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Title of thesis JAVANESE INDENTURED LABOURERS IN

BRITISH NORTH BORNEO, 1914-1932

..... Degree PhD

This thesis examines the historical realities of Javanese indentured labour in British North Borneo from 1914 to 1932. The empirical findings are interpreted in terms of the theoretical debate surrounding the indentured labour system, seen either as a 'new system of slavery', or as a particular variety of 'free labour'. By using primary and secondary sources, the study analyses the dynamics of the Javanese indentured labour system, i.e. from the negotiation between the colonial states for the procurement of Javanese labour, to the actual recruitment in Java, and working conditions in British North Borneo under civil contracts, which sanctioned criminal punishments. The thesis argues that the desperate need for labour, the prevailing conditions in Java, the regulated recruitment and immigration procedures, the characteristics of their indenture experience on British North Borneo enterprises, the post-indenture options available to the labourers, the inferior position of the Company government vis-à-vis the Dutch authorities, and the incessant disagreement between employers' representatives, which weakened their collective bargaining power, have all helped to depict Javanese indentured labour experience in British North Borneo not so much as slavery in a disguised form, but as a unique variety of 'free labour'.

This thesis contributes to the wider history of colonial labour in three ways. Firstly, it provides an extensive and analytical review of Javanese indentured labour in British North Borneo during the period of imperialism and colonialism, which has not been attempted before. Secondly, it goes beyond the study of colonial and capitalist interests, moving towards an analysis of the experience of indenture by Javanese immigrants themselves. Thirdly, in contrast with previous studies depicting Javanese labourers as part of British North Borneo's local history, this thesis frames the story in terms of the wider debate surrounding the system, thus providing a modest contribution from British North Borneo to continuing deliberations on this controversial topic.

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JAVANESE INDENTURED LABOURERS IN BRITISH NORTH BORNEO, 1914-1932

Maureen De Silva

A THESIS SUBMITTED FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY (PHD)

DEPARTMENT OF HISTORY
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ABSTRACT

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TABLE OF CONTENTS

Declaration	2
Abstract	3
Table of Contents	4
List of Maps and Figures	8
List of Tables	9
List of Appendices and Illustrations	10
List of Abbreviations	11
Glossary	12
Acknowledgements	14
Maps 1 – 4	15 - 18
<u>CHAPTER 1</u> INTRODUCTION	19
Javanese and Labour: A Historiography	19
Theoretical Framework	28
Scope and Limits of Study	33
Sources	35
Conclusion	40
<u>CHAPTER 2</u> THE GROWTH IN THE DEMAND FOR LABOUR IN BRITISH NORTH BORNEO	
Introduction	41
Development of Plantation Agriculture in British North Borneo	41
Labour Problems in British North Borneo	54
Efforts to Obtain 'Outside' Labour	62
Conclusion	72
	4

**CHAPTER 3 THE IMMIGRATION OF JAVANESE INDENTURED LABOURERS TO
BRITISH NORTH BORNEO, 1914-1932**

Introduction	73
Negotiation of the 'Dutch Contract'	73
Javanese Immigration Funding	94
Immigration of Javanese Labourers	100
End of Javanese Indentured Labour	104
Conclusion	106

**CHAPTER 4 THE RECRUITMENT OF JAVANESE INDENTURED
LABOURERS**

Introduction	108
Push Factors of Javanese Migration	108
Recruitment of Javanese Indentured Labourers	122
Conclusion	138

CHAPTER 5 APPARATUS OF PROTECTION

Introduction	140
Protection for Javanese Indentured Labourers	140
Protective Provisions for Employers of Javanese Labour	162
Conclusion	174

**CHAPTER 6 LIFE AND LABOUR: MATERIAL CONDITIONS OF JAVANESE
INDENTURED LABOUR, 1914-1932**

Introduction	176
Labour Schedule	176
Wages	179
Rations	188

Estate Shop	193
Mortality, Morbidity and Medical Facilities	195
Housing, Sanitary Facilities and Water Supply	207
Conclusion	212

**CHAPTER 7 LIFE UNDER INDENTURE: NON-MATERIAL CONDITIONS OF
JAVANESE INDENTURED LABOURERS, 1914-1932**

Introduction	213
Coolie Mobility and Labour Control	213
Abuses and Physical Violence against Javanese Indentured Labourers	229
Punishment by the Colonial State	238
Resistance	242
Conclusion	253

**CHAPTER 8 THE REPATRIATION OF JAVANESE INDENTURED
LABOURERS**

Introduction	255
The Repatriation Process	255
The 'Missing' Repatriates	258
Interpretation of the Repatriation Clause	262
Singapore, the Dumping Ground	269
Total Number of Repatriations under the Dutch Contract	277
Conclusion	286

CHAPTER 9 CONCLUSION 287

REFERENCES	305
Primary Sources (Published and Unpublished)	305
Secondary Sources	313
List of Selected Interviewees	323
APPENDICES	324 - 335
ILLUSTRATIONS	336 - 343

LIST OF MAPS

Map 1	British North Borneo, 1914-1932	15
Map 2	Java: Residencies and Provinces showing origins of Javanese Migrants to British North Borneo, 1914-1932	16
Map 3	Flow of Javanese Indentured Labourers to British North Borneo, 1914-1932	17
Map 4	Colonies Employing Javanese Contract Labourers	18

LIST OF FIGURES

Figure 6.1	Base Rates of Coolie Wages in British North Borneo, 1914-1930	186
Figure 6.2	Mortality of Coolies in British North Borneo, 1915-1932	198

LIST OF TABLES

2.1	Acreage and Estimated Net Exports of Crude Rubber in British North Borneo, 1910 – 1934	49
2.2	World Rubber Price	50
2.3	British North Borneo: Areas of Rubber Planting (acre)	51
2.4	Population of British North Borneo, 1891-1931	57
2.5	Total of Labourers Based on Ethnicity, 1915-1933	58
3.1	Cost of Javanese Indentured Labour, 1915-1932	99
3.2	Total Importations of Javanese Indentured Labourers in British North Borneo, 1914-1932	101
3.3	Total Number of Coolies in British North Borneo, 1927-1932	105
4.1	Java and Madura: Population Growth, 1795 – 1930	111
4.2	Java and Madura: Densities of Native Population, by Residencies, 1930	113
4.3	Population of Transmigration Colonies, 1910-1940	117
6.1	Market Prices of Basic Necessities, pre-War and 1919, for Sandakan and Jesselton	181
6.2	Comparison of Shop Prices for 1925 and 1930	184
6.3	Diet Scale per Person per Day (Dutch Contract)	188
6.4	Mortality of Javanese Indentured Labourers in British North Borneo, 1914-1932	196
6.5	Total Number of Deaths and Proportionate Number per Thousand of Estimated Population and Labourers in British North Borneo, 1922-1931	197
6.6	Influenza in British North Borneo, 1918	200
7.1	Coolie Punishments and Desertions in British North Borneo per Hundred (1915-1932)	240
7.2	Desertions by Coolies in British North Borneo, 1915-1929	243
8.1	Returned Migration of Government-imported Javanese Labourers Supplied by the North Borneo Protectorate Department and the Netherlands East Indies Labour Bureau, 1914-1929	260
8.2	The Quarterly Returns of Javanese Labourers Imported by Government, 1914-1932	278
8.3	Length of Residence in British North Borneo, Javanese Repatriates	280

LIST OF APPENDICES

Appendix 1	Dutch Contract November 1913 (Dutch)	324
Appendix 2	Dutch Labour Contract 1925	328
Appendix 3	Dutch Labour Contract 1929	330
Appendix 4	Estates Employing Javanese Indentured Labourers, 1926	332
Appendix 5	Mortality Rate among Labourers in British North Borneo (1915-1932)	333
Appendix 6	Javanese Calendar	334
Appendix 7	Governor of British North Borneo, 1881-1934	335

LIST OF ILLUSTRATIONS

1.	A coolie tapping rubber	336
2.	A rubber tapper observed by an overseer	337
3.	Carrying bales of tobacco	338
4.	Chinese and Javanese coolies sorting and bundling tobacco at Langkon Estate	338
5.	Labourers working on timber camp	339
6.	Trolley transporting staff and labourers	339
7.	Coolie houses	340
8.	Part of Javanese coolie houses	340
9.	Gambling - a necessary 'evil'	341
10.	<i>Opas</i> House and 'Jail'	341
11.	Estate Hospital	342
12.	<i>Tamu</i> - Native market	342
13.	Singapore Quarantine Station (St. John's Island)	343

ABBREVIATIONS

ADEK	Algemeen Delisch Emigratie-Kantoor (General Deli Emigration Office)
ADO	Assistant District Officer
ANM	Arkib Negara Malaysia (Malaysian National Archives)
AR	Annual Report
ARA	Algemeen Rijks Archief (National Archives)
BBTC	British Borneo Timber Company
BNBC	British North Borneo Company
BNBH	British North Borneo Herald
BNBOG	British North Borneo Official Gazette
CO	Colonial Office
DO	District Officer
FMS	Federated Malay States
FO	Foreign Office
HCPP	House of Commons Parliamentary Papers
ILO	International Labour Office
IOR	India Office Records
KIT	Koninklijk Instituut voor de Tropen (Royal Tropical Institute)
KPM	Koninklijke Paketvaart Maatschappij (Royal Packet Company)
KvA	Kantoor van Arbeid
MR	Mailrapporten
NBCA	North Borneo Central Archive
NBCC	North Borneo Chamber of Commerce
NBPA	North Borneo Planters' Association
NEI	Netherlands East Indies
NDBTCo.	New Darvel Bay Tobacco Company
NILPO	Netherlands' Indian Labourers' Protection Ordinance
NLBTCo	New London Borneo Tobacco Company
NUS	National University of Singapore
OAG	Officer Administering Government
PKI	Partai Komunis Indonesia
PMO	Principal Medical Officer
PRO	Public Records Office
RHO	Rhodes House Oxford
SEA	Southern Emigration Association
SSA	Sabah State Archive
SSC	Straits Steamship Company
SOAS	School of Oriental and African Studies
USA	United States of America
V	Verbalen
ZUZUMA	Zuid-Sumatra Landbouw- en Nijverheidsvereniging (South Sumatra Association for Agriculture and Industry)

GLOSSARY

adat	- traditional/customary law
Arbeidsinspectie (Dutch)	- Labour Inspectorate
bangsa	- race
bridle path	- a dirt track approximately six feet wide, elevated four to five feet above ground level
changkol	- hoe
coolie	- term for agricultural (specifically estate labourer), generally associated with Asian labourer, i.e Javanese and Chinese
gamelan	- Javanese musical ensemble or orchestra
gantang	- measurement of weight by volume, equivalent to imperial gallon, gantang is $\frac{1}{4}$ of a <i>picul</i> .
gimat	- charm
haji sheikh	- pilgrim brokers
Hari Maulud	- birthday of the Prophet Mohammad (12 Rabiul Awal)
Hari Raya	- meaning 'Day of Celebration', in this context, the Muslim festival of Eid-ul-Fitr. (Aidilfitri) (1 Shawal)
Hari Raya Korban	- meaning "Festival of Sacrifice", a religious festival celebrated by Muslims (10 Zulhijjah)
hun	- weight measure (0.378g)
ikan blanak	- a small river fish normally used to make salted-fish.
imam	- an Islamic leadership position, leader of a mosque and the Islamic community
kadi	- judges of the shariah law
kampong, desa	- village
kati	- weight measure (0.625 kg or 1.33 pound avoirdupois)
kedai	- shop
ketoprak	- Javanese staged play
kongsi, coolie lines	- labourers' houses
kontrakkan	- Javanese coolies under the Dutch Contract
korban	- sacrifice
krani	- Asian clerk
laukeh	- experienced labourer; coolie on renewed contract ('old hands')
laukeh system	- a system where a Javanese 'old hand' was sent to his village, or a particular destination, to recruit Javanese labour
mandur	- Javanese foreman, overseer
mateng	- mature / ripe
mentah	- immature / raw
merantau	- leaving one's territory voluntarily, to earn a living, or to seek further knowledge or experience, normally with the intention of returning home
minggat	- leaving one's village without the knowledge of the village community
mufti	- an Islamic scholar who is an interpreter and expounder of the Islamic law (Shariah)
opas	- watchman
orang tebusan	- a person held at ransom

padi	- rice
parang	- machete
pasar orang	- people's market
pikul / picul	- measure of weight equal to 133.33 pound avoirdupois or ten <i>kati</i>
pisau blati	- small knife
poenale sanctie (Dutch)	- penal sanction
Politieke Inlichtingen Dienst	- Political Intelligence Service
ronggeng	- Javanese social dance
sakit panat	- tired
sambal, blatchan	- shrimp paste
sampan	- wooden boat
samsu	- locally distilled potent spirit made from fermented rice
Sarekat Dagang Islam	- Islamic Trade Union (a Javanese batik trader's cooperative), later became Sarekat Islam
Sarekat Islam	- Islamic Union (the ideology was based on the teachings of Islam in the modernist tradition)
sawah	- rice field
senang	- happy, content
sheikh ul-Islam	- a title of superior authority in the issues of Islam
singkeh	- newly arrived coolie
sombong	- arrogant
sulap	- shack
surau	- a special place to pray for the Muslims; it could also be a cultural meeting place, or a place to spread the teachings of Islam (<i>dakwah</i>)
tahil	- measurement of weight equal to 1.33 ounces, or 37.8g.
taikong	- foremen
tamu	- native market
tanah sabrang	- outer islands of the Netherlands East Indies
tandil	- Chinese foreman, overseer
tauhu, tempe	- soya-based food
taukeh	- shopkeeper, usually a Chinese
termasu	- gravestone post
tiffin	- courtesy snack
tiki-tiki	- a local term in Manila to mean the extract from rice bran for the purpose of curing beri-beri
tripang	- sea cucumber
wakil	- representative
wayang	- shadow puppet, show
wereg	- local henchman, field recruiter
wervingsordonnantien (Dutch)	- recruitment ordinance
wervingscommissarissen (Dutch)	- recruitment commissioners

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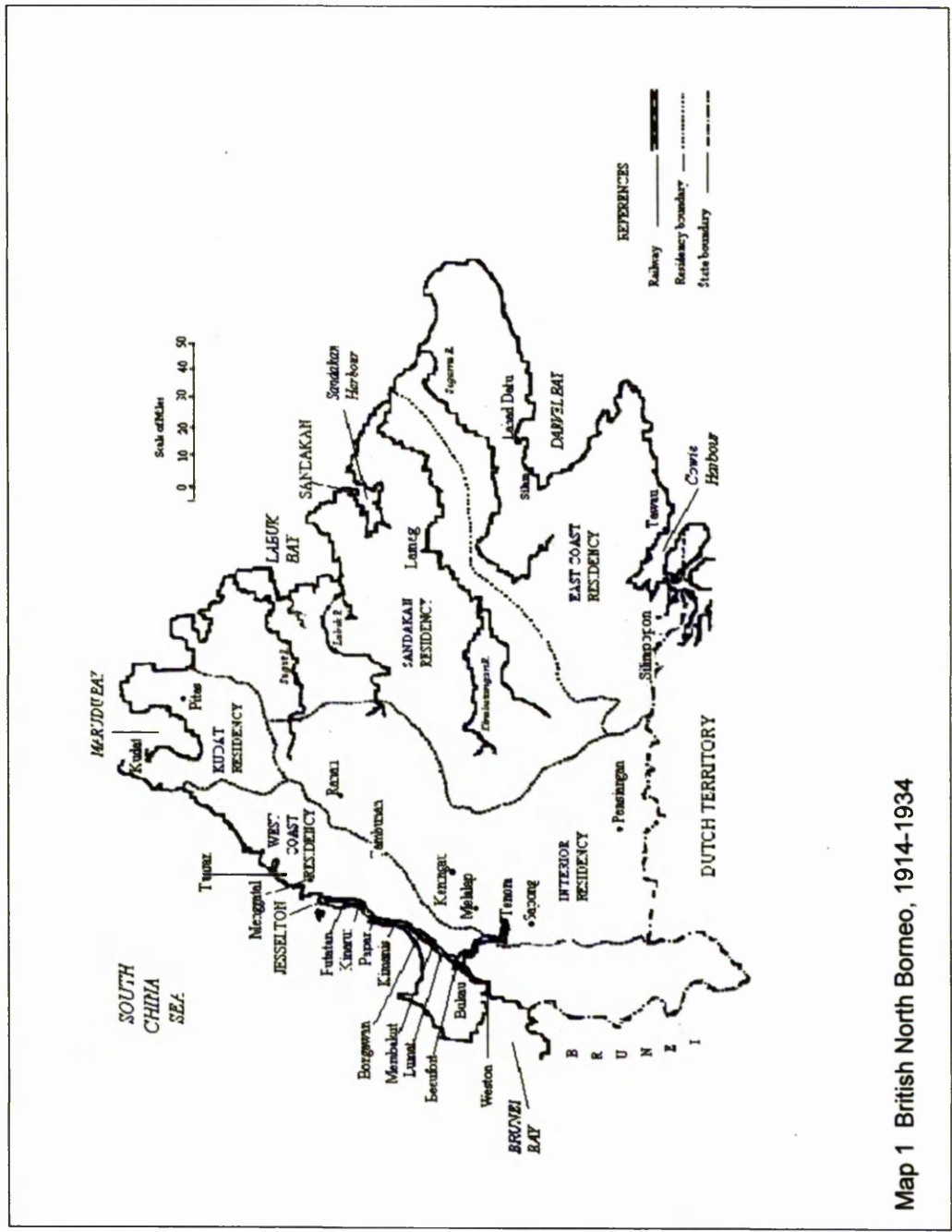
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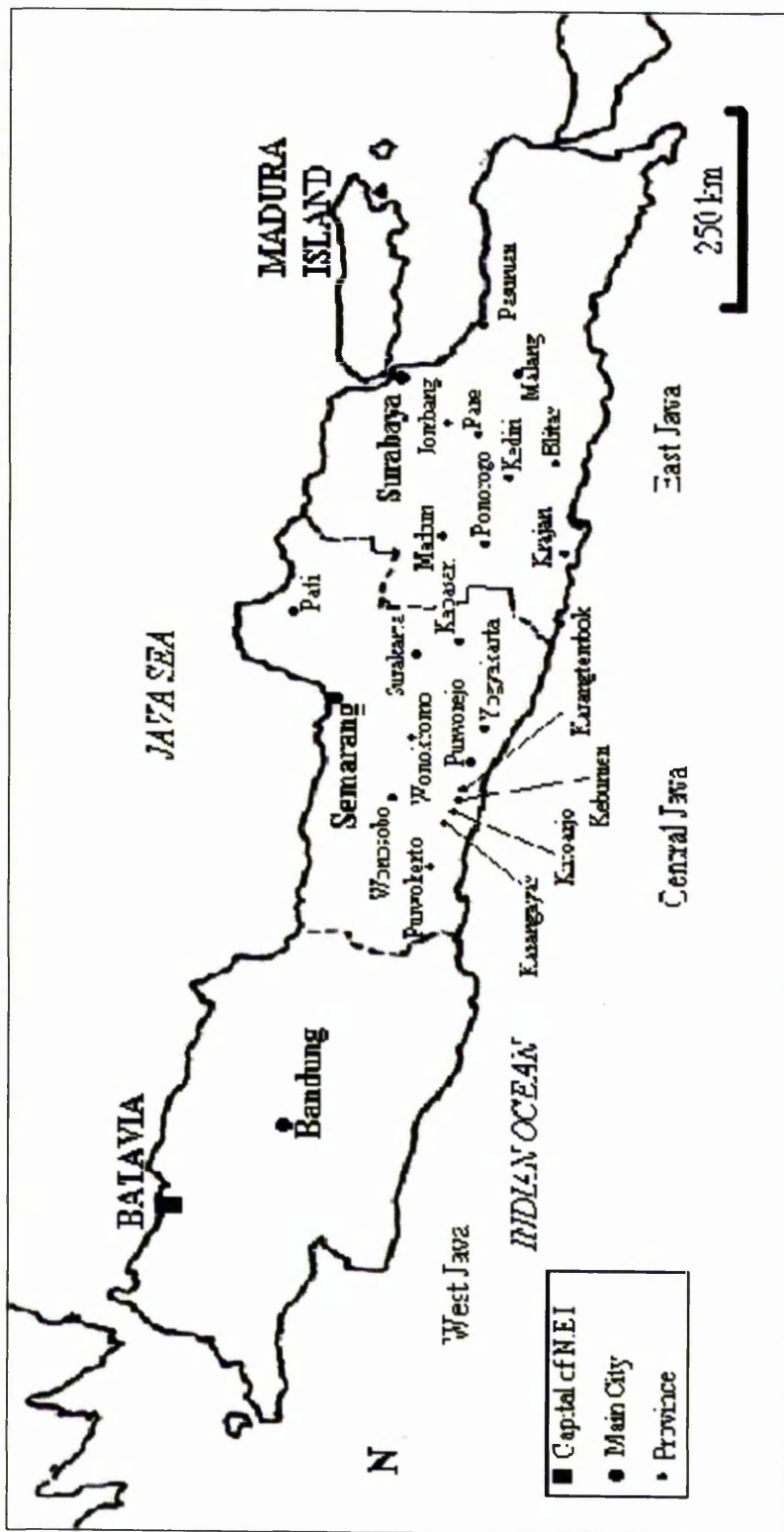
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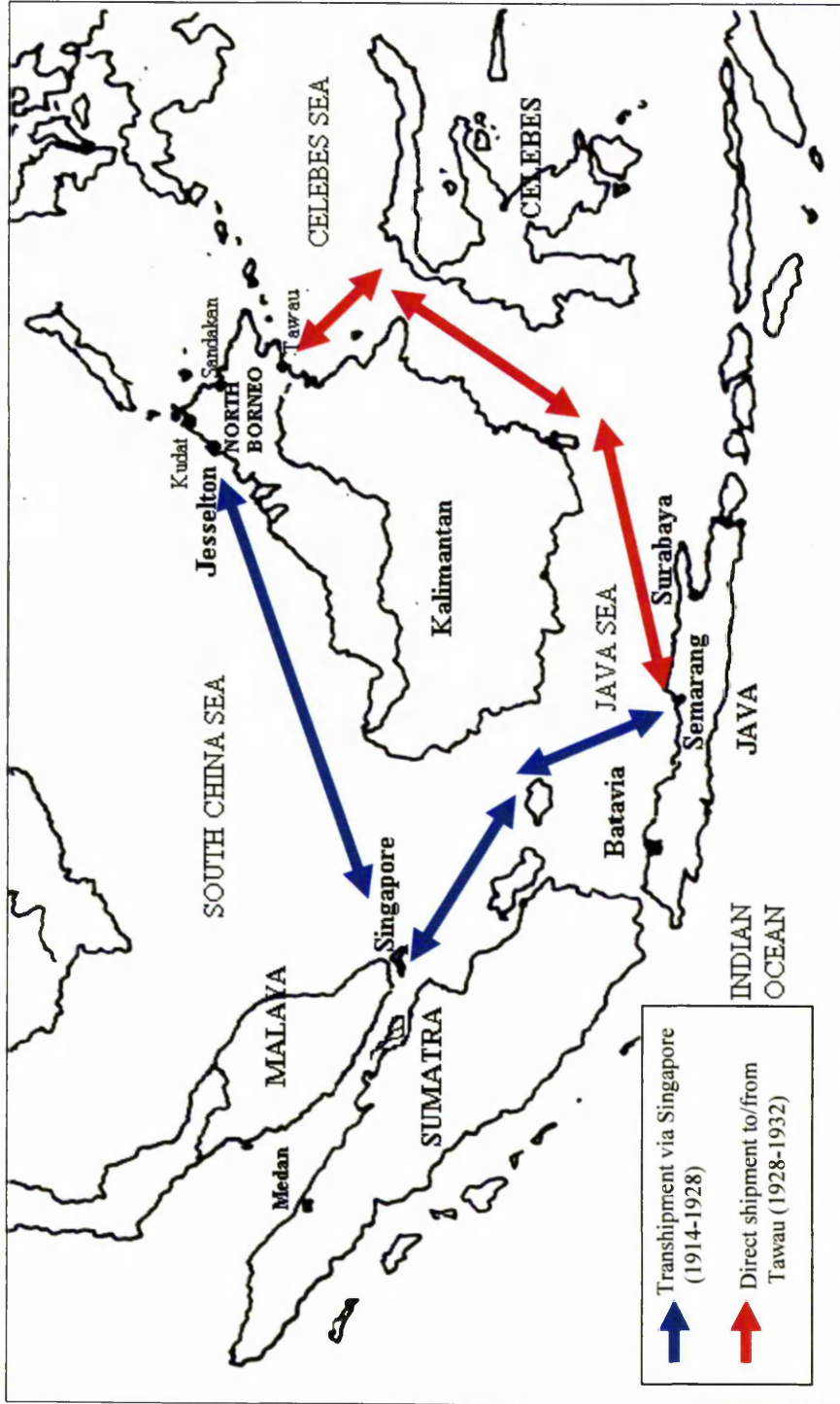
Above all, I thank the Lord Almighty for His undying love, for His continuous blessings upon my life and the lives of my loved ones. Thank you, God, for making this possible.



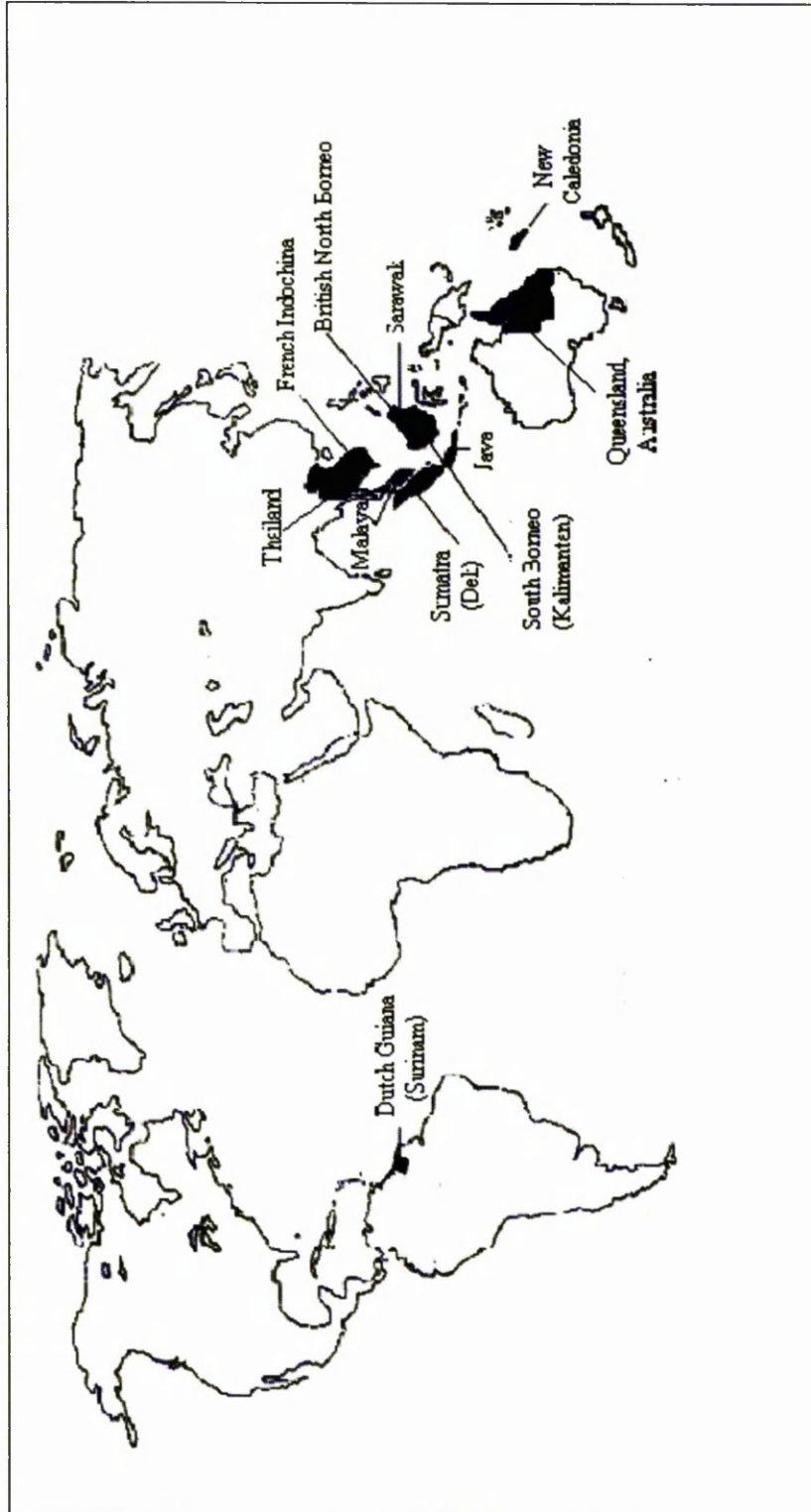
Map 1 British North Borneo, 1914-1934



Map 2 Java: Residencies and Provinces showing origins of Javanese Migrants to British North Borneo, 1914-1932



Map 3 Flow of Javanese Indentured Labourers to British North Borneo, 1914-1932



Map 4 Colonies Employing Japanese Contract Labourers

CHAPTER 1

INTRODUCTION

This study arose from the desire to understand the historical processes of immigrants and labour in British North Borneo, or present day, Sabah.¹ In the late nineteenth and early twentieth centuries, the British North Borneo Chartered Company (BNBC) sought to procure Chinese and Javanese immigrant labourers to combat the lack of a labour source for the enterprises of British North Borneo. Although both groups were instrumental in turning this once scarcely populated and underdeveloped vast land into an economic enterprise, to assist in the expansion of Western capitalist interests, the Javanese were less important in academic terms, as compared to the Chinese. Why was there little coverage of the Javanese immigrants who came to toil in British North Borneo enterprises? Did they not arrive in hordes, almost 10,000 of them, officially recruited under the indenture system, on a special government-permit, approved by the Dutch authorities? This led to a decision to study the experience of Javanese indentured labourers in the territory. Given this gap in the literature, it became the author's intention to redress this shortfall by identifying the characteristics of indenture. Moreover, in contrast with previous studies depicting Javanese labourers as part of a local history, this thesis frames the story in terms of the wider debate surrounding the system. This provides a modest contribution from British North Borneo to continue deliberations on this controversial topic.

JAVANESE AND LABOUR: A HISTORIOGRAPHY

There is limited literature on Javanese immigrants in British North Borneo, and even less on Javanese labour, despite the crucial role they played in the plantation economy of the territory during the Chartered Company era. One scholar puts this down to the

¹ The territory continued to be known as British North Borneo until 1963 when, due to popular local demands, its name was officially reverted to Sabah. In the thesis, the term 'Sabah' is used when referring to modern day Malaysian state of Sabah.

limited impact on demographic and economic patterns brought about by the Javanese.² Another suggests that the Javanese 'left little traits' in present day Sabah because they were brought in 'as indentured labourers, not colonists', hence the indifference to their role in the history of the territory.³

Even writings specifically on Javanese in British North Borneo during the Chartered Company period or beyond are few. Suhaimi bin Untong made the first attempt to do so in 1994, by looking into the immigration of Javanese from Java and Singapore, and their lives as labourers under different types of labour contract. The work is useful as a first introduction to the life of Javanese labourers in British North Borneo, but fails to utilise most of the primary sources available, and therefore, does not give a proper account of the entire matrix of Javanese immigration, and its relationship to labour. In the same vein, Koji Miyazaki demonstrates the 'relationship between the colonial powers, namely the British and the Dutch', by focusing on the processes and problems concerning the importation and repatriation of labourers, both to and from Java. Miyazaki argues that the Chartered Company mediated on behalf of the planters in the negotiation with the Netherlands East Indies (NEI) authority, and both colonial states were very much concerned with the labourers' welfare and rights. Miyazaki's writing is essential in understanding the basis for the relationship between colonial states of sending and receiving countries, but it lacks analysis, and the discussion itself was extremely brief, patchy, and at certain junctures, needed further elaboration and clarification.⁴

Khazin Mohd. Tamrin departs from earlier works by attempting to situate the Javanese immigrants before, during, and after the Japanese occupation, thus providing

² Lee Yong Leng. *North Borneo (Sabah): A Study in Settlement Geography*. Singapore: Eastern Universities Press Ltd. 1965. p. 48.

³ Koji Miyazaki. 'Javanese Labourers to North Borneo in the First Half of the Twentieth Century'. in: Koji Miyazaki (ed.). *Making of Multi Cultural Sabah*. Tokyo: Research Institute for Languages and Cultures of Asia and Africa. 2002.

⁴ Suhaimi bin Untong. 'Melencer' Orang-orang Jawa ke Borneo Utara, 1881-1941'. Unpublished Graduation Exercise. University Malaya. 1994.; Koji Miyazaki. 'Javanese Labourers'.

a better understanding of the Javanese existence in Sabah today. He provides a general account of the settlement pattern of Javanese immigrants, and argues that the tradition of '*merantau*', a temporary movement for the purpose of seeking employment, was the main reason for Javanese migration to Sabah. This was due to the perception that Sabah was part of the *tanah sabrang*, or the 'Outer Islands'⁵ in the Malay archipelago. This view subsequently influenced the settlement pattern and formation of various Javanese villages throughout the state. Danny Wong Tze-Ken provides an insight into labour unrest in colonial British North Borneo. The study is vital in assessing the social dimension of their indentured experience, and describes the form of resistance that Javanese labourers resorted to, and the methods used by employers and government to combat dissension and riots. Wong Yieng Ching gives particular emphasis to examining the Javanese migrants' impact on the socio-economic development of the territory.⁶

While these writings have sought to provide a comprehensive account of Javanese immigrants, such accounts tend to be descriptive rather than analytical. Most have devoted little space to an understanding of the indenture system itself, let alone how it affected the Javanese immigrants. To be sure, there are several works on British North Borneo that draw attention to the question of labour, namely those by Massey, Tregonning, Black, Kahin, and Kaur. All highlighted British North Borneo's lack of population and its need for labour. They also demonstrated how these predicaments were solved, by assisting immigrant settlers and securing outside labourers, particularly the Chinese and Javanese.

⁵ The 'Outer Islands' was the term given to all the islands of the Netherlands East Indies beyond Java and Madura.

⁶ Khazin Mohd. Tamrin. 'Perantau Jawa di Sabah dari Perspektif Sejarah'. in: Mohd. Sarim Mustajab. (ed). *Warisan Budaya Sabah: Etnisiti dan Masyarakat*. Universiti Malaysia Sabah. 2004. pp 229-243; Danny Wong Tze-Ken. *Historical Sabah: Community and Society*. Kota Kinabalu: Natural History Publications (Borneo). 2004. Wong Yieng Ching. 'Orang Jawa di Borneo Utara (1881-1941)'. Unpublished Graduation Exercise. Universiti Malaysia Sabah. 2005.

Massey's doctoral research on the nature and causes of the territory's economic growth and development during the Chartered Company period is essential for a better understanding of British North Borneo's colonial economic history. Tregonning's work provides elements of discussion that are essential in appraising the role of the state on the question of labour. The discussion on labour legislation, though not detailed, acknowledges those positive measures brought to bear on improving labour conditions. His observations on labour problems, labour recruitment and conditions of labour in British North Borneo provide a good basis for further discussion on the subject. Tregonning's work provides essential background to labour and immigrants' issues, but it could be faulted in the sense that it was Eurocentric, and the official view comes through very strongly in his account.⁷

Ian D. Black provides an analytical discussion of early British North Borneo by discussing the policies of the Chartered Company, and the reactions of the people to Company rule. In regards to contract labour, Black has highlighted the contractual elements and the consequences of debts on the migrants. Although he noted that many imported labourers spent years on the estates, in a condition akin to 'debt slavery', the Malayan abolition of Indian and Chinese indentured labourers led him to conclude that conditions were slowly improving on the estates in British North Borneo.⁸ Here, he concurred with the sentiments of Tregonning. These views will be further studied in this thesis. Given the situation described above, Black's work is vital in looking at the close relationship between the BNBC government and the colonial government in Malaya, so as to determine the policies and legislation pertaining to indentured labour in British North Borneo.

⁷ Andrew Massey. 'The Political Economy of Stagnation. British North Borneo under the Chartered Company 1881-1946'. Unpublished PhD. Dissertation. Hamilton University, Queensland, Australia, July 2004; K.G. Tregonning, *A History of Modern Sabah, 1881-1963*. Singapore: University of Malaya Press. 1965. pp.129-154.

⁸ Ian D. Black. *A Gambling Style of Government*. London: Oxford University Press. 1984. p. 211.

Just as important were Black's and D.S. Ranjit Singh's examinations of indigenous wage labour. Both authors remarked that it was not so much that the indigenous people were against wage labour and unsuitable for the regular agricultural labour that was required by the planters. According to them, the colonial state imposed rules restricting the participation of the indigenous peoples in the economic modernisation of the territory, and instead, urged them to concentrate on their traditional economic endeavours. In his observation of the dynamics of British North Borneo's indigenous society, D.S. Ranjit Singh further reiterates that employers eventually tended to rely more on native labour, as a consequence of rigid regulations imposed by the NEI authorities pertaining to labour from Java.⁹

From a different perspective, George McTurnan Kahin unveils that the reasons behind the absence of organised indigenous labour in British North Borneo was the weak bargaining position of local labour in the face of constant pressure from outside sources of labour. The latter was always ready to come in and take the former's place. Additionally, local labour had no control over the government's immigration policy. Kahin concludes that legislation made the forming of labour unions extremely difficult, and that any organisation that was 'likely to be used for unlawful purposes or for purposes prejudicial to the peace, good order or welfare of the State', could be refused registration, or ordered by the Government to be dissolved.¹⁰ This work provides an essential background to labour legislation and government policies.

On the contrary, Amarjit Kaur's analysis of labour differs from the positive sentiments of earlier Western writers. Amarjit Kaur's work shows the Company government's efforts to gradually eliminate the many varieties of traditionally coerced labour. She noted that opportunities for wage labour expanded with a greater

⁹ Black. *Gambling*. p. 116; D.S. Ranjit Singh. *The Making of Sabah 1865-1941. The Dynamics of Indigenous Society*. 2nd Edition. Kuala Lumpur: University of Malaya Press. 2003. pp. 246-249.

¹⁰ George McTurnan Kahin, 'The State of North Borneo, 1881-1946'. *The Far Eastern Quarterly*. 7,1 (Nov., 1947). p. 61.

commercialisation of the economy, the spread of plantation agriculture, and increased trade. Nevertheless, she argues that the remnants of 'bonded' labour persisted with the emergence of indentured labour with a special penal clause, as the economy of the state was integrated into the wider international economy with the spread of capitalism. Hence, immigrants, according to her, laboured under 'harsh conditions reminiscent of slavery'.¹¹ Her detailed account of the lure of wage labour for the indigenous people, and their sophistication about the value of their labour once they were exposed to it and each other, is also imperative in examining the impact of indigenous wage labour on Javanese indentured immigrants.

Lee's work, although focusing mainly on population and settlement, is equally important in the discussion of Javanese indentured labour, and especially in an attempt to better appreciate the main impact of the Javanese indentured immigration to the state. Lee argues that the rise in population was due to the importation of Javanese and Chinese as rubber estate labourers, and their increase or decrease had simply followed the agricultural development of the state. According to him, critics of indentured labour under penal clauses, and the loud outcry against the system world wide, which finally led to abolition of indentured labour in many colonies, had a consequential impact on British North Borneo. It witnessed a decline in the population of the territory, as many indentured labourers were repatriated to their own country. On a different note, he observes that the immigration of Javanese indentured labourers had adverse effects on the indigenous population, especially on the Murut people.¹² Similar observations were also made by Anwar Sullivan and Patricia Regis, and Jones.¹³

¹¹ Amarjit Kaur. *Economic Change in East Malaysia: Sabah and Sarawak since 1850*. New York: St. Martin's Press. 1998. p. 93.

¹² Lee Yong Leng. *North Borneo*. 1965.

¹³ Anwar Sullivan and Patricia Regis. 'Demography'. in: Anwar Sullivan and Cecilia Leong. (eds). *Commemorative History of Sabah, 1881-1981*. Kota Kinabalu: The Sabah State Government. 1981; L.W. Jones. *The Population of Borneo: A Study of Peoples of Sarawak, Sabah and Brunei*. University of London: The Athlone Press. 1966.

Apart from those mentioned above, studies by Termorshuizen, Gooszen, Houben, Spaan, and Lockard, are among those that have made a fleeting remark on the role of British North Borneo as one of the colonies utilising Javanese indentured labourers, and its function in 'sponging up' excess population from the island of Java. Recently published in 2008, Termorshuizen's article looks into the system of indentured labour in the various colonies within the Dutch colonial empire, in addition to some comparative analysis on non-Dutch colonies that have secured Javanese labourers. Again, the absence of British North Borneo in the discussion on demographic figures, migratory routes and destinations, and early working and living conditions, is starkly obvious. Gooszen focuses on the impact of overpopulation to Indonesia's demography, while Houben studies Javanese coolie immigration in general. Conversely, Spaan concentrates on the role of middle persons and brokers in assisting Javanese immigration, with Lockard looking into the settlement patterns of Javanese emigrants in overseas destinations.¹⁴ Also important is the study by Yoko Hayashi who delves into the role of labour recruitment organisations in colonial Java.¹⁵

In contrast, the historiography on the Javanese as indentured immigrants in a wider geographical spread is quite rich. The vast literature is important in assessing and comparing Dutch colonial government's policies, methods of recruitment, and conditions of indenture. Lindblad analyses Dutch colonial economic expansion in the NEI, and the mobilisation of Javanese coolies to cater to this rapid development. Houben, Lindblad and et al, have systematically described and analysed the conditions of Javanese and Chinese coolie labour in colonial Indonesia, specifically in the Outer

¹⁴ Thio Termorshuizen. 'Indentured Labour in the Dutch Colonial Empire, 1800-1940', in: Gert Oostindie (ed.). *Dutch Colonialism, Migration and Cultural Heritage*. Leiden: KITLV Press. 2008; A.J. Gooszen, *A Demographic History of the Indonesian Archipelago, 1880-1942*. Leiden: KITLV Press. 1999; Ernst Spaan. 'Taikongs and Calos: The Role of Middlemen and Brokers in Javanese International Migration'. *International Migration Review*. 28,1 (Spring 1994). pp. 93-113; V.J.H. Houben. 'Menyang Tanah Sabrang': Javanese Coolie Migration In-and Outside Indonesia 1900-1940.' Paper presented at the conference 'The Malay Archipelago and the World Economy, 1790s- 1990s,' Canberra. 23-27 November 1992; Craig A. Lockard. 'The Javanese as Emigrant: Observations on the Development of Javanese Settlement Overseas'. *Indonesia*. 11 (April 1971), pp. 41-62.

¹⁵ Yoko Hayashi. 'Agencies and Clients: Labour Recruitment in Java, 1870s-1950s'. IIAS/IISG CLARA Working Paper. No. 14. Amsterdam. 2002.

Islands, to 'provide a more solid foundation for final judgment'. Ann Stoler focuses on indentured labourers, and their descendants, in Deli, east coast Sumatra, the efforts by foreign plantation companies to control Javanese and Chinese labour, and labour's resistance to that control. On a slightly different note, Jan Breman analyses colonial policies in promoting the interests of agrarian capitalism, and argues that violence was part and parcel of plantation life in Deli, as the life and work of the coolies, which includes Javanese and Chinese, were conditioned by outside forces beyond their control. By using the economic-historical approach, works by Mohammad Said and Thee Kian-Wie raise issues of rising plantation economies in Deli, with the former focusing on wage levels and standard of living of the contract coolies, and the latter, examining its impact on export trade under Dutch rule. Also of particular importance are studies conducted by Karl Pelzer which looked into the suitability of lands in the Outer Islands, not only for plantation agricultures and their demands for Javanese labourers, but also to absorb Java's population problem.¹⁶ Meanwhile, Rosemarijn Hoeft's study provides a historical analysis on the social and economic experience of indentured and contract labour in Surinam, focusing primarily on Javanese and British Indians. Likewise, earlier works by anthropologists and sociologists such as, Joseph Ismael, Justus M. van der Kroef, Annemarie de Waal Malefijt, G.D. van Wengen, and Parsudi Suparlan, have looked into various aspects of Javanese immigration into Surinam, from the circumstances surrounding the labour immigration to the integration of the Javanese with the larger population.¹⁷ Works by Webby Silupya Kalikiti, Malte

¹⁶ J. Thomas Lindblad. 'The Late Colonial State and Economic Expansion 1900-1930s', in: Howard W. Dick et al. *The Emergence of a National Economy: An Economic History of Indonesia, 1800-2000*. Honolulu: University of Hawaii Press. 2002; Vincent J.H. Houben, et al. *Coolie Labour in Colonial Indonesia. A Study of Labour Relations in the Outer Islands, c.1900-1940*, Wiesbaden: Harrassowitz Verlag. 1999; Ann Stoler. *Capitalism and Confrontation in Sumatra's Plantation Belt, 1870-1979*. 2nd. Edition. University of Michigan Press. 1995; Jan Breman. *Taming the Coolie Beast: Plantation and Society and the Colonial Order in Southeast Asia*. Delhi and Oxford: Oxford University Press. 1989; Mohammad Said. *Koeli Kontrak Tempo Doeloe, dengan Derita dan Kemarahannya*. Medan: Percetakan Waspada, 1977; Thee Kian-Wie. *Plantation Agriculture and Export Growth: An Economic History of East Sumatra, 1863-1942*. Jakarta: Leknas-Lipi. 1977. Karl J. Pelzer. 'Tanah Sabrang and Java's Population Problem'. *The Far Eastern Quarterly*. 5,2 (February 1946); Karl J. Pelzer. *Pioneer Settlement in the Asiatic Tropics. Studies in Land Utilization and Agricultural Colonization in Southeastern Asia*. New York: American Geographical Society. 1945.

¹⁷ Rosemarijn Hoeft. *In Place of Slavery: A Social History of British Indian and Javanese Labourers in Suriname*. Honolulu: University Press of Florida. 1998; Joseph Ismael. *De immigratie van Indonesiërs in*

Stokhof, M.J. Murray, C.A. Lockard, among others, have focused on Javanese as plantation labourers, their settlement pattern, and their legacy, in Indochina,¹⁸ while Jean Luc Maurer, Dorothy Shineberg, and Lewis Feuer, have studied the role of the Javanese indentured immigrants on New Caledonia plantations and nickel mines.¹⁹ Khazin Mohd. Tamrin, Tunku Shamsul Bahrain, J. Norman Parmer, and Emmer and Shlomowitz, are among prominent figures of authority on Javanese indentured labour in colonial Malaya.²⁰

Indeed, very few works have placed emphasis on the Javanese indentured immigrants in British North Borneo. No attempt had been made to examine the government-imported Javanese on its own, the special provisions of the indenture contract against the local British North Borneo contract, the actual working and living conditions, the impact of indenture on the government-imported Javanese labourers, and most importantly, the correlation between the Javanese indenture system in British North Borneo and the continued debate surrounding the indentured labour system in the wider perspective.

Suriname. Leiden: Luctor et Emergo. 1949; Annemarie de Waal Malefijt. *The Javanese of Surinam: Segment of a Plural Society*. Assen, Neth.: Van Gorcum. 1963; G. D. van Wengen. *The Cultural Inheritance of the Javanese in Surinam* (Mededelingen van het Rijksmuseum voor Volkenkunde, Leiden). 1975; Parsudi Suparlan. *The Javanese in Suriname: Ethnicity in an Ethnically Plural Society*. Arizona State University: Program for Southeast Asian Studies. 1995.

¹⁸ Webby Silupya Kalikiti. 'Plantation Labour: Rubber Planters and the Colonial State in French Indochina, 1890-1939'. PhD. Thesis. SOAS: University of London. 2006; Malte Stokhof. 'Javanese in Hochiminh Today: an Aftermath of Coolie Migration in French Colonial Vietnam?'. Unpublished Masters Thesis. Universiteit van Amsterdam. 2002; M.J. Murray. 'White Gold' or 'White Blood?': The Rubber Plantations of Colonial Indochina, 1910-40. *Journal of Peasant Studies*. 19, 3/4. (1992).

¹⁹ Jean Luc Maurer. 'Les Javanais du caillou, des affres de l'exil aux aléas de l'intégration: sociologie historique de la communauté indonésienne de Nouvelle Calédonie/The Javanese of the Rock: From the Hazards of Exile to the Hazards of Integration'. Cited from Jean-Louis Rallu. A book review. *Contemporary Pacific*. 19,2 (2007). pp. 633-634; Dorothy Shineberg. *The People Trade: Pacific Island Laborers and New Caledonia, 1865-1930*. Honolulu: University of Hawaii Press. 1999; Lewis S. Feuer, 'End of Coolie Trade in New Caledonia'. *Far Eastern Survey*. 15,17 (1946). pp 264-267.

²⁰ Khazin Mohd Tamrin. 'Javanese Labour and the Development of Malaya. Kertas Kadangkala Bil. 6. UKM: FSKK. 1992; Tunku Shamsul Bahrain. 'The Pattern of Indonesian Migration and Settlement in Malaya'. *Asian Studies*. 1,2 (August 1967). pp. 233-257; J. Norman Parmer. *Colonial Labour Policy and Administration: A History of Labour in the Rubber Plantation Industry in Malaya. c.1910-1941*. Monographs of the Association for Asian Studies. No. IX. New York: J.J. Augustine Inc. 1960; P.C. Emmer and R. Shlomowitz. 'Mortality and the Javanese Diaspora'. *Itinerario*. 21,1 (1997).

The objective of this study is thus to examine the historical process of Javanese indentured labourers in British North Borneo during the Chartered Company era. Specifically, this study seeks to analyse the extent to which the system of Javanese indentured labour in British North Borneo over the 1914 to 1932 period, was 'a new form of slavery', or a particular variety of 'free labour'.

THEORETICAL FRAMEWORK

The empirical study of Javanese indentured migrants will make it possible to gauge whether their experience shared similar characteristics with the general tenets of indentured labour, or whether it manages to produce a distinct kind of indenture, which can be traced only in British North Borneo. It is the case that if the system of indentured labour is assessed in a particular destination, this implies that a theoretical consideration is borne in mind, against which the outcome of the study is judged. The debate surrounding the indentured system as a new form of slavery will be analysed in the case study of the Javanese in British North Borneo, testing whether it falls under the Tinker school of thought, or the 'revisionist' perspective.

Scholars of the 'nationalist', 'anti-colonial' and 'neo-marxist' school have raised controversial arguments regarding indentured forms of labour. Hugh Tinker, in his study on the Indian indentured labour overseas, argues that indentured labour was a 'new system of slavery'.²¹ Advocates of this notion discern strong resemblances between the old system of labour and the indentured labour system. These Marxist-oriented scholars have equated them with one 'mode of production'.²² They have argued that coolies were very seldom voluntary migrants; most were kidnapped, tricked and blackmailed into signing indentures; the official machinery of control was inadequate to stop abuses; and the sea voyage, particularly in the mid-nineteenth

²¹ Hugh Tinker. *A New System of Slavery: The Export of Indian Labour Overseas, 1830-1920*. London: Oxford University Press. 1974.

²² Vincent J.H. Houben. 'Introduction: The Coolie System in Colonial Indonesia', in: Houben, Lindblad, et. al. *Coolie Labour*. p. 5.

century, was almost as bad as the notorious slave ships from West Africa to the Americas. In the plantations, conditions differed very little from those of formal slavery: workers were not free to use their labour when and how they wanted, always being at the mercy of the planters; there were very low wages, appalling and hazardous working and living quarters, brutal punishments, and a high incidence of sexual issues, due to the low proportion of female emigrants.²³ In the final analysis, indentured labourers were depicted as victims of various forms of greed, deception, and colonial coercion. Unflattering nicknames, such as 'blackbirding', 'pig trade' and 'coolie trade', emerged to describe the negative attributes of the indentured labour system, and associated the system with slavery.²⁴

Wells, in his study on India and Indochina, goes so far as to say that the system of plantation wage labour was 'in many respects more insidious than slavery'. According to him, 'the indenture system effectively commodified the person (not just their capacity to labour) while placing merely a nominal value on their skills as workers'. As opposed to chattel slaves, indentured labourers were also incapable of reproducing themselves because they were denied the opportunity or resources to establish families. Wells continues to argue that indentured workers were 'more intensively enslaved than many former and 'traditional' slaves'.²⁵ Likewise, Gordon contends that the system was even worse than slavery. The owners treated slaves as being permanent possessions, and as a long-term investment, whose value would drop if maltreated. On the contrary, indentured labourers were seen as short-term investment,

²³ See Monica Schuler. 'The Recruitment of African Indentured Labourers for European Colonies in the Nineteenth Century.' pp. 125-61, in: P.C. Emmer, (ed.). *Colonialism and Migration: Indentured Labour and After Slavery*. 1986; Kay Saunders (ed.). *Indentured Labour in the British Empire 1834-1920*. London & Canberra: Croom Helm. 1984; Wendy K. Olsen & Ramana Murthy. 'Contract Labour and Bondage in Andhra Pradesh (India). *Journal of Social and Political Thoughts*. 1,2 (June 2000).

²⁴ David Northrup. *Indentured Labor in the Age of Migration, 1834-1922*. Cambridge: Cambridge University Press. 1995. p. 5; See Martin J. Murray. "'Blackbirding' at 'Crooks Corner': Illicit Labour Recruiting in the Northeastern Transvaal, 1910-1940'. *Journal of Southeastern African Studies*. 21,3 (Sept. 1995). pp. 373-397.

²⁵ Andrew Wells. 'Imperial Hegemony and Colonial Labour'. *Rethinking Marxism*, 19,2 (2007). p. 190.

and since their employers had only a brief interest in them, they could be worked as hard as possible, 'even to death'.²⁶

Nevertheless, the 'revisionist', 'modernist', 'imperialist' and 'colonialist' scholars, notably Stanley Engerman, Ralph Shlomowitz, and Pieter C. Emmer have all challenged the notion of indentured labour as an extension of slavery. The defenders of the system undeniably agree that there are similarities between the two systems of labour, but these similarities only affected a minority of indentured migrants, and did not apply to the entire matrix of indentured labour. They contend that most emigrants were indentured voluntarily due to the push-pull factors of migration, and the fact that many were re-indentured voluntarily also suggest that the whole trade was conducted on a voluntary basis.²⁷ Engerman emphasises the distinction between contract labour and enslavement on the voluntary nature of the agreement and limited period of indenture.²⁸ Shlomowitz sees the system as 'a voluntary business arrangement, subject to government supervision, with the islanders as willing participants', in his study of the Pacific labour trade.²⁹ Fundamentally, the revisionists' focus on economic rationale of the migrants, who migrated voluntarily due to the harsh living conditions back home, and the pull of wages and remittances at the receiving destination. Migration, according to Emmer, would make the emigrants better off economically, as the indentured system would guarantee them jobs for a specific time frame, regardless of the overall economic situation.³⁰ Thus, indentured emigration 'was the result of rational and deliberate choice on the part of migrants, prompted by hopes of bettering their future'.³¹ Some scholars even remarked that indentured labour overall had more in

²⁶ Alec Gordon. 'Dynamics of Labour Transformation: Natural Rubber in Southeast Asia'. *Journal of Contemporary Asia*. 34,4 (2004). pp. 523-546.

²⁷ Ralph Shlomowitz. 'Epidemiology and the Pacific Labor Trade'. *Journal of Interdisciplinary History*. 19,4 (Spring 1989). p. 590.

²⁸ Stanley L. Engerman. 'Contract Labor, Sugar, and Technology in the Nineteenth Century'. *Journal of Economic History*. 43,3 (September 1983). pp. 645 & 647.

²⁹ Shlomowitz, 'Epidemiology'. p.589

³⁰ Pieter Emmer, 'European Expansion and Unfree Labour: An Introduction'. *Itinerario*, 21,1 (1997). p 13; Engerman. 'Contract Labour'. p. 645.

³¹ Pieter Emmer. 'Was Migration Beneficial?', in: Jan Lucassen and Lucassen (ed). *Migration, Migration History, History: Old Paradigms and New Perspectives*. Bern: P. Lang, 1997. p 123.

common with the experience of free migrants of the same period than with slaves, in terms of voluntary migration, permanent settlements, cyclical migration, transportation and regulation.³²

The revisionists, however, were criticised for underestimating the legal mechanisms, especially the penal sanctions used to control the contract labourers. The traditionalists construed these legal mechanisms as the key 'unfree' component in an indentured labour system, forcing labourers to live in a state of virtual bondage or slavery.³³ However, one has to consider that penal sanctions were not always in force in law, and even if they were, they were differentially enforced on indenture contracts. Some indenture contracts were not subject to penal sanctions, so this was really free labour under long fixed contracts. A typical example was the disappearance of penal sanctions on labour contracts in Malaya after 1922, although indenture still applied to Javanese labourers who arrived under a special Dutch permit until 1932. In fact, indenture was abolished for Indians as early as 1910.³⁴

Meanwhile, contracts of indenture with penal sanctions could be divided into two. The first type was where the colonial state was reluctant to enforce criminal punishment for minor breaches of contract. I shall show in the thesis that the Javanese indentured labour system in British North Borneo fell into this category. The second category saw the colonial state fully enforcing them on indenture contracts, thus pointing to the system being a very strong one. Nevertheless, even 'strong' indentures should not be conflated with 'slavery'. It took more than the existence of penal sanctions to label the system of indentured labour as a disguised form of slavery. The

³² Colin Newbury, 'Labour Migration in the Imperial Phase: An Essay in Interpretation'. *Journal of Imperial and Commonwealth History*. 3,2 (1975). p. 235; Pieter Emmer. 'The Great Escape: The Migration of Female Indentured Servants from British India to Suriname'. in: David Richardson (ed). *Abolition and Its Aftermath: The Historical Context, 1790-1916*. London: Frank Cass, 1985. pp. 245-247; Northrup. *Indentured Labor*. p. 7.

³³ Hoeffte. *In Place of Slavery*. p. 34; Adapa Satyanarayana. "'Birds of Passage'. Migration of South Indian Labour Communities to South-East Asia, 19-20th Centuries, A.D.'. Clara Working Paper No. 11. Amsterdam. 2001. p. 4.

