account.

Slaves having children, the children must be charged for according to age.

If the parents' price is below twenty-four ticals each, their children are not considered slaves.

If a slave quarrel with his master, the judges will not receive his complaint until he has paid his money, unless it is a serious charge.

If a slave makes money while in service, at his death it goes to his master; but if he had money before, it goes to his relatives.

If a slave accuse his master of capital crimes falsely, he has his lips cut off; but if the charge is true, he receives his freedom. Children always accompany the mother.

Two slaves, husband and wife, having their names on the same paper, if one of them run away, the other can be charged.

I have given, I think, all the important laws, and in general they are literally translated,—for the greatest part of which I have to thank Mr. Hunter.

APPENDIX B

Slavery and Debt Bondage in Sarawak a Hundred Years Ago

Quoted extracts from SARAWAK: ITS INHABITANTS AND PRODUCTIONS, by Hugh Low (London, 1848), pp. 111, 118-22, 200-1.

SAMARHAND, Sardong, and Lingah have equal or nearly equal reason with Sarawak to rejoice in his [Rajah Brooke's] government; for, by the authority granted to him by the rajahs of Borneo, and at the prayer of the natives themselves, he has been enabled to correct many abuses, and in particular to stop the kidnapping of the Dyaks for slaves in the Sadong territory, which formerly prevailed to as great an extent as in the immediate territory of Sarawak.

Slavery in the east has always been of a more mild and gentle character than that which in the west has so disgusted the intelligent nations of Europe. The slaves (*ulun-ulun*) in Borneo are generally Dyaks and their descendants who have been captured by the rulers of the country for the purpose of slavery, and swelling the number of their immediate dependents. During the misgovernment of the western provinces of the kingdom of Bruni by the Arabs, Sereib Saib, and his brother, Sereib Muller, and their relations, it was no uncommon thing for these tyrannical chiefs, heretofore, and in Sadong after Mr. Brooke's arrival, to send up parties to the Dyaks to bring down all the young girls and boys they could catch. I have been told by Dyaks, and by dependants of the Sereib, that 300 girls and boys have frequently been brought down at one time; such of these as the chief selected as likely to be suitable to his purposes were reserved, the remainder were sold to whoever would buy them, the chief taking a considerable share, though his servants who had kidnapped the poor children generally contrived to cheat him of a considerable portion of the produce, to which they had perhaps as good a right as he.

With regard to slavery, the Malays strangely disregard the instructions

of the Koran, which tells them that no true believer can be retained in slavery, so that the nations of the west are always obliged to find some method of proving that their prisoners are not of the orthodox faith before they keep them in slavery. The Malays, on the contrary, rarely allow infidels who have by any means come into their hands long to remain in ignorance of the true faith. The first act of their masters is to cause them all, both men and women, to be circumcised; nor do the Dyaks in general exhibit the least reluctance to embrace Islamism; considering it more as consisting in the use of the better clothes of the Malays than as a ceremony affecting their future state, of which, during their adoption of their new faith, they hear very little; but they look upon the Malays always with respect, and consider that an appeal to the book—as the Koran is called—is unanswerable, though it is believed that no person residing in the town of Sarawak, priest or layman, could translate a single chapter of it.

It follows from the listlessness they display in embracing the Mahometan religion, that, should they by any chance return to their tribe, they soon throw it off, and, without the least thought on the subject, embrace their old habits of life. This, however, rarely happens. Those Dyaks who have long resided with the Malays, appear to fall into their ways of life, and the women particularly, to whom the finer clothes and less hard work are great temptations, seldom return to their tribes, even when opportunities are afforded them.

The slaves generally in Sarawak belong to the Dattus and merchants, and are treated with great liberality. Their duties consist in assisting their master, who always works with them, in his house or boat-building occupations, accompanying him on his trading expeditions, assisting in the navigation of his boats, *etc.* Their masters generally allot them wives from amongst their female domestics, and in this respect, where wives are not to be obtained without money, and where love is seldom a cherished and pure natural affection, they are much better off than their free but poorer neighbours, who are often obliged to pledge their own persons to obtain the object of their choice. Many slaves acquire so much of the confidence of their masters as almost to turn the scale, and become the masters of their lords; but amongst a people so naturally sagacious and clever as the Malays, this undue influence less frequently occurs than amongst the more enervated Asiatics of the continent.

When the male slaves are not wanted by their masters, they are at liberty to hire themselves by the day to other employers, and the proceeds are kept by themselves. The price of a slave in Sarawak is from thirty to sixty dollars, but as the trade is being as gradually and quickly suppressed as possible, without too much shocking the prejudices of the inhabitants, they have of late become very scarce and difficult to be bought. The slave boys purchased by Europeans, who bring them up as servants, are necessarily free as soon as

they enter the settlement, but are not often anxious to go away, as, being without friends, they might be again captured and sold to some other place, whereas with the Europeans they get, in addition to their freedom, their clothes, food, and two or three Spanish dollars per month pocket money.

It is very probable that, from the number of slaves in their possession, the sea-Dyaks, particularly those of the Sarebas and Sakarran tribes, do not personally labour so heavily as those of the hills; this may account for their finer appearance, which has been constantly observed by the residents at Sarawak. Not being stunted by hard work, and frequently scarcity of food, their limbs more freely develop themselves than those of the poor and hitherto oppressed hill-Dyaks, who, having lost their only assistants by their children being carried into captivity, where they perform for their enemies those services which had otherwise assisted them, are compelled themselves to toil from day to day for the subsistence of such as remain, and to endeavour to procure money to purchase back the absent. The slaves of the sea-Dyaks do not in general appear to be hardly treated, as in their wars only such as are young are taken captive; these, after living with their captors for some years, lose the remembrance of their families, or, perhaps, only recollect that they were destroyed, and consequently fall into the customs and practices of the people amongst whom they live, and from whose power they soon lose all hope of deliverance. In many instances children, who have been taken from the land-Dyaks, become so endeared to their conquerors, that these latter adopt them as their own, and they are then admitted to all the privileges of the free-born of the tribe, and inter-marry with the sons and daughters of the other inhabitants of the village. Instances are not uncommon when children thus treated have forgotten their parents, and expressed, when the opportunity of returning to their tribe has presented itself to them, an unwillingness to avail themselves of it, thus causing to the parents who had so tenderly cherished the remembrance of them, infinite agony; but when they have once arrived at their native village, and experienced all the kindness of parental affection, these impressions soon wear away, and they are always finally glad that they have been restored. In the villages the slaves are not distinguishable from their masters and mistresses, as they live all together, and fare precisely the same, eating from the same dish, and of the same food; this, as has been before observed, is principally of a vegetable nature, though no superstitious observance prevents them from partaking of the flesh of animals. . . .

APPENDIX C

Bondage Through Worker Indebtedness
in the Batik Industry of Java

Quoted extracts are translated from Batikrapport, by P. De Kat Angelino, Publication No. 6 of the Netherlands Indian Labor Bureau, in three volumes (Weltevreden, 1930).

WEST JAVA

Batavia—Laborers

Every coolie has debts: besides the advance which every coolie receives for three days as *wang boras* (lunch money), every *boedjang* (employee) asks at Lebaran (at the end of the yearly festival) for an advance about equal in amount to a month's wages. Still other amounts he borrows in between when there is illness in his home, for family festivities, purchase of seed-rice for his bit of ground near his home. Formerly, especially in boom years, large advances were paid also to any coolie who applied for work, so as to attract the needed amount of labor. Nowadays, however, a little more caution prevails in respect to such advances. Only the older laborers, who have already been in the employment of the batik shop for some years and who usually already have quite a large sum to their debt in unsettled debts for advances, can secure yet another extra advance at the time of the Lebaran holiday.

How such advances can in the course of years grow to respectable amounts is shown by one batik factory where two laborers, each with a monthly wage of f.18.00, have debts amounting to f.265.00 and f.209.09. In another plant there were three workers, also with a monthly wage of f.18.00, men who had worked there for ten to twenty years, whose debts amounted to f.279.60, f.275.85 and f.282.00 respectively. One of these men had only the day before increased his debt by f.30.00, in order to meet the expenses of a circumcision feast for one of his sons. If one asks such a person when he expects to pay off his debt, he will at once say, in the presence of the *taokeh* (employer), that none of them has thought of ever paying off his debt. In answer to the question what would happen if at their death there still remained an unpaid debt, they all quite coolly gave the view that this was a risk the employer (*taokeh* or *madjikan*) was taking.

From the fact that the wage rate of these old employees never changes and that in the batik factories a periodical raising of wages is not customary, one is justified in concluding that the employer bases on the dependence into which these workers have fallen through their indebtedness to him, his right to keep wages down to the old level.

In answer to the question why they did not prefer to pay higher wages and limit the right to advances, the employers unanimously stated that, no matter how favorable the conditions of work might be, the laborers would continue to ask for advances. It is out of the question, it was said, that if the native workers were in receipt of higher earnings they would set aside a part of them to meet unforeseen expenses. As a result, when the necessity arose suddenly for such expenses, after the wages have already been used up, they would again have to borrow. Should the *taokeh* (employer) refuse to make the advance, the laborer would borrow elsewhere, from a money lender or by pawning some property, and thus usually would get still further into arrears.

The *taokehs* do not deny that the debt in some respects binds the coolie and prevents him from leaving his employment, but they do not look upon that as being to the man's detriment.

If the laborer needs money at a certain time he receives the amount demanded, unless it is regarded as too high. In practice, repayment does not often occur; because, after he has paid off some of his debt, that is after the *taokeh* has for a few months deducted as much from the wages as to repay a few guilders of the debt, then the laborer at once asks again for a like amount as a new advance and the employer can start all over again to repay himself from current wages.

In general it may be assumed that the earnings of the laborers are in reality higher than the fixed monthly wage, in that the *taokehs* on the request of the workers advance amounts which are never paid back.

Not all batik factories show themselves as liberal as has been indicated, not even toward their old employees. In some firms it is impressed upon the wage-earners from the first day of their employment that in any one year they will not be allowed more than a month's advance of wages. Anyone who on the next Lebaran holiday has paid his advance back in full can again borrow up to one month's wages; if he has paid only 30 or 40 per cent of his advance, he is entitled at the following Lebaran to only 30 or 40 per cent of a month's wages.

When this new regulation was introduced, the *taokeh* still sat saddled with the old debts dating from earlier years, and the laborers were not especially delighted with the unexpected curtailment of their borrowing mania.

To meet the dissatisfaction of the laborers and to make them more tractable, the *taokehs* made it known that the old debts of the workers would be written off if they agreed to accept the new credit system. Many laborers, impressed by this "large gesture", agreed to the new regulation, though in fact the *taokehs* had done no more than to cancel a debt of which not a cent would ever have been paid anyhow.

It is a fortunate thing that the *taokehs* do not make unreasonable demands on

the exertion of workers who have large debts, so as to obtain in this way a considerable interest on the amounts they have lent. On the other hand, the *taokeh* gets his full 100 per cent of work out of these laborers who are kept busy in the batik shop from morning till night. But in so far as is known, the employers in the above-named factories do not misuse their position, and the relations between *taokeh* and laborers remain pleasant. If the employer should, as has happened elsewhere, misuse his power, then it is not difficult—according to the laborers—to “soften him up”, or rather to pester him, until he gives in.

In such a case, they will wait for the busy season, constantly plague him with demands for advances, make out that they are going to leave him, so that the *taokeh* all the time sits on hot coals—especially when it is a question of a good workman whom he cannot spare while orders are pressing. If that does not succeed, they will come to work at irregular times, slow up the work as much as possible, just when the *taokeh* needs speed; and this repeatedly day after day, will make the employer, for whom every day counts, desperate and willing at last to listen to the demands of his men.

Although the employers made no misuse of their power over the workers and although these did not complain over any exploitation of the personnel, the *taokehs* on their part all without exception complained about their laborers, who nowadays leave their employment without first paying off their debts.

Repeatedly it happens that a coolie applies for work and is engaged by a *taokeh*, works for him one day, then asks for a three days' *wang beras* (lunch money), only to disappear, presumably in order to repeat the game elsewhere. In one batik factory where they took note of these things and so were able to keep account it appears that, in the course of 18 months, no less than 12 laborers left, leaving behind them debts amounting to 70 cents, f.5.72, 12.26, 2.51, 15.44, 10 cents, f.2.82, f.2.50, f.1.10, f.1.35, f.1.8, and f.84.18. . . .

A few outstanding *taokehs* would like to have all the employers in the batik industry enter into an agreement under which each would take over the debts incurred by an employee in another concern from which he has run away without paying them. The new employer would pay the former the outstanding amount of the debt in one sum and recompense himself by deductions from the employee's wages, thus forcing him to pay what he owes.

In view of the mutual relations and the dislike of the newer immigrant Chinese to cooperate with the *Peranakans* (old established Chinese), such an arrangement is not likely to come off. . . .

Batavia—Pattern Printers

Twenty years ago it was rare for a worker who owed his employer money to go away without first paying his debt. He was still acknowledging the old *adat* rule that for a workman to run away in order to escape payment of his debts is the same as committing theft. Perhaps such behavior is still considered as theft, but apparently the workers no longer pay any attention to the matter, seeing that nowadays workmen often leave their employer without first paying what they owe him. As a result, many employers complain that there are many *tjappers* (men

who apply the stamps that print the design) who make a game of applying for employment, working for a few days, asking for an advance, and then disappearing, to repeat the performance elsewhere.

In one batik factory at Paal Merah a poster was affixed to the office wall of the employer, listing the names of those who had run away without paying their debts. The debts of these *tjappers* amounted to f.20.25, 10.85, 15.41, 11.82, 5.92, and 4.23—fortunately none of them very large amounts.

As a consequence of this misbehavior of their personnel, the taokchs more and more refuse to make large advances. Usually a maximum amount is fixed above which they will not go in any circumstances. . . .

Batavia—Batiksters (skilled women workers who apply the wax)

Fortunately, few of these women are in the debt of the taokch. Their wages thus are not curtailed through the deduction of advances paid. Apparently the batik merchants in this case consider the giving of advances too risky. When such advances are paid, it is because the employer hopes by this means to bring the wage-earners somewhat into his power, as in the case of the coolies who live on the factory grounds. Even when work is given out to the village women, it seldom occurs that part of the wage is paid in advance, as happens elsewhere in Java. The taokch fears that with a wage payment partly made in advance he would at the same time give up some of his power. A woman batik worker who receives some of her earnings from him in advance will be tempted to fetch material also from other factories. The work already in part paid for is left lying around so as quickly to get still more work—also to get more money as soon as possible. Now, it is known that women who have already received part of their wages don't work as accurately, since the taokch will no longer be able to withhold payment for poor work. . . .

Batavia—Native Factories

The only debt that can be incurred by workers in the native batik factories is the advance which employers occasionally are willing to give on the occasion of the Lebaran holiday. Thus the stampers (*tjappers*) receive amounts of f.15.00 to f.20.00 which are paid for by daily deductions from wages. These deductions do not exceed 25 cents. Women receive much smaller advances only, which are paid back in the same way. . . .

Priangan—Bandoeng

All coolies are in debt. A coolie who has been employed for a few years will owe at least f.50.00. Actually little of this debt is ever paid, and for this reason the taokchs do not mind admitting that the wages are low. The wage advance thus here also must be regarded as an addition to the money wage. The taokchs prefer a low wage with advances to a high wage without. If higher wages were given to the coolies, these would almost certainly be doubled—perhaps immediately on the first pay day [i.e., with demands for advances based on the new wage level]. If the coolie cannot then ask for an advance, he will turn to a

moneylender and get himself even worse involved. From the low wage the coolie can meet his daily expenses and no more; confronted with unusual expenditures, he asks for an advance and uses it to pay for the unexpected but unavoidable expense.

What they mean is that the coolie, who does not know how to manage money, is in this way much better off; he has the security of a regular wage—even though it is a low one—and can count upon it that if need should arise the *taokeh* will help him out as best he can.

The stampers (*ijappers*) get advances of f.5 to f.10, which are regularly paid back through deductions from wages; and these advances do not exceed a fifth part of the wage. Women are not given advances other than luncheon money which from day to day is charged against the earnings to be received.

Priangan—Garoet

All persons working in batik factories have debts. Formerly many batik workers were hired in Banjoemas for the shops in Garoet, because those women were cleverer. . . . The recruiting of work people without paying advances is impossible because in the first place old debts must be paid off. The women thus usually arrive in Garoet with a good advance already charged against them, because otherwise they might again run off to other factories, in so far as the new employer might be willing not only to pay the old debt but at once to add to it a new advance. In this way, and elsewhere in the same way, the debt constantly grows. This system of advances may be said to have been introduced with the recruiting of batik workers from outside. It hardly needs to be demonstrated that the batik workers in Garoet itself, after this example from Banjoe women, will try to get advances from their employers.

Money is lent on all sorts of occasions: for the giving of native feasts (*slamatans*), for the recovery of property from the pawnshop, . . . the purchase of household implements, a carrying-pole for husband or wife who peddles lemonade and ice, for a relative who comes to visit and of course happens not to have enough money to travel with, for railway fare to and from Banjoemas, for purchase of a blanket, a *sarong*, or what not.

The debts of 25 *batiksters* are as follows: Fl. 4, 6, 6, 9, 25, 10, 10, 11, 20, 12, 12, 13, 40, 16, 18, 60, 21, 85, 22, 90, 25, 25, 30, 32, 35, 36, 37.50, 38, 43, 45, 54 and f.225.00.

In three large batik works, with 51, 18, and 27 batik workers, it appears from the wage books that the debts incurred by the workers ranged from f.5 to f.20, from f.10 to f.40, and from f.10 to f.16, respectively.

The debt of f.225.00 mentioned above is worth further explanation. When the batik coolie came to the batik factory 15 years ago, it took over his debt of f.125.00. In the course of years this debt has grown to f.225, partly through the computation of interest, and partly because the employer sanctioned additional loans for the purchase of clothes, *etc.* In connection with this accumulated debt a credit agreement was drawn up in 1922, in the presence of the village head, the *desa* (community) clerk, and a third witness who all of them signed the worker's debt

admission. In this document, Eon [the debtor] admits having received in all f.225 on the understanding that this amount was to be paid off by deductions from his batik wage. It is further agreed that Eon shall day and night work in the batik shop of his creditor until his debt is paid off. In addition, the account contains the statement that he has since received f.20.45 in "eat money", and this is followed by details as to his repayments. From these it appears that in the six following years he has paid off f.25, f.40, f.12, f.10, f.5, and f.6—a total of f.98.00.

For most batik workers it is impossible ever to get out of debt. No sooner have they, through deduction from wage payments, paid up part of the debt, than they ask for new advances as high as those just being paid off. On the occasion of the Lebaran holiday also new debts are incurred, with the result that the batik worker never gets out from under his debt. But this does not weigh too heavily on him.

All the workpeople owe money to their employers. . . .

According to the employers, there is much borrowing for the purpose of paying off accounts with the *desa* banks. These credit banks are not well regarded by the villagers. It was said that when they make a loan of f.25, they immediately deduct the interest for one week while the capital sum must be paid off at the rate of one dollar (*rijksdaalder*) a week for ten weeks. Thus, although the whole sum has not been received, still one is obliged to lay aside one dollar to meet the first week's repayment. If a payment is missed, the *loerah* (village chief) and the *mantribank* turn up at once to press for payment. If repayment of the instalments gets too difficult, one is obliged to sell what one happens to have—just to keep the *loerah* in good humor. For, anyone who has got on his black list must fear all sorts of consequences, in that on many occasions one needs the cooperation of that official. . . .

Priangan—Tjiamis

Practically every worker owes a good deal of money to his employer. . . .

In Tjiamis, the *desa* people still live very simply. Movies and other urban entertainments (which many good people in the *desa* regard as a serious evil for the small man) do not yet exist, so that, except for unusual expenditures, the wages, though low, suffice to meet every-day expenditures.

[Again, the biggest debts are those incurred in paying off the past debts of women who previously have worked elsewhere. But none of the sums named is very large.]

Cheribon—Troesmi

[Employers are too poor to afford large advances, so that a majority of workers here do not owe their employers.]

Cheribon—Indramajoe

[Debts are incurred only for spoiled work. But though the method of paying such fines is the same as that of paying off debts, namely through wage deductions, the former can hardly be called debts.]

CENTRAL JAVA

Banjoemas

Nearly all the workpeople owe the taokch. In former days, when in boom years employers fought with each other over skilled batik workers, they lent almost any amount these might ask for. Of the high advances then made the unpaid amounts are by now written off. . . .

The highest amounts are those paid to women from elsewhere, natives of Tegal, who come to work in the batik factories of Banjoemas, Soekaradja and Poerwakerta and often live on the compounds of the factories. . . .

[In answer to questions of the investigator, such women workers say that any one as poor as they could not even think of the possibility of exchanging a system of low wages with right to advances for a system of higher wages without such implied right. The essential point for them is that "when one has need of money one can borrow it from the employer"; this eliminates all other considerations.]

The system of wage advances is still in full swing in this Residency. It seems to be for no other purpose than that of securing power over the batik workers (*pengobengs*) and so to increase their "reliability." The *taokch* sees to it but all too keenly that the women get into his debt, so that he can—at least so he thinks—compel them to stay in his shop.

Thus for example a debt booklet indicates that a *pengobeng* at the last Lebaran still owed a balance of f.6.00; but this did not prevent the *taokch* from again lending her f.8.00 for this holiday and another 6.00 in credit for a *kain* and a *slendang* (a shawl) which he has sold her; with the result that this woman starts the new year with a debt of f.20.00.

A coolie has at the Lebaran still an old debt of f.10.00; but on that day he buys on credit from his *taokch* a *kain* for f.5.00, a jacket for f.3.00, and a headcloth for f.3.00. He starts the new year with a debt of f.21.00.

A *mandoer* (forewoman) in the batik shop was asked by the labor inspector how it comes that the workers are so stupid as to work for an extremely low wage, merely to get an advance on their wage and to buy on credit, but with the stipulation that a certain amount is deducted from their wages. She was further asked why they do not prefer to work without advances but for a higher wage. This forewoman answered: "But Sir, how can you judge these things? If you were as poor as these *pengobengs*, you would sing a different tune." The comforting thought that one can borrow from the employer whenever money is needed seems to eliminate all sense of grievance [over the low wages].

Among native employers who do not, like the Chinese, know what methods to adopt to compel the *pengobengs* through indebtedness to stay in their employment, one does not as often find such generosity in the matter of wage advances.

A Javanese woman who owns a well-going batik factory a little outside the *desa* center never gave advances and nevertheless had plenty of *pengobengs*. Whoever starts with making advances, says this woman, does not know how ever to end

it again. He feels like somebody who has thrown *salak* thorns on his garden lot; one cannot go a step without treading on a thorn.

It is not only the advances made at the time of hiring that bring the workers into debt. Also the purchases on credit and the laid-up boats, as has already been explained. And then the debts incurred on the occasion of particular holidays which the villager somehow is unable to escape. Once a batik worker starts to borrow from her employer, she will almost certainly get deeper and deeper into his debt.

The bitter poverty compels the pengobengs again and again to ask for a loan of money. The small wage does not suffice and so the borrowing from time to time of a small amount of money is necessary to meet a shortage. These batik women are all lucky if they need not eat such inferior food as *pisang* stems or what is left of cassava or even sugar cane after the juice has been pressed out. Mention has already been made of how little the women live on, without breakfast and obliged to satisfy their hunger for 10 cents. These women come to work with an empty stomach and often also leave their children at home without knowing how these are going to get anything to eat during the day.

So, in their misery they try to get money from the taokch for a little hulled rice. If they succeed they run home first to prepare a meal for their children. When they come back to the shop, they work uninterestedly because they have already consumed the day's earnings.

The thought that they will never be able to get out of the misery of the advances, the debts, and the wage deductions, takes away all joy of living and lessens the energy of these women. When it comes to the pinch, one borrows again. Only if the taokch refuses does the pengobeng run away and try to find work in another shop that is willing to make an advance. When it comes to the worst, one pretends to be a home worker, asks for a piece of white goods to work on (*mori*), pockets the pay in advance, and carries the cloth to the pawnshop.

In Poerbalingga where the supply of competent batik workers is greater than the demand, the taokchs are not so liberal with the giving of advances. The Chinese employers there also observed reasonably enough that the advance really serves as a bait or rather as a means to bind the worker (*pangiket*), but that the system often tempts the workers to burst the bonds, and to run away from the shop to offer their labor at another with no other purpose than that of getting a new advance.

The debts are usually contracted without written proof. Only for pengobengs who live in and are able to borrow large amounts is a formal declaration sometimes made before the village head (*loerah*). When old and trusted coolies borrow money to buy a house such a declaration of debt also is drawn up and the house is mortgaged. . . .

Only in one case, that of a batik works in Poerwakerta, did the employer have a document drawn up by a public notary to lay down a loan agreement. In this act 33 batik workers, all coming from Tegal, admitted having received advances varying from f.10 to f.36, amounting in all to f.566, and undertook to pay off this amount without interest in full in six months.

On the death of batik workers, when they lose their property, or when they leave their place of residence, their things may be confiscated and, according to the agreement, payment of the debts or balance thereof may instantly be demanded without the necessity of court action against the debtors. This method was adopted by the more important employers to use against the machinations of labor agents; these people have their eyes on pengobengs whom they can inveigle with beautiful dream tales to follow them.

The employer knows quite well that with these certified documents he cannot get or compel much in the way of repayment; he does it more to impress upon the pengobengs who are present when these acts are signed the importance of the contract so that they will not leave his service without first paying in full what they owe.

In this connection it should be noted that especially in Soekaradja and Banjoemas the wage advance still persists to a considerable extent, obviously for the purpose of holding the workers in the employer's power and to provide him with a labor supply on which he can depend.

Why exactly in these two places the system is still in use and what means are employed by the Chinese to compel the carrying out of the work contracts, requires further explanation.

The batik manufacture of today, in the hands of the Chinese and carried on for the wholesale trade, is still . . . young. Twenty years ago Chinese batik works hardly existed as yet. The personnel of this industry, therefore, has been hired and trained in the last two decades. There is, in short, no question of a labor surplus, even in slack times, the more so as almost without exception hand batiks are made for which skilled labor is needed. Thus scores of pengobengs work in Banjoemas who come from Tegal. And in the batik shops of Soekaradja one finds many women from Poerbalingga and Banjoemas, since there are few such workers in Soekaradja itself. And it is only by means of advances that these women can be lured to the batik shops. The Chinese knew the weak spot in the native labor force and promised wage advances if they would come and work for them.

It is the Chinese employer, therefore, who gives wage advances or, more correctly, forces them upon the native labor force, and not the latter that refuses to enter his service if no advance payment is made. Through making such advances the employer gains power over the workers, who regard themselves as bound to the giver of the advance. As a result, free competition disappears from the labor market, wages are kept down, the work day usually exceeds twelve hours, and a sort of compulsory labor task has become usual.

As the employer desires to maintain this labor task, he does not demand a regular repayment of the advances made. Regular work is the only thing he demands of his laborers. As soon as work gets slack and the firm dismisses part of the workers for the time being, the employer loses the last chance of getting back any unpaid arrears from these workers. He has bought the

monopoly to dispose freely over the workers and knows that the price of that monopoly in the form of wage advances brings liberal returns. If the labor force cannot be used because business is poor, the employer does not worry over the advances made that remain unpaid on his books.

Now, since 1929 the batik business has not gone any too well, and so in many of the factories the system of wage advances has almost fallen into disuse, as there is never any difficulty in securing plenty of workers—another proof that such advances are not made by an employer to help his employee, for, just in these months of slackness the *desa* man could very well use a wage advance, but now he does not get it.

Hardly does an improvement in business set in, so that the employer needs more workers, and he stands ready with his advances to lure the necessary labor forces—never by raising wages but always through an immediate gift, simply and solely for the reason that higher wages do not, but an advance of wages does, bind the worker to the employer.

Compulsory work

This binding is the main purpose of the advance; for the employer is not merely concerned with hiring a certain number of workers, he also wishes to keep them in his shop as long as he needs them and to profit from their labor. He pays a wage so low that in normal circumstances—i.e., not in times of general unemployment—no really free *pengobeng* would stay in his factory for that wage. For that reason he makes an advance so as to tie up the duty of the worker to work for the employer who takes him on.

Expecting of his *pengobengs* that they will remain in his service until their debts are fully paid, he naturally is concerned also with the means of forcing those less willing to work or deserters to return to his service. In Banjoemas the *taokeh* disposes over such means of compulsion. The simplest and always available means is to secure the cooperation of the authorities.

Official Support

The measure often applied in the enterprises of Java [of securing official cooperation in the return of "runaway" employees] finds liberal application also in Banjoemas in that the *taokeh*s ask the help of the *desa* administration and the *desa* police to bring back to the batik factories *pengobengs* who stay away from work, and to compel them to get on with their work unless they will immediately liquidate their debt (advances).

In practice it goes more or less like this: A Chinese [employer] notices that a *pengobeng* who owes him money stays away. Perhaps he knows that there is no reasonable cause—reasonable from his own standpoint—for his absence. The *taokeh* now can do one of the following things:

1. He can send one of his foremen to the respective village to persuade the

woman to come back. Although this attempt is very often accompanied by threats of a jail sentence, of taking a hostage or of seizure, this method is still the least objectionable.

2. The foreman named above asks for the assistance of the local police in the respective *desa* to accompany him to the home of the woman he is looking for. Although the police may not meddle in the affair, the threat of seizure, when made in the presence of the *desa* police, has the effect of convincing the *pengobeng* of the seriousness of the matter.

3. The foreman tries to get the *desa* police to come with him to the home of the worker and to impress upon her the duty to go back to the factory with the foreman. In this case the *desa* police is used as a direct means to compel the woman to go to work. Of a conviction there is no question in this case, of hard-fisted action never; but in most instances the woman who receives a visit from the *desa* police in her home will follow the foreman because she knows resistance will do her no good and, above all, because she is afraid of a threatening imprisonment, seizure of a hostage or of property.

4. The Chinese employer who considers undesirable the intervention of his foreman or who has no such *factotum* or has more important things for him to do, tries other means: he tries to get the head of his own *desa* to use his authority to bring the worker back to work. In such a case the *loerah* (chief) orders one of his policemen to persuade the woman to return to the batik factory. Anyone who is not a child in such matters will readily conceive what "persuasion" means in such *desa* affairs.

5. It often happens that the unwilling worker does not reside in the same *desa* as the employer. In this case the employer may send a letter to the head of the *desa* where the worker lives (and he will do this especially in those frequent cases in which he has friendly relations with that *desa* chief) or he can persuade the head of his own *desa* to send such a message.

The *desa* chief sends his police with an official notice, stamped with the official seal, to his colleague, often in another regency, in an attempt to discover the *pengobeng's* whereabouts in one way or another, and to bring her back to the batik factory. In this way *desa* policemen travel back and forth between the batik centers and the *desas* where workers live instead of carrying out their real tasks, serving hand and foot those employers who exceed their authority and whose action cannot be brought into line with their position by a single instruction or the existence of reasonable circumstances. . . .

From a mass of factual material obtained by the labor inspectors in connection with an investigation of the *desas* in the regency of North Banjoemas, further augmented by data and information presented at meetings of *desa* chiefs in Soekaradja, Poerbalingga, and the kota-Banjoemas, in the presence of *wedana* or assistant *wedana*, it can be stated without fear of contradiction that such official help is given throughout the regency in those *desa* administrations that come into question.

In the regency Poerbalingga, the Chinese employers no longer seem to request

such help from the *desa* chiefs; but the search for unwilling workers is still common in this regency, and especially for women who have run away from a batik factory in Soekaradja and have returned to their homes in that regency. Often *desa* police officials are met here who are instructed by Chinese to look after the labor supply among the home workers living in the district within the limits of the officials' territory. These *desa* officials cannot be compared with the ordinary foreman who are charged with such functions of control, since the authority of the *desa* officials does not go beyond their officially assigned territory whereas the real foreman usually has assigned to him as his control territory a number of *desas*.

One need hardly explain that the *taokeh* does not use *desa* officials for such services simply as a matter of convenience. He knows that the *pengobengs* look upon the police official as a person of authority even when he fulfills this function outside the hours of his official employment.

According to communications of the Administration of the Interior, several *desa* officials in Poerbalingga have been relieved of their public office who had served as debt collectors in their own *desa* for Chinese or native foremen of a tobacco concern and others, side occupations that were not prohibited but which could not be viewed as compatible with their public duties and which the higher official did not tolerate.

In Soekaradja it is more especially the owner of a batik factory opened not long ago who secures the help of the *desa* administration in a liberal measure. The usual method is that in the presence of the official a letter is written, more especially to the *loerah* of Soekaradja-kidoe where this employer lives, with the request to give his assistance.

The *loerah* of Soekaradja then sends one of his assistants with a letter, often stamped with the official seal, to the *loerah* of the *desa* where the *pengobeng* lives, with the request to bring the worker back if at all possible. Cost of travel, sometimes a tip for the policeman, paid by the *taokeh*, are expenses eventually recovered from the batik workers.

At one of the periodical official conferences of *desa* officials in Soekaradja, it was officially admitted in the presence of the assistant *wedana* that the *desa* chiefs and police often render this assistance.

In the *desa* Poerbalingga-kidoe and the *desa* Kalimanah, the labor inspector Raden Iskandar has investigated with the cooperation of local officials seven cases of the return of run-away batik workers and found that the reports which had been made were correct. All of the seven were in the service of the same *taokeh* in Soekaradja, twelve miles away from Poerbalingga. The batik factories of Poerbalingga no longer seem to apply these compulsory measures, probably because the supply of labor now exceeds the demand.

Complete information about the matter has been supplied to the Regent of Poerbalingga; subsequently, at a meeting of *desa* heads, it was confirmed in every respect by declarations of the *loerachs* and *desa* officials.

In the kota-Banjoemas, nine out of a large number of cases were subjected to a closer investigation. . . . In all of them the reports were confirmed. In all these cases . . . the desa police officers admitted that in their desas run-away pengobengs had been hunted up and returned to Soekaradja. But the batik works of Banjoemas likewise demand help from the desa chiefs to trace the whereabouts of run-away pengobengs. Thus the desa police official of Kalisoebe said this was customary in his desa; at a meeting held in the desa on February 14, 1930, this was further confirmed by the loerah. . . . [Similar reports from other desas.]

The *wedana-kota* of Banjoemas and the *mantri* police force of the place also told the meeting just mentioned that once in a while they had received communications from the taokéh in Soerakadja previously mentioned asking for their help in current cases to bring run-away pengobengs back to the batik factory. Both officials appeared unwilling to help him out in the desired manner.

Those desa officials who do lend their assistance, do not try through fatherly advice or persuasion to produce a change of heart in the run-away batik workers. The visit from a desa policeman usually suffices to wring a promise from the workers to go back to the batik factory.

Nothing was said of threats or other less honorable forms of intimidation. Of these the foremen of the Chinese more often are guilty. The lower desa officials are no more than passive tools in the hands of the Chinese. None of these lower officials make purposeful misuse of their position, from which it appears that this is nothing they may justly be reproached with.

The possibility of interference by the desa authorities has more especially a preventive effect, in that many so greatly fear the shame that a desa policeman may come for them in their home and lead them away to their place of work that they would rather stay at their work for a mere pittance than try to escape their oppressive labor agreement.

Through this meddling of the *desa* authorities the employer, economically so much stronger than the employee, receives a protection that gives the work of the latter the character of forced labor. It is hardly surprising, therefore, if one hears at times in these *desas* the astonishing remark that the Chinese, in turn for unbelievable sums of money paid to the Government (the word government has for these people a very flexible meaning), "have got the power to rent the jails from the government so as to be able to lock up in them unwilling people." Perhaps the price formerly paid to the Government for hostages held for nonpayment of debts plays a part in these misconceptions.

It is also possible that with their threats of taking hostages and of imprisonment the Chinese have deliberately impressed this erroneous opinion among the natives. The officials of the Department of the Interior feel obliged to state in regard to this matter that the existence of such ideas is unknown to them and that they know of no desa where anyone can legally be jailed for debts.

When a report on these conditions was made to the Regent, His Excellency

pointed out that the *desa* chief, according to his official instructions, had the duty to arbitrate such differences. . . .

That *loerahs* in his own regency send their policemen outside their territory to try and find, at the request of a Chinese batik manufacturer, runaway workers, according to the Regent, cannot of course be allowed. Such practices, as soon as suitable measures could be devised in consultation with the Resident, were to be stopped.

There is no question in this matter of small differences or of any special interest of the *desa* residents. There is only one special interest, namely, that of the employer who through his wage advances gets the workers into his power and can make these women work for years at a low wage—often in times when he himself makes large profits.

The Resident and the Regent who give their support to such things, discuss them at length. Of some of the regulations drawn up, when laid before the monthly meetings . . . , little more success is expected.

Resident and Regent were of the opinion that a border line should be drawn and that the *desa* authorities should learn to recognize what kinds of business lay within and what without the limits of their legitimate functions. And it was at once ruled that the officials of the *desa* administration did not have the right to go outside their territory in order to instruct their colleagues elsewhere to bring workers back to the batik factories. How they should act within the limits of their own *desa* territory was, after ample consultation with the local authorities, to be decided later by the Resident.

These measures promised by the administration cannot be enough applauded, for consultations held in the *desas*, as in this case, represent a wholesome development of labor conditions and terms of employment, i.e., matters which seriously obstruct the improvement of wages, normal work hours, freedom of person, and so forth.

Again, it is not only the Chinese who in this way bind their workers to them. The employment agents in the *desas*, obviously instructed by their Chinese clients, also try to intimidate those workers who are in their debt and to make them think of themselves as bound to the employer.

The important thing about this agreement is the signature attached to it of a clerk of the assistant *wedana* who has nothing to do with the matter and of a tax official who is even more remote from it. Both these persons serve as witnesses for the specific purpose of intimidating the worker and to impress upon him the importance of this declaration so that he will think twice before he dares to leave the service of Mr. Samali, the employer. One has the feeling that the form of this agreement has been dictated to the employment agent by the Chinese *taokeh*. . . .

From the side of the authorities attention is drawn to the fact that for a long time the help of *desa* officials was often requested in efforts to get back batik pieces entrusted to *desa* women which these had clandestinely pawned. The *desa*

policemen thus in the course of years became accustomed to the task of apprehending batik workers who had embezzled a piece of goods and did not later on ask themselves whether there was a difference, as regards their own duty, between a matter of fraud and a matter of bringing back batik workers who had committed no offense against the law.

To make an end to this unfortunate condition, the Regent of Banjoemas has instructed the district chiefs that in the future only desa chiefs may act on complaints from employers who report that a worker who is sought has committed a punishable offense to his loss, in which case action by the police is necessary. But in that case the complaint cannot be withdrawn, nor can the difference be arbitrated. In this way the authorities hope to make an end to the practices reported from Banjoemas that local officials sometimes receive presents and favors in return for unauthorized services rendered some of the employers.

Ambarawa

Nearly all the workers have debts. Advances are no longer made at the time of hiring, but one can borrow from the taokehs small amounts in times of need. Moreover, the taokeh or his wife supply kains and even ornaments, such as golden coins, on credit to the work people. The debts vary from f.2.50 to f.10.00 and are paid off through deductions from wages.

In some batik factories it seems to be the custom to charge a definite rate of interest. A debt of f.7.50 is entered as f.8.50, one of f.2.50 as f.2.75. In Ambarawa almost everywhere 25 cents a day is held back. Of these debts and the repayments the taokeh keeps proper accounts. For this purpose one of them has stamps with the figure 25 which stamped in the little book represent a repayment of 25 cents. The coolies do not always make regular payments. Some employers give the coolies a little account book, others do not. In one batik factory the deduction of the 25 cents goes on even after the debt has been paid off, as a sort of savings account toward the Lebaran expenses. Thus one coolie started on January 13, 1929, to pay off a debt amounting to f.5.50 (f.5.00 loan, f.50 interest). By March 12, f.6.75 had been deducted, or f.1.25 too much; and this amount was paid back to the coolie a few days before the Lebaran feast.

In another shop, the taokeh gave every coolie at the time of each installment paid on his debt a little note naming the amount held back. When one of the *tjappers* by borrowing a handful of such notes from his mates tried to deceive the employer in order to borrow a sum as large as his debt, the taokeh was able by reference to his book to prove that the man was trying to cheat him. . . .

Koedoes

The first debt which every pengobeng incurs is the advance which she receives at the time of hiring. When women are recruited outside of Koedoes by batik workers or forewomen especially sent for that purpose, they usually receive at once an advance to pay off family debts in their own desa. The recruiting agent receives for every new batik worker a certain premium, but the new employee also must receive something if she is to help the pengobeng in her work. If in addi-

tion the recruiting agent stands surety for the women she brings along, then she receives an extra compensation for that.

It was generally understood formerly that the *taokeh* did not ask for repayment of the advance as long as the batik worker remained in his employment. If a *pengobeng* wished to go over to another shop, the *taokeh* did not stand in the way, provided he received twice the amount he had advanced.

One of the *taokehs* not long ago expressed himself as follows to the *pengobeng* Rasmi when taking her into his service: "Rasmi, you have now received a batik advance of f.45.00; if you want to leave the batik shop [for a few days] you must leave your son behind. But if you do not wish to serve out your time and go over to another boss (*djoeragan*), then you must pay me back twice the amount I have let you have in advance. If you are not willing to do that then I shall take the matter to court."

To a father who had brought his daughter to a batik shop, the *taokeh* said: "I have given you an advance of f.75.00; but now your daughter must stay here in the shop. If you wish to see her you must come here." And to the daughter who had just been hired as a *batikster*, he said: "If you can stand it here and do not go home for seven years, I shall write off what you owe me."

From this it appears that the first advance is to be regarded as a debt repaid by an uninterrupted service of seven years, and that this understanding still continues even today both among the employers and the employed.

But actually there probably never has been a *pengobeng* who after seven years was able to leave the batik factory free of debt, since naturally in the course of this term new debts have been incurred which have not been quite paid off.

The debt is the cement that holds the batik worker and the employer together. The *pengobeng* feels tied by the debt, hand and foot. It is quite a mistake to think that this sense of being tied rests on the customary law as understood by the native population. Rather has this idea been brought home to the native workers in the course of years both by the employers and by the experience that many workers whose debt has not been altogether liquidated are on occasion brought back to the employer by the strong arm of the law, on the ground that they have tried to escape their service.

When a *pengobeng* does not work quite hard enough, the first thing the *taokeh* does is to remind her of her debt. When a woman worker stays too long outside the factory he again inquires whether perhaps she had the idea of running away without paying his debt. The whole debt system can be summarized in the typical words of one of the *taokehs* of Koedoes who said: "I don't control any people but I do control money," by which he meant to say that he wanted "value for his money," that is, interest on what he had lent.

And it is not only the debts incurred at the time of hiring that bind the *pengobengs* to the employer. Afterwards, on every occasion that offers, new loans are

asked for. As long as the Taokeh thinks that the limit has not yet been reached, he goes on lending the pengobengs moderate amounts.

When a pengobeng falls ill and wishes to return home, there to be cared for, the taokeh advances the cost of travel, and the amount is added to her debt. When a batikster goes home to celebrate the New Year, she borrows the travel money from the employer, and this is added to her debt. When a batik worker damages a piece of goods, she has to make good the loss, and this also enlarges her debt. In case of theft, the women working on the hanger from which the piece has been taken are debited with its value even when the person of the thief remains unknown and even when everybody is convinced that the particular women who are made responsible are not to blame.

For the fuel wood which the intern pengobengs need to cook their pot of rice, the women must pay 50 cents from their lunch money, though elsewhere in Java it is customary to give this wood gratis.

Though difficult to believe, it is said to occur often that pengobengs who have nothing use half of the money advanced to them on hiring, or more, to buy themselves a golden ornament. But this is not to be regarded as an irresponsible waste of money. Undoubtedly she feels happy with the one ornament; the desire for dressing up no doubt plays its part; but the purchase of the piece of jewelry is for her definitely a means of investment or rather of saving. If suddenly she should need money, then the pin or brooch disappears to the pawnshop where she may without difficulty get a few gulden for this pawn.

Soerakarta—Chinese Factories

As a result of the slowing up of business in the batik works of Solo and the oversupply of workers—who are glad if they can get work at all—there is no question of advances—not to speak of advances of large amounts. . . . In a batik factory with several hundred employees, the highest wage advance made in 1927 was only f.10.00. . . .

Soerakarta—Javanese Factories

In some of the native batik works the custom still exists of paying new employees a small amount as a means of attracting and binding them. This amount is entered as a debt without any obligation to pay it back as long as the worker remains in the service of the concern. In other factories this generosity is no longer thought of. One can always get as many workers as one has use for, quite without promising an advance. In all the shops the employers are ready when necessary to lend their workers small amounts which are paid for by deductions from the wage, usually at the rate of 25 cents for debts of less than f.10 and 50 cents for larger ones. When a worker buys from his boss a piece of batik, or several, this purchase also is usually on credit. But an obligation to take batiks in part payment of wages does not occur in Lawejan. . . .

Most of the debts are incurred in times of slack work or unemployment. In such times the employer must help his people out to see them through their difficulties. This seeming generosity of the bosses does not, however, spring from a soft heart

but represents a well-considered means to bind the workers to the particular firm so that they can be counted upon when better times return and, more especially, so that the core of workers will come back. When employment is resumed, the amounts lent are drawn back as quickly as possible by the employer through the deductions from wages. That an employer may be very generous toward an old employee appears from the experience of a *tjapper* (stamper) who obtained f.150 from his boss for building a little house.

If a workman dies before he has paid his debt the employer has no means of getting back the balance on his account. Also when a batik factory is given up, the owner will make no effort to collect the debts still owing by the workpeople. There seems to be a close relation between the output of workers and their debts to the employer. When there is no longer a chance of getting more out of the workers, the employer has no longer an interest in what they owe. But when a laborer leaves without paying his debt then his employer will do everything he can to get his money back.

He does not start legal proceedings, however, because he considers that takes too long; but he takes steps to get his account with the former employee paid off by the latter's new employer. It is, moreover, unnecessary for a former worker to offer his services anew to his old employer. Even if he were willing to pay off his unpaid debt he would be chased away without ado. . . .

NORTH COAST OF JAVA

Pekalongan

Advances at the time of hiring which formerly at times amounted to over f.200.00 are no longer made. There is enough of an available labor force to make unnecessary any increase of the zest for employment by means of hand money. But to those who have been in the service of an employer for some time he is willing on request to lend small amounts.

Among the older workers, especially in the European batik factories, there are still some who owe their employer f.50 or more, amounts that are never paid back but serve as means of binding the worker to his employer; and the former rarely leaves while his debt is unpaid.

One of the European ladies who took over a batik works had among other things to pay f.2000.00 for taking over the batik workers' debts to the firm.

There are also Arab employers who sell the debts of the coolies at a reduced price to some other batik firm which then takes over all the workers and tries to get the whole debt amount back by demanding from the coolies a hundred per cent output.

Since labor conditions have changed, these times are now over; debts and advances no longer are important in the industry.

Djoewana

Almost everywhere all the workers have debts which are paid through deductions from their wages.

Lasem

All the batik makers and other workers have debts. These debts are caused by borrowing small amounts, demands for advances, and purchase of all sorts of things on credit, and also the imposition of fines by the taokch. . . .

SOME CONCLUSIONS

(*from the summary and recommendations of P. De Kat Angelino*)

Against clearance of debts contracted with the employer [by means of wage deductions] there can be no legitimate objection. What is important in this industry is not the liquidation but the continuation of debts, in that many times the employer obtains unusual power over his workpeople by this means through their considering themselves bound to him as long as they have not paid what they owe him. In this there must be a change. The native workers must be forced to see that when they have made debts they must pay them; and the employer must be made to understand that it is not permissible to interpret a debt relation between him and the workers as a duty on their part to work for him—a duty which he has the right to enforce.

The Batik report indicates that the debts are not negligible in amount. In Part I a case was cited of three laborers in a batik factory of Paal Merah, with monthly wages of f.18 and with debts of f.272, f.279, and f.282 respectively.

An employer in Lasem has owing to him by 52 workers a total of f.3731.60; in Gaoret there seem to be coolies with debts exceeding f.200.00; a European lady in Pekalongan must, on taking over a batik factory, pay f.2000.00 for debts to the firm in the form of advances made to the workers that have not been paid.

To be condemned though not as yet illegal is the method of some employers to obtain interest on advances made as soon as the worker wishes without permission to leave the place of work. In Koedoes the debt is in such a case simply doubled. In Lasem interest is sometimes charged at the rate of 20 per cent a month. A woman who on leaving her employment after four months owed f.20 was obliged to pay an interest of four times 25 times 20 cents, or f.20, a usurious interest of 240 per cent, about which one can hardly express one's disapproval strongly enough. . . .

One of the most dangerous systems in the urging of debts on the wage-earners is the unfair *tanggoengrenteng* system under which all the members of a given group of workers become individually responsible for the debts of any of their comrades. If one of these workers gives up his job his debt is simply transferred to the other members of the group to which he belonged.

How extremely unfair this system is in practice appears from a case in Koedoes where in a Chinese batik factory a woman is to be found who as a child with her mother and a few other women from Lasem had come into its service. Although too young to receive anything of the advances made to these women at the time, she is years later alone held responsible for an amount above

f.100.00 which had been accumulated by the other women, who in the course of years had died or run away. And because of this debt the *taokēh* refused to let her go unless relatives, to help her out, were to buy her off. One sometimes hears the remark that the *tanggoengrenteng* system is a genuine old-Javanese institution which fully satisfies the native sense of right; but bitter experiences in connection with the present investigation have shown without doubt that of a satisfied sense of right there can be no question.

Again, it may be claimed that the imposition of this unfair and one-sided system should at once disappear from all industries. For, it does not exist only in the batik industry. On the occasion of an inspection of a metal works in Cheribon in 1929 a notice was observed on one of the pillars in the plant to make known that the workers one and all are responsible for the repayment of advances made. It appears that here too the unpaid advances made to workers who had run away were debited to the other workers. . . .

APPENDIX D

Compulsory Labor Under Japanese Occupation

As has been shown in Chapter IV, much progress had been made in the elimination of compulsory labor before the war. Economic coercion still prevailed, however, in some parts of the region, and traces of the traditional despotism still survived both in the modern and in the indigenous sector of the economy. It was into this situation that the Japanese military forces broke when they made war for the "liberation" of Asiatics. Into it they brought their own unresolved conflicts between quasi-feudal and pseudo-modern methods of industry. They hoped to be received in Southeast Asia as harbingers of a new and better order; but their acts soon stamped them in the eyes of the inhabitants as merely another alien invader, such as the region had repeatedly seen in the past. The sight of brown skins in Western uniforms was not new to them, either; even under occidental rulers those military forces which at times were used to maintain or restore order had usually been of Asian complexion.

To carry conviction with the politically more advanced and self-conscious classes in the occupied countries, the Japanese commanders cloaked their autocratic rule in a wordy disguise of simulated self-rule. But in some instances the administrative authority given to indigenous officials actually was greater than they had enjoyed before.

To bend the existing economic structures to their needs, the Japanese used both direct and indirect means. Inflated local and worthless fiat currencies, prohibition of certain occupations, stimulation of others, and the threat of force compelled the people to undergo unwonted and undesired labors. Usually willing tools could be found among indigenous leaders to apply direct force when this was needed. Harshness of treatment by Japanese military officers was avoided as much as possible.¹ The Japanese need for a continued use of man power was reason enough why they should try to establish friendly relations with the people. There was need also to insure social tranquility if substantial military troops were not to be immobilized to maintain order.

In spite of a far-reaching program of forced production, new enterprises, such as the planting of cotton, took place for the most part on land previously used for other purposes. Transportation and means of production were not available to make effective any but the most immediately promising projects for the transference of labor power. Eventually the military and strategic situation of the occupying power deteriorated to the point where all large plans of economic reconstruction had to be abandoned, and the needs of defense alone determined such uses of local labor as the occupying authorities could control through the collaborating organs of the established or newly created government.

INDONESIA

The use of forced labor in the Outer Provinces was a matter of recent memory, and even in Java that memory had been kept alive by occasional incidents. The Netherlands Indian Government itself had resorted to compulsory labor during the European phase of the Second World War. In its first month, the governor general was empowered to take any measure he might deem necessary for defense or economic mobilization. After the fall of the Netherlands, martial law was declared in the Indies, and in 1940 one ordinance, among others designed to regulate and control industry, introduced compulsory service for civilians. Under an Industrial Cooperation Ordinance, the Government assumed complete control over the conduct of private business and over the employment and distribution of labor. Under a Civil Service Ordinance, it required the registration for public service of all civilians between sixteen and twenty-five years of age, males and females, except ministers of religion and women with dependent children.

These powers were not, of course, harshly used, but they made it easier afterward for the Japanese to regulate the use of man power. Their first measure was the registration of fishermen. Next, in April, 1942, they attempted to register all "foreign" residents over seventeen years of age, and at about the same time they tried to use the existing registers to draft Indonesian labor for the shipyards and other war industries—objects in which they met with stubborn resistance. In July of that year, a thousand plantations were placed under the control of the military authorities, which administered them through the establishment of a holding corporation. (In May, 1944, they were transferred to Japanese private corporations.)

Such reports as reached the outside world during the Japanese occupation on the use of force to drive whole communities to work under the lash of inhuman overseers seem to have been exaggerated. No doubt, force was used here and there; there was bayoneting and shooting; whip and cane sometimes were applied. But these crude methods were exceptional. It was hunger that drove most of the unwilling laborers to their assigned tasks. And at first these

tasks were usually near their homes, or not so distant as to add homesickness to other ills.

Almost from the start problems of transportation developed. Indonesians who, according to the Japanese version of the record, had "volunteered" their services had to be sent home. The concentration of local labor and materials on the construction of wooden ships thus became a matter of first consideration, and not much unskilled labor could be employed on that task. More practical, from the standpoint of making good use of the available man power, was the employment of human labor on many tasks normally performed with the aid of machinery. Such mass employment not only saved mechanical power but permitted a certain amount of mass conditioning where it did the most good, namely in the centers of dense population. The workers had to submit to a quasi-military drill every morning and to admonitory speeches as well. The military administration profited from the prevailing unemployment by paying wages far below—sometimes a mere fraction of—standard rates. It set up a bureau charged with labor recruitment for military defense work. The strong resistance met in this, as distinct from other areas of employment, is shown by the fact that in spite of repeated "drives" coercion was used in some cases to make up local quotas.² Reports on a flood-control project in Kediri Province, Java, and on various road construction projects indicate not only that labor was very poorly rewarded but that the projects themselves often were of little value—even for military purposes.

Whether the use of compulsory civilian labor for road-building in time of war is permissible under international law may be a moot point, but the practice is certainly an old one (see p. 202). Raffles in his day commented on the construction of roads in Java by the Dutch with forced native labor, roads which the peasants themselves were subsequently debarred from using. And Netherlands historians recall that Raffles himself, during the brief period of British rule in Java, issued an ordinance "forbidding to the Javanese the use of the same roads, 'it being only allowed them to go on the ordinary and long established cartroads as formerly.'"³

Youth corps were organized to assist in agricultural production. They and other cultivators were instructed in the production of the desired crops where this was unfamiliar. Under the pretense of enlisting them for higher agricultural courses at a Tokyo institution, graduates from agricultural courses in Java were induced to embark at Batavia, only to find themselves after a brief voyage landed on the small island of Viak, one of the Mysore or Schouten group near the northwest coast of New Guinea, where they were put to forced labor. Students, even children in elementary schools, were prodded with false pleas of patriotism and false educational promises. Organization in labor battalions followed almost immediately the inauguration of training in practical idealism. Occasionally a class bias was introduced by inculcating Javanese

secondary and college students with the idea that they must undergo practical field training to become leaders among the less advanced people of the southern regions. Sometimes labor squads were called "shock brigades" or "pioneer groups"; respected citizens were induced to give a symbolic day's work at the occupation especially in need of additional man power.

The need for workers in Sumatra,⁴ Celebes, New Guinea, and Malaya had assumed such proportions early in 1944 that even the use of students and of associations with high-sounding names did not suffice to give that prestige to compulsory labor which would help to recruit sufficient numbers. Hundreds of thousands of Javanese had by then been sent to Japanese-occupied areas in the South Pacific, there to work under unfamiliar conditions and ill fed.⁵

On the island of Java itself airfields and fortifications were planned for places far from the centers of population. The task of recruiting enough voluntary workers for these projects became more and more difficult as knowledge spread about the exceedingly unsatisfactory labor conditions in the more remote concentrations. But the fiction of voluntary recruitment was maintained as long as possible. It probably deceived few. Signs of panic, toward the end of 1944, were seen in the increased recklessness with which promises were made to labor recruits when actually, because of inadequate transportation, conditions in the labor camps, especially as regards food, had further deteriorated.

Growing restlessness among the Indonesian masses, when the Japanese cause was already doomed, explains new measures taken by the authorities toward the end of the occupation to improve labor relations, to provide better living quarters for the families of men engaged in labor services, to expand welfare facilities, to improve working conditions in factories, and to establish "self-sufficiency" farms. In direct contrast with these methods of appeasement but inevitable in the circumstances was the assumption of increased direct control for the distribution and allocation of labor by the military authorities, since they no longer could trust the local administrative bodies. On February 27, 1945, a new set of regulations was issued, ostensibly designed to protect workers hired at a distance from the place of their employment but intended also to lessen competition of private employment with that offered by the military authorities.

THE PHILIPPINES

The attitude of the Japanese authorities toward the Filipinos was from the start somewhat different from that toward the Indonesians. The chance of conciliating them was even slimmer; opposition was more open and widespread. The Filipinos had educational standards almost on a par with those of the Japanese themselves; and the citizen's duty to defend his civil liberties was taught in the schools.⁶

During the invasion, Filipino laborers were forced into labor battalions and treated with entire unconcern for their well-being and safety. They were employed on such work as road- and bridge-building from dawn to dark and received as pay only "a handful of rice," which they were told to prepare for themselves once a day without salt or other ingredients. Hauling artillery equipment was another job given to conscripted civilians. This forced labor sometimes was performed close to the firing line, and the workers were obliged to sleep on the ground in the noise of gunfire.

After the defeat of the American-Filipino forces and the fall of Bataan and Corregidor, the emphasis of the labor regime was transferred from auxiliary military operations to operations designed to get as much material as possible produced and shipped to Japan—since the Philippines were nearer to the home islands than others of the newly occupied territories, transportation was easier. This transference from military to productive labor required at least a moderate degree of voluntary cooperation. But the war was still on; Filipino resistance never was broken; and soon there returned the necessity for emphasis once again on purely military measures as against policies of economic exploitation. Only for a short time could the invaders rely in the main on unemployment and a sense of defeat as the principal inducements for large numbers of Filipinos to work for their conquerors.

Economic pressure now was used mainly for the purpose of lowering the cost of Philippine products—not only for the army of occupation but also for the carpetbaggers who had followed that army to exploit the country. Minimum wage rates were abolished and maximum rates introduced. In July, 1943, the maximum wage for laborers in Manila was 1.30 pesos a day, or about 0.91 pesos if the employer provided meals. The length of the working day was substantially increased—with an addition of only 12.5 per cent of the regular wage for overtime. All trade unions were abolished by the simple process of merging them in a Central Labor Union, established to control all employment.⁷

In the provinces, attempts at such complete regulation did not work. Laborers still were relatively free to come and go. As a result, Japanese agricultural experts, sent over to instruct Filipinos in the planting of cotton and other desired crops, complained of the stubbornness with which their well-meant assistance was refused. The use of persuasion rather than bayonets to gain the confidence and cooperation of the *tao* did not work. Increasingly, therefore, in the later phases of the occupation, forced labor was resorted to. A provision was inserted in the constitution of the puppet Republic of the Philippines, which, in the guise of a civic duty to engage in a useful occupation, permitted the government to draft labor as and where it pleased for any occupation, from vegetable gardening to road construction.

The original purpose remained the same throughout the occupation, but the

speed with which it had to be realized increased as the forces of liberation neared. Toward the end, Filipinos were conscripted not only to mine copper for Japanese armaments, and to raise food and cotton for the Japanese army, but also to build defense works. Thus, with the growing effectiveness of the resistance movement and the approaching nemesis of Allied victories, policy reverted back to that of the early days of the occupation. A few weeks after President Jose P. Laurel had declared that Filipinos would not be conscripted except in cases of emergency for the maintenance of peace and order, the collaborating General Artemio Ricarte announced, in December, 1944, that conscription for defense construction would be extended to conscription for military defense itself. Only in May, 1944, had the program of forced labor been extended to the whole citizenry between sixteen and sixty years of age.⁸

During the middle period, Japanese-controlled Philippine authorities did what they could to attract voluntary labor even to the more arduous tasks. Workers compelled by hunger, sometimes also by their own employers or landlords, were paraded as they marched off to their places of work. The involuntary nature of the enrollment was nevertheless revealed when not only persons normally engaged in wage labor or other forms of manual work but whole neighborhoods were mobilized and marched off: artisans and businessmen included. Defense work for the conqueror in some instances, to be sure, was linked with work of benefit to the community. Thus, on the outskirts of some cities large community war gardens were planted under the same Voluntary Labor Service System, to assure an adequate supply of *camote*, cassava, and other foods.

Gradually the picture changed. Production of exportable goods and of military material was speeded up to provide maximum results in the shortest possible time. In July, 1944, at least a quarter of a million Filipinos were employed in war industries to fill orders of the Japanese Navy Department. They were the elite, since the work involved some skill and willing performance, and hence were paid more than other classes of wage-earners. Other hundreds of thousands worked in the production of food and of export manufactures destined for Japan. Those employed in labor camps at a distance from their homes were given free transportation, free board and lodging, free or cheap food, and medical care. Urban workers who long had been underpaid or out of work sometimes derived benefit from living out of doors and being at least relieved of the fear of outright starvation. Miners of copper, chromite, manganese, and other minerals probably were not too much interfered with in their accustomed way of life, as long as the ore streamed to the reconstructed ports in satisfactory quantities. Those set to work on opening up new mines—of wolframite, in particular—were not treated too badly, either, since their work was regarded as essential.

On November 14, 1944, the mayor of Manila was authorized by President

Laurel to conscript all labor necessary for military and other emergency works. The minister of home affairs, Teofilo Sison, issued a new set of ordinances covering the draft of able-bodied males from eighteen to fifty years of age for the construction and repair of roads, bridges, airfields, ports, military installations, and other works. Various agencies with functions relating to employment were coordinated, and new methods were introduced to equalize the burden of the labor draft, to govern exemptions, and to punish defaulters. Already airfields had been hit by American bombs and had to be repaired; others were to be enlarged, and new ones had to be built in a hurry. It now appeared that there was a labor shortage in other departments, too. In the iron industry, for example, voluntary enlistment no longer sufficed to produce the desired output.

Then, with the approach of deliverance, the whole apparatus broke down.

BURMA

Soon after the invasion, the Japanese occupation administration established the Burma Construction National Labor Service Corps. During the campaign, labor was recruited mainly to aid in works of immediate military importance. Later, economic exploitation of the country's resources became the primary purpose of labor policy, and the service was reorganized to recruit labor for the production of export commodities wanted in Japan. Sites for such operations often were chosen without regard to the supply of labor available in the vicinity, so that labor squads had to be sent over considerable distances. Wages were paid, and at least in outward form enlistment was voluntary. In September, 1943, the Burmese Government appointed by the Japanese military Government as its instrument of administration set up a National Labor Service Deliberation Council to speed the mobilization of man power. Prime Minister Ba Maw played the role which Laurel played in the Philippines; he linked the invader's labor requirements with purposes of national reconstruction and so was able, in many proclamations, to make response to the call for enlistment appear a patriotic duty. Even so, the Burmese, never given to hard work at low wages if it can be avoided, proved unreliable. As there was a surplus of Indian labor power in Malaya, the Japanese were obliged to transplant some of this to man their projects in Burma. Javanese workers also were brought in for this purpose as long as there were ships in which to transport them.