³⁴ See Virginia Thompson. *Labour Problems in Southeast Asia*. New York: Yale University Press. pp. 63 and 66; Parmer. *Colonial Labour Policy*. 1960.

latter was exemplified by the system of automatic re-contracting enforced in Cuba and Peru in the nineteenth century. The Spanish government in Cuba decreed that Chinese indentured coolies either had to re-indenture themselves at the end of their eight-year contract, or leave the island within two months. In the event that they would not, or could not, do either, they had to earn money from public works to pay for their passage to the destination of their choice. Automatic re-contracting prevailed, and effectively made the Cuban system almost indistinguishable from slavery, especially as many workers entered the indentured system through self sale or kidnapping.³⁵

Therefore, as accentuated by a revisionist scholar, too much emphasis on the legal dimensions, i.e. penal sanctions, notwithstanding their importance, would only result in 'an incomplete, if not distorted understanding of immigrant life'. This, however, can be remedied by considering the multi-dimensional historical reality (social, economic and cultural factors) that also helped to shape the indentured experience.³⁶ I shall develop the argument by investigating these multi-dimensional contexts. I want to suggest that Javanese immigration, under the indentured system of labour, developed from prevailing conditions, in both British North Borneo and Java. I also want to show that Javanese indentured workers endured regimented living and working conditions, under civil contracts, which sanctioned criminal punishments. However, the desperate need for labour, the prevailing conditions in Java, the regulated recruitment and immigration procedures, the characteristics of their indenture experience on British North Borneo enterprises, the post-indenture options available to the labourers, the inferior position of the Company government vis-à-vis the Dutch authorities, and the incessant disagreement between employers' representatives which weakened their collective bargaining power, have all helped to depict Javanese indentured labour

³⁵ Matt Pratt Guterl. 'After Slavery: Asian Labor, the American South, and the Age of Emancipation'. *Journal of World History*. 14,2 (2003). p. 217; Ong Jin Hui. 'Chinese Indentured Labour: Coolies and Colonies'. in: Robin Cohen (ed.). *The Cambridge Survey of World Migration*. Cambridge: Cambridge University Press. 1995. pp. 51-56.

³⁶ Richard Allen. 'Review Essay. Indentured Labour and the Need for Historical Context'. *Historian*. 63,2 (Winter 2001). p. 393.

experience in British North Borneo not so much as slavery in a disguised form, but as a unique variety of 'free labour'.

SCOPE AND LIMITS OF STUDY

This study does not attempt to give a comprehensive history of immigrants in British North Borneo. Nor is it an attempt to produce a comprehensive history of labour immigrants or labour *per se*. This is essentially a study of Javanese labour immigration, and its relationship to the indentured system of labour in British North Borneo. The term indentured labour, as understood in this study, refers to legal indentures initially signed in Java, for an extended period of time, i.e. usually two to three years. A greater part of the Javanese labour force in British North Borneo was privately recruited from Singapore using the services of merchant brokers and former labourers (*laukehs*). Like the Java-recruited Javanese, Singapore-recruited Javanese were given advance monies upon recruitment, and laboured under written contracts with penal sanctions. However, the latter group is excluded from the definition of 'indentured labourer' referred to in this thesis because they signed a different kind of written contract. The contract was concluded within British North Borneo itself, for a period of one year, and terminable by the labourer on one month's notice, and upon repayment of overdue debts. Hence, despite the necessary reference to immigration, 'free' Javanese and Chinese migrants serving local contracts, indigenous labourers, and labour conditions in British North Borneo, it is the government-recruited Javanese working on the Dutch contract (also locally termed as Java *kontrakkan* to differentiate them with other Javanese in the territory) and the characteristics of indenture, which are the primary objects of this investigation. The rest is included in the general discussion, as and where appropriate, to allow for a better treatment and understanding of the topic.

The majority of indentured labourers for British North Borneo enterprises were the Javanese-speaking people of Central and East Java. The Sundanese of West Java and the Madurese-speaking people of the eastern part of Java (close to the island of

Madura) constituted very small minorities. For the sake of convenience, the term 'Javanese' is used in the thesis to refer to the general natives of the island of Java. Distinction based on ethnicity was made when and where necessary. The terms 'labourers', 'coolies', and 'workers' are used interchangeably to describe unskilled people or groups of Asian origin who laboured on British North Borneo estates, timber camps or mines.

This study concerns a period delineated by two clear boundaries. It begins in 1914, with the arrival of the first batch of a long series of indentured migrants from Java to British North Borneo. The early twentieth century marked the boom in the rubber industry in the territory, and the abolition of the indentured labour system in Malaya by 1914. The need for labour to work on rubber estates, and the prohibition by the Straits Settlements on imports of Chinese labourers from China and Singapore under indenture, after July 1914, resulted in the Company importing labourers from Java. The study ends in 1932, with the expiration of the remaining contract, and the Company's ending of the importation of Javanese indentured migrants. The year also coincided with the abolition of indentured labour under penal sanctions in British North Borneo, following external pressure from the International Labour Organisation, the United States of America's, and the impact of the Great Depression (1929-1932) on the world economy. Although the temporal focus of this study spans eighteen years, an early chapter includes earlier developments, to provide sufficient background for understanding migration. The study also breaches the terminal date to consider the long-term fate of Javanese indentured migrants.

The orientation of this study is both qualitative and quantitative, and concerns not only what is recorded as having happened, but also the ways in which events and actions were represented. Apart from descriptive analysis, quantitative evidence is also helpful. The thesis structure will be developed thematically, although a chronological

stance is adopted for the description and analysis within each of the chapter. This thesis is primarily an empirical historical study.

SOURCES

Primary sources for this thesis are derived from archives and libraries in the United Kingdom, the Netherlands, Malaysia, and Singapore. The sources consist of written correspondence (official and secret), reports, memos, transcripts, newspapers and personal papers. The United Kingdom offers an extensive collection of unpublished sources relating to the Chartered Company administration of British North Borneo, and company archives. The primary materials deposited at the National Archives (Public Record Office, PRO) at Kew consist of policy decisions, correspondence files of the North Borneo Chartered Company and the Straits Settlements, sessional papers, minutes of meetings, protectorate reports and maps. Additionally, the India Office Records administered by the British Library housed important correspondence relating to the question of Indian immigration to British North Borneo. Correspondence relating to the negotiation between the Company government and the Dutch authorities are also derived from The National Archives, The Hague (*Algemeen Rijks Archief, ARA*), under the *Mailrapporten (MR)* and *Verbalen (V)* series. However, due to linguistic limitations, I was only able to read a limited selection of Dutch materials, for which I obtained help with translation. Most importantly, the thesis also depended heavily on primary documents found in Malaysia. The Sabah State Archive (SSA) housed important sets of original BNBC papers, with more than 1,200 files listed under the North Borneo Central Archive (NBCA) series, while invaluable protectorate reports and correspondence are kept in 'Miscellaneous', under the 'Despatches and Savingrams' series.

Also important are published primary materials, particularly the House of Commons Parliamentary Papers (HCPP) or the *Hansards*, which contain debates, commission reports, statistical evidence and treaties pertaining to the economic

development and labour conditions of British North Borneo. Of primary importance is the *Correspondence on the Subject of Allegations against the Administration of the British North Borneo Company*, which contains communications between the Company government, Colonial Office and Anti-Slavery and Aborigines Protection Society, on the conditions of contract labour in British North Borneo. To complement these, publications by the Society in London, specifically *The Anti-Slavery Reporter and Aborigines' Friend* proved helpful for this research. These sources have been cross-examined with the unpublished correspondence easily accessible at the PRO and the SSA.

Published commission reports on the rubber industry, indentured and contract labours, and emigration, were also derived from the National University of Singapore (NUS), while published Dutch labour inspectorate's reports have been consulted at the Royal Tropical Institute (Koninklijk Instituut voor de Tropen, KIT) in Amsterdam (although similar linguistic limitations as mentioned above apply). Official published primary sources such as, *Reports of the Half-Yearly Meetings of the BNBC*, *the Progress Report of the BNBC*, *Handbooks of the State of North Borneo*, *Administration Reports*, and *Official Gazettes*, kept in the United Kingdom and Malaysia, are also crucial sources. Other important unofficial published primary sources included works written by contemporary writers (planters and ex-civil servants) during the Chartered Company rule, such as Owen Rutter, Oscar Cook and Charles Bruce.³⁷

'Private papers' is another category of unpublished sources relevant for this study. The SOAS archive keeps papers written and collected by E.P. Gueritz (ex-Governor of British North Borneo), and the Guthrie Corporation. The latter includes records relating to plantation interests in British North Borneo. The private papers of

³⁷ Owen Rutter. *British North Borneo: An Account of Its History, Resources and Native Tribes*. London: Constable & Co. Ltd. 1922; Oscar Cook. *Borneo, the Stealer of Hearts*. New York: Houghton Mifflin Company. 1924; Charles (A.B.C. Francis) Bruce. *Twenty Years in Borneo*. London: Cassell and Company Ltd. 1924.

Allan Chin Yin Foh, a former estate assistant manager, proved invaluable, as it provided a first hand account of labour conditions during the early years. Likewise, one of the main newspapers consulted was the *British North Borneo Herald, BNBH* (deposited at the Sabah State Archive and Public Records Office). However, although the paper, being the only form of printable mass media, represents a wide selection of news, commentaries and reports on labour and production, it was still a 'capitalist' newspaper, and was shaped by the philosophical and ideological motivation of the 'superior class' and authors of the period. *Warta Ahad* and the *Malay Mail* were also consulted at the Malaysia National Archives (ANM), but they were of minor use.

The sources mentioned above have been synthesised to get a better understanding of labour legislation, government's responses to planters' demands for assistance in recruiting labourers, the negotiations between colonial governments, the mechanisms of recruitment, the life of the indentured coolies, and the post-indenture experience of the labourers. However, the range of sources for this thesis, although it contained widely different materials, shares a common thread. They often reflect elitist perceptions, attitudes, and paradigms, and as the authors are in the vast majority white European males, the data are flavoured in that manner. The attitudes and perspectives of other persons, such as the Javanese, Chinese and indigenous people, are minimal and sometimes rarely mentioned. The voices of these 'common' people usually have to be inferred from these sources, or read 'against the grain'.

The printed annual reports of the Protectorate Department particularly, contain a wealth of quantitative data on numbers of coolies, their ethnicity and legal status, deaths, mortality and morbidity, prosecutions and convictions, labour unrests and desertions. The inspection reports by the Protectorate and the Dutch Labour Inspectorate officers, both published and unpublished, present insights that are lacking from other sources. However, one could say that the alleged affinity of the inspecting officers with the Western enterprises, the employers, as opposed to the interests of the

coolies, the employees, rendered this source to be problematic. However, on their studies of coolie labour in colonial Indonesia, Houben and Lindblad posit that when writing such reports, inspecting officers were usually more concerned whether the legal provisions were enforced accordingly, and not with broad policy issues, for instance, the justification of bonded labour or the existence of penal sanctions.³⁸ Lindblad also argues that the source can provide information of 'a sufficient quality for a scientific assessment even if takes into account its inevitable flaws, biases and prejudices'. This applies to statistical information on the size and composition of the labour force, and other quantitative indicators of labour conditions. The reports would give a 'reasonably accurate impression' of what inspecting officials had observed. One could also argue that there is the possibility of the labour inspectors giving a partial representation of the actual situation because cases of unrecorded deaths, or overlooked cases of abuses, prevailed during the period. In such cases, corroborative evidence from another source has been utilised, but when no such evidence was found, taking the advice of Lindblad, I have accepted the reports as a useful source, in the hope that possible distortions had not affected general trends.³⁹

One method of corroborating archival materials is the utilisation of oral sources. However, as far as I (and the SSA archivists) know, no collections containing interviews with the labouring class (Javanese, Chinese, etc) ever came into existence. As a result, I attempted to search for this special group of people myself during my fieldtrips in Sabah. As expected, the biggest challenge to oral testimonies was the availability of respondents, who were actually indentured migrants. Almost all of them have passed away. For the few that were interviewed, failing memories due to age constraints, and poor health, compromised the credibility of their information. Oral traditions had been of some use through family history from descendants of the indentured migrants, but I have used them sparingly, and in a calculated manner. The

³⁸ Houben. 'Introduction'. p. 21.

³⁹ J. Thomas Lindblad. 'Coolies in Deli: Labour Conditions in Western Enterprises in East Sumatra, 1910-1938, in: Houben, Lindblad, et. al. *Coolie Labour*. p. 45.

majority of those interviewed were second or even third generation Javanese, whose knowledge of their parents' or forefathers' indenture experience was extremely limited. Even when I interviewed several Javanese from various social backgrounds, most of them were ignorant whether their ancestors were indeed indentured labourers, or just contract labourers under the local contract. Despite these limitations, I did use a handful of interviews to aid in substantiating certain facts and perspectives obtained from written sources.

Apart from primary sources, I have also referred to secondary sources which are important in filling in the background of the Javanese migrants. Writings by Karl Pelzer, Virginia Thompson, Bram Peper, Nathan Keyfitz, J.H. Boeke, Clifford Geertz, Wibo Peekema, Widjojo Nitisastro, and Riwanto Tirtosudarmo among others, describe domestic conditions in rural Central and East Java which affected Javanese decisions to migrate to other destinations, including British North Borneo, under the indentured system of labour.⁴⁰ Additionally, to place the British North Borneo experience into context, examination by P.T. Bauer on world rubber conditions also helped in my analysis.⁴¹ Likewise, I have also consulted the works of renowned historians, economists, anthropologists and sociologists, who have written extensively on related topics, such as international labour migration, indentured labour, slavery, capitalism, imperialism and colonialism.

⁴⁰ Thompson. *Labor Problems*. 1947; Bram Peper. 'Population Growth in Java in the 19th Century: A New Interpretation.' *Population Studies*. 24,1 (March 1970); Nathan Keyfitz. 'Indonesian Population and the European Industrial Revolution'. *Asian Survey*. 5,10 (October 1965). J.H. Boeke. *The Structure of Netherlands Indian Economy*. Institute of Pacific Relation, New York. 1942; Clifford Geertz. *The Social Context of Economic Change: An Indonesian Case Study*. M.J.T., Cambridge Mass. 1956; Wibo Peekema. 'Colonization of Javanese in the Outer Provinces of the Netherlands East-Indies'. *The Geographical Journal*. 101,4 (April 1943); Widjojo Nitisastro. *Population Trends in Indonesia*. Ithaca: Cornell University Press. 1970; Riwanto Tirtosudarmo. 'The Indonesian State's Response to Migration'. *Sojourn*. 14,1 (1999).

⁴¹ P.T. Bauer. *The Rubber Industry, a Study in Competition and Monopoly*. London: Longmanns, Green and Co. 1948.

Conclusion

The thesis is organised thematically. Chapter two presents an overview of British North Borneo, including economic growth and the demand for labour. Chapter three considers the negotiation between the Company government and Netherlands East Indies to recruit Javanese indentured labourers, and the dynamics involved in the immigration process. The push factors of Javanese immigration under the indenture system of labour, and the recruitment process, are discussed in chapter four, while in chapter five, the apparatus of protection for both employees and employers becomes the subject of discussion. Chapters six and seven discuss the living conditions of Javanese working under indenture, by focusing on material and non-material conditions, while Chapter eight discusses the repatriation of Javanese indentured labourers. The final chapter draws together the findings of the study to answer the research question, and also cross-examines the stance of relevant scholars pertaining to indentured labour in British North Borneo.

CHAPTER TWO

THE GROWTH IN THE DEMAND FOR LABOUR IN BRITISH NORTH BORNEO

Introduction

The granting of a Royal Charter by the British government to the British North Borneo Chartered Company (BNBC) in 1882, to govern the area of British North Borneo, recognised the BNBC as the sole legitimate government of the territory. Its policy did not foresee direct involvement in any business or plantation activity in British North Borneo, but it hoped to offer a favourable environment for such enterprise by others. This chapter seeks to analyse the growth of plantation agriculture as the mainstay of the territory's economic development, and how its development necessitated the demand for labour. It also strives to analyse the attempts made by the Company government to procure labour, and assess whether these attempts were successful in resolving the labour question within the territory.

Development of Plantation Agriculture in British North Borneo

Prior to the second half of the nineteenth century, plantation agriculture was unheard of in British North Borneo. It was confined to neighbouring Malaya and the Dutch East Indies. After the BNBC was awarded the Royal Charter, it had a dual mission. First, its principal policy of administration was to control natural resources, and the utilisation of these resources to promote economic development in the territory. Second, it was obligated to respect native rights and customs, which among others, included 'respect to the holding, possession, transfer, and disposition of lands and goods'.¹ This consideration arose at the insistence of individuals in the British government, who were

¹ See a reprint of the Royal Charter in SSA: *The Ordinance and Rules of the State of North Borneo, 1881-1936*. Sandakan: Government Printing Office. 1937. p. 619.

against the resurgence of rule by another chartered company following the demise of the East India Company.²

To promote economic growth, the BNBC was authorised to improve, develop and cultivate any land within the territory, and acquire additional land if desired. The Charter further authorised the Company to provide a viable administration, settle the territories and establish peaceful conditions, build the necessary communications infrastructure, and grant mining and timber concessions, along with land leases for agriculture for terms, or in perpetuity.³ In its attempt to attract potential investors, liberal policies were offered by the Company, and problems related to labour shortage were countered with promises to promote immigration. The Company obtained its revenues from land sales, taxation (such as custom import and export duties and poll tax), licences and trading permits, and the spirit and opium farms, customarily found in other British colonial possessions within Southeast Asia.⁴ The progress of the territory was gauged in terms of the revenue collected, rather than in terms of development.⁵

Land was utilised to promote economic growth based on plantation agriculture. Nevertheless, if plantation enterprise was to succeed, land had to be commodified. This was viewed as an important prerequisite for redistributing land to European planters, whom it was hoped would secure the economic development of the region.⁶ Without this legal step, security of tenure for investors could not be guaranteed, and investors would shy away from the territory. Not only would investors be unable to reap future benefits due to an inability to bequeath the property to desired heirs, but

² Black. *A Gambling Style of Government*. London: Oxford University Press. 1984. p. 31.

³ HCPP: C.5617. Papers Relating to North Borneo. 1888. pp. 3-4; Kahin. 'The State of North Borneo'. p. 44.

⁴ W.H. Treacher. 'British Borneo: Sketches of Brunei, Sarawak, Labuan and North Borneo. *Journal of the Straits Branch of the Royal Asiatic Society*. 21 (June 1890). pp. 82-92.

⁵ Amity Doolittle. 'Colliding Discourses: Western Land Laws and Native Customary Rights in North Borneo, 1881-1918'. *Journal of Southeast Asian Studies*. 34,1 (February 2003). p. 101.

⁶ Mark Cleary and Peter Eaton. *Borneo: Change and Development*. Oxford: Oxford University Press. 1992. p. 73.

they would not be able to sell the land freely should the need arise.⁷ However, this was no easy task, because the Company government realised that the very same native rights and legal institutions that the administrators of the Company were supposed to respect and protect became an obstruction to the expansion of commercial agriculture. Eventually, to make it easier for land to be commoditised, the Company government advocated a system of 'legal pluralism', in which the government supported some native customary laws, while those that obstructed the commercial exploitation of land were replaced with Western legal concepts.⁸

In 1883, the first Land Code for British North Borneo was promulgated. Ownership of land had to be registered by the indigenous population, and in return for land title, they had to pay an annual quit-rent. If within a three-year period the land was left uncultivated and no quit-rent had been paid, the land automatically reverted to the state.⁹ Additionally, disposal of land by any native group or individual was prohibited without authorisation from the Company. Instead of 'protecting' the indigenous people, the legislation paved the way for the categorisation of land, so that land could be alienated and sold to European planters. As Amity Doolittle notes, 'native rights to land were incrementally reduced with each new colonial law and policy, while European rights to land were increasingly privileged'.¹⁰

Under land regulations of 1883, large tracts of land, from the vast majority of its 12.8 million acres, were offered to investors at low prices on long-term leases.¹¹ 'Waste lands' or lots of 100 acres and above, were offered to prospective planters on 999 year

⁷ S. Suyanto, T.P. Tomich and K. Otsuka. 'Land Tenure and Farm Management Efficiency: the Case of Smallholder Rubber Production in Customary Land Areas of Sumatra. *Agroforestry Systems*. 52,145-160 (2001). (<http://www.springerlink.com/content/x02k3786w17m3515/fulltext.pdf?page=1>) (Accessed on 21 October 2008).

⁸ Amity Doolittle. 'Colliding Discourses'. p. 102.

⁹ For a detailed information of the land regulations, see SSA: NBCA 1428, Land Ordinance 1930; Land regulations 1883, 1894, 1904. For a summarised version, see Cleary. 'Plantation Agriculture'. pp. 173-174.

¹⁰ Doolittle. 'Colliding Discourses'. pp. 97-98.

¹¹ Massey. 'Political Economy'. p. 28.

leases, usually at a rental of one dollar (\$1)¹² per acre (although by the early 1890s the rate had fallen to 50 cents per acre), free of quit rent. Apart from liberal land grants, the Chartered Company also offered incentives, such as an absence of export tax and minimum authoritarian government supervision.¹³

Despite these land incentives, the economic development of British North Borneo during the initial years was slow, and response from planting circles on the whole remained lukewarm.¹⁴ The territory was considered as a new, indeed unknown terrain. Although extensive in area, it lacked a large population which could provide labour. Furthermore, it did not have any established sea communications. It involved higher risks compared to other accessible and more attractive colonies in Southeast Asia. In 1884, the territory's imports amounted to \$484,895, and exports to \$367,240.¹⁵ The Company was sustained economically by a continuation of earlier exports of edible birds' nests and jungle produce, such as rattan, gutta-percha, dammar, kapok, illipe nuts, camphor, lakka wood, sago and elephants' tusks.¹⁶

British North Borneo's economy went through dramatic changes with the introduction of the tobacco plantation in the late 1880s. Tobacco estate agriculture was seen by the Company administration as a panacea to boost its revenue, and it adopted a policy to encourage investment. Applicants would be given a free grant of 1,000 acres, on condition that they purchased a further 1,000 to 2,000 acres. Investors would then have to plant 80 fields (approximately 107 acres) with tobacco in the first season,

¹² All dollar figures quoted (unless otherwise stated) are in Straits dollars. In the nineteenth century, the value of the Straits dollar fluctuated, but in 1904, it was pegged to sterling at the rate of \$1.00 to 2s 4d (about US\$0.40-0.60 in pre-World War II terms).

¹³ PRO: CO874/244. Treacher, the Land Regulations of British North Borneo. 7 February 1883; See also, PRO: CO874/436. Land Regulations.

¹⁴ W. H. Medhurst. 'British North Borneo'. in: Paul H. Kratoska (ed.). *Honourable Intentions: Talks on the British Empire in South-East Asia Delivered at the Royal Colonial Institute 1874-1928*. Singapore: Oxford University Press. 1983. p. 101.

¹⁵ PRO: CO874/239. Report by Acting Consul-General Treacher on the Commerce and Navigation of the Sultanate of Brunei, the Territory of Sarawak and the Territory of British North Borneo for the year 1884, enclosure, Treacher to Alcock, 19 June 1885.

¹⁶ PRO: CO874/292. Alcock to Treacher, 18 May 1882; Alfred Dent to Treacher, 19 October 1882; Alcock to Treacher, 8 December 1882. See also, Tregonning. *A History of Modern Sabah*, p. 82.

while the remaining acreage would be taken up and paid for within two years of the free grant. These incentives were given until 1 August 1887.¹⁷

Such incentives were considered to be more attractive than those pertaining to either the Outer Provinces of the Dutch East Indies, or the nearby Federated Malay States (FMS). Encouraged by them, the high price of tobacco in the world market (London tobacco prices had been stable at around 23d per pound for the last five years), and the recognition by experts in London and Amsterdam that tobacco leaf produced in British North Borneo was equal to the best cigar leaf in the world, the territory was eventually invaded by tobacco planters. Tobacco estates were opened up mainly in remote areas, such as the Kinabatangan, Sugut, and Labuk on the east coast, and the Marudu Bay region to the north. By 1890, about twenty companies were involved in the production of tobacco; eight were Dutch, one German, and the remainder English.¹⁸ The London Borneo Tobacco Company, the Amsterdam Borneo Tobacco Company and the Darvel Bay Tobacco Company were the three most important companies, controlling about 150,000 acres (around one quarter) of the total concession area.¹⁹ These companies were 'large, hierarchically organised ... with salaried managements and hired workforces with integrated connections to external markets'.²⁰

The tobacco industry not only stimulated the revenue of the Chartered Company government, gathered from export duty (which was introduced in 1890) and land sales, but also increased employment opportunities within the territory. It led to coolie immigration into the territory, sponsored by the tobacco companies, which eventually contributed to the expansion of other export industries. For example, in 1909, the Darvel Bay Company and Batu Puteh Syndicate on the east coast employed

¹⁷ Massey. 'Political Economy'. p. 29; PRO: CO874/243. 'Governor British North Borneo. 17 December 1885'.

¹⁸ Cleary and Eaton. *Borneo*. p. 61.

¹⁹ *Handbook of the State of North Borneo*. 1890.

²⁰ Amarjit Kaur. *Economic Change*. p. 39.

2,082 and 925 Javanese and Chinese coolies respectively.²¹ However, the tobacco boom was short-lived, mainly because of the restrictive measures (the Mackinnon tariff) imposed in 1893 by the United States on the importation of tobacco, and the advent of rubber, with its quick profits. After 1902, the tobacco industry was on the decline.²² In 1910, only twelve tobacco plantations remained. Production had dropped from 807,336 kg in 1915 to 290,902 kg in 1929. The year 1929 also witnessed the survival of only one plantation company, the Darvel Bay Tobacco Plantation. Accordingly, the Chartered Company tried to play its role in sustaining the industry by resurrecting an estate at Lahad Datu, and it encouraged capital investment from abroad (i.e. the Imperial Tobacco Company of Great Britain and Ireland) to be injected into the state. Nevertheless, the once flourishing tobacco industry never regained its former glory, and after 1960, it remained an exclusively smallholder crop.²³

The decline of the tobacco industry did not imply a downturn in the territory's economy, as it was offset by the rapid extension of timber. Indeed, timber became one of the bulwarks of the territory's economy. By 1890, \$44,584 worth of timber was exported from British North Borneo, and the figure had risen to \$374,911 some twelve years later.²⁴ From around 1910 onwards, larger European estates mushroomed to organise the export of timber in large quantities to Hong Kong, building on its earlier efforts to develop the industry around Sandakan.²⁵ Until the formation of the British Borneo Timber Company (BBTC) in 1920, however, the trade lacked a central organising and marketing power.²⁶ The BBTC, a subsidiary company of the BNBC, and

²¹ PRO: CO648/1-6. Administration and Annual Reports. 1908-1913.; Cleary. 'Plantation Agriculture'. p. 175.

²² David W. John and James C. Jackson. 'The Tobacco Industry of North Borneo: A Distinctive Form of Plantation Agriculture'. *Journal of Southeast Asian Studies*. IV,1 (1973). pp.88-106.

²³ Amarjit Kaur. *Economic Change*. p. 41.

²⁴ Tregonning. *A History of Modern Sabah*. p. 82.

²⁵ A. Cook. 'Notes on the Recent Development, Explorations and Commercial Geography of British North Borneo'. *Journal of the Manchester Geographical Society*. 6,68-9 (1890), cited in, Cleary and Eaton. *Borneo*. p. 62.

²⁶ Cleary and Eaton. *Borneo*. p. 62.

with a capital of £1,000,000, was to have a virtual monopoly 'to cut, collect and export' timber for twenty five years.²⁷ This provided a valuable stimulus to the timber trade.

It was rubber, however, that presented British North Borneo with the greatest boost to its economy. To make rubber 'the largest and most remunerative undertaking in the country', the Company government decided to take 'exceptional measures' in an attempt to attract capital investment to British North Borneo.²⁸ Instructed by the Chartered Company board, Governor William C. Cowie introduced special concessions at the end of 1905, to attract foreign investments. Companies were floated in England, and large concessions of land were taken up. As in the case of tobacco, the main incentive was the granting of land on long-term leases, with 'no more than peppercorn rents'.²⁹ The Company also proposed a scheme to guarantee dividends to planting companies. Lands were sold to planting companies at £12 7s per hectare, and the amount was used to guarantee interest on the working capital of these companies during the preliminary years.³⁰ In addition, the rubber companies were exempted from export duty on rubber for a period of fifty years. However, in 1924 this exemption from export duty for all alienations of land for rubber, ceased.³¹

These favourable incentives meant that rubber growers in British North Borneo were better off as compared with their fellows in the major rubber-producing countries. Planters in Malaya and Sumatra had to pay quit rent on their whole estates, whether developed or not, as well as customs duty on all exported rubber. The North Borneo Rubber Commission reported on the encouragement given by the Chartered Company, namely to attract capital for rubber cultivation in the territory 'without parallel' in the industry.³² On comparing the colonial development of Southeast Asian colonies, Voon

²⁷ Tregonning. *A History of Modern Sabah*. p. 82.

²⁸ SSA: BNBH. Vol. 24. 1906. p. 2.

²⁹ C.E.T. Mann, et. al. *Report of the North Borneo Rubber Commission*. Singapore: V.C.G. Gatrell, Government Printer. 1949. p. 4

³⁰ PRO: CO855/23/252 BNBHFR/27/21 2 November 1909.

³¹ Mann. *Report of North Borneo Rubber*. p. 4.

³² Mann. *Report of North Borneo Rubber*. p. 4.

argues that these attempts, particularly the assurance to pay dividends, was exclusively found in British North Borneo, and was 'a desperate measure to boost development' in the territory.³³

As a result of these domestic incentives, European estates were quickly opened up on the relatively densely populated west coast, at Menggatal, Papar, Beaufort and Tenom. As early as 1909, seventeen such estates had emerged on the west coast.³⁴ These companies had a combined concession area of about 100,000 acres and a nominal capital value in excess of one million pounds sterling.³⁵ These estates were mainly concentrated on the west coast, and followed the construction of the railway by the Company government, from Jesselton to Tenom, in the interior residency.³⁶ The construction of a railway, despite the Company government almost being bankrupted, facilitated capitalist expansion into the region, and opened up new areas for rubber cultivation. The rapid development of the American car industry, and the high demand for rubber tyres generated by the impact of the First World War, too, provided a major stimulus to the planting of rubber, on a plantation scale, in British North Borneo.

To reap large revenues from a prosperous rubber industry, the Department of Agriculture also pronounced most of the undeveloped lands beside the railway as being fit for this new crop, and alienated large tracts of prime native land to European companies. This drew condemnation from the indigenous Kadazandusun communities. They accused the Company's government of classifying the lands as state lands, when they were supposed to be traditional communal lands for grazing and burial purposes, and should be treated as native reservations.³⁷ In 1910, attempts by the indigenous

³³ Voon Phin Keong. *Western Rubber Planting Enterprise in Southeast Asia 1876-1921*. Kuala Lumpur: Penerbit Universiti Malaya. 1976. p. 110.

³⁴ PRO: CO648/2. Administration and Annual Reports 1909. p.2.

³⁵ PRO: CO648/4. AR. Agriculture 1911 by W.H. Penney. *Administration and Annual Reports 1911*.

³⁶ For a more recent and detailed study of the development and significance of the railway in the area, refer Amatjit Kaur. 'Hantu' and Highway in Sabah: Transport in Sabah, 1881-1963'. *Modern Asian Studies*. 28,1 (1994). pp. 1-49.

³⁷ PRO: CO531/2. Simon X to Sir John Anderson. The Humble Petition of the Dusun Inhabitants of the District of Papar. 20 July 1910.

communities to reverse the decision met with failure.³⁸ Instead, the rush for rubber land concessions continued. From 1909 to 1911, foreign companies acquired sufficient land to last them for the next two decades. The expansion of the rubber industry during the period 1910 -1933 is shown in Table 2.1. Towards the end of 1912, more than 25,000 acres were planted with rubber. In the twelve years between 1912 and end of 1924, the acreage more than doubled. Rubber exports also increased from 24 tonnes in 1910, to 4,620 tonnes in 1924.³⁹ No doubt, this development was stimulated by the high market price ruling in the First World War period (see Table 2.2).⁴⁰

Table 2.1

Acreage and Estimated Net Exports of Crude Rubber in British North Borneo, 1910 – 1934

Year	Area (Acre)	Export (tonnes)	Export (£)
1910	14,755	24	34,315
1912	25,600	-	n.a
1915	31,046	1,050	374,422
1920	51,865	4,105	689,403
1921	57,371	3,121	289,634
1922	49,251	3,749	310,368
1923	62,366	4,239	560,770
1924	63,290	4,620	553,019
1925	70,466	5,425	1,397,562
1926	88,000	6,096	1,259,624
1928	96,037	6,698	580,487
1929	122,235	7,381	590,115
1933	128,590	7,783	178,999
1934	126,640	n.a	n.a

Sources: *Handbook of the State of North Borneo, 1934*, pp. 68 & 105; Mann. *Report on North Borneo Rubber*, p. 4; HCCP: Cmd. 3086. Tables and Diagrams Relating to the Rubber Industry, 1928, p. 3 & 7; Amarjit Kaur, *Economic Change*, p. 43.

Table 2.1 shows that the greatest planting activity occurred immediately after 1924, with its rubber acreage doubling. At the end of 1928, a total of thirty large companies (mostly European-owned, with the exception of a few Japanese and Chinese), representing capital approaching £4,000,000, were engaged in cultivating rubber, on an area encompassing 67,000 acres, while numerous plantations owned by

³⁸ HCCP: Cmd. 1060. *Correspondence on the Subject of Allegations*.

³⁹ *Handbook of the State of North Borneo, 1934*, p.68 & 105; Amarjit Kaur, *Economic Change*, p. 43; PRO: CO648/14-16. State of North Borneo Administration Reports, 1929-1934.

⁴⁰ Mann. *Report on North Borneo Rubber*, p. 4.

smallholders contributed more than 29,000 acres to planting rubber.⁴¹ The period between 1930 and 1934 was marked by a severe slump in market prices. Some 4,400 acres were planted in five years, totalling 126,640, by the end of 1934. Although exported rubber (in tonnes) had increased every year since 1921, its value plunged drastically as a result of the slump in the early 1930s.

Table 2.2

World Rubber Price

Year	Average Price per Pound (pence)
1905 – 1909	68.05
1910 – 1919	43.68
1920 – 1929	16.88
1930 – 1939	6.04

Sources: J.H. Drabble. *Rubber in Malaya, 1876-1922*. 1973. p. 213; McFadyean. *The History of Rubber Regulation, 1934-43*. 1944. p. 239.

Nonetheless, Table 2.3 depicts the fact that the increase in large estate plantings was less than half.⁴² The decrease in rubber output by estates could, to a certain extent, be blamed on the restriction imposed by the Stevenson restriction scheme. Between 1922 and 1928, this scheme was imposed in many rubber-producing countries, including Ceylon and Malaya. The scheme did not prohibit new planting, but was officially discouraged. New planting could only be undertaken on lands that had already been issued with a title, but had yet to cultivate rubber. By this, rubber could only be cultivated on land with other crops, or on unplanted land held in reserve.⁴³ British North Borneo was a voluntary appendage of the scheme, and the Company government took no steps to introduce legislation. Following protests in 1923, the exportable quota of 60 per cent of her previous output was raised to 75 per cent. It was left to the discretion of the operating rubber companies to impose their own method of restriction.⁴⁴

⁴¹ *Handbook of North Borneo*. 1929, p. 52.

⁴² Mann. *Report on North Borneo Rubber*. p. 4

⁴³ Bauer. *The Rubber Industry*. p. 3.

⁴⁴ Tregonning, *A History of Modern Sabah*. p. 90.

Table 2.3

British North Borneo: Areas of Rubber Planting (acre)

	Holdings over 100 acres	Holdings under 100 acres	Total
Planted up to 1924	49,442	13,848	63,290
Planted after 1924 till end of 1934	21,426	41,924	63,350
			126,640

Source: Mann. *Report on North Borneo Rubber*. p. 4.

Meanwhile, smallholdings increased threefold after 1924. It is imperative to note the emergence of smallholdings as a salient feature of the development of rubber in British North Borneo, and its impact on rubber production. There were usually four types of smallholdings in the territory, owned by both indigenous population (i.e. the Kadayan of Sipitang and the Kadazandusun of Papar and Kimanis), and Chinese individual owners. These included holdings of two acres or less, larger smallholdings of up to 10 acres, miniature estates of up to 25 acres, and smallholdings of more than 25 acres.⁴⁵ The smaller holdings were normally owned by indigenous peasants, while the two latter smallholdings were Chinese-owned. The number of Chinese smallholders mushroomed after November 1923 following the promulgation of new land terms, which offered land rent-free for the first six years, if cultivated within six months of occupation.⁴⁶ Chinese ex-coolies (mostly Cantonese and Hakkas) and migrant settlers (Hakkas) secured lands which developed into smallholdings.⁴⁷

Rubber became an ideal crop for smallholders because it could thrive under various conditions, even if slightly neglected after planting. Furthermore, upon maturity, a tapping schedule could be adjusted flexibly, to suit the demands of other activities. It also needed simple and cheap equipment for its production and processing.⁴⁸ The relative efficiency of rubber smallholdings could also be seen in the utilisation of labour. The smaller smallholdings usually used either family members as labourers, or

⁴⁵ Mann. *Report on North Borneo Rubber*. p. 1.

⁴⁶ Tregonning, *A History of Modern Sabah*, p. 150.

⁴⁷ SSA: Despatches (Gov. to President, 1931). Labour in North Borneo.

⁴⁸ Colin Barlow. *The Natural Rubber Planting Industry: Its Development, Technology, and Economy in Malaysia*. Oxford and Kuala Lumpur: Oxford University Press. 1978. pp. 39-40.

occasionally assistance from outside workers on a share-cropped and profit-sharing basis.⁴⁹ The medium sized smallholding of 25 acres employed paid labour, or engaged tappers to tap on a share basis. Larger holders of more than 25 acres normally tapped with the aid of outside labour, either on a share basis, or on piece rates, where a labourer was paid based on the amount of rubber brought in.⁵⁰ Even when smallholdings employed outside labour, their dependence on it was appreciably less than that of large estates. Additionally, not only did they not have to face expensive overheads compared to their larger counterparts, the discipline in smallholdings too, was less rigorous compared to estates, thus making it more attractive to estate deserters.⁵¹

Additionally, in his study on rubber production in Malaya, Bauer has shown that the decrease in estates' output was not only the direct consequence of imposed restriction, but was also due to the low level of bark reserves on the estates. He argues that output on big estates was compromised because of soil erosion, which severely affected the bark renewal process. Erosion was caused by clean weeding, excessive silt pitting and other mistaken methods of cultivation, and from the depletion of the stand. On the contrary, smallholdings produced higher yields at all times, because bark reserves were plentiful. Trees were planted closer together, and there was better erosion control because smallholdings were rarely clean-weeded, thereby restoring their top soil. The dense cover had improved the soil's water retention, and helped maintain a low temperature. Combined with high humidity near the ground, this created ideal conditions for bark renewal.⁵²

⁴⁹ SSA: Despatches (Gov., to President, 1931). Labour Conditions. No. 1361/30. 24 January 1931.

⁵⁰ Mann. *Report on North Borneo Rubber*. p. 1; Bauer. *The Rubber Industry*. p. 4

⁵¹ SSA: Despatches (Gov. to President, 1931). Labour Conditions. No. 1361/30. 24 January 1931.

⁵² Bauer. *The Rubber Industry*. pp. 58-59; Alec Gordon. 'Contract Labour in Rubber Plantations: Impact of Smallholders in Colonial South-East Asia. *Economic and Political Weekly*. 36,10 (March 10-16, 2001). p. 858.

Despite being described as the 'Consols of the East',⁵³ the planting of coconut on a plantation scale was sidelined by European companies, owing to the greater attractiveness of rubber. Compared to rubber with its quick profits, the drawback in coconut planting was the ten-year period one had to wait for a substantial return. Enthusiasts in British North Borneo had nonetheless predicted that in the long term, coconuts would be a better investment of the two, due to the fact that vegetable oil would inevitably become one of the world's prime necessities. Copra, the meat of the coconut, from which vegetable oil was extracted, would play its part as one of the principal sources of supply.⁵⁴

Hence, by taking advantage of the low price of land, and the suitability of the territory in terms of soil, situation, and climatic conditions necessary for the cultivation of the crop, some European companies and smallholders began to plant coconut on a larger scale.⁵⁵ Coconut plantations were opened in Tawau and Lahad Datu on the east coast, and in Kudat in the north. On the latter, coconuts were extensively cultivated on an annual basis by Chinese smallholders. By 1914, some 11,700 acres of land were under coconut cultivation, and exports of copra were reported to be 982 tons, valued at £17,630. As predicted by the enthusiasts, the importance of, and demand for coconut oil gained momentum after the end of World War One. Due to a shortage of fat, butter substitutes and animal fats were used, but these were in short supply. What followed was a substantial rise in coconut prices, and the owners of coconut estates began to reap rich harvest. The acreage increased to approximately 25,000 acres in 1919, and by the end of 1933, a total of 53,706 acres was planted with coconuts, reaping 9,464 tons of export copra, valued at £40,556.⁵⁶

⁵³ H. Hamel Smith and F.A.G. Pape. *Coco-nuts: The Consols of the East*. London: 'Tropical Life' Publishing Dept. 1912.

⁵⁴ *Handbook of the State of North Borneo*. 1921. p.76

⁵⁵ Smith and Pape. *Coco-nuts*. p. 464

⁵⁶ *Handbook of the State of North Borneo*. 1934. p. 70.

Apart from tobacco, rubber and coconut, other crops such as, manila hemp were also cultivated for export. Manila hemp (the chief fibre in the manufacture of cordage), was extensively cultivated in Tawau by Japanese-owned companies, namely the Kubota and Kuhara estates.⁵⁷ Following a glowing assessment in 1924 on the quality of hemp produced in Tawau by the Bureau of Plant Industry in Washington, many smallholders of the same locality began to plant this product.⁵⁸ Additionally, crops such as, rice, cotton, sago, coffee, gambier, pepper and tapioca were cultivated, but this was mostly undertaken by smallholders.

The development and growth of plantation agriculture in British North Borneo had thus brought about a profound impact on the economic development of the territory. The expansion of plantations for the planting of rubber, tobacco, coconut, manila hemp, and other crops into previously uncharted areas ensured a steady demand for new workers. However, one obvious challenge for plantation agriculture to succeed was the availability of labour. This problem constantly confronted planters in British North Borneo for decades.

Labour Problems in British North Borneo

The problem of adequate supply of labour has always been a major concern of colonists and planters everywhere. During the late eighteenth and early nineteenth centuries, in most plantation economies in the Americas and the Caribbean islands, labour was supplied by African chattel slaves. After the abolition of slavery in the 1830s, some freed African slaves continued to work on plantations under paid wages, but the majority of them rejected gang-labour, and began new lives as smallholders. Consequently, 'free' labour from Asia was brought in, to work under indenture contract, and to fill in the labour vacuum left by freed African slaves.

⁵⁷ Mohd. Shafie Abdul Karim. *Jepun di Borneo Utara: Migrasi dan Kegiatan Ekonomi 1884-1941*. Kota Kinabalu: Penerbit Universiti Malaysia Sabah. 2007. pp. 107 and 119.

⁵⁸ *Handbook of the State of North Borneo*. 1929. p. 57.

In the context of British North Borneo, there was no history of slaves on European plantations. Instead, slavery was a typical Brunei and Sulu tradition. Prior to 1881, large-scale slave-raiding was rampant, particularly in the coastal areas of the west and east. Natives were captured by pirates, and later sold as slaves in Brunei and Sulu. In contrast to coastal areas, there were very few slaves in the interior. The interior natives were mostly pagans, and they were either too poor, or too nomadic to retain slaves.⁵⁹ Amarjit Kaur contends that slaves in British North Borneo performed at least three main types of duty. Firstly, they rendered services to and for their masters, such as, participation in expeditions, inclusion in entourages, household and domestic service, looking after children and granting of sexual favours. Secondly, they worked on the agricultural gardens, and collected bird's nests, jungle produce and *tripang* (sea cucumber), for their masters. Lastly, they were used as income earners for their owners by working for others.⁶⁰ Other than labour, slaves were also used for other purposes. In the interior, in particular, a slave was handed over to the enemy, and his death would even the score of a feud. The Murut people acquired slaves periodically for sacrificial purposes, to communicate with dead relatives or friends. Finally slaves were used to satisfy another custom; no woman would accept a man as her partner unless he showed a skull as a sign of his manliness.⁶¹

During the early years, free labour was almost unknown. W.B. Pryer, pioneer and founder of Sandakan discovered the most impoverished of free men offered to work for him, only if he would buy them. It was considered more degrading to labour for wages than to be a slave.⁶² Nevertheless, slavery as a whole was abolished outright from British North Borneo by 1903.⁶³ Its gradual abolition was legislated in 1881 and

⁵⁹ See, J.F. Warren. *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a South-east Asian Maritime State*. Singapore: Singapore University Press. 1981.

⁶⁰ Amarjit Kaur. *Economic Change*. p. 94.

⁶¹ G.C. Woolley. *The Timoguns: A Murut Tribe of the Interior, North Borneo*. Jesselton: Native Affairs Bulletin, 1, Government Printer. 1962. pp. 27 and 31; J.F. Warren. *Sulu Zone*. p. 199; Tregonning. *A History of Modern Sabah*. p. 189.

⁶² PRO: CO874/229. Pryer to Treacher. 5 October 1881; Treacher to Chairman BNBC. 8 February 1882.

⁶³ SOAS: MS 283792. Private papers of E. Gueritz. Ordinance XVII of 1902, in *The Ordinances of the State of North Borneo*.

1883 by W.B. Treacher, the first Governor of the Chartered Company. It took over twenty years to eliminate the institution of slavery, because it was hampered by the continuing demand for slaves, both in the Sulu archipelago and Brunei. Furthermore, since it was a long-standing tradition, and permitted by religion, especially along the coasts, eradicating slavery was a delicate process, and had to be tackled gradually and carefully. Any rushed policies to force its immediate abolition would have led to large scale opposition, and might have proved disastrous to the Company administration.⁶⁴

If economic slavery, as described above, existed in the territory, why was it difficult to use ex-slaves as labourers for estate plantations? It seems that instead of increasing the labour available in the free market, the abolition of slavery in British North Borneo had removed the only known source of labour available to the economy. The situation was, in fact, typical of the labour crisis when slavery was abolished in the West. Due to the psychological and sociological effects of the institution of slavery, the majority of the ex-slaves in the West rejected the plantations to escape the memory of the brutality of slavery. Arguably, the desire for autonomy and greater control over one's own destiny, and the opportunity to become peasant producers or smallholders, became a motivational factor for ex-slaves to reject plantation labour.⁶⁵ The same could be said of the ex-slaves in British North Borneo.

Likewise, the rest of the British North Borneo population could not provide the cheap labour force essential to the development of plantation agriculture in the territory. Although extensive in area, the territory was sparsely populated, and relatively speaking, too meagre to supply the labour force, as compared to the rapid development in its economy. Official censuses taken on the population since 1891

⁶⁴ Ranjit Singh. *The Making of Sabah*, p. 149.

⁶⁵ Walton Look Lai. *Indentured Labour, Caribbean Sugar*. Baltimore and London: Johns Hopkins University Press. 1993. p. 4.

have revealed that the indigenous people remained the largest element.⁶⁶ Yet, the relatively high proportion of native population does not correlate with the statistical data on indigenous labour, working on plantations. The mushrooming of rubber smallholdings had made indigenous labour less available to European plantations. The 1921 census gave the government the first accurate number of the people it administered. Of a total population of 257,344, the indigenous people numbered 203,041. The Chinese, mainly Hakkas and Cantonese, numbered 37,642, while the natives of the Netherlands East Indies presented the total of 11,223 (See Table 2.4).⁶⁷

Table 2.4

Race	Population of British North Borneo, 1891-1931				
	1891	1901	1911	1921	1931
European	245	195	355	415	340
Eurasian	54	40	57	210	236
Chinese	7,156	12,282	26,002	37,642	47,799
Japanese	129	149	246	441	450
Natives of India and Ceylon	319	442	902	1,185	1,298
Natives of NEI (Javanese)	2,232	3,960	5,511	11,223	9,854
Philippine Islanders	74	-	291	449	2,849
Malays	1,488	1,138	1,612	1,837	953
Natives of Borneo	59,049	81,044	172,584	203,041	205,218
Total	67,062	104,257	208,183	257,344	270,223

* The first census was conducted in 1891, followed by the 1901 census, but both were incomplete because the Company was still trying to establish a systematic government, and large areas of the interior had yet to be brought under effective administration. The 1911 census may be considered as the first reliable population count, although there were incomplete returns for the Pensiangan district.

Sources: PRO: CO874/646. Census 1910-1929; HCPP: Cmd. 4393. Statistical Abstract for the several British Overseas Dominions and Protectorates. p.19; PRO: CO874/647. Census 1929-1940; D.R. Maxwell. *State of North Borneo: Census Report*. 24 April 1921. pp. 1-65; A.N.M. Garry. *State of North Borneo: Report on the Census*. 26 April 1931. London: Circa 1932; Sullivan and Regis. 'Demography'. p. 561; Ranjit Singh. *The Making of Sabah*. p. 27.

Table 2.5 depicts the total number of labourers in British North Borneo based on ethnicity, from the years 1915 to 1933. During the earlier period of economic

⁶⁶ See, J. H. Walker 'Census of British North Borneo and Labuan 1891'. *British North Borneo Official Gazette (BNBOG)*. 1 February 1892. pp. 19-35; 'Census of British North Borneo 1901', *Supplement, BNBOG*. 5 October 1901; D.R. Maxwell. *State of North Borneo: Census Report*. 24 April 1921. Jesselton: Government Printer, c1922. p. 2.

⁶⁷ PRO: CO874/647. Points from Mr. Garry's Report on the North Borneo Census. 26 April 1931.

expansion, the utilisation of indigenous labour was minimal, but their numbers increased throughout the years due to significant changes in the world economy, which severely hampered the importation of overseas labour. From the early days of the Company's advent, they were employed on task contracts to clear jungle and to construct bridle paths.⁶⁸ The shortage of indigenous labour during the earlier period was compensated by the arrival of alien labour from China and Java.

Table 2.5

Total of Labourers Based on Ethnicity, 1915-1933.

Year	Ethnic			Total
	Chinese	Javanese	Natives	
1915	7,814	4,925	2,774	15,513
1917	10,703	5,278	4,959	20,940
1919	10,230	5,925	5,350	21,505
1921	7,145	6,056	3,339	16,540
1923	7,184	5,276	3,719	16,179
1925	5,470	6,062	4,085	17,630
1927	7,311	8,714	4,376	20,401
1929	6,839	7,846	4,349	18,534
1931	4,714	3,127	2,435	10,276
1933	3,368	1,982	3,345	8,695

Source: PRO: CO648/7-15 Annual Report, State of North Borneo, 1914-1933

By the time rubber began to supplant tobacco around 1908, European planters found it essential to employ the natives and import Javanese labour because hiring the Chinese became increasingly costly, and they preferred working on Chinese estates.⁶⁹ Initially local labour came from the surrounding villages on the west coast, where most of the rubber estates were concentrated. Soon after, a long drought resulting in bad harvest in the interior districts of Tambunan and Keningau drove out young men to the estates on the west coast.⁷⁰ A major attraction was the pull of advance money and high wages paid by the estates.⁷¹ The number of natives employed in the rubber industry increased significantly due to the outbreak of the First World War, when estates found it cheaper to employ local labour, in contrast to expensive foreign labour which was more difficult to obtain during war conditions.

⁶⁸ PRO: CO874/1061. Report of the Committee appointed in November 1932.

⁶⁹ PRO: CO648/1. AR. Immigration and Protectorate Department 1908, by W.H. Penney.

⁷⁰ PRO: CO648/4. AR. Agriculture 1911, by W.H. Penney, Acting Commissioner of Lands.

⁷¹ PRO: CO648/2. AR. Agriculture 1909, by A.C. Pearson, Acting Commissioner of Lands.

However, the Company government's policy pertaining to indigenous labour was ambiguous. The Company administrators, on the one hand, were reluctant to allow the mobilisation of the indigenous people for estate employment. They contended that the indigenous peoples were to be 'undisturbed in their traditional economic pursuits and social organisation, while the brunt of economic modernisation should be borne by imported labour'.⁷² On the other hand, the Company government had no qualms relying on indigenous groups to provide unpaid labour services on government projects, particularly in the construction of bridle paths and railroads.⁷³

Government's opposition to native labour recruitment was based on several reasons. First and foremost, the bulk of the new native labour came from the interior rice growing districts of Tambunan and Keningau. This was a major cause for concern. As they were the granaries of the interior, the government wished to prevent further disruption to rice cultivation.⁷⁴ Secondly, the exodus of young men to work on rubber estates on the west coast reduced the available labour for government construction projects (such as bridle paths), thus seriously affecting the improvement in communications. Furthermore, this allegedly contributed to the low birth-rate among natives in the interior.⁷⁵ Thirdly, there were widespread complaints from village headmen that men were leaving their *kampongs* to work on the estates, and that these migrants made no provision for wives and families left behind. This had been a continuous problem facing the Company government.⁷⁶ Fourthly, large-scale migration reduced the authority, and thus, the taxation potential, of chiefs and headmen.⁷⁷

⁷² Black. *A Gambling Style of Government*, p. 116.

⁷³ Amarjit Kaur. *Economic Change*. pp. 104-105.

⁷⁴ SSA: Despatches (Court to Gov., 1918). Assistant Secretary BNBC to Governor Pearson. 15 August 1918.

⁷⁵ SSA: Despatches (Gov. to Chairman, 1918). Bunbury to Government Secretary. 4 June 1918, enclosure, Pearson to Chairman, 19 June 1918.

⁷⁶ PRO: CO874/249. Governor Creagh to Sir Rutherford Alcock. 9 April 1890; PRO: CO874/249. Governor Creagh to Alcock, 26/7/90; SSA: NBCA 497. Extract from letter no.34, 36, 16, from Resident of the West Coast. April 1936.

⁷⁷ SSA: Despatches (Gov. to Chairman, 1918). Extract from letter from the District Officer of Tambunan, D.R. Maxwell.

Bearing all these factors in mind, the recruitment of natives was discouraged and permitted only under licence.⁷⁸ The Court of Directors, in 1922, also instructed the state government to introduce measures to recall interior natives back to their villages. Estates, too, were notified to assist the government in discharging as many native workers as possible, and to reduce the monetary advances made to new recruits to \$5.⁷⁹ Opposition from the planting community which was taken up in 1923 by the North Borneo Chamber of Commerce (NBCC), West Coast branch, saw the government reaching a compromise in 1924. The government issued regulations that only monthly contracts were to be offered to workers, and every worker was also expected to return to his village for a minimum duration of three months annually.⁸⁰

Even with these 'carrot and stick' policies, indigenous labour, generally, was difficult to obtain. The native population was still scanty and inaccessible, and the rate of increase of the native population as a whole was very small. For example, from the years 1922 to 1931, there was only an increase of 4.6% for the Kadazandusun and 3.2% for the Bajaus; whereas the Muruts and Sulus suffered a 19.5% and 4.8% decrease respectively. For the rest of the population, there was an increase of only 1.1%. Also, some natives, especially the Kadazandusun and Muruts, were peasant proprietors and did not readily let their labour out for hire. They would not desert their villages, disturb the life of the villages, or endanger native agriculture. Very few were available to work as labourers. Those who did become labourers were keener to work for smallholders since the discipline on smallholders was not as rigorous, and the labourers enjoyed the popular basis of payment known as 'bagi dua'. In other words, they were share-croppers.⁸¹

⁷⁸ SSA: NBCA 1201. Employment of Natives by Estates.

⁷⁹ SSA: Despatches (Gov. to President, 1923). The Protector of Labour to the Government Secretary. 31 July 1923, p.3. enclosure in Governor to President, 26 September 1923.

⁸⁰ SSA: Despatches (Gov. to President, 1924). Governor to President. 11 April 1924, and enclosures. Government's despatch 272/1924, pp. 1-3.

⁸¹ PRO: CO874/1061. Report of the Committee appointed in November 1932, to advise on certain matters relating to labour.

By sharecropping, the natives could benefit from larger harvest when times were good. The potential of working for their own personal benefit proved more attractive, and they had an incentive to work harder. Since they could not share-crop on European plantations, plantation labour remained unattractive to the indigenous population. At the other end of the scale, European plantations rejected sharecropping because they could not benefit from economies of scale if the land was divided into many individual croppers. Sharecropping was thus looked upon as economically inefficient compared to gang agriculture on European plantations. Moreover, European plantations rejected it because they perceived sharecropping as 'backward' and 'regressive'. At the same time, it weakened their control of labour, threatened their economic security, and promoted a sense of partnership which was still unacceptable during colonial times.⁸² Hence, the European-owned plantations found it hard to accept economy of this kind because the mentality of being the more superior race than the natives still prevailed.

Most employers had the perception that the quality of indigenous labour did not reach the standard required by employers in certain industry. Employers of indigenous labour were aware that twice a year, at the time of planting and harvesting, one third, or half of their indigenous native force would give notice to return to their villages. From the perspective of employers, such an exodus of labour was detrimental to the smooth working of an estate. As late as 1930, despite government encouragement, some employers were still reluctant to employ native labourers due to their excessive *samsu* (alcohol) drinking. One manager complained, 'after a recent harvest, it was difficult to find a sober man among them for weeks at a time'.⁸³ To the native people, estates were looked upon as places, at which they could, by a short spell of work, conveniently

⁸² Ian Ochiltree. 'Mastering the Sharecroppers: Land, Labour and the Search for Independence in the US South and South Africa'. *Journal of Southern African Studies*. 30,1 (March 2004). p. 42.

⁸³ SSA: NBCA 1201. Problems Employing Native Labourers.

acquire a few surplus dollars to pay their taxes, or to meet some immediate requirements. The transient nature of such labour militated against its usefulness.⁸⁴

Efforts to Obtain 'Outside' Labour

The obstacles faced in acquiring local labour prompted the Company to analyse its labour policies. With the majority of British colonies and protectorates importing indentured labours to fill in labour vacuums, British North Borneo hoped to emulate a similar policy for its plantations. The inefficiency of the plantation industry needed the support of the colonial state. The Company government knew it had to become involved in the recruitment of labour, to ensure the success of plantation agriculture.

In 1882, Governor William Treacher adopted the legislation of the Straits Settlements regarding labour contracts for the territory. This was followed by the adoption of the Estate Coolies and Labourers Protection Proclamation of 1883.⁸⁵ The regulation was similar to that of the Straits Settlements Labour Ordinance in regards to the aspects of working conditions and the protection of labour on the estates. It gave power to the Governor to appoint a Protector of Labour, and furthermore, made provision for examining newly introduced estate labourers at the port of entry. This legislation was meant to satisfy British colonial administrators in Asia and other colonial authorities, through whose guidance the Company hoped to import labour. In Malaya, the ordinance had the effect of bringing over thousands of Tamil migrants, and the Company believed that it could do likewise for British North Borneo.