The official pretense of an enthusiastic cooperation by the Burmese masses was maintained until far into 1944. In July of that year, Naokichi Kitazawa, a counsellor of the Japanese Embassy in Rangoon, having returned to Tokyo for a visit, gave out an interview in the course of which he claimed that about 800,000 Burmese were aiding the Japanese army with "voluntary" labor services. The frequency of Allied bombing here necessitated a far larger and

more mobile labor force for repair work than was required in other parts of Southeast Asia. And because of it only the harshest methods of coercion could supply the needed labor.

There was the further difficulty of Burma's distance from Japan. Whatever money compensation was given for compulsory labor and for the commandeered products of field and mine, there was not enough of any kind of consumer commodity. People did not have enough to eat, and had no clothes to wear. Their power of resistance to disease was lowered, and medicines were not to be had.⁹ One reason for the food shortage was that Burmese farmers, compelled to work at night on transport facilities and defense works, were too tired to work in their fields in daytime.

MALAYA AND BRITISH BORNEO

In Japan's plan for the conquest of Southeast Asia, the Malay Peninsula was assigned the distinct role of being administered with a view to later permanent incorporation in the Japanese empire. A new political and administrative area was created. The Unfederated Malay States, except Johore, were transferred to Thailand; but Sumatra, with its immense potential output of rubber and other materials, and with a plantation economy similar to that of the Federated Malay States, was added to these to make a single unit of government. This was to be ruled directly by the military authorities with use of the most complete controls that could be devised to insure a large output. No business or industry was allowed to operate without a license; wherever possible, Chinese were excluded from participation in business opportunities. Mining of iron and bauxite, shipbuilding, cotton and rice growing were accelerated, along with rubber production; and the factories of Singapore were supervised by Japanese technicians in the manufacture of airplanes and munitions.

Labor was conscripted at an early stage of this economic program. Chinese and Indian rubber tappers and factory workers had been thrown out of work by the war and could immediately be absorbed in essential occupations. However, there was at first resistance and confusion, and the Japanese Office of Labor Affairs did not begin to operate until April, 1943. In spite of industrial unemployment, a food shortage had developed. Not until the final months of the war was rice allowed to be imported from Siam. Thousands of Indians, Chinese, and Javanese, settled on farms near the main rubber-producing areas as a labor reserve for boom periods, either had left or had been drawn into the production of export commodities for the Japanese. Thousands more had been conscripted to build airfields. To compensate for this loss of man power, school children who previously had worked a few hours a day during busy seasons now were compelled to give all their time to work on the truck gardens and in the rice fields. Most radical departure from established practice was the

encouragement of Chinese to plant rice—one more move in the attempt to get them out of business and industry.

To dovetail all the various labor requirements and local resources, a labor-service corps was formed in 1943. Twenty persons out of every 250 inhabitants between fifteen and forty-five years of age—or an estimated total of 280,000—were conscripted to work on military construction.¹⁰ Later in the year, drafting of labor for agricultural work also was decreed, and arrangements were made to replace male with female labor in nonessential local industries. Still, these various paper plans did not produce the desired results. In December, 1944, the military administration, which only in January had attempted to register all workers in Singapore for compulsory labor services, again promulgated a labor ordinance compelling practically the whole male population between fifteen and forty years of age to shift from nonessential to essential industries. At this time, the miners and the rural workers already were thoroughly regimented, so that the new order hit above all the city populations, and especially that of Singapore. Some typical urban occupations were entirely prohibited now, and exemption from the labor draft could be obtained only with great difficulty. Many small businesses and shops were closed.

As in other occupied countries, wages were paid for compulsory labor, but they were far below the customary rates. Indeed, one of the secondary objects of the labor regime was to reduce Chinese wage-earners to the status of general laborers or "coolies." Together with measures of compulsion there went a psychological conditioning for servile collaboration. But, as elsewhere, the managers of the psychological campaign overplayed their hand.

To get the work done, wages for those on essential jobs were adjusted in an upward direction from 1943 on. Even so, with the inevitable inflation, real wages did not, of course, regain prewar levels. Indeed, it was not long before confiscation of goods went along with compulsion of labor to insure the subsistence of the most favored, that is, the most essential classes of workers.

Possibly because of this shortage of consumer goods and differentiation of wages, office workers by the thousands "volunteered" in July, 1945, for labor service on construction works in military zones near Singapore, and other thousands of office workers, most of them of course Chinese, offered their services to factories producing war supplies for the army of occupation. Although described as volunteers, these workers were compelled not only by hunger but also by fear of losing their homes. Under the same regulations which differentiated between essential and nonessential work, they had become liable to be sent wherever it might please the authorities to put them to work.

In Borneo it was impracticable for the invader to enroll the greater part of the population in his service. Enterprises to exploit the island's natural resources could not be improvised quickly. The sparse population of the vast interior could not easily be regimented. Labor in the port cities and the

adjacent areas could be reassigned to tasks more essential from the standpoint of Japanese rule; but there was little possibility of increasing their output. Characteristically, therefore, one of the first steps taken by the occupying authority was to draft youth and to apply its labor power, such as it was, to food production. Some effort was made to recruit laborers in the interior to fell and haul timber, and also to increase rice production by forcing the jungle folk to work much harder and more continuously than had been their custom

SIAM

In the Land of the Free, collaboration with the Japanese led much earlier than in the occupied dependent territories to the adoption of forced labor as an instrument of policy. But the Siamese authorities were in a position to avert a complete subservience of the country's economy to Japanese demands. They even developed schemes of their own to insure an adequate supply of accustomed consumer goods for their people. The Japanese, however, had before the war received favorable reports from their own experts on the possibilities of raising cotton in Siam and now demanded that a million acres be devoted to that crop. Since all this was planned in advance, it is not surprising that one of the first measures, when the Japanese were in a position to control the Siamese Government, was to subject all able-bodied men to labor mobilization.

The program did not work. The farmers refused to cooperate. Regulations, somewhat reminiscent of those in force in Mississippi, saw to it that men temporarily without employment were caught and registered as vagrants, to be put to work on terms not of their own choosing.¹¹ There is reason to believe that at least some public officials abetted the laborers who sabotaged the scheme and escaped regimentation. A desperate effort to force city workers and business employees in Bangkok to go out and grow cotton is further proof that the attempted compulsion of the Thai masses had failed.

INDO-CHINA

Recruiting practices resembling compulsion have long been resorted to in Indo-China to secure the man power needed for forestry and plantation enterprises in sparsely populated—often unhealthy—areas. Much had been done under reform administrations to regulate and supervise the movement of workers from Tonkin and North Annam to such areas and to place all contract labor under government protection. Conditions had improved so much that Tonkinese tappers in increasing numbers renewed their contracts or stayed on small holdings of their own, provided by the companies on high grounds. A labor margin thus was available, since in boom times such settlers were not averse to signing another contract while other members of their family continued to work on the farm. This was the same sequence from improved

working conditions to voluntary offer of labor which, under slightly different circumstances, had earlier occurred in Malaya.

Although Indo-China was Japan's chief reliance for deliveries of rice and of coal, neither the northern trouble spots of the peninsula nor the densely populated lowlands were at first greatly affected by the Japanese occupation. It is true, compulsory labor for Annamites between sixteen and forty years of age was enacted early in 1943, and strong measures were taken to put down any attempt at interference with the Japanese-dominated production plans of the French administration. Persons inciting to boycott or strike were liable to fines of one thousand piasters or imprisonment up to five years. But a calm examination of the facts hardly bears out an official report at that time to the effect that the Annamite people "have been reduced almost to a position of slavery."¹² Only with the relentless rolling in of superior Allied forces by sea and by land in 1945, did the Government resort to sharp new forms of compulsion to speed up production. Incidentally, this regimentation was intended also to suppress the growing restlessness of the people. For example, on March 25, 1945, the Japanese governor of Cochin-China outlined a new administrative organization to tighten up the employment system and to exact strict obedience from the people. A week later—possibly because his proclamation was anything but well received—he issued a further statement, threatening severe punishment of any groups committing acts of violence or collecting funds for their perpetration. Under the auspices of political and religious organizations, strikes had become continuous. Appeals to the self-interest of the laborers as members of a state in process of liberation from European rule had fallen flat.

Only when their defeat was certain, in March, 1945, did the Japanese try to set up an independent republican government. Five months later, the resistance leaders, headed by Ho Chi-Minh, already had enough popular support to take over the administration. In the case of the proclamation of the Viet Nam Republic at least, a close connection is discernible between the compulsions suffered under the Japanese yoke and the large element of liberative purpose in the announced social policy of a young Asian state.

APPENDIX E

Involuntary Labor—Some Definitions

Quoted from SOME LABOUR PROBLEMS IN PACIFIC DEPENDENCIES, a memorandum prepared by the International Labor Office for the Institute of Pacific Relations, 1931.

There has been considerable discussion as to the exact meaning to be attributed to the phrases "forced labour" and "compulsory labour". "Forced labour" may be used in relation to forms of compulsion hardly distinguishable from slavery (for example "blackbirding"), or in relation to the indirect pressure sometimes exerted by governments or recruiters of labour through native authorities to compel workers to enter into or remain in private employment. It is in this connection that the worst abuses have occurred, but forced labour in this sense is usually illegal or extra-legal, and abuses can only be abolished by the strict regulation of recruiting. "Forced labour" is also sometimes used to denote work done under legal compulsion for private employers, while "compulsory labour" is applied to work done for the community or government. Again, unpaid service may be designated "forced labour", while paid service is designated "compulsory labour". In the texts of the Mandates and in the Slavery Convention of 1926 the two phrases are used together without definition, while in the International Labour Convention of 1930 concerning forced or compulsory labour, the two terms are defined together as meaning "all work or service which is exacted from any person under menace of any penalty, and for which the said person has not offered himself voluntarily."

Forced labour is considered to be labour authorized by tradition, customs or statute, the non-performance of which entails a penalty of some kind. The various forms of forced labour for public purposes may be classified as (a) personal services rendered to chiefs, (b) communal services and labour for local public purposes, and (c) labour for general public purposes.

(a) The obligation to render personal services to chiefs, like the obligation to perform certain services for the local community, exists as a tradition or a custom in all primitive societies. In effect, labour of this kind is a form of taxation, and cannot be entirely dispensed with until the use of money has become general and money taxes are paid. The policy of administrations has usually been to limit the extent of the services to be rendered or, in some cases, to divert work to be performed for chiefs to work on communal services. Some administrations have sought to hasten the replacement of taxation in labour by taxation in money by introducing local taxation and native treasuries, while others prefer to leave this modification of native custom to the play of evolutionary forces.

Personal services are still rendered to chiefs in many Pacific Dependencies. This is the case, for example, in Fiji where, however, a native community may commute these services for a fixed annual payment in money. In the Netherlands Indies the village chiefs, who as a rule are not paid by the Government, may require labour for domestic purposes and for cultivation of the lands they hold in virtue of their office.

(b) Communal services consist mainly in the upkeep of local roads and tracks, the building of houses and village halls and village sanitation, with sometimes the addition of road making and other work away from the village. This labour is usually traditional and customary, and gives rise to serious hardship only in some cases when it is extended beyond its original purposes. It exists almost everywhere in the Pacific Dependencies although, as noted above, it tends to disappear with the development of a money economy.

(c) There appears to be little forced labour for general public purposes in the Pacific area, and where it does exist it is levied as a form of taxation. In the Netherlands Indies the Government has made arrangements for the progressive substitution of paid voluntary labour for this form of forced labour. It has already been abolished in Java (except in the Principalities), and in the other islands existing facilities for commuting the labour tax by a money payment are being extended.

The system of "prestations" or labour dues exists, as in France itself, in Indo-China and other French possessions. The labour levied is used on local public works but, to some extent, also for general public purposes. The system is purely a taxation system, and the labour due can generally be commuted for a money payment.

Some reference must also be made to two forms of forced labour for purposes other than public works, namely compulsory cultivation and forced labour for private employers. As already mentioned, compulsory cultivation is enforced in several territories as a precaution against a deficiency of food supplies or as an educational measure. Forced labour for private employers exists only

as a historic survival in the Netherlands Indies. Here the ownership of a number of private estates carries with it the right to exact certain labour services. These estates are gradually being brought back into the possession of the Crown by purchase or expropriation, and this form of forced labour is thus in course of abolition.

APPENDIX F

International Action in Combating Labor Compulsion

Extracts quoted from MINIMUM STANDARDS OF SOCIAL POLICY
IN DEPENDENT TERRITORIES, *Adopted at the Twenty-sixth Ses-*
sion of the International Labor Conference, Philadelphia, 1944.

Section 1. SLAVERY

Article 5

The slave trade and all forms of slavery shall be prohibited and effectively suppressed in accordance with the International Slavery Convention of 25 September, 1926.

Section 3. FORCED OR COMPULSORY LABOR

Article 7

1. The use of forced or compulsory labor shall be suppressed in accordance with the provisions of Article 1 of the Forced Labor Convention, 1930. The transitional period, during which as an exceptional measure forced or compulsory labor may be permitted in accordance with the subsequent Articles of the Forced Labor Convention, shall be as short as possible. During this transitional period forced or compulsory labor, where permitted, shall be subject to the limitations and guarantees set forth in the relevant Articles of the Forced Labor Convention.

2. In order to avoid the development of indirect compulsion to labor, effect shall be given to the principles set forth in the Forced Labor (Indirect Compulsion) Recommendation, 1930.

The Forced Labor Convention was adopted by the International Labor Conference in 1930.¹ It has been ratified by Australia, Belgium, Bulgaria, Chile, Denmark, Finland, France, Great Britain, Ireland, Italy, Japan, Liberia,

Mexico, Netherlands, New Zealand, Nicaragua, Norway, Spain, Sweden, Switzerland and Yugoslavia. The obligations of the Convention have been accepted in respect of Southern Rhodesia and a voluntary report on the application of the Convention has been regularly submitted by the Government of the Anglo-Egyptian Sudan. Australia, Great Britain, Liberia and Spain have undertaken to apply the Convention in its entirety, as was also the case with Italy and Japan.

The Belgian ratification is accompanied by a declaration which permits compulsion for the encouragement of economic crops subject to safeguards and as a temporary measure. This modifies the Convention's provision which permits compulsory cultivation only as a precaution against famine or a deficiency of food supplies. The declaration provides two other modifications in the application of the Convention. First, whereas by the Convention any work or service "exacted in virtue of compulsory military service laws for work of a purely military character" is excluded from the definition of forced or compulsory labor, the Belgian text adds "or for work of public importance following a decision of the competent authority". Secondly, another modification has been made in the Convention's exception of work exacted as a consequence of a conviction in a court of law. By the Belgian text this is extended to cover administrative penalties and it is made a condition that the work is performed under the supervision and control of a public authority without the additional requirement of the Convention that any such person may not be hired out to private employment. The French ratification reserved decision in the case of Morocco, Tunisia and the Levant States under the French Mandate. In the case of other territories it involves a number of modifications in the application of the Convention. Any work or service exacted in compulsory military service laws is totally excepted from the definition of forced or compulsory labor. Compulsory cultivation is permitted by France for experimental agricultural instruction. Whereas under the Convention no person may be required to perform forced labor for more than sixty days in the year, the French ratification permits the employment on general public works of forced laborers without limitation of time. Lastly, certain of the limitations contained in the Convention on the imposition of forced labor exacted as a tax are excluded under the French ratification. The Netherlands ratification makes two modifications in the Netherlands Indies: the more important of these excludes the services performed for landowners by persons inhabiting the *Particuliere Landerijen* of Java.

The Forced Labor Convention was drafted with a view to leading to the abolition even of the forms of forced labor permitted under it. In the first place, the wide measure of ratification the Convention has attained and, in the second, the fact that important colonial powers still find it necessary to exercise their right to adapt its provisions to local circumstances suggest

that the time is not come for a re-examination of its terms. The Office's proposal, therefore, emphasises the objective of the abolition of the forms of forced labor permitted under the Convention, but otherwise provides for the acceptance of the obligations of the Convention as that Convention at present stands.

The Conference in 1930 also adopted two Recommendations concerning forced labor. One, entitled the Forced Labor (Regulation) Recommendation, contains a number of subsidiary principles relating to the regulation or limitation of forced labor. The other suggests a number of principles of policy, the neglect of which may lead to situations where indirect compulsion of an improper character may become inevitable. It is the second text only to which the Office proposes to refer as being a Recommendation of fundamental importance. Its acceptance has been notified by the Governments of Australia, Great Britain, France, and the Netherlands. It may be said to reflect general policy on the question of the policies to be followed to avoid situations analogous to those involving direct forced labor.

Section 4. RECRUITING OF WORKERS

Article 8

1. The recruiting of workers in territories in which such recruiting exists or may hereafter exist shall be regulated in accordance with the provisions of the Recruiting of Indigenous Workers Convention, 1936.

2. In order to promote the progressive elimination of the recruiting of workers and the development of the spontaneous offer of labor, effect shall be given to the principles contained in the Elimination of Recruiting Recommendation, 1936.

The 1936 Convention² has only been ratified by Great Britain, Japan and Norway. So far as the Office can judge, however, the law and practice in dependent territories in general offer no obstacles to ratification. The following Governments with particular responsibilities in such matters voted in favor of the Convention at the 1936 Session: Australia, Belgium, France, Great Britain, Japan, Netherlands, Portugal, Spain and the United States of America. The employers' and workers' delegates of these countries also voted in favor of the Convention, with the exception of the Portuguese employers' delegate who voted against its adoption. It thus seems reasonable to provide without change for the application of this Convention.

The Elimination of Recruiting Recommendation³ is of a general character. It has been indicated by the Netherlands Government that such measures as it suggests as likely to lead to the cessation of recruiting are hardly relevant to the conditions which made recruiting necessary in the case of the migration of labor from Java to the Outer Provinces. Moreover, the British Govern-

ment, in accepting the Recommendation, stated that in certain African territories the policy proposed for the settlement of workers near their place of employment and for promoting the voluntary movements of labor are not suitable for application. Nevertheless, the Recommendation marks the transitory character of the type of recruiting covered by the Convention, and, since its terms only provide that where necessary and desirable the policy of States should be directed by various means towards the progressive elimination of such recruiting, a proposal for its inclusion in the present text seems reasonable.

SECTION 5. CONTRACTS OF EMPLOYMENT

Article 9

1. Contracts of employment shall be concluded in writing in the cases required by and in accordance with the provisions of the Contracts of Employment (Indigenous Workers) Convention, 1939.

2. The maximum periods of service that may be stipulated in any contract shall be those set forth in the Contracts of Employment (Indigenous Workers) Recommendation, 1939.

3. Steps shall be taken to diminish the employment of casual labor, as a result of which workers are absent from their homes in greater numbers and for longer periods than the nature of the employment requires, by the encouragement of the conclusion under proper safeguards of short term labor agreements which enable workers to secure full time employment during their absence from home.

The 1939 Convention concerning contracts of employment has so far been ratified only by Great Britain and accepted by Southern Rhodesia. Other important ratifications, however, are in prospect, and the delays appear to be due to war conditions. At the 1939 Session of the Conference the Government delegates who voted in favor of the Convention included those of Australia, Belgium, British Empire, France, Netherlands, and the United States of America.

The Recommendation, which was also supported at the Conference by the Government delegates of Belgium, British Empire, France, Netherlands, and the United States of America, is an essential supplement to the Convention. It suggests as principles for consideration in fixing maximum periods of contract: (a) periods as short as possible, and shorter when the worker is separated from his family than when accompanied by it; (b) 12 months for single workers in employments not involving a long and expensive journey and two years for workers accompanied by their families; (c) two and three years for single and accompanied workers respectively when the journey is long and expensive; (d) possibility of exceptions in cases where settlement is intended.

The Recommendation also contains a reference to annual holidays with pay. This would not be included in the above draft text, since the question of holidays is dealt with more generally later in the draft.

The Conference decisions on contract employment only relate to the cases of long-term employment involving written contracts. The lack of regulation of short-term employment contracts is often an evil, since under-employed labor under inadequate control and safeguards may concentrate near employment centres and since labor may be drawn in excessive numbers from indigenous agriculture. It may be thought that on the one hand the omission of any reference to the considerable employment of indigenous labor under daily or weekly agreements or the like is hardly possible and on the other that any detailed regulations would be inappropriate without further study. Paragraph 3 of the proposed Article is therefore suggested.

Section 6. PENAL SANCTIONS

Article 10

Penal sanctions for breach of contract of employment, as defined in Article I of the Penal Sanctions (Indigenous Workers) Convention, 1939, shall be abolished.

The abolition of penal sanctions remains a question on which local conditions and policy differ. The Convention, which so far has been ratified only by Great Britain and accepted by Southern Rhodesia, was in the nature of a compromise in that it required in the case of certain defined penal sanctions only their immediate abolition for non-adults and their general abolition "progressively and as soon as possible". Nevertheless, conditions have changed so greatly since 1939 that the Office proposes the adoption of a text calling for immediate abolition of the forms of penal sanction defined in the Convention.

Article 31

1. Voluntary forms of thrift among wage earners and independent producers shall be encouraged.
2. Where deferred pay schemes are in existence or are being established:
 - (a) their rules and operations shall be controlled by the competent authority;
 - (b) where practicable, representatives of the wage earners shall be associated in such control;
 - (c) any profits resulting from the working of the schemes shall be paid to the individual contributors, or, where this is not practicable, be used primarily for social welfare purposes in the areas from which the contributors come.

3. The maximum amounts and manner of repayment of advances on wages shall be regulated.

4. All practicable measures shall be taken for the protection of wage earners and independent producers against usury, in particular by the limitation of rates of interest on loans and by the encouragement of facilities for borrowing money for appropriate purposes through institutions which are under the control of the competent authority.

With workers for whom the money economy may still be a novelty or supplementary to their main subsistence, the reasonable use of any money earned, whether by wage earning or by the sale of products, may only be learned with some difficulty. It is therefore thought that the Conference should complete the section on remuneration by pointing to the importance of encouraging savings from money earnings and that it also should lay down the principle of the control of deferred pay schemes, of advances and of the loan of money on interest. In the case of deferred pay schemes it seems also possible to state as general rules that where practicable representatives of the contributors should be associated in the management of such schemes and that the sometimes considerable sums resulting from the operation of the schemes should be used for certain purposes.

NOTES

NOTES

INTRODUCTION

1. *Villainage in England* (Oxford, 1892), p. 43.
2. *The Economist*, December 4, 1948, p. 906.
3. The International Labor Office, in Report V on *Minimum Standards of Social Policy in Dependent Territories* (Montreal, 1945) and other recent reports, refers to "Labor Aspects of Land Policies" as "the most important and most difficult question." But it is the use of land ownership as a coercive instrument to secure the product of the labor of others that is really the point at issue.

CHAPTER ONE

1. Speaking of Europe after the downfall of the Roman Empire, Benjamin Kidd, the famous English sociologist, said: "Slavery, which had hitherto been an almost universal human institution, had behind it not only all the authority of force, but the unquestioned sanction of the highest civilization which man had so far reached."—*Social Evolution* (1894, rev. ed.; New York, 1921), p. 234.

The historian Eduard Meyer, on the other hand, throws doubt on the claimed universality of slavery in ancient times and tries to deflate a concept of social evolution as having always led from slavery through various stages of serfdom to free labor. On the contrary, according to him, it was the Roman empire—like other empires before and after it—which, with a greatly increased demand for mobile labor, introduced a large-scale slave trade into parts of the old Orient that had found but a small role for slavery in previous times. Under Islam, the slave trade provided the rich with concubines and domestic servants but did not exist in agriculture over large areas. On the other hand, the expansion of Arab trade, as previously of Phoenician, Greek, and Roman trade, encouraged industry in some of the larger culture centers of the oriental world, and this specialized activity often was carried on with slave labor.—"Die Sklaverei im Altertum," *Kleine Schriften zur Geschichtstheorie und zur Wirtschaftlichen und Politischen Geschichte des Altertums* (Halle, 1910), pp. 169-212.

2. Lester F. Ward, *Pure Sociology* (New York, 1907), p. 295; Radhakamal Mukerjee, *Democracies of the East* (London, 1923), p. 132.

3. Not to confuse a subject which is complicated in itself, we shall abstain from discussing the practice of head-hunting, although it shares with the sacrificial slaying of war captives a cannibalistic origin. In both cases the motivation embraces diverse purposes: that of attracting to the recipient of the sacrifice the virtues—courage, strength, or cunning—of the victim, appeasement of demons, fertilization of fields, and attestation of manhood. Although head-hunting has survived widely in Southeast Asia, it seems to be as old as, or older than, human sacrifice.

4. William Graham Sumner, in his chapter on slavery (*Folkways*, Boston (1906), 1940,

pp. 201 ff.), quotes examples from the Chin Hills of Burma, Borneo, Sumatra, Timor, and other parts of the region to make this point.

5. Piracy on the South China coast falls outside the scope of the present study. But it has frequently extended across the Gulf of Tonkin and, indeed, to all of Malaysia. Both before the Pacific War and since, the Chinese and Hong Kong governments have had difficulty in suppressing it. (See *New York Herald Tribune*, October 22, 1945, p. 3.) Although nowadays less romantic than in the past, it seems to be even more effectively organized—mainly from Bias Bay, Kwangtung Province. (*The Times*, December 12, 1929.) It is well informed on movements of cargo and bullion and able to operate rapidly when the occasion is favorable—as in the case of the grounded American transport in Shihtao Bay, June 2, 1946. Though less frequent than in former times, cases still occur in which passengers are taken off in sampans, to be held for ransom if they are well-to-do, to be sold into slavery if they are poor. Of recent raids that on the Dutch passenger ship "Van Heutz" in December, 1947, was the most sensational. In July, 1948, several gunboats—former American landing craft—were especially equipped for the Chinese Government at a Hong Kong yard to operate in the shallow river mouths of the South China Sea.

6. Anon., "The Piracy and Slave Trade of the Indian Archipelago," *Journal of the Indian Archipelago and Eastern Asia*, III (Singapore, 1849), 581-88.

7. Spenser St. John, "Piracy in the Indian Archipelago," *ibid.*, p. 258.

8. "Suedostasien," Part III of *Illustrierte Voelkerkunde*, ed. Georg Buschan (Stuttgart, 1923), II, 800.

9. *Ibid.*, pp. 700-1.

10. For a summary of data from a number of reliable sources, see E. Perne, "The Slavehunters of the Moluccas," *Inter-Ocean*, VI, 5 (May, 1925), 290-95; VI, 6 (June, 1925), 337-42. This account is especially strong in information about the pirate slave-trade of Sulu and of Ceram.

11. See, for example, Lawrence Browne, D.D., *Christianity and the Malays* (London, 1936), pp. 19-20.

12. Sir Frank Swettenham, *British Malaya* (London, 1906), pp. 78, 81.

13. David Prescott Barrows, *History of the Philippines* (Indianapolis, 1905), pp. 246-48.

14. For a typical episode in the British attempt to eradicate piracy from the north coast of Sumatra (1868) see "Achin Piracy," *Journal of Malayan Branch of Royal Asiatic Society*, V, 2 (November, 1927), 316-23.

15. Najeeb M. Saleeby, *The History of Sulu* (Manila, 1908); Maurice Collis, *Siamese White* (London, 1936), and other sources quoted below.

16. E.g., Philip Gosse, *The History of Piracy* (London, 1932), p. 274; Owen Rutter, *The Pirate Wind—Tales of the Sea-Robbers of Malaya* (London, 1930), p. 26.

17. Frank A. Swettenham, "Some Account of the Independent Native States of the Malay Peninsula," *Journal of Straits Branch of Royal Asiatic Society*, VI (December, 1880), 169.

18. F. Mueller-Lyer, *The History of Social Development* (New York, 1921), p. 163; William Graham Sumner, *Folkways*, pp. 261-2; Heinrich Schurtz, *Urgeschichte der Kultur* (Leipzig and Vienna, 1900), p. 153; Bronislaw Malinowski, *Freedom and Civilization* (New York, 1944), p. 286; William Graham Sumner, *The Science of Society* (rev. ed.; Boston, 1927), I, 228 ff.

19. Far from the effective control of the Government, the mines and quarries in distant Roman provinces owned by private corporations were mismanaged and eventually appropriated by the state. Sometimes slaves worked themselves into administrative posts, in-

cluding that of the *procurator metallorum* who either supervised the working or leased the mine out to a private company. Reporting on the silver mines of Spain, a Roman writer mentioned that the slaves working in them brought their owners great profit but themselves wasted away in large numbers under the lash of their overseers.—R. H. Barrow, *Slavery in the Roman Empire* (London, 1928), pp. 113-15.

In China, before salt-refining, mining, and smelting of iron had become government monopolies (119 B.C.), vast fortunes were made in these fields by private individuals with the use of slave labor. Some of this labor was furnished by landless proletarians who were stranded far from their native villages, but other workers were obtained from Chinese slave traders who, in turn, secured their supplies from barbarian raiders in the mountainous border lands. (C. Martin Wilbur, *Slavery in China during the Former Han Dynasty*, Chicago, 1943, pp. 217-8.) The employment of child slaves in mining seems to have remained a national tradition. Only a few years ago, the present writer saw in a coal mine near Taiyuan a group of starved and stunted-looking boys employed underground with primitive equipment, whose occupation could not have been a matter of voluntary choice on their own part or that of their parents.

20. As has already been intimated, this was merely an extension of a practice long established in the Chinese border provinces. The imperial Government tried at various times to suppress this practice because it led to reprisals of aboriginal tribes against sparsely settled Chinese colonists; but it did not object to the importation of captives taken some distance away. Thus, Chinese mining, especially in Burma and Siam, may have originated with a long-continued prospecting for labor, only later followed by a prospecting for ores.

21. *Years of Blindness* (New York, 1943), p. 55.

22. The latter is improbable. Victor Purcell, speaking of the tin mines in Malaya, that is, those most remote from China, says that "Chinese labor may have been employed in certain undertakings, but the labor up to the nineteenth century was principally Malay."—*The Chinese in Malaya* (London, 1948), p. 236.

With the extreme difficulty and cost of transportation, it is possible that the Chinese workings in Malaya as well as in present Burma were originally for the extraction of precious metals. After the transfer of the Shan States to British rule, in 1885, vast dumps of lead and zinc ores were discovered near the Chinese frontier at a rich silver mine already referred to by Marco Polo but abandoned after an uprising of Panthay mine laborers in 1860.—Maurice Collis, *Lords of the Sunset, a Tour in the Shan States* (New York, 1938), p. 224.

Sir Richard Winstedt states that "tin mining in Malaya goes back to the bronze age, having been practised by immigrants from Indo-China a few hundred years before Christ." (*The Malays: A Cultural History*, Singapore, 1947, p. 112.) The non-Chinese miners found by T. J. Newbold early in the nineteenth century he believes to have been local Malay bondsmen and bought slaves—the latter pagan Mandailings and Rawas imported from the Batak lands of Sumatra.—*Ibid.*, p. 113.

23. "The chief source of Hindu slavery was capture in war. Both Manu and Narada, the most ancient Hindu lawgivers, concur in this."—D. R. Banaji, *Slavery in British India* (Bombay, 1933), p. 37.

24. Carl Brockelmann, *History of the Islamic Peoples* (New York, 1947), p. 44. See also William Graham Sumner, *Folkways*, pp. 301-3.

25. Harry I. Marshall, comparing his own findings concerning slavery among the Karen of Burma with reports from other Indonesian peoples, concluded that nowhere among them had it become a very rigid system. A mild form of slavery, as regards both

treatment and opportunities for the offspring of slaves to lose themselves in the general population, seemed to be rather general among them. ("The Karen People of Burma," *Ohio State University Bulletin*, XXVI, 13, April 29, 1933, p. 141; referring to Ch. Hose and W. McDougall, *The Pagan Tribes of Borneo*, London, 1912, I, 71 ff.; and Fay-Cooper Cole, *Wild Tribes of the Davao District of the Philippine Islands*, Chicago, 1913, pp. 96, 182.) This impression is confirmed by a large number of documents consulted by the present writer in the preparation of this study. See also Bronislaw Malinowski, *op. cit.*, p. 296.