With tobacco taking its place as the bastion of the state's economy, the government wrote to Madras in February 1884 to request permission to recruit in India, under the same terms and conditions as those applying to Indian coolie immigration into the Straits Settlements and the Protected Native States of the Malay Peninsula.

⁸⁴ PRO: CO874/1061. Report of the Committee appointed in November 1932.

⁸⁵ Tregonning, *A History of Modern Sabah*, p. 104.

The Company provided six reasons to justify its application. Most significantly, it claimed that planters and capitalists should be able to procure suitable labour at fair rates to develop the territory. Secondly, the superiority of Indian labourers for sugar and other planting, and road making, was proven after the success of the experiments with Indian labourers in Province Wellesley and Singapore. The Company also clarified that the BNBC had been incorporated by the Royal Charter, and the policies undertaken, and yet to be implemented by the Company, were subject to the approval of Her Majesty's Government. To convince the Indian government of British North Borneo's credibility and suitability as an importer of Indian labour, the Company updated the Indian government on the territory's legal apparatus, particularly the establishment of regular courts of law throughout the territory, the adoption of the Indian Penal Code, and the codification of existing customs of the natives. A copy of the labour ordinance promulgated in the territory in 1883 was also attached, to strengthen the Company's application. The BNBC assured its Indian counterpart of its willingness to make modifications to the laws should the need arise to meet the requirements of the Indian Government.⁸⁶

As the labour ordinance of 1883 was identical to that of the Straits Settlements', and as the Indian government was satisfied with the information pertaining to the constitution of the Chartered Company,⁸⁷ the Indian government sanctioned the emigration of Indian indentured labourers from the Port of Negapatam in British India, to British North Borneo and Labuan, in 1891.⁸⁸ An Indian Immigration Proclamation was published the same year, and J. Hamilton-Hunter was named the Indian Immigration Agent. The Government of Madras had gone further, by approving the appointment of an officer without medical qualifications, on the understanding that the government of British North Borneo would arrange for annual or biennial inspections of

⁸⁶ IOR: IOR/L/PJ/6/118, File 307. Chairman Alcock to Earl Kimberly. 13 February 1884.

⁸⁷ IOI: IOR/L/PJ/6/212, File 1759. Emigration to British North Borneo. Letter from Foreign Office. 28 September 1887.

⁸⁸ IOR: IOR/L/PJ/6/303. File 1298. E.C. Buck, Secretary to the Government of India, to Colonial Secretary. 19 June 1891.

the estates employing Indian labour, and arrange for a report on their condition by a competent medical officer.⁸⁹ The ambitious plan, although approved by the Indian government, never materialised. The permit to recruit expired soon after this. Further negotiations and attempts in 1913 and 1926 by the Company government to secure Southern Indian labour, under the *kangany* system resulted in identical failure.⁹⁰ Under the system, a *kangany* or an Indian agent would be sent to his village to recruit labour for respective estates. It was alleged that the Tamil labourers preferred to go to Malaya, which was 'more developed', connected by regular shipping lines, and not a 'far-flung outpost'.⁹¹ However, it appears that certain estates in the territory successfully obtained Tamil labourers on their own initiative. In 1912, the Bukau Estate procured 25 Tamil men, women and children to work on the rubber estate. Although the estate manager claimed that they were obtained from Madras, there were also rumours that the group was crimped from Malaya, Brunei or Labuan.⁹² There was no further proof to substantiate the original place of embarkation for these Indian migrants, but it is sufficient to mention that there were indeed a small number of Indian labourers working on British North Borneo plantations.

Concurrently, the Company government was looking towards China to provide a source of labour and settlers for its under-populated territory. The Chinese were labelled as an 'industrious' race, and since there was 'room for half-a-million Chinese ... without crowding out the natives', a rapid and large flow of immigrants was seen as the best means of quickly supplying cheap labour and generating surplus revenue.⁹³ A Commissioner for Chinese Immigration, Sir Walter Medhurst, appointed by the Court of Directors in London, was dispatched to the East in 1882 to put into place a system of

⁸⁹ IOR: IOR/L/PJ/6/321, File 829. Buck to Acting Secretary to Government, Sandakan. 26 April 1892; See, Emigration to British North; appointment of an Indian Immigration Agent.

⁹⁰ PRO: CO531/5. Secretary BNBC to Under Secretary of State, CO. 3 January 1913; Secretary BNBC to Under Secretary of State, CO. 26 May 1913.

⁹¹ Amarjit Kaur. *Economic Change*. p. 104; Tregonning. *A History of Modern Sabah*. p. 134.

⁹² PRO: CO874/475. F.W. Fraser to Sir West Ridgeway. 20 July 1912; Memorandum on Importation of Coolies from Singapore, by F.R. Ellis. 3 July 1912.

⁹³ Report of the First Half-Yearly Meeting of the BNBC. 27 June 1883. pp. 3-7, c.f. Ranjit Singh. *The Making of Sabah*. p. 150.

Chinese migration of labourers and agriculturalists for the new territory, and to lure Chinese investors.⁹⁴ He offered free passages to British North Borneo for those willing to settle in the territory. Medhurst's 'scheme' of recruiting immigrants from China was combined, at least in part, with the activities of the Basel Mission Church (through the agency of Rev. Lechler), which then assisted the persecuted Protestant Christian Hakkas to emigrate from their country.⁹⁵ Measures undertaken by the administration and private enterprises to attract immigration from China proved to be instrumental in their attempt to populate and secure labour for the plantations, or to meet their specific needs. The various immigration schemes introduced over the years saw the rapid growth of the Chinese population from seven thousand in 1891 to over fifty thousand in 1931.⁹⁶

The tobacco industry remained the main employer of Chinese coolies. During the tobacco boom from 1888 to 1890, British North Borneo was a formidable rival of Deli, Sumatra in producing tobacco wrapper leaves for cigars in Southeast Asia. This gave rise to the need for a bigger labour force within the territory. On the estates, imported Chinese labourers outnumbered non-Chinese by approximately two to one. The origins of the non-Chinese are not clear. In 1891, 7,329 labourers were listed as Chinese, 4,010 as 'Malay', and 270 as 'other'.⁹⁷ The death rate among the Chinese coolies was very high, since they had difficulty in adjusting to the pioneering conditions and harsh treatment.⁹⁸ In 1905, tales of flogging and high mortality rates among Chinese coolies in the territory's tobacco estates were raised in the British Parliament. The well-publicised tales of the ill-treatment of labour earned the territory a bad

⁹⁴ PRO: CO874/231. Treacher to Sir Walter Medhurst, Commissioner of Immigration, Hong Kong, 23 July 1882, enclosures; Treacher to Alcock. 27 July 1882.

⁹⁵ R. Dumartheray. 'Message for the Centennial Celebration from the Basel Mission'. *The Basel Christian Church of Malaysia, Centenary Magazine, 1881-1982*. Hong Kong: Tat To Printing Company. 1983. p. 1. For a detailed information on the Hakkas and the involvement of Christian missionaries in China, see, Jesse Gregory Lutz and Rolland Ray Lutz. *Hakka Chinese Confront Protestant Christianity, 1850-1900*. M.E. Sharpe. 1998.

⁹⁶ Walker. 'Census'. *BNBOG*. 1 February 1892. pp. 19-34; Ranjit Singh. *The Making of Sabah*. p. 150.

⁹⁷ PRO: CO874/252. Labour Returns for Half Year Ending Dec 31, 1891. p. 809.

⁹⁸ PRO: CO874/250. Governor Creagh to Sir Rutherford Alcock, Chairman of BNBC. 18 October 1890; PRO: CO874/248. List of desertions from estates during the first half of the year 1889. 9 October 1889; *BNBH*. 1 February 1889. p. 46.

reputation among the Chinese in Singapore, Hong Kong, and China. Many Chinese were reluctant to leave for British North Borneo after hearing about the sordid life in that destination.⁹⁹

Conditions greatly improved in British North Borneo after the amendment of its labour regulations in 1908. In 1911, Chairman Sir West Ridgeway appointed W.S. Young Riddell as Chinese Immigration Commissioner, and ordered him to proceed to Hong Kong, to organise a system of labour immigration. The system for which he negotiated lasted only a short while and private enterprises again took the lead in importing, through the services of their Hong Kong agents. From time to time, the Government instituted schemes to bring Chinese families to the land. Examples of this were in 1913, when the North Chinese settlement at Jesselton was established, and in 1920 when the free passage scheme for friends and relatives of Chinese already settled in the country began. These schemes, however, were associated with land settlement, rather than with labour immigration for employers.¹⁰⁰

Attempts to employ NEI labourers were also initiated in the late nineteenth century. For centuries, the natives of the NEI, particularly from Java and its surrounding islands, were a part of the migratory movement in the Malay Archipelago, which did not recognise political boundaries in a straitjacketed sense, as a special barrier to settlement, whether temporary or permanent. Reputed as the 'Liverpool of the East', and serving as the clearing house of Asia, Singapore was tapped for its supply of these labourers.¹⁰¹ Since three-quarters of NEI immigrants in Singapore from the nineteenth century onwards were of the Javanese linguistic group of Central and East Java, it could be the case that the remaining minority of Sundanese (of West Java), Banjarese (of Kalimantan), and Madurese and Baweanese (of Madura and Bawean islands) were

⁹⁹ PRO: FO12/129. Assistant Secretary to Under Secretary of State for Foreign Office. 9 August 1905.

¹⁰⁰ PRO: CO874/1061 Report of the Committee appointed in November 1932.

¹⁰¹ *The Malay Mail*. 8 February 1904, p. 3.

categorically lumped together as 'Javanese', simply to place a convenient label to them.

The first 70 'Javanese' labourers traced in British North Borneo, in 1882, were recruited by W.H. Read, the Company agent in Singapore, and shipped to the experimental agricultural centre in Silam, Lahad Datu.¹⁰² During the tobacco boom period a few batches of Javanese were recruited privately, to work at the tobacco estates. In 1887, upon arrival from Singapore, 33 Javanese boarded the *S.S. Royalist* from Sandakan to Lahad Datu, and were placed at a tobacco estate.¹⁰³ Meanwhile, J.P. Netscher of Tamimisan, Teluk Marudu, obtained 80 Javanese labourers to begin operation at his estate, while New Darvel Bay (Borneo) Tobacco Plantation Ltd, the biggest tobacco estate in the territory, had 275 Javanese labourers in 1895.¹⁰⁴

Up to the 1930s, Singapore became a coolie market for ventures in British North Borneo, Sarawak, the Riau archipelagos, and Malaya.¹⁰⁵ The Labour Association of Singapore, a European recruiting agency, privately recruited Javanese *laukehs* or old hands for employers, many of whom were ex-indentured labourers of Malayan plantations who had rejected the offer of repatriation, or were deserters.¹⁰⁶ Additionally, it has been argued that professional middle men, known as 'labour sheiks', had clandestinely diverted Javanese labour, recruited for Dutch plantations in Sumatra, to the estates in British North Borneo.¹⁰⁷ These recruits embarked on Chinese vessels at Belawan (Deli) and headed towards Singapore, where they would be distributed among those desperately seeking labour.¹⁰⁸ Those Javanese coolies recruited illegally would,

¹⁰² Tregonning. *A History of Modern Sabah*, p. 142.

¹⁰³ SSA: *BNBH*. 1887. p. 185

¹⁰⁴ SSA: *BNBH*. 1888. October. p. 259

¹⁰⁵ KIT: Kantoor Van Arbeid. *Elfde Verslag van de Arbeidsinspectie voor de Buitengewesten*. 1926. Weltevreden: G. Kolff & Co. 1927. p. 17.

¹⁰⁶ PRO: CO874/744. Extract from A.C. Pearson's Report on Labour in the Federated Malay States. 27 October 1913. See chapter four for further information on the Labour Association.

¹⁰⁷ Ernst Spaan. 'Taikongs and Calos: The Role of Middlemen and Brokers in Javanese International Migration'. *International Migration Review*. 28,1 (Spring 1994). p. 95.

¹⁰⁸ KIT: Kantoor Van Arbeid. *Elfde Verslag van de Arbeidsinspectie voor de Buitengewesten*. 1926. Weltevreden: G. Kolff & Co. 1927. p. 17.

after arrival in Singapore, be traded on the *pasar orang* for 70-90 Straits dollars.¹⁰⁹ Likewise, former pilgrims to Mecca also found their way to British North Borneo estates. Debt-ridden pilgrims who utilised the services of pilgrim brokers or sheikhs, had to work as *orang tebusan*, or bonded labourers, to enable them to repay the travelling costs incurred by the agents.¹¹⁰ Meanwhile, efforts by the Company government to recruit Javanese labour from Java were initiated in the early 1890s. To provide a more balanced treatment to the thesis, this section will be explained further in the next chapter.

Apart from Tamil, Chinese and Javanese labour, efforts to secure Japanese labour started as early as 1893, when Governor Creagh corresponded with the Foreign Minister of Japan, Menemitsu Mutsu, following the failure to secure labour from India and Java.¹¹¹ The Japanese government sanctioned agricultural immigration, and during the year, the Herald reported the arrival of several Japanese into the territory. However, they became more engaged in searching for camphor, and other occupations, than working on plantations.¹¹² On 30 November 1894, representatives of the Southern Emigration Association (SEA) led by M. Inoue, arrived in Sandakan with a small group of settlers. After that, a small trickle of Japanese, predominantly women, continued to migrate, benefiting the brothels of Sandakan.¹¹³

The potential of British North Borneo to be a settlement colony and as an investment possibility augmented, following official Japanese visits to the territory in 1909 and 1910. In 1913, planters pressed the Company government to introduce Japanese labourers, who were 'diligent and clean', and 'whose wages were expected

¹⁰⁹ Houben. 'Before Departure'. p. 28.

¹¹⁰ Vredendregt. 'The Haddj: Some of its Features and Functions in Indonesia.' *Bijdragen*. 118,1 (1962). p. 128; Khazin Mohd. Tamrin. *Orang Jawa di Selangor*. 1984, p. 74.

¹¹¹ Details of this correspondence can be found in PRO: CO874/703. Japanese Immigrants. Negotiation with the Dutch in Java will be explained in Chapter 3.

¹¹² SSA: *BNBH*. 1893.

¹¹³ Tregonning. *A History of Modern Sabah* . p. 153.

to be cheaper than those of Chinese or Javanese coolies'.¹¹⁴ To the displeasure of the Foreign Office, Governor A.C. Pearson, on his own initiative, made an unofficial visit to Japan in 1914 and coaxed the Governor of the Nagasaki Prefecture to consider a scheme of assisted emigration (from whom labour could be derived) and Japanese agricultural venture into the territory.¹¹⁵ However, the agricultural colony scheme submitted by Toyo Imin Goshi Kaisha was shot down by the Court of Directors, even though the Company government had initially given its approval for such a scheme.¹¹⁶ The Court and the British government were wary of the Japanese intentions, because the latter's foreign policies had reflected a threatening attitude. It had defeated Russia in a military conflict in 1905, becoming the first Asian power in modern times to defeat a European power. It was on the verge of seizing German western Pacific islands (the Marianas, Carolines and Marshalls), and her maritime expansion southwards was hostile. The Foreign Office held that the Japanese should not be encouraged into the British protectorate.¹¹⁷ The policy was faithfully observed. No Japanese labourers were ever imported by any European plantations. Nevertheless, Japanese economic ventures expanded during the war period. The Kuhara Company took over Tawau Rubber Estate and acquired a sub-lease from the British Borneo Petroleum Syndicate for oil prospecting rights in 1916. By mid 1918, Kubota Estate (of the Mitsubishi group) and Bilit Estate (Borneo Shokusan Kabushi Kaisha) were established.¹¹⁸ These enterprises were, however, put to intense surveillance by the Director of Military Intelligence of the Foreign Office.¹¹⁹

By the late 1900s, the labour problem on plantations in British North Borneo remained critical, but economic ventures expanded with the development of rubber.

¹¹⁴ Hara Fujio. 'Japanese Settlement Projects in Tawau and the Labour Conflict'. *Borneo Review*. III,2 (1992). p. 270.

¹¹⁵ PRO: CO531/6. Secretary BNBC to Under Secretary, C.O. 20 May 1914.; Sabihah Osman. 'Japanese Economic Activities in Sabah from the 1890s to 1941'. *Journal of Southeast Asian Studies*. 29,1 (1998). pp. 24-43.

¹¹⁶ Mohd. Shafie Abd. Karim. *Jepun di Borneo Utara*. p. 63.

¹¹⁷ Tregonning. *A History of Modern Sabah*. p. 153.

¹¹⁸ PRO: CO531/12. Pearson to Sir Arthur Young, Governor of Straits Settlement. 5 February 1918; Japan's potential threat and its foreign policies were discussed further in, PRO: CO531/13.

¹¹⁹ PRO: CO531/13. Secret memo to Colonel French. 12 September 1919.

The indigenous people, Chinese and some remaining Javanese, formed a skeletal force, working under verbal or written contracts. The labour problem was exacerbated with developments in the outside world. There was a loud outcry to abolish the system of indentured labour in the late nineteenth century. It was a system where thousands of Asians (Indians, Chinese, Japanese, and Javanese) and Pacific Islanders had been recruited under indenture to work on plantations and mines in the Americas and the Caribbean islands, for a stipulated period. The harsh working conditions, the gruesome punishments inflicted on labourers and the high mortality rates of indentured labourers on these plantations had brought about criticism of the system. Abolitionists denounced the system as a disguised form of slavery.¹²⁰ Rising nationalism in India and China, with these countries expressing concerns over their subjects in overseas colonies, hastened the demise of the system in some colonies. Following the trend in many British colonies, in July 1914, Chinese indentured labour was abolished in the Straits Settlements and the FMS.¹²¹

This decision severely affected estates in British North Borneo, which all this while had depended heavily on Chinese indentured labourers from Singapore and Hong Kong. With the informal relationship that existed between the Colonial Office and the Chartered Company Board of Directors in London, the Company government accepted the new labour law pertaining to the abolition of Chinese indentured labour. Agents were allowed to recruit under the indenture contract in Hong Kong and Singapore, up to 30 June 1914. An extension for a period of twelve months was requested by the Company government, but this request was rejected by Sir John Anderson, Governor of the Straits Settlements.¹²² When the Colonial Office in Malaya abolished the Chinese indentured system of recruitment, British North Borneo halted all importations of Chinese indentured labourers from the British colony.

¹²⁰ Suzanne Miers. *Slavery in the Twentieth Century*. 2003. p. 7; Tinker. *A New System of Slavery*. 1974.

¹²¹ PRO: CO531/5. Indentured Coolie Labour for North Borneo. p. 226.

¹²² PRO: CO531/5. Secretary BNBC to Under Secretary of State, CO. 6 January 1913.

The signing of indenture contracts was now forbidden in Hong Kong and Singapore, but this did not herald the end for British North Borneo planters. They could still fall back on the territory's local contract. Under legislation passed in 1911 (and consolidated in Labour Ordinance 1916), all written contracts had to be signed when the labourers arrived in the territory. An exception could only be made by signing indenture contracts outside the territory, with the sanction of the British North Borneo Governor. To this, the British authorities in Singapore offered no objection because the signing of contracts in the territory would remove some of the abuses associated with the broker system. It meant that administration could exercise authority over payment and conditions from the very beginning.¹²³ Therefore, individual estates could still import Chinese labourers from China and Hong Kong, or Javanese from Malaya, but these migrants were free to abstain from signing the contract once they reached British North Borneo, should they change their minds.

Yet, given this latitude, the labour situation in British North Borneo was still precarious, and the 'locally' recruited labour was not enough to supply all the requirements of the planting industry. Acute labour shortage persisted, and labour was hard to come by. Plantations everywhere in Southeast Asia were clamouring for labourers, and competition was stiff. The situation was exacerbated by conditions pertaining to Chinese indentured labour, and the limited availability of indigenous labour. Employers thus continued to look to other markets for the labour necessary to sustain and develop the economic profits of the plantations and other enterprises, and establish new areas of development. Urged by planters, the Company government turned to Java once again. The fact that the NEI government had yet to abolish the system of indentured labour in their colonies indicated a different perception of the system as compared to their British counterparts. In late 1913, after a new courtship with the NEI authorities for almost a year, British North Borneo finally secured Javanese labourers to fill the labour vacuum. Most importantly, the supply of Javanese

¹²³ PRO: CO874/754. Memorandum Regarding Labour in North Borneo 1918.

labourers was guaranteed, because they were indentured under a special permit, sanctioned by the NEI authorities, and under the name of the Company government.

Conclusion

The attractive, liberal policies of the BNBC played an important role in the growth of plantation agriculture within the territory. The planting of rubber thrived, making British North Borneo one of the most important rubber producing areas of the time. Nevertheless, the rise in economic activity in the territory produced overwhelming demand for labour. The expansion of land, capital and technology affected the use of labour. As plantation agriculture took hold, the wage labour market expanded. Western interests did attempt to secure indigenous labour, but the restrictive policies of the government pertaining to the utilisation of indigenous labour, and the local people's preference to sharecropping and working in smallholdings, rendered it necessary for plantations to seek outside labour. Various governments, such as India and Japan were approached relentlessly by the Company government to supply labourers from their areas, but without success. Chinese and Javanese labourers (partially from Singapore) formed the bulk of the labour force during the first decade of the twentieth century, but their dependence was severely hampered by conditions beyond the planters' or the BNBC government's control. The crisis relating to the abolition of Chinese indentured labour severely affected the labour supply needed to develop the plantation industry within the territory. Nevertheless, the Company government continued to search for labour supply for its planters. The words of Governor A.C. Pearson summarised the situation well: 'The Government had adopted a paternal attitude to employers of labour, bringing labour to the very gates of their Estates and smoothing over every difficulty, ...[and] in the interests of the country, will continue to use its every endeavour to maintain their labour forces at the required strength'.¹²⁴ In 1913, the Company government was finally assured of a new supply of Javanese indentured labourers from Java, to be recruited under official permit.

¹²⁴ PRO: CO874/744. Governor to Chairman. No. 494. 12 June 1917.

CHAPTER THREE

THE IMMIGRATION OF JAVANESE INDENTURED LABOURERS TO BRITISH NORTH BORNEO (1914-1932)

Introduction

The imminent abolition of indentured labour in Malaya and other British colonies, and the dwindling supply of labour from these places, rendered it necessary for the Company government to look towards Java for its supply of labourers. The Javanese had been part of the migratory movement in the Malay Archipelago for centuries. Plantation and indentured labour were also not uncommon among the Javanese by the late nineteenth century. The Javanese immigration into British North Borneo was but a small fraction of a much larger global dispersal of Javanese labour in the nineteenth and twentieth century.¹ This chapter attempts to analyse the organisation of the Javanese indentured labour system in British North Borneo, by looking at the extent to which the receiving and sending colonial governments were involved in the introduction and prolongation of the system, the issues inherent within the system, and the course of Javanese indentured labour immigration in British North Borneo.

Negotiation of the 'Dutch Contract'

In 1890, realising that a constant source of labour was badly needed in order for agriculture to succeed in the territory, Governor C.V. Creagh approached Batavia officially for the first time for the procurement of Javanese labourers, under conditions similar to those obtained by Sumatra.² In April that year, the Foreign Office in London also recommended Creagh's application to Monsieur Harteen, the Netherlands Minister of Foreign Affairs, who promised to discuss the matter with his colleague, the Minister of the Colonies. Monsieur Harteen, however, warned the Company government that

¹ V.J. Houben. 'Menyang Tanah Sabrang': Javanese Coolie Migration in- and outside Indonesia, 1909-1940', c.f. Emmer and Shlomowitz. 'Mortality and the Javanese Diaspora'. *Itinerario*. 21,1 (1997). p. 125.

² PRO: CO874/249. Governor Creagh to Chairman BNBC, Sir Rutherford Alcock. 4 July 1890.

the Javanese, by nature, were reluctant to leave their homeland due to their attachment to it. Furthermore, being opium addicts, he considered them unsuitable as coolie labourers, and instead, their own government sought Indian labourers from British India for their West Indies colony, rather than depending on Javanese labour.³ Both applications from Governor Creagh and the Foreign Office resulted in failure. The Dutch government was unprepared to allow the recruitment of Javanese for destinations outside the boundaries of the Netherlands East Indies (NEI), as stipulated in an 1887 law. Although the Governor-General could allow dispensation in exceptional cases, the alleged ill treatment of coolies (including Javanese) in British North Borneo, reported by the Dutch Consul in Singapore, halted any such decision. Furthermore, Deli and Java planters also lobbied against the Company's case.⁴

The success of individual Malayan planters in recruiting labourers from Java (including Javanese and Madurese) in 1902 encouraged the Company to look towards Java yet again. The Superintendent of Immigration, Mr. Penny, noted in his Annual Report that it would be advantageous if the territory could arrange for a permanent supply of Javanese, which he considered to be as good, if not better than Chinese labourers for work on rubber estates.⁵ The Batavian government finally conceded in 1907, after negotiations between the two parties in 1903 and 1906 respectively, to permit individual estate managers to recruit Javanese labourers over a three-year contract, in what was perceived to be an over-crowded Java. The granting of this permit was subject to the recommendation of the Dutch Consulate in Singapore.⁶

In July 1907, the *British North Borneo Herald* (henceforth BNBH) newspaper reported the arrival of 200 Javanese coolies by *s.s. Marudu en route* to the tobacco

³ PRO: CO874/105. Foreign Office to Secretary BNBC. 12 April 1890.

⁴ PRO: CO874/249. Governor Creagh to Sir Rutherford Alcock. 4 July 1890.

⁵ SSA: F/1 (3). Report of the Forty-Ninth Half-Yearly Meeting of the BNBC. 23 July 1907. p. 3.

⁶ ARA: Mailrapportan 2257/13. E. Moresco to W.D. Consul Generaal der Nederlanden te Singapore. 18 November 1913.

plantations at Darvel Bay.⁷ In the same month, the manager of the Manchester North Borneo Rubber, Ltd., arranged for the shipment to his estate of a considerable number of Javanese men, accompanied by their wives and children.⁸ Four months later, another batch of Javanese coolies consisting of 42 men and 42 women arrived by s.s. *Darvel*, to be divided amongst four estates, owned by New London Borneo Tobacco Company (NLBtCo).⁹ The supply of Javanese labourers came to a halt after the expiry of the existing contract in 1910. The Javanese were transient, returning home when their contract ended. By the end of 1909, the Official Gazette reported the numbers of Javanese and Malays recruited as 8,449, and the numbers returned home as 5,068.¹⁰ The rest remained, and formed part of the skeletal labour force in the territory.

Plans to secure Javanese labourers from Java were rejuvenated following the alarm to halt the importation of Chinese indentured labour. The idea took shape after a visit was made to the island by the BNBC Chairman, Sir West Ridgeway, in 1912. By then, Javanese '*singkeh*' (freshly recruited labourer) was a 'drug in the market', and colonies, from far and near, were already experimenting with this so-called 'drug'.¹¹ Apparently, the diagnosis was relatively good. The Javanese were recognised to be very suited to the work of clearing the jungle for settlement, new agricultural plantation schemes and other agricultural tasks. They were also identified as being 'honest, industrious, and law abiding', disciplined and careful workers, capable of multi-tasking, as experts in the use of axe and chopper, and dedicated to their tasks.¹² However, high ranking administrators in British North Borneo were sceptical about the quality of Javanese labour. The myth of the lazy Javanese lingered in most colonial minds, and

⁷ SSA: *BNBH*. 1 July 1907, No. 13, Vol. XXV.

⁸ SSA: F/1 (3). Report of the Forty-Ninth Half-Yearly Meeting of the BNBC. 23 July 1907. p. 3.

⁹ SSA: *BNBH*. 16 November 1907. No. 22. Vol. XXV.

¹⁰ SSA: JKM 8. Bil. 44. British North Borneo Official Gazette 1910. Vol. XXI.

¹¹ PRO: CO874/552. Comment made by West Ridgeway on 24 January 1917 on the discussion held during the NBCC Committee Meeting. No. 84.

¹² PRO: CO874/744. Governor to Governor General NEI. 17 June 1912; Khazin Mohd. Tamrin. 1992. *Javanese Labour and the Development of Malaya*. Kertas Kadangkala Bil. 6. UKM. pp. 1-2.

Governor J. Scott Mason was no exception.¹³ Observations made in Malaya convinced him that Javanese coolies recruited for Malayan plantations were mostly 'scum'. If the territory was to obtain Javanese coolies, Mason proposed the utilisation of the *laukeh* system, whereby Javanese settlers in the territory handled the recruitments in their native homes, so that a 'certain degree of quality' would be assured. Mason's reservations concerning Javanese coolies were obvious, in that he preferred Banjarese (of Southeast Kalimantan) coolies, and likened them to the hardworking Chinese. He predicted that the Banjarese would be more likely to settle down in British North Borneo than the Javanese, since they lived on the same island of Borneo.¹⁴ Other sceptics, though, preferred Chinese coolies because of their reputation as diligent workers, on top of the commercial returns they brought being opium consumers'.¹⁵ Furthermore, with an acute demand for Javanese labour in Sumatra, sceptics knew that the NEI government would not actively foster emigration to foreign territories, because of internal pressure. The Deli planters were already agitated against Javanese indentured coolies being allowed to foreign countries when they were badly needed in Sumatra.¹⁶

Despite these reservations, Sir West Ridgeway corresponded with Batavia officially, exploring the possibility of acquiring Javanese settlers and indentured labourers for British North Borneo. The Company was prepared to provide 'assisted passages, grants of land and financial assistance' to would-be migrants, as they had done with the Chinese immigrants, and guaranteed that they were under no compulsion to perform labour.¹⁷ This notion had to be emphasised, because the administration in Java prohibited the recruitment of labourers in Java to work outside of the East Indies, in accordance with Article 1, of the 9 January 1887 Ordinance

¹³ For an interesting insight into the image of natives and its function in the ideology of colonial capitalism in, see, Syed Hussein Alatas. *The Myth of the Lazy Native*. London: Frank Cass. 1977.

¹⁴ PRO: CO874/744. J.S. Mason to Sir J. West Ridgeway. 16 November 1912.

¹⁵ PRO: CO874/744. Extracts from Sir J. West Ridgeway, Chairman's letter to Governor Parr. 17 April 1913.

¹⁶ PRO: CO874/744. Report on Trip to Java by M.M. Clark. 15 March – 15 May 1913.

¹⁷ PRO: CO874/744. M.M. Clark to Ag. Directeur Van Justitie, Batavia. 24 April 1913.

(Staatsblad No. 8).¹⁸ Only the Governor-General could grant dispensation in exceptional cases. Knowing that other governments, such as the French government and the government of Dutch Guiana (Surinam) were also trying to obtain Javanese labourers, the Company government hoped to use this information during the negotiation as a lever to gain the same concession granted to the Company government.¹⁹ Earlier on, the French government had the privilege of getting indentured Javanese in their name to New Caledonia, and the Dutch government sent thousands of Javanese to Surinam as indentured coolies on sugar plantations. The Company government maintained that its intention to recruit Javanese labourers was not so much for the benefit of certain ventures in the area, but 'in the interest of culture and industry' in the territory in general. Hence, the entire responsibility for the distribution and the decent treatment of 'contract coolies' over the various companies in the territory, lay with the Company government.²⁰

In March 1913, M.M. Clark (the Superintendent of Customs) arrived in Java to negotiate with the Dutch authorities. Since British North Borneo intended to acquire settlers, as well as coolies, M.M. Clark had to pacify the Dutch authorities that the potential settlers could 'please themselves as to what line they take up'. They were free to enter the labour market, and could even work as coolies at agricultural estates, provided that the Company government strictly reserved the right to act upon them should they find nothing that suited them, or they were not of the right class. In such a situation, rather than becoming a burden on the public or the state, the Company government would either provide work for the Javanese, or repatriate them to their own country. However, the Dutch authorities, represented by Sonneveld (Acting Director of Justice) and E.J. Van Lier (Inspector of Labour), perceived this differently, and were

¹⁸ KIT: Kantoor Van Arbeid. *Elfde Verslag van de Arbeidsinspectie voor de Buitengewesten 1926*. . (Weltevreden: G. Kolff & Co). 1927. p. 17.

¹⁹ PRO: CO874/744. Report of M.M. Clark. 15 May 1913.

²⁰ ARA: Mailrapport 1857/13. Moresco, Gouvernement-Secretaries, to Directeur van Justitie.

against the idea of British North Borneo obtaining free labour or settlers.²¹ They argued that if Javanese natives were to be transported to the point of embarkation, in the same manner as newly contracted workers, the possibility of 'settlers' becoming 'labourers' was imminent. This, according to the Dutch authorities, would constitute 'recruitment', and therefore have to be signed on. In such a case, the Company also had to be subjected to the rules of the *Wervingsordonnantie* (Recruiting Ordinance) Staatsblad 1887, No. 8; Staatsblad 1909, No.123 and 407.²²

Despite being 'antagonistic to any departure from the old order of things', Van Lier and Sonneveld agreed that all applications had to pass through the office of the Dutch Consul in Singapore, who after giving his views, would forward the application to the Governor-General in Batavia for final sanction, or otherwise.²³ This condition was similar to those imposed by the Dutch government for the recruitment of indentured labour in the Federated Malay States (FMS) during the same period,²⁴ and to the one obtained by individual planters from British North Borneo back in 1907.²⁵ After a further interview with H. de Graeff, the Governor Secretary of NEI on 24 April 1913, Clark had to wait for extended deliberations among the top Dutch officials before getting the desired results.

In May 1913 the Dutch authorities unofficially agreed to grant the Company government the desired dispensation, subject to the following terms and conditions. First, the Company government could appoint an agent, or send someone direct to Java to encourage settlers or free labourers to come to British North Borneo, if no obligation to perform labour was stipulated. Second, if the Company government were to recruit coolies, the contract in principle should not be such a rigid one, as prescribed

²¹ PRO: CO874/744. M.M. Clark to Ag. Directeur Van Justitie, Batavia. 24 April 1913.

²² ARA: Mailrapport 1857/13. Sonneveld, Act. Directeur van Justitie, to M.M. Clark. Batavia. 23 April 1913.

²³ PRO: CO874/744. Acting Directeur van Justitie to M.M. Clark, Batavia. 8 April 1913.

²⁴ PRO: CO874/744. Extract from A.C. Pearson's Report on Labour in the Federated Malay States. 27 October 1913.

²⁵ KIT: *Derde Verslag. Arbeidsinspectie en Koeliewerving in Nederlandsch-Indie*. Weltevreden: Filliaal Albrecht & Co. 1914. p. 84; See chapter two.

for estate or other coolies currently working in the territory. Third, the recruitment should be in the name of the Company government or its attorneys, instead of the planters themselves. Fourth, the Company government could recruit without first referring to the Consul General at Singapore, as the permission to recruit had been granted locally, in Java.²⁶ It was no longer in the interest of the NEI government to be kept informed of the labour conditions of each individual employer through the Dutch Consulate in Singapore.²⁷

The negotiations between Clark and the NEI officials were considered a success. Not only did the NEI government, in principle, have no objection to granting permission for recruiting native labourers on behalf of British North Borneo, but it was not necessary to mention the names of the estates for which the coolies were intended. Furthermore, the permission to obtain free labour was an added advantage. So too, was the agreement to any form of modification on the labour contract if required by the Company government, provided that the Dutch authorities were informed of the particulars to be amended, and how such amended conditions be worded.²⁸ Another plus point was the avoidance of the Dutch Consulate in Singapore in the recruitment application, as this entailed less bureaucratic paperwork, and a speedy transaction.²⁹ The acute population problem in Java made it imperative for the NEI to respond positively and swiftly to indentured migration generally, and the demands of the Company in particular, as well as to cut down unnecessary hassle.³⁰

By decree No. 25 of 18 November 1913, the Company government was officially given a one-year permit by the Governor-General A.W.F. Idenburg (1909-1916) to recruit 2000 labourers from Java, to work on agricultural ventures in the

²⁶ ARA: Mailrapport 1857/13. Sonneveld to Clark. 3 May 1913.

²⁷ ARA: Mailrapport 2257/13. E. Moresco, De Gouvernements-Secretaries to Wd. Consul-Generaal der Nederlanden te Singapore.

²⁸ PRO: CO874/744. Van Lier to Clark. No. 291.

²⁹ ANM: Report of the Labour Commission, 1890. paragraph 221. p. 34.

³⁰ Termorshuizen. 'Indentured Labour'. p. 279.

territory.³¹ Each shipment of emigrants was to include a proportion of women, equal to at least one-third of the number of men.³² The contract was set for two years. Javanese labourers bound for overseas destinations had to sign the labour contracts in Java, and needed the approval of the highest district official. Prior to giving his endorsement, the official had to make sure of two issues. First, he had to be convinced that each emigrant completely understood the contents of the contract. In other words, a coolie entered into a contract willingly. Second, individual emigrants were to receive their advance money in his presence.³³ The contract would bind the labourer to a specific estate assigned by the British North Borneo authorities, upon his or her arrival in the territory.

The Company government modelled the 'Dutch Contract' on the Chinese one. Coolies were to sign the contract after being made to understand the rights and duties ascribed in the contract. The NEI government ruled that the emigrants were to receive an advance of 5 guilders upon recruitment, and 7 dollars at the place of disembarkation. The advance given could be repaid by monthly deductions from the labourer's pay, not exceeding one dollar. Its other provisions dealt with the basic conditions of the engagement: the two-year term to be devoted to labour; the authority of the Protector of Labour to assign the labourer on arrival to a specific plantation; the length of the working day – not exceeding ten hours daily (although the state's Labour Ordinance 1916 permitted a maximum of nine hours working day); the amount of daily wages (minimum wage was fixed at 25 cents a day for men and 15 cents for women); and free housing, drinking water and, board and medical treatment. The following days were set aside as holidays - the native New Year and two days each month. Workers would receive ordinary pay for official holidays. After the expiration of the agreement, the Consul General of the Netherlands in Singapore had to be advised on the

³¹ KIT: *Derde Verslag. Arbeidsinspectie En Koeliewerving in Nederlandsch-indië*. [Weltevreden: Filiaal Albrecht & Co. 1914], p. 84.

³² KIT: Kantoor Van Arbeid. *Dertiende Verslag van de Arbeidsinspectie voor de Buitengewesten 1928*. Weltevreden: Landsdrukkerij. p. 38; ARA: Mailrapport 2257/13. Governor BNBC to Governor General NEI Afschrift. No. 1999/13. 23 September 1913.

³³ Hoefte. *In Place of Slavery*. p. 47.

whereabouts of the labourer, whether the labourer had signed a new contract, left the state on his or her own account, or had settled somewhere else. Most importantly, the contract provided for free repatriation within 3 months of the expiration of a labourer's agreement, and this free repatriation was assured during five years (although this was later reduced to one year)³⁴ after the termination of the last (written or verbal) contract.³⁵

After granting dispensation, the recruiting agent, Messrs. Soesman & Company, in Semarang recruited an initial group of 459 in 1914, consisting of 198 male and 261 female. They were distributed among the various estates in the west coast (Kinarut, Kimanis, Mawao and Membakut Estates) and east coast (China Borneo Co., Batu Puteh, the NDBTCo. Ltd., and Telok Bukan Estates).³⁶ By 1917, around 1,041 males and 750 females made their way to British North Borneo, totalling 1,791 labourers received of the 2000 allowed by the first permit.³⁷ In March 1918, the Company obtained a fresh permit for another 2000. Around 1,155 Javanese coolies arrived between 1918 and 1919. The expiration of the permit on 23 January 1919 caused severe problems for the territory. The Dutch authorities in Batavia had delayed the renewal of the licence to import Javanese labour.³⁸ On 22 February 1919, the permit to recruit the balance of 1,100 coolies from the previous permit was renewed.

The delay in extending the importing permit was blamed on high mortality from influenza and cholera, which was predominant in Surabaya and Semarang. Yet, British officials perceived the tardiness on the part of the NEI government as caused by the much-awaited outcome of J.G. van Hemert, the Dutch Labour Inspector's report, who

³⁴ See chapters five and eight.

³⁵ ARA: Mailrapport 1857/13. Model-Werkcontract. Tot de werving is vergunning verleend by Gouvernment-besluit van 18 November 1913. No. 25.

³⁶ PRO: CO874/744. Extract from the Annual Report on the Protectorate Department for 1914. (Forwarded with No. 243 of 5 May 1915).

³⁷ PRO: CO648/7. AR. Department of the Protector of Labour for 1917.

³⁸ PRO: CO874/753. Governor's No. 129. 24 February 1919.

in 1918, was making his rounds of the estates employing Javanese coolies.³⁹ The visit of J.G. van Hemert in 1918 was the culmination of a project for the Dutch authorities in NEI, to appoint an agent of its own to inspect Javanese indentured immigrants on the estates in British North Borneo, and to attempt to protect their interests in the colony, as in the Dutch colonies. The report of the tour of inspection by van Hemert, as seen also in the reports of 1927 and 1928 involving Baron D.R.J. van Lijnden and M.B. Viehoff respectively, was significant in determining the direction of Javanese indentured immigration in British North Borneo. A positive and glowing report meant a speedy renewal of the recruiting permit, while a negative report meant a delay in obtaining a permit, or total suspension. In this case, the Company government was obliged to respond to the recommendations specified by the Dutch Inspectors of Labour.

On 20 April 1920, Governor A.C. Pearson appealed officially to the Governor-General of Batavia for additional Javanese labourers. John Maxwell Hall, a senior government officer, was delegated to Java to deal with recruiting agents and arrange terms that were agreeable to the NEI government. The timing of Maxwell Hall's mission was conspicuous, not only for the procurement of a new permit to import Javanese labourers, but also to alleviate any concerns that the Dutch authorities might have pertaining to the indenture system adopted in British North Borneo. The Company government was in the midst of defending its policies, following allegations made by the Anti-Slavery and Aborigines Protection Society (henceforth, the Society) in 1919, of prevailing abuses arising in the territory under the administration of the Company.⁴⁰ The alleged abuses fell under two main headings: the denial of justice to the indigenous natives pertaining to the seizure of their lands, and the desecration and destruction of their graveyards for capitalist interests. Of immediate concern to Governor Pearson was the corrupt system adopted in the treatment of imported

³⁹ PRO: CO874/753. Fred N. Fraser to Chairman BNBC. 24 February 1919.

⁴⁰ ASI: *The Anti Slavery Reporter and Aborigines' Friend*. Series V., 9,4 (January 1920). p. 114.

labourers.⁴¹ The matter was initially raised before the Society in 1914, but owing to the outbreak of war, and the involvement of Britain, the matter lapsed. Holland, with its colonies, was neutral in this conflict.

The outcome of 'exhaustive' enquiries, led by Sir West Ridgeway, President of the BNBC himself, and Mountstuart Elphinstone, one of the Directors, justified the administration of the Company. It was exonerated from the serious charges brought against them by the Society. The Colonial Office opined that the charges made against the Company's administration had been satisfactorily met, and no further action in the matter would be taken unless the Society managed to produce fresh evidence which would necessitate further investigation.⁴² Indeed this result greatly redeemed the Company's image. A new permit to import 3000 Javanese coolies was granted by Governor-General J.P. Graaf Van Limburg Stirum (1916-1921) in October 1920, shortly after Van Hemert submitted his investigative report.⁴³ No doubt Van Hemert's positive report had influenced the decision not only to renew the permit, but also to increase the quantity of coolies to be recruited under the permit.⁴⁴

Concurrently, the modification of British North Borneo labour laws in 1920, initiated by the Company government, was a plus point. Under the new laws, no contract could be extended beyond its original term, by reason of the labourer being in debt to the employer.⁴⁵ The minimum wage was also revised to counteract the increased cost of living due to the War. It was raised by 10 cents per diem for Javanese labourers recruited under permit, making the new rate as 35 cents for men and 25 cents for women plus free ration.⁴⁶ Every employer was also compelled by law

⁴¹ HCPP: cmd.1060. Anti-Slavery Society to Colonial Office. 29 October 1919. p. 3.

⁴² HCPP: cmd. 1060. Grindle to Anti-Slavery Society. 24 August 1920. p. 25.

⁴³ KIT: Verslag. Arbeidsinspectie in Nederlandsch-Indie. Over het jaar 1919. (Zesde Verslag) Weltevreden: Boekh. Visser & Co. 1920. p. 18; PRO: CO874/753. Maxwell Hall to Government Secretary. 26 September 1920; See *BNBH*. 16 February 1921.

⁴⁴ SSA: F/1 (3). BNBC Reports of Half Yearly Meetings (1901-1939). p. 6.

⁴⁵ ARA: Mailrapport 3051/20. Governor to Governor-General, G.S.C. No. 2198/19. 28 August 1920.

⁴⁶ PRO: CO874/753. Governor's No. 596. 21 Oct 1920. See also PRO-CO874/753. Governor's No 43. 15 January 1921.

to provide his labourers with food, particularly rice, at prices cheaper than controlled prices. The new wage rate applied to 223 coolies that formed the balance of the existing permit, and to the new permit issued in 1920. Records show that 975 Javanese coolies arrived in 1920, comprising 775 males and 200 females. The Governor-General Van Limburg Stirum, the Labour Inspection Chief, and the Government Secretary applauded the new rates on minimum wage enforced in the territory, although they preferred to have the rates fixed even higher, thereby freeing themselves from criticism, if the agreed figures failed to attract Javanese coolies.⁴⁷

Demands for labour increased after 1924, with the expansion of rubber acreage. The Protector of Labour, C.D. Martyn, visited Java in early 1924, hoping to discuss two possibilities with the Labour Bureau. First, the possibility of utilising the services of the General Deli Emigration Bureau, *Algemeen Delisch Emigratie Kantoor*, (ADEK) to aid with the recruitment of Javanese coolies. Various enterprises and local governments had enrolled as external members of the ADEK so they could acquire labourers with ADEK's assistance. Some British North Borneo employers were optimistic that the ADEK could bring the same success to the territory, chiefly in providing 'a better class of labour'.⁴⁸ Second, the Company government wanted to discuss the prospect of direct shipment, to cut down transportation cost for employers of labour. An efficient low-cost transportation was deemed necessary to connect the demand for labour in the territory, and the distant supply of recruits, from Java.

Since the Company government obtained its permit to recruit from Java in 1913, coolies were transported by the recruiting agent in Semarang, to British North Borneo, via Singapore. At that time, this was the most economical route. Several steam liners were approached to proceed with direct shipment, but either their rates were too prohibitive, there were no steamers available for the journey, or the liners were not

⁴⁷ PRO: CO874/753. Maxwell Hall to Government Secretary. 26 September 1920.

⁴⁸ SSA: NBCA 1119. T.A. Ball to A.C. Pearson, Governor. 1 October 1925.

favoured by the Dutch authorities.⁴⁹ Ultimately, the only way for Company government to take advantage of the concession granted was to get orders from the estates, and transmit them to its agent, Messr. Soesman & Co., who then arranged for the British-owned Straits Steamship Company (SSC) to transport the coolies from Semarang to Singapore, and then to British North Borneo. The SSC maintained regular weekly services between Singapore and British North Borneo ports. Steamers such as, the s.s. 'Marudu' (1,926 tons), s.s. 'Darvel' (1,929 tons), and s.s. 'Kajang' (2,082 tons) had been operating since December 1914, calling at ports at Kuching and Miri in Sarawak, and Labuan, Jesselton and Kudat in British North Borneo.⁵⁰ Usually, the journey from Singapore to Jesselton would occupy 5 days; Kudat was about 9 hours' steam from Jesselton, and Sandakan 12 to 15 hours steam' from Kudat. From Sandakan, the Sabah Steamship Company Limited, whose vessels consisted of the s.s. 'Kinabalu' (429 tons) and 'Klias' (210 tons), linked with the SSC vessels (from Singapore), and left Sandakan for Lahad Datu, Semporna and Tawau in the east coast, and Kudat, Usukan, Jesselton and Labuan in the west coast.⁵¹ Shipments via Singapore meant a heavier expenditure derived from higher transportation cost and coolie depot charges. Monitoring charges at these depots too, had to be dealt with, apart from compulsory inspections of the coolies by the Dutch Consul General in Singapore. These hassles motivated employers to continue lobbying for direct shipment.

In his negotiation with the Dutch, C.D. Martyn argued that British North Borneo planters were short-changed because of the poor conditions of coolies arriving from Singapore. The coolies were alleged to be mostly unfit and 'full of venereal disease', which was claimed to have been contracted while on board.⁵² The Dutch authorities

⁴⁹ See quotations from shipping companies in PRO: CO874/744, 753, 752; PRO: CO874/753. Maxwell Hall to Government Secretary. 19 October 1920.

⁵⁰ For further information on the shipping problems in BNB on the eve of WWI, and the re-establishment of shipping lines between Singapore and British North Borneo, refer, K.G. Tregonning, *Home Port Singapore: A History of Straits Steamship Company Limited*. Singapore: Oxford University Press. 1967. pp. 102-106; See *Handbook of the State of North Borneo*. London. 1934. p. 55.

⁵¹ *Handbook*. 1934. p. 56.

⁵² SSA: NBCA 1119. Harrisons & Crossfield to F.W. Fraser, Government Secretary. 28 April 1923; Extract from H.E.'s dispatch No. 753 dated 27 November 1923. (Original in G.S.O. 1643/23).

repeatedly denied the Company government the liberty of dealing with the suggested Osaka Shohen Kaisha of the Java-China-Japan line. The Koninklijke Paketvaart Maatschappij (KPM), however, agreed to extend its run to British North Borneo, on condition that they would be given a guarantee of 150 labourers at one time. Owing to the difficulty in ascertaining labour requirements for the territory, and the small numbers usually imported by individual estates, the private negotiations came to nothing.⁵³ Direct shipment was only sanctioned in 1928, but ironically, it was the Dutch authorities who demanded it.

In late 1925, the Company government negotiated with the NEI to introduce a three year contract, instead of the two year one (similar to the provision granted to employers in the Federated Malay States and Sarawak) to help employers reduce importation costs. It was approved by the Dutch authorities. The new contract, which came into force in 1926, made certain alterations in respect of wages and rations, with the scale of the latter being somewhat increased (see chapter 6).⁵⁴ The new contract applied to 2,222 Javanese labourers arriving in 1926 (1,672 males, 550 females) and 1,595 in 1927 (1,269 males and 326 females).⁵⁵

The renewal of the permit was delayed in 1928 owing to Baron van Lijnden's (the Dutch Labour Inspector) unfavourable report. The inspection by van Lijnden in 1927 resulted in the blacklisting of five estates (Ranau, Langkon, Batu Puteh, Bettotan, and Sapong) for various reasons, and the managers of these estates were informed that further supply of Javanese labourers would be withheld, unless the problems were remedied.⁵⁶ Conspicuously, Governor J.L. Humphreys sent a despatch to the Governor-General of Batavia in June 1927, urgently requesting the Dutch to send another labour inspector to take over Van Lijnden's unfinished task. Van Lijnden was

⁵³ PRO: CO648/10. AR. Protectorate Department for 1924. p. 60.

⁵⁴ PRO: CO874/554. NBCC. Minutes of Meeting. 9 November 1925; PRO: CO874/752. F.W. Fraser to Government. 18 December 1926.

⁵⁵ PRO: CO648/14. AR. Protectorate Department for 1926.

⁵⁶ SSA: NBCA 210. Notes for Baron van Lijnden's interview with His Excellency.

taken ill prematurely in late May 1927. It was apparent that Governor Humphreys was apprehensive about Van Lijnden's negative judgement of the territory. He hoped a new inspector would provide an optimistic assessment of the labour conditions in the area, and reassure the NEI government that Javanese immigrants were 'well and justly treated ... and that their rights were carefully guarded by the Protectorate'. During the interval, pending the arrival of the second Dutch inspector, Governor Humphreys instructed employers of labour generally, and of Javanese indentured labourers specifically, to improve labour conditions in their respective areas, if they wished to continue enjoying the privilege of recruiting Javanese labourers under the government permit.⁵⁷

Meanwhile, gazette notifications passed under the Labour Ordinance of British North Borneo in December 1927, which embodied almost all of Baron van Lijnden's suggestions, were given to the Dutch authorities for further consideration. By then, the permit's renewal depended upon M.B. Viehoff's report, who replaced van Lijnden in 1928. M.B. Viehoff criticised the inconsistencies and loopholes in the Labour Ordinance, which he claimed were detrimental to the welfare of Javanese labourers. Accordingly, the ordinance subjected the Javanese labourers who re-engaged after expiration of their 'Dutch contract' to the 'local contract', which in several respects, and particularly with regard to the salary, was less favourable than the former, yet to which these labourers would often be tempted by the offer of advances.⁵⁸ The advance gave rise to a dependency relationship between the employee and the employer. After the expiration of the contract, the coolie re-engaged again, under a local contract for one year, this time under a different wage scheme, and without a repatriation clause.⁵⁹

To remedy the situation, Viehoff suggested that a 'Netherlands' Indian Labourers' Protection Ordinance (NILPO), analogous to those existing in the Straits

⁵⁷ SSA: Despatches 1927. Governor Humphreys to Governor General NEI. No. 1251/27. 8 June 1927.

⁵⁸ PRO: CO874/752. Governor Batavia, to Governor British North Borneo. 16 September 1930.

⁵⁹ Refer chapter 8.

Settlements and Federated Malay States since 1908 and 1909, and to the one, which had been enforced in Sarawak, be edicted in the territory.⁶⁰ Nevertheless, the unanimous feelings of the employers was that the existence of separate Labour Ordinances for the three groups of Javanese working in the territory (Java-recruited, Singapore-recruited, and locally engaged) were highly undesirable and misleading, and would create difficulties in operation. The NBCC collectively preferred a re-modelling of the existing Labour Ordinance 1929, to bring it into conformity with the NEI's requirements, particularly relating to imported Javanese under the Dutch contract.⁶¹ Finally, the Labour Advisory Board concluded in August 1930, that a separate ordinance for Javanese labourers was unnecessary, and Viehoff's recommendations would be incorporated within the existing Labour Ordinance of the territory.⁶²

In a twist to the matter, Viehoff proposed that a permit would only be granted subject to a novel condition that the labourers were transported to British North Borneo, and back to Java, direct and not via Singapore. The idea of direct shipment gained credence due to the fact that more Javanese recruits went 'missing' in Singapore. The Dutch authorities regarded the Singapore port as providing 'too many opportunities for illegal recruiting or substitution en route.'⁶³ They alleged that too often, the Javanese repatriates fell into the hands of labour sheikhs and *haji* sheikhs (pilgrim brokers), and these labourers would re-engage, either for estates in British North Borneo, or Malaya, without the guarantees and advantages offered by the Dutch Contract.⁶⁴ With the unprecedented scale of repatriates re-engaging in Singapore, direct shipment was finally sanctioned in 1928.

⁶⁰ KIT: Kantoor Van Arbeid. Veertiende Verslag van de Arbeidsinspectie voor de Buitengewesten. 1929. p. 36.

⁶¹ PRO: CO874/751. NBCC. Extract from Minutes of Committee Meeting. 1 May 1931; PRO: CO874/555. NBCC. Minutes of Meeting. 4 April 1931, 1 May 1931.

⁶² SSA: Despatch (Gov. to President, 1930). Cost of Labour. 6 October 1930.

⁶³ SSA: NBCA 1119. Martyn to Government Secretary. 14 March 1924. See Chapter 8 for further details.

⁶⁴ KIT: Kantoor van Arbeid. Dertiende Verslag van de Arbeidsinspectie voor de Buitengewesten 1928. Weltevreden: Landsdrukkerij. p. 38.

Interestingly, it was not only direct shipment that became a novel condition in the renewal of the recruiting permit for 1928;⁶⁵ the NEI government also insisted upon the despatch of the coolies using Dutch vessels flying the Dutch flag, by the eastern route, via Tarakan, and therefore, avoiding Singapore.⁶⁶ The KPM had finally launched and maintained a monthly service between ports in the Dutch East Indies and Tawau in the second half of 1920. Thus, the responsibility to transport the coolies fell on this shipping company.⁶⁷ From June 1929, the monthly service was increased to a fortnightly service.

The earlier paragraphs have shown that the transportation of Javanese indentured labourers to British North Borneo was dominated by a single carrier, Britain, whose regulations governed the departure, passage and landing of the indentured labourers. The ships carrying indentured migrants usually had a good safety record, because there was no record of vessels sunk, or unable to complete the voyage because of damage due to storms, or running aground. The transportation of labourers using British ships was usually highly regulated. However, as noted by Northrup, even on well regulated ships, comfort was at a premium. Sanitary facilities were rudimentary, and the quality of food and water could deteriorate considerably, the longer the voyage took.⁶⁸ Batavia alleged that liners, other than those of the Dutch, failed to provide the basic necessities for their Javanese subjects while on board. Officials in Java criticised the passenger accommodation on the ships of the SSC, which was apparently inferior to that on Dutch vessels, particularly the KPM. They referred to the 'insufficient supply of bathing and drinking water'. Allegedly, meals were provided twice a day, against three on board the KPM's ships. They argued that any control by the NEI authorities on board British ships concerning the condition of the coolies, and the space and supplies

⁶⁵ PRO: CO874/752. Macaskie to Government Secretary. 27 April 1928.

⁶⁶ PRO: CO874/752. Governor to President BNBC. 10 June 1929.

⁶⁷ KIT: Kantoor Van Arbeid. Dertiende Verslag van de Arbeidsinspectie voor de Buitengewesten 1928. Weltevreden: Landsdrukkerij. p.38.

⁶⁸ Northrup. *Indentured Labor*. p. 87.

allotted to them, would be insufficient, if not altogether impossible.⁶⁹ Proper control could only be accomplished if the coolies were carried by Dutch vessels.

Both the British and the Dutch were particularly concerned about being accused of continuing the slave trade under a new guise, and hence, attention was given to the transportation of coolies.⁷⁰ Arguably though, the strict regulation of utilising KPM vessels could be due to protectionism on the part of the Dutch. From 1888, the KPM was granted greater power by the NEI government than had been given to its predecessors. A contractual agreement between the two parties, according to à Campo, converted the relationship from 'competition to bilateral monopoly', whereby the KPM obtained a monopoly on existing and future lines, while the government acquired firmer control of the KPM's operation. Through this agreement, the KPM had to give priority to governmental freight and passengers, while retaining its private operations. The NEI government could demand access to instant requisition of as many ships as it wished, at concessionary rates, not to mention the other perks that came with it, such as access to shipping space.⁷¹ In the 1910s, vast expansion occurred within the KPM, and by around 1920, the shipping enterprise had 92 vessels that operated 50 services, with about 300 ports of call.⁷² After the outbreak of the First World War, cooperation between the KPM and the NEI government intensified, with 'the Paketvaart loyally supporting the government, and the government lending powerful support to the Paketvaart'. In fact, in 1925, the KPM's monopoly extended even more when it called for the inclusion of an article in its contract with the NEI government, that the latter was bound to refrain from any 'competition' with the KPM. By this new clause, the NEI government could not transport even private travellers and

⁶⁹ KIT: Kantoor Van Arbeid. Veertiende Verslag van de Arbeidsinspectie voor de Buitengewesten 1929. Weltevreden: Landsdrukkerij. pp.36-37.

⁷⁰ Termorshuizen. 'Indentured Labour'. p. 303.

⁷¹ J. à Campo. 'Steam Navigation and State Formation'. in: Robert Cribb (ed.), *The Late Colonial State in Indonesia: Political and Economic Foundations of the Netherlands Indies 1880-1942*. Leiden: KITLV Press. 1994. pp. 13, 16-17. See similar arguments in J.N.F.M. à Campo'. *Engines of Empire: Steamshipping and State Formation in Colonial Indonesia*. Uitgeverij Verloren. 2003.

⁷² Joshua Chia Yeong Jia. 'Koninklijke Paketvaart Maatschappij (KPM)'. Article written for the National Library Board Singapore on 16 June 2006'. (http://infopedia.nl.sg/articles/SIP_1182_2007-12-24.html).

goods in the archipelago, thus illustrating the KPM's zeal of obtaining a total monopoly with regards to the government.⁷³

Hence, to fulfil its contractual obligation with the KPM, the NEI government gave total monopoly to the shipping line, to transport government-imported Javanese, to and from, British North Borneo,⁷⁴ not to mention Sumatra, Surinam, New Caledonia, and other destinations. Despite employers in British North Borneo (under the NBCC) sending representations to the Java authorities criticising the unfair discrimination of British shipping, the NEI government refused to waive its decision. The British Consul General at Batavia, Sir Josiah Crosby, in a semi-official letter dated 15 March 1929, in fact deprecated the making of any further representations by the British North Borneo authorities, as it 'would... be not only useless, but might improbably annoy the Dutch'.⁷⁵

The Company government disbursed £1,482.00 on a coolie depot in Tawau,⁷⁶ and on 13 October 1929, the KPM steamer, *Roseboom*, arrived with the first batch of Javanese labourers recruited via the new route. In all, there were 154 Javanese including dependants.⁷⁷ By the end of 1929, 266 Javanese immigrants arrived under the permit, on four shipments. Martyn's successor, C.F.C. Macaskie, limited the number of shipments to one a month, with shipments to occur quarterly or less frequent in times of depression. There was substantial delay in repatriation, but the Dutch authorities affirmed that any delay was considered preferable than risking repatriates re-engaging in Singapore while in transit.⁷⁸ The permit to recruit another 2000 labourers was renewed by the Dutch authorities in November 1929.

⁷³ Campo. *Engines of Empire*. p. 74.

⁷⁴ PRO: CO874/555. Minutes of the 19th Annual General Meeting, 31 August 1929.

⁷⁵ PRO: CO874/752. Maxwell to President BNBC. 10 June 1929.

⁷⁶ PRO: CO874/752. Governor's. No. 341. 10 June 1929.

⁷⁷ SSA: *BNBH*. 16 October 1929.

⁷⁸ PRO: CO874/752. Macaskie to Government Secretary. Prot. No. 148/28. 27 April 1928.

Along with the renewal of the recruiting permit, a new contract form was approved by the Dutch government. Under the new ruling, Javanese indentured labourers were banned from working on timber enterprises, following the reported deaths of Javanese labourers while hauling or felling timber. The new Dutch contract restricted Javanese indentured labourer in British North Borneo to agricultural ventures only. Apart from the changes in type of work, the working hours for the 1929 contract were now synchronised with the territory's labour laws, which was 9 hours. Monies given to the labourer in Java were now considered as presents, and an employer was prohibited from deducting them from the labourer's wages. Deductions could only be made on the seven dollar advance the labourer received at the port of disembarkation, or destination. In addition to the three days of *Hari Raya* and two days in each month, three more holidays were added for the Javanese indentured, i.e. the twelfth day of the Moelod month, the last day of the month Roewah, and the tenth day of the month Hadji.⁷⁹

After the expiration of the permit in 1930, no renewal was made for the oncoming year. Since no action was taken by the Company pertaining to the NILPO proposed earlier, no recruiting permit was granted thereafter. Employers did not push the matter because a downturn in economic conditions prevented further importations of labour. It was the period of the Great Depression, and many enterprises were either closed down, or kept on a 'care and maintenance' basis. Simultaneously, in late 1931, the legislation concerning the abolition of indentured labour under penal sanctions was passed in British North Borneo, and took effect on 1 January 1933, after the expiration of the remaining contract in 1932. Meanwhile, the NEI government, too, passed a resolution ending the 'Poenale Sanctie' (penal sanctions) system for Javanese contract coolies in its colonies by 1934, and thus, was in the process of phasing out the indentured system of labour. The Dutch government was already considering

⁷⁹ See a copy of the 1929 Dutch Contract in, PRO: CO874/752.

extending this ruling to other importers of Javanese labour, including British North Borneo.⁸⁰

Throughout the negotiation to import Javanese indentured labourers into British North Borneo, it was clear that the relationship between the two colonial states showed an uneven balance of power. The Company government, being the inferior side, was totally dependent on the NEI for its continuous supply of indentured labourers, while the NEI government, as the superior party and the one with the 'whip hand', was free to manoeuvre the relationship to its own advantage.⁸¹ The Dutch adopted a policy of self-interest when it came to the question of Javanese indentured labourers in British North Borneo. From the terms and conditions of the contract, to the recruitment, transportation, and working conditions of Javanese indentured labourers, the NEI government was adamant that the organisation of the Javanese indentured labour system would be handled in the NEI's terms. As noted, more often than not, these policies were guided by conditions in the NEI itself. For example, a change in policy, as in the case of direct shipment, was adopted when too many Javanese labourers decided against returning to Java, and instead, went 'missing' in Singapore. Too many coolies retreating to Singapore would mean fewer coolies arriving in Java. This would lead to a relative decline in potential recruits for the NEI's own enterprises in Sumatra or the outer islands, which would eventually lead to further pressure from the planters' lobby. Furthermore, the contractual agreement with the KPM reflected the attitude of NEI in protecting its self-interest. More examples of the NEI superiority vis-à-vis the Company government, at the expense of British North Borneo employers, may be seen in the forthcoming chapters.

⁸⁰ PRO: CO273/567/4. Acting Consul-General to Arthur Henderson, P.C.M.P. 7 November 1930.

⁸¹ PRO: CO874/753. Governor to Chairman. 18 January 1919.

Javanese Immigration Funding

A noteworthy feature of the Javanese indenture system to be examined is its method of financing. Employers of labour bore all expenses incurred in the immigration process, and the Company government acted solely as a coolie broker, on behalf of the employers. On top of being a governing body, the Company government hoped to profit from its trade, exploration and colonisation of the territory. Its dual role made it necessary for the Company government to regulate the importation, allocation, employment and repatriation of labour, and leave the financing of the immigration scheme by the employers themselves. Nevertheless, the colonial state provided financial assistance in the form of an advance to pay brokers and steamer lines in the first instance, and claimed from the employers afterwards. Interest would be charged to employers for the use of the money advanced. The total cost of each batch of labourers, including commission, passage, and interest charged on the money advanced by the government, would be worked out and paid for by planters on the arrival of labourers. In any event, the government took no responsibility for loss through death or desertion.⁸² Revenues of the Protectorate Department came from other avenues, such as the sale of contract forms, the registration of contracts, recruiters' licences, and coolie depot charges.⁸³

In 1913, when the Company government first undertook the work of recruiting labour direct from Java under the permit granted by the NEI government, there was no formal agreement whereby the employers assumed full responsibility for any liability incurred on their behalf by the government acting as their Agent for the importation of Javanese labour. No formal agreement of the kind was entered into by employers with the government, although employers promised to pay all expenses in connection with their importation, and such a promise was necessarily implied by the requisition.

⁸² PRO: CO874/744. Extract from Governor's Confidential Letter to Chairman. 18 November 1913.

⁸³ See Annual Reports of the Protectorate Department in PRO: CO648/7-14.

Estates which applied for government-imported labourers had to sign an undertaking in the following form:-

'We...hereby guarantee to repay to the British North Borneo Government all expenses incurred in recruiting...Javanese labourers...in accordance with our request of ...',⁸⁴

Theoretically, the liability of the colonial state as the employer was transferred to the actual employer as soon as the contract was signed by the labourer. Nevertheless, in case of default on the real employer's part, the government was both morally and politically bound to accept liability.⁸⁵ Such risk made it imperative for the Company government to impose a five percent (5%) commission, to be added to the actual cost of each coolie landed in the territory, since it was considered impossible to estimate exactly the actual expenditure incurred by the government in recruiting the labour in question.⁸⁶ The 5% charged was designed to cover incidental expenses such as telegrams, medical charges (\$1.00 per labourer was paid for medical examination on arrival), and charges with regards to repatriation that was impossible to allocate to individual employers.⁸⁷

On top of the 5% commission, the government also charged \$4 per head, to be allocated to a 'Rejection Fund'.⁸⁸ The colonial government insisted that the establishment of a 'Rejection Fund' was critical, and it was entitled to take expenditure into account, and to consider it as part of the risk assumed in acting as coolie broker for employers of labour generally, and to place such expenditure against the proceeds of the 5% commission charge and the \$4 rejection fee.⁸⁹ In 1919, the sum of \$4491 (£524) was deposited as the nucleus for the 'rejection fund' (or 'repatriation' fund as

⁸⁴ PRO: CO874/751. Governor A. F. Richards, to President BNBC. 31 October 1930.

⁸⁵ PRO: CO874/752. Acting Secretary W.J.Worth to Governor J.L. Humphreys. 22 November 1926.

⁸⁶ PRO: CO874/752. Minutes of Meeting of the NBCC. No. 188. 29 October 1926.

⁸⁷ PRO: CO874/753. Acting Governor's No. 234. Fund for Repatriation of Javanese Labourers. 28 March 1918; PRO: CO874/752. OAG Fred W. Fraser to Secretary BNBC. 30 July 1926.

⁸⁸ PRO: CO874/752. Minutes of Meeting of the NBCC. No. 188. 29 October 1926.

⁸⁹ PRO: CO874/752. Acting Secretary W.J.Worth to Governor J.L. Humphreys. 22 November 1926.

later justified by the government). This amount was the balance standing to the credit of government account, in connection with the recruitment of coolies.⁹⁰

For more than a decade, there was no opposition to this method of financing. It was agreeable to the employers because they believed they would probably have had to pay more had they dealt directly with a broker. Moreover, the system whereby the Government acted as coolie broker was considered beneficial to the planters' interest, as it carried within it a system of credit, which was not only of great convenience, but it was also one which would not be given by any independent broker. In 1926, the normal method of financing was severely questioned. An examination of the accounts for 1925 showed that there was an average three months delay between the date on which the bank (Hongkong and Shanghai Banking Corporation) made the payment for a shipment, and the date on which all bills on that shipment were collected from the employers. Since the number of requisitions for Javanese labourers for the oncoming year (1926) was considerably large, the Protector was authorised to demand a deposit of \$50 or approximately 50% of the cost of importing each labourer, to be paid by the employers at the moment of their request. This took effect on 1 January 1926.⁹¹ Once enforced, the formal undertaking which was initially signed by employers was no longer demanded.⁹² Meanwhile, the commission of 5% charged by the government remained, and there was no increase to the \$4 rate to be paid to the Rejection Fund.

This triggered a chain of events which questioned the role of government as a commercial enterprise and an administrative government. By April 1926, alarmed by the huge deposit they had to pay, on top of the usual charges imposed by the colonial state, employers under the auspices of the North Borneo Planters' Association (NBPA) and the NBCC raised the question of the Rejection fee of \$4 being too high, and

⁹⁰ PRO: CO874/753. Acting Governor's No. 234. Fund for Repatriation of Javanese Labourers. 28 March 1919.

⁹¹ PRO: CO874/752. Acting Secretary W.J. Worth to Governor J.L. Humphreys. 22 November 1926.

⁹² PRO: CO874/751. Governor A. F. Richards to President BNBC. 3 October 1930.

demanded to know how the 5% commission was dealt with. This was further complicated by the way in which the accounts were justified by the government in its Annual Reports. The Protectorate Department recorded the balance standing from 'Javanese Coolies Advance Account' for the years 1918 and 1919, as 'profits' derived from the recruiting fee of 5% and the Rejection Fund of \$4.⁹³ What struck the employers as odd (although these occurred several years back) were the right of the colonial state (in its commercial role) to make a profit out of its work as brokers, and the actual ownership of the monies resulting from the collection of these fees. The minutes of the meeting of the NBPA stated,

It was Government's case that the \$4 per head Rejection Fund was part of its remuneration and on this reasoning Government had refused to supply accounts of a fund in which there stood an admitted profit. If this was so, and the profit were indeed properly the remuneration of Government, on what grounds were Government entitled to include the \$4 per head Rejection Fund in its gross total upon which the 5 per cent commission was levied. It did not seem logical or in common equity that an agent should be entitled to charge commission in respect of charges which were claimed as remuneration.⁹⁴

In August 1926 F.R. Carew, representing the NBPA, contested in the Sessions Court the charges levied by government on the importation of Javanese labourers. The verdict was in the government's favour. The judge held that the government, although admittedly acting as an agent on behalf of estates, was fully entitled to charge a fee of 5%, and that such fee should be considered as a proper and reasonable remuneration. He also ruled that estates were not entitled to a statement of accounts from the government. With regard to the charge of \$4 per coolie levied in respect of a Rejection Fund, the judge held that any excess or profit accruing from 'time to time was ipso facto the property of government', and part of its remuneration. In defence, Carew accepted the 5% charge as fair for the services rendered by the government, and the risk involved, but he maintained that these charges were never legalised by Ordinance, or even indicated by circular. In response, the judge concluded that although these charges were not itemised in importers' previous accounts, the gross totals were never

⁹³ PRO: CO648/8. AR. Protectorate for 1918 and 1919; PRO: CO874/752. W.J. Worth to Governor J.L. Humphreys. 22 November 1926.

⁹⁴ PRO: CO874/752. Extract from Minutes of Meeting of the NBPA. 11 September 1926.

disputed in the past.⁹⁵ The Company government defended its position by emphasising that government assumed the role of broker for the convenience of employers, and being a commercial as well as an administrative government, there was no reason why it should act without profit to itself. The government indicated that as long as the charges were reasonable, the employers had no ground of complaint.⁹⁶

Subsequently, the government proposed two alternatives. Firstly, to reduce the \$4 per head Rejection Fund fee to a flat charge of 2½% on the imported cost per coolie, with the proviso that any time this charge may be increased. Secondly, to allocate labourers to estates immediately on their arrival, and if a labourer was rejected by a Medical Officer as unfit, the individual estate should bear the repatriation cost of such labourer, through the Protectorate Department.⁹⁷ The Governor also agreed, as an experiment, subject to concurrence of the District Surgeon, that any imported labourer returned by an estate within 10 days of arrival with medical certificate of unfitness, should come under the Rejection Fund.⁹⁸ Government would use proceeds of the Fund entirely connected with rejection purposes, and for cognate matters in connection with imported labour, such as the Pauper Institution, which was to be established in 1927.⁹⁹ In the end, the five per cent commission, formerly collected, ceased by 1927. However, it made little difference to the employers, because the amount was absorbed into the Rejection Fund. Employers now had to pay 7 ½ per cent charges, owing to increased rejections.¹⁰⁰

Meanwhile, the Company government favoured the formation of a Labour Advisory Board in July 1927 (to replace the Advisory Immigration Board formed in January 1927), 'to advise government on behalf of employers of labour, on all matters

⁹⁵ PRO: CO874/752. Extract from Minutes of Meeting of the NBPA. 11 September 1926.

⁹⁶ PRO: CO874/752. W.J.Worth to Governor J.L. Humphreys. 22 November 1926.

⁹⁷ PRO: CO874/752. Extract from minutes of meeting of the NBPA. 11 September 1926.

⁹⁸ PRO: CO874/752. Governor's No. 37. NBPA. 19 January 1927.

⁹⁹ SSA: Despatches (Gov. to President, 1927), Notes of interview between His Excellency the Governor and a deputation from the NBPA. 7 January 1927.

¹⁰⁰ SSA: NBCA 1126. Report by Macaskie. 11 November 1927.

connected with the recruitment and employment of labourers, and to assist in the administration of recruiting or other general labour funds'.¹⁰¹ Its members consist of the Protector, and a representative each from the NBCC and the NBPA. In November 1927, it held its first meeting, and the views of the Board mainly dealing with the labour laws and a proposed cess on employers (known as the Javanese Immigration Fund) to subsidise importation of Javanese labourers were communicated with the Company government.¹⁰² However, by the time indentured labour was abolished both in British North Borneo and the NEI, no such fund existed. It was finally instituted in 1937, under Gazette Notification 370 of 1937, under the Labour Ordinance of 1936.¹⁰³

Over the indentured labour period, employers of labour spent a hefty sum of more than \$1.1 million to import Javanese labourers and their dependants from the island of Java. The yearly importation cost is shown in Table 3.1. The average cost per person was \$117, much higher than the average coolie imported from Singapore (approximately \$70 to \$80).¹⁰⁴ Forthcoming chapters shall show that this high cost of importation obliged employers to 'value' their labourers more by either squeezing the utmost labour from them, or making certain concessions with regards to working and living conditions.

Table 3.1

Cost of Javanese Indentured Labour, 1915-1932

Year	Average Cost per Coolie	Total Estimated Cost of Importation	Year	Average Cost per Coolie	Total Estimated Cost of Importation
1915	77	32,802	1924	117	10,530
1916	104	26,520	1925	109	92,759
1917	100	65,100	1926	117	259,974
1918	142	126,664	1927	106	169,070
1919	121	31,823	1928	0	0
1920	145	141,375	1929	107	28,462
1921	157	90,118	1930	105	6,825
1922	131	3,930	1931	0	0
1923	117	41,535	1932	0	0

Source: PRO: CO648/7-15, Annual Reports of the Protectorate Department, 1915-1932.

¹⁰¹ PRO: CO874/554. Minutes of Meeting, NBCC, 1 July 1927.

¹⁰² PRO: CO648/14. AR. Protectorate Department for 1927.

¹⁰³ PRO: CO874/1063. Governor Smith to Governor-General NEI, 31 October 1938.

¹⁰⁴ PRO: CO648/7-15. AR. Protectorate Department, 1914-1932; PRO: CO874/744. Extract from report for August 1917 by Manager of Mawao Estate.

Immigration of Javanese Labourers

The total number of Javanese indentured labourers imported to British North Borneo depended on several factors. In deciding how many immigrants to apply for, the employers were guided partly by their estimate of the requirements of the labour market for the following quarter of a year (no employer could foresee his requirements would be met beyond a month or two), the number whose indentures would expire, the number who might re-indenture, and the number of immigrants who might return to Java. But even more so, they were guided by their judgement of the probable size of the following crop, which in turn, depended in large measure on the level of prices. The market would dictate to the Boards of Companies at the home country the advisability of curtailing expenditure, or of extending operations on their estates. In addition, the number of imports depended largely on the costs of importation and repatriation. Any appreciable reductions in total costs would naturally result in increased demand for labour.¹⁰⁵

Table 3.2 depicts the total number of Javanese indentured labourers imported into the territory between 1914 and 1932. The first permit granted by the Dutch secured a total of 459 labourers in 1914. Similar numbers were obtained the year after. Nevertheless, the fall in the price of rubber, followed by the financial difficulties created by the war, resulted in a drastic reduction in the labour force in 1916.¹⁰⁶ The threatened curtailment of estate programmes at the outbreak of war had not prevented a gradual increase in labour forces. Importation during 1918 was far larger than from any preceding year under the Dutch Contract. After the war, owing to the general rise of prices caused by inflation, and combined with adverse rates of exchange, the cost of imported labour rose higher (see Table 3.1 above). Less immigration took place in 1919.

¹⁰⁵ PRO: CO874/744. Extract from a memorandum by the Acting Protector on a meeting of the NBCC; SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 December 1923; Martyn to Elphinstone (BNBC). 5 October 1925.

¹⁰⁶ PRO: CO648/7. AR. Protectorate Department for 1916.

Table 3.2

Total Importations of Javanese Indentured Labourers in British North Borneo, 1914-1932

Year	Dutch Contract (DC)		
	Male	Female	Total
1914	198	261	459
1915	142	284	426
1916	152	103	255
1917	549	102	651
1918	667	225	892
1919	193	70	263
1920	775	200	975
1921	443	131	574
1922	10	20	30
1923	120	235	355
1924	0	90	90
1925	626	225	851
1926	1672	550	2222
1927	1269	326	1595
1928	0	0	0
1929	93	173	266
1930	0	65	65
1931	0	0	0
1932	0	0	0
Total	6909	3060	9969

Source: PRO: CO648/7-15 Annual Report Protectorate Department, 1914-1933.

Comparatively, very few Javanese were imported after 1920, regardless of the permit to recruit 3000 labourers, due to instability in the price of rubber. In 1921, the principal decrease was accounted for by the rubber slump. Importation of Javanese labourers to the west coast practically ceased. Managers were unwilling to engage indentured labourers, not knowing whether further reductions might be necessary. With more unemployment resulting from the rubber slump, importation was kept to a minimum. Most places of labour either temporarily closed down, or reduced to less than twenty labourers. Immigration of Javanese indentured labourers would have been smaller still had it not been for labourers imported by timber, tobacco and coal companies.¹⁰⁷ By 1922, planters desired to recruit locally, rather than incur the heavy cost of importation. The total number of importation under the Dutch permit fell drastically to just 30 labourers. According to the Protectorate Department, the decrease was a sign of poverty, because an imported coolie would give a better value in the long run than the class of alien labour obtainable locally.¹⁰⁸

¹⁰⁷ PRO: CO648/9. AR. Department of the Protector of Labour for 1921.

¹⁰⁸ PRO: CO648/9. AR. Department of the Protector of Labour for 1922.

In 1925, there was a remarkable revival in the planting industry. Owing to a rise in the price of rubber, the interest in the cultivation of rubber increased. More than 12,000 acres were alienated for rubber cultivation in the west coast residency alone, with the numbers of Chinese and native smallholders gradually increasing. Throughout the indentured labour period, the three years from 1925 to 1927, witnessed an unprecedented number of Javanese indentured labourers imported into the territory, with a peak of more than 2000 labourers recorded in 1926. In fact, as indicated in Table 3.2 the numbers of Javanese indentured labourers imported during the three years were almost half of the entire Javanese labourers combined, from the first year of the experiment in 1914, until the abolition of the indentured labour system in 1932. The high dependence on Javanese indentured labourers from Java during this time was due to the shortage of Chinese and native labourers. Many Chinese labourers were more interested in better wages and conditions offered by smallholdings, while some became smallholders themselves. Likewise, the policy of recalling natives to their villages proved problematic because many who were recalled failed to return to work when their leave expired.¹⁰⁹

The recruiting permit was renewed by the NEI authorities in November 1925, but eight months later, in July 1926, the number was fully utilised. In September 1926, a further permit of 2000 labourers was granted. Overall, twenty nine enterprises throughout the territory took advantage of the permit in 1926, compared to only eight in 1914.¹¹⁰ More than 4000 indentured labourers, or almost 60 per cent remained in the territory in 1926, compared to approximately 2500 five years before. No immigration of Javanese labourers under the Dutch permit occurred in 1928, due to 'unsatisfactory' labour legislations.¹¹¹ Only after the decision to adopt direct shipment using Dutch vessels did importation resume under the 'Dutch Contract' in 1929, with the arrival of 266 labourers from Java under a permit granted in 1929. Overall, the adverse effects of

¹⁰⁹ Refer chapter two.

¹¹⁰ See PRO: CO648/7-14. AR. Protectorate Department, 1914-1926.

¹¹¹ PRO: CO874/752. Governor General Batavia to Governor A.F. Richards. 16 September 1930.

the trade depression continued to be felt throughout the year, as shown by the gradually decreasing number of imports. Most Javanese due for repatriation were re-engaged whenever possible as free labourers under verbal agreements (liable to termination at one month's notice) in order to save the expense of passages. Employers were naturally reluctant to recruit more labourers from outside sources than was absolutely necessary, with a skeletal force being retained on many estates. Only 65 indentured labourers were imported under the Dutch permit in 1930, as compared to 266 in 1929.

Owing to the prevailing trade depression in 1931, no labour was imported from Java. The immigration of Javanese indentured labourers finally ended with the expiration of the remaining contract in 1932. In total, 9,969 Javanese labourers arrived in British North Borneo under the indentured system of labour. Approximately 1,490 settled there, the majority being women who married locally. All the others had been repatriated except for 710 who had died, and 317 who had absconded and had not been recovered.¹¹² The immigration of Javanese indentured labourers was heaviest during the period of rubber boom, and lowest during the slump of the Great Depression and the fall in the price of rubber.

The proportion of women indentured labourers imported from Java was relatively high. Throughout the indentured labour period, almost 31 per cent were females compared to 69 per cent males. In other words, the crude sex ratio was 2.3 men per woman. The number of Javanese women imported far exceeded their male counterparts between 1914 and 1916. Even though the overall percentage of women gradually decreased throughout the years, from 36 per cent in 1914-1919, to 31 per cent in 1920-1925, and 27 per cent in 1926-1932, there was a significant increase in the absolute numbers imported between 1925 and 1927. Another obvious distinction was that the reduction in coolie employment did not mean a drop in the recruitment of

¹¹² PRO: CO648/15. AR. Protectorate Department and Secretariat for Chinese Affairs for 1932.

Javanese women. As compared to Deli, Sumatra, where absolute numbers were reduced to almost one half between 1920 and 1923, the situation in British North Borneo was the opposite.¹¹³ There were more women imported than men during severe restrictions to the economy, particularly between 1922 and 1924, and between 1929 and 1930.

Hence, the number of men per woman first rose from 0.5 in 1915 to 5.4 in 1917. Following this, more women were recruited again, so that the sex ratio fell to 2.8 in 1919. From then on, there was a fluctuation in the number of women recruited. In 1920 and 1921, the sex ratio increased to above 3.0 (3.9 and 3.4 respectively), before the number fell drastically to zero in 1924. Only female indentured coolies were recruited for that year. During the rigorous planting season, the sex ratio of men per woman again increased to 3.9 in 1927, with more men recruited, to take advantage of rising rubber prices. The number then drop from 1929 onwards. The trend towards the importation of female Javanese indentured labourers reveals that apart from supplementing the labour force, female coolies were employed to create a contented labour force. The presence of women was seen as a stabilising force for male coolies, keeping them away from 'unnecessary evils', such as labour unrest.¹¹⁴

End of Javanese Indentured Labour

After 1929, the main trends in coolie labour were effectively reversed, with demand declining instead of rising, and free coolies on verbal contracts, instead of contracted coolies being engaged. On 31 December 1931, there were 10,276 labourers employed in the larger places of labour in British North Borneo (20 or more labourers) of whom only 1,438 or 14%, were on written contracts, the remainder being on verbal (month to month) contracts.¹¹⁵ Together with the slump in the price of rubber, the demand for contract labour declined drastically, by more than 7,200 persons, or almost 91%

¹¹³ Lindblad, 'Coolies in Deli'. p. 58.

¹¹⁴ PRO: CO648/9. AR. Protectorate Department for 1922. p. 58.

¹¹⁵ PRO: CO648/15. AR. Protectorate Department for 1931. p. 22.

between 1929 and 1932 alone. The shift from contract to free labour status during this period is shown in Table 3.3. The shift from contract coolies to free coolies was faster than the government had expected. Employers were anxious about the new working environment that blanketed estates and plantations throughout the world that used the system of indentured labour. Many felt vulnerable because the abolition of penal sanctions and the old system of labour would diminish their hold on the coolies.¹¹⁶ They prepared themselves for the inevitable, as penal sanctions and the whole system of indentured labour and any form of forced labour were doomed to extinction by international action, under the auspices of the International Labour Office.¹¹⁷

Table 3.3

Total Number of Coolies in British North Borneo, 1927-1932

Year	Contract & Indentured (%)		Free (%)		Total
1927	9,997	49	10,404	51	20,401
1928	8,800	47	9,924	53	18,724
1929	7,987	42	10,547	58	18,534
1930	3,851	31	8,712	69	12,563
1931	1,438	14	8,838	86	10,276
1932	732	9	7,663	91	8,395

Source: PRO: CO648/15 AR. Protectorate Department and Secretariat for Chinese Affairs for 1930, 1931, 1932; PRO: CO874/505. Governor to President. No. 367. 30 June 1930.

The abolition of indentured labour in the territory, and the decision taken by the Dutch in not renewing the permit, at the same time, abolishing its own Coolie Ordinance, coincided with major developments in the international economy. First, the early 1930s were an extended slump period, particularly in the production of rubber. There was a decline in the demand for labour, and employers sought to reduce labour cost by lowering wages, dismissing workers, or by repatriating Javanese indentured workers under the auspices of the Javanese Rejection Fund. Second, protectionism and restrictive trade policies adopted by the United States (US) during the period of the Great Depression hastened the demise of the system of indentured labour in British North Borneo, as well as other places, that adopted the labour system. Section 307 of the US Tariff Act, 1930, called for the 'exclusion from American imports of products

¹¹⁶ PRO: CO874/1061. Extract, Minute Sheets XI and XII – D.1060/1. Minutes. Forced Labour and Contract Labour. 7 March 1929.

¹¹⁷ PRO/273/567/4. Acting General to Arthur Henderson. 7 November 1930.

produced with forced labour working under penal sanction', effective from 1 January 1932.¹¹⁸ Since the US was a major market for Southeast Asian primary commodities, this amendment propelled many colonial governments to abolish penal sanctions and indentured labour altogether.

Employers under the umbrellas of the NBPA and the NBCC both confirmed in writing that they 'fully approved' the suggested abolition.¹¹⁹ However, they questioned the future acquisition of Javanese labour in the state, emphasising that abolition brought with it the disappearance of the principal means by which foreign coolies were induced to leave their homes in the first place, vis-à-vis the offer of advances.¹²⁰ They suggested the establishment of an alternative recruiting system for future recruitment. The end of indentured labour meant that employers had to sign recruits as free labourers on monthly contracts, and this according to the employers, enabled labourers to freely leave their employers at a month's notice. However, with no proper recruitment scheme, the labour problem in the territory continued until the outbreak of World War 2, although its severity varied.¹²¹

Conclusion

The Javanese indentured labour system was regulated through a two-way collaboration and interaction between the Company government and the NEI government. Both colonial states scrutinised the well being and security of the indentured workers. Periodic inquiries were made as to the operation of the system, and the permission to recruit was granted based on the outcome of such inquiries. Nevertheless, the NEI authorities held a superior position in the negotiation process, and the course of Javanese indentured labour experiment in British North Borneo was shaped to correspond with the needs and vested interests of the Dutch authorities. The

¹¹⁸ PRO: CO874/761. NBCC. Minutes of Meetings. 20 December 1930 and 16 January 1931. Goods Produced by Indentured Labour.'

¹¹⁹ PRO: CO874/1061. Governor's No. 420. Indentured Labour: Suggested Abolition of. 3 October 1932.

¹²⁰ PRO: CO874/1014. Report of the Committee Appointed in November 1932.

¹²¹ PRO: CO874/1061. Minutes, Cable from the Governor, New Labour Ordinance. 3 October 1932.

Company government introduced regulations and recommendations by the NEI government to ensure a well-organised operation of the system, ranging from the amount of wages to be given, to health and medical care, food allowances, housing conditions, and what sort of punishments were permissible. As for the Dutch authorities, failure to adhere to the regulations where their subjects were concerned would result in a blacklisting of the employer or enterprise concerned, or in a worst-case scenario, in the termination of the indentured contract. However, all these appeared superficial. Although the Company government attempted to ensure a smooth flow of labour through its policies and its role as agent of the planters, and the NEI government exercised vigilance over its colonial subjects overseas, all these indirectly ensured the prevailing of the indentured system of labour in British North Borneo.

CHAPTER FOUR

THE RECRUITMENT OF JAVANESE INDENTURED LABOURERS FOR BRITISH NORTH BORNEO, 1914-1932

Introduction

The negotiation to import Javanese indentured labourers under the government permit to British North Borneo enterprises was a tremendous success. Yearly permits were awarded by the Netherlands East Indies (NEI) authorities to the Company government, to recruit thousands of Javanese coolies from Java. Nevertheless, the recruitment of Javanese coolies depended upon the domestic dynamics involved in Java, which this chapter attempts to explicate. The extent to which 'push factors' were salient in promoting the immigration of Javanese indentured labourers to British North Borneo is the first question to be analysed in the chapter. Second, this chapter seeks to understand the mechanisms involved in the recruitment operation. Both aspects of the discussion serve to ascertain whether or not the recruitment of Javanese labourers for British North Borneo enterprises was conducted on a voluntary basis.

Push Factors of Javanese Migration

The migration of the Javanese to British North Borneo has to be seen in both specific and global comparative terms, particularly in any discussion of the 'push' factors that propelled the migrants out of their original societies and into the expanding economic system of the nineteenth and twentieth centuries. There is a strong correlation between push and pull factors when analysing the propensity for the Javanese to become indentured immigrants. However, the so-called 'push factors' had more to do with migrant' decisions to indenture themselves abroad than did the 'pull' factors of promised opportunities. The Javanese propensity to be indentured was connected to the changing economic, political and social circumstances in their homeland in Java, and to local and regional patterns of migration.

For Java, indentured labour overseas was an extension of much larger patterns of local and regional labour migration. It was noted that circular migration from within Central and East Java was a very common feature. Within Central Java, there was substantial circular migration from Kedu, Cilacap, Tegal and Purwakarta in the western part, whereas in the east, the bulk of the movement was to major cities, such as Semarang, Surakarta, and Yogyakarta. Meanwhile, the most mobile group in East Java were the inhabitants of the small island of Madura, many of whom had either permanently or temporarily moved to mainland east Java, or other parts of Java.¹

Many Javanese contract and indentured labourers were recruited in the three main coastal cities of North Java, i.e. Batavia, Semarang and Surabaya, but the majority of the Javanese that emigrated came from inland Central and East Java. Scholars of Javanese migration observe that most coolies originated from areas surrounding Yogyakarta and Surakarta. In particular, this was from the corridors of Purworejo-Kutoarjo-Karangayar in the western part of South-Central Java, and the Jombang-Pare-Blitar in the Brantas Valley near Surabaya, in East Java.² Likewise, for British North Borneo, the bulk of the coolies were obtained from these agricultural districts.³ In 1915, Karang Tembok and Kapasan produced the majority of the territory's migrants, under the official Dutch permit, whereas 1916 and 1917 were dominated by immigrants from Pati, Purworejo, Semarang, Yogyakarta in Central Java, and Blitar in East Java (See Map 2). During the 1920s, statistical data lean heavily towards Kebumen as one of the main origins of Javanese emigrants. Despite heavy dependence on recruits from Central and East Java, labour returns also registered a proportion of Sundanese-speaking labourers, recruited from districts around Bandung and Batavia, and Madurese-speaking ones.⁴

¹ Graeme J Hugo. 'Circular Migration in Indonesia'. *Population and Development Review*, 8,1 (March 1982), pp. 59-83

² V.J.H. Houben. 'Before Departure: Coolie Labour Recruitment in Java, 1900-1942'. in: Houben, Lindblad, et al. *Coolie Labour*. p. 30.

³ PRO: CO874/744. Report on Trip to Java by M.M. Clark.

⁴ SSA: NBKA 980. Data obtained from the 'Returns of Javanese Labourers imported under the permit of His Excellency the Governor General of the Netherlands, 1914-1927; Interviews with Surip

The decision to migrate depended heavily on the domestic situation in Java. It has been argued elsewhere that the strong attachment of the Javanese to their village made them detest any form of permanent displacement, even in the face of bleak economic circumstances.⁵ Many were reluctant to leave their homes and families, preferring to stay on their small plots of land in the village. Nevertheless, during the last decades of the nineteenth century and early twentieth century, there was a growing desire to leave. Many Javanese began to accept commuting and non-permanent forms of mobility. Indentured labour was perceived as one form of the latter.⁶

This change in attitude was due primarily to the rising tide of population in Java, and consequent decline in the standard of living and economic opportunities. Most areas of supply were experiencing over-population and impoverishment. The population growth in nineteenth century Java was so rapid that the term 'population explosion' was used to define the phenomenon.⁷ Java's population grew from 3,500,000 in 1795, to 25,370,000 in 1895, and 40,890,000 in 1930 (see Table 4.1).⁸ Although studies conducted in the 1960s claimed that the rate of population growth had been overestimated, owing to unreliable figures, scholars did agree that there was a relatively high rate of increase.⁹ Thompson shows that the density of the population in Java in 1930 ranged from 800 to more than 2,000 persons per square mile, compared to the average density of 10.5 in Kalimantan, 58 in Celebes, 31 in Sumatra, and a much lower figure in the Moluccas.¹⁰

Scholars explain that this growth was due to the increasing influence of the Netherlands colonial system, where 'repressive factors' were removed, and 'positive

Wongsusatiko. 12 March 2007, Imam Sarji Kartamawijoyo 14 March 2007, and Salamah Sajiran. 14 March 2007.

⁵ Ida B. Mantra. *Population Movement in Central Java*. Yogyakarta: Gadjah Mada University Press. 1981. p. 9.

⁶ Hugo. 'Circular Migration'. p. 69.

⁷ Peper. 'Population Growth'. p. 71; Keyfitz. 'Indonesian Population'. p. 504.

⁸ Pelzer. 'Tanah Sabrang'. p.133.

⁹ Koentjaraningrat. *Javanese Culture*. Singapore: Oxford University Press. 1985. p. 4.; See studies by J. C. Breman (1963), Hilde Wander (1965) and Widjojo Nitisastro (1970).

¹⁰ Thompson. *Labor Problems*. p. 118.

checks' were enforced.¹¹ Famines, internal wars, epidemic diseases, insect pests in crops, floods, and infant mortality, were gradually eradicated or controlled, through effective government organisation, and the introduction of modern Western principles and technology (e.g. transportation, hygiene and sanitation, irrigation).¹² In other words, the level of living of the indigenous population had been greatly improved, with the introduction of better health services and the establishment of peace and order by the NEI administration. There was a decline in mortality and an increase in fertility.¹³ The obligation of the Dutch was further underpinned in 1899, when the Dutch parliamentarian C. Th. Van Deventer called for the Netherlands to repay 'a debt of honour' by putting the welfare of the natives first. Under this Ethical Policy, as it was known from 1901, the colonial authorities in Java pursued a policy of direct state intervention in economic life, in order to raise the prosperity of the natives. The policy of the Dutch served to enhance 'irrigation, emigration, and education'.¹⁴

Table 4.1

Java and Madura: Population Growth, 1795 – 1930

Census Year	Population size (in 1000's)	Census Year	Population size (in 1000's)
1795	3,500	1870	16,233
1802	3,647	1880	19,541
1810	3,770	1890	23,609
1815	4,499	1900	28,386
1830	7,005	1905	29,979
1845	9,374	1920	34,429
1860	12,514	1930	40,890

Source: Keyfitz. 'Indonesian Population'. p. 504.

This high population growth, as a reaction to this western penetration, was temporarily counteracted by the existing pattern of cultivation of virgin land. This was achieved by an increase in the lands' productivity, and by the development of plantation economy. All this required labour forces.¹⁵ Irrigated rice cultivation, which spread outwards to both west and east from its ancient focus in Central Java, appeared

¹¹ Pelzer. 'Tanah Sabrang'. p. 133; Peper. 'Indonesian Population'. p. 71.

¹² Pelzer. 'Tanah Sabrang'. p. 133.

¹³ Peper. 'Population Growth'. p. 71; A.J. Gooszen. *A Demographic History of the Indonesian Archipelago, 1880-1942*. Singapore: Institute of Southeast Asian Studies. 2000. pp. 4-5.

¹⁴ Lindblad. 'The Late Colonial State'. p. 117.

¹⁵ Pelzer. *Pioneer Settlement*. p. 165; Thompson. *Labour Problems*. p. 118.

capable of absorbing the burgeoning population. Simultaneously, sugar came to be intimately associated with subsistence agriculture in Central and East Java.¹⁶ The situation in Java was best described by Geertz:

The expansion of one side, sugar cultivation, brings with it the expansion of the other, wet-rice growing. The more numerous and the better irrigated the terraces are, the more sugar can be grown; and the more people – a seasonal, readily available, resident labour force (a sort of part-time proletariat) – supported by these terraces during the non-sugar portion of the cycle, can grow sugar...The pleasing symmetry of this picture assumes that population increase was at least matched by the intensive or extensive growth of *sawah* [wet-rice cultivation].¹⁷

The situation changed in the interwar period. While on the one hand, the population problem was rapidly becoming a critical matter, on the other, unused arable land for cultivation was scarcely available. In some areas, cultivation had contributed to a serious soil erosion problem.¹⁸ Table 4.2 shows the ratios between the population and the cultivated area in Java and Madura. In Central and East Java in particular, where overcrowding was at its worst, the problem was more serious. Statistics reveal that there was an average of 535 persons per square kilometre of cultivated land in 1930.¹⁹ In these densely settled areas, cultivated land was partitioned among individual freeholders. However, the extent of the partition was so great that the size of a farm was insufficient for the maintenance of one peasant family.²⁰ In comparing the *desa* of Pekalongan within the regency of Pati, and in the residency of Djapara-Rembang in 1868 and 1928, Burger revealed that the average peasant-proprietor had about 0.7 to 1.1 hectares of *sawah* (rice field) in 1868, but only 0.5 hectares in 1928.²¹ Even here, the yield from the land depended upon the mercy of natural disasters, such as volcanic eruption and famine, notably in Pekalongan, southern Cirebon and Bodjonegoro.²²

¹⁶ Keyfitz. 'Indonesian Population'. p. 505.

¹⁷ Geertz. pp.55-58, cited from, Keyfitz. 'Indonesian Population'. p. 506.

¹⁸ Thompson. *Labor Problems*. p. 118.

¹⁹ Pelzer. *Pioneer Settlement*. p. 164.

²⁰ Wibo Peekema. 'Colonization of Javanese in the Outer Provinces of the Netherlands East-Indies'. *The Geographical Journal*. 101,4 (April 1943). p. 146.

²¹ Cited from Pelzer. *Pioneer Settlement*. pp.166-167.

²² Khazin Mohd. Tamrin. *Orang Jawa di Selangor*. pp. 35-36.

Table 4.2

Java and Madura: Densities of Native Population, by Residencies, 1930

Residency	Per sq. km. of total area	Densities Per sq. km. of cultivated land*	Per sq. km. of sawah
<i>West Java</i>	244	496	1,038
Bantam	130	383	886
Batavia	329	452	784
Buitenzorg	191	551	1,205
Priangan	253	506	1,544
Cheribon	381	569	851
<i>Middle Java</i>	396	570	1,261
Banjuemas	386	562	1,635
Pekalongan	468	759	1,310
Kedu	457	548	1,485
Semarang	373	537	1,047
Japara-Rembang	311	466	961
<i>Jogjakarta</i>	492	615	2,351
<i>Surakarta</i>	425	554	1,328
Klaten	535	769	1,569
Surakarta	379	475	1,217
<i>East Java</i>	314	531	1,364
Bodjonegoro	291	469	805
Madiun	314	459	1,198
Kediri	351	605	1,597
Surabaya	540	762	1,198
Malang	310	551	1,769
Besuki	206	531	1,341
Madura	359	443	2,647
Java and Madura	316	535	1,248

Source: Peizer. *Pioneer Settlement*. p. 164

In order to feed more mouths from the produce of a given territory, most of the farming land was either sharecropped or under intensive forms of agriculture. Sharecropping was usually associated with rice cultivation due to its steady market, and its ability to maximise a man and his family's labour during cultivation. The system worked like this: an owner would hand over an area of *sawah* to another farmer, in exchange for a percentage of the yield. Hence, landless individuals, or those without sufficient land of their own, were permitted to grow a staple food crop, without having to become wage earners or leave their place within the life of the community.²³ Likewise, sharecropping served as another source of income for the landowners. Risks were shared, and both parties were equally interested in the outcome. To some extent, plots of land previously yielding one crop a year were made to yield two; to those with two

²³ Thompson. *Labor Problems*. p. 133.

crops, a third was added.²⁴ This reflected to some extent the flexibility and adaptability of the system. It also meant that the peasant and his children were free to move back and forth between rice and an export crop. Simultaneously, it could accommodate a greater amount of labour.²⁵

This mode of production and social system, whereby two households were largely dependent upon the agricultural output from a single piece of land, and living slightly above subsistence level, was what Clifford Geertz has termed 'shared poverty'.²⁶ Wertheim and The Siauw Giap identify it as 'disguised unemployment'.²⁷ On the surface, the labour intensive character of sharecropping portrayed an admirable picture of a high employment rate, but the reality was anything but. The scarcity of land and other means of earning an income meant that Javanese landowners were not reluctant to offer employment to a non-family member, although the land could do with fewer workers. The reason for this phenomenon is clear. To a Javanese farmer, apart from his village and land, he was also tied to the other members by kin and neighbourhood relationships, which defined a complex of reciprocal rights and duties between everyone in the village.²⁸

The government also encouraged the industrialisation of Java. This meant providing a new earning capacity for large numbers of the population. Nevertheless, the industrialisation programme in Java had to be controlled carefully, because its development depended heavily on the demands of the importing countries. As Wibo Peekema notes, 'Java, like the Netherlands East-Indies in general, principally exports agricultural and mineral raw materials, and is to a great extent dependent on its customers, such as some European countries, America, Japan and India, who are only

²⁴ W.F. Wertheim and The Siauw Giap. 'Social Change in Java, 1900-1930'. *Pacific Affairs*. 35,3 (Autumn 1962). p. 228.

²⁵ Keyfitz. 'Indonesian Population'. p. 506.

²⁶ Clifford Geertz. *The Social Context of Economic Change: An Indonesian Case Study*. M.J.T., Cambridge Mass. 1956. p. 13.

²⁷ Wertheim and The. 'Social Change'. p. 228.

²⁸ Alice G. Dewey. 'Trade and Social Control in Java'. *The Journal of the Royal Anthropological Institute of Great Britain and Ireland*. 92,2 (Jul. - Dec. 1962). p. 178.

willing to pay for their imports by profitable exports of industrial commodities'.²⁹ Moreover, even when industrialisation did take place, this happened at a slow pace, and was limited to urban areas. This exposed the unwillingness on the part of the Dutch to sponsor industrialisation to 'sponge up' excess population beyond certain carefully defined limits. Internal migration from rural to urban areas occurred on a large scale. However, job opportunities in the cities were insufficient to absorb the burgeoning population, thereby contributing to increased unemployment.³⁰

In his study on circular migration in Java, Hugo concludes that less than half of the rural population in Java owned, or had direct access to sufficient agricultural land, in order to obtain subsistence. Many of the households were unable to earn sufficient income, neither in the city nor the village, to support themselves and their dependents.³¹ With this little amount, they had to pay their taxes, and at the same time, obtain basic supplies, such as salt, kerosene and salted fish. The types of food consumed, i.e. rice, *tauhu* or *tempe* (soya-based food), vegetable, and *sambal* (spicy sauce), reflected the low standard of living of rural Javanese. During the harvest season, it was noted that Javanese peasants ate twice daily, but in difficult times, a small amount of rice, corn and vegetable was sufficient to satisfy hunger pangs.³² Neither industrialisation, nor the plantation economy, were able to solve their problem, whose numbers were increasing yearly.

The colonial administration felt that some parts of Java had become so densely populated that only organised mass emigration to scarcely populated areas would remedy the problem. The government considered it wise to resettle the Javanese in agricultural villages in the Outer Islands, particularly Sumatra and Kalimantan, so as to relieve the pressure on the population. The first colonisation experiment took place in

²⁹ Peekema, 'Colonization', p. 146.

³⁰ Houben, 'Before Departure', p. 29

³¹ Graeme J. Hugo, 'Circular Migration in Indonesia', *Population and Development Review*, 8,1 (March 1982), p. 70.

³² Khazin Mohd. Tamrin, *Orang Jawa di Selangor*, pp. 35-36; Interview with Surip Wongsusatiko. 12 March 2007.

1905. A group of Javanese from the residency of Kedu were settled in the Lampung Residency of South Sumatra, where conditions appeared more favourable.³³ Not only was the place considered to be in close proximity to Java, but it had a plentiful supply of fertile virgin soil. Furthermore, the risk of infringing on established land rights of the sparse local population was small or non-existent.³⁴ After Lampung, many more experiments were organised in the ensuing years.

Under this government sponsored emigration scheme, the Javanese settlers were provided with free transportation and financial assistance during the first years in their new environment, under the supervision of experienced civil officials. The objective of this experiment was two pronged. First, the government hoped that this sponsored settlement programme would relieve the population pressure. Second, it hoped to change the labour system in the Outer Islands, particularly by replacing contract workers with free workers drawn from among emigrants to the Outer Islands, and former Javanese coolies who settled in peripheral villages.³⁵ By the end of 1940, despite the high costs involved and the extensive preparations and government encouragement of migration, the total number of government-sponsored Javanese farming migrants, including children, in the Outer Islands, was slightly above 210,000 (See Table 4.3).³⁶ More than half were in Lampung, and the rest were scattered around Borneo and Celebes. The total was just a small fraction of Java's population growth, between 1901 and 1941.

In the late nineteenth and early twentieth centuries, the development of plantation agriculture in the Outer Islands, Malaya and British North Borneo, amongst others, saw the recruitment of Javanese coolies to supply the labour force, which the indigenous population would and could not supply. Indentured labour thus provided an

³³ Gooszen. *A Demographic History*. p. 35.

³⁴ Peekema. 'Colonization'. p.146.

³⁵ Pelzer. *Pioneer Settlement*. p. 191.

³⁶ Gooszen. *A Demographic History*. p. 35.

alternative for the poverty-stricken Javanese. The difficult conditions in rural Java provided a solid 'push' for emigration to British North Borneo. The unbearable situation in Java, which put a 'stress on the Javanese food supplies', and which led one to question whether to live or die, made the decision to emigrate far from difficult.³⁷ Hence, it was not surprising that the majority of Javanese indentured labourers who arrived in British North Borneo were 'amongst the poorest and least nourished portion of the Javanese population'.³⁸ Thousands of able-bodied peasants, who had to go without their own land in Java had preferred to eke out a precarious livelihood as indentured labourers. To them, the total sum of money income they could earn as wages for plantation work was probably greater than the sum that could be derived from indigenous cultivation. This income, too, could feed more people.³⁹ Some even took their entire family with them.⁴⁰ Nevertheless, a point to note was that the demand for plantation labour under indenture did not increase at the same rate. Indeed, the demand rapidly dwindled in times of strict economy, or even temporarily ceased to exist.⁴¹

Table 4.3

Population of Transmigration Colonies, 1910-1940

	1910	1920	1930	1935	1940
Sumatra	5,414	19,814	40,141	70,333	185,004
Borneo	-	-	-	-	2,896
Celebes	-	-	-	-	22,779
Total	5,414	19,814	40,141	70,333	210,679

Source: Gooszen. *A Demographic History*. p. 35.

Overall, the immigration of Javanese indentured labourers to British North Borneo can be well explained by economic theories of migration. These theories apply classic supply and demand paradigms to migration at an individual level, the household unit, and in determining where employment opportunities are for migrants.⁴² With problems such as land scarcity, over-population, poverty, and high levels of

³⁷ PRO: CO874/753. Maxwell Hall to Government Secretary. 26 September 1920.

³⁸ PRO: CO874/752. Extract from Minutes of Meeting of the NBPA. 11 September 1926.

³⁹ Peekema. 'Colonization'. p. 146.

⁴⁰ Interview with Imam Sarji Kartamawijoyo of Mile 12, Sandakan, Sabah. 14 March 2007.

⁴¹ Peekema. 'Colonization'. p. 146

⁴² Douglas S. Massey, et al. 'Theories of International Migration: A Review and Appraisal'. *Population and Development Review*. 19,3 (September 1993). pp. 433-438

unemployment in Java, desperate or upwardly mobile Javanese looked at migration as a 'cost-benefit decision', a movement undertaken to maximise income, whether at the individual level, or as a collective decision, where it minimised risk to family income.⁴³ For the desperate Javanese, indentured labour became an option, as the system guaranteed jobs to the indentured for a specific period, regardless of what happened in the economy as a whole.⁴⁴ The standard practise of offering advances upon agreeing to be recruited also strengthens this argument. Advances were used to provide for the family left behind, or to pay off accumulated debts. Signing a contract of indenture was a decision made by the Javanese emigrants after weighing up the labour opportunities, or lack of it, in Java, and those in British North Borneo. The move was supposed to be an investment in their economic future.

To complement the economic factor, social linkages with family and friends also played an important role in Javanese becoming indentured emigrants. This network theory, or the concept of 'chain migration', reflects the fact that there was interaction at the level of the individual and community. According to Price, chain migration focuses on the contacts of immigrants with relatives and friends in their home countries as an important source of further immigration. In other words, migrants establish interpersonal ties in their place of origin and destination that increased the likelihood of others migrating to the same destination.⁴⁵ This explains why a significant number of emigrants to British North Borneo came from specific areas of Java, particularly Karang Tembok, Kapasan, Blitar, Purworejo and Kebumen. Massey observes that networking decreases the risk of migration by making it more likely that employment can be gained through connections in the place of origin, in this case, Java.⁴⁶ Having family members or friends in British North Borneo, or having had interactions with returning migrants from the area, increased the likelihood of potential Javanese emigrants actually

⁴³ Stephen Castles and Mark J. Miller. *The Age of Migration*. Third Edition. Hampshire: Palgrave Macmillan. 2003. p. 22.

⁴⁴ P. Emmer. 'European Expansion and Unfree Labour: An Introduction'. *Itinerario*. 21,1 (1997). p. 13; Engerman. 'Contract Labour, Sugar and Technology'. pp. 645 and 647.

⁴⁵ Charles A. Price. *Southern Europeans in Australia*. Melbourne: Oxford University Press. 1963. p. 122.

⁴⁶ Massey. et al. 'Theories of International Migration'. p. 449.

migrating to that location. Moreover, as argued by Castles and Miller, networks based on familial ties, or country of origin provide social support and 'make the migratory process safer and more manageable for the migrants and their families'.⁴⁷

Aside from this economic basis, Javanese emigration was also generated for socio-political reasons. Simultaneous economic exploitation and population pressure gave rise to social and political unrest in many parts of rural Java. The penetration of the colonial economy, (particularly under the Cultivation System and Liberal System) and its impact on rural Java reached a climax during the course of the nineteenth century, resulting in increased social movements.⁴⁸ Between 1900 and the 1920s, sporadic movements of peasant unrest were prevalent, notably in Tangerang, Pamanukan, Sukabumi, Ciasem, Kuningan (West Java); Pekalongan, Gombang, Semarang (Central Java); Modjokerto, Sidoarjo, Kediri, and Jember (East Java).⁴⁹ Some resulted in violent clashes with the colonial authorities. The policies of the colonial rulers introduced a new legal and social relationship pertaining to agrarian and labour matters, which affected the lives of the indigenous people. Most significantly, the excessive demands for unpaid services and the levying of new taxes contributed to the feeling of discontent among the Javanese people.⁵⁰ Tirtosudarmo argues that the tendency to impose sugar cultivation on some land, and the compulsory contribution of labour-tax (i.e. rice and other products, and labour services) by peasants, had a direct bearing on social unrest among the population.⁵¹ The extreme pressure and burden might have taken its toll, and subsequently many Javanese, particularly peasants from rural Java, left for destinations that were free from similar predicaments.⁵²

⁴⁷ Castles and Miller. *The Age of Migration*. p. 28.

⁴⁸ Sartono Kartodirdjo. *Protest movements in rural Java: a study of agrarian unrest in the nineteenth and early twentieth centuries*. London: Oxford University Press [for] the Institute of Southeast Asian Studies, Singapore. 1973.

⁴⁹ Riwanto Tirtosudarmo. 'Cross-border Migration in Indonesia and the Nunukan Tragedy'. in: Aris Ananta, et. al. *International Migration in Southeast Asia*. Singapore: ISEAS. 2004. p. 314.

⁵⁰ Vincent Houben. 'Java in the 19th Century: Consolidation of a Territorial State'. in: Howard Dick, et al. *The Emergence of a National Economy*. 2002. pp. 64-67.

⁵¹ Tirtosudarmo. 'Cross-border'. p. 314.

⁵² Widjojo Nitisastro. *Population trends in Indonesia*. Ithaca: Cornell University Press. 1970. pp. 39, 51-52

In connection with social unrest and popular protest, the rising tide of nationalism served as a push factor for Javanese emigration. Some Javanese left their homeland for political reasons, ranging from flights from justice due to political affiliation, to fear of persecution for 'criminal' activity. Political parties began to emerge in 1908, and the Sarekat Islam (Islamic Union), formerly known as Sarekat Dagang Islam (Islamic Trading Union), developed into 'popular political consciousness of a radical tendency', whereas the Indonesian Communist Party, PKI (*Perserikatan*, later *Partai Komunis Indonesia*) 'quickly became prominent in the young trade union movement'.⁵³ Mounting tensions during the 1910s exploded with Communist uprisings in Java and Sumatra in 1926-27, resulting in a much more stringent approach undertaken by the colonial government towards such political organisations and people affiliated with them.⁵⁴ Uprisings and demonstrations were violently suppressed, and all forms of opposition to Dutch rule were curtailed through intense surveillance and repression by the Political Intelligence Service (*Politieke Inlichtingen Dienst*).⁵⁵

Under extreme pressure, some Javanese escaped persecution, and sought refuge by becoming indentured labourers overseas. Some even assumed new identities at the receiving country.⁵⁶ It was discovered that certain riots organised by Javanese indentured labourers in British North Borneo were instigated by runaway political criminals from Java. Some of the coolies involved in the 1928 fracas at Sandala Estate in Sandakan, for example, were former school educators or intellectuals, and were probably associated with the Sarekat Islam or the PKI. They were accused of being political criminals who had committed the killing of white men during a communist uprising in Java.⁵⁷ Hence, the system of indentured labour served as a blessing for these people. As Emmer noted, there could be the possibility of

⁵³ Lindblad, 'The Late Colonial State', pp. 121-122.