26. D. R. Banaji, *op. cit.*, p. 53.

The slave traffic under British rule was, of course, merely a continuation of the large and profitable trade in slaves captured in Bengal by the Portuguese; and this in turn profited from a tradition previously established under the oppressive Mogul empire which looked upon the infidel indigenous peoples as one of its richest sources of exports. However, it was the disintegration of that empire and the disruption of the peasant economy under the impact of the Company's activities which made whole village populations footloose and induced the privileged classes to sell their serfs into slavery. At the same time, war and famine so impoverished some of the more primitive communities that their members sold their children or themselves.—Radhakamal Mukerjee, *The Economic History of India, 1600-1800* (London, Bombay and Calcutta, 1947), pp. 19, 69 ff., 96.

26a. *The Black Man's Burden* (New York, 1920), pp. 15, 174 ff. The relevant passages are here paraphrased to show their application to the Eastern establishments and possessions of the European powers as well as to Africa.

27. L. E. Neame, *The Asiatic Danger in the Colonies* (London and New York, 1907), p. 43.

28. Bernard H. M. Vlekke, *Nusantara; a History of the East Indian Archipelago* (Cambridge, Mass., 1943), pp. 143, 177.

29. *Ibid.*, p. 140.

30. *Slavery through the Ages* (London, 1938), p. 256.

31. "Abject condition," such as that of women or of certain classes in some societies, does not necessarily imply slavery. Subjects called "slaves of the king" are not always his property. "Slave tribes" and "slave districts" are inappropriate names for tribes subjected *en bloc* and for tributary districts when, as under Roman law, the members of such groups cannot individually be sold. Nor are pawns (peons) or so-called debtor-slaves in a legal sense the property of their masters. The only justification for calling them slaves, if any, is that they fulfill social functions similar to those of slaves (*Leibeigene*). See H. J. Nieboer, *Slavery as an Industrial System* (The Hague, 1900), pp. 7, 20, 29, 31, 37-39.

32. *Ibid.*, p. 259; John H. Harris, *Slavery or "Sacred Trust"?* (London, 1926), pp. 32-33. See also references to *Mui Tsai*, pp. 52 ff.

33. More than two hundred children, all under fifteen years of age, have been rounded up and returned to their parents in the poverty-stricken rural areas of north, central, and northwest Honshu, Japan's main island, according to a report of the Kyodo News Agency published by the *New York Times* on January 22, 1949.

34. P. 11.

35. For authoritative first-hand information on the Melanesian slave trade, see Douglas Rannie, *My Adventures among South Sea Cannibals* (London, 1912); Captain George Palmer, *Kidnapping in the South Seas* (Edinburgh, 1871); and various sources quoted below.

36. *A Century of Emancipation* (London, 1933), p. 232.

37. E.g., M. V. Portman on the Jarawa of Little Andaman in the *Journal of the Royal Asiatic Society*, XIII (1881), 486; Major C. M. Enriquez, *A Burmese Wonderland* (London and Calcutta, 1922), p. 32; Walter William Skeat and Charles Otto Blagden, *Pagan Races of the Malay Peninsula* (London, 1906), I, 533 *et al.*; Harold J. Coolidge and Theodore Roosevelt, Jr., *Three Kingdoms of Indo-China* (New York, 1933), p. 323; H. A. Bernatzik, *Die Geister der Gelben Blaetter* (Munich, 1938), p. 138.

38. From such historical evidence as is available—see for example *Cambridge Economic History* (Cambridge, 1942), I, 32, and Marc Bloch's enlightening chapter on "The Decline of Slavery," *ibid.*, pp. 234 ff.—it may be permissible to generalize that the employment of slaves in the later Roman empire still was relatively remunerative where intensive agriculture was carried on under the close supervision of the master, but that with every degree of extensification—and especially absentee landlordism—the substitution of serfs, working mainly for their own account, became more advantageous to the lord. Thus, the German invaders of the former Roman provinces, unaccustomed to intensive cultivation, further promoted such substitution through the settlement of peasants which had already begun under the emperors.

39. A Parliamentary Committee of the Whole House called to consider the slave trade in 1789 had before it evidence from the West Indies rating the relative output of free as against slave labor as 8 to 2, 9 to 5, and 3 to 1. The diversity of these proportions would seem to indicate that the particular circumstances are important and that no generalization is justified—other than the ancient observation that the slave has less incentive to exert himself than the free worker.

40. B. A. G. Vroklage, *Die Sozialen Verhaeltnisse Indonesiens*, Vol. I, "Borneo, Celebes, Moluccas" (Muenster, 1936).

41. Vroklage, *op. cit.*; Fay-Cooper Cole, *Peoples of Malaysia* (New York, 1945), p. 219; Charles Hose, *Natural Man, a Record from Borneo* (London, 1926), p. 216; Charles Jean Marie Letourneau, *L'Evolution de l'Esclavage dans les Diverses Races Humaines* (Paris, 1897), p. 198 *et al.*; Carl Lumholtz, *Through Central Borneo* (New York, 1920), I, 120, 129; II, 341, 351, 361, 363, 364; David Prescott Barrows, *op. cit.*, p. 247; G. A. Harvey, *History of Burma* (London, 1925), pp. 320, 321. Negatively, it is perhaps significant that Walter W. Skeat and Charles O. Blagden do not mention the custom as having been observed in the Malay Peninsula. (*Op. cit.*) Edwin M. Loeb refers to the former custom in Nias of choosing a slave of no value for human sacrifice—Nias being a preferred source of slaves bought by Atjeh rulers and nobles. (*Sumatra, Its History and People*, Vienna, 1935, p. 143.) Also probably connected with former human sacrifice was the Batak custom of giving slaves their freedom at the funeral rites of prominent chiefs. "One of the slaves stood under the body of the corpse when it was washed, and if any of the water fell upon him he was declared free."—*Ibid.*, p. 42.

42. According to one account, boy slaves were also in modern times often kept for sexual enjoyment by Achinese nobles.—G. P. Tholson, "Acheh, Commonly Called Acheen," *Journal of Straits Branch of Royal Asiatic Society*, No. 5 (June, 1880), p. 47.

43. Carl Lumholtz, in speaking of the descendants of slaves among the Kenya, Kayan, and other Dyak tribes of central Borneo, describes them as a "third-class people" of relatively low morality, rather than as outcasts.—*Op. cit.*, I, 74.

Charles Hose and William McDougall also comment on the relative mildness of the slaves' lot among the Kenya, Kayan, and other Dyak tribes and explain it by the fact that they fulfilled important economic functions. (*Op. cit.*, I, 69.) That fact also explains so rapid an absorption of the slaves in the Dyak communities that Europeans visiting

them sometimes were misled to believe there were no slaves. (E.g., Carl Bock, *Head-hunters of Borneo*, London, 1881, p. 210.) In one case, a slave has been reported as having become chief and leader of a force of free warriors without a change in his status. (Frederick Boyle, *Adventures among the Dyaks of Borneo*, London, 1865, p. 285.) And, again because of their important economic role, slave concubines and their offspring secured their freedom more easily among the Dyak than among many other groups in a similar stage of general civilization. (Henry Ling Roth, *The Natives of Sarawak and British North Borneo*, London, 1896, II, 214.) For some of the references in this note the author is indebted to Gunnar Landtmann, *The Origin of the Inequality of Social Classes* (London, 1938).

44. *Op. cit.*, p. 108

45. *Ibid.*, pp. 40-42, 143, 230-31.

46. J. Kremer, *Atjeh, Algemeen Samenvattend Overzicht van Land en Volk* (Leiden, 1922), I, 240.

47. *Ibid.*, II, 259.

48. Hermann Fiedler, *Die Insel Timor* (Friedrichsseggen, 1929), pp. 28, 37-38, 55, 76.

The island of Timor is now divided between the Netherlands and the Portuguese governments. Partly to avoid overlapping and also because relatively little literature is available on social conditions under the Portuguese regime, no separate sections on Portuguese Timor have been included in these chapters. A short but revealing "Historical Survey of the Abolition of the Slave Trade and Slavery in Portugal and the Portuguese Colonies" forms Annex 21 to the *Report of the League of Nations Advisory Committee of Experts on Slavery, April 5, 1938* (C.112.M.98.1938.VI.).

In this memorandum, the relative smallness of the colony and the easy accessibility of the interior are given as reasons, in addition to government policy and the virtual abandonment of indirect rule, why slavery does not exist. Survivals of serfdom, pale reflections of the enormous power over their subjects formerly enjoyed by the indigenous rulers, still are to be found in compulsory labor services which the local chiefs apparently have little difficulty in enforcing.—P. 130.

49. *L'Archipel Indien* (Paris, 1783 and 1874).

50. *History of Sumatra* (London, 1811).

51. *Op. cit.*, Chap. IX.

52. *Ibid.*, p. 197.

53. *The Three Famous Voyages of Captain James Cook Round the World* (London, 1853-54), I, 288.

54. L. de Backer, *op. cit.*, pp. 469-70, 473; quoted by Letourneau, *op. cit.*, pp. 199-200.

55. *Op. cit.*, II, 31-32; quoted by Letourneau, *op. cit.*, p. 199.

56. De Backer, *op. cit.*, pp. 494, 508-9.

57. The slave trade and importation of slaves had been prohibited in 1818.

58. *Besuch bei den Kannibalen Sumatras* (Würzburg, 1894), pp. 341, 342. More recent reports state that villages in the open plains often are fortified against possible intruders, while those situated in the forests and on the hills are not.—W. Volz, "De Bataks, Hun Nederzettigen en Bedrijft," *Tijdschrift voor Economische Geographie*, V (1914), 73.

59. *Op. cit.*, pp. 115-17.

60. When only the chief has slaves, as is also the case on the island of Bali, it is safe to assume, according to Nieboer (*op. cit.*, p. 119) and F. A. Lieftrinck ("Nota betreffende den Economischen Toestand van het Rijk Bangli," *Tijdschrift voor Indische Taal-, Land-, en Volkenkunde*, XXIV, 1877, pp. 180 ff.), that the system was introduced since the Hindu conquest.

61. See p. 77.
62. Max Moszkowski, *Auf Neuen Wegen durch Sumatra* (Berlin, 1909), p. 198.
63. *Ibid.*, pp. 235-36.
64. A. L. van Hasselt, *Volkbescrijving van Midden-Sumatra* (1882), pp. 190-91, as quoted by Nieboer, *op. cit.*, p. 120.
65. *Op. cit.*, p. 118. See also F. H. van Naerssen, *Culture Contacts and Social Conflicts in Indonesia* (pamphlet; New York, 1947).
66. *Java, Geographisch, Ethnologisch, Historisch* (Haarlem, 1875-84), I, 355-56.
67. *Op. cit.*, p. 141.
68. Quoting P. J. B. C. Robide van der Aa, *Reizen naar Nederlandsch Nieuw-Guinea in de Jaren 1879-1882* (The Hague, 1883), pp. 53, 218, 221; and F. S. A. de Clercq, "Bijdrage tot de Kennis der Residentie Ternate," *Bijdragen, Kon. Instituut voor Taal-, Land-, en Volkenkunde* (Leiden, 1890), p. 74.
69. *Encyclopaedie voor Nederlandsch Indie* (The Hague, 1917-1939), I, 11.
70. Nieboer (*op. cit.*, p. 120) quotes among others: A. L. van Hasselt, *op. cit.*, pp. 190, 192; B. F. Mathes, *Bijdrage tot de Ethnologie van Zuid-Celebes* (The Hague, 1875).
71. In addition to other sources here and subsequently quoted, see for example F. A. Liefrinck, *loc. cit.*, pp. 184, 185; P. L. van Bloemen Waanders, "Aantekeningen omtrent de Zeden en Gebruiken der Balincezen, inzonderheit die van Boeeling," *ibid.*, VIII, 107, 123-25, 133; R. van Eck, "Schets van het Eiland Lombok," *ibid.*, Vol. XXII; H. Tonkes, *Volkskunde von Bali* (Halle, 1888), pp. 54-58, 61—all quoted by Nieboer, *op. cit.*, p. 120.
72. *Australasia*, (London, 1879; rev. ed., Vol. II, London, 1894), p. 315.
73. Indirect proof that slavery was not introduced by Hindu conquerors may be seen in the bas-reliefs of the Borobodur. Although built about the ninth century when the use of slaves for draft labor seems to have been common in the declining Khmer empire (see p. 59), the low reliefs of this monument show horses harnessed in the classical style and no vestige of such shafts as might be used by human bearers. See C. Lefèbvre des Noëttes, *L'Attelage, le Cheval de Selle à travers les Ages, Contribution à l'Histoire de l'Esclavage* (Paris, 1931), I, 102.
74. E. van Delden, *De Particuliere Landerijen op Java* (Leiden, 1911).
75. Alfred R. Wallace, *op. cit.*, p. 338; Antoine Cabaton, *Java, Sumatra and the Other Islands of the Dutch East Indies* (London, 1911), p. 345; J. S. Furnivall, *Netherlands India, A Study of Plural Economy* (Cambridge and New York, 1944), pp. 42, 158, 338; H. W. Ponder, *In Javanese Waters* (London, 1944), pp. 112-13, 117. For a more detailed picture of the life, character, and problems of the early *perkeniers* on Banda and their relations with the Government at Batavia, see V. I. van de Wall, "Bijdrage tot de Geschiedenis der Perkeniers, 1621-71," *Tijdschrift voor Indisch Taal-, Land-, en Volkenkunde*, LXXIV (1934), 516-18.
76. Donald MacLaine Campbell, late British vice-consul at Batavia, *Java, Past and Present* (London, 1915), pp. 1091-95; Bernard H. M. Vlekke, *op. cit.*, p. 244.
77. Hermann Fiedler, *op. cit.*, p. 75.
78. Somewhat similar circumstances seem to have been responsible in the sixteenth century for the importation of slave women from Goa and Malacca to the Portuguese colony of Macao, to compensate for the absence of European women.—P. Huard and A. Bigot, "Introduction à l'Étude des Eurasiens," *Bulletin Economique de l'Indochine*, XL, 4 (July to August, 1939), p. 735.
79. It may be remembered that a similar development took place in preimperial Rome. As the number of slaves kept in a household grew, specialization of function followed. The *servi usurarii*, or industrial slaves, in times of decreasing prosperity produced

goods for sale. Thus there grew up a number of trades; and even the cook was hired out. Since the slave usually was permitted to retain some of his earnings, many eventually bought their freedom. The *coquus* became a caterer who, with his pots and his assistants, stood in the market place to offer his skilled services to anyone wishing to give a party.

80. S. Kalf, *De Slavernij in Oost-Indie* (Baarn, Holland, 1920), p. 16.

81. Joh. Rauws, H. Kraemer, F. J. F. van Hasselt, N. A. C. Slotemaker de Bruine, *The Netherlands Indies* (London and New York, 1933), p. 36.

82. Bernard H. M. Vlekke, *op. cit.*, pp. 141-42, 170, 215, 244, 284, quoting original sources.

83. Raffles was severely reprimanded by the directors of the East India Company in London for a treaty he had made with the Rajah of Nias, by which he sought to cut off an important source of supply for the slave traffic.

84. See p. 121.

85. Charles Jean Marie Letourneau, *op. cit.*, p. 198.

86. Fay-Cooper Cole, "The Wild Tribes of Davao District, Mindanao," Field Museum of Natural History Guide No. 12 (Chicago, 1931), summarized by Robert H. Lowie in *An Introduction to Cultural Anthropology* (enlarged ed.; New York, 1946).

87. Of the continued operation of Moro pirates from their haunts in the bays and rivers of Mindoro and Mindanao, and of the inability of the Spaniards to cope with them, Barrows has drawn a picture. (*Op. cit.*, pp. 246-48.) Additional data are to be found in Najeeb M. Saleeby, *The History of Sulu*, pp. 191-94.

88. Frank Charles Laubach, *The People of the Philippines* (New York, 1925), p. 77.

89. John Foreman, *The Philippine Islands* (New York, 1899), pp. 54, 206.

90. Fay-Cooper Cole, *Peoples of Malaysia*, pp. 91, 136, 187, 197.

91. Fay-Cooper Cole states that among the Bagobo the son of a slave woman might even become a chief if his father happened to be one.—"The Wild Tribes of Davao District, Mindanao," *loc. cit.*

92. Emma H. Blair and James A. Robertson, *The Philippine Islands, 1493-1898* (Cleveland, 1903-09), XVI, 121-23.

93. Assembly Report on *Slavery and Peonage in the Philippine Islands* (Manila, 1914).

94. *Report of the Philippine Commission* (Manila, 1913), p. 90.

95. According to a reliable witness, this kind of arrangement was still to be found as recently as 1941.

The practice of child adoption, in fact, "goes far back in Philippine society," according to R. F. Barton. (*The Kalingas*, Chicago, 1949, p. 64.) The Kalingas of northern Luzon, he says, recognize no definite line between an adopted child (*inanaḡ*) and a servant (*puḡyong*) who has served long and faithfully. The *puḡyong* may be a dependent relative of one of the spouses, or he may have been acquired by a family in one of the wealthier districts from one in a poorer one. There have also been cases of *puḡyong* sold by their masters into outright slavery in another district, but such cases are rare.

96. The argument that the trade in pagan children is justified by their baptism has a respectable antiquity. Friar João Pinto de Piedade, Bishop of China in Macao, in a letter of March 2, 1614, to the Portuguese viceroy of India, complained against a municipal magistrate, Luis Coelho, who had prohibited the export of kidnaped boys and girls from Canton (the *Mui Tsai*, further considered on p. 53) to Manila, on the ground that this prohibition if enforced would prevent their being baptized as Christians.—C. R. Boxer, "Portuguese and Spanish Rivalry in the Far East during the Seventeenth Century," *Journal of Royal Asiatic Society*, 1946, p. 155.

Lest the American reader assume a sense of moral superiority, it may be permissible

to quote from "The True and Sincere Declaration" of the Colony of Virginia (1609) which proclaimed as its object with respect to slaves: "To preach and baptize into the Christian religion—to recover out of the armes of the Devill, a number of poore and miserable soules wrapt up unto death in invincible ignorance." (John R. Speers, *The American Slave Trade*, New York, 1900, p. 10.) Dean William Stuart Nelson, of Howard University, who has recently resurrected this passage (*Conflicts of Power in Modern Culture*, Seventh Symposium, Conference on Science, Philosophy and Religion, New York, 1947, pp. 385 ff.), adds: "When it was held to be illegal and irreligious for Christians to hold each other as slaves, it was discovered that 'out of covetousness' masters were refusing to permit their slaves to be baptized. . . . It was later ruled that conversion should alter nothing in one's civil estate."

97. *Report of the Philippine Commission* (Manila, 1912), p. 76.

98. *Slavery and Peonage in the Philippine Islands* (Manila, 1913).

99. Address before Brooklyn Institute of Arts and Sciences, November 19, 1913; Appendix XXIV of W. Cameron Forbes, *The Philippine Islands* (Boston, 1928), II, 497.

100. For further information see Dean C. Worcester, *The Philippines Past and Present* (new ed.; New York, 1930); W. Cameron Forbes, *The Philippine Islands*, I, 527-33 and II, 496-98; J. S. Furnivall, *Netherlands India*, pp. 349-50. The category of child slavery here discussed should not be confused with the occasional occurrence, in many parts of the Philippines, even to this date, of the pawning of children in payment of a debt. This will be considered later, pp. 131 ff.

101. *Peoples of Malaysia*, pp. 187, 309.

102. *Op. cit.*, II, 92. See also John Foreman, *op. cit.*, p. 164.

103. A. L. Kroeber, *Peoples of the Philippines* (New York, 1928), pp. 62, 145.

104. *Studies in Moro History, Law, and Religion* (Manila, 1905), p. 10.

105. Maximo M. Kalaw, *Introduction to Philippine Social Science* (Manila, 1933), pp. 147-48.

106. Sixto Y. Orosa, *The Sulu Archipelago and Its People* (Yonkers, 1923), p. 64.

107. Najeeb M. Saleeby, *The Moro Problem* (Manila, 1913), p. 11.

108. *Ibid.*, p. 13.

109. *Ibid.*, p. 23.

110. Emerson Brewer Christie, *The Subanuns of Sinsangan Bay*, Bureau of Science, Division of Ethnology, Publication VI, 1 (Manila, 1909), 68-69.

111. These men are peons. For the sake of getting the total picture, it is necessary here to anticipate what properly belongs in a later section of the present study.

112. Vic Hurley, *Southeast of Zamboanga* (New York, 1935), pp. 114-15.

113. *Ibid.*, pp. 138-39.

114. *Peoples of Malaysia*, p. 197.

115. In India, slavery had been abolished by law in 1843.

116. There are, however, important exceptions to this. For example, W. J. S. Carrapiett describes the cruel punishment of slaves who have tried to escape or have injured their masters. (*The Kachin Tribes of Burma*, Rangoon, 1929, p. 30.) There are many clauses in the *Damasat*, the Burmese Buddhist code of ethics, as translated by Father Vincentius Sangermano (John Jardine, ed., *The Burmese Empire a Hundred Years Ago*, London, 1916, pp. 248, 263, 294, et al.), which suggest that in former times even in Lower Burma tortures were often inflicted on slaves or they were worked to death either by their owners or by temporary masters to whom they had been pawned.

117. The function of the pagoda slaves—to which we shall return in the next chapter, p. 91—should not be confused with that of the so-called "temple slaves" in Roman

times. Whatever menial duties may have been assigned to these, they were evidently attached to the temple estates and could be called into public service. They were therefore serfs, and not slaves. See Richard M. Haywood, "Some Traces of Serfdom in Cicero's Days," *American Journal of Philology*, LIV, 3, No. 214 (April-June 1933), 145.

118. Lt. Gen. Albert Fytche, C.S.I., *Burma Past and Present* (London, 1878), I, 246.

119. Shway Yoe (pseud.), *The Burman, His Life and Notions* (London, 1882), II, 143-50.

120. G. A. Harvey, *op. cit.*, pp. 320-21. Lieutenant General Sir Arthur P. Phayre states (*History of Burma*, London, 1883, pp. 108-9) that the sacrifice of slaves at funerals was prohibited in 1557 with the victory of Ava over the Shan States of the Upper Irrawaddy. However, some of the evidence concerning the survival of the custom seems to be more recent.

121. *Op. cit.*, p. 121.

122. *Wild Races of Southeastern India* (London, 1870), p. 91.

123. William Graham Sumner, *Folkways*, p. 273, with particular reference to the Chittagong.

124. Rev. Harry Ignatius Marshall, "The Karen People of Burma," *loc. cit.*, p. 141.

125. *Ibid.*, pp. 141-42.

126. Archibald Ross Colquhoun, *Burma and the Burmans* (London, 1885), p. 10; see also his *Amongst the Shans* (London and New York, 1885), p. 40.

127. "From the Yangtze to the Irrawaddy," *Geographical Journal*, LXII, 1 (July, 1923), p. 14.

128. Major C. M. Enriquez, *A Burmese Arcady* (London, 1923), p. 75.

129. Sir J. G. Scott, *Burma* (New York, 1924), p. 355.

130. Major C. M. Enriquez, *A Burmese Wonderland*, p. 32.

131. Major C. M. Enriquez, *A Burmese Arcady*, pp. 74-75, 166-67.

132. *Ibid.*, p. 241.

133. *Loc. cit.*, pp. 230 ff.

134. Carrapiett, *op. cit.*, p. 94.

135. G. H. Luce, "Economic Life of the Early Burmans," *Journal of Burma Research Society*, XXX, 1 (April, 1940), p. 300, quoting *A List of Inscriptions Found in Burma*, partly republished by Oxford University Press (London, 1940).

136. R. M. Hall, "Early Days in the Police in Arakan," *Journal of Burma Research Society*, XXVIII, 3 (December, 1938), p. 202.

137. A. D. Maingy, as quoted by J. S. Furnivall, "The Fashioning of Leviathan," *Journal of Burma Research Society*, XXIX, 1 (April, 1939), p. 27.

138. E. A. Blundell, Commissioner, "An Account of Some of the Petty States Lying North of the Tenasserim Provinces . . ." *Journal of Asiatic Society of Bengal*, V, 58 (October, 1836), 604.

139. *Ibid.*, pp. 601-25; also V, 59 (November, 1836), pp. 688-707.

140. Documents of the Sixth Assembly, League of Nations, A. 50 (Geneva, 1925), VI.

141. John L. Christian, *Modern Burma* (Berkeley, 1942), pp. 100, 311-12.

142. *India in 1930-31* (Calcutta, 1932), pp. 23-24; *India in 1931-32*, pp. 88-89.

143. Kathleen Simon, *Slavery* (London, 1929), pp. 115-21.

144. John H. Harris makes the point (*A Century of Emancipation*, p. 234) that to carry through this task so rapidly was possible to Sir Harcourt Butler only because he had a strong public opinion behind him.

145. *Op. cit.*, p. 256.

146. *Peoples of Malaysia*, pp. 91, 116.

147. "A Vocabulary of the Jakun of Batu Pahat, Johore, together with some Remarks on Their Customs and Peculiarities," *Journal of Straits Branch of Royal Asiatic Society*, 38 (July, 1902), 29-30.

148. *A History of the Peninsular Malays*, Papers on Malay Subjects (3rd rev. ed.; Singapore, 1923), pp. 2-3.

The subject of tribal enslavement is further discussed under the heading of serfdom (pp. 90 ff.).

149. *Op. cit.*, I, 42.

150. *Ibid.*, I, 529. Contrary to frequent statements concerning the mild treatment of household slaves, Sir Hugh Clifford gives from personal observation facts showing that Sakai and Semang slaves were at times grievously abused.—"Life in the Malay Peninsula; as It Was and Is," *Journal of Royal Colonial Institute*, XXX, 8 (July, 1899), 567-68.

151. Skeat and Blagden, *op. cit.*, I, 532, 533.

152. *Ibid.*, II, 538-39.

The importation of Rawa slaves from Sumatra has already been referred to in note 22. A substantial account of an incident involving trade on the Malaya coast in Sirkar slaves from the east coast of India will be found in H. P. Clodd, *Malaya's First British Pioneer: The Life of Francis Light* (London, 1948), pp. 87 ff.

153. *Malayan Monochromes* (New York, 1913), p. 121.

154. *Ibid.*, pp. 119-22.

155. Major Fred McNair, *Peraĸ and the Malays* (London, 1878), pp. 193-200.

156. See p. 187.

157. It must be assumed that there was a difference between the use of men born into slavery and that of the large numbers occasionally secured by conquest and raids. While the former at times bore arms and even acted as guards over the captive slaves, the latter were kept under constant surveillance; and their value consisted not least in the fact that because of their labor other slaves could be released to serve in the ruler's army. For a parallel situation in ancient Sumer, see Bernard J. Siegel, "Slavery during the Third Dynasty of Ur," *American Anthropologist*, New Series, XLIX, 1, Part 2 (January, 1947), 9, 11.

158. Jacques Jean, Marie de Morgan, *Exploration de la Presqu'île Malaise* (Rouen, 1886), as quoted by Nieboer, *op. cit.*, p. 39.

159. Sir Frank Swettenham, *British Malaya* (London (1906); rev. ed., 1929), p. 142.

160. "During, or after, the reign of Sultan Iskandar Shah, the Portuguese raided the East Coast of the Malay Peninsula (1523 A.D.); attached Pahang, burnt Patani and took slaves in plenty."—Anker Rentse, "History of Keladan," I, *Journal of Malayan Branch of Royal Asiatic Society*, XII, 2 (August, 1934), p. 56.

161. Victor Purcell, *op. cit.*, p. 108.

162. Sir Frank A. Swettenham, *The Real Malay* (London, 1900), pp. 10-12; for the later development of Chinese mining, see J. B. Scrivenor, *A Sketch of Malayan Mining* (London, 1928); also Victor Purcell, *op. cit.*

163. *Op. cit.*, pp. 791-92.

164. Sir Geoffrey Cator, C.M.G., "Labuan," *Asiatic Review*, XLIII, 153 (January, 1947), 86-87.

165. This is also the testimony of Fay-Cooper Cole, reporting on the Kayan of Central Borneo.—*Peoples of Malaysia*, pp. 210-11.

166. *The Pagans of North Borneo* (London, 1929), pp. 74-75.

167. For a more extended account of the nature and effects of piracy which infested the coasts of Borneo in James Brooke's time, see Philip Gosse, *op. cit.*, pp. 288 ff. During

one of Brooke's absences in England "a fleet of between sixty and a hundred Sarebas prahus dashed up the Sadong river under the leadership of a notorious chief, the Kaksimana of Paku, attacking every detached farm house they met. It was the time of year when the harvest was being gathered and the peasants were widely scattered, leaving the unfortunate women and children an easy prey to the invaders."—P. 289.

Owen Rutter, who gives a similar account in *The Pirate Wind—Tales of the Sea-Robbers of Malaya*, pp. 24, 49 ff., explains that at that time, in the first half of the nineteenth century, pirates found slaves easier to dispose of than loot—and far easier to obtain; but the prices he quotes for the Borneo coast do not by any means seem high.

168. This impression is confirmed by Dorothy Cator, *Everyday Life Among the Head-hunters* (New York, 1905), p. 198.

169. *Mui Tsai in Hong Kong and Malaya*, Report of Commission Colonial Office, No. 125 (1937), 314 pp. Of reports by the governor of Hong Kong on this subject the latest submitted to the League Advisory Committee of Experts on Slavery was one for the half-year ended November 30, 1938 (Annex to Document C.C.E.E.223,C.Q.S.53, July 25, 1939). A substantial section of this report deals with the administration of *Mui Tsai* legislation in Malaya and Sarawak.

170. The present family law of China is based on Western models and does not recognize that authority but makes the individual the basic unit of society.

171. *A Century of Emancipation*, p. 247.

172. Chen Han-seng, *Landlord and Peasant in China* (New York, 1936), pp. 60 ff.

173. How the *Mui Tsai* system operated in Malaya, and especially in Singapore, is more fully described by Victor Purcell, *op. cit.*, pp. 179 ff. As Protector of Chinese and, after the liberation of Malaya from the Japanese, as Principal Adviser on Chinese Affairs in the Malayan Government, this author has contributed not a little to the improvement of the lot of the *Mui Tsai* and the gradual abolition of the system.

174. *The Anti-Slavery Reporter*, XXX, 2 (London, July, 1940), 78, and XXXI, 2 (July, 1941), 62-63.

175. Associated Press report, *New York Times*, July 25, 1948. On the general situation see also P. A. B. McKerron, Colonial Secretary, *Report on Singapore for the Year 1947*, p. 87.

176. *Labour Policy in General, including the Enforcement of Labour Measures*, Preparatory Asiatic Regional Conference of the International Labor Organization, New Delhi, 1947, Report II (New Delhi, 1947), pp. 145-46.

177. In India, the legal status of slavery was abolished in 1843; keeping or trafficking in slaves was made punishable under the Penal Code of 1860.—Arthur B. Keith, *The Constitutional History of India* (London, 1936), p. 161.

178. Memorandum by the Government of the United Kingdom concerning Slavery Legislation, Annex 20 of *Report of League of Nations Advisory Committee of Experts on Slavery*, April 5, 1938 (C.112.M.98.1938.VI.).

179. J.-B. Alberti, *L'Indochine d'Autrefois et d'Aujourd'hui* (Paris, 1934), p. 226.

180. W. A. R. Wood, *A History of Siam* (rev. ed.; Bangkok, 1933), p. 60.

181. See, for example, the many casual mentions of slaves in the documents relating to Samuel White's brief regime at Mergui, as related by Maurice Collis in *Siamese White*.

182. *Histoire Civile et Naturelle du Royaume de Siam, et des Révolutions qui ont bouleversé cet Empire jusqu'en 1770* (Paris, 1771), p. 87.