⁵⁴ John Ingleson, 'Sutomo, the Indonesian Study Club and Organised Labour in Late Colonial Surabaya', *Journal of Southeast Asian Studies*, 39,1 (2008), p. 31.

⁵⁵ H.A. Poeze, 'Political Intelligence in the Netherlands Indies', In Robert Cribb (ed.), *The Late Colonial State in Indonesia*, pp. 229-245.

⁵⁶ Interview with Muslim bin Samsudin of Malaysia Palm Oil Board Kota Kinabalu Branch, the son of indentured labourer, Amat Salikin (a.k.a. Amat Samsudin bin Sastrowijoyo), 16 March 2007.

⁵⁷ PRO: CO874/511. OAG to the President of BNBC, 5 October 1928.

indentured labourers viewing their contract of indentureship as an 'alternative to the death penalty, long periods of imprisonment or social mistreatment at home.'⁵⁸

Another vital push factor involved personal reasons normally associated with Javanese social norms and cultures. Some migrated, because of behaviour that defied traditional norms, in this case, breaking of social and moral codes. They felt ashamed and many took off from their villages, either temporarily, or permanent, and sought a fresh start somewhere else. 'Vices' included being forced into marriage, forbidden love affairs, stealing, losing in the local village election, and at the extreme end, 'breaking wind' at the wrong place and at the wrong time.⁵⁹ Among the Javanese, migration of this kind was called *minggat*, whereby an individual left the village without the knowledge of the village community. Travelling tended to be light, taking whatever was sufficient for the journey.⁶⁰

Personal reasons also involved the spirit of adventurism, the desire to travel and explore, and the search for new experiences. This was embodied in their concept of *merantau*, which has been defined as 'leaving one's cultural territory voluntarily whether for a short or long time, with the aim of earning a living, or seeking further knowledge or experience, normally with the intention of returning home'.⁶¹ Although *merantau* was a very popular notion among the Minangkabau people of Sumatra, it was also notable among the Javanese. In his extensive study of mobility in two villages in Yogyakarta, Central Java, Mantra explains that non-permanent migration was of such significance among the Javanese community there that *merantau*, among other concepts, emerged to describe the movement.⁶² Khazin Mohd. Tamrin further emphasised the notion of *merantau* among the Javanese indentured labourers in

⁵⁸ Emmer. 'European Expansion'. p. 10.

⁵⁹ Khazin Mohd. Tamrin. *Orang Jawa di Selangor*. pp. 52-54.; Hoeft. *In Place of Slavery*. p. 52.

⁶⁰ Khazin Mohd. Tamrin. *Orang Jawa di Selangor*. p. 52.

⁶¹ M. Naim. 'Voluntary Migration in Indonesia'. in: Daniel Kubat and Anthony H. Richmond (eds.) *Internal migration: the New World and the Third World*. London: Sage Publications [for] the International Sociological Association. p. 150.

⁶² Ida B. Mantra. *Population Movement in Central Java*. Yogyakarta: Gadjah Mada University Press. 1981. p. 9.

British North Borneo. In his study of the settlement patterns of the Javanese in the east and west coast of British North Borneo, Khazin contends that the temporary movement embodied in the *merantau* tradition, for the purpose of seeking employment, including inter-island and overseas circulation, was one of the main reasons for Javanese migration to Sabah. This was due to perception that the territory was part of the *tanah sabrang*, or the 'Outer Islands' in the Malay archipelago.⁶³

Recruitment of Javanese Labourers

The introduction of Javanese indentured labour in British North Borneo witnessed the distinct role of the NEI government as a mobilising agent for colonial capitalism, and the concurrent role of the Company government as an arbiter of the local labour market, and a dependent importer of Javanese labour for the plantation industry. Theoretically, the states functioned as controllers and regulators of the conditions of the coolie trade between the source country and the colonial labour market. Nevertheless, in reality the role of both governments was mainly of a supervisory nature, and the responsibility to recruit, contract, and transport the Javanese indentured labourers were entrusted to private entrepreneurs. In order to control abuse prevailing in the recruiting industry in Java, the NEI government issued the 1909 and 1914 Recruitment Ordinances (*Wervingsordonnantien*).⁶⁴ The Recruitment Ordinance of 1914 was amended in 1915, 1920 and 1927. The observance of the rules was the task of officials of the Labour Inspectorate, namely the recruitment commissionaires (*wervingscommissarissen*). Recruiting in Java could only be carried out by licensed or professional recruiters, and to be eligible for a licence as a recruiting agent or henchman, the applicant had to be of a good reputation.⁶⁵

The hierarchy of emigration officials involved the Labour Inspectorate and the recruitment commissionaires (responsible to the government of NEI), the emigration

⁶³ Khazin Mohd. Tamrin. 'Perantau Jawa di Sabah'. pp 229-243

⁶⁴ Houben. 'Before Departure'. p. 32.

⁶⁵ PRO: CO874/744. Extract from A.C. Pearson's Report on Labour in the FMS. 27 October 1913.

agent paid for by the Company government, with its cadre of licensed recruiting officers (and field recruiters known as *wereg*), the medical officers at the depot, the Dutch Consul in Singapore, and the emigration agent for British North Borneo in Singapore. Meanwhile, at the receiving end, in charge of the allocation and distribution of the immigrants after arrival in British North Borneo, was the government Protectorate Department. It was headed by a chief immigration officer, who went by the title of Protector of Labour, and was assisted by a Deputy Protector, a number of Assistant Protectors (cum District Officers), plus clerical officers and interpreters. On the scene too, were the Principal Medical Officer (PMO) whose job specification was to inspect the health of coolies upon arrival, and a Javanese orderly who lived at the government coolie depot, and was responsible for meeting all newly imported Javanese (government-recruited) on arrival and escorting them to the estates on the west coast and interior.⁶⁶ The activities of the British North Borneo immigration officials were regulated by local labour and immigration ordinances.

The decision on the size of the quarterly requisition for Javanese indentured labourers for the territory was made in three to four stages. Sometimes employers, through the agencies of the Chambers of Commerce and Planters' Association, were asked by the Company government to state their requirements.⁶⁷ However, most of the time, individual employers would send in their application for immigrants for the following quarter to the Protector of Labour, indicating their demands for the next two months or so.⁶⁸ After this, the Protector of Labour had to decide how many to requisition from Java based on the numbers permitted by the NEI government, and on any outstanding orders from the previous quarter.⁶⁹ Third, the approval of the Governor had to be obtained for each requisition. These sets of calculations were made solely with reference to conditions in British North Borneo, without considering how far Java

⁶⁶ PRO: CO648/7. AR. Protectorate and Labour Department for 1914.

⁶⁷ PRO: CO874/744. Governor. Pearson to Chairman BNBC. 14 April 1913.

⁶⁸ PRO: CO874/753. Governor to President BNBC. 15 January 1921; CO874/552. Minutes of Committee Meeting of the NBCC. 25 November 1916.

⁶⁹ See Statistics of Requisitions in, PRO: CO874: 744, 753, 752. Javanese Immigration, relevant years.

was able to supply the numbers desired. Once approved by the Governor, the Secretariat proceeded to place the orders with the recruiting agent in Java or Singapore.⁷⁰ The labourers were recruited on the Governor-General's permit, in the name of the Company government, without the necessity of mentioning the names of the estates for which the coolies were intended.⁷¹ On arrival in British North Borneo, they were distributed to the estates that requisitioned them.

Recruiting for British North Borneo was undertaken by several private licensed professional firms (often Europeans) throughout the indentured labour period. Messrs. Soesman & Co. of Semarang was the first private recruiting firm to recruit Javanese coolies for the territory in 1914. The president commissioner was F.J.H. Soesman. Established in 1898, with a capital of 300,000 guilders, Soesman dealt with various kinds of businesses, including auctions, commission sales, second-hand furniture, cattle for slaughter, beast of burden, and coolies.⁷² Hence, the company was chosen by British North Borneo, based on its reputation as an established firm, and 'they know the business right through'.⁷³ Soesman dominated almost all recruitment in Central Java.⁷⁴

In 1915, the Labour Association Ltd. of Singapore joined the bandwagon in procuring Java-recruited labourers after opening a recruiting establishment in Batavia. With the motto 'We never lose a client', the Association built its reputation by supplying all types of contract labourers (among others, the Javanese, Chinese and Banjarese) to needy planters in the Far East.⁷⁵ For the Company government, the Labour Association became an alternative source in obtaining Javanese labour, thus

⁷⁰ PRO: CO874/753. Governor to President BNBC. 15 January 1921; SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 December 1923.

⁷¹ PRO: CO874/744. J. van Lier to M.M. Clark. No 291. 1913.

⁷² Campo. *Engines of Empire*. p.358; Yoko Hayashi. 'Agencies and Clients'. pp. 6-7.

⁷³ PRO: CO874/744. Report on Trip to Java by M.M. Clark, 15 March – 15 May 1913. Para 11.

⁷⁴ PRO: CO648/7. AR. Protectorate and Labour Department, 1914.

⁷⁵ See advertisement in the *BNBH*. 1 February 1913. p. ii.

preventing the territory from dealing exclusively with Soesman & Co.⁷⁶ Recruiting agents in Java forwarded the recruits to the Association, rather than to Messrs. Mansfield & Co. (controlled and principally owned by a British firm, Alfred Holt & Co., based in Liverpool),⁷⁷ as in the case of the coolies recruited directly by Soesman. Coolies for the Association were recruited either in Batavia, or in Semarang. In the 1920s, the Labour Association remained the main recruiting agent for British North Borneo. There was a short stint with Messrs. A.F. Hildebrands of Semarang in 1929. Since commercial recruitment only served to enrich the respective agency, A.G. Vreede, the head of the Labour Office in Java, proposed the abolition of this type of recruitment altogether.⁷⁸ In 1930, both Soesman and Hildebrands companies fell into the hands of the General Deli Emigration Bureau, *Algemeen Delisch Emigrati- Kantoor*, (ADEK), which utilised the system of 'personal recruitment' through *laukeh* labourers (old hands).⁷⁹

Initially, the ADEK recruited exclusively within the boundaries of the NEI. When most of its Sumatran members insisted on *singkeh* (new) labourers, it decided to undertake recruiting for foreign countries in order to provide an outlet for *laukeh* recruits.⁸⁰ The regions covered by the ADEK expanded beyond east Sumatra after World War 1, and various enterprises and local governments enrolled as external members, so that they could acquire labourers with ADEK's assistance. Likewise, at the urge of its own Planters' Association, the Company government instructed its officer, C.D. Martyn, and the offices of James Morton of Messrs. Harrisons and Crossfield (Medan), to look into the possibility of utilising the services of ADEK to aid recruitment.⁸¹ The employers in British North Borneo (apart from the NBCC, west coast

⁷⁶ PRO: CO874/744. Extract from Governor's Confidential Letter to Chairman BNBC. 18 November 1913.

⁷⁷ W.G. Huff. *The Economic Growth of Singapore: Trade and Development in the Twentieth Century*. Singapore: Cambridge University Press. 1994. p. 146.

⁷⁸ Houben, 'Before Departure'. p. 34.

⁷⁹ PRO: CO874/752. Governor to President BNBC. 10 June 1929.

⁸⁰ PRO: CO874/752. C.F.C. Macaskie to Government Secretary. 27 April 1928.

⁸¹ PRO: CO874/753. Governor to President BNBC. 2 April 1924.

branch, who still preferred the services of the Labour Association)⁸² believed it could bring the same success to the territory, especially in providing 'a better class of labour'.⁸³ In January 1926, the ADEK agreed to accept British North Borneo as an external member, but the Dutch authorities refused to endorse the arrangement, and deliberated on the idea of allowing ADEK to 'recruit for foreign countries'.⁸⁴ Sanction was finally given in 1930. Since ADEK had offices to conduct business, and to accommodate emigrants in the ports of Batavia, Semarang, Surabaya, and in the hinterland, it became the sole recruiting agent for British North Borneo under the government permit.

The European recruiting agents were sometimes able to despatch substantial numbers of emigrants, although the measure of their success in relation to the numbers requested by British North Borneo varied. The search for recruits was intensified through competition between the several agencies seeking emigrants from Java. One weakness in the system was that official recruitment was not a job which attracted those of the highest character, and many of the better class firms in Java 'would not touch it with a 40 foot pole'.⁸⁵ Since it was necessary to make a deliberate effort to induce people to emigrate from Java, the system of recruiting depended on a body of licensed professional recruiters, with the help of henchmen (*handlangers* or *wereg*) and Javanese assistants, to move through the towns, and more particularly, the villages and rural areas of the appropriate regions of Java, enlisting volunteers. The recruiters were paid by results, and as time passed, they came to operate over an increasingly wide area, especially around Central and East Java.

Since the recruiters had a financial incentive to provide as many recruits as possible, it was inevitable that some forms of deception and forceful methods would be

⁸² SSA: NBCA 1119. R.K. Hardwick to C.D. Martyn. 28 September 1925.

⁸³ SSA: NBCA 1119. T.A. Ball to Governor Pearson. 1 October 1925.

⁸⁴ PRO: CO874/752. Govr's 351. 18 June 1928.

⁸⁵ PRO: CO874/744. Report on trip to Java by M.M.Clark. 15 March - 15 May 1913.

reported. Their Javanese henchmen, or *wereg*, were largely unsupervised, subject only to a very loose and informal control by the recruiting agent for whom they worked. Greed motivated them, because they were paid approximately 40 to 50 guilders per labourer as a premium.⁸⁶ Some Javanese emigrants claimed they had been deceived and tricked into signing indenture contracts. However, there were no complaints of kidnapping.⁸⁷ There were also recruits who claimed that they had been 'charmed', and that the use of black magic accounted for their departure from Java. They claimed no recollection of the recruitment process itself, and were only aware of their circumstances when they had been shipped away. In the end, accepting one's fate may have seemed easier than retracing the steps taken.⁸⁸ Although there were coolies who happened to prefer working at these estates, there were those who would not have made the journey, had they known the facts.⁸⁹

Complaints of misrepresentation by recruiters were apparently common, as *weregs* no doubt exaggerated the conditions of service in British North Borneo. Potential recruits were informed that they were going to 'rich' destinations, and they embarked on the journey because of the 'chances of making money'.⁹⁰ In fact, the *weregs* normally operated with promises and happy stories about the supposedly wonderful life in *tanah sabrang*, which became the characteristic tool of their trade.⁹¹ Recruits were also promised a comfortable life, high wages, and the opportunity to become rich.⁹² Women were enticed with promises of marriage, and many availed themselves of recruitment. On the latter, to some extent the *weregs* were telling the

⁸⁶ Yoko Hayashi. 'Agencies and Clients: Labour Recruitment in Java, 1870s-1950s'.

⁸⁷ C.W.C. Parr. Report of the Commission appointed into the conditions of Indentured Labour in the Federated Malay States. No. 11 of 1910. p. 2.

⁸⁸ Similar accounts of abuses, deception and other malpractices on the recruitment of Javanese to Sumatra, Surinam, and the Federated Malay States, had been reported by various authors. See writings of Stoler. *Capitalism and Confrontation* 1985; Breman. *Taming the Coolie Beast*. 1989; de Waal Malefijt. *The Javanese of Surinam*. 1963; Hoefte. *In Place of Slavery*. 1998; Khazin Mohd. Tamrin. *Orang Jawa di Selangor*. 1984.

⁸⁹ See the contradictory preferences in, Evidence No. 8 and Evidence No. 10 of Appendix B. Report of Commission by C.W.C. Parr. 1910. p. 17.

⁹⁰ See Evidence No. 6 and Evidence No. 9 of Appendix B. Report of the Commission by C.W.C. Parr. 1910. p. 17.

⁹¹ Khazin Mohd. Tamrin. 'Javanese Labour and the Development of Malaya'. p. 29.

⁹² Interview with Salamah Sajiran (67 years old). Kg. Gum-Gum, Sandakan. 14 March 2007.

truth because the majority of Javanese women recruits ended up married to Javanese men or local men during their life time in British North Borneo.⁹³

Such descriptions of malpractices, abuses, black magic and other negative circumstances probably applied to a distinct minority of indentured emigrants, whereas most indentured labourers were recruited because of the 'push and pull' factors. The conditions in rural Java show that most Javanese indentured labourers for British North Borneo had been victims of economic and social misery rather than of deceit and abuse. Indeed as Northrup argues, there were probably many potential recruits who attempted to deceive recruiters about their qualifications.⁹⁴ Depressed with the situation in Java, desperate emigrants signed up voluntarily due to the guaranteed jobs being offered and a fresh start of life in a new place. Likewise, the recruitment of some Javanese was made even easier by the fact that recruits received advances before sailing, which enabled them to buy themselves out of debt (mostly incurred by gambling, opium smoking, tax, marriage, etc.), and provide for the family members left behind. The amount of advances given was 5 guilders to a single coolie and 10 guilders to a married coolie.⁹⁵ An additional advance of \$7 awaited them upon disembarkation in British North Borneo.⁹⁶ Hence, it was not so much a case of being 'coerced' into signing indentures, but more of need, gullibility and the lure of cash in hand through advances that propelled the Javanese to emigrate.⁹⁷ In a worst case scenario, they could still fall back on the free repatriation clause at the end of their contracts, and return to Java should they find British North Borneo undesirable to live in.

⁹³ See Chapters 7 and 8 for more details.

⁹⁴ Northrup. *Indentured Labor*. p. 57.

⁹⁵ PRO: CO874/744. Copy of despatch. 11 May 1914.

⁹⁶ ARA: Mailrapport 1857/13. Article 4 of Model-Werkcontract. 18 November 1913; PRO: CO874/752. Article 4 of Working Contract 1925.

⁹⁷ PRO: CO874/1061. Minutes, Cable from the Governor, New Labour Ordinance. 3 October 1932.

All potential migrants had to be brought by the recruiter before the local colonial official. The officer was required to examine each intending emigrant as to his comprehension of the proposed engagement and willingness to fulfil it. The terms of the agreement would be explained to them in their native language.⁹⁸ The officer would refuse to register the proposed emigrant if he felt that the latter did not understand the nature of the engagement, or had been induced by fraud or misrepresentation to enter into it. The coolie had to sign a declaration in the presence of the local colonial official, agreeing to the contents of the work contract, and indicating that he or she was emigrating voluntarily. However, Houben contends that this procedure was not free from misconduct. Some coolies were presented before a colonial officer of a different district, instead of to the one in the coolies' district. Therefore, this practice had 'thwarted control of the willingness to emigrate of the person concerned and on his or her true identity right from the outset'.⁹⁹

The potential emigrants were then assembled in coolie sheds in the interior of Java, or in one of the towns. According to the law, the treatment of coolies inside the depots had to be proper, and the coolies had to be provided with a suitable transfer to the coastal depot. Yet, regardless of the law, the coolies were confined and intimidated by the personnel of the depot by making them believe that the police would arrest them if they ran away. Moreover, the depot master had actually segregated the coolies into those who were *mateng* or 'mature', to face the interview with the local colonial official, and then signed the contract, and those *mentah* or 'immature' ones who had still to be prepared to minimise the chances of them rejecting the contract.¹⁰⁰ Malpractices by depot masters where the coolies were housed were understandable, as they earned around 20 guilders per capita each from guarding the coolies.¹⁰¹

⁹⁸ See this declaration in Appendix 1, 2, and 3.

⁹⁹ Houben. 'Before Departure'. 1999. p. 31.

¹⁰⁰ Houben. 'Before Departure'. 1999. p. 31.

¹⁰¹ Yoko Hayashi. 'Agencies and Clients'. p. 9.

The migrants were then transported by train to selected government-approved depots in the port of departure. Again, the depot master would act as a guard to keep them from deserting. In the coastal depot, a medical inspection ensued, at the cost of the recruiting agent. Usual tests involved the heart, lungs, spleen and eyes. There was no detailed examination for venereal disease, although if acutely obvious, venereal disease would disqualify the applicant. After the first general examination, every labourer had to be vaccinated against typhoid, cholera and meningitis, and given 20 grams of quinine. Once passed as fit by the doctor, the coolie was provided with a suit of clothes, rice bowls and plates for his food, and had his or her photograph taken.¹⁰² There were reports that the medical officers sometimes had to check more than one hundred people in ninety minutes, and at other times, they were absent during the check-ups, and supplied pre-signed medical certificates.¹⁰³ This often compromised the health quality of the migrants, as evidenced by the constant grumbling by British North Borneo employers of the poor health conditions of the indentured coolies recruited from Java.¹⁰⁴

The coolie had to counter-verify the medical certificate with finger prints. The photographs and finger prints were scrutinised by officials in charge of the records. Should they suspect any applicant of being undesirable, it was easy to check the records to ascertain whether the coolie had previously been rejected, or whether he had been repatriated as an undesirable. If irregularity occurred, the recruiter who forwarded him from the interior recruiting station would be fined f.10, of which half went to the 'scrutineer'. This system was supposed to prevent re-engaging 'undesirables'. After the medical check-up, the coolie was subsequently examined by a government officer at the time of signing the contract. The authorities read the contract to the recruits in the Javanese language, and once again, the recruits had to profess their

¹⁰² SSA: NBCA 1119. C.D. Martyn to Government Secretary. Prot 9/24. 14 March 1924.

¹⁰³ Vincent Houben. 'Menyang Tanah Sabrang': Javanese Coolie Migration in-and outside Indonesia 1900-1940'. Paper presented at the Conference 'The Malay Archipelago and the World Economy, 1790s-1990s'. Canberra, 23-27 November 1992, p. 5, c.f. Hoefte. *In Place of Slavery*. 1998, p. 54.

¹⁰⁴ SSA: NBCA 1119. Memo. Re Javanese Labour (from Java). Bandoeng. From T.A. Ball.

willingness to be recruited. Once all the necessary documentation had been signed, the recruit was yet again questioned at the port when embarking on his journey.¹⁰⁵ However, the assistant-resident of police at Semarang once declared in 1914 that most of the regulations imposed were worthless, since recruits were too uneducated to understand.¹⁰⁶

Finally, the respective recruitment agency would arrange for the recruits to board the ship at Semarang port, and forward them to its agent in Singapore by the first available steamer. Soesman would contact either Messrs. Mansfield & Co., or the Labour Association. A week before the departure of the steamer, a cable would be sent to the agent in Singapore, stating the probable number of coolies to be shipped.¹⁰⁷ In Singapore, the Javanese recruited by the Labour Association were temporarily housed at a coolie depot in Kallang.¹⁰⁸ The coolies were normally dispatched to British North Borneo immediately after the formality of the last inspection by the Dutch Consul-General was over.¹⁰⁹ However, if there was any irregularity in steamship services to British North Borneo, the coolies were quarantined at St. John's Island, which at that time, was considered to be the world's largest quarantine station after Ellis Island, New York.¹¹⁰ Here again, the coolies were subjected to intense monitoring to avoid desertion to the hustle and bustle of Singapore, which from the start, was the target destination for most Javanese. The containment policy of the Singapore agents were probably good, because reports from the Protectorate Department indicated that no incidences of desertions occurred, and voyages from Singapore to British North Borneo were reported as smooth sailing. Upon arrival in Jesselton, the coolies were temporarily housed at Victoria Depot or Gaya Depot before they were dispersed to the various estates in the territory.

¹⁰⁵ SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 March 1924.

¹⁰⁶ Hoefte. *In Place of Slavery*. 1998. p. 54.

¹⁰⁷ PRO: CO874/753. J. Maxwell Hall to Government Secretary. 19 October 1920.

¹⁰⁸ See advertisement of the Labour Association in, the *BNBH*. 2 January 1917. p. iv.

¹⁰⁹ PRO: CO874/744. Governor to Chairman. 12 June 1917.

¹¹⁰ PRO: CO648/8. AR. Protectorate Department for 1918; See, Huff. *The Economic Growth*. pp. 46-47.

For all the malpractices involved in the recruitment of coolies, there was probably one systematic institutional deception entrenched in the whole recruitment system that needs to be emphasised. The intending emigrants were not formally informed (or were ever required to by law) about the harsh disciplinary laws imposed by the colonial legislatures contained in the labour ordinances, the whole apparatus of criminal penalties attached to any breach of contract. Although the terms of the indenture contract were generally carefully explained, they made no mention of the fact that the contract was a penal one, enforceable by criminal sanctions. Nevertheless, most emigrants were probably well aware of the penal nature of the contract before leaving Java, in view of the established nature of chain-migration, and the constant presence of re-emigrants in the Semarang depot. Therefore, since the majority of them enlisted as recruits because of economic and social misery, many might have chosen to endure temporary hardships, in the hope of a better life.¹¹¹

Employers in British North Borneo remained divided as to the types of men recruited for their estates. Some employers registering with the NBCC had few or no complaints about the class of labour supplied from Java.¹¹² Moreover, the NBPA stressed the superior abilities of the newly-recruited (*sinkeh*) Javanese, imported under license from the NEI government, and regarded them as most generally suitable for work on rubber estates.¹¹³ Yet, some employers complained about the quality of the emigrants and the unsatisfactory physique of the men recruited. The interest of the recruiting agents, they complained, concerned quantity, rather than quality.¹¹⁴ Moreover, Soesman and Co. had an outstanding agreement with the Sumatra Planters to give preference to their orders.¹¹⁵ The Labour Association too was condemned by certain quarters for obtaining inferior labourers, with low qualities, and unfit for estate

¹¹¹ David Northrup. 'Free and Unfree Labor Migration, 1600-1900: An Introduction'. *Journal of World History*. 14,2 (2003). p. 130.

¹¹² PRO: CO874/744. Extract from a Memorandum by the Acting Protector on a Meeting of the NBCC in Sandakan on 21 April 1914.

¹¹³ PRO: CO874/1062. NBPA Labour Memorandum. Annex A.

¹¹⁴ PRO: CO874/744. Extract from A.C. Pearson's Report on Labour in the Federated Malay States. 27 October 1913.

¹¹⁵ PRO: CO874/744. Extract from Governor's Confidential Letter to Chairman. 18 November 1913.

work. Employers alleged that the health of the Javanese labourers recruited by the Association was poor, and a large proportion of them were said to be infected with venereal disease, especially syphilis.¹¹⁶ The Labour Association asserted this was usually contracted in Singapore, or on the voyage.¹¹⁷ In 1923, the Protectorate Department reported that over ninety percent of the women coolies who arrived in British North Borneo were suffering from venereal disease.

The type of labourer now being supplied by the Labour Association is nothing short of a disgrace. As regards the women, I think there is little doubt that we are being given the worst class of street women from the big towns. I submit it can be no accident of chance that practically every woman imported is suffering from venereal disease in advanced and chronic stage.¹¹⁸

Because the majority of recruits derived from 'the poorest and least nourished portion of the Javanese population', planters did not consider it unusual for a portion of their immigrants to be hospitalised for a few days after arrival, before being put to work.¹¹⁹ However, overall, employers still preferred Java-recruited coolies under the 'Dutch Contract' as they tended to re-engage after the expiration of their first contract, thus reducing average wage over a period of three or four years. Employers classified these recruited from Singapore as inferior or second class, being discarded men from estates in Malaya. They were considered 'full of vice and much given to absconding, do not re-engage well'.¹²⁰

Despite this preference for Java-recruited labourers, obtaining coolies was difficult. Various reasons dampened the Company government's efforts to obtain Javanese coolies under the Dutch permit. The main reason was competition from other labour-seeking colonies. Between 1914 and 1932, 9,969 coolies embarked from Java to British North Borneo, as compared to more than 100,000 leaving for Deli, East

¹¹⁶ SSA: NBCA 1119. Memo. Re Javanese Labour (from Java). Bandoeng. From T.A. Ball.

¹¹⁷ SSA: NBCA 1119. Extract from H.E. despatch No. 753 dated 27 November 1923.

¹¹⁸ SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 December 1923.

¹¹⁹ PRO: CO874/752. Extract from Minutes of Meeting of the NBPA. 11 September 1925.

¹²⁰ PRO: CO874/755. Patrick Hadow to Sir West Ridgeway. 27 October 1920.

Sumatra, between 1923 and 1925 alone.¹²¹ One of the contributing factors affecting this low figure was that the price paid for British North Borneo-bound labourers from Semarang had been fixed at 5 guilders less than the price paid for those recruited for Deli in 1914, thus the preference for Deli.¹²² The recruitment and transportation of Javanese labourers from Java bound for British North Borneo were also not as well organised as for Deli-bound labourers. The waiting period for embarkation for steamers to Singapore or British North Borneo in the unhygienic depots in Semarang was long, and coolies succumbed readily to illness.

Another main problem in the recruitment of coolies for British North Borneo was that of shipping. After securing the coolies, recruiting agents were unable to ship them at once when they arrived at the port, because of limited steamship services. Consequently, some coolies changed their minds about going away, or even escaped (for those who had agreed by signing the indenture contract).¹²³ So much prominence was given to this matter that in 1920, J. Maxwell Hall, a representative of the government visiting Java, directed the Company government's recruiting agents to commence regular shipments via Singapore, from Batavia, to supplement shipments from Semarang. Hall asserted that coolies gathered at a depot in Batavia would not wait for the indefinite departure of a steamer from Semarang, and that it would be better if they were to be shipped by the first available vessel to Singapore. In comparison, coolies for Deli were shipped as quickly as possible by the constantly available KPM boats, taking with them any small and large quantity of coolies. The Deli Planters had even offered a higher deal of 125 guilders, for coolies per head, if they could be shipped at once.¹²⁴ However, even with its logistic and financial inducement, the east coast of Sumatra still had an outstanding order of over 30,000 indentured

¹²¹ PRO: CO648/15. AR. Protectorate Department and Secretariat for Chinese Affairs for 1932. See also, Figure 3 Number of coolies recruited by commercial, DPV-laukeh and ADEK/ZUZUMA recruitment, 1923-1925, in Houben. 'Before Departure'. 1999. p. 37.

¹²² PRO: CO874/744. Governor's letter. 13 January 1914.

¹²³ PRO: CO874/744. Report by M.M. Clark.

¹²⁴ PRO: CO874/753. J. Maxwell Hall to Government Secretary. 19 October 1920.

coolies yet to be delivered in July 1927.¹²⁵ Likewise, as a result of the increased price of rubber in 1926, the demand for Javanese indentured labour was in excess of the supply. Until the third quarter of 1926, there was still an outstanding order of 1,052 (763 males and 289 female) indentured labourers yet to be supplied for British North Borneo enterprises.¹²⁶

Apart from Deli, competition for Javanese indentured labourers also came from other areas. South Borneo, for example, was part of the Outer Islands. Thus, it was closer geographically with Java, and had attracted a significant number of coolies. Surinam, although situated in the West Indies, and geographically further than British North Borneo, was a Dutch colony, and hence given considerable priority. When such a large number of coolies were required for the Dutch colonies, it was expected that substantial difficulties were experienced in recruiting for territories outside the Dutch colonies. A memorandum on labour reported that the Dutch government in Java was most unwilling to allow their coolies to develop British colonial possessions, when Sumatra and other Dutch islands were by no means, developed.¹²⁷ Apart from the Dutch colonies, Malaya (including the Straits Settlements and the FMS) was also a favourite destination of the Javanese indentured labourers, because it was booming economically. Many stayed permanently in Malaya at the termination of contract, and opened their own smallholdings. They were viewed as part of the Malay race, and thus eligible to secure land within Malay reservations.¹²⁸ At the same time, Javanese coolies were also desired by other colonial settlements such as, Sarawak, New Guinea, New Caledonia and New Hebrides. Rubber planters in Indochina Thailand and Australia had already imported a limited number of Javanese labourers.¹²⁹

¹²⁵ PRO: CO874/752. Protector to Government Secretary. 7 July 1927.

¹²⁶ PRO: CO874/752. Statistics Report for 3rd Quarter 1926.

¹²⁷ PRO: CO874/754. Memo on Labour 1918.

¹²⁸ Barlow. *The Natural Rubber Industry*. p. 47.

¹²⁹ Khazin Mohd. Tamrin. *Javanese Labour and the Development of Malaya*. p. 12; Termorshuizen. 'Indentured Labour'. p. 262.

The Javanese authorities preferred the recruitment of labourers using the help of former labourers, through the so-called *laukeh* system.¹³⁰ This way, abuses perpetrated during recruitment would be reduced, since the individuals knew each other, and could be called to account. Indeed, this would be a good way to improve recruitment for the Outer Islands or overseas destination among the Javanese population, thus making them more willing to sign on for work in these places. Undeniably, the Deli planters would have a greater advantage, when compared to their British North Borneo counterparts, because more *laukehs* would return to Java from Deli to recruit family members and acquaintances. Exacerbating the problem for British North Borneo planters was the fact that returning migrants had, more often than not, depicted a negative picture of the area. A rosier portrayal of the territory could be seen only during the last few years of indentured labour.¹³¹ Inevitably, these reasons jeopardised British North Borneo's chances of obtaining coolies. Furthermore, the utilisation of *laukehs* in the recruitment process in Java was not common for British North Borneo. In fact, it had not been attempted through official channels during the whole period of indentured labour.¹³² Due to the option of acquiring Javanese labourers from Singapore, employers preferred to send Javanese *laukehs* to the Straits Settlements and the FMS for this purpose, as it cut down considerably on travelling costs, and created less problem compared to sending the *laukehs* back to their villages in Java.

Difficulties in obtaining coolies for the territory were also caused by other factors. It became apparent that internal politics between the recruiting agents itself put British North Borneo at a disadvantage. This was exemplified by the relationship between the Labour Association and its recruiting representative in Java, Campbell McColl and Company. A distinctive method used by Campbell McColl was to lure

¹³⁰ PRO: CO874/752. Governor to President BNBC. 10 June 1929.

¹³¹ PRO: CO874/752. Governor's 351. Visit of Protector to Java. 18 June 1928.

¹³² PRO: CO874/1061. Report of the Committee appointed in November 1932, to advise on certain matters relating to labour.

Javanese emigrants through catchy slogans, such as recruitment for 'British Estates beyond Singapore'.¹³³ Many Javanese were attracted to the word 'Singapore' and availed themselves for indenture. However, upon reaching Singapore, they were divided between the FMS and British North Borneo. Apparently the Javanese coolies were reported to be rather apathetic as to the selected destination. Nonetheless, the supply of Javanese indentured labourers for British North Borneo took a blow because of the Labour Association's 'disloyalty' to Campbell McColl. The former tended to jump its requisition from one broker to another, instead of adhering to its old business relationship with the latter. Consequently, Campbell McColl obliged its regular customers in preference to the Labour Association, at British North Borneo's expense.¹³⁴

Another problem was bureaucracy. When the Labour Association instructed its agent in Java to increase shipment of labourers, the agent stated that its efforts to open up new depots in fresh recruiting districts were hampered by difficulty in obtaining the necessary permits from the Dutch authorities.¹³⁵ Apart from government restrictions, the spread of education, labour unions and communism in Java posed considerable problems in obtaining indentured coolies.¹³⁶ The 1910s and 1920s saw the emergence of forceful labour protests and strikes organised by labour unions against unfair treatment, throughout Batavia, Surabaya and Semarang. This indicated the changing consciousness of the Javanese wage earners.¹³⁷ These labour unions and nationalist organisation played a crucial role in distancing the Javanese from the world of indentured labour. For example, Javanese seeking an affiliation with Sarekat Islam, a highly-charged and influential organisation sweeping through Java at that time, had to

¹³³ PRO: CO874/753, Extract from Govr's 583. Javanese Labour. 2 October 1920.

¹³⁴ PRO: CO874/753. J. Maxwell Hall to Government Secretary. 26 September 1920.

¹³⁵ PRO: CO874/752. Protector to Government Secretary. 7 July 1927.

¹³⁶ PRO: CO874/752. Extract from Minutes of Meeting No.8 of the NBPA. 3 April 1927. See also, PRO: CO874/753. J. Maxwell Hall to Government Secretary, Jesselton. 26 September 1920.

¹³⁷ For a detailed account of the emergence of labour unions in Java and its impact on the Javanese labour force, refer John Ingleson. *In Search of Justice: Workers and Unions in Colonial Java, 1908-1926*. Singapore: Oxford University Press. 1986.

swear that they 'would not steal, would not recruit, and would not lie'.¹³⁸ In relation to this, communist uprisings in Java also affected the recruitment of coolies for British North Borneo enterprises.¹³⁹

Orders for indentured labourers during the harvesting periods faced severe delays during agricultural prosperity in Java. Many of the Javanese from agricultural districts were engaged in *padi* harvesting.¹⁴⁰ Furthermore, with the sugar crop ready for harvesting, all available labour was required locally for this.¹⁴¹ Likewise, during major festivals such as Lebaran, which celebrated the end of the fasting month of Ramadhan, there was often a severe shortage of labour in the towns. Finally, diseases such as malaria, fever, typhoid, influenza, cholera and dysentery appeared prevalent in Java, and these affected the overall quantity and quality of Javanese recruits.¹⁴² In some areas, especially in Central Java, the plague had grown to serious proportion, and 11,000 people succumbed to the malady in 1922 alone.¹⁴³ There was a suggestion of attracting Javanese immigration by establishing agencies in Java to explain the special terms offered by the territory to potential immigrants. Nevertheless, this idea never took shape.¹⁴⁴

Conclusion

The recruitment of Javanese indentured labourers intensified because of the domestic environment in Java. Deteriorating economic conditions made it difficult for Javanese to live above subsistence level, thus reinforcing the decision to become indentured labourers. Social and political developments also promoted Javanese immigration

¹³⁸ Cited from, Hoeft, *In Place of Slavery*. p. 52.

¹³⁹ PRO: CO874/752. Extract from Minutes of Meeting No.8 of the North Borneo Planters' Association held on 3 April 1927.

¹⁴⁰ PRO: CO874/476. Various Matters. No. 323. 17 April 1916; PRO: CO874/752. Extract from Minutes of Meeting No.8 of the NBPA held on 3 April 1927.

¹⁴¹ PRO: CO874/744. Report of M.M. Clark. 15 May 1913.

¹⁴² PRO: CO874/753. Fred N. Fraser to Chairman BNBC. 24 February 1919.

¹⁴³ Department of Overseas Trade. *Report on the Economic Situation of the Netherlands East Indies. To June 1923* by Mr. H.A.N. Bluett, British Commercial Agent for the Netherlands East Indies, Batavia. London: Published by His Majesty's Stationery Office. 1923. p. 86.

¹⁴⁴ PRO: CO874/752. Extract from NBCC. Minutes of Meeting. 1 July 1927.

under the system of indenture. Significantly, push factors underpinned their decision to be indentured, and the majority of them became easy targets for recruiters. The practice of offering advances on their salaries upon recruitment was normally a decisive factor, and most effective in settling accumulated debts, and providing for their families left behind. In the recruitment process, the colonial government regulated the system by introducing legislations and stringent procedures to check abuses and inconsistencies inherent in the system. Nevertheless, the role of the government was limited, and it could not monitor the whole recruitment process. The system of recruitment involved multi layered personnel, from the official recruiting agent to the unofficial field henchmen, thus making it difficult to enforce recruiting regulations till the lowest level. Moreover, the system of paying by results rendered it impossible to eliminate abuses altogether. Therefore, the recruitment of Javanese indentured labourers for British North Borneo enterprises depicts both a picture of involuntary and voluntary migration, but incidences of 'coercion' which put pressure on the recruiting business in Java was still relatively small, compared to the majority who became indentured emigrants voluntarily.

CHAPTER FIVE

APPARATUS OF PROTECTION

Introduction

Javanese immigration, under the indentured system of labour, became the backbone of capitalist enterprises in British North Borneo, and the system was considered reliable as a mechanism for ensuring the regularity of much-needed labour in the territory. In such a case, government-regulated immigration was treated with care by the Company authorities, and they constantly ensured that the permission to recruit Javanese coolies under the permit granted by the Netherlands East Indies (NEI) government was not jeopardised by irresponsible employers. The Company administrators were aware that immigration depended on the soundness of labour laws of the territory, to which end they were able to provide protection to the Javanese coolies, while under indenture. This chapter looks more specifically into the legal framework which governed the Javanese indenture experiment in British North Borneo. It attempts to provide an analysis of the level of protection provided for the Javanese indentured labourers, as well as the employers, which in the latter case manifested itself in the form of labour control. In short, it attempts to ascertain whether the level of protection provided for government-imported Javanese was sufficient by law.

Protection for Javanese Indentured Labourers

The enforcement of the terms and conditions of the Dutch Contract was regulated by the labour laws of the territory, and specified in the territory's Labour Ordinance. To improve the conditions for the coolies, a new consolidating labour law was published by the Governor Aylmer Cavendish Pearson in 1916, repealing the Labour Ordinance of 1908. Ordinance No. 9 of 1916 formed the over-arching legislation that governed the overall relationship between employers and employees in the land, throughout most of the indentured labour period (before Labour Ordinance 1929 was introduced). Firstly, it stipulated the protective provisions for the labourers to be discharged by government

officials, in particular the Protector of Labour; secondly, it outlined employers' obligations towards their Javanese coolies (some of which were already covered in the Dutch Contract); and thirdly, it fixed the penalties against employers and employees for breach of Contract and Ordinance.¹ Unless specifically mentioned, the protective provisions, as cited below, were taken from Ordinance No. 9 of 1916.

Experiences during the pioneering period, as described in Chapter 2, show that labourers needed protection from certain employers. The high rate of abuse and mortality rates among labourers, previously associated with British North Borneo, rendered it absolutely necessary for the government to provide a comprehensive protection scheme for Javanese labourers (and other labourers), in order to appease the NEI government. The preceding chapter also indicated that Javanese immigrants who signed on to work under indenture in British North Borneo hailed from areas with deprived economic opportunities, with many being poor and illiterate. Unsurprisingly, they were frequently bewildered at the new environment and strange conditions they encountered in British North Borneo as labourers under the indenture system. This vulnerability rendered them open to abuse, which was what the Company government intended to eradicate when it endorsed the new Labour Ordinance of 1916.

The machinery for monitoring the conduct of the employers, and protecting the Javanese indentured immigrants was established as early as 1883. The Protectorate Department, as it was called, was spearheaded by a Protector of Labour, who held the power to administer oaths, and whose duty was to supervise that both contracting parties would adhere to the obligations stipulated in the Dutch labour contract.² The Protector of Labour was charged with all matters connected with the Javanese indentured immigrants, from their arrival in the territory to their allocation and distribution to individual enterprises, supervision over their progress and functioning

¹ PRO: CO874/759. Ordinance No. 9 of 1916.

² PRO: CO874/759. See power and duties of Protector under Section 5(ii) of Labour Ordinance 1916.

during the period of indenture. An employer who engaged a Javanese labourer under an indenture contract had considerable powers over such a labourer, and to prevent abuse of these powers, was subjected to the control of the Protectorate Department.³

The wide scope of the Protector's powers, and the level of protection provided for Javanese indentured immigrants, could be seen with reference to the 'Protective Provisions' in Part IV (Section 28 to 50) of the Ordinance. The task of the Protector of Labour was to supervise the arrival and allocation of new indentured immigrants. He was the first official that the Javanese immigrants met upon arrival in Jesselton. He held the power to examine all newly arrived labourers at the port of entry, and together with a Principal Medical Officer, who had particular responsibility for the medical arrangements, ensured that the coolies were suitable, and physically fit for work in British North Borneo.⁴ The Protector could refuse to register the labour contract of any Javanese immigrant who appeared to him to be physically or mentally unfit. Upon certification by the Medical Officer, unfit immigrants were sent to the government hospital for examination and treatment. Javanese immigrants who were certified as permanently unfit were repatriated as soon as possible, at the expense of the employers.⁵ Meanwhile, fit coolies were ushered to the coolie depot pending an attestation of their contracts (within 10 days upon date of arrival), and distribution to the various estates in the territory. In the distribution, families (husband, wife or children under age) were not to be separated. In the event of this occurring, the Protector held the power to re-unite family members.⁶

Moreover, the Protector's responsibility was to register changes in the social life of the immigrants. Employers of twenty labourers or over, who employed Javanese indentured labourers were requested to keep a register of their labourers, containing

³ SSA: NBCA 1126. Section 9 (iii), (iv), (v) on Comments by Legal Adviser on Minutes of the Meeting of the Labour Advisory Board held in Jesselton on 22 April 1929.

⁴ PRO: CO874/759. Section 28 of Ordinance 1916.

⁵ PRO: CO874/759. Section 29 of Ordinance 1916.

⁶ PRO: CO874/759. Section 37 of Ordinance 1916.

the details and particulars of the labourers employed by him and their accommodation.⁷ A copy of this return was forwarded to the District Officer cum Assistant Protector. The Assistant Protector submitted the quarterly Labour Returns to the Protectorate Department, where these Returns concerning individual enterprises were summarised, and eventually sent to the Dutch Labour Bureau (Central Office for Inspection of Labour in Out-stations), established in Batavia. This was done through the agency of the Consul General of the Netherlands in Singapore. In 1928, the Labour Returns were sent to the Consul-General of Great Britain at Batavia, who served as an intermediary between the Company government and the Head Office of the Labour Inspection Department for the Outer Possessions at Batavia.⁸

The Returns indicated the name of the coolie, the date and number of the Semarang contract, the last place of residence in Java, and a Borneo registration number for anyone who settled into the territory.⁹ It contained important information as to the current status of the Javanese coolie, whether a discharged coolie signed a new contract, or was repatriated (and if so, the shipping details), transferred to another estate, absconded, or settled within the state. Included in the Labour Returns was information, such as the mortality rates amongst the labourers, the cause of death, and the number of sick labourers on the last day of every month, together with an explanation of the causes of the sick rate, if it exceeded five percent.¹⁰ A high rate of illness would send the Protector and Medical Officer to the enterprise for further investigation. Significantly, by constantly monitoring the life of the immigrants through the Labour Returns, any discrepancy would be detected and probed.

Crucial to the protection of the Javanese labourers were the rights given to government officials (Protector, Health Officer, the Principal Medical Officer,

⁷ PRO: CO874/759. Section 39 of Ordinance 1916.

⁸ PRO: CO874/752. Article 11 of Labour Agreement 1929.

⁹ SSA: NBCA 980. Quarterly Labour Returns.

¹⁰ PRO: CO874/752. Article 8 of Dutch Contract 1925; and Article 11(2) of Dutch Contract 1929.

Magistrate) to enter any enterprise (estate, mine, factory, saw mill) and inspect the labourers and premises where the labourers worked, or resided.¹¹ They had the power to require any employer to muster and produce all labourers for inspection. Indeed, these inspections gave the Protectors, and other government officials, further insights into the welfare of the Javanese coolies, so that they were treated justly by the management and were provided with sufficient and proper amenities. These included housing, water, sanitary arrangements, medical care, food rations, and a food supply depot. If an enterprise was reported as being sanitarily unfit for the residence or employment of labourers by the Protector or the Health Officer, then the Governor could prevent labourers from working there, and ban the enterprise from further employing labourers in the future if the problem was not rectified.¹² Occasionally the Protector would use a 'private detective' to spy on estates prior to visits, and would base his investigation on the information given by the spy.¹³

During this inspection visit, every facility was provided for the Javanese immigrants to complain to the Protectorate officer (or other government officials). Complaints were taken directly from the Javanese coolies themselves in the presence of the employer.¹⁴ If any irregularities came to his notice, the Protector would make an official report, and initiate a criminal investigation. While a further enquiry was going on, the Protector could order the complainant to be removed from the work place and kept at a Police Station or other suitable place, pending the results of the enquiry.¹⁵ Moreover, Section 42(iii) authorised the Protector to undertake a closer investigation, if there was ill-treatment or a breach of any of the provisions of the Labour Ordinance was suspected, irrespective of whether he had received a complaint or not.

¹¹ PRO: CO874/759. Section 41(i) of Ordinance 1916.

¹² PRO: CO874/759. Section 38 of Ordinance 1916.

¹³ SSA: NBCA 231. Prot 469/17. Lok Kawi Estate Riot.

¹⁴ PRO: CO874/759. Section 41(i) of Ordinance 1916.

¹⁵ PRO: CO874/759. Section 41 of Ordinance 1916.

Additionally, a Javanese labourer could go straight to the local Protector, or magistrate to make a complaint, and his manager had to afford him every facility in doing so within 48 hours of making the complaint, or at the earliest opportunity.¹⁶ Employers found guilty of not facilitating a coolie making a complaint were liable to fines of up to 100 dollars. If it was a well-founded complaint, the local Protector would start proceedings on behalf of the aggrieved complainant. The aggrieved labourer could agree to receive payment for an offence by his superior, and the matter would be settled out of court. However, under Notification 157 of 1921, although a coolie consented to this kind of settlement, the Protector could still prosecute the offender in respect of such offence, if he deemed it necessary.¹⁷

The Protectors, as well as the judiciary, ensured that Javanese coolies were able to make their voices heard, and made sure that the coolies had access to court at least once a week in most areas. For instance, in the Tempasuk district, Thursday was court day, provided the district officer was not away. To 'kena Khamis' (to be Thursdayed) was a pleasing euphemism for an appearance in Court, whether under the civil process of law, or otherwise. Since 1914, in the district of Beaufort, Tuesdays and Fridays were appointed regular court days from 9am till 5pm, with cases being continued on the days that followed, where necessary. This was found to be a satisfactory arrangement for all parties concerned, and avoided abundant correspondence with Estates as to the dates of the hearing.¹⁸ With nine large estates in the district of Beaufort in the West Coast Residency, offences under the Labour Ordinance comprised about 50% of the cases in the Beaufort Court in 1914.¹⁹ Accessibility to court provided the coolies with the assurance that they could voice their complaints and seek justice, if they were exploited.

¹⁶ PRO: CO874/759. Section 42(i) of Ordinance 1916.

¹⁷ PRO: CO648/9. AR. Protectorate Department for 1921; PRO: CO874/759. Governor's No. 199. Labour Ordinance: Amendment to Section 42. 5 March 1921.

¹⁸ Bruce. *Twenty Years in Borneo*. p. 76.

¹⁹ PRO: CO648/7. AR. West Coast Residency, by D.R. Maxwell. 1914.

Most importantly, the Protector of Labour was empowered by the Governor to ascertain that employers fulfilled their part of the indenture contract, and any breach of contract could lead to prosecution. Usually, employers of Javanese labourers were obliged to provide suitable dwellings free of charge for all government-imported Javanese, to give rations according to the diet set forth in the official Dutch contract, and to install suitable hospital accommodation at the workplace.²⁰ Hospitals had to be built in open clearings, as far removed as possible from jungle and swamps. Health officers prohibited employers from cultivating within 200 feet of a hospital to prevent interference with the ventilation, or general sanitary condition of the hospital. Estate hospitals, too, should provide a sufficient number of beds for patients, and the proportion should be between four and eight beds for every one hundred labourers employed on the estate.²¹

As for the food supply depot or estate shop installed in the enterprise, each was required to keep inspection cards for the perusal of the protectors of labour (Notification 116 of 1917).²² A reliable price list had to be exhibited in either Malay or Javanese, as indicated in the labourers' contracts.²³ Javanese coolies got their daily rations and other necessities from this estate shop. Plantation officials were forbidden to be financially involved with the management of this estate shop, and violation of this prohibition made offenders liable to prosecution under trafficking offences. On conviction, a person could be fined a maximum of five hundred dollars, or imprisoned for up to six months.²⁴ For a second or subsequent conviction, the penalty doubled. Exemption from this penalty would only be allowed if the workplace was far from the nearest shop, and there was a written authorisation from the Protector of Labour.²⁵

²⁰ See articles of Dutch Contract in PRO: CO874/752.

²¹ SSA: NBCA 1126. G.S.O. No. 01918. p. 19.

²² PRO: CO648/8. AR. Protectorate Department by R.G.L. Horton, Acting Protector, 1917. p. 4.

²³ PRO: CO874/759. Sections 35-36 of Ordinance 1916.

²⁴ PRO: CO874/759. Section 36(i) of Ordinance 1916.

²⁵ PRO: CO874/759. Section 36(ii) of Ordinance 1916.

Other employer obligations included the payment of appropriate wages for a full day's labour, either by task, or by day, weekly or fortnightly, according to fixed procedures. Labourers who received monthly wages had to receive their pay no later than ten days after the expiration of the preceding month. If the labourer requested half monthly pay, the employer had to acquiesce. Overtime, to be paid per hour, should be paid on the first payday. The calculation for overtime was to be made on the basis that the wage, in proportion to the wage per hour in the contract, was at least one and a half times the amount.²⁶ From 1929 onwards, overtime was to be paid per hour or part of an hour. The wage received should be 50 per cent more than the equivalent per hour of the ordinary daily wage.²⁷ Deductions from a labourer's wages could only be made for monies given in advance, and to repay accumulated debts contracted by the indentured coolie.²⁸ Employers were prohibited from paying coolie wages through the agency of any overseer.²⁹ Disputes over amount of wages due or over an employer withholding of wages were settled in court. However, absent from the law was a provision safeguarding labourers' wages in the event of insolvency of the employer, and as to the manner of payment of wages (although the government approved the usage of estate tokens to pay labourers' wages for estates far from the local Treasury).³⁰

Instead of working the full hours stipulated in the contract, an employer could demand a coolie to perform task work provided that the labourer was under no compulsion to work more than nine hours in any day. Assignments under task work needed the approval and endorsement of the Protector of Labour. Payment for task work was to be made rateably, in proportion to the amount performed.³¹ When allotting task work, employers had to put this down in writing, in a language understood by the

²⁶ PRO: CO874/752. See Appendix 2. Dutch Working Contract 12 November 1925.

²⁷ PRO: CO874/752. See Appendix 3. Labour Agreement 1929.

²⁸ PRO: CO874/752. See Appendix 2. Dutch Working Contract 12 November 1925.

²⁹ PRO: CO874/759. Sections 24-26 of Ordinance 1916.

³⁰ PRO: CO874/759. Revised Labour Ordinance. 17 June 1921.

³¹ PRO: CO874/759. Section 25 of Ordinance 1916.

Javanese coolies. The notice had to be posted in a conspicuous area, either in the labourers' quarters, or elsewhere on the premises.

If a Javanese indentured coolie was discharged by the employer due to illness, and while still serving his or her contract, the employer was still obligated to pay all hospital expenses. If the health condition of the coolie deteriorated, and he or she was proven to be permanently unable to work, an employer was obliged to meet all expenses incurred for the coolie's repatriation to Java, within six months from discharge.³² Meanwhile, at the end of the written contract, the employer had to provide the labourer with a discharge certificate,³³ and a free repatriation to Java for the labourer and his or her family, at the latest three months after the expiration of the contract. This provision was assured for one year after the termination of the last contract (although the original Dutch version of the contract signed in Java stipulated duration of five years).³⁴ Finally, while the Protector of Labour was responsible for administering the estates of deceased labourers (Section 32), an employer was legally bound to pay a sum not exceeding five dollars, and provide, within six months, a decent burial for any deceased labourer still under contract (Section 31).

An employer found guilty of mistreatment of coolies was liable to a fine not exceeding one hundred dollars (\$100). Offences included arresting or detaining a coolie on insufficient grounds, failing to facilitate labourers in making complaints, non-complying to rules set forth by the Protector or Health Officer, separating a labourer and his family, allowing labourers to dwell in unsanitary conditions, and refusing a labourer to leave his service although the contract had been determined. A continuing offence could lead to fines of up to ten dollars (\$10) everyday, during which the offence continued (Section 51). A further punishment to supplement Section 51 would be the enforcement of Section 45 of the Labour Ordinance 1916, which stated that the third

³² PRO: CO874/759. Section 30 of Ordinance 1916.

³³ PRO: CO874/759. Section 19 of Ordinance 1916.

³⁴ PRO: CO874/752. Article 8 of Dutch Working Contract 1925.

and subsequent convictions of ill-treatment by superiors against a labourer would give the Court and the Protector the power to cancel and determine the said contract, and award compensation to the labourer.³⁵ This power of cancellation was extended to the Protector of Labour, under Notification 236 of the Gazette 2 November 1917.³⁶

These were the main consolidating laws passed during the mature phase of the indenture experiment, before the promulgation of a new consolidating Ordinance in 1929. A certain amount of streamlining took place in 1927, following criticisms made by Baron Van Lijnden, the Dutch Labour Inspector, who made a tour of inspection to places where Javanese labourers 'live and work'. Among the most notable changes were those concerning the law pertaining to inspection visits, and the presence of an employer during an enquiry. The presence of the employer during inspections deterred and intimidated Javanese labourers from voicing their complaints against their superiors, for fear of future victimisation.³⁷ Usually, the more humane and considerate employers made no use of the right, having no reason to fear exposure by their coolies. This was a right which, in general, was exercised only by 'tyrannical' managers who had cause to fear that their labourers would complain, and who hoped to impose silence on aggrieved coolies by the mere fact of their (the managers') presence.³⁸

In stating that the right given to the employers was taken advantage of by some managers, C.F.C. Macaskie, Protector of Labour, omitted this very right during the drafting of the new Labour Ordinance in 1927. However, the Court of Directors finally sanctioned that the presence of the manager was not required during an enquiry but 'the employer shall have the right to be made aware of and answer any complaints that have been made against him'.³⁹ In other words, during the actual enquiry, the presence of the employer was not needed, but he was required to be within the estate's premises

³⁵ PRO: CO874/759. Memorandum on the Amendments to Labour Ordinance.

³⁶ PRO: CO648/8. AR. Protectorate Department for 1917, by R.G.L. Horton. p. 4.

³⁷ SSA: NBCA 906. R.G.L. Horton, Acting Protector, to Government Secretary. Prot. 167/16. 27 May 1916.

³⁸ PRO: CO874/760. Interview with Macaskie. 19 December 1929.

³⁹ PRO: CO874/760. Minutes. Inspection of Estate. 7 November 1929.

to answer any question that the inspecting officer might have, and to clarify matters. In relation to this, on 23 May 1927, the Protector circulated a memo instructing all Assistant Protectors to report any estate which failed to carry out its contract with the government imported Javanese, and to provide every legitimate facility to labourers desiring to complain. Complaints should be fully enquired into whether or not a labourer had previously notified his employer of his complaint.⁴⁰

Other amendments to the law included Gazette Notification 212 of 1927, in which all estate hospitals had to be furnished with equipment, nets, clothing, blankets and mats. Hitherto, failure to furnish hospitals adequately could only be dealt with by an order of the Health Officer, and delay and evasion sometimes resulted.⁴¹ With the publication of the Notification, such failure rendered the employer liable to immediate prosecution. Additionally, as a consequence of Van Lijnden's recommendation, by Gazette Notification 357 of 1927, there was a modification of task work through a provision that if a Javanese labourer remained at work for nine hours, he should be paid the prescribed minimum daily wage, even if his task was unfinished.⁴² In other words, deduction for unfinished tasks was made illegal if the labourer had worked for a full day. A discharge certificate was also given to the labourer within 24 hours of the date of determination or expiration of the written contract, regardless of whether the Javanese labourer claimed repatriation or continued to work under verbal contract.⁴³

With regards to the punishment for employers for offences stipulated under Section 51, the government imposed a hefty fine of five hundred dollars, to act as a strong deterrent to employers who were inclined to treat their labourers harshly.⁴⁴ Additionally, a headman, or *mandur* convicted of ill-treating any labourer could be

⁴⁰ SSA: NBCA 210. C.F.C. Macaskie to Assistant Protector. No 2-395/27. 23 May 1927.

⁴¹ PRO: CO648/8. AR. Protectorate Department for 1917, by R.G.L. Horton. p. 4.

⁴² PRO: CO648/14. AR. Protectorate Department for 1927, by B.W. Burrell. p. 33; PRO: CO874/759. Labour Law Reform.

⁴³ SSA: NBCA 210. C.D Martyn to Manager, British Borneo Timber Co. (Bettotan Camp).

⁴⁴ PRO: CO874/759. Governor's No. 679. Amendments to Labour Ordinance. 28 November 1927.

dismissed from service under direct order of the Protector of Labour.⁴⁵ Moreover, amendments were made to Section 45. This time, cancellation of contracts could be imposed on the first offence itself, and only the Protector held the power to cancel contracts in cases of ill-usage under this Section. The Court was given a similar privilege under Section 51, if an employer was convicted of any of the offences referred to in that section (most of which was deemed to be tantamount to 'ill-usage'). Formerly, the Court, if it acted under Section 51, could only fine the employer.

Except under Section 38, where the Governor was legally vested with a discretionary power superior to that of the Protector, the Protector was given the permission by the Ordinance to act in a specified manner, in most circumstances.⁴⁶ Generally in matters concerning the formulation of the labour laws, and the protection of the welfare of the immigrants, the Governor never overruled the Protector's advice. Nor did the Governor undermine the sometimes strict decisions taken by the Protector in punishing employers whose actions towards their labourers were contradictory to the laws stipulated in the agreement and the Labour Ordinance. In a way, the Protector of Labour was given a free hand in exercising his powers within the confines of the Ordinance.

However, the powers which could be legally exercised by the Protector of Labour were seriously questioned in 1927. The controversy started in May 1927, following the Protector at the time, C.F.C. Macaskie's decision to exercise the powers vested in him by Section 45, to cancel contracts in connection with a number of Javanese labourers employed on Sapong Estate.⁴⁷ When Macaskie visited the estate in the company of the Dutch Inspector, Van Lijnden, he was confronted with a large number of complaints from the Javanese labourers employed there. No other course was open to him but to make exhaustive enquiries into the complaints, and to deal with

⁴⁵ Section 56 of Ordinance 1929

⁴⁶ See Section 38 of Labour Ordinance 1916.

⁴⁷ PRO: CO874/759. Memorandum regarding the Amendments to the Labour Ordinance.

them as expeditiously and effectively as the powers entrusted to him permitted.⁴⁸ After removing several Javanese labourers from the estate for the purpose of the enquiry (Section 41), the Protector acted under Section 42 (iii) and instituted judicial proceedings in the cases of Javanese labourers complaining of assault. In the cases of other labourers who complained of harsh treatment not actionable in the courts (e.g. 'too long hours of work, cutting of rations, prohibition of marriage of female labourers'), the Protector acted on his own account, and cancelled the contracts of a few labourers involved in the assault proceedings. Thirty one contracts were cancelled altogether.⁴⁹

The legality of the Protector's action in removing the labourers from the estate and cancelling the contracts was disputed by the estate manager and other employers of labour. The Company government refused to admit that there had been anything illegal in the Protector's proceedings, although the higher officials admitted that this was done under extraordinary circumstances. Hitherto, the industrial development of the territory had depended on large numbers of Javanese coolies, imported under special Dutch permits issued yearly. This had heightened the government's concerns that the facilities granted were not to be withdrawn. Hence, Governor Humphreys defended the Protector for taking such course of action. Under the watchful eye of the Dutch Inspector, and influenced by the urgent character of the matter, Humphreys attested that Macaskie was prevented from giving as much formality to his proceedings as he would otherwise had done. The Court of Directors, too, fully supported the view of the local authorities, that the Protector's proceedings were perfectly legal.⁵⁰

Nevertheless, the case brought into prominence the exceptionally wide nature of the Protector's power. Employers of labour accused the Protector of being a law unto himself (although within the scope of the Ordinance). Usually an employer who objected to an order by the Protector could force legal proceedings, followed with an

⁴⁸ PRO: CO874/759. Under Secretary to Messrs. Stephenson, Harewood & Tatham. 3 February 1928.

⁴⁹ PRO: CO874/759. Memorandum on Amendments to the Labour Ordinance. 25 January 1928.

⁵⁰ PRO: CO874/759. Memorandum on Amendments to the Labour Ordinance. 25 January 1928.

appeal from the Magistrate's Court to the higher court. However, few employers cared to pursue such a course.⁵¹ They demanded that the government should make provision for the right to appeal in the Labour Ordinance. Unless this was done, employers contested that those aggrieved at the Protector's orders would continue to face hardship.⁵²

The responses towards the employers' demand were perplexing. On the one hand, the local government rejected any proposal to belittle the Protector's power. As Governor Humphreys remarked,

So long as indentured labour is legal in this State it is essential for the Protector to have extensive and unimpaired powers; I should deprecate any amendment of law that might be interpreted either as an adverse reflection on their use in the past or as a reduction of their scope in the future.⁵³

On the other hand, the Court of Directors wanted to make a provision for the right to appeal by employers, not to the High Court, but to the Governor.⁵⁴ The necessity for this was considered imperative by the Court, for the mere fact that employers' costs were high in importing Javanese labourers from Java. An employer would suffer considerable financial loss, due to the premature termination of such contracts by the Protector.

The Court of Directors viewed that the existing labour laws permitted the Protector to act in a specified manner. In circumstances where the exigencies of the case did not allow for any consultation with the Governor (as it would cause further delay), any decision taken by the Protector in regards to his own responsibility (e.g. enforcing Section 45), had the force of law, and could not be legally upset by a contrary ruling made by the Governor.⁵⁵ This was made possible in the absence of such a legal right to appeal, regardless of whether the Protector was executively under the

⁵¹ PRO: CO874/759. Minutes. 28 November 1927.

⁵² PRO: CO874/759. Memorandum on Amendments to Labour Ordinance. 25 January 1928.

⁵³ PRO: CO874/759. Governor Humphreys to President BNBC, No. 1263/27. 4 December 1927.

⁵⁴ PRO: CO874/759. Memorandum on Amendments to Labour Ordinance. 25 January 1928.

⁵⁵ PRO: CO874/759. Memorandum on Amendments to Labour Ordinance. 25 January 1928.

Governor's authority. Finally, in 1929, in order to provide leeway for employers to appeal, Section 49 of the consolidating ordinance stated that any person aggrieved by any order or decision of the Protector of Health Officer, under the Ordinance, could appeal to the Governor, whose decision in regards to such an appeal would be final. Notice of appeal was to be given to the Government Secretary within 30 days of the date of the order or decision appealed against, to be accompanied with a twenty-five dollar (\$25) fee.⁵⁶

Indeed, the execution of the major functions of the Protectorate Department was often influenced by the personality of the particular Protector of Labour. Certainly the confidence placed in the Department by the Javanese immigrants depended often on this factor. Ironically, the first Protector for the government-imported Javanese in 1914 performed way below par in terms of protecting the rights of the coolies. One would have expected H.C. Ridges (1914-1915) to be meticulous in assessing the Dutch Contract and ensuring that the terms of the contract was carried out. Instead, he failed to rectify a faulty translation (although he was aware of the error) of the English version of the Dutch Contract, provided by Messrs. Soesman & Co., which wrongly put the obligation for repatriation to Java one year after the termination of the last contract, instead of the stipulated five years in the original Dutch Contract signed in Java.⁵⁷ Aside from Ridges, also insignificant was F.J. Moysey, who held this position for two months in 1919 without leaving any noteworthy changes on the department. His successor, W.C. Moores Weedon (May 1919 – January 1920), held the position of Postmaster General at the same time, and hence, was too busy to perform the routine task of inspecting places of labour, and protecting labourers' interests.⁵⁸

⁵⁶ PRO: CO874/760. Labour Ordinance 1929.

⁵⁷ PRO: CO874/752. Governor to Chairman, BNBC. Interview with Dr. Van Hemert. 18 January 1919. See Chapter 8 for further details.

⁵⁸ PRO: CO648/8. AR. Protectorate Department for 1919.

In the history of the indenture experiment, certain officials stood out more than others in terms of their image as humane and impartial administrators. Such, for example, were people like R.G.L. Horton (April 1915-May 1918; February 1920-March 1921) and D.R. Maxwell (January-March 1915; June 1918-February 1919; March 1921-March 1922) who held this post in the 1910s and early 1920s. R. G. Horton, for instance, was assertive in protecting Javanese coolies, and most of the time, complained about the light sentences sometimes meted out to the planters.⁵⁹ His reputation for favouring the coolies was regarded as harmful by some employers, and they would gleefully agree to any suggestion, which kept Horton from having the 'opportunity of doing much harm'. Conversely, Horton's successor, D.R. Maxwell, was depicted as unbiased in his judgments, and employers were assured that they would be given a fair treatment in any question that might arise from labour disputes.⁶⁰ Other influential figures who held this position in the later period (1920s until the end of indentured labour) included C.F.C. Macaskie (March 1922-October 1923; June 1925-October 1928) and C.D. Martyn (October 1923-June 1925; October 1928-March 1930). Both served almost 10 years as Protectors of Labour. C.F.C Macaskie, as a member of the Bar of England, was highly regarded as 'a singularly capable and trustworthy officer', and had been subjected to criticism (as described in the earlier paragraphs), notwithstanding his habitual caution in discharging Protectorate duties.⁶¹

All four (Horton, Maxwell, Martyn and Macaskie) had the greatest influence over the immigration and adjustment of indentured coolies in the territory. On the one hand, they were known for their willingness to employ tact and discretion in their dealings with the planters, and on the other, they took their role as protectors seriously. They stood up against planters, immigration business was handled promptly, and complaints were fully investigated and followed up. Macaskie went even further, by cancelling labour

⁵⁹ SSA: NBCA 906. R.G.L. Horton, Acting Protector, to Government Secretary. Prot. 167/16. 27 May 1916.

⁶⁰ PRO: CO874/438. G.S. Plummer, Acting Manager, to Secretaries, Lok Kawi Rubber, Ltd. No. 21/18. 15 September 1918.

⁶¹ PRO: CO874/759. Memorandum regarding the Amendments to the Labour Ordinance.

contracts on suspicion of the ill-treatment of Javanese labourers. Understandably, the philosophy behind the Protectors' strict enforcement was that, 'the NEI Government ...are in no way interested in North Borneo and that permission to recruit is a favour'.⁶² Therefore, '...it is important that nothing in working conditions here should cause reluctance by the Government of that country to allow the export of labourers.'⁶³ Hence, as one planter once reiterated, inspecting officials generally 'as a rule are 'all out' for the coolies without considering the Estate'.⁶⁴

The Protector of Labour was backed by the staff of the Protectorate Department, who grew in the course of time. When the immigration of Javanese indentured labourers began in 1914, the Protectorate was manned only by the Protector of Labour and two Chinese clerks, who took up all tasks concerning translation, registration, repatriation, interpreting, typing and all statistical work of the department.⁶⁵ Additional staff was employed on a temporary basis during periods of preparing Labour Returns. Two years later, a depot orderly was appointed, with knowledge of the Javanese language. He was designated to meet all newly government-imported Javanese on arrival, and to escort them to the respective estates on the west coast and the interior.⁶⁶ With the increasing amount of immigration in the 1920s and the wide range of official posts simultaneously held by the Protector of Labour, an expanding workload pressed heavily on him from time to time. This usually meant that inspections would be less thorough, and more infrequent in some parts of the territory (especially the east coast), until the pressure had eased. Fortunately, two new posts were inaugurated in 1923 to enhance the general efficiency of the Protectorate Department. An Assistant Protector post was introduced in the Jesselton

⁶² PRO: CO874/752. F.W. Fraser to Francis. 18 December 1926.

⁶³ SSA: NBCA 210. Protector to Assistant Protectors, Prot No. 752/26. 8 November 1926.

⁶⁴ PRO: CO874/438. Copy of Report from Hadow & Pinckney. 3 April 1918.

⁶⁵ PRO: CO648/7. AR. Protectorate Department for 1914.

⁶⁶ PRO: CO648/7. AR. Protectorate Department for 1916, by R.G.L.Horton. p. 5.

headquarters, and J.A. Steuart held the post for the first time, followed by G.L. Gray, B.W. Hurrell, G. Robertson, and G.W. Bullock, throughout the years.⁶⁷

Meanwhile, in the eastern part of the territory, a Deputy Protector was installed in Sandakan, with A.N. Garry serving as the first Deputy Protector. With the Protector finding it difficult to leave the Jesselton Office for long periods of inspection, the Deputy Protector controlled all matters connected to immigration and repatriation, as well as the Paupers' Institute established in 1924, for the eastern side of the territory.⁶⁸ In June and August 1927, two Javanese interpreters, Marto and Lamat, were hired for the Protectorate's headquarters in Jesselton, and the Deputy Protector's Office in Sandakan, respectively. Their appointments proved to be useful, as their presence during the inspection visits of places of labour had undoubtedly brought to light grievances and complaints by Javanese labourers that would not otherwise have been disclosed.⁶⁹

The Protector was aided by an Assistant Protector of Labour in each district. The person could either be the District Officer, the Assistant District Officer, the District Magistrate, the Collector of Land Revenue, the District Treasurer, or another government officer working in the district.⁷⁰ His task involved almost everything, including collecting taxes, compiling statistics, registering births, marriages and deaths, rounding up deserters, preparing summons for trials, executing sentences, and being the adviser and friend of all the remote villages he regularly visited. Since the Assistant Protector of Labour held multiple portfolios, he had to perform his role as protector tactfully. He needed to be fair to both coolies and employers, and while being fair to the coolie, he had to bear in mind that he should uphold the prestige of the Europeans. With a limited police force and a large coolie population, he could not afford to be

⁶⁷ PRO: CO648/9-14. AR Protectorate Department for 1923-1929.

⁶⁸ PRO: CO648/9-10. AR Protectorate Department for 1923 and 1924.

⁶⁹ PRO: CO648/14. AR Protectorate Department for 1927, by B.W. Burrell. p. 28.

⁷⁰ SOAS: MS283793. The Ordinances of the State of North Borneo, A.D. 1881-1914. Ordinance IV of 1908 – Labour Appointments. pp. 286-287.

mealy-mouthed. He looked to the Europeans on estates to support him by treating their coolies fairly.⁷¹ He performed similar responsibility as the Protector of Labour, within his jurisdiction. As Assistant Protector of Labour, he attested and stamped all coolie contracts in his district;⁷² made quarterly inspections at every place of labour, except lumber companies which were inspected half yearly,⁷³ investigated any complaints made by labourers, and settled coolie troubles generally. Simply put, he was the official most in touch with the Javanese labourers.

Another important individual who played the role of protector to the government-imported Javanese was the Dutch Labour Inspector of the Labour Inspectorate (*Arbeidsinspectie*) agency in Batavia. A significant improvement to the lives of the government-imported Javanese was visible soon after visits of inspection by an agent of the Labour Inspectorate. This process of actual labour surveillance of labour relations on the enterprises employing Javanese labourers in British North Borneo was an extension of the function performed by the Labour Inspectorate (later, in 1921, Labour Office, *Kantoor Van Arbeid*) for the entire Netherlands East Indies, which dated back to June 1908.⁷⁴

The Company government 'welcomed' visitations by the Dutch Labour Inspectors, and provided all assistance to ensure inspections ran smoothly. Being guests of the government, the hospitality provided was the very best the government could offer, and this was possibly given with the sole intention of flattering the Dutch officials. Indeed the officials administering the government and the employers had much to fear from the Dutch Labour Inspectors because they would not want to jeopardise the granting of recruiting permits, which were renewed yearly by the Dutch

⁷¹ Rutter. *British North Borneo*. p. 152.

⁷² PRO: CO648/7. AR. Protectorate Department for 1915, by R.G.L. Horton. p. 220.

⁷³ PRO: CO648/10. AR. East Coast Residency 1924.

⁷⁴ Houben. 'Introduction', p. 16.

authorities. Efforts were made to portray the territory as a suitable place for Javanese labour.

Throughout the years when the system of Javanese indentured labour was in operation, four labour inspectors were dispatched to British North Borneo to inspect the welfare of their Javanese subjects. The first to arrive was J.G. Van Hemert in 1918, four years after the system of Javanese indentured labour migration was in operation. Van Hemert was diplomatic in his relationship with the Company administrators. He found little to criticise, apart from a few 'inconsistencies'. He was particularly concerned with the failure by certain employers to give rations on the contract scale, the re-engagement of Dutch indentured labourers on local contracts, the failure to inform labourers that their contracts had expired, the lack of payment on rainy days when no work was done, the declaration of rainy days as holidays, and the recommendation to improve the supply of pure drinking water.⁷⁵ Hemert believed the necessary improvements could easily be effected, and his overall view of the indenture system in the territory was favourable. No alteration to the territory's labour laws was suggested.⁷⁶ In regards to the Protectorate Department, he was very 'pleased' with the supervision exercised by the department, and he regarded the organisation and system of inspections and reports as 'very efficient'.⁷⁷

Trusting Van Hemert's encouraging report, nine years lapsed before a second Dutch Labour Inspector, Baron D.R.J. Van Lijnden, was dispatched by Governor-General Jkhr. A.C.D. De Graeff (1926-1931) on 1 April 1927.⁷⁸ A year later, M.B. Viehoff arrived in Jesselton to complete the work started by Van Lijnden, who left prematurely due to a nervous breakdown. Van Lijnden and Viehoff arrived to grim conditions, contradictory to Van Hemert's visit almost a decade ago. Both Dutch

⁷⁵ PRO: CO847/753. Interview with Dr. Van Hemert. Governor No. 38. 18 January 1919; SSA: NBCA 210. Protector to Manager of Estates. Prot. No. 752/26. 8 November 1926.

⁷⁶ KIT: Verslag. Arbeidsinspectie in Nederlandsch-Indie. Over het jaar 1919 (Zesde Verslag). 1920.

⁷⁷ PRO: CO874/753. Governor to Chairman BNBC. 11 January 1919.

⁷⁸ SSA: NBCA 210. Governor to President BNBC. No. 218. Sandakan. 8 April 1927.

inspectors blacklisted several enterprises for various reasons. Among the general complaints were abuses and ill-treatment by management and overseers, inadequate filing systems which led to irregularities in the conditions stipulated by the NEI government, and the inadequate outlet for voicing complaints. Also noticeable were complaints pertaining to deplorable medical and housing conditions, poor wages due to the high cost of living, illegal wage deductions and fines, insufficient rations, and the exorbitant prices at estate shops with their low quality of stock.⁷⁹ Both Van Lijnden and Viehoff called for recommendations to be made in all areas. The ration scale received particular attention, as did the call for more freedom of mobility.⁸⁰

Any negative reports by the Dutch Labour Inspectors to their government proved detrimental to the interests of British North Borneo, as they delayed the renewal of the recruiting permit. The Company authorities counteracted this, as far as possible.⁸¹ Naturally, the recommendations made by Van Lijnden and Viehoff were promptly carried into effect by Company officials. The Protector of Labour was expeditious in instructing all Assistant Protectors to report any estate, which failed to carry out its contract with government-imported Javanese.⁸² Managers of enterprises were also cautioned that their local Assistant Protectors had been given directives to ensure that the recommendations made by the Dutch Labour Inspectors (Van Lijnden and Viehoff) were rigidly enforced. Failure to do so by any employer, in any respect, would result in immediate prosecution, and where possible, in the withholding of further government-imported Javanese. If this failure persisted, the most drastic move would be the cancellation of contracts of immediate labourers, and their removal from the estate.⁸³

⁷⁹ SSA: NBCA 210. Notes for Baron Van Lijnden's interview with His Excellency; Deputy Protector to the Manager British Borneo Timber Company. Prot. 372/27. 12 April 1927.

⁸⁰ SSA: NBCA 210. Notes for Baron Van Lijnden's Interview with His Excellency.

⁸¹ SSA: NBCA 210. Minute Paper. Unknown Author. 8 May 1927.

⁸² SSA: NBCA 210. Protector to Assistant Protector. No. 2-395/27. 23 May 1927.

⁸³ SSA: NBCA 210. Protector to Manager. No 1-395/27. 23 May 1927.

Viehoff also suggested certain amendments to be made to the Labour Ordinance. However, if these amendments were found to be unsuitable to other classes of labourer, then a separate Netherlands Indian Labourers Protection Ordinance (NILPO), applicable only to labourers recruited in Java, was recommended.⁸⁴ Instead of introducing a separate ordinance for government-imported Javanese, the Company government amended the Labour Ordinance 1916 in accordance with Van Lijnden and Viehoff's suggestions. These amendments were consolidated under Labour Ordinance 1929. Meanwhile, in March 1931, C.G. Frohwein arrived from the NEI and inspected all estates employing government-imported labourers. Twenty-nine places of labour were visited, in addition to several public institutions. A large number of minor complaints were received from Javanese coolies, and Frohwein expressed dissatisfaction with labour conditions on two enterprises, particularly the Bettotan Timber Camps.⁸⁵ Nevertheless, overall, he was satisfied with the general conditions, and there was no call to amend the territory's labour laws.⁸⁶

Theoretically, the Javanese indentured labourers were protected by provisions stipulated in the Contract and Labour Ordinance. The Dutch Labour Inspectors were responsible for monitoring and making recommendations to the Company government, while the Protectors and Assistant Protectors were responsible for enforcing these recommendations where necessary, and the labour law proper. Generally, the protective provisions were supposed to be a guarantee that the law would be properly administered and the welfare of the immigrants properly secured. However, the progress of the state was dependent upon an influx of capital and labour, and to attain that progress, there should be adequate protection, not just for the employees, but also for the employer. The next section deals with the protective provisions designed for the employers, which manifested itself in the form of labour control.

⁸⁴ PRO: CO874/752. Governor Richards to President BNBC. 6 October 1930.

⁸⁵ PRO: CO874/1062. Governor General A.W.L. Tjarda van Starckenborgh to Governor C.R. Smith. 27 January 1939.

⁸⁶ PRO: CO648/15. AR. Protectorate Department for 1931. p. 130.

Protective Provisions for Employers of Javanese Labour

The existence of the indentured system of labour, and the heavy expense that individual employers incurred in importing labourers from Java, rendered some form of control over labourers necessary, and recognised by law, to ensure that employers got value, in the shape of satisfactory work from their coolies. Employers of Javanese labourers were protected by the legal mechanism of the territory, which served as the most important form of labour control. To control the labour force, criminal punishments (fines, whipping and imprisonment) were formulated to reinforce the formal civil contractual agreements contained in their formal contract of indenture. These were automatically applicable for various breaches of work discipline and other violations. Scholars observed that penal sanctions were indispensable to ensure the regularity of labour supply, to continue its labour intensive character and to provide employers with a prominent instrument with which to discipline and control the labour force. They became 'an integral part' of the market revolution.⁸⁷ In British North Borneo the existence of the penal clauses rendered the labourers physically bound to the workplace during the whole term of indenture. It also restricted their mobility and diminished their control over their own labour power. The bottom line was that the legalisation of criminal penalties under the Labour Ordinance protected the employers against the risk of imported labour cancelling their contracts, or simply absconding.⁸⁸

The notion of imposing penal sanctions for breach of a civil contract was clearly a mechanism for regulating and controlling the supply of labour for rubber and tobacco production. Many of the enterprises in British North Borneo were located in isolated areas, and work was carried by a few white men, amongst many hundreds of Asiatics. This isolation generally worked to the disadvantage of the labourers, and the existence of criminal punishments sanctioned by the law made it easier for employers to control

⁸⁷ Shula Marks and Peter Richardson. eds. *International Labour Migration: Historical Perspectives*. Hounslow, Middlesex: M. Temple Smith. pp. 11-12; Robert J. Steinfeld. *Coercion, Contract and Free Labor in the Nineteenth Century*. New York: Cambridge University Press. 2001. p. 47.

⁸⁸ PRO: CO874/752. Minutes.

the coolies, and confine them within the enterprise. Enterprises grew into a frontier society, with rigorous discipline and a rigid code of behaviour. The management succeeded in establishing and maintaining a pattern of dominance within the boundaries of the enterprise. Due to the high cost of importation, aspects of a Javanese labourer's life under the government scheme were controlled by the employers. The threat of penal sanctions was sometimes enough to subdue the labourers.

Protection for employers began right after the coolies landed. As soon as the labourers arrived, they were to be ushered to a detention depot while waiting for the attestation of their contracts. If the Javanese coolie failed to adhere to orders of government officials to proceed to the depot, the labourer was liable, on conviction, to a fine of up to ten dollars, or to imprisonment not exceeding one month, or both.⁸⁹ Similar penalties would be inflicted on the Javanese coolie if he refused to proceed to a government hospital after being certified to be unfit for work, upon arrival. In the case of a labourer leaving the hospital without permission from the Medical Officer, he would be prosecuted, and would receive the same punishment if convicted.

Once the indentured Javanese arrived at their workplace, they were physically bound to the estate environment by provisions to keep them tied to the estate. They were prohibited from switching employers without the consent of the Protector, or underwritten authority from the Governor.⁹⁰ Time expired Javanese labourers were also required to carry Discharge Certificates, and to produce them on demand by a competent authority, as the only means of protecting themselves against arrest for vagrancy. Immigrants could be labelled as a deserter, prosecuted for breaches of contract, and imprisoned as a result of failing to carry certificates. A Javanese coolie found wandering outside the estate grounds without permission could be apprehended

⁸⁹ PRO: CO7874/759. Section 52 of Ordinance No. 9 of 1916.

⁹⁰ PRO: CO874/759. Section 16 of Ordinance No 9 of 1916.

without a warrant, not only by the authorities (i.e. police, magistrate) but also by the employer, manager, and overseer of the estate. Section 46 of the Labour Ordinance authorised the employer or anybody nominated by him, on sufficient grounds, to arrest coolies without warrant within his own premises, or in public places, and to turn them over to the nearest Magistrate as soon as possible.⁹¹ The fate of the arrested coolie depended on the discretion of the magistrate, whether he was returned to the estate or prosecuted.

Technically, the Javanese indentured immigrant was entitled to absent himself or herself if, with the permission of the employer, the intention was to go to the authorities with a reasonable complaint. But complaints deemed frivolous could still leave the coolie open to prosecution, on which the complainant could be fined any sum not exceeding ten dollars (\$10), and the same amount to be paid to his employer. The sum was to be added to the coolie's contract.⁹² Inevitably, the restriction on the mobility of government-imported Javanese was condemned by Van Lijnden in 1927 and Viehoff in 1928, who indicated that the government-imported Javanese should be allowed to leave an estate outside working hours without permission being required, although the estate office was to be notified of such a plan.⁹³ Furthermore, they should be allowed to complain without giving prior notice to the employer.⁹⁴ Substantial revisions were made to the Labour Ordinance 1929, following Viehoff's recommendations.⁹⁵

Javanese labourers found straying away from the workplace could be prosecuted under the Labour Ordinance for desertion, attempting to desert or absenteeism. Section 53 constituted the legal basis for the overall regimentation imposed on the movements of the Javanese indentured labourers. Under this section, a coolie could face imprisonment of up to three months, or whipping not exceeding

⁹¹ PRO: CO874/759. Section 46 of Ordinance No 9 of 1916.

⁹² PRO: CO874/759. Section 42(ii) of Ordinance 9 of 1916.

⁹³ SSA: NBCA 210. See item No. 15 on 'Notes for Baron Van Lijnden's interview with His Excellency'.

⁹⁴ SSA: NBCA 210. See item No. 6 on 'Notes for Baron Van Lijnden's interview with His Excellency'.

⁹⁵ SSA: NBCA 465. Memoranda of Viehoff's Recommendation.

twelve strokes, or both. Labourers were also liable to pay for expenses incurred in their recovery not exceeding fifteen dollars (\$15), to be assessed by the Magistrate, and which would be recovered as an advance.⁹⁶

Apart from desertion laws, protection for employers was also extended through the laws affecting the work performance of their indentured coolies. For disobeying an order, refusing to work, injuring property and carelessness in guarding property, the penalty would be a fine up to twenty five dollars (\$25), and in default of the fine, a maximum of eight strokes (of whipping), without the option of imprisonment.⁹⁷ A similar fine, but with a maximum of twelve strokes (of whipping), was reserved for coolies prosecuted for 'wilfully disabling himself or herself, refusing, or omitting to enter on service or absence without permission, 'being insolent or misconducting himself', and disposing of rations for cash.⁹⁸ Not only this, but a Javanese coolie who was absent from work through his or her own fault was not entitled to wages, except on the days declared as holidays in the Dutch Contract.

Offences such as causing riots and posing danger to life or property, and resulting in work stoppages, could result in a fine up to one hundred dollars (\$100), or a maximum of six months imprisonment, and up to twelve strokes of whipping.⁹⁹ There was always a possibility that both a fine and imprisonment could be imposed together in some cases. For more serious offences, such as molesting, hindering, and threatening other labourers in his work performance, or persuading the labourer to commit a breach of contract or the Ordinance, there were higher penalties: fines of up to two hundred dollars (\$200), or a prison term of up to six months, or both.¹⁰⁰

⁹⁶ PRO: CO874/759. Section 53 of Ordinance No. 9 of 1916.

⁹⁷ PRO: CO874/759. Section 54(i) of Ordinance No 9 of 1916.

⁹⁸ PRO: CO874/759. Section 54(ii) of Ordinance No 9 of 1916.

⁹⁹ PRO: CO874/759. Section 55 of Ordinance No 9 of 1916.

¹⁰⁰ PRO: CO874/759. Section 58 of Ordinance No 9 of 1916.

Crimping resulted in the highest penalty. Any labourer or person caught and convicted for seducing, or attempting to seduce another labourer, or concealing another labourer under contract to another employer, was liable to a fine not exceeding two hundred dollars (\$200), or to imprisonment not exceeding six months, or both. Subsequent conviction would double the penalty. The penalty worsened if the seduced or concealed labourer had advanced money outstanding, for which the offender was liable to a fine of up to five hundred dollars (\$500), or a maximum of twelve months imprisonment, or both, and had to pay to the employer double the unpaid portion of such an advance, to be recovered as a fine.¹⁰¹ This law came into being following rampant incidences in 1915, whereby crimpers offered higher wages to induce experienced men and women to leave their workplaces. Crimpers from Bukau and the island of Labuan especially were reported to have advanced money to coolies working on certain estates within the Beaufort district, to pay off their debts in the case of 'free' coolies, and abetted indentured ones to abscond. False discharge certificates were supplied to the runaways so that when they embarked on Weston, the police could not interfere. Apparently, there was an illegal racket dealing with old discharge certificates, whereby certificates were sold and passed from one hand to another. Since the certificate had no method of identifying an individual, it was utilised repeatedly by crimpers to get labourers out to Labuan. A coolie had only need to call himself, or herself, by the name stated on the certificate, and he or she would be let off. Employers felt that the 'abuse' had become so prevalent that crimping laws should be instituted to protect labourers.¹⁰²

These were the protective provisions available to employers of labour, and major penalties affecting the government-imported Javanese under indenture, and other labourers under local contracts. They tended to change over time. For example, sentences of imprisonment were served only in government gaols, since the Company

¹⁰¹ PRO: CO874/759. Section 59 of Ordinance No 9 of 1916.

¹⁰² SSA: Despatches (Chairman to Gov., 1915). J. Hatton Hall to Secretary, Beaufort Borneo Rubber Ltd. 9 October 1915.

government outlawed estate gaols in the territory in September 1914.¹⁰³ However, due to the distance of some estates, the government allowed a system whereby estates were able to keep aside a suitable place for detaining recalcitrant or violent coolies, pending their removal under suitable escort to the nearest government office, at the earliest possible moment.¹⁰⁴ Detention under such circumstance was limited to one night only, and this provision was essential 'in the interests of good order and public security'.¹⁰⁵

The punishment of whipping or flogging also changed in the course of time. Prior to 1920, whipping was commonly used in British North Borneo for industrial offences, and to control the labour force. The instrument used for this purpose was a light rattan, not less than half an inch in diameter.¹⁰⁶ Sentences ranged from three to twelve strokes on the buttocks, with the small of the back being protected by a blanket. Sentences were carried out in the presence of a European government officer or Commissioned Officer of Constabulary. Whipping could only be carried out after the offender had been examined by a Medical Officer, and was deemed fit to receive a certain number of strokes.¹⁰⁷ If a labourer was certified as being unfit to undergo a sentence of whipping, then a Magistrate could impose a period of imprisonment not exceeding one month on the labourer, whether or not such imprisonment was to be added to any period already awarded.¹⁰⁸

Officials of the Company believed that in certain circumstances, whipping was better and more sensible, and a coolie sometimes preferred six strokes of rattan to

¹⁰³ PRO: CO531/14. Travers to Under Secretary, 1920.

¹⁰⁴ SOAS: MS283793. The Ordinances of the State of North Borneo. Section 21(i) of Proclamation II of 1914. Prison Ordinance by Cecil William Chase Parr, Governor.

¹⁰⁵ HCPP: Cmd. 1060. Annexure F. Report of Committee on Estate Abuse. p. 24.

¹⁰⁶ ASI: Parliamentary Debate. 2 March 1921. *ASI*. April 1921, Series V, 11,1; See PRO: CO874/759. Whipping. Section 392 of the Indian Code of Criminal Procedure.

¹⁰⁷ PRO: CO874/759. Memorandum enclosed with a letter from, William Rycroft to G. Grindle, CO. 1 March 1921.

¹⁰⁸ PRO: CO874/759. Section 56(i) of Ordinance No 9 of 1916.

imprisonment, or even a fine.¹⁰⁹ The proponents of flogging as a form of punishment believed that it was a 'win-win' situation; the coolie escaped long term rigorous imprisonment and the loss of wages, while the employer retained the services of the coolie.¹¹⁰ The Governor himself personally favoured the retention of flogging. According to him, 'imprisonment ...only punishes the employer by depriving him of the labourer's services, while a fine only means increasing the labourer's debt; in other words does not punish the man immediately.'¹¹¹

Various parties wanted to see whipping as a form of punishment abolished for breach of contract. In 1918, Van Hemert informed the Company government that whipping as a judicial punishment had been abolished in Java, and consequently, the Dutch government might recommend a similar course be adopted as regards Javanese labourers in British North Borneo.¹¹² Two years later, the Anti-Slavery and Aborigines Society attacked the authorisation of whipping of labour under the Labour Ordinance, as practiced in the territory, whereas, in all other parts of the British Empire, including the Straits Settlement and Federated Malay States (which were closest to British North Borneo), the punishment had been abolished.¹¹³ Pressure from the Society resulted in the Company government (through Notification 183 of 1921) adding sub-section (ii) to Section 56 of the Labour Ordinance, making the sentence of whipping optional, except for offences involving violence, riots or disturbance of the peace.¹¹⁴ Some civil servants and estate sympathisers could not hide their prejudices and disappointment concerning the decision to abolish whipping for breach of contract. Owen Rutter, an ex-civil servant and planter wrote:

As a rule, however, whipping is reserved for estate coolies, but it can only be administered at the option of the offender, who has to be given his choice between imprisonment and whipping. It is probable that before many years have passed

¹⁰⁹ PRO: CO531/16. Forbes to Anti-Slavery Society. 19 April 1922.

¹¹⁰ Cook. *Borneo*. p. 110-115.

¹¹¹ SSA: Despatches (Chairman to Gov., 1916). Secretary BNBC to Acting Governor. 27 January 1916.

¹¹² PRO: CO874/753. Memorandum of Van Hemert Inspection. 10 January 1919.

¹¹³ PRO: CO874/759. H.G.F. Secretary BNBC, to OAG. No. 647. 7 September 1922. PRO: CO531/16. Buxton and Harris, to Secretary BNBC. 17 March 1922.

¹¹⁴ PRO: CO648/9. AR. Protectorate Department for 1921.

corporal punishment in North Borneo will be abolished together, through the efforts of those well-meaning busybodies whose experience of the Oriental does not extend beyond four miles' radius of Charing Cross. When that happens it will be a sad day for the country, because in the opinion of all planters and most magistrates whipping is the only adequate punishment for estate labourers. A coolie malingers, refuses to work, deserts or commits some other offence punishable under the local Labour Ordinance: if he is sent to gaol the estate loses labour it needs while the coolies, with the exception of being deprived of liberty and tobacco, receives little punishment, for the district lock-up is looked upon ... as a haven of rest; if a coolie is fined the estate pays and the amount is added to the man's debts, so that he hardly feels his lesson at all. With a sentence of half-a-dozen strokes with the rattan the estate does not lose its labour nor the coolie his pay; the coolie, on the other hand, receives a lesson he is likely to remember for some time, even though the punishment be little more than the "swishings" most of us got at school and is performed with a similar instrument.¹¹⁵

Meanwhile, this issue was also debated in the House of Commons. In a parliamentary debate in 1921, Lt.-Col. Amery, the Secretary of State for the Colonies, was confronted by Robert Richardson as to whether the former would pester the Company government to provide annual returns regarding the punishment of whipping for breach of contract. Richardson was among those (i.e. the Anti-Slavery Society) who were keen to know the number of floggings inflicted on coolies by the territory's law, by whom the coolies were medically examined, the industrial offences for which they were flogged, and the number of strokes inflicted on the coolies. Amery, nonetheless, deemed it unnecessary to call for returns indicating the rate of whipping since the law of British North Borneo had recently been amended, which made the punishment of whipping optional for industrial offences, except in grave cases of riot and public disturbance.¹¹⁶

The pressure, however, continued. Finally, in 1922 Notification 255 was passed calling for the abolition of whipping altogether for any offence under the Labour Ordinance, except one involving riot or danger to life and property. With the abolition of most forms of whipping, a labourer who committed a breach of contract for desertion or attempting to desert was now liable on conviction to three months imprisonment, and a maximum fine of fifteen dollars (\$15) for the cost of his recovery. The penalty for offences under Section 54 was reduced to a fine up to twenty-five dollars (\$25), and if

¹¹⁵ Rutter. *British North Borneo*. p.168.

¹¹⁶ ASI: April 1921. Series V, 11,1. Parliamentary Debate. 9 March 1921.

unable to pay the fine, the labourer could be imprisoned for a period not exceeding two months.¹¹⁷

In 1926, the North Borneo Planters' Association (NBPA) criticised the inadequate penalties for these offences. Owing to the increased numbers of deserters, the NBPA called for tougher penalties, and for the Company government to render more concrete assistance to estates in recovering absconders.¹¹⁸ In particular, the NBPA urged more police protection at the wharf, to prevent absconding coolies from boarding steamers. Allegedly, this had been a constant problem since the 1910s.¹¹⁹

Like the NBPA, certain sections of employers in the territory felt that whipping as a form of punishment served a useful purpose, but others felt that corporal punishment as it previously existed laid the Company administration open to criticism.¹²⁰ This was true enough, because the labour laws in British North Borneo were still not in accordance with modern standards. Once again, the Colonial Office interfered in 1927. The Secretary of State for the Colonies, Sir Gilbert Grindle, proposed that the punishment of whipping for labour offences be abolished completely. After delaying the process for more than three years, the Company government finally succumbed to pressure in 1931.¹²¹

In relation to penal sanctions, controlling labour was made easy by laws relating to contract extension. An extension of the contract was justified in order to prevent any damage to industrial interests. Employers were able to extend the contracts lawfully, because they were protected by Section 22 of the Labour Ordinance 1916. Section 22 permitted the extension of indenture contracts for time lost by the labourer, owing to imprisonment, for breach of contract, a criminal offence, detention in hospital, absence

¹¹⁷ PRO: CO648/9. AR. Protectorate Department for 1922.

¹¹⁸ PRO: CO874/752. Extract Minutes of Meeting NBPA. 11 May 1926.

¹¹⁹ SSA: NBPA 1126. Extract from the NBPA. Minutes of Meeting. 27 October 1928.

¹²⁰ PRO: CO874/553. NBCC. Thirteenth Annual General Meeting. 25 August 1923.

¹²¹ PRO: CO531/12/16. Gilbert Grindle, CO, to Cecil F. Collins, BNBC. 17 October 1927; PRO: CO648/15. AR. Protectorate Department. 1931.

without leave, or desertion.¹²² In other words, the days lost due to the reasons described above were not taken into consideration when determining or calculating the number of days the coolie had worked, or the duration of the contract. Hence, a conviction did not release the coolie of his obligation. With this provision, employers were encouraged to more readily prosecute defaulting immigrants, even for minor infractions of the law, because they would gain the same number of working days later. On the contrary, Javanese coolies felt that they were punished twice for the same offence.

In late 1925, the Dutch authorities offered a slight 'recompense' by stipulating in the new contract form that the total duration of service under the contract, including the period of prolongation to make up for the absence, would not exceed four years. A provision in the Dutch Contract ordained that the protracted length of time of the contract was limited to only one-third of the duration of the contract. It carried a maximum extension of eight months for a two-year contract, while a three-year contract permitted an extension of 12 months.¹²³ The Company government also proceeded to amend Section 22 of its Labour Ordinance, a year later. In August 1927, Governor Humphrey asserted that extensions of contracts for days spent in hospital or prison were only allowed if the employer kept a proper register of such claim. Additionally, for the purpose of such extensions, no contracts should continue in force beyond twelve months from the date of normal expiry, with one exception, i.e. if the imprisonment was for some offence other than an offence under the Labour Ordinance, such as imprisonment under the Criminal Code (which could last several years).¹²⁴ The effect of the amendment of Section 22 would be that a Javanese labourer who repeatedly deserted from an employer would in due course be free to leave that employer,

¹²² PRO: CO874/759. See Section 22 of Ordinance 9, 1916.

¹²³ See Appendix 2.

¹²⁴ PRO: CO874/759. Memorandum Regarding Amendments to the Labour Ordinance.

because his contract could not now be extended for more than 12 months to cover periods of imprisonment.¹²⁵

Legalised methods of labour control were made difficult from then on. During the last few years of indentured labour, following on from the recommendations made by the Dutch Labour Inspectors, and in the context of growing criticisms of the whole indenture system of immigration, more late modifications to the Labour Ordinance were made, which accentuated difficulties of employers.¹²⁶ Long time practices, such as punishing deserters for each desertion offence, were curtailed by the practices of Protectors in their judicial capacities. Exacerbating the matter was the judgment of the High Court in the case of 'The State vs. Kechi' (High Court No. 557), where a labourer who refused to perform his or her contract could be convicted and punished once only, and that no second conviction could be sustained in law.¹²⁷ Eventually, orders from the High Court were read out in the local court, reversing sentences on Javanese men who had deserted for the second time. To the chagrin of employers, not only had these men been liberated from prison sentences, but they had been told that they could leave their employers. However, not long after that, the ruling was again overturned, with men who had repudiated their contracts returning to their respective estate.¹²⁸

Owing to the confusing situation surrounding labour in the territory, employers described the Labour Ordinance as practically 'ineffective and a farce'. They contended that it was impossible to enforce discipline if coolies could desert and repudiate their contracts. Ostensibly, such a scenario would inevitably place the employers in a most 'dangerous' position, and as long as indentured labour was permitted in the territory,

¹²⁵ PRO: CO874/759. Governor's No. 679. Amendments to Labour Ordinance. 28 November 1927.

¹²⁶ PRO: CO874/760. Extract from Minutes of the Eighteenth Annual General Meeting of the NBCC. 1 September 1928.

¹²⁷ PRO: CO874/759. Enclosure 2. Paragraph 5 of Governor's despatch of 679. 28 November 1927.

¹²⁸ PRO: CO874/759. Extract from Precipis of Interview with Representatives of the Sapong Company. 1 November 1927.

they argued that they were entitled to a fair protection in this respect.¹²⁹ An amendment of the law was, therefore, considered necessary by the Company government. The Court finally sanctioned and legislated, in the consolidating Ordinance of 1929, that the conviction of a labourer under any offence committed in Sections 52, 53 and 54 of Labour Ordinance 1916, should 'be no bar to subsequent conviction under the said section during the same contract'.¹³⁰

An important development in connection with labour control occurred in 1928, when government emancipated labourers on verbal contracts by legislating that they were no longer liable for prosecution for disobeying a lawful order or refusing to work. Although this encouraged the use of indentured labour, employers were anxious about further developments in the international arena, which called for the abolition of any regulations relating to contract labour in any part of the world, 'which have the appearance of placing the labourer in a servile relationship to the employer', i.e. penal clauses, debt bondage, etc. The International Labour Office had labelled indentured labour as a form of forced labour and slavery, and was championing 'voluntary labour only'.¹³¹ Meanwhile, the USA too imposed measures to halt the importation of products from territories using forced labour. As a consequence of these developments, the NEI government contemplated the abolition of penal clauses in its own Coolie Ordinance in 1930, which indirectly implied that there would be a 'curtailment' of the penal clauses in British North Borneo, 'as far as Javanese labourers were concerned'.¹³² Predictably, employers in the British protectorate feared that this drastic change would bring 'evil consequences' and they no longer had the advantage if Javanese indentured labourers were not punishable for desertion or other violations.¹³³ Their greatest fear came true, as the most important form of labour control approved by law, i.e. the penal sanctions,

¹²⁹ PRO: CO874/759. W.D. Goldsmith, Secretary of Sapong Rubber and Tobacco Estates, Ltd. to Secretary, BNBC. 29 November 1927.

¹³⁰ PRO: CO874/760. See Section 60 of Labour Ordinance 1929.

¹³¹ PRO: CO874/1024. Minutes. Forced Labour and Contract Labour.

¹³² PRO: CO874/753. Interview with Dr. Van Hemert.

¹³³ PRO: CO648/9. AR. Protectorate Department for 1921.

were abolished in 1932, at the same time as the government legislated on the abolition of indentured contracts in the territory.

Conclusion

To be sure, the fact that British North Borneo depended upon a continuous supply of Javanese indentured labourers rendered it important for the Company administrators to provide ample legal protection for the immigrants, under the supervision of the Protector of Labour, and the watchful eye of the Dutch Labour Inspectors. Manifested within the Labour Ordinance, the protective provisions provided a sense of security for the Javanese labourers when they signed on, and in adjusting to the working environment in the territory. However, it was clear that the Labour Ordinance simultaneously provided protection for the employers. The philosophy underpinning all of the labour ordinances introduced in the territory before 1936 was that indenture imposed civil obligations, with penal sanctions, on labourers who violated their contracts. Indeed the law also outlined the obligations and duties of the employers towards their government-imported Javanese coolies, punishable in similar manner. Noticeably, however, the scale of penalties involved differed. Not a single offence led to the punishment of flogging (before it was outlawed) on the employers, and only for one single offence (i.e. trafficking, and this too was subjected to the Protector's discretion) did the threat of imprisonment exist in the law for an offending estate official. The rest were punishable fines, cancellation of contracts, and a potential ban from future importation, which did not lead to the closure of the enterprise. This situation contrasted with that of the Javanese immigrant labourer, who was vulnerable to potential whipping or imprisonment for major or minor infractions of the labour ordinance, in addition to the monetary penalties imposed. In this sense, it is fair to conclude that there was an imbalance central to the labour laws of the territory. Despite recognising the mentality prevalent at the time, which regarded indenture agreements by labourers to work as enforceable only by criminal penalties, there were continuous efforts on the part of the Protector of Labour to improve labour conditions by enforcing,

amending and introducing new laws to the benefit of government-imported Javanese in particular, and other labourers, in general.

CHAPTER SIX

LIFE AND LABOUR: MATERIAL CONDITIONS OF JAVANESE INDENTURED LABOURERS

Introduction

The preceding chapter has shown that the Dutch Contract and the territory's Labour Ordinance had made ample provisions for Javanese indentured labourers, so that they would be secure in the knowledge that their welfare was well protected. They were repeatedly promised, upon recruitment, that they would receive proper material conditions in terms of sufficient wages and rations, food and water, housing, sanitary and medical facilities, in return for services rendered for a certain defined period. It would seem that the territory's labour laws would punish any employer who failed to adapt to these rules. This chapter aims to analyse the actual relationship between the formal laws and the way in which the institution of Javanese indenture operated. It attempts to draw out any tension and discrepancy between theory and practice, particularly concerning the material conditions of Javanese indentured labourers in British North Borneo.

Labour Schedule

The Dutch Contract stipulated that Javanese indentured labourers were tied to an enterprise for two to three years, and that they would be paid based on the number of days worked. Prior to 1929, they were also required to work 10 hours a day, with no more than six hours to be worked consecutively. Statutory rest days included two days of each month. Some employers were quite generous by allowing four days of holidays in a month.¹ Sundays were usually chosen as one of the rest days for coolies. Therefore, coolies working on estates within the proximity of districts and towns were allowed to visit friends, and the *tamu* (local native market), where social interaction with

¹ SSA: Despatches (Gov. to Chairman, 1918). ADO to Resident West Coast. March 1918.

other labourers and native folks occurred.² Also, Javanese indentured labourers were entitled to a holiday on the first day of the Islamic New Year. From 1929 onwards, on top of the two monthly holidays, Javanese workers under the Dutch Contract were given rest days on Hari Raya, Hari Mulud (the birthday of the prophet Mohammed), the last day of the month Roewah, and the tenth day of the month of Zulhijjah, known as Hari Raya Korban.³

The majority of the Javanese were employed as tappers. Tapping was a male-dominated industry, due to the arduous nature of the job. The roll-call for labourers (tappers and weeders) was at 5.30 a.m, where they were called before the overseers, in the presence of the Assistant Managers. At the first crack of dawn, Javanese coolies were already out in the field to begin tapping. The coolness of the early morning air encouraged the latex to flow, thus improving yield. Coolies used a tapping knife to shear off a thin layer from a rubber tree's bark. This had to be done with precision, because too deep a cut could injure the tree. A mistake would be costly to the coolie. Latex oozed out, and trickled down into a cup, attached to the tree. By 10 a.m., the coolie would go around with his buckets, and poured the latex from each cup. On most estates, coolies also carried a bucket of water to wash up the cups, and put them back in their places. On a hilly estate, coolies did not need to carry water. Most tappers finished their task between 10.30 -11.30 a.m.⁴ The collected latex would be brought to the factory, where it would be coagulated with acetic acid, and transformed into pure white rubber. Later it was put through a marking roller and made into a sheet, or crêpe. The sheets of rubber were then dried in the smoke house, and later sold.⁵

To ensure that sufficient work was performed every day, employers preferred to give coolies task work. Each coolie was given a definite number of trees to tap, varying

² Cook. *Borneo*. p. 122; Johan M. Padasian. 'Cultural Progress and the Arts'. in: Sullivan and Leong. *Commemorative History*. p. 534.

³ PRO: 874/752. Labour Contract 1929. Refer Appendix 5 for more information on the Javanese calendar.

⁴ PRO: CO874/438. Copy of report for 3rd April 1918, by W. Perry Pickney.

⁵ PRO: CO874/438. Report by Maurice Maude to Directors of Lok Kawi Estate. 23 November 1918; Rutter. *British North Borneo*. pp. 248-249.

from almost 300 on a hilly estate like Lok Kawi Estate to 500 on flat land, such as Langkon Estate.⁶ Some estates also experimented with a numbering task. In each task, the number of the task was put on every tree. Apparently, this was to prevent a coolie from leaving a number of trees untapped, and claiming that they were 'not in his task'.⁷ A coolie earned a piece rate by tapping the number of trees allocated to him. Wages were calculated on the basis of such piece rates.

Together with their female counterparts, some male Javanese also undertook weeding work. Although not a skill-oriented job, weeding could be a tedious affair. Coolies had to keep the planted part of the estate clean by eradicating the coarse *lalang* grass (weeds) with its poisonous roots that grew between the rubber trees.⁸ Task work was arranged by filling a sack of roots a day. The task of a female labourer was three quarters of the average task of a male labourer.⁹ At some estates, after completing the task work for the day, the estate would put coolies on day work over the same ground to clear odd blades that were overlooked, and small pieces of roots left in the ground that had been broken up.¹⁰

Javanese indentured labourers were also employed to work on tobacco estates, although the number was sparse. The nature of their jobs varied. They were not involved in the planting process (this was done by Chinese coolies), but their involvement began with the drying of the leaves in the drying sheds. Once this had been completed, bundles of around 20 leaves were packed in rattan baskets, and sent to the fermenting shed. Usually, the services of Javanese women were utilised in the fermenting shed.¹¹ The fermenting process would take between six days and a month. After that, Javanese coolies were used to sort the tobacco leaves, under close

⁶ PRO: CO874/ 438. Copy of report for 3rd April 1918 by W. Perry Pinckney; Rutter. *British North Borneo*. p. 248.

⁷ PRO: CO874/438. Plummer to the Secretaries, Lok Kawi Estate. 15 September 1918.

⁸ SSA: KSP.24/M/3. Allan Yin Chin Foh. 'Early Days in the Kinarut Estate'.

⁹ SSA: Despatches (Gov. to President, 1931). Labour in North Borneo.

¹⁰ PRO: CO874/438. Plummer to the Secretaries Lok Kawi Estate. 15 September 1918.

¹¹ Rutter. *British North Borneo*. p. 253.

supervision by overseers. Once the tobacco leaves were sorted, they were packed into square mat bales (weighing 177lb.), uploaded onto steamers, and were ready to be dispatched to London or Amsterdam.¹²

The question of labour schedules however, became a persistent source of conflict. The territory's Labour Ordinance permitted only nine hours of work a day. But some employers of Javanese labour went beyond that, on the basis that the Dutch Contract apparently gave them the right to demand an extra hour of labour. Many Javanese indentured workers protested against working longer hours, and preferred working on a piece-work, basis with shorter hours of work. Some employers were also in the habit of declaring a rainy day as one of the two monthly holidays or rest days. The authorities denounced this practice, whereby 'the labourer was entitled to the luck of the weather for his holidays'. Rest days, according to the authorities, should be alerted a week ahead, so that Javanese coolies could make arrangements to visit friends outside their estates.¹³ For labourers on task work, a perennial source of conflict was usually what constituted a 'task', and the withholding of wages that the labourers were supposed to receive. A further discussion on the matter will follow in the next section.

Wages

An important aspect of life under indenture was the issue of wages and wage payments. When Javanese indentured labour began in 1914, the minimum wage for government-imported Javanese was 25 cents for men and 15 cents for women, which was supplementary to rations and housing, and came to around \$10-12 per month, at a time when the exchange rate was pegged at S\$1.00 to 2s 4d.¹⁴ No provision was made for further increase at the time of re-contracting. The average salary for locally

¹² Rutter. *British North Borneo*. p. 252.

¹³ PRO: CO874/753. Notes of interview with Dr. Van Hemert. 10 January 1919.

¹⁴ ARA: Mailrapport 1857/13. Model-Werkcontract. Tot de werving is vergunning verleend by Gouvernment-besluit van 18 November 1913. No. 25.

contracted labourers was 33 cents for men and 25 cents for women, as stipulated under Ordinance No. 9 of 1916.

Reforms in nominal wages were made in 1920 for the government-imported Javanese, following the developments taking place in the region after the First World War. There was a shortage of rice crops in the East, and owing to the competitive buying by the Federated Malay States (FMS), the Dutch and the Japanese, rice prices soared sharply. From 1 April 1919, exports of Rangoon rice from Singapore (from where the territory obtained its supply of rice) to British North Borneo halted, while exports for both Siam and Saigon rice deteriorated. The Singapore Food Controller attributed this to the frenzied buying by the Japanese and the Dutch.¹⁵ In July 1919, rice cost \$19.64 per *picul*,¹⁶ and by 1 February 1920, it was \$26.00 per *picul*, an increase of more than 32%.¹⁷ The situation was made worse by the failure of the local rice crop in the land due to a combination of factors; the long drought; the crops being attacked by a species of rust; and the influenza epidemic, which retarded planting and prevented proper attention being paid to the planting areas.¹⁸ Since rice was the most important staple commodity, an increase in rice prices influenced the price of other food. As Table 6.1 shows, the price of basic necessities at the two main administrative centres of British North Borneo rose tremendously in 1919, compared to pre-war times, with the cost of living increasing by 100%.

Fluctuations in the price of rice, and the increased cost of living, necessitated adjustments to wage rates in Sumatran plantations. A similar development in the economy in British North Borneo forced the Netherlands East Indies (NEI) government to call for similar actions to be taken by the Company government if the latter wanted a renewal of the recruiting permit. As a result, the minimum wage of the government-

¹⁵ SSA: F/1(3). Report of the Seventy-Third Half Yearly Meeting of the BNBC. 22 July 1919. p. 11.

¹⁶ *Picul* is units of weight used in Southeast Asia and China, and equal to 100 *katis*.

¹⁷ See SSA: Despatches (Gov. to Chairman, and vice-versa), for various prices of rice.

¹⁸ SSA: F/1(3). Report of the Seventy-Third Half Yearly Meeting. 22 July 1919. p. 12.

imported Javanese was raised by 10 cents, making the new wage for men 35 cents, and 25 cents for women, plus free rations. This increment meant that government-imported Javanese coolies received the highest level of nominal wages, totalling between 50-60 cents a day (inclusive of free ration) against 33 cents received by coolies under local contract without ration. If there was no alteration to the nominal wages, as ordered by the NEI government, it would have meant a deterioration in material conditions for the government-imported labourers. In other words, with the increase in nominal wages, real wages remained the same. Therefore, the increase in nominal wages for Javanese indentured labourers, serving the Dutch Contract, was more a compensation for the rapid inflation, and pressure from the NEI government, than a sign that employers were prepared to pay better wages.

Table 6.1

Market Prices of Basic Necessities, Pre-War and 1919, for Sandakan and Jesselton

Article	Sandakan			Jesselton		
	Pre-War (1913)	1919	Price index (1913=100)	Pre-War (1913)	1919	Price index (1913=100)
Beef	0.28	0.28	100	0.21	0.21	100
Blachan	0.08	0.15	187.5	0.04	0.10	250
Bread	0.10	0.10	100	0.10	0.12	120
Butter	0.65	0.90	138.5	0.65	1.05	161.5
Cigarette Paper	1.25	1.65	132	n/a	n/a	n/a
Cloth White	0.30	0.80	266	0.25	0.80 - 0.95	320 - 380
Drill						
Coffee	0.75	0.95	126.7	0.75	1.05	140
Eggs	0.02-0.25	0.04	200	0.02	0.045	225
Fish (Fresh)	0.08-0.14	0.18 - 0.24	171.4 - 225	0.12	0.16	133.3
Fish (Salt)	0.18	0.24	133.3	0.10	0.28	280
Lard	0.32	0.60	187.5	0.28	0.75	267.8
Matches	0.12	0.20	166.6	0.15	0.25	166.7
Oil, Ground Nut	0.20	0.48	240	0.21	0.54	257.1
Kerosene	4.00	6.75	168.9	2.90	7.20	248.2
Salt	0.03	0.07	233.3	0.35	0.70	200
Sugar (White)	0.12	0.36	300	0.12	0.35	291.7
Tea (Ceylon)	0.60	0.65	108.3	0.36	0.65	180.5
Tobacco	0.95	1.70	178.9	1.00	1.50	150

Source: Prices of goods obtained from, SSA: Despatches Governor to Chairman 1919.