183. Etienne Aymonier, *Le Cambodge* (Paris, 1900), II, 42.

184. Apart from being assigned to the court, to nobles, and to pagodas for field labor and manual services, colonies of war captives also were assigned to deliver annual tributes

of teak or saltpeter while working for their own living the rest of the time. Moreover, some revenue came in from the right of such war captives to purchase their freedom or to be redeemed by others. This right, however, existed only as long as the reign lasted; with a change of rulers the slaves became the absolute property of the king or the lord who owned them and were settled on their estates.

185. Hugo Adolf Bernatzik reports among the Phi Tong Luang villagers of southern Siam the excessive timidity which must be associated with population groups that have long been hunted. In former times these tribesmen were subjects of the Nan kings and paid an annual tribute of honey, rattan, and wax. They were then far more numerous than they are now. They avoid contact with the outside world as much as possible, and the location of their primitive settlements in the jungle is often unknown to their Lao, Miao, Yeo, Tin, and Kamuk neighbors even when they carry on a "silent" trade with them (see also p. 95). They are but rarely visited by Chinese middlemen, though they like to exchange their forest products against tobacco, rice, salt, meat, old clothes, metal spearheads, opium, and alcohol. They have no organized armed defense; flight is their only means of self-protection.—*Die Geister der Gelben Blaetter*, pp. 138, 144, 153, 154, 168.

186. Virginia Thompson, *Thailand: The New Siam* (New York, 1941), p. 599, quoting John Crawford, *Journal of an Embassy to the Courts of Siam and Cochin-China* (London, 1830), I, 227; and Monsignor Pallegoix, *Description du Royaume Thai ou Siam* (Paris, 1854), I, 234.

187. Sir John Bowring, F.R.S., *The Kingdom and People of Siam* (London, 1857), I, 189-99.

188. W. A. R. Wood, *op. cit.*, p. 279.

189. Luang Pracherd Aksorlunksna, *La Constitution Siamoise de 1932* (Paris, 1933), p. 175.

190. *Siam, Rural Economic Survey, 1930-31* (Bangkok, 1931).

191. *Siam, Second Rural Economic Survey, 1934-35* (Bangkok, 1935).

192. *Thailand: The New Siam*, pp. 687-90.

193. *League of Nations Bulletin*, July 1, 1936, as quoted by Kenneth Perry Landon, *The Chinese in Thailand* (New York, 1941), p. 96.

194. In an as yet unpublished memorandum.

195. C. LeFèvre des Noëttes, *op. cit.*, I, 101, and II, illustrations.

196. Etienne Aymonier, *Le Cambodge*, III, 546.

197. *Ibid.*, p. 548.

198. Paul Pelliot, *Mémoires sur les Coutumes de Cambodge . . .*, Bulletin de l'École Française d'Extrême-Orient, II, transl. by Osbert Sitwell, *Escape with Me* (1939) (London, 1948), pp. 109-10.

199. Charles J. M. Letourneau, *op. cit.*, p. 209. A similar "buyers' market" developed in Rome during the second Punic War, as told by Livy, Polybius, and other historians. Polybius described (*Historiae*, III, 82) how crowds of citizens, "more numerous than the soldiers," followed Flaminius around in the hope of getting captives from him for nothing.

200. Capitaine Gosselin, *Le Laos et le Protectorat Français* (Paris, 1900), pp. 308 ff.; Lucien de Reinach, *Le Laos* (Paris, 1911), pp. 387-88; Gaston Rueff, "Postwar Problems of French Indo-China: Economic Aspects," *Pacific Affairs*, XVIII, 2 (June, 1945), 145.

201. J.-B. Alberti, *op. cit.*, pp. 76-77.

202. *Ibid.*, p. 180.

203. Archibald Ross Colquhoun, *Amongst the Shans*, pp. 53-54.

204. J.-B. Alberti, *op. cit.*, p. 226.
205. *Op. cit.*, pp. 121, 122.
206. Slavery is prohibited in all French territories under article 6 of the Constitution of November 4, 1848, and article 1 of the Senatus-Consult of May 3, 1854. A report of the French Government to the League of Nations on slavery in Cochinchina (also in other French dependencies) states that both household slavery and enslavement of captives are totally unknown in that colony, and then goes on to discuss pledging for debt, disguised sale of children, and compulsory unpaid labor.—*Report of League of Nations Advisory Committee of Experts on Slavery*, April 5, 1938 (C.112.M.98.1938.VI.), pp. 79-81.
207. Virginia Thompson, *French Indo-China* (New York, 1937), pp. 371-72.
208. It had, of course, been made illegal long before that time but, according to Captain Henri Baudesson, undoubtedly went on in secret.—*Indo-China and Its Primitive People* (London, 1919), p. 78.
209. Léon Archimbauld, *Rapport au Nom de la Commission des Finances sur le Budget Général des Colonies* (Paris, 1928), p. 88, as quoted in *Labour Conditions in Indo-China*, International Labor Office Studies and Reports, Series B, No. 26 (Geneva, 1938), p. 5.
210. Official and unofficial reports testify to a greatly increased activity in this direction by the Chinese National Government during the war, especially while its temporary seat was in Szechwan.
211. Communication, dated March 31, 1938, from the French Government to the Secretary General of the League of Nations; Annex 9, Report of League of Nations Advisory Committee of Experts on Slavery, April 5, 1938 (C.112.M.98.1938.VI.), p. 81.
212. A century and a half ago, Bishop Wilberforce complained that, as long as slaves were fairly well treated, people did not seem to realize the degradation incident to their status. (*Hansard*, 1816, xxxiv, 1154.) William Law Mathieson explains by this indifference the fact that slavery did not cease to be legal in India till 1843 and was not made criminal till 1863.—*British Slavery and Its Abolition, 1823-1838* (London, 1926), pp. 31-32.
213. Sir Austen Chamberlain took this cautious view, and Lord Robert Cecil opposed it, in the League Assembly of 1924.
214. See also *Minutes of Second Session, held at Geneva, July 13-25, 1925*.
215. (C.586.M.223.), October 16, 1926.
216. The text is given and other historical and descriptive information is summarized in *The Suppression of Slavery*, Special Studies Vol. II, No. 4 (Geneva Research Information Committee, Geneva, April, 1931), 31 pp.
217. (C.112.M.98.1938.VI.) For the history of international negotiation, the details of the conventions, and the problems still unresolved, the minutes of the Committee of Experts are, perhaps, the most important source. In addition to these documents and to the sources specifically relating to the Pacific and quoted in this chapter, two volumes of the Hon. H. A. Wyndham's *Problems of Imperial Trusteeship* (II, "The Atlantic and Slavery"; III, "The Atlantic and Emancipation"; London, 1935 and 1937) also deserve attention, as do the files, for almost a century, of the *Journal of the Anti-Slavery and Aboriginal Protection Society*, London.
218. Report of Section V of the 26th Session of the International Labor Conference, Philadelphia, 1944. Previously this body—under an agreed division of responsibilities—had restricted its activity to indirect, disguised, and related forms of human bondage, the resulting conventions on which are summarized in chapters LXXV to LXXX of the

International Labour Code of 1939 (International Labor Office, Montreal, 1941), pp. 476-518.

219. Carl Brockelmann, *op. cit.*, p. 395.

220. Julian Huxley, in his Romanes Lecture, uses slavery as the "obvious example" of the theory that "general ethical principles can be brought down to earth out of their ideal empyrean when it is possible to apply them in large-scale practice, and when it is also expedient to do so." He points out that throughout the ancient world slavery was "taken for granted as an inevitable fact of human existence"—even in the Christian gospel which, while teaching equality before God, accepted and even supported inequality in the treatment of human beings in the social sphere. Only in the beginning of the nineteenth century had technical advance made it possible to put much of the mechanical drudgery of existence off the shoulders of men onto machines. In the new conditions, free workers were on the whole more efficient than bound ones. The usual resistance to change of the vested interests could now be overcome by the upholders of the moral principle of human equality.—Thomas H. and Julian Huxley, *Touchstone for Ethics* (New York, 1947), pp. 149, 196.

221. *International Labour Office Official Bulletin*, XXX, 3, 15 (November, 1947), 191-92.

222. A clause of the new constitution finally approved by the Constituent Assembly at New Delhi on that day not only forbids the practice of untouchability in any form but makes enforcement of any disability arising from it a punishable offense. At the time, the Indian Government included two members of the untouchable sixty million of the population (one of them married to a woman of the highest Hindu caste) in its Cabinet; numbers of laws had already been passed to improve the lot of the outcastes, and several of the provincial legislatures had prohibited all legal discriminations.

223. *Labour Policy in General*, *loc. cit.*, pp. 140 ff. An Indo-Chinese decree of December 30, 1936, not only provides for a minimum age but also stipulates the maximum proportion of apprentices under twenty years of age to the number of adult workers in any shop other than in handicrafts.

CHAPTER TWO

1. *Report of League of Nations Advisory Committee of Experts on Slavery* (Geneva, April 5, 1938; C.112.M.98.1938.VI.), p. 16.

2. The word "peon" from the Latin *pedo*, originally a foot soldier, has an interesting feudal history. Interestingly enough, from the same word is derived the English "pawn"—the chess piece of least value, which is moved about or sacrificed to protect kings and knights.

3. E.g., Victor Gabriel Garcés, *Living Conditions of Indigenous Populations* (International Labor Office, Montreal, 1946), p. 8, quoting Alejandro Lipschutz, *El Indio Americanismo y el Problema Racial en las Américas*, p. 68.

4. Paul Vinogradoff, *op. cit.*, p. 43.

5. J. K. Ingram, *A History of Slavery and Serfdom* (London, 1895), p. 3, as quoted with approval by H. J. Nieboer, *op. cit.*, p. 32.

6. Frederic Seebohm (in *The English Village Community*, London, 1883, pp. 405-6) shows this to have been true both in England and on the continent.

M. Postan, in an unusually suggestive paper, shows how greatly the character of feudal relations—both in England and on the European continent—has changed from time to time with changes in the general economic situation. Rising production, expand-

ing settlement, technical improvement, and investment of capital meant extension or intensification of demesne cultivation; and this led to the imposition of greater burdens upon villein labor when there was no corresponding increase in the amount of land worked by villeins. Sometimes the greater demands on these simply resulted from a sharper definition of services which previously had been left undefined and occasional. Or a commutation of earlier service obligations into a money rent was abolished by unilateral action on the lord's part, to increase his labor force. Tenants were reduced to villeinage, and entirely new duties were imposed on them. In times of contracting grain markets, the process of course was reversed. On the whole, however, the later Middle Ages were a period of enlarged agricultural production; and this historian's remark that "the rise of money economy has not always been the great emancipating force which nineteenth-century historians believed it to have been" throws a significant sidelight on similar claims sometimes made for the benefits of modern agricultural exploitation to the peasant class in Southeast Asia.—"The Chronology of Labour Services," *Transactions of the Royal Historical Society*, XX (1937), 169-93.

7. William Graham Sumner (*Folkways*, p. 292) gives the two following authorities to explain the origin and composition of the Roman colonate, or immobilized peasantry. B. Heisterberg (*Die Entstehung des Colonats*, Leipzig, 1876) gives three possible sources (the first also mentioned by other historians): barbarian prisoners, emancipated slaves, and impoverished freedmen. H. A. Wallon (*L'Esclavage dans l'Antiquité*, Paris, 1847, III, 282) ascribed a large addition to the colonate to administrative measures designed, in a time of failing revenues, to expropriate the peasantry. In Rome, too, there was some confusion—even in the Justinian legal code—between slaves and colons or serfs; but the sources from which the latter class is said to have been recruited bear a remarkable likeness to those found in medieval and modern Southeast Asia, as the following pages will show.

8. Sydney Greenbie, *Asia Unbound* (New York, 1943), p. 224.

9. William Graham Sumner (*Folkways*, pp. 263-64) and Patrick Geddes (in many lectures and a collection of striking regional maps to prove the point) have given examples from many parts of the world of a repetitive pattern of conquest in which a physically robust nomad group conquers an agricultural people weakened by security or a less invigorating climate. The result, when the two groups occupy the same territory, is a class society; when they live side by side, a history of raids leading eventually to a permanent relation of tribute payment, compulsory services, and one-sided theft of women.

10. During the greater period of the Roman empire, the *colonus* was recognizably neither freeman nor slave. He was bound to the land which he cultivated and could be forcibly returned to it if he fled, but he had full security of tenure even if the land was sold. A transition in his status began when, with the need for man power, the right of the *colonus* to enlist as a worker in one of the state corporations was recognized and when, having successfully evaded his master's service over a given number of years—thirty or forty—he joined the ranks of the landless but free proletariat. But even if he did stay on the land, his status gradually changed: in the course of time he might acquire a recognized vested interest in his holding together with acknowledged personal ownership of part of the produce he raised.

After the Germanic invasion, the colonate continued in law for half a millennium, but in practice it became more and more indistinguishable from the free tenant class; or, rather, both the free peasant and the *colonus* were overtaken by a new bondage of serf-

dom or villeinage which held them in subjection throughout the middle ages.—See Emil Lucki, *The Colonate under the Late Roman Empire* (Chicago, 1943).

11. F. H. van Naerssen, *op. cit.*, p. 8.
 12. J. S. Furnivall, *Netherlands India*, p. 14.
 13. Leaning on Cornelis van Vollenhoven's *Staatsrecht Overzee* (Leiden, 1934), Furnivall suggests that under the feudal system in Java a transfer of sovereignty meant primarily a transfer of political power; the granting of land, the people going with the land, "was a European idea" and was introduced by the Dutch.—*Netherlands India*, pp. 13-14.
 14. E. S. deKlerck, *History of the Netherlands East Indies* (Rotterdam, 1938), I, 263; A. D. A. de Kat Angelino, *Colonial Policy* (The Hague, 1931), II, 10 ff.
 15. A. D. A. de Kat Angelino, *ibid.*, II, 16, quoting F. de Haan, *Priangen* (Batavia, 1910), p. 339.
 16. Antoine Cabaton, *op. cit.*, p. 345.
 17. H. W. Ponder, *op. cit.*, pp. 128-29.
 18. Hermann Fiedler, *op. cit.*, p. 55.
 19. Moszkowski, although he stressed the similarities between the institutions of feudalism in Europe and those he found in Central Sumatra (including, for example, the *jus primae noctis*), also found differences which he traced to historical dissimilarities. Thus he recognized a remnant of the former matrilineal system in one of the titles by which commoners in that region address their master, namely *mamak*, or brother-in-law. This expression, he says, derives from the fact that in the matrilineal gens the brother of the woman was head of the gens, and that from the heads of the gens or households had developed the feudal nobility of later days.—Max Moszkowski, "Mittelalterlicher Feudalismus in Inner-Sumatra," *Globus*, XCVI, 17 (November 4, 1909), 261.
 20. *Peoples of Malaysia*, p. 273.
 21. Miguel Covarrubias, *Island of Bali* (New York, 1938), Chap. IV.
 22. Bernard H. M. Vlekke, *op. cit.*, p. 141.
 23. Max Moszkowski, *Auf Neuen Wegen durch Sumatra*, p. 229.
 24. *Adat Law in Indonesia* (New York, 1948), p. 57.
 25. *Ibid.*, p. 67.
 26. Raymond Kennedy, *The Ageless Indies* (New York, 1942), pp. 92-93; J. H. Boeke, *The Structure of Netherlands Indian Economy* (New York, 1942), pp. 24, 48 ff.
- Such imposition of a Moslem upper class rather than accommodation between tribes or clans of about the same cultural level probably explains the subservience of one community to another sometimes observed in Borneo. C. A. L. M. Schwaner mentions the Orang Patan of the Barito River valley as a group, at one time wholly independent, which at the time of his visit worked its fields in servitude to a neighboring community.—*Borneo, Beschrijving van het Stromgebied van den Barito* (Amsterdam, 1853-54), I, 167.
27. *De re rustica*. v. cxlii. In the days of Horace this functionary, though still *mancipium*—that is, personal property—already had a more recognized professional status and evidently—*jornix tibi et uncta popina incutiunt urbis desiderium*—had come to share, as far as his modest means allowed, the self-indulgent habits of the master class.—*First Book of Epistles*, Fourteenth Letter.
 28. J. H. Boeke, *The Structure of Netherlands Indian Economy*, p. 48.
 29. Edward P. Cheyney, *An Introduction to the Industrial and Social History of England* (New York, 1920), pp. 111-13; Frederic Austin Ogg, *Economic Development of*

Modern Europe (New York, 1917), Chaps. II, V, XV. The change was not, of course, an absolute one; many of the obligations to the manor lingered on through Tudor times (see R. H. Tawney, *The Agricultural Problem in the Sixteenth Century*, London, 1912) and, indeed, in modified forms until the second decade of the twentieth century. Hans Nabholz, in "Medieval Agrarian Society in Transition" (*Cambridge Economic History of Europe*, Vol. I, 1944), shows how the assumption of new political privileges among the smaller princes of Germany involved them in expenditures on armed forces; hence the breakup of their estates, and the abolition of hereditary subjection.—Pp. 536 ff.

30. J. H. Boeke, *The Interests of the Voiceless Far East* (Leiden, 1948), p. 22.

31. Patrick Geddes often contrasted the cooperative organization of wet-rice areas with the individualism of typical wheat-producing communities but did not oversimplify either picture.

32. For an excellent brief description of customary labor arrangements in both *sawah* (wet rice) and *tegalan* (dry rice) cultivation see P. De Kat Angelino, *Some Remarks on the Wages Paid in the Netherlands Indies* (Batavia, 1936).

33. "The exploitation of other portions of the world through military plunder, unequal trade and forced labour has been one great indispensable condition of the growth of European capitalism."—J. A. Hobson, as quoted by Alain Locke and Bernhard J. Stern, *When Peoples Meet, a Study in Race and Culture Contacts* (New York, 1942), p. 96.

34. The influence of Eduard Dowes Dekker's (Multatuli's) *Max Havelaar*, first published in Amsterdam in 1860—and, incidentally, not of particularly high literary quality as a novel—may be gathered from the large literature which it evoked, some of it cited by Bernard H. M. Vlekke, *op. cit.*, p. 285.

35. B. J. Haga, *Indonesische en Indische Democratie* (The Hague, 1924), p. 136.

36. Bernard H. M. Vlekke, *op. cit.*, pp. 185-86.

37. *Ibid.*, pp. 234-35.

38. For further details see Amry Vandenbosch, *The Dutch East Indies* (2nd ed.; Berkeley, 1941), pp. 250 ff.

39. C. F. van Delden Laerne, *Brazil and Java; Reports on Coffee in America, Asia, and Africa* (London, 1885), p. 523, where the various processes and their liability to being botched are further explained.

40. *Ibid.*, pp. 526, 527.

41. Earlier discussions of the relative advantages and disadvantages of intensified cultivation failed to take into account the often detrimental effect of too rapid and too "clean" a cultivation of commercial crops on the fertility of the soil.—See Karl J. Pelzer, *Pioneer Settlement in the Asiatic Tropics* (New York, 1945), pp. 77-78.

42. John H. Harris, *Slavery or "Sacred Trust"?*, p. 85, based on a report by H. A. N. Bluett, British Commercial Agent in Batavia, 1924; J. H. Boeke, *The Structure of Netherlands Indian Economy*, pp. 120, 177 ff.; *World Agriculture, an International Survey* (London, 1932), pp. 175-76.

43. *The Structure of Netherlands Indian Economy*, p. 42.

44. *Ibid.*, p. 44.

45. See Jerome Dowd, *The Negro in American Life* (New York, 1926); Paul S. Taylor, *Mexican Labor in the United States: Imperial Valley* (Berkeley, 1928).

46. "Toestanden op Particuliere Landerijen," *Tijdschrift voor Economische Geographie*, V, 1 (1914), p. 36.

47. Charles Bidien, "Dutch 'Ethical Policy,'" *Indonesian Review*, I, 7 (1946), 6 ff.

48. *The Netherlands Indies and the United States* (Boston, 1942), p. 30.

49. *Conditions in the Philippine Islands*, Report of the Special Mission . . . to the Secretary of War, 67th Congress, 2nd Session, Document 325 (Washington, D. C., 1922), p. 43.

50. *The Philippines Past and Present* (rev. ed.; New York, 1939), I, 514.

51. *Op. cit.*, I, 526.

52. Hugo H. Miller, *Principles of Economics Applied to the Philippines* (Boston, 1932), p. 53.

53. Fay-Cooper Cole, *The Tinguian* (Chicago, 1922), p. 360. The spirits of the deceased were formerly appeased with hunted heads, but not with the services of slain servants.—*Ibid.*, p. 286.

54. Karl J. Pelzer states that at the time of the Spanish conquest Philippine village society was divided into four classes: the nobility or *dato*; the freemen whose services to the chief were limited to military duties, relatively light chores in the fields, and house building; the serfs who lived in their own homes but had to turn over one-half of their crops; and the slaves. The Spanish system of land grants was simply superimposed on this structure. Although the holders or *encomenderos* abused their power to take tribute, they did not greatly interfere with the established system.—*Pioneer Settlement in the Asiatic Tropics*, p. 88.

55. The recent working of the Philippine land tenure system is described in detail by Karl J. Pelzer, *Pioneer Settlement in the Asiatic Tropics*, pp. 91 ff.

56. James S. Allen, "Agrarian Tendencies in the Philippines," *Pacific Affairs*, XI, 1 (March, 1938), 62-63.

57. José Rizal's portraits of the *cacique* in *Noli Me Tangere* (1886) and others of his novels are overdrawn but provide telling illustrations of his oppressive functioning.

58. Felix M. Keesing, *The Philippines, a Nation in the Making* (Shanghai, 1937), pp. 36-37.

59. Juan de Solórzano y Pereyra, *Politica Indiana* (Madrid, 1736), as quoted by Ruth Kerns Barber in *Indian Labor in the Spanish Colonies*, Historical Society of New Mexico Publications, VI (October, 1932), 17.

60. Ruth Kerns Barber, *op. cit.*, p. 18.

61. (Cambridge, 1940), pp. 27-56.

62. *Ibid.*, pp. 29, 30.

63. *Ibid.*, pp. 35-37.

Although it shared the colonials' view of their right to consider themselves superior to the indigenous peoples of the empire in natural endowment and natural rights, the Spanish Government never faltered in its solicitude for the welfare of the submerged classes. When the *corregidores*, functionaries appointed to look out for the interests of the "Indians," were found to subject these to grave abuses and to profiteer from compulsory sales of commodities to them, that office was abolished.—Charles Edward Chapman, *Colonial Hispanic America* (New York, 1933), p. 188.

64. See W. Cameron Forbes, *op. cit.*; and Maximo M. Kalaw, *The Development of Philippine Politics, 1872-1920* (Manila, 1926).

65. Conrado Benitez, *History of the Philippines* (Boston, 1926), p. 128.

66. The Government's inability to enforce the provisions of the Rice Share Tenancy Act—first passed in 1931 to give some protection to rice cultivators against abuses by their landlords—offers a striking illustration of the *cacique's* power of obstruction. In its original form, this law was optional in its application, requiring that a majority of municipal councils must petition for its enforcement before it could become effective in any province. The councils, of course, almost everywhere are dominated by the landlords. An

amending act, passed in 1936, permitted the national Government to enforce the act notwithstanding local opposition "when public interests so require"—which meant in case of riots, which at that time were frequent.

Several years later it was reported that in the provinces where tenancy relations had thus been brought under government control, landlords were taking revenge on the helpless tenants who had asked for observance of the law by terminating their leases. The National Assembly again tried to counter this move by passing an act designed to give greater security of tenure to the share tenants. In 1940, the legislators found it necessary to pass yet another law, providing for compulsory arbitration of all disputes arising from the amended Rice Share Tenancy Act. But the following year, when the threat of war already loomed over the nation, the landlords still tried—unsuccessfully—to have all these acts declared unconstitutional by a Provincial Court of First Instance. For additional illustrations, see Karl J. Pelzer, *Pioneer Settlement in the Asiatic Tropics*, pp. 98 ff.

67. Hugo H. Miller, *op. cit.*, p. 193. Incidentally, it is to the credit of the Philippines educational authorities that this textbook and others similarly outspoken have long been widely used in the Philippine schools.

68. Najeeb M. Saleeby, *The Moro Problem*, p. 17.

69. For examples, see Najeeb M. Saleeby, *Studies in Moro History, Law and Religion*.

70. José G. Sanvictores, *The Administration of Minority Groups* (Manila, 1931), p. 9.

71. Charles Jean Marie Letourneau, *op. cit.*, p. 208.

72. *Ibid.*, p. 206.

73. *Burma and the Burmans*, p. 10.

74. See p. 45.

75. H. J. Nieboer, *op. cit.*, pp. 29, 31, 37 ff.

76. *Caste in India* (Cambridge, 1946), p. 125.

77. W. J. S. Carrapiett, *op. cit.*, p. 25.

78. Dubois de Jancigny, *Japon, Indo-Chine, Empire Birman, Siam, Annam (ou Cochinchine)*, etc. (Paris, 1850), p. 316.

79. May Mya Sein, *Burma* (London, 1944), p. 14.

80. Archibald R. Colquhoun, *Amongst the Shans*, pp. 40, 69, 70; Sir J. G. Scott, *Burma*, pp. 15-16.

81. G. A. Harvey, *op. cit.*, pp. 284, 298, 299, quoting J. Crawford, *Embassy to the Court of Ava* (London, 1827), I, 423; E. A. Gait, *A History of Assam* (Calcutta, 1906).

82. G. A. Harvey, *op. cit.*, p. 351.

83. Shway Yoe (pseud.), *The Burman, His Life and Notions*, II, 163.

84. *Ibid.*, p. 150.

85. Captain F. Kingdon Ward, *In Farthest Burma* (London, 1921), pp. 232-33.

86. Dubois de Jancigny, *op. cit.*, p. 313.

87. G. A. Harvey, *op. cit.*, p. 298. This author points out that the habit of seizing alien mariners points in the same direction, namely a frantic desire for population increase. —*Ibid.*, p. 349.

88. Rev. Harry Ignatius Marshall, "The Karen People of Burma," *loc. cit.*, p. 22.

89. Shway Yoe (pseud.), *The Burman, His Life and Notions*, II, 145-46.

90. *Op. cit.*, p. 351.

91. A fuller description of the pre-British social organization of Burma is given by J. S. Furnivall in *Political Economy of Burma* (Rangoon, 1938).

92. John F. Cady, "Economic Development in Burma," *Far Eastern Survey*, XV, 1 (January 16, 1946), p. 2.

93. *Ibid.*, p. 3.

94. *The Malays in Malaya*, by One of Them (Singapore, 1928), p. 15. Sir Frank Swettenham says almost the same thing in *British Malaya* (London (1906); rev. ed., 1929), p. 14.

95. J. P. Rodger, C.M.G., later K.O.M.G., and Governor of the Gold Coast, as quoted by Alleyne Ireland, *The Far Eastern Tropics* (Boston, 1905), p. 111.

96. Hugh Clifford, "Life in the Malay Peninsula; as It Was and Is," *loc. cit.*, pp. 554-57.

97. Sir Frank Swettenham, *British Malaya* (London (1906); rev. ed., 1929), p. 141.

98. *Op. cit.*, I, 537. Several such serf groups, both Semang and Sakai, are mentioned also by Nelson Annandale and H. C. Robinson in "Some Preliminary Results of an Expedition to the Malay Peninsula," *Journal of Anthropological Institute*, XXXII (1902), 414, 415.

99. "An Account of the Wild Tribes Inhabiting the Malay Peninsula . . .," *Journal of the Indian Archipelago and Eastern Asia*, Singapore, II (1848), 273.

100. *The Negrito of Malaya* (Cambridge, 1937), p. 33. A similar observation was made a century earlier by Ensign J. T. Newbold, serving in Malaya with the Madras Native Infantry.—"Account of Súngie Ujong, One of the States in the Interior of Malacca," *Journal of Asiatic Society of Bengal*, IV, 46 (October, 1835), p. 550.

101. Ivor H. N. Evans, *The Negrito of Malaya*, pp. 34-37.

102. R. J. Wilkinson, *The Aboriginal Tribes*, Supplement to *Papers on Malay Subjects* (Federated Malay States Government Press, Kuala Lumpur, 1910), pp. 27-28; also *A History of the Peninsular Malays*, p. 6.

103. R. J. Wilkinson, "Malay Beliefs," Part I of *The Peninsular Malays*, a handbook for the instruction of civil service cadets (London and Leiden, 1906), p. 16.

104. A few seeds of the rubber tree, *hevea brasiliensis*, were brought to Malaya and British Borneo from Kew Gardens in 1876. In 1905, the total production still was only about 200 tons; by the time of the First World War, Malaya exported about 200,000 tons, more than one-half of the world's total production, with almost 3,500,000 acres devoted to the crop.

105. Nelson Annandale, "The Siamese Malay States," *Scottish Geographical Magazine*, XVI (1900), 515-16; also Nelson Annandale and H. C. Robinson, "Some Preliminary Results . . .," *loc. cit.*, p. 414.

106. Etienne Aymonier, *Le Cambodge*, II ("Siamese Provinces"), 43.

107. *Siam, Second Rural Economic Survey, 1934-35* (Bangkok, 1935), pp. 1-2.

108. Holt S. Hallett, *A Thousand Miles on an Elephant in the Shan States* (London, 1890), p. 460.

109. *Thailand: The New Siam*, p. 600.

110. *Ibid.*, quoting the *Bangkok Calendar for 1866*.

111. Doctor Thompson, in a communication to the author, suggests yet another social consequence of the long period of internal conflict: the predisposition of Siamese—and of other peoples in Further India—to offer their children for adoption by some influential person, nowadays often a Westerner. Falsely attributed to "parental irresponsibility," she contends, this trait is a natural result of the historic dependence of the common people on the patronage and protection of the aristocracy for their very survival.

112. Sections 12 and 14 of the new constitution.

113. *Op. cit.*, p. 271.

114. *Southeast Asia, Crossroad of Religions* (Chicago, 1949), p. 72.

115. Maurice Abadie, *Les Races du Haut-Tonkin de Phong-Thô à Langson* (Paris, 1924), pp. 23, 163.

116. Captain Henri Baudesson, *op. cit.*, p. 75.

117. *Ibid.*, p. 80.
118. Harold J. Coolidge and Theodore Roosevelt, Jr., *op. cit.*, p. 307.
119. In the Liang Mountains, where the provinces of Szechwan, Yunnan, and Sikang meet, the Lolo—or, as they prefer to call themselves, the I-chia—are a dominant group, with a ruling aristocracy, masters of a serf class descended in part from Chinese captives taken during frequent raids and a more recently captured class of Chinese dependents whose status is that of slaves. See Lin Yueh-hwa, *The I-chia of the Liang Mountains* (Shanghai, 1947)—in Chinese—reviewed by Hsien Chin Hu in *American Anthropologist*, new series, 50 (1948), 317-18.
120. Sydney J. Legendre, *Land of the White Parasol* (New York, 1936), pp. 61-62.
121. *Sur la Route Mandarine* (Paris, 1925), pp. 272-73.
122. George Devereux, "The Potential Contributions of the Moi to the Cultural Landscape of Indochina," *The Far Eastern Quarterly*, VI, 4 (August, 1947).
123. Historical judgments that rest exclusively on esthetic appreciations of archaeological remains and neglect the social aspects of a civilization are likely to go far astray. Hugh Clifford seems to have been guilty of this when he wrote: "Judged by the gigantic remains which they have bequeathed to us—the expression at once of a tremendous energy and of a passionate love of art—the Khmers must have been a wonderful people, and such a people cannot have failed to have a marvelous and inspiring history." (*Further India*, New York, 1904, p. 165.) Lawrence P. Briggs, outstanding American authority on the Khmer civilization, comments: "All the great monuments of antiquity were built under the lash."—*A Pilgrimage to Angkor* (Oakland, 1943), p. 16.
124. Virginia Thompson, *French Indo-China*, p. 323.
125. Adhémar Leclère, *Recherches sur la Législation Criminelle et la Procédure des Cambodgiens* (Paris, 1894), p. 18.
126. Charles Jean Marie Letourneau, *op. cit.*, p. 210.
127. *Op. cit.*, pp. 212-13.
128. *Op. cit.*, pp. 174-77, 179, 181, 185-90.
129. A number of sources for each of these periods are quoted by Lawrence Palmer Briggs in "A Sketch of Cambodian History," *The Far Eastern Quarterly*, VI, 4 (August, 1947), pp. 345 ff.
130. J.-B. Alberti, *op. cit.*, pp. 180-81.
131. Le Myre de Vilers, *Les Institutions Civiles de la Cochinchine, 1879-81* (Paris, 1908), pp. 181 ff.
132. *Op. cit.*, pp. 226-27.
133. Dubois de Jancigny, *op. cit.*, p. 577.
134. Le Myre de Vilers, *op. cit.*, pp. 50 ff.
135. Jean Dupuis, *Le Tong-kin et l'Intervention Française* (Paris, 1898), pp. 5-8.
136. Annex 9 to *Report of League of Nations Advisory Committee of Experts on Slavery*, April 5, 1938 (C.112.M.98.1938.VI.), 79.
137. *Ethnographie du Tonkin Septentrional* (Paris, 1906), p. 321.
138. *Les Paysans du Delta Tonkinois* (Paris, 1936), p. 374.