There was no legislated increase in nominal wages for locally contracted labourers, apart from a bonus of 7 cents a day, or \$2 a month, as a 'subsidy on food stuff other than rice' granted voluntarily by some estates to coolies, during the month of May-July 1920.¹⁹ In May 1920, the North Borneo Chamber of Commerce (NBCC)

¹⁹ PRO: CO874/755. Memorandum on Wages.

committee unanimously agreed that owing to the high cost of living, the minimum pay of an estate labourer was to be \$12 per month.²⁰ High prices had naturally affected the coolies, particularly those with families. To help the coolie population, the Company government made it compulsory for employers to sell rice to estate labourers below cost price, i.e. a coolie was charged 9 cents a *kati*, or 54 cents per *gantang*²¹, for his rice.²² Notably, employers preferred a temporary loss than a permanent, increased expenditure that came with increased wages for labourers under the local contract.²³

In 1925, a reduction in the cost of living also saw a decrease in the minimum wage for government-imported Javanese. The new wage rate was decreased to 30 cents for men and 25 cents for women. The duration of the contract, too, was extended from 2 years to 3 years. This new development was accepted with mixed feelings by the employers. Although they were happy with the wage reduction, it made little difference to cost, when the NEI government increased its provision for rations. Employers considered the latter to be 'on the lavish side', and the scale was considerably in excess of what was laid down in the territory's Labour Ordinance, as approved by the government medical department.²⁴ In lieu of this ration, the government-indentured Javanese received extra 25 cents supplementing the wages, making it 55 cents for men and 50 cents for women.²⁵ Therefore, real wages increased for Javanese indentured labourers under the government permit.

On 1 December 1927, when the Company government legislated under Notification 359 a new minimum wage scale for its labourers, Javanese labourers who

²⁰ PRO: CO874/553. NBCC Minutes of Committee Meeting, 22 May 1920.

²¹ *Gantang* is $\frac{1}{4}$ of a *picul*.

²² SSA: NBCA 639. Government's no 639. Rice Subsidy, Proposal of Chamber of Commerce. 29 October 1920; PRO: CO874/755. Governor to President BNBC. No. 644. 29 October 1920. SSA: NBCA 1194. Feeding in Estates.

²³ SSA: NBCA 639. Minutes of an interview granted to a deputation of the Beaufort and District Planters' Association by His Excellency the Acting Governor to discuss the price of rice sold to labourers as fixed Notification in the Official Gazette dated 1 May 1919.

²⁴ ARA: Mailrapport 2593. Fraser, Government Secretary, to Director of Labour in the Justice Department. Kantoor Van Arbeid. Weltevreden 8 September 1925.

²⁵ PRO: CO874/755. Rates of Wages of Labourers in North Borneo, Sumatra and the FMS.

continued to work under the Dutch permit were not affected. However, the Dutch Labour Inspector, Van Lijnden, adamantly insisted that no government-imported Javanese should sign on any contract that paid less than 50 cents daily. Consequently, a Javanese coolie who initially came to the territory under the government scheme, but re-engaged under the local contract, was now allocated with a higher minimum wage of 50 cents per day with no free food, against the 33 cents paid previously. Chinese labourers were given similar provision, but all other labourers, including those Javanese recruited in Singapore and natives, were paid 45 cents for men and 35 cents for women, also against the old rate of 33 cents and 25 cents, with no free food.²⁶ When recession occurred in the late 1920s, rigorous efforts were made by employers to demand a reduction in the minimum wage paid for government-imported Javanese. The members of the NBCC and the North Borneo Planters' Association (NBPA) unanimously agreed that in view of the substantially reduced cost of living in 1930, as compared to five years before (the comparison in shop prices is shown in Table 6.2), the contract wages for Java recruited labour were excessive.²⁷ The Labour Advisory Board (established in 1927 to advise government pertaining to issues on labour) finally agreed that a reduction in the existing minimum wage to a level of 40 cents for men, and 35 cents for female, for all coolies under written local contracts, was reasonable, and would not 'endanger the health and well-being of the labourer'.²⁸ As for the indentured Javanese, under the Dutch Contract, the NEI authorities did consider reducing wages in future Javanese contracts, but no reduction was made to existing contracts.²⁹

Overall, nominal wages under the Dutch Contract remained markedly higher than those for other labourers under the Local Contract (Figure 6.1). Apparently, the Javanese needed more wages than other labourers (i.e. the Chinese) because a

²⁶ PRO: CO874/755. Massey Hill, Surrey, 14 February 1928.

²⁷ PRO: CO874/756. Wages, NBCC. No. 24. Extract from Minutes of Committee Meeting. 1 May 1931.

²⁸ SSA: NBCA 673. Minutes of the Extract from the Labour Advisory Board Meeting. 3 October 1930.

²⁹ SSA: Despatches (Gov. to President, 1930). Acting Consul General, Batavia to Government Secretary. 16 September 1930.

majority of them had dependants to provide for.³⁰ A government-imported Javanese received \$7.50 per month in wages, and food allowance of around \$4.50-\$5.00, in lieu.³¹ The wages laid down in the contract were a 'minimum wage', and theoretically every labourer was in a position to earn that minimum. The Dutch Contract required a minimum number of hours, (10 hours from 1914-1925; 9 hours post-1925). As long as a labourer fulfilled the required 9 hours work, as stipulated by the territory's labour law, (despite the wordings of the Dutch Contract), he or she was able to earn that minimum wage. As for piece work, once the task had been completed, the coolies were given the minimum wage or more.

Table 6.2

Comparison of Shop Prices for 1925 and 1930

Item	1925	1930	Price index (1925 = 100)
Bean Stick per kati	0.62	0.40	64.51
Ground nuts	0.68	0.50	73.52
Ground nut oil	0.19	0.15	78.9
Lard	0.45	0.30	66.66
Chinese tea	0.14	0.10	71.42
Salt eggs (each)	0.22	0.14	63.6
Matches (box)	0.06	0.05	83.3
Salt (kati)	0.02	0.02	100
Assam Java	0.06	0.05	83.33
Blachan	0.17	0.15	88.23
Flour	0.18	0.22	122.2
Coffee	0.14	0.11	78.57
Cigarette Paper	0.68	0.50	73.5
Coconut oil	0.01	0.01	100
Sugar	0.14	0.12	85.7
Kerosene Oil (bottle)	0.16	0.18	112.5
Salt fish	0.17	0.16	94.11
Eggs	0.05	0.04	80

Source: Despatches Governor to President 1930.

Extra pay often took the form of piece rates, overtime, commission and bonuses. Both Javanese and Chinese coolies earned considerably more by overtime, commission and piece work, and the wages went as high as \$15 to \$18 a month, from the usual \$10 - \$12 monthly.³² Coolies were encouraged to work overtime. For Javanese indentured labourers, the rate for overtime was 50% above ordinary pay, whereas other contract coolies received eight cents per hour, or at rates mutually

³⁰ PRO: CO874/755. Memorandum on Wages.

³¹ PRO: CO874/753. Memorandum of Van Hemert Inspection. 10 January 1919.

³² PRO: CO874/744. Wages; A.C. Cowie to Pearson. 26 April 1921.

agreed upon earlier.³³ Therefore, a person of average physique and industry could receive a higher wage.³⁴ Healthy young workers used this opportunity to earn more than the official daily wage stipulated in the contract. In 1917, tapping task in the Sekong Estate was at a rate of 40 cents for 400 trees. Most coolies finished the task by 10.30a.m, giving them time to take another task, i.e. a weeding task in the afternoon. For this, they got extra pay.³⁵ In the same year, the Lok Kawi Estate tapped 80,000 acres with 320 tappers, giving an average of 250 trees per coolie. The coolies started with a task of 200 trees on the hills, which was gradually increased as the tappers became efficient. No commission or bonus was paid to a coolie whose task was under 300 trees. For 300 trees, they were paid \$2.00 commission. For over and above 300 trees, they were paid two cents per tree per month; i.e. a task of 340 trees earned the coolie \$2.80 commission. Weeders received no commission. As for bonuses, \$2 per month was usually paid to tappers.³⁶ Some planters were in favour of paying more than the average wage, provided that the coolie earned it. Every encouragement was given to induce the coolie to earn as much as he or she possibly could. This was encouraged to keep the coolie contented and *senang* (happy), at the same time, to keep costs down to a minimum, and to promote stability and productivity.³⁷

However, in terms of real wages, a Javanese coolie sometimes received less than he or she earned on paper. Advance money given upon recruitment had to be repaid, and each Javanese indentured would be deducted 10 cents per working day in repayment of advances and debt recoverable, not exceeding \$15.³⁸ Although government-imported Javanese were not concerned about deductions for poll-tax (which was paid by employers), meals, rice or food coupons (for those who were fed by the estates), there were other deductions. Sometimes coolies even had to pay for the equipment they used in their work. Or if a coolie attempted to desert, and was caught,

³³ SSA: Despatches (Gov. to President, 1931). Labour in North Borneo.

³⁴ PRO: CO874/753. Memorandum of Van Hemert Inspection. 10 January 1919.

³⁵ PRO: CO874/477. Governor Pearson to Chairman. No. 609. 16 July 1917.

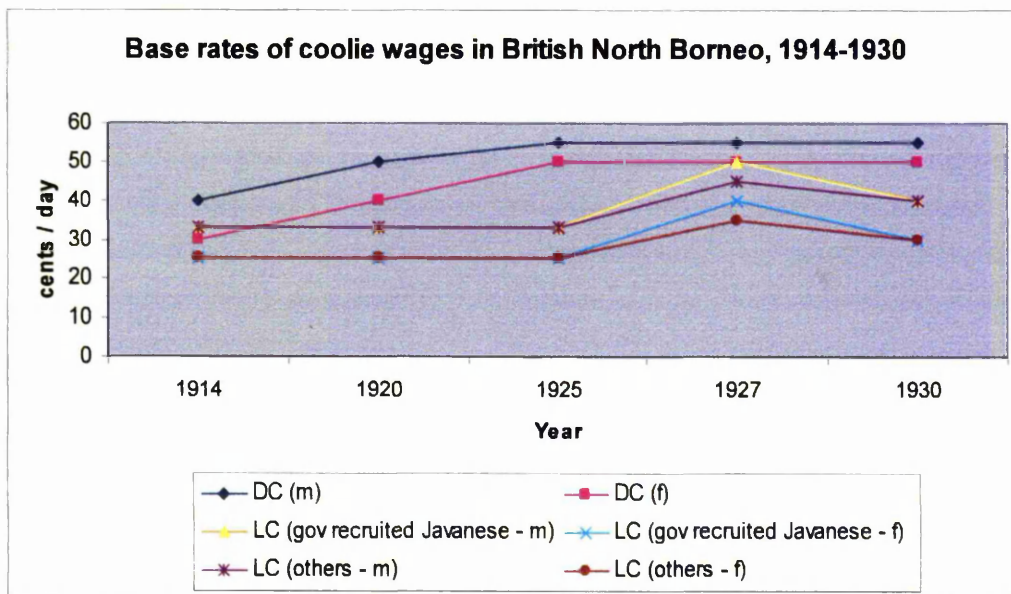
³⁶ SSA: NBCA 231. Lok Kawi Estate Riot. Prot. 469/17 by Horton.

³⁷ PRO: CO874/755. Wages in North Borneo.

³⁸ PRO: CO874/744. Cowie to Pearson, 26 April 1921.

he had to pay for the expenses incurred for his recovery, which would be recovered as an advance. On top of this, the Protector contended that the wages were often miscalculated owing to illegal deductions made for not finishing tasks or other infractions. Arbitrary deductions were made, amongst others, to pay for the cook's wages; for tools lost, such as latex cups; fines for spilling latex; court expenses charged to a labourer without authority; and the salaries of coolie line-sweepers.³⁹ In Lok Kawi Estate, fines for a coolie per month ranged from \$3.00 down to 50 cents. The usual fine for having the mark (K) for malingering, or lifting cups before time, was \$1.00, while for bark scrap shortage, a labourer was fined between 50 cents and \$2.00. A coolie being half a day sick in hospital was fined \$1, while a coolie admitted to hospital was fined 50 cents.⁴⁰

Figure 6.1



DC = Dutch Contract; LC = Local Contract; m = male; f = female
 Source: PRO: CO648/7-14 Annual Report of the Protectorate Department, relevant years.

Complaints regarding wages were excessive. As late as 1927 and 1928, Javanese indentured labourers at Bettotan Camp (owned by the British Borneo Timber Company, BBTC) grumbled at not receiving the full day's wages for the remaining days

³⁹ SSA: NBCA 465. Macaskie to Manager, Lower Segama. 11 July 1928; SSA: Despatches (Gov. to President, 1928). Memorandum by Viehoff on Sapong Estate. Enclosure 2.

⁴⁰ SSA: NBCA 231. Lok Kawi Estate Riot. Prot. 469/17, by Horton.

prescribed in the contract.⁴¹ Moreover, a customary practice among certain estates was to refuse to pay wages on rainy days where out-door work was impossible.⁴² At Batu Puteh Estate, Lahad Datu Cultuur Maatschappij, Sandala Estate, and Langkon Estate, Javanese labourers were not paid the minimum wage, even when they had worked for nine hours without completing their tasks. The Javanese indentured labourers maintained that the tasks assigned to them were too hard to finish in one day, and as a result, they could not earn the wages stipulated in their contract.⁴³ Van Lijnden and Viehoff condemned this practice, and contended that only if a labourer stopped work before the completion of hours could deductions be made proportionately. Employers also had the tendency to withhold wages if a labourer fell sick during the course of the day, and they were not paid for the work done.⁴⁴

Some wage rates even reached scandalous levels, as exemplified in the check roll for April 1916 at Bongawan Estate. The check roll revealed that Javanese coolies sometimes received no pay at all after fines and deductions by an Assistant Manager called Holman. Holman had deducted 142 full-days and 94 half-days pay from the wages of 36 Javanese coolies on his check roll. The total balance of wages earned after deducting an average of \$4.60 each on food (in lieu of ration) was \$35.71 for 36 labourers – less than an average of \$1.00 each, which was written off from their debts. Eleven of these Javanese had debts of over \$30.00 after six or seven months work under contract. A coolie who worked 30 days could be fined up to eleven whole days and six half days. Some had no balance of earnings to be deducted to clear debts, which could reach more than \$50.⁴⁵ The Dutch Labour Inspector contended that a situation such as this occurred due to a major defect in the organisational system of paying wages, whereby a proper standardised check roll was still lacking. Each estate

⁴¹ SSA: NBCA 210. C.D. Martyn to Manager British Borneo Timber Co. Prot: 372/27. 12 April 1927.

⁴² PRO: CO874/753. Memorandum of Van Hemert Inspection 10 January 1919; SSA: NBCA 210. Protector to Manager. 8 November 1926.

⁴³ SSA: NBCA 210. Protector to Manager Batu Puteh Estate. Prot.: 287/27. 10 April 1927; SSA: NBCA 465. Memorandum by Viehoff, under heading 'Particular Matters'.

⁴⁴ SSA: NBCA 210. Notes for Baron Van Lijnden's Interview with His Excellency.

⁴⁵ SSA: NBCA 906. Protector Horton to Government Secretary. Prot 167/16. 16 May 1916.

allegedly operated a different system, thus rendering checking by inspecting officials difficult.⁴⁶

Rations

The government-imported Javanese were also paid additional wages, in the form of food ration. This daily ration supplemented the daily minimum wage for coolies, to be paid fortnightly or monthly at the end of the month.⁴⁷ The Dutch Contract agreed upon during the initial phase of immigration is shown in Table 6.3. This ration was increased in late 1925, in terms of variety and quantity.

Table 6.3

Diet Scale per person per day (Dutch Contract)			
1914 – November 1925		December 1925 - 1932	
Rice	25 oz	Rice	1 ½ lbs
Fish or	6 oz	Fish (fresh or conserved)	6 oz
Meat	8 oz	Tamarind	1 oz
Vegetables	6 oz	Vegetables	6 oz
Condiments	1 oz	Spices	1 oz
Salt	¾ oz	Salt	½ oz
Coconut oil	1½ oz	Coconut oil	1 oz
Sugar	1 oz	Sugar	1 oz
Tea	1/10 oz	Tea	1/10 oz
		Onions	1 oz
		Trassie (<i>Belacan</i>)	1 oz
		Green pepper	1 oz
		Fresh coconut	1 oz

Source: PRO: CO874/752. Macaskie to Government Secretary, 4 October 1928.

Reports by estates and Protectors of Labour indicated that management had generally always given the stipulated rations in the Dutch Contract to all government-imported Javanese. Emphasis was placed on giving a balanced diet, particularly providing sufficient green vegetable ration to the coolies. With its history of beri-beri outbreaks, inspecting officials were insistent that employers paid particular attention to the vegetable supply.⁴⁸ Yet there were the occasional estates that failed to follow the dietary requirements, as exemplified by the inadequate portion given by Langkon Estate for the Javanese coolies and their dependents. In 1927, a report showed that

⁴⁶ SSA: NBCA 465. Memorandum by Viehoff.

⁴⁷ ARA: Mailrapport 1857/13. Model-Werkcontract. 18 November 1913. No. 25.

⁴⁸ SSA: NBCA 210. Notes from Baron Van Lijnden's Interview with His Excellency.

each male coolie was only given 1 *kati* of rice, 2 ½ *tahil* of fish and 1 *tahil* of vegetables, which after conversion, were equivalent to around 17.6 oz of rice, 4.4 oz of fish and 1.8 oz of vegetables. A female coolie received ¾ *kati* rice and the same amount of fish and vegetables as the male coolie, the cost being approximately 12 cents. The lack of rations, especially the appalling portion of vegetables, caused discontent among coolies, resulting in numerous complaints to the Dutch Labour Inspector.⁴⁹

A common demand made by some Javanese indentured coolies was to cancel the free ration part of their contract. Based on comments made by three estates, Javanese labourers disliked being fed 'cooked ration' by the estate, known as 'makan ransome' or 'feeding in *kongs*', which was issued to all government-imported Javanese.⁵⁰ They sometimes complained of the inadequacy of the ration, particularly in terms of rations of rice. During the period of high inflation following the end of the First World War, Javanese labourers at Sapong Estate complained that the substitutes (crushed wheat and sweet potatoes) given to them were unpalatable.⁵¹ Hence, most newly-recruited Javanese preferred to make their own cooking arrangements, much to their personal satisfaction.⁵² One way of doing this was to pay for the rations themselves, using a cash allowance given by their employers. From the start of the Javanese indentured labour experiment, some estates gave a cash allowance of approximately 10 to 15 cents a day to the Javanese coolies under the Dutch permit, instead of ration.⁵³ The Dutch Labour Inspector, Van Hemert, who visited in 1918, had no objection to this practice, but demanded that the amount should be sufficient to enable the labourer to buy a complete ration, as laid down in the contract.⁵⁴ According

⁴⁹ SSA: NBCA 210. Protector to Manager, Langkon Estate. Prot 334/27. 3 May 1927.

⁵⁰ PRO: CO874/755. Comments from Estates.

⁵¹ HCPP: Cmd. 1060. Annexure E. Report by Pearson and Elphinstone. 8 April 1920.

⁵² PRO: CO874/755. Memorandum on Wages.

⁵³ PRO: CO874/753. OAG to President BNBC. 17 September 1928.

⁵⁴ PRO: CO874/753. Notes of Interview with Dr. Van Hemert.

to him, employers had to acquiesce to the labourers' demands for rations, instead of the cash allowance, should the latter feel that the cash amount was insufficient.⁵⁵

Javanese coolies under the Dutch Contract also had the tendency to 'voluntarily' offer to cancel their contract, with its comparative high wages, and substitute it for the local contract with its low wages, to enable them to live like their comrades, i.e. Singapore-recruited Javanese.⁵⁶ They favoured the usual estate ration bond (food bond), served twice monthly to labourers recruited locally, and from Singapore. The food bond was in the range of \$5.10 to \$5.58 per month, depending on estates. On it, the labourer obtained his or her rice ration for that fortnight, and the balance value in any other preferred food stuffs, such as salt fish, vegetables, yellow peas, lard, onions, garlic, *tauchu* (fermented soy bean), salt and beef.⁵⁷

Apart from the satisfaction of preparing their own meals with the ration bonds, Javanese coolies also preferred the ration bond system to obtain extra cash. A regular practice among coolies was to obtain advances of wages in the shape of bonds, which were freely distributed by some estates. Coolies would then purchase goods from the estate shops with these bonds, and sell the goods at about half their value to the first person who would pay cash. By this, a coolie accumulated more debts. In 1917, a timber contractor living just outside Woodford Estate notified an enquiry commission that he sometimes purchased rice and sugar from coolies of the estate at very low prices. In one particular month, he purchased between 50 and 60 *katis* of rice, and said 'a great deal more was sold by coolies passing through my garden on their way to others'.⁵⁸

⁵⁵ PRO: CO874/753. Governor's No. 38. Interview with Dr. Van Hemert. 18 January 1919.

⁵⁶ PRO: CO874/755. Comments from Estates.

⁵⁷ PRO: CO874/755. Comments from Estates; SSA: NBCA 533. Lease to Halifax. 22 July 1923.

⁵⁸ SSA: Despatches (Gov. to Chairman, 1917. Woodford Estate Enquiry. 14 February 1917.

When Van Lijnden inspected the conditions of Javanese labourers in 1927, he asserted that giving ration bonds to labourers indentured under the Dutch Contract was one of the ploys instigated by estate management to coax the former into re-engaging to the local contract. According to him, the local contract provided less favourable terms for the labourers, particularly regarding wages and repatriation. Van Lijnden banned estate shop bonds from being given to labourers on the Java contract, and insisted that all allowances were paid in cash.⁵⁹ Van Lijnden further reiterated that food allowance should be equivalent to the cost of rations, and that this payment should be kept separate from the wages account.⁶⁰ He fixed 25 cents per day per adult as a fair compensation, and 10 cents a day per minor under fifteen years old. Labour Inspector Viehoff, who took over Van Lijnden's inspection task, further declared in 1928 that the new food allowance scheme was effective from 1 June 1927 onwards.

This alteration to the food allowance scale did not go down well with the employers, even though it benefited Javanese indentured labourers tremendously. Employers had to pay an increased cost 'per person', without taking into consideration the difference between the appetite of an adult and a child.⁶¹ At the same time, employers had to settle food allowance arrears due to any labourer prior to 1 June 1927. This was calculated at a rate of 15 cents a day. Labourers who were given less than that amount were to be given refunds.⁶² Aggravating the situation for the employers was the position of certain women 'dependents'. These Javanese women arrived on estates as dependents of labourers on the Dutch Contract, and were later engaged locally at the minimum wage of 25 cents per day, without rations. Despite the minimum wage received by these working women was similar to what a dependent woman who was not working should receive for food allowance, Viehoff was unhappy with this arrangement, and considered it as an unfair bargain. What infuriated him more

⁵⁹ SSA: NBCA 210. Notes for Baron Van Lijnden's Interview with His Excellency.

⁶⁰ SSA: NBCA 210. Protector to Manager. No. 1-395/27. 23 May 1927.

⁶¹ PRO: CO874/752. OAG's No. 530. Minutes. 17 September 1928.

⁶² SSA: NBCA 465. Protector to Manager. 11 July 1928.

was that even when some of them had ceased working, these women failed to receive the supposed food money. During his inspection of Ranau Estate (owned by Bongawan Ltd.), Viehoff called for the manager to compensate these 'locally engaged dependents' by paying them the food allowance, in addition to the wages received. All in all, they were to be refunded a total of \$2.50.⁶³ He was also insistent that dependent Javanese women should not be engaged on a written contract. If they did work, their pay had to be the same as those under the Dutch Contract, i.e. 25 cents a day and rations, or 25 cents in lieu.⁶⁴

However, the Protectorate did not concede to the principle of paying for food allowance to dependents of labourers under the Dutch Contract who, on their own accord, engaged to work in the territory. To the understanding of government officials, once these Javanese 'dependents' entered the labour market and became wage-earners, they ceased to be dependents.⁶⁵ The government did, nonetheless, consent to some of Viehoff's recommendations. This was consolidated in the new 1929 Dutch Contract. The new contract stipulated that a labourer who preferred to buy his or her own food instead of accepting daily rations provided by the employer was entitled to an equivalent of 25 cents daily, in lieu of free food ration. The spouse received a similar amount. Children, however, were given a specified ration according to age. Young children between ages of 3 and 10 years received one-third of a ration or ½ cents per day, while children between ages 10 and 12 years received three quarters of a ration or 18½ cents. The older category of children (between 12 and 15 years) received a full ration or 25 cents per day.⁶⁶

To ensure that Javanese indentured labourers received the specified amount, strict controls were exercised over communal kitchens to prevent shopkeepers and

⁶³ SSA: NBCA 465. Memorandum by Viehoff.

⁶⁴ PRO: CO874/752. OAG to President BNBC. 17 September 1928.

⁶⁵ PRO: CO874/752. OAG to President BNBC. 17 September 1928.

⁶⁶ See Article 7, Dutch Contract 1929. Appendix 3.

cooks, in particular, from making illicit profits. The day's rations were occasionally weighed by a European, and rice rations issued in the presence of a European. Where monetary payments were made in lieu of rations to labourers on the Dutch Contract, rice was issued in kind, and the balance given in cash.⁶⁷

Estate Shop

Due to the remote geographical locations of estates, nearly every estate in British North Borneo had a shop. Food, such as rice, salt fish, beans, vegetables, coconut oil, lard, salt, flour, sugar, coffee, and beef were the major products sold, together with candles, matches, kerosene oil, tobacco, cloth, and cooking utensils.⁶⁸ Most employers had no, or little interest in estate shops as commercial gains, for their main purpose was to tie workers to estates.⁶⁹ Estate shops were usually run by Chinese shopkeepers, and shops owned by the same owner maintained the same price on each estate.⁷⁰ Shop lists were posted for the benefit of coolies. The Assistant Protectors were responsible for counter-checking the prices of goods in the shop, and the prices of commodities were revised from time to time, to bring them in line with current prices at outside shops. However, a slight increase was allowed in cases where transportation costs were heavy.⁷¹

Yet some shops had no price list displayed, and in many cases, coolies were charged inflated prices.⁷² One striking example was the estate shop at Woodford Estate, near Beaufort. It purchased salt fish (*ikan blanak*) at \$12.50 per *picul* (i.e. 12 cents per *kati*) and retailed it at \$24 per *picul* (i.e. 20-24 cents per *kati*). The same shop purchased vegetables at 3 cents per *kati*, and resold them to coolies at 4 cents per *kati*,

⁶⁷ SSA: NBCA 465. Protector to Manager. 11 July 1928.

⁶⁸ SSA: Despatches (Gov. to Chairman, 1923). Report on Protector's visit to Papar Estate. 6 March 1923.

⁶⁹ See next chapter on coolie mobility.

⁷⁰ SSA: Despatches (Gov. to Chairman, 1916). Report by Protector on New Darvel Bay Tobacco Company, visited on 17-20 November 1916.

⁷¹ PRO: CO648/12. AR. East Coast Residency for 1926.

⁷² SSA: Despatches (Gov. to Chairman, 1918). ADO to Resident of West Coast. March 1918.

making a profit of 33½ % or \$36 (£4.40) per month.⁷³ The quality of goods sold by some unscrupulous shopkeepers also left much to be desired. The manager of Beaufort Estate rejected 50 bags of rice supplied by Hatton Hall & Co. in 1917 because the rice was full of maggots. The rice was then re-sifted and re-bagged, and displayed in the Woodford Estate shop, which was owned by J. Hatton Hall, the manager of the estate. The quality of the rice was in fact so bad that it was fit only for animals, being 'sent down as chicken food'. The balance was purchased by coolies at greatly reduced price. Because there was no other place where they could obtain their supplies, or where their estate bonds or tokens could be used, coolies had no option but to purchase from the estate shop.⁷⁴ This method of controlling coolie mobility will be discussed further in the next chapter.

The actions by Woodford Estate were one example of profiteering by estate management, at the expense of the coolies. The estate management had even prohibited vegetable sellers from selling vegetables on the estate, and had the audacity to instruct its *opases* (watchmen) to clear off peddlers on public roads.⁷⁵ Sometimes, overseers also became involved in the operation of the estate shop. Even though the shop at Woodford Estate was run by a person called Francis Low, he had no real authority over the affairs of the shop, because one of the assistant managers held the keys to the cashboxes, and received \$30 for duties performed 'to check the estate cash'.⁷⁶ The term *kedai krani* (shop clerk) thus became a common estate phrase, describing a situation where the actual *taukeh* or shopkeeper, was not in full control of the shop.⁷⁷

⁷³ SSA: Despatches (Gov. to Chairman, 1917). Government Secretary to J. Hatton Hall. 18 January 1917.

⁷⁴ SSA: Despatches (Gov. to Chairman, 1917). Woodford Estate Enquiry. 14 February 1917.

⁷⁵ SSA: Despatches (Gov. to Chairman, 1917). Woodford Estate Enquiry. 14 February 1917.

⁷⁶ SSA: Despatches (Gov. to Chairman, 1917). Francis, Government Secretary, to J. Hatton Hall. 18 January 1917.

⁷⁷ SSA: Despatches (Gov. to Chairman, 1917). Woodford Estate Enquiry. 14 February 1917.

Mortality, Morbidity and Medical Facilities

The *Annual Report of the Protectorate Department* records the number of Javanese (imported under the government scheme and those privately recruited), Chinese and native labourers working on enterprises in British North Borneo. However, information on the mortality rate of these labourers is only available from 1915 onwards, and the figures only presented a general death rate of the coolie population as a whole, and lack specific individual data according to ethnicity. Similar information could be found in the medical reports of the Medical Department. Since the Dutch authorities in Java insisted on receiving half-yearly or quarterly labour returns from British North Borneo, only statistical data on Javanese labourers imported under the NEI permit are available, and fairly reliable, with information as to the number of coolies servicing their contracts, the mortality rates, the causes of deaths, and the number of sick workers who were repatriated. Even here, statistics on morbidity were only partially reliable. The practice of admitting every sick coolie to hospital applied to certain estates, while on others, out-patient cases were not shown in the returns.⁷⁸

Since importation began in 1914 until 1932, the Labour Returns disclosed that a total of 710 government-imported Javanese died, out of the 9,969 imported.⁷⁹ The crude death rate during the nineteen-year period was in the range of 70-80 per thousand, which is extremely high. Table 6.4 presents the mortality they suffered while under indenture. The mortality statistics relate only to contracts initially entered into in Java (and these data were inclusive of seasoned workers on their second or subsequent contract). Mortality was high during the 1910s, averaging 18.6 per thousand between 1914 and 1918. The 'bad' years for government-imported Javanese coolies in the 1910s were 1917 and 1918, due to the outbreak of an influenza pandemic. A similar cause was ascribed to high death rates recorded between 1920 and 1922. The Javanese indentured coolie population grew incredibly from 1926

⁷⁸ SSA: Despatches (Gov. to Chairman, 1916). Labour Returns for 2nd Quarter 1916.

⁷⁹ PRO: CO648/15. AR. Protectorate Report for 1932. p. 30.

onwards, and mortality increased from less than 10 per thousand in 1923-1925, to 14 per thousand on average in the years 1926-1928. The figures for Javanese indentured labourers correlate to the overall mortality of coolies in the territory, as shown in Figure 6.2.⁸⁰ Likewise, it is interesting to note that in the 1920s, mortality rates per thousand for labourers are more or less similar to, if not lower than, the mortality rates of the total population (See Table 6.5). The only exception was 1922, when a significant proportion of the coolie force became victims of the influenza epidemic.

Table 6.4

Mortality of Javanese Indentured Labourers in British North Borneo, 1914-1932⁸¹

Year	Population at 1 January ¹	Population at risk ²	Deaths	Death Rate per 1,000 per year
1914	459	454.5	6	13
1915	450	654.5	8	12
1916	859	930.5	9	10
1917	1002	1256.5	30	24
1918	1511	1876	64	34
1919	2241	2254.5	21	9
1920	2268	2606.5	56	22
1921	2945	3055.5	77	25
1922	3166	2909	54	19
1923	2652	2599	23	9
1924	2546	2511	21	8
1925	2472	2791.5	22	8
1926	3111	4118	53	13
1927	5125	5769	100	17
1928	6413	6168.5	71	12
1929	5924	5633.5	43	8
1930	5343	4602	35	8
1931	3861	3356.5	9	3
1932	2852	2596	4	2

Source: PRO: CO648/7-15, Annual Reports of the Protectorate Department, relevant years; SSA: NBCA 980 Quarterly Labour Returns, Javanese Labourers

- 1 Total number of Javanese indentured labourers remaining in the territory, after excluding the number of deaths and repatriations.
- 2 Defined as mid-year population: population at 1 January plus population at 31 December, divided by two.

The average annual death rate for government-imported Javanese in British North Borneo is 13.4 per thousand, higher than that suffered by Javanese contract workers in Surinam (8.2) but lower than in Malaya (29.8), calculated in the same period. From 1910, there was no separate data on the mortality suffered by Javanese

⁸⁰ For raw figures, see Appendix.

⁸¹ This table draws the basic ideas of calculation from Emmer and Shlomowitz. pp. 126-127.

workers on Sumatra's tobacco plantations, but the mortality data of the entire coolie population on two distinct periods provide the first indications of health conditions on Sumatra's plantations. Between 1910 and 1921, the annual death rate fell to between 10 per thousand and 25 per thousand, and between 1922 and 1938, the annual death rate was consistently below 10 per thousand.⁸²

Table 6.5

Total Number of Deaths and Proportionate number per thousand of estimated population and labourers in British North Borneo, 1922-1931.

Year	Total Population		Labourers	
	Deaths	Per thousand	Deaths	Per thousand
1922	5426	20.9	426	27
1923	5881	22.4	359	22
1924	5410	20.3	299	18
1925	6131	22.7	358	21
1926	5439	19.7	298	16
1927	5864	20.7	399	20
1928	5982	20.3	376	20
1929	5375	18.3	291	16
1930	4711	16.4	218	17
1931	5270	19.4	155	15

Source: HCPP: Cmd.4393. 'Statistical Abstract for the Several British Oversea Dominions and Protectorates in each of the years 1913 and 1925 to 1931; Cmd. 3198 Statistical Abstract for British Self-governing Dominions, Colonies, Possessions, and Protectorates in each year from 1903 to 1925'.

Epidemiological factors, where mortality was associated with the movement of people from one disease environment to another,⁸³ are the main explanation for the mortality differential affecting Javanese labourers in British North Borneo. Similar to Malaya and Surinam, the major scourge on the estates in British North Borneo was malaria, hence the high death rate. Onerous work requirements could be treated as secondary, because arduous work requirements do not necessarily explain the mortality differential between areas. For instance, work requirements on sugar cane plantations in Surinam were more onerous than on rubber plantations in Malaya, but the latter's Javanese mortality figures are higher than that of the former. Moreover, as Emmer and Shlomowitz have noted, all Javanese recruits bound for destinations that

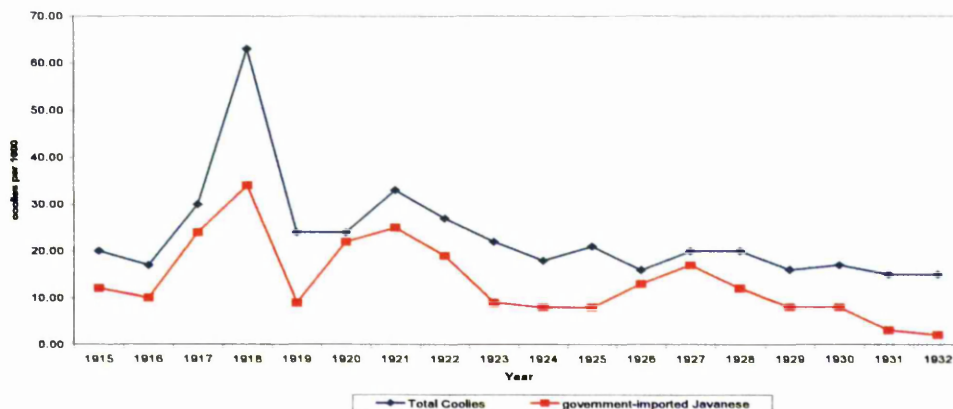
⁸² Emmer and Shlomowitz. 'Mortality and the Javanese Diaspora'. pp 127-132. For a detailed analysis on the mortality of Javanese labourers in Sumatra, see Marieke Van Klaveren. 'Death among Coolies. Mortality of Chinese and Javanese Labourers on Sumatra in the Early Years of Recruitment, 1882-1909'. *Itinerario*. 21,1 (1997). pp. 111-122.

⁸³ Shlomowitz. 'Epidemiology and the Pacific Labor Trade'. p. 586.

imported them, including British North Borneo, had to undergo a rigorous medical check-up before departure. Hence, the health condition of all potential recruits was almost similar.⁸⁴

Figure 6.2

Mortality of Labourers in British North Borneo, 1915-1932



Malaria was endemic throughout British North Borneo. The great influx of Javanese coolies from Java in the 1920s, particularly between 1925 and 1931, brought with them and disseminated a more virulent type of malarial infection – the sub or malignant tertian. Sixty five percent of the Javanese coolies were found positive to sub-tertian malaria upon arrival.⁸⁵ Prior to 1925, the predominating type of malaria on estates was a mild benign tertian. British North Borneo was thus a dangerous disease environment for people who lacked immunity through their exposure to malaria, more so with the arrival of the new virulent type. The indigenous Murut population, for example, was not accustomed to this new strain of malaria brought by Javanese indentured labourers. When Murut labourers returned to their villages after working on estates, they spread it amongst their people. As a result, the Murut population declined drastically from 30,355 in 1921 to 24,444 in 1931.⁸⁶

⁸⁴ Emmer and Shlomowitz, 'Mortality'. p. 128

⁸⁵ Lee Yong Leng, 'The Population of British Borneo'. *Population Studies*. 15,3 (March 1962) . p. 230.

⁸⁶ L.W. Jones. 'The Decline and Recovery of the Murut Tribe of Sabah'. *Population Studies*. 21,2 (September 1967). p. 133.

Estate coolies became quickly infected with the new strain of malarial parasite brought by the Javanese due to the close proximity of the working and living environment.⁸⁷ Dr. G.G. Campbell, the medical officer for estates on the Interior Residency, revealed that malaria was the principal cause of labourers' low resistance to disease and ill-health on estates under his care. In Sapong Estate, twelve Javanese coolies, of an average labour force of 649, died within one month in 1930, and eleven of the twelve fatal cases suffered from chronic malaria. In fact, malarial parasites were found in the blood of 55.6% of the 673 labourers and dependants examined on 20-21 March 1930, and that 66% had enlarged spleens (a sign of malarial infection), and 83% had either enlarged spleens, or were blood positive, to malaria.⁸⁸

Aside from malaria, the territory did not escape the influenza pandemic, which swept the world in 1918. About 30% of coolies succumbed to the disease. No less than 30 estates had a death rate of over 4%, and 17 estates had an excessive mortality of over 7%.⁸⁹ Table 6.6 shows the spread of influenza among the peoples of British North Borneo, according to residencies, occupations and social environments. The statistics reveal that the number of cases and deaths among estate inhabitants were more than the other three groups combined. The social environment on estates and the close living and working conditions made it easier to contract the disease. Throughout the 1920s, the majority of Javanese indentured labourers succumbed to spasmodic outbreaks of influenza, and in most cases, when left untreated, lung infections such as pneumonia, bronchitis, and asthma took over.⁹⁰

Additionally, the quarterly labour returns submitted to the NEI authorities reported deaths of Javanese indentured labourers suffering from beri-beri (lacked of vitamin B1). In the 1910s, beri-beri was prevalent among coolies employed on rubber and tobacco

⁸⁷ SSA: NBCA 851. Report by the Managing Director of the Lingkungan Borneo Rubber Maatschappij. June 1927.

⁸⁸ SSA: NBCA 37. G.G. Campbell to Manager of Sapong Rubber Estate, Tenom. 1 April 1930.

⁸⁹ PRO: CO648/8. AR. Protectorate Department for 1918.

⁹⁰ SSA: NBCA 980. Quarterly Returns of Javanese Labourers Imported by Government.

plantations, and timber camps. The main cause of beri-beri was the excessive use of polished rice (notably Saigon and Siam rice) and the lack of fresh vegetables. Apparently polished rice was the main staple diet for British North Borneo, yet it did not affect the general population to a great extent because they had a plentiful supply of fresh vegetables. On the contrary, coolies lived under non-natural conditions, and were unable, in many cases, to select and prepare their own food. Unless great care was exercised by their employers, the coolies often obtained insufficient or unsuitable dietaries.

Table 6.6

Influenza in British North Borneo, 1918

	Government Servant				Prisoners		Public		Estates	
	Clerical Staff		Police		C	D	C	D	C	D
	C	D	C	D						
West Coast	36	0	83	3	55	8	289	12	1922	35
Interior	10	0	3	0	10	0	117	0	971	74
Kudat	9	0	11	0	n/a	n/a	76	3	1005	71
Sandakan	18	0	30	0	169	1	1955	121	373	31
East Coast	4	0	6	0	15	0	257	0	1357	0

C=Cases; D=Deaths;

Source: SSA: Despatches Gov to Chairman 1918. 'Influenza Epidemic in the State of North Borneo'.

In 1916, R. Cobb, Principal Medical Officer, criticised certain estates for disregarding this part of the labourers' welfare.⁹¹ An outbreak of beri-beri occurred from December 1915 to June 1916 at Woodford Estate, Kimanis Estate, Papar Estate and Kinarut Estate, through their excessive use of Saigon rice. Neighbouring Bongawan Estate was chastised for its lack of vegetables. In the east coast, three outbreaks of beri-beri occurred at Sekong Estate between 1914 and 1916, due to unsuitable rice. Coolies at Bode Estate and China Borneo Valley suffered from a lack of fresh meat, fish and vegetables. Abnormal rainfall in the east coast, causing heavy floods in 1918, again witnessed an outbreak of the disease on Lamag Estate, Bilit Estate and Tawau Kuhara Estate. Green vegetables were mostly destroyed during the flood, and for two months, dried vegetables and beans became the main source of vegetables. Five

⁹¹ SSA: Despatches (Gov. to Chairman, 1916). Cobb, PMO, to Government Secretary. 18 August 1916.

government-imported Javanese died in 1918.⁹² Most free from the disease was Lok Kawi Estate, Sapong Estate and Melalap Estate. The respective managers of these estates had been very careful in their supervision of dietary matters.⁹³

Ankylostomiasis or hookworm also infected a large majority of estate labourers in British North Borneo. It settled in the intestines and feasted on the host's blood, producing anemia. This disease was allegedly brought from Java by the government-imported Javanese.⁹⁴ However, prior to the migration of Javanese indentured labourers in 1914, the disease was already recognised as a problem by Dr. Dingle, then the Sandakan district surgeon. In 1913, Dingle recorded numerous cases of hookworm throughout the territory.⁹⁵ The disease was probably brought by those Javanese immigrants who were independently recruited by planters back in 1907.

Other causes of mortality included nephritis and internal infection and maladies such as diarrhoea, hepatic cirrhosis, and gastroenteritis. Typhoid and amoebic dysentery were also causes of illness, due to contaminated drinking water and unhygienic conditions in terms of sanitary arrangements. Cases of deaths caused by exhaustion, debility and suicide were also reported, although the proportion of these was comparatively small. Consistently appearing on the labour returns were cases of septicaemia or blood poisoning. It is likely that labourers left wounds untreated, or they did not receive proper medical attention.⁹⁶

Generally, employers gained a keener interest in the health conditions of their coolies out of economic concerns, such as the high cost of recruiting and the difficulty of getting new recruits. Additionally, greater care was taken of the health of the coolies and their families, since it was realised by the management that keeping its labour

⁹² PRO: CO648/8. AR. East Coast for 1918, by S.G. Holmes, A.D.O. p. 290.

⁹³ SSA: Despatches (Gov. to Chairman, 1916). Beri-beri. 2 October 1916.

⁹⁴ *Handbook of North Borneo, 1921*. p. 49

⁹⁵ See Tregonning. *A History of Modern Sabah*. p. 166.

⁹⁶ SSA: NBCA 980. Quarterly Returns of Javanese Labourers Imported by Government.

force in good health was in the interests of production. These reasons prompted employers of labour to work hand-in-hand with government administration to control the spread of notorious diseases and to eradicate them altogether, if possible. By 1916, malaria was under control in the Lok Kawi Estate, through the weekly administration of quinine.⁹⁷ Most estates also carried out weekly oiling of all breeding-sites with an anti-malarial mixture, within a quarter mile radius of inhabited dwellings. They also executed permanent anti-malarial work such as mosquito proofing, levelling, draining, and tiling of drains in the immediate vicinity of dwellings to eliminate breeding sites. Additionally, they ensured the centralisation of labour in healthy coolie accommodation. At Bode Estate jungles surrounding the Javanese accommodation were cut; pools were oiled, mosquito curtains were given to coolies, and pools and watercourses which harboured the larvae of mosquitoes were sprayed. Mass anti-malarial and tonic treatment (a stimulant to the liver and blood regenerative organs) was also given to all inhabitants of estates. Coolies were given 7½ grains of quinine, three days consecutively, twice a month, as a precaution. Malaria patients were also given 10 grains of quinine for three weeks after discharge from the hospital. A proper register was kept to identify and deal with breeding grounds.⁹⁸ As late as 1930, each adult (with corresponding smaller doses to children) at Sapong Estate was given 10 grains of quinine at muster in the morning, and 15 grains at night, together with a tonic drink. Coolies who refused treatment or spat out the quinine were taken to the estate hospital, and were given 20 grains of the medicine by intramuscular injection in the buttocks.⁹⁹ Additionally, high fencing and barriers were erected on estate hospitals, to prevent delirious and refractory patients leaving the hospital at night to wander about and visit friends.¹⁰⁰ These preventive measures proved successful in reducing the numbers of malarial infections.

⁹⁷ SSA: Despatches (Gov. to Chairman, 1916). Orme, PMO, to Government Secretary. 8 March 1916.

⁹⁸ SSA: Despatches (Gov. to Chairman, 1917) R. Cobb, PMO, to Government Secretary. 9 February 1917.

⁹⁹ SSA: NBCA 37. Campbell to Manager, Sapong Estate. 13 June 1930. pp. 10-17.

¹⁰⁰ SSA: NBCA 37. G.G. Campbell to Manager of Sapong Estate. 1 April 1930. pp. 7-9.

Efforts to reduce beri-beri were also on the agenda. The excessive use of polished rice, which was highly deficient in nutritive qualities, was substituted with Rangoon rice or parboiled rice. Coolies were also given an ample supply of green vegetables.¹⁰¹ As an added measure, medical officers were given discretionary powers to recommend a compulsory supply of cooked food, according to a prescribed diet, to estate patients and coolies. If an employer resented this form of control, the PMO would report the matter to the Governor, who would press for the estate management to take action. In the event of a refusal, the Governor would notify the Chairman, who would then communicate with the London Board, if the company was registered in England.¹⁰² What followed was a cessation of the disease.¹⁰³ In 1928, Japanese doctors for large estates in Tawau (mostly Japanese-owned) successfully treated beri-beri with injections prepared from rice bran.¹⁰⁴ Following this success, the PMO obtained a supply of the extract (known as 'tiki-tiki' abstract) from Manila, Philippines, and distributed it to all government hospitals in the territory.¹⁰⁵

Additionally, employers of labour attempted to fight hookworm by providing shoes to coolies to prevent any contact with infective larvae, which could penetrate the skin. Coolies were also told to improve personal hygiene. Sanitary facilities were enhanced so that coolies would not defecate outside latrines and pollute soil and water sources.¹⁰⁶ In January 1921, a campaign against hookworm was initiated by Dr. Clark H. Yeager of the International Health Board of the Rockefeller Foundation. Out of the 6,460 people examined in the West Coast Residency in 1921, 88.9 percent had the disease.¹⁰⁷ Nearly all were cured after a rigorous campaign. From 1924 onwards, the hookworm campaign continued in many of the places of labour in the territory, under

¹⁰¹ SSA: Despatches (Gov. to Chairman, 1916). Beri-beri. 2 October 1916.

¹⁰² SSA: Despatches (Gov. to Chairman, 1916). Beri-beri. 2 October 1916.

¹⁰³ The *BNBH*. 2 December 1916.

¹⁰⁴ SSA: NBCA 1087. Acting Secretary to Governor Humphreys. No. 389. 6 June 1929.

¹⁰⁵ SSA: NBCA 1087. Extract from H.E.'s dispatch No. 42 of 23 January 1930. Treatment of Beri-beri.

¹⁰⁶ PRO: CO874/872. Hook-worm Campaign, 1916-1920.

¹⁰⁷ Tregonning. *A History of Modern Sabah*. p. 166.

the supervision of the Estates Medical Officers.¹⁰⁸ The results were immediate. Inspection by Dr. Bramley Moore of 51 children on Membakut Estate in March 1924 revealed that there were no cases of hookworm.¹⁰⁹ Almost all enterprises in the territory supported the campaign. In 1925, of 13 estates from the Interior and West Coast who wrote to the government in response to a Circular pertaining to the eradication of hookworm, 11 were enthusiastic about the benefits gained from the mass treatment. They opined that 'the expense of such treatment was entirely justified'.¹¹⁰ By 1930, some estates administered hookworm treatment bi-annually to all labourers and their dependants.¹¹¹

These efforts were, indeed, commendable, but it appears that the mortality of the Javanese in British North Borneo also lay in material and sanitary conditions within the enterprises. Some estates failed to comply with the provision of the Dutch Contract and Labour Ordinance to provide suitable accommodation and adequate medical arrangements for all employees. In his study of coolie labour in Sumatra, Lindblad argues that the material conditions of coolies suffered when there was influx of new coolies. An increase in demand for coolie labour resulted in mounting pressures on existing facilities within the enterprise. In other words, living standards would decrease.¹¹² In the case of British North Borneo, periods where there were high importations of Javanese coolies saw a decrease in the standard of living for government-imported Javanese coolies. The health of coolies was compromised due to inadequate medical attention, particularly the lack of estate hospitals, the lack of surgical instruments and operating rooms, the lack of doctors or medical officers and irregular inspections by them, the unqualified dressers and the absence of a residing licensed dresser, deplorable hospital conditions, and poor transportation of sick coolies

¹⁰⁸ SSA: F/1(3). Report of the Seventy-Seventh Half-Yearly Meeting. 1 November 1921. p. 6; Administration Report for 1924. p. 6

¹⁰⁹ SSA: Despatches (Gov. to President, 1924). No 477. 15 March 1924.

¹¹⁰ PRO: CO648/11. Administration Report 1925 – Medical. p. 19.

¹¹¹ SSA: NBCA 37. Campbell to Manager Sapong. 11 June 1930.

¹¹² Lindblad. 'Coolies in Deli'. pp. 47 and 60.

to the nearest hospital.¹¹³ In the latter case, some estates were equipped with motor trolleys to serve as 'ambulances' to the nearest hospital. In other estates, wheeled stretchers, which were supposed to fit into a train or on a trolley, were deficient. Many of the estate hospitals in the west coast were also several miles away from the railway lines. Extremely ill coolies were seen to be transported to a central hospital, in all weathers, '*sitting up on a bumpy trolley or carried huddled in a basket or sack suspended from a pole*'.¹¹⁴

Dr. G.G. Campbell once lamented that it was ironic that numerous patients contracted malaria while in the hospital. His investigation of the Beaufort Estate revealed that this was caused by a lack of attention given to patients at night. There were serious cases where patients with malaria, beri-beri, dysentery and pneumonia had died during the night. Campbell believed a night dresser would be able to ensure that patients slept under their mosquito nets. Likewise, the dresser could prevent unwanted visitors from bringing food and opium to patients, as had previously occurred. When Campbell made a plea to install a night dresser, an estate official retorted, 'Oh what's the use, the dresser would only sleep'.¹¹⁵

In 1918, the year when heavy floods and the influenza epidemic swept British North Borneo, estates like Labuk, Sungei Batang and Takeuchi were criticised by the PMO, Dr. Percival Dingle, for their significantly high mortality rates, and the respective managements' inability to carry out preventive measures and provide proper medical attention for their coolie population.¹¹⁶ Dingle's report on Sungei Batang Estate illustrates an example of the lack of attention paid by some estate managements to their coolie welfare.

¹¹³ See SSA: NBCA 210 and 465. Labour Reports by Dutch Labour Inspectors.

¹¹⁴ SSA: Despatches (Chairman to Gov., 1919). Memorandum. Estates Central Hospital Scheme, by A.C. Pearson. 23 August 1923.

¹¹⁵ SSA: Despatches (Chairman to Gov., 1918). Campbell, MO, to Thomson, Manager Beaufort Estate. 10 October 1917.

¹¹⁶ PRO: CO648/8. AR. Protectorate Department for 1918, by D.R. Maxwell.

The hospital is situated on the top of the hill completely surrounded by rubber trees, the branches of which actually touch and lie over the attap roof; it consists of a single room about 26 feet by 14 feet; a corner of which is partitioned off, for a dispensary. The building is old, very dirty and the floor sinks to one side; the accommodation provided is so inadequate as to be even ludicrous, there were eleven patients in hospital three of whom were lying in a corner on the floor, there were only four blankets provided and three mosquito nets, which the Conductor stated were too old to be used, there were no pillows, no temperature charts or history sheets. The hospital staff consists of one dresser who apparently had been carried into Sandakan 4 days previously ill, no cook, water carrier or attendants are provided, and once a man is in hospital, he has to look after himself, or get a fellow patients to do so...When we went around the hospital at 11 a.m. none of the patients had had any food nor had they had any medicine...I do not think there is any other Estate in the whole of North Borneo showing such an absolute disregard of the coolies welfare when sick.¹¹⁷

From the second half of the 1920s, particularly 1927 and 1928, to as late as 1931, several estates were blacklisted from further importation of Javanese labour from Java. Van Lijnden, who visited the territory in 1927, denounced Bettotan Camp, Batu Puteh Estate and Langkon Estate for their inadequate supply of drinking water for patients; no suitable place for patients to bathe in the building, or no bathing area provided at all; old and dirty mosquito nets; insufficient diet scale; unsanitary and cramped latrines; and decaying hospital buildings.¹¹⁸ The hospital at the North Borneo Trading Company was deemed 'disgraceful and should be condemned', and Tenganipah Hospital and British Borneo Timber Company (BBTC) were admonished for ward sharing among male and female patients. Female patients also complained that they were not given proper hospital attires, and requested to be supplied sarongs. Also an issue was the 'conspicuous' nature of the hospital clothing provided, which made them feel like 'objects of ridicule'.¹¹⁹

Additionally, instead of being treated and recuperating, Javanese patients in a certain estate hospital were forced to work. Food was also given twice daily, instead of three times. If a patient owned an unexpired food bond, the common practice of some

¹¹⁷ SSA: Despatches. (Gov. to Chairman, 1918). Percival Dingle, PMO, to Government Secretary. 29 November 1918.

¹¹⁸ Correspondence between the Protector and the respective estates can be found in SSA: NBCA 210 and 465.

¹¹⁹ SSA: NBCA 210. C.D. Martyn to Manager British Borneo Timber Co. Prot 372/27. 12 April 1927; Protector to Batu Puteh Estate; PRO: CO874/1062. Governor General, A.W.L. Tjarda van Starkenborgh, to Governo C.R. Smith. 27 January 1939.

estates was to refuse that patient's ration in the hospital. Most estate hospitals gave rations equivalent to between thirteen and fifteen cents per day, yet Batu Puteh Estate hospital gave a meagre four cents. Javanese patients were also uneasy about their food being prepared by Chinese cooks.¹²⁰ Lastly, Javanese coolies complained that they were not admitted to the hospital on demand, and that illness was often treated as malingering, or blamed on the carelessness of the coolies. Worse still, when a sick coolie was marked with the letter 'K', to mean 'malingerer', not only was the coolie ordered back to work, but the entry against his or her name would expose the coolie to intimidation by overseers, which eventually would lead to fines or a loss of income, especially their tapping bonus for the month.¹²¹

Housing, Sanitary Facilities and Water Supply

Employers provided free accommodation for their Javanese indentured labourers to fulfil their social obligation stipulated by the Dutch contract, and to control and tie the labourers to the estate. Coolies were housed based on racial lines so that coolies could live together with their own folk thus expediting the process of adjustment to the new living and working environment. From the perspective of employers, this form of segregation also promoted cultural incompatibilities amongst the pluralistic labour force, which were deemed advantageous since they presented employers with a convenient mechanism to control labour, particularly during periods of unrests.¹²²

Two types of accommodation were usually provided for Javanese labourers. The first was *kongsi*-houses, built earlier for Chinese indentured labourers brought in from Hong Kong. The other was the 'coolie lines', which consisted of a long building, roofed with *nipah* palm, tiles or corrugated iron. The house was divided down its length by partitions into rooms, not reaching the roof. In Kinarut Estate, a typical Javanese

¹²⁰ SSA: NBCA 465. Memoranda of Discussion with Mr. Viehoff; SSA: Despatches. (Gov. to Chairman, 1916). Report by Protector on New Darvel Bay Tobacco Company.

¹²¹ SSA: NBCA 210. Memoranda of discussion by Viehoff.