CHAPTER THREE

1. *Op. cit.*, p. 39.
2. There are two kinds of stories. In the first, a strong and brutal but stupid being (a devil, a giant, or an animal) is outwitted; in the other, a smart but cowardly trickster (man or animal) is himself tricked. This latter type of tale, whether told in Europe or

among American Indians, in Mongolia or in Indonesia, often contains in the characterization of the victim of the joke a thinly veiled portrait of the itinerant alien tradesman or the professional urban moneylender.

3. R. H. Barrow, *op. cit.*, p. 12.

4. "Gambling and Citizenship," in *Betting and Gambling a National Evil*, ed. B. S. Rowntree (London, 1905), p. 127.

5. *Labour Policy in General*, *loc. cit.*, pp. 22-23.

"Agrarian serfdom is most prevalent in those parts of India where the lower and depressed orders are most numerous," writes the well-known sociologist Radhakamal Mukerjee. "Bombay, Madras, Malabar, Cochin, the Central Provinces, Berar, Central India and Chota-Nagpur show the largest aboriginal population, and it is in these areas that the status of the agricultural labourer verges most nearly on slavery." (*Land Problems of India*, London and Bombay, 1933, pp. 225-26.) He continues with numerous details to show the intimate relation between debt slavery—the *padial* system of Madras, the *kamiauti* system of Bihar, the *harawaha* of Central India, and others—and traditional serfdom; and the impossibility of eliminating it by prohibitive legislation unless new lands are reclaimed for the settlement of discharged serfs or special facilities are provided for emigration to districts with a shortage of agricultural labor.

It so happens that for India we have incontestable evidence of the continuity of bondage, in one form after another, through many centuries. The same provinces and districts which Mukerjee frequently mentions as main seats of slavery and serfdom in former times, and of debt bondage in more recent ones (see also his *Economic History of India, 1600-1800*, and his *The Indian Working Class*, Bombay, 1945), again occur in a recent study of child labor by P. S. Narasimhan (*Indian Labour Problems*, ed. by A. N. Agarwala, Allahabad, 1947). For example, in the mica mines of Bihar, Madras, and Rajputana, young children "are openly employed for underground work" (p. 148); and children between five and twelve years of age are to be found in the unregulated workshops in the Central Provinces and Berar, as also in Madras and Rajputana (pp. 149 ff). Such employment never is voluntary.

6. It may be recalled that the Koran is even more outspoken than the Christian Bible in its condemnation of usury: "God hath permitted selling and forbidden usury." "Whoever returneth to usury, they shall be the companions of hell fire, they shall continue therein for ever." "God taketh his blessing from usury." However, this prohibition of Mohammedan law, like a similar prohibition under Jewish law, has been interpreted as not applying to dealings with infidels in a foreign land. For an interesting discussion of this point see N. B. E. Baillie, "On the Duty which Mohammedans in British India Owe, on the Principles of their Own Law, to the Government of the Country," *Journal of Royal Asiatic Society*, XIII (1881), 430-32.

7. *Malay Fishermen: Their Peasant Economy* (London, 1946), pp. 169 ff.

8. For this reason, if no other, the treatment of debt slaves is universally reported to be lenient as long as they do their assigned tasks.—See Robert H. Lowie, *op. cit.*, p. 279.

9. *Op. cit.*, pp. 40-42.

10. *Ibid.*, p. 42.

11. *Ibid.*, pp. 230-31, quoting J. Kremer, *Atjeh* (Leiden, 1922), II, 259.

12. Max Moszkowski, *Auf Neuen Wegen durch Sumatra*, p. 236.

13. Antoine Cabaton, *op. cit.*, p. 342.

14. *Ibid.*, p. 344.

15. *Op. cit.*, I, 468.

16. *Ibid.*, p. 316.

17. *Ibid.*, p. 60. G. Landtmann quotes several sources to testify to this mild treatment of debt slaves in various parts of Borneo.—*Op. cit.*, pp. 236 ff.

18. *Ibid.*, p. 67.

This interest rate of 100 per cent, payable in kind—after the next harvest, that is, sometimes for a term of only a few months or even weeks—is mentioned also as customary among the Sea Dyak of Borneo.—Edwin H. Gomes, *Seventeen Years among the Sea Dyaks* (London, 1911), p. 95.

19. *Ibid.*, pp. 110-11.

20. *Ibid.*, p. 141.

21. *Op. cit.*, p. 137.

22. *The Ageless Indies*, p. 134.

23. *Netherlands India*, pp. 158-59.

24. *Ibid.*, p. 181.

25. For a telling illustration from Eastern Java see Rupert Emerson, *Malaysia, a Study in Direct and Indirect Rule* (New York, 1937), p. 19.

In Bali, if a creditor did not wish to use the labor of his debtor, he was entitled, when no likelihood remained of his being paid, to sell the debt at auction in the form of a labor obligation. In that case the amount computed as owed often had no relation to the amount originally borrowed and the interest accrued but represented simply the highest bid for the debtor's services.—F. A. Liefrinck, *op. cit.*, p. 185.

The present writer heard of such an auction in Java, not many years ago, where the sale realized considerably less than the creditor had on his books, because he used this means of getting rid of an elderly dependent who was no longer of much use to him.

26. This question of protecting the small peasant against loss of his land through debt has moved into the forefront of international discussion of social policy for dependent territories. See Report V of the twenty-seventh session, International Labor Conference, Montreal, 1945, pp. 35-39, 80-83.

27. On the relatively high cost of Indonesian labor see P. De Kat Angelino, *Some Remarks on the Wages Paid in the Netherlands Indies*, p. 25.

28. *Rapport van het Hoofd van het Kantoor van Arbeid over de Arbeidstoestanden in de Metaalindustrie te Soerabaja* (Weltevreden, 1926), pp. 62-63.

29. Th. A. Fruin, former Director of the Government Service for Popular and Rural Credit, in the *Bulletin of the Colonial Institute of Amsterdam*, I, 3 (May, 1938), 169.

30. Th. A. Fruin, *loc. cit.*, I, 2 (February, 1938), 109.

31. P. De Kat Angelino, *Vorstenslandsche Tabaksenquête*, Publication No. 5 of Labor Bureau (Weltevreden, 1929), p. 106.

32. P. De Kat Angelino, *Batikrapport*, Publication No. 6 of the Netherlands Indian Labor Bureau, in three volumes (Weltevreden, 1930). See pp. 292 ff.

33. The relative modernity of techniques also, of course, influences labor relations, since it affects the relative cost of a large turnover. For a description of governmental efforts made, chiefly through the textile institute at Bandoeng, to revive, improve, and modernize the weaving, hat-making, and batik industries of Java, see J. S. Furnivall, "The Weaving and Batik Industries in Java," *Asiatic Review*, XXXII, 110 (April, 1936), 365-76.

34. B. van der Reijden, *Rapport betreffende eene Gehouden Enquête naar de Arbeidstoestanden in de Industrie van Strootjes en Inheemsche Sigaretten op Java*, Publication No. 9 of Labor Bureau (Bandoeng, 1934), pp. 64, 73, 91.

35. Pieter H. W. Sitsen, *Industrial Development of the Netherlands Indies* (New York, 1945), pp. 23-26.

36. P. Endt, *Wanderarbeiterverhaeltnisse in den Farbigen Kolonien (mit besonderer Beruecksichtigung von der Ostkueste von Sumatra)* (Amsterdam, 1919), p. 45.

37. J. S. Furnivall, *Netherlands India*, p. 445.

38. *The Interests of the Voiceless Far East*, p. 23.

39. See further pp. 218 ff.

40. As a historical document, the description of such practices by Ladislao Székely in *Tropic Fever, the Adventures of a Planter in Sumatra* (New York, 1937), may be taken as essentially accurate. Unfortunately the recentness of the publication of these memoirs has given the false impression that the circumstances and attitudes which they tell so graphically still obtained in the thirties, which is not the case.

41. Ta Chen, *Emigrant Communities in South China* (New York, 1940), pp. 189-90.

42. See Appendix C.

43. For brief summaries see J. S. Furnivall, *Netherlands India*, pp. 357-61; Amry Vandenbosch, *op. cit.*, pp. 270-78; for fuller reports see *Netherlands East Indies*, Bibliography of Books . . . Available in U. S. Libraries (Library of Congress, 1945), pp. 96, 102.

44. *Labour Policy in General*, *loc. cit.*, p. 31.

45. *Op. cit.*, p. 166.

That misfortune rather than gambling is the main cause of indebtedness among Philippine aborigines before they have been drawn into contact with more highly civilized groups also seems to have been the view of the late R. F. Barton. "Gambling is a new thing in Kalinga," he says; "informants state emphatically that they had no form of it until after the Americans came."—*Op. cit.*, p. 124.

46. Actually, the rate of interest on loans is more than 100 per cent per annum, since the debt often is contracted only a few months before the first harvest when it must be repaid. Moreover, in some districts the interest is doubled if at the time of the harvest the tenant should be unable to repay it and require an extension to the next harvest. Rates of three cavans (1 cavan = 75 liters) for every two borrowed and of four cavans for every three borrowed also occur.—Karl J. Pelzer, *Pioneer Settlement in the Asiatic Tropics*, p. 94.

47. John Foreman, *op. cit.*, p. 206.

48. A. L. Kroeber, *op. cit.*, p. 164.

49. Fay-Cooper Cole, *Peoples of Malaysia*, p. 136. In Indo-Chinese society, however, the lot of the debt slave seems to have been a much more unfortunate one and his status much more degrading. See pp. 155 ff.

50. Antonio de Morga, *Sucésos de las Islas Filipinas* (1609) (Paris, 1890), pp. 297 ff.

51. Conrado Benitez and Others, *Philippine Social Life and Progress* (Boston, 1937), p. 368.

52. Dean C. Worcester, *The Philippines, Past and Present* (rev. ed.; New York, 1939), I, 450.

53. The Philippine Government still has before it the task of suppressing the lotteries or number games which in recent prewar years assumed socially injurious proportions in Manila.

54. *Op. cit.*, II, 526.

55. *Conditions in the Philippine Islands*, Report of the Special Mission, 67th Congress, 2nd Session, Document 325 (Washington, D. C., 1922), p. 25.

56. *The Philippines, Past and Present* (rev. ed.; New York, 1939), p. 526.

57. Bruno Lasker, *Filipino Immigration* (Chicago, 1931), p. 89.
58. An instance of this sort is innocently related by J. W. Beardsley, a member of the American Society of Engineers, in an early detailed report on "Labor Conditions in the Philippines."—*Engineering News*, LIV (1905), 541.
59. Vic Hurley, *op. cit.*, p. 102.
60. Dr. Robert W. Hart, *The Philippines Today* (New York, 1928), p. 155.
61. *Labour Policy in General, loc. cit.*, p. 31.
62. Erich H. Jacoby, *Agrarian Unrest in South East Asia* (New York, 1949), p. 190.
63. Serafin E. Macaraig, *Social Problems* (Manila, 1929), p. 44.
64. Conrado Benitez and Others, *op. cit.*, pp. 375-76.
65. W. J. S. Carrapiett, *op. cit.*, p. 4 *et al.*; Archibald R. Colquhoun, *Amongst the Shans*, p. 54.
66. W. R. Head, *Hand Book of the Haka Chin Customs* (Rangoon, 1917), p. 42.
67. *The Rengma Nagas* (London, 1937), p. 162.
68. Lieutenant Matthie, in a report on The State of Slavery in Assam to the Government of Bengal, August 22, 1835, quoted by D. R. Banaji *op. cit.*, p. 133.
69. John Jardine, *op. cit.*, p. xix.
70. Dubois de Jancigny, *op. cit.*, p. 314.
71. John Jardine, *op. cit.*, p. 156; Capt. C. J. F. S. Forbes, F.R.A.S., *British Burma and Its People* (London, 1878), p. 57.
72. John Jardine, *op. cit.*, pp. 294-95.
73. H. Fielding Hall, *A People at School* (London, 1906), p. 196.
74. J. S. Furnivall, "The Fashioning of Leviathan," *loc. cit.*, p. 28, quoting letters of A. D. Maingy, first British Commissioner to Mergui, written between 1825 and 1834.
75. *Ibid.*, p. 29.
76. At the Twenty-sixth International Labor Conference at Philadelphia, in 1944, a recommendation was proposed to the effect that the competent authorities in dependent territories should consider ways of preventing the alienation of agricultural land to non-agriculturists. When this clause was reintroduced as part of a recommendation submitted to the member governments before it was submitted at the twenty-seventh session of the Conference at Paris, in 1945, it had been changed to read, "alienation for non-agricultural purposes." The Burmese Government promptly objected to this change, saying: "It appears that this substitution was made in error, for the evil in dependent territories is the alienation of agricultural land to non-agriculturists and not the alienation of agricultural land for non-agricultural purposes; the latter evil . . . is unimportant in Burma." In consequence, the clause reappeared before the Conference in the original wording and has since been adopted in the form in which it states Burma's greatest single social problem.
77. *Rural Reconstruction in Burma* (Bombay, 1936), p. 15.
78. *Burmese Economic Life* (Stanford, 1947), p. 67.
79. *Ibid.*, pp. 68, 306.
80. Erich H. Jacoby, *op. cit.*, p. 73.
81. *Labour Policy in General, loc. cit.*, p. 31.
82. E. G. Pattle, I.C.S., in note to Royal Commission on Agriculture, as quoted by M. M. Rafi, *Journal of Indian Institute of International Affairs*, 1, 2 (April, 1945), 49; W. J. Grant, *The New Burma* (New York, 1940), pp. 124, 125, *et al.*
83. Capt. C. J. F. S. Forbes, F.R.G.S., *op. cit.*, p. 138.
84. Sir James George Scott, *Burma*, p. 363.
85. Mrs. Leslie Milne reported in 1910 (*Shans at Home*, London, 1910) that the in-

terest rate paid by gamblers on loans is often 35 per cent even when good security is given.

86. Archibald Ross Colquhoun, *Amongst the Shans*, pp. 185-86. This passage, however, refers not only to the Shan but to all Burma.

87. *Ibid.*, pp. 180-85.

88. John L. Christian, *op. cit.*, pp. 119, 241 ff.

89. *Ibid.*, pp. 116-21.

90. *Foreign Policy Reports*, XXI, 19 (December 15, 1945), p. 263.

91. For a succinct account of Burmese labor legislation see P. P. Pillai, ed., *Labour in South East Asia* (New Delhi, 1947), pp. 109-15. This work also gives an authoritative general description of labor conditions in Burma.

92. J. J. Bennisson, *Report of an Enquiry into the Standard and Cost of Living of the Working Classes in Rangoon* (Rangoon, 1928), p. 79.

93. E. J. L. Andrew, Assistant Protector of Immigrants and Emigrants (Rtd.), *Indian Labour in Rangoon* (London, 1933), 300 pp.

94. *Loc. cit.*, p. 116.

95. Sir Charles Brooke's biographer, Hugh Low, in *Sarawak: Its Inhabitants and Productions* (London, 1848), described the similarity and contrast between the hereditary and the debtor slaves in Borneo. This passage is reproduced in Appendix B, pp. 289 ff.

96. Peter Blundell, *The City of Many Waters* (London, 1923), pp. 103-4.

97. *Ibid.*, p. 105.

98. Oscar Cook, *Borneo: the Stealer of Hearts* (Boston, 1924), pp. 105-7. See also p. 251.

99. Ivor H. N. Evans, *Among Primitive Peoples in Borneo* (London, 1922), pp. 37-40.

100. *Ibid.*, p. 41.

101. Quoted by Alleyne Ireland, *op. cit.*, p. 111.

102. *British Malaya* (London (1906); rev. ed., 1929), p. 141.

103. *Ibid.*, p. 142. Sir Hugh Clifford, in his brief description of bondage for debt in Malaya ("Life in the Malay Peninsula; as It Was and Is," *loc. cit.*, p. 567), adds little to the familiar picture.

104. *Ibid.*, pp. 195-96.

105. Walter William Skeat and Charles Otto Blagden, *op. cit.*, I, 225, 227, 231-32.

106. Jacques Jean Marie De Morgan, *op. cit.*, VII, 424.

107. R. J. Wilkinson, ed., *Papers on Malay Subjects* (Federated Malay State Government Press, Kuala Lumpur), Part IV (1909), "Council Minutes of Perak, 1880-1882," pp. 37 ff., 44. In explanation of the diffidence shown by practically all the British officials about interfering radically with the custom of debt slavery in the Malay States, it should be remembered that the system of appointing Residents to advise the various rulers had been introduced as recently as 1874; the powers of the Resident were uncertain, and although he was held responsible for both public order and good relations with the ruler, he was frequently warned not to exceed his limited authority. Hugh Low, after two years' office in Perak, wrote: "Although I do not think it [the use of compulsion] would lead to any extensive or organized armed resistance, I am sure it would so shake the confidence which has arisen between the European officers and principal people that years would be required to restore it." With this view such distinguished officials as Frederick Weld and Frank Swettenham entirely agreed.—Sir Frank Swettenham, *Footprints in Malaya* (London, 1941), p. 71.

108. *Malayan Monochromes*, pp. 124-25.

109. *Op. cit.*, p. 238.

110. Ta Chen, *Chinese Migrations, with Special Reference to Labor Conditions*, U. S. Bureau of Labor Statistics Bulletin 340 (1923), p. 181.

111. Victor Purcell, *op. cit.*, pp. 151, 152.

112. *Ibid.*, pp. 42, 74, 101, 113. The licensing of gaming houses was temporarily re-introduced by the Japanese occupation.

It must not be supposed, however, that the practice has ever been fully eliminated. A former inspector general of police in the Straits Settlements gives a recent prewar case of the downfall of a local police officer who, in sole custody of the administration of a small island, had farmed out a gambling concession of his own.—René Onraet, *Singapore—a Police Background* (London, ca. 1940), p. 78.

113. W. A. R. Wood, *op. cit.*, p. 185.

114. Archibald Ross Colquhoun, *Amongst the Shans*, pp. 186-87.

115. Hugh Adolf Bernatzik, *Akha und Meau: Probleme der Angewandten Voelkerkunde in Hinterindien* (Innsbruck, 1947), 2 vols., I, 32-33. He quotes Luang Boriphand Dhuratsadorn, "The White Meao" (*Journal of Siam Society*, XVII, 3), as authority for the statement that the Miao are allowed to adopt only one child if they have none of their own; if they have a daughter but no son they are expected to adopt a son and give him one of their own daughters in marriage.

116. *Ibid.*, p. 248.

117. *Ibid.*, p. 37.

118. *Ibid.*, p. 186.

119. J.-B. Alberti, *op. cit.*, p. 226.

120. Adolf Bastian observes that the conditions of debt bondage in Siam were similar to those observed by Caesar in Gaul and, indeed, not very different from those which obtained in Rome itself. In all these cases, the debtor rarely was able to extinguish the debt but permitted the lender to retain his capital right in him. (*Die Voelker des Oestlichen Asien*, Vol. III, Leipzig, 1867, pp. 174-75.) The present writer occasionally was told of similar arrangements in South China: in the small towns there often was to be found a moneylender—who was also shopkeeper and owner of land or houses—whose business consisted in *not* permitting his debtors ever to discharge all they owed, thus keeping them in a state of perpetual dependency, obliged to sell their produce to him at his price.

121. C. J. M. Letourneau, *op. cit.*, p. 207; Dubois de Jancigny, *op. cit.*, p. 445.

122. Harold J. Coolidge and Theodore Roosevelt, Jr., *op. cit.*, p. 314.

123. For many details, see Virginia Thompson, *Thailand: the New Siam*, pp. 693-97. Gambling houses are officially licensed only in Siam and Indo-China.

124. *Op. cit.*, III, 3.

125. Archibald Ross Colquhoun, *Amongst the Shans*, pp. 189, 191.

126. (U. S.) *Monthly Labor Review*, LVIII, 6 (June 1944), 1169.

127. Kenneth Perry Landon, *The Chinese in Thailand*, p. 131.

Among the Miao and other mountain peoples the profits of Chinese itinerant merchants sometimes amount to several hundred per cent, since the jungle dwellers cannot appraise the value of the forest products they have to sell or that of the small manufactures which they desire in return. (Bernatzik, *Akha und Meau*, pp. 423-25.) When Phi Tong Luang villagers were asked, "How do you know good people from bad people?" they answered: "Good people wear *yumbri* clothes [which means the sparse and ragged garments of jungle folk like themselves], bad people are dressed like Laos; but the worst are those who wear hats [Chinese travellers wear straw hats]."—Bernatzik, *Die Geister der Gelben Blaetter*, p. 138.

128. *Siam, Rural Economic Survey, 1930-31* (Bangkok, 1931), pp. 195 ff.
129. *Siam, Second Rural Economic Survey, 1934-35* (Bangkok, 1935), pp. 293 ff.
130. This has for half a century or more also been a criticism of the Raiffeisen banks in various parts of Europe and, more recently, of the credit banks established on the same principle in China.
131. James M. Andrews, *Siam, Second Rural Economic Survey, 1934-35* (Bangkok, 1935), p. 338.
132. *Labour Policy in General, loc. cit.*, p. 31.
133. *Op. cit.*, pp. 178-80; in the first part quoting Etienne Aymonier, *Le Cambodge*, I, 98.
134. *Op. cit.*, p. 179, as quoted by Letourneau, *op. cit.*, p. 212.
135. A. Leclère, *op. cit.*, pp. 185-90.
136. C. J. M. Letourneau, *op. cit.*, p. 213.
137. A. Leclère, *op. cit.*, p. 199.
138. *Op. cit.*, p. 215.
139. *Op. cit.*, p. 19.
140. The connection between insecurity, gambling, and indebtedness is particularly well illustrated also in the prevalence of gambling in South China in times when the national government is too weak to prevent banditry and the extortions of corrupt local officials.
141. *Op. cit.*, pp. 77-78.
142. Pierre Gourou, *Les Paysans du Delta Tonkinois*, pp. 377-80. See also *Labour Policy in General, loc. cit.*, p. 24.
- As an example of the thoughtless way in which peasants spend practically all their lives in debt, Gourou draws this picture of a Hanoi market woman: Without capital of her own she borrows every morning twenty cents (two francs) with which to buy vegetables in the open-air market. In the evening she returns to the lender twenty-one cents, having made a profit of a few sous with which to buy food for herself and her family. The usurer thus gains one cent in twenty per day which, without calculating the compound interest, comes to 1.825 per cent per year.—*La Terre et l'Homme en Extrême-Orient* (Paris, 1940), p. 113.
143. Chinese and Annamite have become practically indistinguishable in functions and rights. Together they make up the middle class in Annam which, with its trade monopolies and semimonopolies has become a serious incubus of the farming population. Nevertheless, there was in recent prewar years a rising antagonism toward Chinese middlemen and moneylenders when, for political reasons, the French Government signed a treaty with China, in 1930, which gave Chinese nationals, under a "most-favored nation" clause, privileges to which Annamese nationals could not attain. These privileges were confirmed by an order of the governor general in 1935 which conceded to the Chinese communities extraterritorial rights exempting them from many of the controls, among others, that protect the rights of wage-earners against exactions by their employers.
144. Ferdinand de Montaigu, *La Colonisation Française dans l'Est de la Cochinchine* (Limoges, 1929), p. 32.
145. Maurice Abadie, *op. cit.*, p. 59.
146. During the war, the governor, Admiral Decoux, attempted to counteract subversive Japanese propaganda among the Moi by endowing them with a law code and courts of their own.
147. De Montaigu, *op. cit.*, p. 54.
148. Paul Doumer, *L'Indochine Française* (Paris, 1930), p. 238.

149. A decree of October 3, 1883, summarizing Annamite civil law in Cochin-China, provided in a chapter on "Paternal Power" that parents could not sell or pledge their children on any pretext. Under the Penal Code now in force, "a penalty of imprisonment for a term of from six months to two years shall be imposed on anyone who sells, cedes, pledges or hires out a third person either gratuitously or for a consideration. If the person sold, ceded, pledged, or hired out is a minor, the term of imprisonment may be raised to three years; if the offence has been committed by the father, mother, uncle, aunt, brother or sister, the term of imprisonment may be increased to five years." In addition, article 1136 of the Penal Code provides that "no person may hire out his services except for a definite time or enterprise." And, according to article 1137, "if the services are stipulated for the entire lifetime of a person, or for more than five years, the contract may be denounced at the end of five years. The period of notice is six months."

The Code also provides (articles 1150-1154) for the prevention of abuses on the part of creditors when the pledge of service in payment is made for a legal period. Such engagement is valid only when entered into in the presence of reputable witnesses and certified by them; it must mention the amount of wages to be paid and of the capital and interest due, the last named not being allowed to exceed a legal rate. The period must be one of not more than two years, and no extension is permitted. No interest accrues from the time the debtor has entered the creditor's services. The debtor can conclude the contract on short notice but from that time the claim if unredeemed again bears interest.—Annex 9, Memorandum of French Government, to *Report of the League of Nations Committee of Experts on Slavery, April 6, 1938* (C.112.M.98.1938.VI), pp. 80-81.

150. J.-B. Alberti, *op. cit.*, p. 689.

151. *Labour Conditions in Indo-China, loc. cit.*, pp. 206 ff.

152. P. de Feysal, *L'Endettement Agraire en Cochinchine* (Hanoi, 1933), pp. 23-24, as quoted in *Labour Conditions in Indo-China, loc. cit.*, p. 209.

153. Virginia Thompson, *French Indo-China*, p. 143.

154. Charles Robequain, *The Economic Development of French Indo-China* (new ed.: New York, 1944), p. 218.

155. Virginia Thompson, *French Indo-China*, pp. 154-55. Pierre Gourou states that the rates of interest on small loans exacted from laborers rarely amount to less than 200 and sometimes to more than 3,000 per cent.—*Land Utilization in French Indo-China* (New York, 1945), pp. 348-49.

156. *Labour Conditions in Indo-China, loc. cit.*, p. 151.

157. *Ibid.*, p. 153.

158. *Nouveaux Aspects du Problème Economique Indochinois* (Paris, 1937), p. 158.

159. Among these he mentions Pierre Gourou, author of *Land Utilization in French Indo-China*.

160. Other measures taken to safeguard the interest of the workers are described, pp. 259 ff.

161. "Fonctionnement des Monts de Piété de la Cochinchine pendant l'Année 1938," *Bulletin Economique de l'Indochine*, 1939, p. 383.

162. Charles Robequain, *op. cit.*, p. 171.

163. Temporary Slavery Commission, League of Nations, *Minutes of Second Session*, held at Geneva, July 15-25, 1925, pp. 63-65.

164. *Report of League of Nations Advisory Committee of Experts on Slavery, April 5-1938* (C.112.M.98.1938.VI.), pp. 65-66.

165. Karunamoy Mukherjee, "The Basic Problems of Rural Indebtedness in Bengal," *Modern Review*, LXXXIII, 5, 497 (May, 1948), 394.
166. *Official Bulletin*, XXX, 1 (31 July), 1947.
167. *Asian Relations*, Proceedings and Documentation of the First Asian Relations Conference, New Delhi, 1948 (distributed in the United States by the Institute of Pacific Relations, New York), p. 168.

CHAPTER FOUR

1. Jean Bastet, *Le Travail Forcé et l'Organisation Internationale* (Paris, 1932), Chap. II, pp. 37 ff.
2. J. A. Hobson, *Imperialism* (London (1902), 1938), pp. 228 ff.
3. The temporary revival of compulsory labor in Southeast Asia under enemy occupation is described in Appendix D, pp. 312 ff.
4. *The Dual Mandate* (Edinburgh, 1922), p. 411. See also discussion of compulsory labor by Lord (then Sir F.) Lugard and others at the second session of the Temporary Slavery Commission, Geneva, July 13-26, 1925 (League of Nations C.426.M.157, September 1, 1925), pp. 68 ff.
5. *The Spectator*, February, 1914, quoted by Lady Simon, *op. cit.*, p. 174.
6. Ratification by the Netherlands of the Forced Labor Convention of 1930 expressly exempts from its application the services performed for landowners in certain parts of Western Java, holders of special concessions which the Government felt obliged to honor.
7. Antoine Cabaten, *op. cit.*, p. 133.
8. *Op. cit.*, pp. 76-77.
9. See Bernard H. M. Vlekke, *op. cit.*, pp. 186, 206, 224, 235.
- 9a. When he must work for wages, he prefers, according to J. H. Boeke, to do so outside his own village and customary social environment, so that his servile occupation shall not affect his status as a free man.—*The Interests of the Voiceless Far East*, p. 64.
10. Hermann Fiedler, *op. cit.*, p. 55.
11. *Netherlands India*, pp. 182 ff.
12. See Appendix C, pp. 301 ff.
13. J. S. Furnivall, *Netherlands India*, p. 184.
14. Clive Day, *The Policy and Administration of the Dutch in Java* (New York, 1904), p. 399, quoting Dedem, "De Agrarische Kwestie op Java," *Indische Gids*, 2 (1890), 2134.
15. *Ibid.*, quoting S. L. W. van der Elst, "Arbeidsverspilling op Java," *Tijdschrift van Nederlandsch Indië*, 4:1 (1875), 348-50.
16. Clive Day, *op. cit.*, p. 32.
17. Hon. H. A. Wyndham, *The Atlantic and Emancipation, Problems of Imperial Trusteeship* (London, 1937), p. 64.
18. C. F. van Delden Laerne, *op. cit.*, p. 84, quoting Hugo Zoeller, *Die Deutschen im Brasilischen Urwald* (1883), I, 149.
19. C. F. van Delden Laerne, *op. cit.*, p. 533.
20. *Op. cit.*, pp. 320-21. This population rise and its disastrous consequences are a general phenomenon in East and South Asia, as shown by Warren S. Thompson in *Population and Peace in the Pacific* (Chicago, 1946) and by the present author in *Asia on the Move* (New York, 1945).
21. C. J. Hasselman, *Eindverslag over het Onderzoek naar den Druk der Dessadiensten* (Batavia, 1905).

22. International Labor Office, "Labour Policy in Netherlands India" (mimeographed draft report; Montreal, 1946), Chap. VI, p. 4.
23. (U. S.) *Monthly Labor Review*, LVIII, 5 (May, 1944), 977-78.
24. Walter Freytag, *Spiritual Revolution in the East* (London, 1940), p. 67. This author, a German missionary who has spent many years on the island of Nias, immediately adds that the roads built with compulsory labor have been of immense benefit to the people by providing them with means of easy travel which itself is liberating in its effect. Largely because of the improved road system and bus travel, the people of Nias now migrate in larger numbers to Sumatra, where they make money as carpenters, masons, and laborers.—Antoine Cabaton, *op. cit.*, p. 278.
25. R. H. Bruce Lockhart, *Return to Malaya* (New York, 1936), pp. 319-20.
26. Raymond Kennedy, *The Ageless Indies*, p. 44.
27. *Labour Policy in General*, *loc. cit.*, p. 4.
28. Albert C. Kruyit, "The Influence of Western Civilization on the Inhabitants of Poso (Central Celebes)," in B. Schrieke, ed., *The Effect of Western Influence on Native Civilization in the Malay Archipelago* (Batavia, 1929), p. 4.
29. J. H. R. Broeder, "Een en Ander over de Zelfbesturende Landschappen op Noord-Celebes," *Indische Gids*, LVIII, 11 (November, 1936), pp. 1016-17.
30. The culture system is the only feature that is absent from the history of labor relations in other dependencies of tropical Asia. To get the full picture of that system and of its implications for general social conditions and policies, the student may be referred to any good history of the Netherlands Indies and especially in G. H. van der Kolff, "European Influence on Native Agriculture," in B. Schrieke, ed., *op. cit.*, pp. 103-25. It may be well, however, to supplement the Dutch sources, for the most part of an official character, with the observations of independent, foreign students, such as J. S. Furnivall, *Netherlands India*, pp. 182-87; Alleyne Ireland, *op. cit.*, pp. 174-79; Rupert Emerson, *Malaysia, a Study in Direct and Indirect Rule*, pp. 103 ff.
31. G. Nye Steiger, H. Otley Beyer, and Conrado Benitez, *A History of the Orient* (Boston, 1926), p. 248.
32. *Recopilación de Leyes de los Reynos de las Indias* (Madrid, 177.), Lib. VI, Tit. XII, Ley xli, as quoted by Ruth Kerns Barber, *op. cit.*, p. 86.
33. J. H. Perry, *op. cit.*, p. 67, quoting J. de Matienzo, *Gobierno del Perú* (Buenos Aires, 1910).
34. For the former, see Victor Gabriel Garcés, *op. cit.*, pp. 8-9.
35. *Op. cit.*, p. 52.
36. Frank Charles Laubach, *op. cit.*, p. 82.
37. *Ibid.*, pp. 87-89.
38. Kenneth K. Kurihara, *Labor in the Philippine Economy* (Stanford University, California, 1945), Chap. II.
39. H. H. Dodwell, ed., *The Cambridge Shorter History of India* (Cambridge, 1943), p. 824.
40. J. S. Furnivall, "The Fashioning of Leviathan," *loc. cit.*, p. 54. This author is of the opinion that compulsory labor services, while dreaded by the villagers, were not called upon often enough, in the later years of Burmese rule, to interfere seriously with their usual occupations. The Burmese rulers "had no passion for improvements," there was very little transportation other than by water, and only in war time were ambitious road projects carried through, by the army itself with the aid of village people impressed as construction went along.
41. *Op. cit.*, Vol. II (Leipzig, 1866).

42. Shway Yoe (Sir James George Scott), *The Burman, His Life and Notions*, II, 262.
43. John L. Christian, *op. cit.*, p. 138.
44. An intimate picture of the contrast of life and attitude between assimilated and unassimilated Karen communities has recently been given by Harry I. Marshall, the missionary and ethnologist, in the story *Naw Su* (Portland, Maine, 1948).
45. For a technical report on *The Building of the Burma Road* see a book with that title by T'an Pei-ying, former managing director of the Yunnan-Burma Highway Engineering Administration (New York, 1945).
46. Actually, the controlled importation of Javanese laborers has never assumed large proportions, partly because of the high cost of recruitment and partly because of the success with which the Immigration Fund system worked in the case of Indian labor. The steady influx of voluntary Javanese immigrants on the west coast of the peninsula and in Lower Perak has been for the purpose of land settlement rather than for indefinitely prolonged wage employment.
47. E.g., *Annual Report on the Social and Economic Progress of the People of the State of Kedah* for the year 1935-36, Colonial Reports No. 1791 (London, 1936), p. 39; *Report for 1936-37*, No. 1857 (London, 1938), p. 32. A comparison of wages paid on public works and in private employment is afforded by the separate reports of the various states. It suggests that there is no great difference in the standard wage rates for unskilled labor. The annual reports of the Labor Department for Malaya as a whole do not indicate how labor is recruited for public works—presumably because no full information on this subject is available from the states under indirect rule.
48. *The Modern Malay* (London, 1928), pp. 280-81.
49. Alleyne Ireland, *op. cit.*, p. 111.
50. Sir Frank A. Swettenham, *The Real Malay*, p. 143.
51. Major Fred McNair, *op. cit.*, p. 166.
52. Oscar Cook, *op. cit.*, p. 208.
53. Charles Bruce, *Twenty Years in Borneo* (London, 1924), p. 134.
- In the Netherlands Indies, too, according to private reports, the use of prison labor for the benefit of European officials unconnected with the penal system is by no means unknown. Historically more important, however, has been the use of Javanese convicts for compulsory military service in the Outer Islands—nominally offered as a voluntary alternative to the death sentence but uncomfortably open to serious abuse.
54. Owen Rutter, *The Pagans of North Borneo*, p. 7.
55. *Ibid.*, p. 27.
56. The subject of convict labor falls outside the frame of the present study, except where it is seen or suspected as camouflage for a forced labor no longer permitted by law or before the tribunal of world opinion. However, to the examples given above of the narrow line that divides convict labor from forced labor, might here be added a reference to the use until recent prewar times of convict labor in the coal mines of the Netherlands Indies and to the horrors of convict labor as still practiced, according to a reliable report, in Portuguese Timor. For a description of a cruel use of convict labor as cheap labor for private shipping, see H. W. Potter, *op. cit.*, pp. 50-51.
57. Dubois de Jancigny, *op. cit.*, p. 577.
58. In peacetime, the war department and military officers were permitted to recruit labor personnel only from the guilds assigned to them for that purpose. Debt slavery (see pp. 150 ff.) did not exempt a subject from labor services; but the master of a debt slave was entitled to provide a substitute for him.
59. Etienne Aymonier, *Le Cambodge*, II, "Siamese Provinces," pp. 42-43.

60. *Ibid.*, pp. 43-44; Carl Bock, *Temples and Elephants* (London, 1884), pp. 84-85.
61. Virginia Thompson, *Thailand: The New Siam*, p. 600.
62. Turpin, *op. cit.*, I, 98. This account is based on manuscript reports of missionaries and bears the earmarks of exaggeration. Nevertheless, it does help to show the background of autocratic exercise of power and its consequences—here used to warn the French nobility of what fate was in store for them—against which the different forms of bondage merge into a single condition of popular distress and growing revolt.
63. *Ibid.*, pp. 81-82.
64. *Siam* (3rd. ed.; London, 1924), I, 123.
65. (U. S.) *Monthly Labor Review*, LVIII, 6 (June, 1944), p. 1173; Virginia Thompson, *Thailand: The New Siam*, pp. 600-1.
66. Sir John Bowring, F.R.S., *op. cit.*, I, 183.
67. The long association of certain types of work with methods of compulsion has produced a general repugnance to perform carrier services, even when fair wages are offered. E.g., Commandant E. Lunet de Lajonquière, *Le Siam et les Siamois* (Paris, 1906), pp. 277-78.
68. *Siam, Second Rural Economic Survey, 1934-35* (Bangkok, 1935), p. 160.
69. Etienne Aymonier, *Le Cambodge*, Vol. I, "The Kingdom Proper," p. 73.
70. Neither in Cochin-China, which is under direct rule, nor in other parts of the peninsula, has the French colonial Government ever attempted to enforce, for the benefit of French colonials, the traditional local laws relating to forced labor. Where *corvée* duties were imposed, they rest on French law and stem from a Roman law of which the French themselves were originally the victims. For it was Roman practice to employ conquered peoples (as well as convicts and occasionally legionaries) upon road construction and other works and to assess their cost on the adjacent "beneficiaries" even when they primarily served to reinforce Roman rule. (Nicolas Bergier, *L'Histoire des Grands Chemins de l'Empire Romain*, Vol. I, Chaps. XXIII and XXIV, as quoted by S.-E. Hyenne, *De la Corvée en France*, Besançon, 1862, p. 16.) Evidently, even in Roman times it was not easy to distinguish between works that serve "peace preservation" and therefore are perhaps in the interest of the subject people, and works undertaken to fortify the position of the dominant power and to enrich its rulers.
71. Maurice Besson, "Labour Legislation in the French Colonies," *International Labour Review*, XVI, 4 (October, 1927), 494-95.
72. *International Labour Review*, XLI, 1 (January, 1940), p. 80.
73. (U. S.) *Monthly Labor Review*, July, 1944, p. 53.
74. Roland Dorgelès, *On the Mandarin Road* (New York, 1926), pp. 271-76.
75. Virginia Thompson, *French Indo-China*, p. 150.
76. The conditions are described *in extenso* by Sir Hesketh Bell in *Foreign Colonial Administration in the Far East* (London, 1928), p. 282.
77. *French Indo-China*, p. 162.
78. A French Government decree of August, 1930, defined the principles ruling the use of compulsory labor in public works for the whole empire. This general law was specifically applied to Indo-China by an order of the governor general in February, 1932. It prohibited all forced labor for private employers except in emergencies, where permission for its use might be obtained from the provincial authorities. Unpaid labor on public works likewise was restricted to circumstances of exceptional need and under conditions laid down in the regulations. In May, 1933, the governor general issued an order further restricting possible uses of compulsory labor: for large parts of Annam and Tonkin and for all of Cochin-China and Cambodia it was now completely outlawed;

in other areas the maximum period permitted for the use of compulsory labor on public work was fixed at thirty days for Tonkin and sixty days for Annam and Laos.

An order of February, 1932, also dealt with the special evils of the portage system. This, in the absence of other means of transportation, could not, it was believed, be altogether done away with in the mountain districts. The order therefore restricts the use of compulsory labor for carrier services to localities where draft animals or mechanical means of transport are unavailable, and states maximum loads and durations of work.

79. *Minimum Standards of Social Policy in Dependent Territories*, Report V of International Labor Conference, Twenty-sixth Session (Montreal, 1944), p. 34.

80. Virginia Thompson, *Labor Problems in Southeast Asia* (New Haven, 1947), p. 187.

81. Declaration of Viet Minh Party, 1942.

82. *International Labour Review*, LVII, 3 (March, 1948), p. 233.

83. *Ibid.*, p. 232.

84. H. G. Quaritch Wales, *op. cit.*, p. 206.

85. Jean Goudal, "The Question of Forced Labour before the International Labour Conference," *International Labour Review*, XIX, 5 (May, 1929), p. 632.

86. See Article 1 of Forced Labor Convention, 1930, and Article 7 of Proposed Recommendation, *Minimum Standards of Social Policy in Dependent Territories*, International Labor Conference, Twenty-sixth Session, 1944, Report V (Montreal, 1944).

87. H. A. Grunshaw, "The Mandates System and the Problem of Native Labour" in *Problems of Peace*, Third Series, Institute of International Relations, Geneva (London, 1929), p. 141.

88. See also p. 176. In this connection, it may be pointed out that even where compulsory labor services are under the scrutiny of public opinion, as in the case of conscientious objectors to war in the United States, complaints often arise of a tendency of officials to employ unpaid labor inefficiently and upon projects not worthy of the human effort expended upon them.

For a typical complaint about a monopoly of available carrier services by government officials, see Carl Bock, *The Head Hunters of Borneo* (London, 1881), pp. 282-83.

89. "Another type of forced labor in the United States is that performed in connection with floods and other disasters during which both private and public employers conscript workers to build and repair levees and do other emergency work. The least little freshet in the Mississippi River or any of its southern tributaries serves as an excuse for conscription of Negro and white workers."—Walter Wilson, *Forced Labor in the United States* (New York, 1933), p. 22.

90. League Document A, 104, 1926, VI.

91. *Some Labour Problems in Pacific Dependencies*, memorandum prepared by the International Labor Office, Geneva, for the Institute of Pacific Relations (Honolulu, 1931), pp. 31-32.

92. Because of the importance of a precise phraseology in the discussion of this subject, relevant suggestions on the matter from the memorandum just quoted, now out of print, are given in Appendix E, pp. 323 ff.

93. It is interesting in this connection to recall that even in Roman times a distinction existed between public work so essential to the safety of the state that compulsory conscription for its performance was honorable and other compulsory work, which was ignominious. Assignment to most kinds of public work was clearly discriminatory, but no exemption was granted to anyone from work on the construction and maintenance of roads and bridges. In the late empire, even religious houses and the personnel of the

imperial domains were expressly, under imperial decrees, made liable to render such services. Similarly Charlemagne, who took over so many of the legal concepts of the Roman empire, while exempting churches from all other corvée duties, held them responsible for contributions to the maintenance of roads and bridges and thus made that activity respectable though imposed by force. For reference to numerous sources, see S.-E. Hyenne, *op. cit.*, pp. 17-18.

94. For a brief account of the salient features see Appendix D, pp. 312 ff.

95. The Convention was ratified by Great Britain in 1931, the Netherlands in 1933, and France in 1937. Japan and Great Britain also have ratified the 1936 Convention on the elimination of recruiting, but only Great Britain the 1939 Conventions on contracts of employment and labor inspectorates. These three measures, as will be seen in the next chapter, bear indirectly on certain aspects of compulsory labor.

96. Third and fourth clause of Part B, Resolution XVI, concerning rural labor and related problems, adopted November 7.—*International Labour Office Official Bulletin* XXX, 3, 15 (November, 1947), devoted in its entirety to the Preparatory Asian Conference of the International Labor Organization, held at New Delhi, October-November, 1947, p. 189.

97. *Ibid.*; also *International Labour Review*, LVII, 5 (May, 1948), 425-37.

98. *Labour Policy in General, loc. cit.*, pp. 22-24.

99. From a report published by the International Labor Office in Geneva on May 23, 1949, in preparation for the International Labor Organization's Thirty-second Conference, of which only a summary has been available to the present writer, it appears that further substantial progress has been made toward the elimination of forced labor, although, as was to be expected, the temptation to speed up production and construction is very great in the war-devastated countries.

Thus compulsory labor for the benefit of native chiefs is reported by the French Government as no longer existing in the French Union. But "the abolition of compulsory cultivation has led to disastrous consequences, and its application has had to be suspended temporarily."

In Indonesia, compulsory labor as prohibited by the Convention of 1930 no longer exists. But the officials are uncertain about the actual conditions of work performance on the *Particuliere Landerijen*.

In Malaya compulsory overtime work has been found necessary in certain industries, but it is kept within reasonable limits and compensated for at double pay.

Penal sanctions are about to be abolished in three of the twelve territories where they are still recognized.

A new spur to international interest in the subject of forced labor was given by the mutual recriminations between representatives of the Eastern and Western blocs of governments in the United Nations concerning the existence of "forced labor" or "slavery" in their respective realms. The Economic and Social Council of the United Nations at its Geneva meeting in 1949 failed to agree on an investigation of the charges made. Under the prevailing circumstances this was probably wise. The very terms of the proposal indicated failure to discriminate among forms of involuntary labor that occur under widely varying conditions and from widely varying causes. In an atmosphere of mutual recrimination it would be impossible for objective inquiry and tested methods of international joint action to come into operation.

CHAPTER FIVE

1. Raymond Kennedy reminds us that "the vast bulk of the peoples of this area are still living in what might be termed a pre-capitalistic stage of economy." Their contacts with the economy of the external world are few and brief. "In pre-war Java, the average income per person was about \$15 a year; and in Siam in 1940 fewer than 3,000 individuals out of a population of 15,000,000 had annual incomes of over \$1,100."—"Southeast Asia and Indonesia," in *Most of the World*, ed. by Ralph Linton (New York, 1949), p. 666.

2. It would go beyond the scope of the present study to prove this broad statement with quantitative data. Most of the available reports on labor conditions in Southeast Asia, public and private, are necessarily descriptive or by way of sample since the apparatus for comprehensive statistical investigations is lacking. Reports dealing with developments on the border between modern and native economy or with conditions in relatively distant and sparsely populated parts of the region often are little more than suggestive. Labor departments have, of course, paid greatest attention to the matured modern industries; and even there a Western attitude toward problems in labor relations sometimes obscures essentially oriental situations. At any rate, many intangible elements are involved that are difficult to define, impossible to measure.

3. *Regional Sociology* (New York, 1926), pp. 202, 203.

4. *Preparatory Asiatic Regional Conference of the International Labour Organization, New Delhi, 1947, Report IV, "The Economic Background of Social Policy"* (New Delhi, 1947), p. 54.

5. For example, Lord Hailey in his pamphlet, *Britain and the Dependencies* (London, 1943), p. 7.

6. *The Colonies, the Labour Party's Post-War Policy for the African and Pacific Colonies* (London, 1943), p. 3.

7. A rather full account of indigenous democratic institutions in Indonesia, including many local rights not widely known, is given by B. J. Haga, *op. cit.*

8. See A. L. Warnshuis, Joseph P. Chamberlain, and Quincy Wright, "The Slavery Convention of Geneva, September 25, 1926," *International Conciliation*, No. 236 (January, 1928), p. 5.

9. Ernst Bausch draws attention to the great difference in the effect which the abolition of slavery in 1863 produced upon the fortunes of the sugar industry in Java and on that in Surinam. In the latter colony planters were unable to find a suitable substitute for slave labor. The resident population, composed of a mixture of indigenous and African elements, proved wholly unsatisfactory, even with the addition of imported Javanese and Indian contract laborers. A rooted and solid plantation economy could not develop from this unreliable and expensive labor supply.—*Hollaendische Wirtschaftsgeschichte* (Jena, 1927), pp. 583-84.

10. The relationship here briefly summarized and the early history of the plantation industries of Southeast Asia have been set forth by Karl J. Pelzer in *Die Arbeiterwanderungen in Suedostasien* (Hamburg, 1935).

11. Rajani Kanta Das, *Plantation Labour in India* (Calcutta, 1931), p. 30.

12. *Ibid.*, p. 70. There follows a description of the *sardari* labor recruiting system, early evasions of the licensing law, the further development of the system under fuller government supervision after 1870, and substitution for it of a free contracting system (i.e., one not bound to particular employers) after 1901.

13. Stephan Bauer, *Arbeiterschutz und Voelkergemeinschaft* (Zurich, 1918), pp. 114, 116.

14. See p. 212.
15. Alfred R. Wallace, *op. cit.*, Vol. II, "Malaysia and the Pacific Archipelagoes," p. 454. The history of the labor trade and its suppression in the Oceanic dependencies is told by John M. Ward in *British Policy in the South Pacific, 1786-1893* (Sydney, 1948).
16. Of colonial powers only Great Britain and Japan have ratified this Convention.
17. See Appendix F, article 10.
18. *Some Labor Problems in Pacific Dependencies*, Memorandum Prepared by the International Labor Office, Geneva, for the Hangchow Conference of the Institute of Pacific Relations, 1931, p. 20.
19. W. E. B. Du Bois, *Color and Democracy: Colonies and Peace* (New York, 1945), pp. 18, 20, 23-25.
20. E.g., Lt. Gen. Sir George MacMunn, K.C.B., *op. cit.*, pp. 240-42.
21. International Labor Office, *Report on the Regulation of Contracts of Employment of Indigenous Workers* (Geneva, 1937), pp. 195-98.
22. *A Century of Emancipation*, p. 179.
23. Ta Chen, *Emigrant Communities in South China*, pp. 260, 262.
24. L. E. Neame, *op. cit.*, p. 20. This view was also stressed by several speakers at the First Asian Relations Conference, held at New Delhi in the spring of 1947. See *Asian Relations*, report of proceedings (New Delhi, 1948), pp. 90 ff.
25. See Appendix F, pp. 326 ff.
26. Japan, then still a member of the League, and Great Britain alone ratified the 1936 Convention, Great Britain alone the Conventions of 1939.
27. Except for a difference on a minor point—the length of the annual grant of working days as holidays with pay—which induced some of the employer groups to abstain from the final vote, there was complete agreement at the Paris Conference in 1945 on the amended Recommendation here reproduced in Appendix F. Moreover, the employers' group as a whole formally supported—and thereby made unanimous—a proposal introduced by the Australian and supported by the British and United States governments to consider at the 1947 conference the conversion of the Recommendation into a Convention. Such a step would mark a great advance in international labor legislation. An I.L.O. Recommendation only obliges the member states to lay the measures agreed upon before their legislative bodies; an I.L.O. Convention, when ratified, imposes on member states specific obligations of a treaty character. At the 1947 conference in Montreal a decision was reached almost unanimously to get rid of penal sanctions and in other ways to safeguard the recruitment of labor for contract work.
28. In the Western Hemisphere, the use of slave labor proved uneconomic in the growing of tobacco and other commercial crops as soon as competition forced the owners to apply scientific knowledge. See Hon. H. A. Wyndham, *The Atlantic and Slavery* (London, 1935), pp. 286-87.
29. Inability of the Government to apply the same standards of labor conditions to new plantations as to old (and also to new timber and mining concessions) has been an important factor especially in Indo-China, as will be shown below.
30. Charles Robequain, *op. cit.*, Chap. II, p. 5.
31. *Problems of Industry in the East*, International Labor Office, Studies and Reports, Series B, No. 29 (Geneva, 1938), p. 48.
32. Helmut G. Callis, *Foreign Capital in Southeast Asia* (New York, 1942), p. 101. For the effects of the world economic depression, see M. Mead Smith, "Labor Conditions in British Malaya," *Monthly Labor Review*, August, 1944.
33. Lennox A. Mills, *British Rule in Eastern Asia* (Minneapolis, 1942), pp. 248-49.

34. J. H. Boeke, *The Structure of Netherlands Indian Economy* (New York, 1942), p. 167. The argument is amplified and further documented in Boeke's *The Interests of the Voiceless Far East*.

35. "Forced Labor," *Annals of the American Academy of Political and Social Science*, 166 (March, 1933), p. 83.

36. J. S. Furnivall, *Netherlands India*, pp. 181-82.

37. G. Angoulvant, *Les Indes Néerlandaises* (Paris, 1926), p. 363.

38. The term "contract labor" is used in this book to denote all labor under contract, whether under penal sanctions or "free." Unless this is specifically stated, the words should not be read as meaning only legally bound labor.

39. An important study of labor in Java's sugar industry, unfortunately inaccessible to the present author, is Philip Levert, *Inheemsche Arbeid in de Java Suikerindustrie* (Wageningen, 1934), 346 pp.

Until recent studies brought to light evidence of the depressing effect of the sugar industry on standards of living, official and unofficial opinion took it for granted that an enterprise that drew so much wealth from the soil without apparently depleting it must be of great benefit to the indigenous population. For a typical demonstration of this conclusion see J. Sibinger Mulder, "Economische Beteekenis der Suikerindustrie op Java," *Tijdschrift voor Economische Geographie*, III (1912), 181-98.

40. *Indisch Verslag*, 1940, and previous years, Statistical Abstracts for the Netherlands Indies, Batavia.

41. Under the 1936 law, permits to recruit labor were only exceptionally issued to individual employers. For the most part, the licenses were issued to respectable associations of employers in a given industry or area.

42. "Javanese Colonization in the Outer Provinces," *The Netherlands Indies*, VI, 9 (September, 1938), 13-18; Karl J. Pelzer, *Pioneer Settlement in the Asiatic Tropics*, pp. 191 ff.

43. At that time, the industrial employment of Javanese already had become exceptional, as it was more expensive than that of Tonkinese who, moreover, were more experienced in mine work. But Javanese were preferred as agricultural laborers and domestic servants. The chief objection of the Netherlands Indies Government to renewed Javanese emigration to New Caledonia was the devaluation of the franc, which greatly reduced the value of earnings in *pécules* when remitted or brought back to Java in *guilders*.

The issue flared up again in 1942, when Dr. J. van Beusekom, the Dutch consul, protested strongly against the inhuman conditions under which Javanese laborers at the Pointe Doniambo nickel smelters in Noumea were housed and employed. According to an article in the *Pacific Islands Monthly*, XV, 12 (July 17, 1945), 36, 40, there were at that time 7,249 Javanese residents in New Caledonia, 6,264 of them, men and women, employed as miners, rural laborers, and servants. Hours of work and conditions of women's labor in the nickel and chrome mines and at the nickel smelters were found to be far below international standards; and these workers were housed in ill-constructed, overcrowded, and neglected wooden tenement buildings several stories high, on the plant premises. These conditions have since been remedied to some extent.

44. P. Endt, *op. cit.*, p. 181.

45. *Op. cit.*

46. *Op. cit.*

47. *Coolie* (New York, 1936).

48. E.g., "Uit het Leven der Koelie's op Ondernemigen in Deli," *Tijdschrift voor*

Economische Geographie, V, 11 (November, 1914), 438-39, reporting a lecture by a Javanese doctor, Raden Soetowo, who pictured the miserable life of the "contract coolies" in Deli. Labor recruits in Java at that time still were insufficiently informed of the hard working conditions awaiting them. The reporter, W. C. Muller, agreed with the doctor that lamentable moral conditions in the work camps of the Deli plantations were mainly attributable to the exceedingly low wages offered women workers—twenty-five cents per day.

49. *Soerabaiasch Handelsblad*, March 26, 1915; September 9 and October 2, 1916.

50. *A Manual of Netherlands India*, compiled by Geographical Section of the Naval Intelligence Division, Naval Staff, British Admiralty (London, 1921), p. 129.

51. *Op. cit.*, pp. 166, 170-71.

52. *Ibid.*, pp. 213 ff.

53. Dirk Fock, in "The Labour Problems in the Dutch East Indies Archipelago," *Asiatic Review*, XXIII (October, 1927), 628-29, refers to the great improvement in the European personnel employed in enterprises using Javanese contract labor.

54. J. H. Boeke, *The Structure of Netherlands Indian Economy*, p. 142. Some of the following data also are based on this graphic and enlightening account (pp. 142-51).

55. Holland was shocked, more especially, by a pamphlet, *De Millionen uit Deli*, by J. van den Brand, published in Amsterdam in 1902. Before its appearance, the Government had been able to evade annoying questions when asked in Parliament. But to the charges of Van den Brand the Minister of Colonies, J. T. Cremer, was able to reply only that there must have been a general breakdown of morals since he had been a planter in Sumatra a few years earlier. See also J. S. Furnivall, *Netherlands India*, pp. 353-54.

56. In the Netherlands, the change of opinion was not—and perhaps is not today—universal. As recently as 1917, at least, representatives of the Java sugar industry tried to persuade the Parliament to assimilate the labor law for Java to that applicable to the East Coast of Sumatra, where the penal clause still was permitted in labor contracts. And the minister of colonies at the time was favorably disposed toward this reactionary proposal.—P. Endt, *op. cit.*, p. 43.

57. The Deli tobacco growers had sent two delegations to Washington to prevent if they could adoption of this measure. However, though they received some support from American importers, they were unable to kill the amendment. Subsequently, the Deli Planters' Association announced the voluntary abandonment of penal sanctions by all its member firms. Although the practice thus lost its strongest defender in the Indies, a spokesman for the same group still presented all the old arguments in its favor at an International Labor Conference session in 1937.

58. Methods of recruiting Javanese labor for work on the Outer Islands also were greatly improved in 1936. Applicable to both free labor and labor under penal sanctions, an order of that year obliged prospective employers to appear at the port of embarkation and sign a contract in the presence of the appropriate official, after the latter had made sure that the recruit understood the terms offered. If the worker had come to the embarkation port under a misapprehension, the employer was liable to pay his fare home. All labor agencies except those established by recognized employer associations and approved by the Department of Justice were put out of business.—(U. S.) *Monthly Labor Review*, LVIII, 5 (May, 1944), 977.

59. E.g., Raymond Kennedy, *The Ageless Indies*, p. 180.

60. The care with which the labor inspection service was trained for these exacting duties appears from the thoroughness with which instructions and legal codes have been prepared for their use. E.g., Dr. H. G. Heijting (former Resident of Banjoemas), *De*

Koelie-Wetgeving voor de Buitengewesten van Nederlandsch Indië (The Hague, 1925), 198 pp., bibl. (copy in the New York Public Library).

The training of managerial personnel also appears to have made progress. For example, a comparison of two handbooks published for the guidance of assistant managers, one in 1913—C. J. Dixon, *De Assistent in Deli, Practische Opmerkingen met Bestrekking tot den Omgang met Koelies*—and the other in 1939—J. J. B. Ostermeijer, *Handleiding voor Assistenten*—shows some advance from a mere faultfinding attitude toward the workers to a greater willingness to consider the causes of their social judgments and behavior.

Another source, which the present writer unfortunately was unable to examine, is H. Sternberg, "Die Betriebsverhaeltnisse auf der Ostkueste von Sumatra—unter Besonderer Beruecksichtigung der Arbeiterverhaeltnisse," *Arbeiten aus dem Institut fuer Betriebs- und Arbeitswissenschaft der Landwirtschaftlichen Hochschule Berlin* (Laupensalze, 1929).

61. Harold Butler, *op. cit.*, p. 57.

62. J. Woudstra, "Indigenous and Other Non-European Labour Legislation in the Netherlands Indies," *Asiatic Review*, XXXII, 109 (January, 1936), pp. 112-31.

63. William Robert Foran, *Malayan Symphony* (London, 1935), p. 165.

64. P. G. M. Timmermans, "Industrialisatie van Java," *Tijdschrift voor Economische Geographie*, XXVIII, 5 (May 15, 1937), 130.

65. Ch. Kiës, "De Welvaart der Inheemsche Bevolking van Nederlandsch Indië: Kan Kunstmalige Bevordering Veel Helpen?" *Indische Gids*, LX, 5 (May, 1938), 397-412.

66. Frederic Austin Ogg, *op. cit.*, pp. 390-93; Elie Halévy, *A History of the English People*, Vol. V (London, 1934), 241 ff.

67. J. Woudstra, *loc. cit.*, p. 127.

68. In 1940, the trade union membership of the Netherlands Indies was less than 110,000; in 1941, it was estimated at less than 125,000; and even these figures include associations not commonly classified as labor unions.—(U. S.) *Monthly Labor Review*, LVIII, 5 (May, 1944), p. 989.

69. An inquiry made in Java in 1926 revealed an average annual income of fl. 101.36 (less than \$60.00) for agricultural laborers and of fl. 120.32 for general laborers. The incomes of tenant and poor owning farmers, constituting about one-third of the total population, averaged not much higher.—J. W. Meijer Ranneft and W. Huender, *Onderzoek naar den Belastingsdruk op de Inlandsche Bevolking van Java en Madoera* (1926), p. 10.

70. J. H. Boeke, *The Evolution of the Netherlands Indian Economy* (New York, 1946), p. 137.

71. *Ibid.*, p. 138.

72. *Verslag van den Economischen Toestand der Inlandsch Bevolking*, 1926, quoted by J. S. Furnivall, *Netherlands India*, p. 399. See also G. Angoulvant, *op. cit.*, p. 358.

73. The British Trade Boards Act of 1909 and the Victoria (Australia) law of 1895 on which it was modelled were based on the principle that workers in sweated industries need an authority in which the public interest is dominant to insure fair bargaining between labor and management.

74. This tendency to attribute labor unrest to communist agitation, instead of looking upon its success as a symptom of serious social ills, is shown also by A. J. Lievegoed in "The Recent Communist Disturbances and Their Significance," *Asiatic Review*, XXIII (July, 1927), 385-92. Although intended as a report on "an investigation into the political and economic conditions in the districts where the extent to which the disturbances have spread show that there might be local circumstances of a specific character which fa-

voured the spread of communism," no fundamental causes are found; though popular resentment of certain sanitary measures in parts of Central Java, Muslim fanaticism, and the general discontent of taxpayers are mentioned.

75. "Conditions of Labour in the Surabaya Metal Industry," *International Labour Review*, XV, 6 (June, 1927), pp. 889-95; evidently based on *Rapport van het Hoofd van het Kantoor van Arbeid over de Arbeidstoestanden in de Metaalindustrie to Soerabaja* (Weltevreden, 1926).

76. *The Evolution of the Netherlands Indian Economy*, pp. 5, 6.

77. L. Adams, *De Autonomie van het Indonesisch Dorp*.

78. J. S. Furnivall, *Netherlands India*, pp. 403-4.

In this connection it is interesting to note that, like English, the Malay language as spoken in Indonesia makes no distinction among different kinds of freedom. Although there are also other words to denote immunity to service and lack of inhibition, all the freedoms mentioned in the Atlantic Charter were translated as *kemerdekaan*, while in its abbreviated form of *merdeka* this noun also means political independence and serves as the national salutation in the Republic. Miss Claire Holt, to whom the writer owes this information, also mentions an Indonesian boy who, experiencing the customary lack of social restraints in the United States and comparing it with the restraints of his own class-bound society, said he was feeling as if his shoulders had straightened out.

79. The continuing unfavorable outlook for the Eurasians of Java is described by Frances M. Earle in "Eurasian—Dutch or Indonesian?" *Far Eastern Survey*, XVII, 24 (December 22, 1948), 288-90; and by W. F. Wertheim in "The Indo-European Problem in Indonesia," *Pacific Affairs*, XX, 3 (September, 1947), 290-98.

80. E.g., F. W. Fuchs, "Moderne Kolonisation in Niederlaendisch-Indien," *Koloniale Rundschau*, XXIX, 5-6 (December, 1938), 325 ff.

81. For an informing comparison of the fortunes of Eurasians under Dutch, British, and French rule, see Cedric Dover, *Half-Caste* (London, 1937), excerpts from which are given by Alain Locke and Bernhard J. Stern, *op. cit.*, pp. 396-402.

82. W. Cameron Forbes, *op. cit.*, I, 527-28.

83. *Ibid.*, p. 521. See also Robert L. Pendleton, "Land Utilization in Southeastern Asia," *Pacific Affairs*, XIX, 1 (March, 1946), 104 ff.

David Bernstein who, as a member of the Philippine Research Bureau in Washington, had unusual opportunities of measuring Philippine social problems against the policies of President Quezon and, later, of President Roxas, concludes that in Central Luzon and other crowded areas political changes alone cannot effect the needed reforms because, even with a redistribution of ownership, land holdings would be too small to permit of adequate incomes to the farmers. Resettlement, and educational preparation for it, on a scale far larger than as yet contemplated, he holds, alone can produce real relief.—*The Philippine Story* (New York, 1947), p. 256.

84. Frank Charles Laubach, *op. cit.*, p. 411; *Annual Report of the Director of Adult Education for the year ending June 30, 1938*.

85. Joseph R. Hayden, *The Philippines, a Study in National Development* (New York, 1942), pp. 157, 181. This author and others (e.g., Catherine Porter, *Crisis in the Philippines*, New York, 1942, p. 58) point out that the national expenditure on education, though proportionately the largest in Eastern Asia, was precariously met in large part from the refunded coconut oil excise tax of the United States and not securely supported from the regular tax income.

86. At the time of the American occupation, Chinese contract labor was well established in the Islands, and many American employers were in favor of retaining the sys-

tem, since the Chinese laborers had a reputation of being both cheaper and more docile than Filipino ones. A member of Congress, reporting in 1903 on an investigation in the Islands, amid many interruptions, declared himself in favor of Chinese labor immigration, but only as "beasts of burden under contract." "The Chinese are good workers," he declared, "and of course if they came here the Filipino people would find their bread was being taken away from them, and they would be compelled to work for almost nothing." (Hon. Charles H. Dietrich, *The Philippine Islands*, Speech before Senate Committee on the Philippines, February 13, 1903, 57th Congress, 2nd Session, Document 186, Washington, D. C., 1903, p. 94.) N. W. Holmes, Chief Engineer of the United States Philippine Commission, reported that it was cheaper to employ a thousand Chinese, at a peso per day, than all the labor Luzon could furnish, for nothing except board. (*Report of Commission for 1902*, Part I, p. 157.) Similar statements were made by other American engineers.—Russell M. Storey, "The Problem of the Chinese in the Philippines," *American Political Science Review*, February, 1909, pp. 34-35, 41-42.

87. *Report of Wood-Forbes Mission, 1921*, House Document 325, 67th Congress, 2nd Session, 25; W. Cameron Forbes, *op. cit.*, I, 528.

88. Henry Jackson Waters, President of Kansas State Agricultural College, *The Development of the Philippines, a Summary of the Results of Special Investigations by Authority of an Act of the Legislature of the Philippine Islands* (Manila, 1915), p. 41.

"There is little question that the islands could be made more than self-sufficient in basic food supplies," writes a geographer after a survey—in 1948—of the conditions that still hold back subsistence farming in the Philippines.—J. E. Spencer, "The Philippine Rice Problem," *Far Eastern Survey*, XVIII, 11 (June 1, 1949), 128.

89. Florence Horn, *Orphans of the Pacific: the Philippines* (New York, 1941), p. 208.

90. "Philippine Mine Labor," *Far Eastern Survey*, XV, 3 (February 13, 1946), pp. 37-39.

91. *Op. cit.*, p. 7.

92. *Ibid.*, p. 60.

93. E.g., observations by George A. Malcolm on a strike of Manila tobacco workers.—*The Commonwealth of the Philippines* (New York, 1936), pp. 267-68.

94. Jack Shepherd, *Industry in Southeast Asia* (New York, 1941), pp. 110 ff.

95. Hugo H. Miller, *op. cit.*, p. 511.

96. *Op. cit.*, p. 22.

97. Louis H. Pink, "Unfinished Business in the Philippines," *Foreign Affairs*, January, 1947, pp. 266, 264.

98. For an example see p. 135.

99. Manufacturing industries in 1939 employed only 11 per cent of those gainfully employed.

100. A. L. Teodoro, "Status of Farm Mechanization in the Philippines," *First Annual Report, National Research Council* (Manila, 1935), pp. 600-2.

101. Rufo M. Covacha, "Grievances of Labor," *National Review*, May 1, 1936, pp. 8-9.

102. *Journal of Commerce* (New York, June 16, 1945). The prewar trade union movement in the Philippines reflected several radical ideologies of Europe and America but, according to most observers, was not communist in any real understanding of the meaning of its tenets. See, for example, "Labor Girds for Battle," *National Review*, June 5, 1936.

103. (U. S.) *Monthly Labor Review*, LX, 4 (April, 1945), 784.

104. Karl J. Pelzer, "The Philippine Abaca Industry," *Far Eastern Survey*, XVII, 6 (March 24, 1948), 71-74.

105. "Land Use in Southeast Asia," *Far Eastern Survey*, XVI, 3 (February 12, 1947), p. 29.
106. "Rehabilitation of Philippine Mining," *Far Eastern Survey*, XVI, 10 (May 21, 1947), 114.
107. For a typical table of wage rates see *Philippine Labor Bulletin*, May, 1939; or (U. S.) *Monthly Labor Review*, April, 1945.
108. Morgan Webb as quoted by Misza M. Rafi in "The Problem of Indian Colonisation in Burma," *Journal of Indian Institute of International Affairs*, I, 2 (August, 1945), 42-43.
109. Virginia Thompson, *Labor Problems in Southeast Asia*, pp. 39-40, quoting the *Rangoon Times* of September 25, 1940.
110. *Annual Report on the Working of the Factories Act of 1934, for 1940* (Rangoon, 1941), p. 5.
111. *Report for 1938*, p. 5.
112. *Loc. cit.*, pp. 40-60.
113. Between the reoccupation of Burma and April 1, 1947, about 112,000 Indians left Burma and 108,000 were admitted. Of the latter, 85,000 were evacuated and over 20,000 were persons who after the reoccupation had gone to India on temporary visits. But some 300,000 of those evacuated were reported to be still in India. An immigration law passed that year, requiring visaed passports, was motivated by knowledge of a large unauthorized inflow over the land borders, not only from India but also from Siam and China.
114. This brief account of developments since the war rests largely upon such journalistic sources as J. R. Andrus, "The Agrarian Problem in Burma," *Pacific Affairs*, XIX, 3 (September, 1896), 260-71; Virginia Thompson, "The New Nation of Burma," *Far Eastern Survey*, XVII, 7 (April 7, 1948), 81-84; John F. Cady, *loc. cit.*, 1-4; J. S. Furnivall, "Twilight in Burma," *Pacific Affairs*, XXII, 1 (March 1949).
115. As has already been shown, large-scale agricultural industries in Malaya were from the start based on the availability of Tamil labor from the near Coromandel Coast of India.
116. The first legal permission to recruit Chinese labor for overseas service was decreed by a Kwangtung governor in 1859. See Ta Chen, *Chinese Migrations, with Special Reference to Labor Conditions*, *loc. cit.*, p. 17.
117. *Memoir of the Life and Public Services of Sir Thomas Raffles* (London, 1830), Appendix, p. 9; J. D. Vaughan, *The Manners and Customs of the Chinese of the Straits Settlements* (Singapore, 1879), pp. 8 ff., as quoted by Karl J. Pelzer in *Die Arbeiterwanderungen in Suedostasien*, p. 69.
118. For a detailed history of Chinese labor immigration see Victor Purcell, *op. cit.*, Chap. X.
119. Y. S. Menon, "Indians in Malaya," *India and World Affairs*, I, 3 (October-December, 1945), 211.
120. As long as the employers of contract labor conducted a joint system of labor recruitment and apportioned its cost among themselves on a pro rata basis, it was to their interest to avoid the employment of any worker who had broken a previous contract. The compelling force of this arrangement in keeping the laborer at his task for the stipulated period was, according to some observers, as great as if not greater than that of penal sanctions, which had carried with them no such long-term disability.
121. For a summary of this history of regulation and a description of the employ-

ment system in force during the thirties, see Lennox A. Mills, *op. cit.*, pp. 220 ff.

122. Harold Butler, *op. cit.*, pp. 43-44.

123. Unfortunately, the employment situation worsened considerably during the following year, 1938, when an industrial depression in the United States produced a sudden slump in the rubber market. Because of the Japanese invasion of China it was impracticable to return large numbers of Chinese contract workers to their homes. Also, it had become a policy to encourage with every rise in employment a larger influx of Javanese contract laborers who could be settled to become part of a permanent labor reserve (and by merging with the Malays might also induce larger numbers of these to take up rubber planting). As a result, Indian unemployment in Malaya became severe, and the Indian Government felt constrained to prohibit further emigration to Malaya of workers willing to proceed without a contract, at their own risk.

124. For example, Walter B. Harris, *East for Pleasure* (New York, 1929), pp. 88-89.

125. This is shown not only by the volume of the remittances which even poor Tamils made to their families but also by the great reluctance which they showed to return home at the time of the great economic depression. Although employment and wages were reduced far below normal levels, those workers who were born in Malaya and could not legally be deported hung on to their part-time jobs and to the meager returns from their small land allotments lest they or members of their families should lose the chance of re-employment on the old terms at the re-commencement of full operations. See Y. S. Menon, *loc. cit.*, p. 212.

126. See, for example, *The Malays of Malaya*, by One of Them, pp. 95, 101, 102. Leopold Ainsworth in *The Confessions of a Planter in Malaya* (London, 1933) describes conditions of management as they were about 1910, to judge from the context, and incidentally gives a good picture of the respective attitudes and qualifications of Malay, Tamil, and Chinese contract workers (pp. 44, 47, 48, 49, 54, 56, 60-61). Additional data on the history of Malayan estate management are to be found in L. E. Neame, *op. cit.*

127. Lennox A. Mills, *op. cit.*, p. 241; Victor Purcell, *op. cit.*

128. Richard J. H. Sidney, F.R.G.S., *In British Malaya Today* (London, 1927), Chap. XIV, "Tin," pp. 154-66, account of a first-hand inquiry.

129. Tin was mined in Perak before the fifteenth century. The fact that before the nineteenth century the labor was principally Malay although the mines were operated by Chinese (Victor Purcell, *op. cit.*, p. 236) suggests that this industry was originally an extension of Chinese enterprises in the north rather than one developed by Cantonese merchant colonies on the coast, who were in the habit of manning their industrial enterprises with imported Chinese labor. A connection may therefore be seen between the conditions which until recent times obtained in the Malayan mines and the notorious use of slavery by Chinese operators to man their mines in Burma and Yunnan. That labor conditions in the tin mines of Yunnan still are very unsatisfactory is shown by a recent study:

"Until the early years of the recent war, more than 90 per cent of the tin mined in China came from Kochiu, a hsien [county] city in Yunnan Province. . . . Since Kochiu mine-workers have to work hard for very low wages, and enjoy no security either of employment or of person, they are very difficult to recruit, and as a result illegal means and brute force are resorted to. Among the thousand-odd mines in Kochiu, no recruiting organization exists. Each mine dispatches its own recruiting agents to various districts, and since no standard regulations govern their actions, they practice all forms of

deceit and make wild promises to secure workers, who are disillusioned only when they have arrived at the mines. Operators employ various means to prevent workers from escaping; the commonest is to delay payment of wages. Mines also maintain a police patrol day and night."—Shih Kuo-heng, "Social Implications of Tin-Mining in Yunnan," *Pacific Affairs*, XX, 1 (March, 1947), pp. 53, 57-58.

130. Conditions probably have improved since 1927, in the matter of housing conditions, for example; but the system seems to have remained essentially unchanged. Since they did not, like plantation workers, have opportunities for subsistence farming in times of unemployment, and since they could not be repatriated in substantial numbers during the Japanese invasion of China, large numbers of these miners fell into complete dependence upon contractors and moneylenders during the slump in 1938.

131. The fact, admitted in official reports, that the most important improvements in the estate industries have been motivated by considerations of efficiency and of the welfare of the European personnel does not detract from their larger social importance. The control of malaria and other public health measures more especially have been incidental to the same change of policy concerning the management personnel which was at work in the Netherlands Indies. With the aid of good roads and other facilities, a genuine community life was built up for Europeans, Malays, and alien Asiatics alike.

132. *Annual Report on the Social and Economic Progress of the People of the Straits Settlements*, 1938, pp. 40-41.

133. Virginia Thompson, *Labor Problems in Southeast Asia*, pp. 107-8.

134. *International Labour Review*, LVII, 6 (June, 1948), 673.

135. *Ibid.*, LVIII, 2 (August, 1948).

136. *Annual Report on the Social and Economic Progress of the People of the State of Perlis*, 1938-39, pp. 24-25.

137. *Annual Report for 1937*, p. 46. Other passages of this report suggest that, when it is to the interest of the employers to do so, it is quite possible to build up a sufficient local labor supply and reserve. But this involves a real and not merely a token allotment of land for native farming, the adoption of a free type of discipline, and a sympathetic interest in the daily life of the community.

138. Ian Morrison, "The Communist Uprising in Malaya," *Far Eastern Survey*, XVII, 24 (December 22, 1948), 282.

139. T. H. Silcock, "A Note on the Working of Rubber Regulation" (referring to an article by P. T. Bauer on that subject in 1946), *Economic Journal*, LVIII, 230, pp. 228-35; P. T. Bauer, "A Rejoinder . . .," *ibid.*, pp. 236-43.

140. See P. P. Pillai, *op. cit.*, pp. 160-61.

141. J. A. Hobson, *op. cit.*, p. 252.

142. The North Borneo Company, which still rules, was chartered in 1881 with full sovereign authority, subject of course to the secretary for the colonies.

143. Oscar Cook, *op. cit.*, pp. 108-9.

144. See pp. 144 ff.

145. Oscar Cook, *op. cit.*, p. 107.

146. *International Labour Review*, XLIV, 3 (September, 1941), pp. 333-34.

147. Max Scitelman, "The Cession of Sarawak," *Far Eastern Survey*, XVII, 3 (February 11, 1948), p. 37.

148. *Annual Report*, State of Brunei, 1938, pp. 29-31.

149. See, for example, Sidney Greenbie, *The Romantic East* (New York, 1931), pp. 143-44.

150. Andrew Roth calls Siam a very conservative country (in spite of the communist banners occasionally to be seen on the streets of Bangkok), the politically least aroused in Southeast Asia, with the possible exception of Borneo.—“Fact and Fiction in Siam,” *The Nation*, December 25, 1948, p. 724.

151. In April, 1947, the Siamese Government announced a regulation, effective from May 1 of that year, to restrict the admission of Chinese nationals to an annual quota of 10,000. In the summer of 1949, the quota was reduced to 100.

152. The *Report of the Mission for Siam* of the Food and Agriculture Organization of the United Nations (Washington, 1948, 125 pp.), drafted after the members of the Mission had spent only a few weeks in that country, is proof of the existence of a large body of technical information for the improvement of the country's agriculture and land uses in the responsible departments of the Government.

153. (U. S.) *Monthly Labor Review*, July, 1944, pp. 55-56.

An earlier use of Annamite contract labor for the expansion of the French empire was in the construction of the railway line to Brazzaville, in 1885, when money wages were found not to attract enough local African labor.

154. The order of July, 1930, provided that each recruiting agent must carry an identity paper, a personal tax card for the current year, and special authority from his employer, endorsed by the Resident.

155. Ferdinand de Montaigu, *op. cit.*, p. 40. See also Georges Le Fèvre, *Démolisseurs et Bâisseurs* (Paris, 1927), Chaps. V to VIII.

156. Although agreeing with Roland Dorgelès on the iniquity of the labor management in some of the large French enterprises in Tonkin (see p. 195), another French student of the labor unrest in the late twenties wrote: “The native has no harder employer than the native employer.”—René Vanlande, *L'Indochine sous la Menace Communiste* (Paris, 1930), p. 107.

157. *Labour Conditions in Indo-China*, *loc. cit.*, pp. 75 ff.

158. *Compte Rendu sur le Fonctionnement de l'Inspection Générale du Travail, 1928-29* (Hanoi, 1929), p. 40. Most of the foreign observers placed the responsibility for the labor troubles, which culminated in the assassination of an employment manager in Hanoi in February, 1929, upon “anti-French” agitators and went out of their way to exonerate Frenchmen. Paul Chassaing, a professor of the Colonial School in Paris, in admitting that the brutality of some European supervisors, as well as the rapacity of Annamite foremen, had contributed to the unrest of the contract workers, expressly remarked that the former were not men of French nationality. He could not, however, exonerate the French planters altogether, as they alone were accountable for the extremely bad sanitary arrangements and high mortality of the men.—“La Naissance du Prolétariat en Indochine,” *Revue du Pacifique*, XII, 5 (May 15, 1933), 273.

159. See for example Georges Le Fèvre, *op. cit.*

160. *Ibid.*, pp. 152-54; Virginia Thompson, *French Indo-China*, pp. 152-55.

161. Charles Robequain, *op. cit.*, p. 268.

162. *French Indo-China*, p. 162.

163. Stephen H. Roberts, *Population Problems of the Pacific* (London, 1927), pp. 288-90.

164. See also p. 197.

165. For a more detailed account of Indo-China's labor legislation see Virginia Thompson, *Labor Problems in Southeast Asia*, pp. 202 ff.

166. Gaston Rueff, *loc. cit.*, pp. 137 ff.

167. Ch. Crevost, *Conversations sur l'Artisanat au Tonkin* (1939); G. Kherian, "Faut-il Industrialiser l'Indochine?" *Revue Economique Internationale*, July, 1939; both summarized in *Bulletin Economique de l'Indochine*, 1939, pp. 173 and 1080-81.

168. For a résumé of official information on "Cooperative Societies in Southeastern Asia" see *International Labour Review*, XL (2, August, and 3, September, 1939), 262 ff., 376 ff.

169. Tran-Duc-Thao, "Vietnam and Eastern Asia," *Far Eastern Quarterly*, VI, 4 (August, 1947), 409.

170. To what extent Great Britain, France, and the Netherlands—and in former times Portugal and Spain—have benefited from the financial contributions of their colonies in the Western Pacific will perhaps never be worked out with any precision. The Netherlands East India Company in the 198 years of its existence earned an average annual dividend of 18 per cent (Ernst Baasch, *op. cit.*, p. 369); offhand it would seem that even in the absence of an income tax or other means of decanting a large part of this income into the public treasury, it must have made a sizable contribution to the national wealth. Indeed, about the prosperity of that small country during the heyday of its colonial monopoly there can be no question. But the costs of naval and military expeditions must be set against the inflow of wealth, the much larger costs also of those wars in Europe which in part sprang from colonial rivalry. In the case of Spain it might even be shown that the expanded colonial empire, with a class system at home which prevented most of the population from deriving direct or indirect advantages from the profits of colonial exploitation, helped to create that internal social maladjustment which led to decay at home and the loss of wars abroad, hence eventually to the permanent impoverishment of the whole people.

171. *The Structure of Netherlands Indian Economy*, pp. 132-33, 136-37.

172. Similar conditions prevail in Africa. The labor turnover in many of that continent's industries has been described as startling. Nine-tenths of the labor force in the Witwatersrand mines is newly recruited each year. Other examples show that under proper conditions and with a sufficient wage inducement African laborers are as reliable and competent as any others.—John A. Noon, *Labor Problems of Africa*, African Handbook No. 6 (Philadelphia, 1944), pp. 14 ff.

173. In this matter, too, African experience is identical with that in Southeast Asia. Low earnings of laborers do not insure the profitability of enterprises when the earnings of the European personnel are extravagantly high.—*Ibid.*, pp. 28-29.

174. *Malaysia, a Study in Direct and Indirect Rule*, p. 468.

175. Wilfrid Benson, "A People's Peace in the Colonies," *International Labour Review*, XLVII (2 February, 1943), 154-55.

176. For telling examples, see J. H. Boeke, *The Evolution of the Netherlands Indian Economy*.

177. P. Guillaumat, "L'Industrie Minérale de l'Indochine en 1937," *Bulletin Economique de l'Indochine*, 1938, pp. 1315-16.

178. *Op. cit.*, p. 268.

179. Temporary Slavery Commission, League of Nations, *Report on Second Session, Geneva, July 13-25, 1925* (League of Nations C.426.M.157, Geneva, September 1, 1925), p. 84.

180. This was obviously true of Indo-China, partly because of its nearness to sources of "communist" propaganda in China and partly because the improvement of labor conditions had been slower than in other countries of the region.

181. There is much evidence for this in the anthropological literature. See, for example, B. Schrieke, *op. cit.*, pp. 4-5.

182. Two recent reports of the International Labor Office on *Minimum Standards of Social Policy in Dependent Territories* (Report V of International Labor Conference, Twenty-sixth Session, Montreal, 1944; and Report V, "Supplementary Provisions," Twenty-seventh Session, Montreal, 1945) contain a multitude of proofs as to the reality of progress in the laws and practices of all the colonial governments and in the attitudes and policies of employer and labor groups.

183. Resolution XVII, November 7, clause 2, *International Labour Office Official Bulletin*, XXX, 3 (November 15, 1947), p. 191, reporting on the Preparatory Asian Regional Conference of the International Labor Organization, New Delhi, 1947.

184. In England especially after the Franchise Bill of 1884, which added some two million voters, nearly four times the number added in 1832 and nearly twice the number added in 1867. *The Fiscal Blue Book* of 1903 showed that between 1860 and 1900 "real" wages had increased by about 77 per cent. During that period, in spite of growing foreign resistance to British exports, Great Britain's basic industries made substantial advances; it furnished much of the machinery for the industrialization of other countries and retained the largest share of the world's carrying trade.—R. C. K. Ensor, *England, 1870-1914* (Oxford, 1936), pp. 274 ff.

CHAPTER SIX

1. "Communist strength," writes the well-known economist of the rubber industry, P. T. Bauer, "is still insufficient to render them [the Chinese workers in Singapore] an important factor in the life of the country during the next few years, and the opposition of the tens of thousands of small capitalists, traders and artisans among the Chinese, as well as the hostility of the Malays, is likely to restrict their growth."—*Foreign Affairs*, XXV, 3 (April, 1947), 513.

"Communists, so-called, as in China, are primarily interested in land reforms."—Louis H. Pink, "Unfinished Business in the Philippines," *loc. cit.*, p. 273.

"Throughout the Far East there is a revolt, supported by all classes and political parties, against the pre-war colonial status. In every case the nationalist movement has been accompanied by an overwhelming demand for economic and social change. This is a situation which Moscow is naturally ready to exploit. . . . Communist propaganda makes successful play with the past sins of Western imperialism."—*New Statesman and Nation*, XXXV, 903 (June 26, 1948), 515.

2. A Moslem scholar points out that, in the recognition of individual rights, parochial traditions in all Islamic countries have been greatly influenced by Western ideas and institutions. He warns, however, against the assumption that this advance toward conformity would automatically continue if that influence were to weaken. "At present, efforts must be made to develop new traditions necessary for the protection of the rights of man and the self-respect and dignity of the individual. This is a prerequisite for adopting any bill of rights in any Moslem country if it is to be of practical value."—Majid Khadduri, "Human Rights in Islam," *Annals of American Academy of Political and Social Science*, 243 (January, 1946), 81.

3. We have abstained from discussing the relative advantages of direct and indirect rule to the progress of social administration in territories under Western domination—partly because that subject, although germane to it, falls somewhat outside the scope of

the present study, and partly because J. S. Furnivall recently has done a good job on it (*Colonial Policy and Practice*, Cambridge, 1948).

Incidentally, however, we have repeatedly pointed to the characteristic weaknesses of both types of government. The French in Indo-China, outside of Cochin-China, the Dutch in the Indies, and the British in the Unfederated Malay States, on the principle of interfering as little as possible with the local rulers, often enriched them immensely with the instrumentalities of modern wealth production without also insisting on their observance of the laws and moral concepts by which the possession of social and economic power is usually circumscribed in modern civilization. In Burma, on the other hand, the very completeness of British control accelerated social disintegration and destroyed the barriers to excessive exploitation of the poor by the rich that had been inherent in the traditional mores.

These different effects are well worth studying at a time when in many parts of Southeast Asia national governments have to grapple with the problem of social controls that must be neither so loose as to permit the resuscitation of ancient injustices nor so far-reaching as to upset the moral sanctions by which decent folk regulate their lives and their mutual responsibilities.

4. As recently as March 7, 1946, a half-page advertisement in New York newspapers, advocating a high protective tariff, warned "free-born" workingmen against being "cheated by the coolie plan."

5. Symptomatic of this was the slow increase of educational opportunities for colonial subjects in most of the dependencies. See J. S. Furnivall, *Educational Progress in Southeast Asia* (New York, 1943).

6. See Jerome Cohen, *Japan's Economy in War and Reconstruction* (New York, 1949).

7. Kenneth P. Landon, *Southeast Asia, Crossroad of Religions*, p. 203.

It is instructive to compare the present impact of Western ideals and social theories on Southeast Asia with that earlier one on the Americas which also seemed rather sinister at the time to many who could not discern its significance or foresee its likely outcome. "The political ideals of liberty, natural rights, equality before the law, popular sovereignty . . . found their way into the jealously isolated colonies where they constituted the great spiritual force of the heroic struggle of Spanish America for emancipation. The existence of other causes does not diminish the significance of this idealism. . . . The inspiring and sustaining force which carried the movement of independence to its successful issue was this group of new political ideals that had already begun to change the face of the modern world. If these had not been present it may be doubted whether the insurgents would have begun their struggle at a time when they were in reality less oppressed than ever before."—J. Fred Rippy, *Historic Evolution of Hispanic America* (New York, 1922), pp. 133-34.

8. An influential group of American anthropologists warned the United Nations Committee on Human Rights, while the draft of the declaration was still in preparation, that such a bill would fail of its purpose if "circumscribed by the standards of any single culture or dictated by the aspirations of any single people. . . . Only when a statement of the right of men to live in terms of their own traditions is incorporated into the proposed Declaration, then can the next step of defining the rights and duties of human groups as regards each other be set upon the firm foundation of the present-day scientific knowledge of Man."—Statement submitted by the Executive Board of the American Anthropological Association, *American Anthropologist*, XLIX, 4 (October-December 1947), 539-43.

9. The editors of the influential *Economist* advocate the development of peasant

ownership of land in Southeast Asia, with compensation of the large landlords. It has not yet been proved, they say, that large estates, especially in rubber production, are more efficient than small production. "A temporary fall in production, if it were moderate, would hurt the Western world very much less than a permanent and total cutting off of supplies that would be the probable result of communist domination."

They also draw attention to another way to increased output and wealth that has not been discussed in these pages—the expansion of native industry. This, they hold, would not only help to raise living standards but would contribute to social stability.—Editorial, December 4, 1948, pp. 905-6.

10. Herbert Ingram Priestley, *The Coming of the White Man* (New York, 1929), pp. 117 ff.

For a recent appreciation of the intrepid friar see Oswaldo Morales Patino, "Fray Bartolomé de las Casas," *Revista Bimestre Cubana*, June-December, 1948.

11. British missionaries for a long time opposed the extension of British rule in the South Pacific, on the ground that such intervention would introduce the natives to Western civilization in a crude and sudden way. As a result of their influence in London, reinforced by the general attitude of *laissez faire* which prevailed during the early part of the nineteenth century, adventurers, slave-hunters, and land-grabbers fastened themselves on the defenseless islanders. When eventually the imperialist designs of other powers forced the British Government to assume administrative authority to protect the large British investments which by then had gone into some of these island groups, the population was largely demoralized, decimated, and cowed.—John M. Ward, *op. cit.*

APPENDIX A

(These notes are part of the document quoted in Appendix A)

1. The Bishop [Pallegoix] gives a third of the population as about the number of slaves. I suppose by this he includes Chinese, for there are distinctly much more than a third of Siamese who are slaves.

2. I stated this upon the authority of several very learned Siamese; but, upon looking over the laws, I found that it was not absolutely correct.

3. Nine-tenths of the documents are dated Wednesday, even if the agreements are made on another day.

4. Redeemable slaves are said to be bought "*K'ai fak*," irredeemable, "*K'ai kat*."

5. Useless as these two last clauses may appear, yet they are often infringed in a country where might is right.

6. It is a very common thing, when masters have been arrested for debt, to make their slaves take their place till they can collect sufficient money. I never heard, however, of any slave having had any portion of his redemption-money remitted for it.

APPENDIX D

1. G. W. Seabridge, editor of the *Straits Times*, Singapore, "Some Problems of the White Man's Return to Southeast Asia," *International Affairs*, XXI, 2 (April, 1945).

2. For an example, see Cornelis van der Grift, *Escape from Java* (New York, 1943), p. 59.

3. Bernard H. M. Vlekke, *op. cit.*, p. 252, quoting Raffles' *History of Java*, 2nd ed., I, 220, and F. de Haan, *Priangan*, Vol. IV (Batavia, 1912), p. 910. Prohibition of the use of roads to *pedatis*, old-fashioned peasant carts, was reinforced by the road regulations of 1853.—Donald M. Campbell, *op. cit.*, p. 1129.

The present author has seen similar rules in force in Shansi and other parts of China, on the practical ground that military roads, sometimes hastily constructed in an emergency, would soon disintegrate if cut into by the sharp wheels of farm carts.

4. The island of Sumatra was for administrative purposes added to Malaya; for purposes of labor recruitment, the sources and needs of all of Southeast Asia were treated as a whole.

5. Dr. Charles O. van der Plas, Chief Commissioner for the Netherlands East Indies in Australia, reported that at least half a million Javanese had been forced to "enlist" for labor on airfields and other military construction in the enemy's outer defense zone.

6. See Conrado Benitez, *Philippine Civics* (Boston, 1932), pp. 270-76.

7. (U. S.) *Monthly Labor Review*, LX, 4 (April, 1945), 777.

8. The order was later amended to apply to the age group between eighteen and fifty years.

9. Daw Mya Sein, "The Future of Burma," *India Quarterly*, I, 2 (April, 1945), 164.

10. (U. S.) *Monthly Labor Review*, LIX, 2 (August, 1944), 293-94.

11. *Ibid.*, LVIII, 6 (June, 1944), 1177.

12. *Ibid.*, LVIII, 7 (July, 1944), 60.

APPENDIX F

1. Cf. *International Labour Code*, pp. 476-89.

2. Cf. *ibid.*, pp. 491-501.

3. Cf. *ibid.*, pp. 501-2.

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