¹²² Cook. *Borneo*. p. 263.

accommodation had between 20 and 24 rooms, in two rows, and back to back. Each room was 12 feet by 10 feet, and was occupied by a family, or a group of coolies. The building was well off the ground and typically also had a veranda.¹²³

The number of occupants in each house varied. Javanese married couples would be accommodated together.¹²⁴ A Javanese accommodation at Segama Hilir Estate and Papar Estate could house between 20 and 35 coolies at one time, whereas Javanese lines at Lingkungan Estate (134' x 50') had an overwhelming 100 occupants in each line.¹²⁵ Likewise, Javanese accommodations at Kuhara Estate were so overcrowded that some coolies constructed *sulaps* (shacks) adjacent to the lines. These labourers preferred the privacy of the *sulaps*, but medical officers dismissed them as unhygienic, and ordered them to be demolished. There were also reports of Javanese coolies preferring to sleep in fowl houses than endure the cramped situations in the lines.¹²⁶ To make matters worse, Javanese coolie accommodation at Kuhara Estate was built near a buffalo stable, which emitted a foul smell and became a breeding site for flies.¹²⁷

Reports of deteriorating housing conditions were usually received during the period of strict economy, as a consequence of the war. During the time of war, housing, hospital and medical supervision were regarded as being as 'adequate as could be expected under war conditions'.¹²⁸ The situation 'greatly improved' after that. But post-war conditions, which again saw rising inflation, witnessed a decline in standards of living. The Annual Report of the Protectorate Department for 1925 stated that the housing of labourers, especially on the West Coast, during the last few years had

¹²³ SSA: Despatches (Gov. to Chairman, 1916). Orme to Government Secretary. 8 March 1916.

¹²⁴ PRO: CO874/438. G.S. Plummer, Acting Manager, to the Secretaries Lok Kawi Estate. 20 September 1918.

¹²⁵ SSA: Despatches (Gov. to Chairman, 1916). Report by Protector on NDBTCo., visited on 17-20 November 1916; Despatches (Gov. to Chairman, 1918). Owen to Resident of West Coast. March 1918; Despatches (Gov. to Chairman, 1923). Report on Protector's Visit to Papar Estate 1923.

¹²⁶ SSA: NBCA 465. Memoranda of Discussion with Viehoff.

¹²⁷ SSA: Despatches (Gov. to Chairman, 1917). Extract from the Assistant Protector's Report on the Kuhara Rubber Estate. 17 April 1917.

¹²⁸ PRO: CO648/8. AR. Protectorate Department for 1918. pp 51-52.

deteriorated for reasons of economy.¹²⁹ The deteriorating condition implicitly connotes that the authorities accepted the argument from the enterprises that financial constraints prevented the latter from making the necessary improvements.

Declining housing standards could also be seen during the sudden influx of Javanese coolies. In 1926 and 1927, there were repeated complaints by labour inspectors about overcrowded housing and deplorable housing standards. The bachelor lines, in particular, were usually cramped, and were in a bad state of repair.¹³⁰ The government-imported Javanese of the BBTC even complained that their houses were not 'weather-proof', and that lightning often struck on the corrugated iron roofs of their accommodation.¹³¹ Protection from thefts and danger was also minimal. There was no wire netting on the windows to enable them to be left open without danger; nor were the tops of cubicles covered with wire nettings to prevent entry from above. Drains around coolie lines were often unsanitary, particularly kitchen drains, which were often choked and needed cleaning.¹³²

Generally, the coolie houses were often poorly ventilated, although there were some exceptions to this. Coolie lines at Sapong Estate, for instance, were reported to have had too much ventilation, and when sudden changes in temperature with cold-piercing winds occurred, the corrugated iron which cooled off after sun down eventually contributed to increased pulmonary diseases.¹³³ Additionally, housing on some estates was so bad that this made an ideal breeding area for malaria, resulting in a high death rate.¹³⁴ These were indications that material facilities on occasions lagged behind the expansion of the coolie force in the late 1920s. The Dutch Labour Inspectors took the drastic step of suspending future importation of Javanese labour where estates failed

¹²⁹ PRO: CO648/11. AR. Protectorate Department for 1925, by C.F.C. Macaskie. p. 9.

¹³⁰ SSA: NBCA 465. Kongsii Lines. Memoranda of Viehoff Recommendation.

¹³¹ SSA: NBCA 210. C.D. Martyn to Manager of British Borneo Company. Prot. 372/27. 12 April 1927.

¹³² SSA: NBCA 465. Kongsii Lines.

¹³³ SSA: NBCA 37. G.G. Campbell to Manager Sapong Estate. 1 April 1930.

¹³⁴ PRO: CO648/9. AR. Sandakan Residency for 1920'. p. 100.

to make radical improvements in terms of coolie accommodation, after they were advised to do so by the inspecting officers. Langkon Estate suffered this fate in 1927.¹³⁵

There were two main systems of latrine used on estates in British North Borneo, the bucket system and pit latrines or trenches. On Papar Estate, Javanese coolie lines had bucket latrines for female labourers, and movable latrines for their male counterpart.¹³⁶ Other estates, such as Sapong Estate, constructed trenches (18"x2"x6"), across which were laid a few pieces of planks on which to squat. They had bamboo walls but no roofs. Javanese coolies complained that latrines were constructed far away from the coolie lines, about 200 to 300 yards from living quarters. Employers, nonetheless, deemed this necessary as a safeguard to health.¹³⁷ Membakut Estate installed the 'bored-hole' latrine system, recommended by Victor G. Heiser of the International Health Division, Rockefeller Foundation. This latrine system, which could last for eight to ten years, was usually made of planks, and a corrugated iron roof, with a cement floor, and was constructed within the vicinity of the Javanese coolie lines.¹³⁸

The use of buckets and pit latrines was communal. Due to insufficiency, and as a result of heavy use, pits and buckets became full quickly, and at times could not be used. In 1916, night defecation of estate coolies at Lok Kawi Estate was simply dumped into open pits, and received little attention.¹³⁹ The unhygienic condition of the latrines not only filled the air with a heavy stench, but also presented health hazards such as fly infestation and contamination of wells and water supply, causing illnesses. The problem could have been reduced if the latrines had been properly looked after. Yet the main challenge was to get sanitary workers.¹⁴⁰ In Sapong Estate, a latrine

¹³⁵ SSA: NBCA 210. Macaskie to Manager of Langkon Estate. Prot 334/27. 3 May 1927.

¹³⁶ SSA: Despatches (Gov. to Chairman, 1923). Report on Protector's visit to Papar Estate 1923.

¹³⁷ SSA: NBCA 37. Campbell to Manager Sapong. 11 August 1930. p. 23; SSA: NBCA 465. Memoranda on Discussion with Viehoff.

¹³⁸ SSA: NBCA 37. Campbell to Manager Sapong. 11 June 1930.

¹³⁹ SSA: Despatches (Gov. to Chairman, 1916). Orme to Government Secretary. 8 March 1916.

¹⁴⁰ SSA: NBCA 465. Memoranda on Discussion with Viehoff.

attendant visited the latrines daily to cover night soil with *Jeyes powder*¹⁴¹ or ashes, which required removal every two months. However, a medical officer commented that despite daily cleansing and application of disinfectants, the latrine system used was still unsanitary and inefficient.¹⁴² The condition was made worse by the improper sanitary habits of the labourers themselves and their dependants. Apparently, their sense of cleanliness was so appalling that the government was forced to insert a special clause pertaining to this matter in the Labour Ordinance 1929. Failure to adhere to the sanitary rules would cost coolies a maximum of fifty cents fine, to be deducted from their wages, and the monies collected be placed into the Pauper Fund.¹⁴³

Water supply for rubber estates and their coolie accommodation were comparatively in better condition than on tobacco estates. The West Coast rubber estates were, for the most part, well-supplied with pure water, distributed by pipes.¹⁴⁴ In other parts of the territory, particularly in the east coast, many estates depended on streams or unprotected wells for their source of water supply. The latter estates were often reproached for not constructing wells and failure to use filters.¹⁴⁵ On tobacco estates, where cultivation shifted from year to year, the provision of a water supply by pipe line to every division entailed heavy expenses, hence the reluctance of the management to invest in a proper pipe. The provision for pure drinking water while at work too left something to be desired on some estates. Tea was provided by these estates, but this did not meet the requirements of the Dutch authorities.¹⁴⁶ According to Van Hemert in 1918, a thirsty labourer would frequently drink from the nearest pond or stream, in preference to drinking tea, which he or she was usually provided with. This

¹⁴¹ A patented disinfectant product since 1877, owned by John Jeyes of England. See <http://www.jeyes.co.uk/aboutjeyes.htm>. [Access on 7 December 2008]

¹⁴² SSA: NBCA 37. Campbell to Manager Sapong. 11 August 1930. p. 23.

¹⁴³ PRO: CO874/760. Section 35, Labour Ordinance 1929.

¹⁴⁴ PRO: CO874/438. Report by Maurice Maude to Directors of Lok Kawi Estate. 23 November 1918.

¹⁴⁵ SSA: NBCA 465. Kongsj Lines.

¹⁴⁶ PRO: CO874/753. Notes of Interview with Dr. Van Hemert, Representative of the Netherlands Indies Labour Department.

would expose the labourer to potential illnesses such as typhoid and dysentery, caused by contaminated food and water.¹⁴⁷

Conclusion

Although the protective provisions regarding the level of wages and basic amenities were clear, this chapter has shown that the material conditions in enterprises employing Javanese indentured labour were sometimes different in reality. The perspectives of both employers and employees regarding what constituted better material conditions often differed. Comparatively, indentured Javanese coolies were better-off in wages than other labourers, both in terms of nominal and real wages. A salient feature in the Javanese indentured labour system was the inability of employers' organisations to flex their muscles when it came to determining the wages received by Javanese labourers imported under the government permit. The relatively strong bargaining power usually enjoyed by the NBCC and NBPA was thwarted by the Dutch authorities, and was restricted to locally recruited and contracted coolies. However, Javanese indentured labourers were also subjected to illegal deductions from their wages, thus reducing their monthly income. As for basic amenities such as housing, medical and sanitary facilities, these were sub-standard during the 1910s, and the Protectorate accepted the argument from the employers that financial constraints prevented them from introducing improvements. Nevertheless, throughout the years, mortality and morbidity decreased as government officials, employers, and international humanitarians became obsessed with improving health matters in the territory. The health standards of Javanese indentured labourers in particular, and the total population in general, greatly improved in the early 1920s as a result of investment in medical facilities.

¹⁴⁷ PRO: CO874/753. Governor's No. 38. Interview with Dr. Van Hemert. 18 January 1919.

CHAPTER SEVEN

LIFE UNDER INDENTURE: NON-MATERIAL CONDITIONS OF JAVANESE INDENTURED LABOURERS

Introduction

The description of material conditions in the previous chapter has shown that employers of labour generally tried to improve the standard of living of Javanese indentured labourers working on British North Borneo enterprises. Simultaneously, material amelioration became part of the deal to satisfy the authorities. Generally, wages were increased, and basic amenities which included housing and medical care, were greatly improved. Nonetheless, the contentment of the Javanese indentured labourers as a result of improved standards of living depended heavily on less tangible facets of the relationship between employer and employee. This refers to the non-material conditions of life and labour within enterprises, for government-imported Javanese. This chapter aims to analyse the well-being of Javanese indentured labourers, focusing primarily on the extent of labour control utilised by employers, and the labourers' response to that control.

Coolie Mobility and Labour Control

The Dutch Contract specified that indentured Javanese coolies had to perform labour at a specific place and times. In other words, one can be forgiven for presuming that after working hours, coolies were free to do whatever they wanted. In reality, this was not so, because the Dutch Contract and the territory's Labour Ordinance placed Javanese indentured labourers under stringent social and disciplinary control. Leisure hours were restricted as employers attempted to limit social life and coolie mobility within the confines of the estates. A Javanese coolie working under indenture contract was not allowed to leave the workplace without permission from the employers, particularly on a working day. They were also prohibited from leaving the estate after working hours. This ruling was eventually phased out in the late 1920s, whereby

Javanese labourers were permitted by law to leave an estate after working hours, on condition that they gave prior notice to the estate office of their plans.¹

Permission to go outside the estate premises was seldom granted to prevent labourers from finding out the wage levels of other estates.² Also, this served to deter coolies from drifting into small holdings where discipline was not as rigorous. Most importantly, permission to leave the enterprise was restricted, to prevent coolies from having access to the local Protector's office to make a complaint. Wholesale visits to the local authorities by Javanese coolies, without prior permission from the management, did occur from time to time throughout the indentured labour period. The Protectorate Department recorded such visits as early as 1914, when the entire Javanese labour force of Lingkungan Estate marched to Beaufort to complain against their manager.³ Such visits were, however, discouraged, for security reasons.⁴

Most enterprises had very few escape routes if the Javanese coolies found life under indenture to be contrary to expectations. Leaving the plantation was difficult, because some estates' compounds were surrounded with barbed wire fence making escape impossible.⁵ Estates also employed *opases* or estate watchmen ('policemen'). Usually Pathans, they were armed with revolvers and rifles, although the firearms were supposedly used for emergency purposes only. They were responsible for guarding recalcitrant coolies confined within the estate 'lock-up', not to mention keeping a look out on anything that might seem suspicious, preventing desertions by coolies, and keeping away intruders, especially crimpers. Their presence served as a deterrent for coolies from deserting the enterprise.⁶ Likewise, estates, such as Sapong and Melalap, offered a three dollar bounty per head for each deserter. Therefore individuals had no

¹ SSA: NBCA 210. Notes for Baron Van Lijnden's interview with His Excellency – Item 15.

² SSA: Despatches (Gov. to Chairman, 1916). Extract on AR. Protectorate 1916. 19 October 1916.

³ PRO: CO648/7. AR. Protectorate Department for 1914. p. 4.

⁴ Rutter. *British North Borneo*. p. 152.

⁵ HCPP: [Cmd. 1060]. Anti-Slavery Society to CO. 29 October 1919. Enclosure 2 in No. 1. 20 August 1919. p. 5.

⁶ HCPP: Cmd. 1060. Enclosure 3 in No. 1. In the matter of the treatment of coloured employees on estates in British North Borneo.

qualms about reporting or capturing an escaped coolie. An estate doctor in Tenom described how a Murut head hunter captured and beheaded three so-called Javanese 'deserters' (they had with them discharged certificates and were on their way towards the port), and brought their nicely-cleaned skulls before the manager of an estate, demanding the bounty. Apparently, the estate manager paid the head hunter, and circulated the story among the coolie population on the estate. The philosophy behind it was that 'While that Murut is at large we shall have no trouble from bolters on this estate!'⁷

Employers also retained control over the coolies, with the help of government machinery. The role played by the police and government officials saw to it that coolies stayed within the enterprise, and took suitable action when the coolies managed to do otherwise, either promptly shepherding them back with a police escort, or when required, punished any obstinate coolie.⁸ Watching for, and capturing absconding coolies, was recognised as a part of the work of the police. The Constabulary Department declared that it would do 'its best to arrest every coolie whose desertion was reported'.⁹ In some cases, police barracks were installed on estates, such as Membakut Estate and Sekong Estate, to prevent disturbances.¹⁰ On other estates, the Company government made it obligatory for these estates to have telephone communication, either with the nearest police station, or with an estate which had telephonic communication with a police station.¹¹ However, in the 1920s, the Company government was not keen on installing a police force in places of labour because the privilege had been abused in the past. Seemingly, some policemen had become slack in their duties, and were involved in money-lending transactions or 'trafficking' with the labourers.¹²

⁷ Maxwell Hall. *Makan Siap. Table Tales of North Borneo*. (no date). p. 115.

⁸ Rutter. *British North Borneo*. p. 152.

⁹ SSA: Despatches (Gov to Chairman, 1917). Governor to Chairman. 7 March 1917.

¹⁰ The *BNBH*. 17 February 1913. p. 38.

¹¹ SSA: Despatches (Court to Governor, 1918). Chairman to Pearson. No. 440. 20 June 1918.

¹² SSA: Despatches (Gov. to President, 1924). Lower Segama Rubber Estate. 4 December 1924.

Another form of controlling labour mobility included the role played by the food supply depot, or estate shop. Because they were prohibited from leaving the enterprise, Javanese coolies were forced to buy or to get their daily necessities at the estate shop.¹³ Certain estate shops, such as the one at Langkon Estate, also served as pawn-shops, thus further tying the coolies to the estate.¹⁴ Coolie wages and rations were also paid in the form of vulcanite estate tokens, which could be used at the estate store.¹⁵ However, the tokens apparently only possessed purchasing power at the estate shop, so the forced purchasing at estate shops continued. Coolies also received a far lower value in return. Estates too, seldom exchanged tokens for current coins, thus making it difficult for coolies to leave the plantation.¹⁶ The tokens became valueless to a coolie who wished to abscond, but they assisted managers immensely and strengthened their grasp on the Javanese indentured coolies.¹⁷

As early as 1914, Governor Pearson raised his concern over the use of estate tokens as one form of labour control, but the issuing of tokens continued, apparently for the convenience of estates that were remote from local treasuries.¹⁸ In 1916, the decision to scrap tokens again arose, but the planting community defended the system on two grounds. First, that there was no replacement in dollar metal coins or metal pieces for the tokens provided by the government. They argued that in most instances, notes could not replace tokens in the payment of coolies. Even if they could be used, most managers complained that they found it difficult to obtain notes in low denominations from the local treasuries due to the lack of supply. Second, coolies were allegedly accustomed to receiving the company's 'money' tokens, and any alteration to the status-quo would be treated with suspicion by the coolies. Some managers claimed

¹³ PRO: CO531/14. Enclosure 3 in No.1. Allegations against the Administration.

¹⁴ SSA: NBCA 465. Memoranda of Discussion with Mr. Viehoff.

¹⁵ PRO: CO531/14. Buxton to Under Secretary for the Colonies, Colonial Office. 8 February 1920.

¹⁶ PRO: CO531/14. Enclosure 3 in Number 1.

¹⁷ SSA: Despatches (Chairman to Gov., 1920). Copy of Mr. Pearson's letter to Secretary. 9 July 1914.

¹⁸ SSA: Despatches (Chairman to Gov., 1920). Copy of Mr. Pearson's letter to Secretary. 9 July 1914.

that the changes to the status-quo had previously culminated in labour unrest.¹⁹ Hence, the usage of tokens continued by the government, on the basis that tokens had a par value in local currency and the labourer at any time, either on discharge from the estate or for any good reason, was able to exchange the tokens for money.²⁰ When the 'scandal' regarding the abuse of estate tokens was brought to the fore by the Anti Slavery Society in 1920, the Company government gradually abolished tokens by 1921.²¹ There were government administrators who were not keen on the idea, as shown in a confidential dispatch to the Colonial Office, '*if coolies were seldom able to leave the plantation it was difficult to see what advantage would be gained by the issue of cash instead of tokens*'.²² Nevertheless, on the whole, the decision to scrap tokens does reflect the attitude of the Company government taking law enforcement seriously, to the benefit of the labouring class.

The management did everything in its power to prevent a Javanese coolie from taking his or her discharge certificate. One of the most common and effective methods used was by getting the coolie into debt. Little inducement was made to encourage thrift among coolies in British North Borneo. For the less thrifty Javanese, after the expiry of their two or three year contract, no alternative was open to them but to sign on for another term. Debts were initiated at recruitment and inflated on the enterprise through various means, such as gambling, brothels, and opium smoking. The Company government looked at these institutions as lucrative revenue earners, and effective means of 'keeping the population from being idle and of channelling the labourers' extra energies away from creating labour unrest'.²³ However, they served colonial capitalism more, as they tied indentured labourers for a longer period than stipulated in the agreement.

¹⁹ SSA: Despatches (Chairman to Gov., 1916). 'Forbes to Pearson. 25 May 1916; Strutt to Forbes. 22 May 1916.

²⁰ PRO: CO531/14. Annexure F. Report of the Committee of Estate Abuses. 3 May 1920. p. 24.

²¹ PRO: CO874/759. Minutes. Revised Labour Ordinance. W.J.W. 17 June 1921.

²² PRO: CO531/14. Despatch No 12041. 16 March 1920.

²³ Danny Wong. *Historical Sabah*. p. 99.

In spite of restricted laws enforced by the government to control gambling in the 1910s (it was allowed only in public halls at certain hours under strict supervision), the vice was still prevalent in places of labour. Company administrators admitted that it was impossible to suppress gambling completely on estates, but this could be achieved if controlled gambling was enforced. Ostensibly, by confining it to a definite place or ensuring sufficient safeguards, dangers normally associated with gambling, such as quarrels and fights, could be reduced, if not eliminated.²⁴ But the truth of the matter was that gambling was inherent among Asiatic labourers generally. Some coolies were chronic gamblers, and gambled wherever, and whenever, they had the opportunities, either in the coolie lines, fowl houses, or jungles within estates' boundaries, especially at night.²⁵ Popular gambling games amongst the Javanese labourers were 'chekih', a type of card game, and dominoes.²⁶ Management of estates argued that having the coolies gamble within the confines of the estates was better than having them fall victim to crimpers, who were constantly lurking at gambling dens outside the estate.²⁷ These practices could easily be monitored if they were restricted to the premises of the enterprises.

Essentially, the management used gambling as a method of labour control. Any strict containment of the habit by the management could rapidly diminish the labour force, since the labourers could pursue the habit elsewhere.²⁸ Hence, most estates, for instance, Sapong Estate, Papar Estate and Mawao Estate, installed their own gambling houses, while others invited gambling dens to 'open table' inside the estates.²⁹ Incongruously, gambling activities became more frenzied on payday or on 'advance' day.³⁰ In 1925, out of the 41 places of labour, all were involved in gambling activities.

²⁴ PRO: CO531/14. Annexure F. Report of the Committee, p. 24.

²⁵ SSA: NBCA 465. Kongsu Lines – Memoranda of Viehoff's Recommendation.

²⁶ See Baron van Lijnden's report in SSA: NBCA 210; PRO: CO531/14. Annexure F. Report of the Committee on Estate Abuse 3 May 1920. Interview with Salamah Sajiran. 14 March 2007.

²⁷ PRO: CO531/14. Annexure F. Report on Committee.

²⁸ Richard Lind. 'An Estate'. *Daily Express*, 25 July 1993.

²⁹ PRO: CO874/590. Hadow and Pinckney, to Directors, the Sables North Borneo Rubber Ltd.; PRO: CO531/14. Enclosure 3 of No. 1.

³⁰ SSA: KSP.24/M/3. Allan Chin Yin Foh. 'Early Days in the Kinarut Estate'.

Licensed gambling was not permitted on 17 enterprises, but the remainder were given consent in writing, verbally, and through payment, to the gambling farmer.³¹ The *headmandur* or *headtandil*, who held sub-licences to these gambling houses, drew 10 to 20 percent for each of the proceeds of gambling houses, and divided the profits among the other *mandurs* or *tandils*.³² Monetary advances were freely given to coolies, while they were in a 'gambling fever'. These advances were afterwards debited to the coolies in the estate books.³³ At estates owned by the NDBTCo, every coolie who re-engaged was given \$2.50 by the overseers.³⁴ Apparently, addiction to gambling forced some desperate coolies to pawn their clothing to obtain extra money. Disgusted by the prevalence of the 'gambling evil' in British North Borneo, one contemporary observer wrote:

I can thoroughly endorse all they say about the trouble and poverty caused by it amongst the coolies. Anyone paying visits to any of the estates in the country at the present time (1920) cannot help being struck by the disreputable rags worn by the coolies, rags often quite insufficient to hide their nakedness... I would suggest that it be made illegal for any pawnshop to take any clothing in pawn...³⁵

Another common method of inflating debts was by opium smoking. A fairly large proportion of the labouring classes were regular to moderate consumers of the drug.³⁶ In a study conducted on estates owned by the NDBTCo in 1920, an average coolie with a daily earning of one dollar a day would spend 10-19 cents on two *hun* of opium daily. Also, there was a strong correlation between the intensity of workload and opium usage; the higher the workload, the higher the demand for opium. Chinese coolies were the main users of opium. Nevertheless, the prevalence of the drug among Javanese labourers should not be dispelled. It has been argued elsewhere that Javanese coolies had picked up the habit while working on British North Borneo

³¹ SSA: Despatches (Gov. to President, 1925). Gambling on Estates. 21 September 1925.

³² SSA: Despatches (Gov. to Chairman, 1923). Report on Protector's Visit to Papar Estate. 6 March 1923; PRO: CO874/590; PRO: CO531/14. Enclosure 3 of No. 1. Allegation against the Administration.

³³ PRO: CO531/14. Annexure F. Report on Committee.

³⁴ SSA: Despatches (Gov. to Chairman, 1915). Report by Protector on NDBTCo., visited on 17-20 Nov. 1915.

³⁵ SSA: Despatches (Court to Gov., 1920). Extract from 'The Straits Budget'. 16 July 1920. Gambling in British North Borneo, by R.J. Hitchcock to Editor of the Straits Times.

³⁶ PRO: CO531/11. Secretary to Under Secretary of State, CO. 30 March 1917.

estates.³⁷ Rush's study, however, has shown that opium smoking was not new to a native of the NEI. Opium was already a common feature in late nineteenth and early twentieth century Java, and the vast majority of its customers were not the labouring Chinese but native Javanese.³⁸ The highest concentrations of opium use and opium farm profits were derived from the residencies of Semarang, Surakarta, Madiun and Kediri of Central and East Java, the same places that indentured labourers for British North Borneo enterprises originated from.³⁹ Hence, it was possible for Javanese indentured coolies to resume the habit when they came to British North Borneo. However, their usage of the drug was minute compared to the Chinese coolies.

To decrease the usage of opium among coolies, the price of opium was increased throughout the years, and estates were only allowed to sell opium to confirmed and registered smokers. In 1917, a packet containing two *hun* of opium would cost approximately 13 cents, but by 1920, it was increased to 17 cents.⁴⁰ Ostensibly, inspection by Protectorate officials in 1917 revealed that at some estates, the majority of the coolies obtained a great deal more than their authorised allowance of four two *hun* packets per week.⁴¹ In 1918, the shop at Beaufort Estate recorded a sale of around 3000 two *hun* and three *hun* packets of opium each month for the consumption of its more than 400 Javanese and 60 Chinese coolies.⁴² Weekly rations were given to confirmed smokers, to whom bonds were given, and the value of which was deducted from the coolies' wages. According to the Anti Slavery Society, the practice was contrary to the spirit of the International Opium Convention of 1912, which restricted the use of opium (and other drugs) to medical and legitimate purposes only.⁴³ Yet the Company administrators were adamant that the weekly ration should not be regarded as an encouragement, if strictly administered, or as an illegitimate use of the

³⁷ Danny Wong Tze-Ken. *Historical Sabah: Community and Society*. 2004. p. 97.

³⁸ James Rush. *Opium to Java: Revenue Farming and Chinese Enterprise in Colonial Indonesia, 1860-1910*. Ithaca and London: Cornell University Press. p. 3

³⁹ Rush. *Opium to Java*. p. 28.

⁴⁰ PRO: CO874/394. Dingle to Martyn. 29 October 1925.

⁴¹ SSA: Despatches (Gov. to Chairman, 1917). Report on Protectorate Enquiry Into Woodford Estate.

⁴² SSA: Despatches (Gov. to Chairman, 1918). Owen to Resident of West Coast.. 1 March 1918.

⁴³ PRO: CO531/14. Anti-Slavery Society to Under Secretary, CO. 5 February 1920.

drug. As one official sarcastically remarked, 'It is difficult to understand how professed philanthropists can press for such a cruel act as the complete cessation of supplies to a confirmed smoker'.⁴⁴

Closely related to gambling and opium was the question of estate brothels. They were an integral part of the plantation. Japanese and Chinese prostitutes worked on these brothels, and they plied their trade on various estates, usually during the time of estate pay day. This occurred when women on estates were few and far between. A visit to brothels would cost a coolie \$2.00,⁴⁵ and again, the foreman or headman would receive a commission of 10 percent on all proceeds of the brothels.⁴⁶ Male Javanese labourers who had no money would eventually resort to gambling or borrowing, to satisfy their sexual desires.

The prevalence of debts among coolies in British North Borneo was deemed so chronic that in 1920 the Anti-Slavery Society took the liberty to champion the coolies' welfare. Backed by testimonials of a former Judicial Commissioner, an ex-estate manager, and a former estate medical officer of the territory, the Society accused the Company's administration of improper treatment of imported labourers.⁴⁷ Allegedly, the Company adopted a corrupt system of coolie labour, whereby coolies were held at the plantations in debt bondage 'at a point beyond the possibility of redemption'.⁴⁸ The Society contended that coolies were 'held in virtual slavery'.⁴⁹ Before long, a Committee of Estate Abuse was formed at the instigation of the Colonial Office, to enquire and report upon the allegation. The Commission refuted the existence of such a system in the territory by asserting that Javanese indentured under the government permit were entitled to an advance of \$10 per coolie, partly payable in Java and repayable to the estate within months. Meanwhile, Javanese coolies under the local

⁴⁴ PRO: CO531/14. Alleged Mal-administration, 16 March 1920.

⁴⁵ PRO: CO531/11. Secretary to Under Secretary of State, Colonial Office. 30 March 1917.

⁴⁶ HCCP: Cmd. 1060. Enclosure 2 in No. 1. North Borneo. Testimony by de la Mothe. 20 August 1919.

⁴⁷ PRO: CO531/14. Barrant's Press Cuttings. Alleged Scandals in North Borneo.

⁴⁸ PRO: CO531/14. Travers to Under Secretary of State. CO. 5 February 1920.

⁴⁹ HCCP: Cmd 1060. Enclosure 2 in No.1. Testimony by de la Mothe, 20 August 1919. p. 5.

contract were considered free labour, and as such, 'free' from debt on arrival in the state from Singapore. They were, however, entitled to receive an advance in wages not exceeding \$30 on accepting employment, and repayable by the coolie. Again, with the total amount of recoverable advances not exceeding \$30, it was construed that the system of repayment by monthly deductions imposed no real hardship on the coolies, since deduction was limited to one-third of the earnings of that month.⁵⁰

Evidently, since the Commission was partly made up of members of the planting community (i.e. R.K. Hardwick and J. Cooper), it came as no surprise that the outcome of the report was biased towards the employers and their capitalist enterprises, and disregarded the problems of accumulated debts discussed earlier. For example, the check roll for the entire coolie force at Papar Estate on 31 July 1915 was \$4,041.45 but the amount of outstanding debts was \$5,006.92. The debt situation in Lok Kawi Estate was more chronic whereby the check roll dated 28 February 1918 recorded a figure of \$4,788.22 and the outstanding debt as \$6,415.10.⁵¹ On the financial position of coolies in British North Borneo, a Company civil servant depicted, 'The average Chinese or Javanese coolie is never in a position, or likely by his instincts, training and earning capacity, to be in a position to repay his debt or unworked off expenses. The money he gets he spends with little thought or care for tomorrow'.⁵²

Management of estates found it imperative to provide as close to a normal life as could be possible for their indentured coolies, within the confines of the estate, because 'this goes far in ensuring a contented labour force'.⁵³ Most of the estates in British North Borneo had a strong desire for balanced sex ratios in imports, to create a permanent and contented labour force. An enquiry held on several estates in Beaufort

⁵⁰ PRO: CO531/14. Annexure F. 3 May 1920.

⁵¹ PRO: CO874/590. Report by Hadow and Pinckney to the Director of Sablas North Borneo Rubber Ltd. 9 September 1915; PRO: CO874/438. Copy of Report by W. Perry Pinckney. 3 April 1918.

⁵² Cook, *Borneo*. p 109.

⁵³ SSA: Despatches (Chairman to Gov., 1919). Secretaries for Tenom (Borneo) Rubber Co. Ltd. to BNBC. 8 October 1919.

in 1917 revealed that Javanese labourers were generally more content than their Chinese counterparts, because they were 'provided' with more women.⁵⁴ Individual 'immoral' women, both married and single, had become mistresses of coolies or overseers who were temporarily in affluent circumstances.⁵⁵ Tacitly, this means that due to insufficient means of livelihood, some women used their sexuality to earn extra cash or to live 'comfortably'. The authorities, however, justified such 'immorality' as a 'safeguard against social evils of a much more serious character'.⁵⁶ As discerned by Governor Pearson in 1922, conditions on estates with a huge Javanese labour force were excellent when there were 'sympathetic ladies' on the spot.⁵⁷ Shortages of unmarried Javanese women, as in the case of Kinarut Estate, would cause sexually deprived male Javanese labourers to temporarily desert the estate, and voice their frustration to the local Protectorate officer.⁵⁸ Occasionally, individual crimes on estates were related to women, i.e. from jealousy to Javanese wives caught cheating on their Javanese husbands. Clashes between Javanese and Chinese labourers also occurred caused by women thus further widening existing cultural differences between the two main groups of labourers in British North Borneo.⁵⁹

Over the years, family life was greatly promoted.⁶⁰ Most of the Javanese got married and brought up families. The majority of Javanese women got married to their men folk. Marriages between *kontrakkan* and Singapore-recruited Javanese also occurred. So did inter-marriages with local men.⁶¹ The similarities in religion and culture made inter-marriages easier. Most of these women did not re-engage at the expiration of their indenture contract, but remained as free women on the estate, and took care of

⁵⁴ PRO: CO648/9. AR. Protectorate Department for 1922. p. 58.

⁵⁵ PRO: CO874/358. Sandakan Police Report 1915.

⁵⁶ HCPP: Cmd 1060. Annexure F. Committee on Estate Abuse. 3 May 1920. p. 24.

⁵⁷ PRO: CO648/9. AR. Protectorate Department for 1922. p. 58.

⁵⁸ SSA: Despatches (Court to Gov., 1918). Desertion from Kinarut Estate. Secretary to Pearson. 13 March 1918.

⁵⁹ PRO: CO874/358. Sandakan Police Report 1915; PRO: CO874-511. Governor to President BNBC. 1 December 1927.

⁶⁰ HCPP: Cmd 1060. Annexure F. Committee on Estate Abuse. 3 May 1920. p. 24.

⁶¹ SSA: NBCA 465. Memoranda of Discussion with Viehoff; Interview with Tarmin Marsoh. 27 December 2006.

their families' comforts.⁶² But for working mothers, their busy schedules sometimes posed problems with regard to child care. To tackle this issue, the Dutch Labour Inspector finally suggested that married women with children should be housed together in the same vicinity so that the estates could provide a *baboo* (a local term, probably meant a 'child-minder') to see to the children while their mothers worked.⁶³ Meanwhile, one estate that prohibited marriage among the female coolies was the Sapong Estate. Manager Frank Lease claimed that being in *loco parentis*, he had such a right to protect himself against the loss of labour entailed by the pregnancy of female labourers.⁶⁴ The British Borneo Timber Company (BBTC) and the Batu Puteh Estate were also reported to have separated Javanese couples without the labourers' consent. One coolie, Wongsosoe Karto, of the BBTC, had his wife repatriated to Java.⁶⁵ No reasons could be found in the sources to justify these irregularities.

Additionally, various forms of entertainment were offered such as the establishment of a cinema theatre in Beaufort for the benefit of labourers on several estates around the area.⁶⁶ In 1922, Governor Pearson called for the installation of a cinematograph at Ranau and NDBTCo. estates for the use of their coolies, and assumed that the coolies would not resent a monthly reduction of pay to subsidise the installation.⁶⁷ Football grounds were also provided so that coolies 'could work off any superfluous energy and not give them so much time to loll about and gossip'.⁶⁸ Likewise, schools were established in the 1920s for children of estate labourers. The Sablas Company opened a school for the children of Papar Estate in 1920.⁶⁹ Several other estates followed suit, such as Bongawan, Lingkungan, Langkon and Sapong.

⁶² PRO: CO874/755. Memorandum on Wages.

⁶³ SSA: NBCA 465. Memoranda of Discussion with Viehoff.

⁶⁴ PRO: CO874/752. Notes of interview between the Governor and a deputation of the NBPA. 7 January 1927.

⁶⁵ SSA: NBCA 210. Martyn to Manager BBTC. 18 April 1927; Protector to Manager Batu Puteh Estate. 10 April 1927.

⁶⁶ SSA: Despatches (Gov., to Chairman, 1917). Report on Protectorate Enquiry into Woodford Estate by Horton, Morrell and Maxwell Hall.

⁶⁷ PRO: CO648/9. AR. Protectorate Department for 1922. p. 58.

⁶⁸ SSA: Despatches (Gov. to Chairman, 1918). Owen to Government Secretary. 1 March 1918.

⁶⁹ SSA: Despatches (Court to Gov., 1920). Extract from Mr. Graham's letter of 13 July 1920 to Sablas Board.

Sapong Estate was the most noteworthy, having two schools, one for each sex. Well attended, both schools taught estate children to read and write Malay. The girls were also taught needlework.⁷⁰ Due to lack of support, some schools were closed down within a few years of operation.⁷¹ In 1926, only three schools were maintained by employers of Javanese indentured labourers, i.e. Sapong Estate (17 pupils), Bongawan Estate (27 pupils) and Kinarut Estate (6 pupils). Another school was maintained by Cowie coal mines at Silimponon, for the offspring of Chinese coolies. Also, child-welfare work was carried out at Membakut Estate in 1926.⁷²

The Javanese indentured labourers and all Muslims in the territory were of the Sunni order. Employers were not keen on religious instruction, because there was no evidence in the sources mentioning of any provision for mosque or *surau* (a proper place to pray) on any of the estates. They did not ban Javanese coolies from practising their religion, but spiritual growth was not one of their main concerns. This could be seen from the comment made by the Protector of Labour on a visit to Papar Estate in 1923, namely that 'ample provision for Mohamedan religious ceremonies' could be obtained at Papar district, but none was mentioned on the estate itself.⁷³ Usually, pious labourers doubled up as Imams by night and became spiritual leaders among the Javanese coolie population on estates.⁷⁴ Since all matters concerning *adat* and Muslim law in the territory were left in the hands of the respective native village headmen and elders of the particular community,⁷⁵ any decision on matters pertaining to religion among labourers was left to the Protector of Labour. Any appeal against the Protector's judgement was made to the Governor himself. As late as 1927, the territory was still

⁷⁰ SSA: Despatches (Gov. to Court, 1925). PMO to Government Secretary. 22 January 1925.

⁷¹ SSA: Despatches (Gov. to Court, 1923). Report on Protector's visit to Papar Estate. 6 March 1923.

⁷² PRO: CO648/14. Administration Report 1926. Reported by C.F.C. Macaskie, Inspector of School.

⁷³ SSA: Despatches (Gov. to Chairman, 1923). Report on Protector's Visit to Papar Estate. 6 March 1923.

⁷⁴ Johari Alias. *Pameran Hasil Sumbangan Islam*. Kota Kinabalu: MUIS. 1981. p. 79; Interview with Muslim bin Samsudin. 16 March 2007.

⁷⁵ D.S. Ranjit Singh. 'The Development of Native Administration in Sabah 1877-1946'. in: Sullivan and Leong. *Commemorative History*. p. 102.

deprived of properly qualified authorities on Islamic law, such as *kadi*, *mufti*, and *sheikh ul-Islam*.⁷⁶

However, employers did see religious instruction and custom as another method of social control. During religious occasions, estates with a huge Javanese labour force would organise a big celebration for them, and it became 'a time of much feasting'. On Hari Raya Korban, some employers provided buffaloes as *korban* (sacrifice) for their Muslim coolies.⁷⁷ Likewise, although couples had to seek permission to wed from the estate management, marriages still followed traditional Javanese practices. The wedding ceremony itself took place before a *wakil* Imam (a representative of the Imam). At night, great drumming and dancing could be heard at the Javanese lines. Sometimes, estate officials attended these ceremonies, particularly to watch the *ronggeng*, which was a type of Javanese social dance.⁷⁸ Festivities on estates were usually followed with *gamelan* music (an ensemble featuring a variety of musical instruments) which accompanied the *wayang kulit* or shadow puppets theatre, and the *ketoprak*, a staged play by the coolies. Employers encouraged such social events and supplied them with a venue and musical instruments, i.e. gongs.⁷⁹ As illustrated by Lind, entertainment on Sapong Estate was provided in a 'rough building, set up as a kind of theatre where the Javanese workers and their wives would perform dance drama, and other plays depicting their culture and customs.'⁸⁰

Most employers also strove to give a decent Muslim burial to Javanese indentured labourers who were unfortunate enough to die whilst working on British North Borneo estates. A long standing custom on most estates, prior to 1914, was to

⁷⁶ SSA: Despatches (Gov. to President, 1927). Notes of interview between the Governor and a deputation for the NBPA. 7 January 1927.

⁷⁷ Cook. *Borneo*. p. 24.

⁷⁸ PRO: CO874/511. Protector to Resident Sandakan. 7 November 1927; Interview with Salamah Sajiran. 14 March 2007.

⁷⁹ SSA: Despatches (Gov. to Court, 1923). Report on Protector's visit to Papar Estate. 6 March 1923; BNBH. June 1891. p. 220; Richard Lind. *My Sabah: Reminiscences of a Former State Secretary*. 2003. p. 6; Interview with Salamah Sajiran. 14 March 2007.

⁸⁰ Lind. 'An Estate'. *Daily Express*. 25 July 1993.

dump the bodies of dead coolies wherever convenient, without a proper cemetery, or to leave any record behind.⁸¹ With the increased number of Javanese indentured labourers working on estates, and since they were legally bound by the Dutch Contract to give a proper burial,⁸² most employers sectioned a part of their estates' land to serve as a burial ground for Muslim labourers. The grave-yards were properly fenced, and each burial ground was placed with a *termasu* (a post) with the number of the coolie written on it. These burial sites were only reserved for Muslims because employers knew this would produce a feeling of satisfaction for Javanese labourers working there if they knew their cemetery had been consecrated according to their custom.⁸³ Employers also provided the necessary adjuncts such as coffins and white fabrics, at the cost of the estate. The length of the textile, however, was sometimes short of the 9 yards recommended.⁸⁴

Another way of controlling labour was to erect labour settlements or colonisation huts within the vicinity of the enterprises, or on lands adjacent to them.⁸⁵ Rigorously enforced in the 1920s and 1930s when estates were at the centre of critical economic junctures, labourers still servicing their contracts were allotted miniscule plots, under direct supervision of the estates, until the contract expired. Only a small number of Javanese applied for these allotments and a majority of them felt disinclined to do further agricultural work in their spare time.⁸⁶ Nonetheless, according to Stoler, by doing this, the companies benefited tremendously. Firstly they maintained their 'sovereignty over land and labour'. Secondly, the supply of labour was continuous, in the sense that the coolies remained 'economically dependent on and available to the estates. Thirdly, the maintenance cost was greatly reduced, such that the management of estates indirectly transferred the responsibility of maintaining the costs of labour

⁸¹ SSA: NBCA 647. R.K. Hardwick to DO, Beaufort. 14 October 1914.

⁸² See variations of Dutch Contracts in Appendix 1, 2, and 3.

⁸³ SSA: NBCA 647. Hardwick to DO, Beaufort. 14 October 1914.

⁸⁴ PRO: CO874/552. NBCC. Minutes of Committee Meeting. 13 October 1918; SSA: NBCA 465. Memoranda of the Discussion with Viehoff.

⁸⁵ PRO: CO874/1061. Extract from the Twenty-third Annual General Meeting of Sabias-North Borneo Rubber Ltd. 27 October 1933.

⁸⁶ PRO: CO874/761. Minutes – Extract from *the BNBH* dated 1 February 1934.

power to the labourers themselves, if the alternative option of dismissal was not favoured by the management.⁸⁷

Employers also controlled the labour force by interpreting the loosely formulated regulation on contract extension to their own advantage. Some employers readily prosecuted defaulting immigrants, and at the same time, tightened estate discipline in order to force an extension of their contract. Moreover, the normal practice of some estates, such as the Lower Segama Estate, was to calculate the beginning of indenture on the day the Javanese coolies arrived on their respective estates, and not on the day of signing the contracts in Java.⁸⁸ Out of ignorance, some Javanese indentured labourers continued to work even when they were entitled to a discharge, because they were unable to make the calculations for extension which permitted only 1/3 of the number of days of the original contract. Employers were obliged to notify a Javanese indentured labourer when his or her contract expired,⁸⁹ but the situation failed to improve in the ensuing years. By 1928, the visiting Dutch Labour Inspector had received so many complaints by Javanese coolies that they were not notified of the date of expiry of their contracts. Consequently, notices were posted monthly in each coolie accommodation, giving information of a coolie's contract position.⁹⁰

Statistics revealed that 45 percent of government-imported Javanese re-indentured when the system was in operation, totalling 4,459 (of the 9,969) altogether between 1914 and 1932.⁹¹ This averages more than 200 re-indentured per year. The years with more than 400 re-indentured per annum are 1920 (417), 1929 (636) and 1930 (492).⁹² The majority of government imported Javanese re-engaged under the auspices of the local contract, which had a different wage scheme, and did not have a free repatriation clause to Java. Apart from increasing coolie debt, the strategy

⁸⁷ Stoler, *Capitalism and Confrontation*. pp. 39-41.

⁸⁸ SSA: NBCA 465. Macaskie to Manager, Lower Segama Estate. 11 July 1928.

⁸⁹ PRO: CO874/753. Notes of Interview with Dr. Van Hemert.

⁹⁰ SSA: NBCA 465. Protector to Government Secretary. 25 May 1928.

⁹¹ See SSA: NBCA 980. Quarterly Labour Returns.

⁹² Refer Table 8.2 in Chapter 8.

employed by planters was to treat the labourers 'well' during the first term of their contract, so that they re-engaged under the local contract. Additionally, Javanese coolies were given bonuses when they signed up for a new contract. A popular trend was also to give fresh monetary advances to coolies and write off small debts.⁹³ Ostensibly, a coolie would jump at this cancellation, the prospect of a clean sheet, and some cash in the pocket.⁹⁴ In 1918, Dr. Van Hemert contended that many Javanese were deceived into signing the local contract because they were ignorant and illiterate, and unaware that the new contract contained different terms of agreement, most importantly, the absence of a repatriation clause to Java.⁹⁵ Therefore, attempts by Sekong Estate in 1919 to induce their government-imported Javanese coolies into signing a new one year contract (by dismissing old debts) three months before their two-year contract terminated, were prevented when D.R. Maxwell, Acting Protector, refused to register the new contracts, on the basis that they would 'prejudice Government recruiting of Javanese labour from Java'.⁹⁶

Abuses and Physical Violence against Javanese Indentured Labourers

An ever-present underlying reality in the social relations of life under indenture was the question of abuse and physical violence against Javanese labourers. Humanitarians believed that cases of abuse of power, which sometimes ended in physical violence, were far more frequent than the authorities acknowledged, and not all of them ultimately reached their attention.⁹⁷ Unpublished reports of protectorate officers and the Dutch Labour Inspectors indicated that abuses of power were more intense on some estates than in others, and that these estates were comparatively few.

A form of physical abuse which is likely to have aggravated tension on a minority of estates in British North Borneo was the sexual exploitation of Javanese indentured

⁹³ PRO: CO874/753. Minutes. From Sekong Rubber Co. 17 May 1919.

⁹⁴ PRO: CO874/753. Notes by Governor. 28 September 1923.

⁹⁵ PRO: CO874/753. Notes of Interview with Dr. Van Hemert. See chapter 8.

⁹⁶ PRO: CO874/753. Minutes. From Sekong Rubber Co. 17 May 1919.

⁹⁷ See accusations made by the Anti Slavery and Aborigines Society in, PRO: CO531 series.

women. One of the sources revealed that women coolies at Kinarut Estate were vulnerable to the sexual advances of their superiors. A former assistant manager of the estate had this to say about the Irish manager, E. Fitzgerald Day:

His greatest claim to fame seems to have been his exploits with the female weeders. These weeders whose job it was to keep down the weed growth between the rubber trees, moved from one 'field' to another as the work progressed. Day had an attap shelter in each field and when he rode up to inspect the work, he would dismount, neigh and paw the ground like a restive horse, then choose a girl and take her to the shelter.⁹⁸

It is interesting to note, however, that very little is found in the sources about this form of abuse, where female labourers were forced against their will, and became sexual objects of European employees on estates. Indirectly, this suggests that it was not a common feature in the indentured labour experience of Javanese women in British North Borneo. A major factor could be the presence of European women on estates. Unlike the marriage prohibition on incoming European employees on tobacco plantations in Deli during the late nineteenth century, plantations in British North Borneo accepted married European applicants, and single European men were also allowed to marry while in service.⁹⁹

Some estates' authoritative figures also took matters into their own hands and exercised their own judicial powers towards the coolies for purely industrial purposes, in order to bring them into line. Javanese coolies were beaten, kicked, punched, and slapped. These usually occurred after a verbal reprimand was ignored.¹⁰⁰ Some estates erected a whipping post, where 'recalcitrant' coolies were stripped and whipped.¹⁰¹ Coolies were flogged publicly to deter other coolies from committing the same offences or misbehaving.¹⁰² Whipping was alleged to be of 'the most brutal kind', and was inflicted by managers of estates, or by their orders, without magisterial

⁹⁸ SSA: KSP.24/M/3. Allan Yin Chin Foh. 'Early Days in the Kinarut Estate'

⁹⁹ Ann Stoler. *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule*. University of California Press. 2002. p. 29.

¹⁰⁰ HCPP: Cmd 1060. Enclosure 2 in No.1. North Borneo. Testimony by de la Mothe. 20 August 1919. p. 5.

¹⁰¹ SSA: KSP.24/M/3. Allan Yin Chin Foh. 'Early Days in the Kinarut Estate'.

¹⁰² Lind. 'An Estate'. *Daily Express*. 25 July 1993.

conviction and authority. A manager admitted he once flogged a coolie using a rubber tube.¹⁰³ Javanese coolies also complained of being ill-treated by the estate 'police', being subjected to beatings, extortion and threats.¹⁰⁴ For instance, every so often, at a nod from the manager, the *opases* at Sapong Estate administered floggings and brutally assaulted coolies by striking them in the face and knocking them down.¹⁰⁵

Estate gaols were outlawed in the territory in 1914, but a twenty-four-hour detaining area was allowed in the estate where recalcitrant or violent coolies were kept, before they were removed to a government lock-up. Allegedly, there was a flagrant abuse of this provision, because a Company official disclosed that in some estates, coolies were left incarcerated for days as a punishment for industrial offences.¹⁰⁶ Pillories were used in the estate lock-up. Some of them spent long terms in the gaol, during which time they were compelled to do estate work, even on Sundays and public holidays, under the watchful eyes of the estate private 'policemen'.¹⁰⁷

Throughout the period of indenture (1914-1932), the Protectors of Labour occasionally reported episodes of abuses inflicted on Javanese coolies (and other coolies) in British North Borneo. Reasons for physical abuses included being late for muster, unfinished tasks, poor quality of tapping, insubordination, malingering, absenteeism and desertion.¹⁰⁸ As early as 1914, constant ill-treatment and physical violence towards Javanese coolies culminated in the death of F.C. Pauw, the Manager of Melalap Estate.¹⁰⁹ In April of the same year, A. Hoffman, Manager of Lingkungan Borneo Rubber Maatschappij, was fined \$400 under Section 438 of the Indian Penal Code for wrongfully incarcerating a Javanese coolie for the purposes of extorting

¹⁰³ HCPP: Cmd 1060. Enclosure 2 in No.1. North Borneo. Testimony by de la Mothe. 20 August 1919. p. 5.

¹⁰⁴ Examples can be found further in the chapter.

¹⁰⁵ HCPP: Cmd. 1060. Enclosure 3 in No.1. 'In the matter of the treatment of coloured employees on estates in British North Borneo'. p.6.

¹⁰⁶ Cook. *Borneo*. p. 33.

¹⁰⁷ HCPP: Cmd. 1060. Enclosure 3 in No.1. 'In the matter of the treatment of coloured employees on estates in British North Borneo'. p. 6.

¹⁰⁸ See, SSA: NBCA 906; SSA: NBCA 465; SSA: NBCA 231.

¹⁰⁹ *BNBH*. 2 March 1914. p. 38.

information regarding a theft committed on the estate. This case came to light when the estate's entire Javanese labour force marched to the District Officer's office in Beaufort to make the complaint.¹¹⁰ Two years later, the 'Holman Affair' stood out. In May 1916, the Assistant Manager of Bongawan Estate, O.C. Holman, and his subordinate, Mandur Ali (of Bajau origin) were convicted at Papar Court for causing hurt to 12 Javanese men and women coolies.¹¹¹ Holman had urged Mandur Ali to beat both men and women, and on occasions when the *mandur's* efforts were not sufficiently drastic, Holman took the stick from him and continued the punishment himself.¹¹² Mandur Ali was charged with striking Javanese women with a stick and kicking them in the stomach. He was imprisoned for three months and fined \$30. Meanwhile, Holman was fined \$135. On six cases of assault, each complainant agreed to a compound, \$15.00 for each woman, and \$10.00 for each man.¹¹³ By the late 1920s, the anxiety concerning reports of abuse on Javanese labourers imported from Java became more acute. In 1929 the Resident of Kudat reported four cases of assault and hurt on four Javanese labourers (Abdul, Kromotaruno, Kartoredjo, Madsari) by H.A. Somerville, an Assistant Manager of Pitas Estate. The accused, deemed quick-tempered, was sentenced to a fine of between \$1 and \$5 by Magistrate E.W. Morrell.¹¹⁴

Following the imposition of bans on particular estates by the Dutch Labour Inspector, pending the removal of certain bad characters accused of abusing their power, Worth (Officer Administering the Government) instructed Martyn (Protector of Labour) to inform the respective estate managements that they were to do as ordered if they wanted the ban to be lifted. Should they fail to take any action, the government would not recommend them as suitable importers of Javanese labourers.¹¹⁵ All estates complied with the NEI requirements. Problematic individuals were discharged, and the

¹¹⁰ PRO: CO874/587. Governor to Chairman BNBC. No. 1636/14. 24 May 1914.

¹¹¹ SSA: NBCA 906. Ill-treatment of Javanese Coolies at Bongawan Estate.

¹¹² SSA: NBCA 906. R.G.L. Horton, Acting Protector of Labour, to Government Secretary. Prot 167/16. 16 May 1916.

¹¹³ SSA: NBCA 906. Horton to Government Secretary. Prot 167/16. 16 June 1916.

¹¹⁴ SSA: NBCA 533. Copy of encl. 2, G.S.O. 1160/29. Extract from H.E.'s despatch No. 415.20 July 1929.

¹¹⁵ SSA: NBCA 465. Minutes to Protector. G.S.O. No. 1144-28. Memo No.1.

welfare conditions of Javanese coolies were improved. Most significantly, Frank E. Lease, who single-handedly managed Sapong Estate since 1905, a formidable and vocal figure within the planting circle, was sacked in 1928 by the estate headquarters in London.¹¹⁶ Dutch Inspector Viehoff had initially suspended the supply of Javanese labourers to Sapong Estate, as long as Lease retained the management.¹¹⁷

The *mandurs* posed the greatest threat to the well-being of the coolie population, because they were in direct contact with Javanese indentured labourers. Each *mandur* was in charge of 15 to 20 coolies, and his tasks were to divide the workload among the coolies, and to supervise the execution of the work.¹¹⁸ Their power was enough to control and intimidate coolies. Since their earnings depended on the achievement of their subordinates, they were frequently accused of oppressing and ill-treating Javanese coolies, to the point of physically abusing them, to force them to perform harder. Such was the case reported to Dutch Labour Inspector Viehoff in 1928. Two Javanese coolies, Dul Sajoeran (No. 987) and Estat (No. 402) of Sapong Estate, reported that they were slapped by Mandur Rakim on different occasions in April that year while working the field, and the slap was so severe on the latter that he fell to the ground. Two other Javanese labourers accused Mandur Rakim of extortion. A coolie called Kastari borrowed \$5 from the *mandur*, and had to repay \$9.50, while Kardi had to repay \$5 instead of the \$1.50 he borrowed.¹¹⁹ Hence, a *mandur* not only expected hard work from his subordinates, but also controlled their financial position. Some overseers had the tendency to disburse small loans to desperate members of their gangs, or induce labourers to purchase gold ornaments on credit. Coolies were expected to repay the lender at exorbitant interest, when a bonus had been received for re-engagement.¹²⁰ Both acts were punishable offences under Section 36 of Ordinance 9/1916. Sometimes, an overseer was entrusted to pay a coolie's wages,

¹¹⁶ Lind. *Daily Express*. 25 July 1993.

¹¹⁷ SSA: NBCA 465. Macaskie to Acting Manager of Sapong Estate. Prot. 336/28. 29 June 1928.

¹¹⁸ PRO: CO874/437. Copy of letter from Hadow and Pinckney. 10 April 1916.

¹¹⁹ SSA: NBCA 465. Complaints to Mr. Viehoff against Mandore Rakim of Sapong Estate.

¹²⁰ SSA: NBCA 465. Macaskie to Acting Manager of Sapong Estate. Prot. 336/28. 29 June 1928.

thus further controlling the coolies. It was not surprising that overseers were, more often than not, accused of physical abuse, theft, extortion, blackmail and other forms of abuse.

The reaction of persons of authority (estate management and government officials) towards accusations of ill-treatment committed by estate overseers was quite ambivalent. On the one hand, an overseer was not fully accepted and trusted by the management because he still, after all, belonged to the labouring class. On the other hand, since an overseer linked the world of the coolies with the world of the management, in what Breman termed a 'relationship of dominance and subordination',¹²¹ employers did not want to give the impression that any complaint to the local protectorate office would lead to the dismissal of the overseer. Such action was seen as undermining the credibility of the managerial staff. Similarly, it became significant, and obvious, that the Company government was generally more lenient towards the estate and its staff if the victim was not a Javanese coolie. This was exemplified by Governor Pearson's advice to a manager of an estate to gradually replace his staff of overseers involved in a fracas with Chinese labourers because 'any wholesale dismissal ... would ... be regarded by the labour force as a direct result of the disturbance, and would encourage every man with a grievance to take the law into his own hands'.¹²²

Conversely, the policy of the colonial state relating to Javanese, particularly government-imported indentured labourers, was very precise. Javanese indentured labourers were to be protected, not on moral and humanitarian grounds, but owing to the business arrangement with the Dutch authorities, and the economic future of the territory. When the 'Holman Affair' occurred in 1916, the Court of Directors viewed the matter seriously. Indeed, the Court was nervous that the affair would reach the ears of

¹²¹ Breman, *Taming the Coolie Beast*, 1989, p. 136.

¹²² SSA: NBCA 231. Governor Pearson to Chairman BNBC. 22 November 1917.

the NEI authorities or the Governor of the Straits Settlement, and compromise the future recruitment of Javanese labourers for the territory, from both Java and Singapore.¹²³ The case was never mentioned in the year's published annual report, and its exclusion was probably premeditated, to avoid this potential problem. The punitive punishment inflicted on Holman by the Beaufort magistrate was deemed insufficient by the Court, even though the presiding magistrate, D.R. Maxwell, was renowned for his diligence and fair judgement.¹²⁴ Further chastisement awaited Holman out of court, and his attempts to secure another position in the territory were obstructed by the Company's administration. A few potential employers received letters from the government, 'advising' them against employing Holman. Holman was almost banished from the territory by law, but eventually, his status as a British subject saved him.¹²⁵ He was provided with a free ticket to Singapore at the government's expense, and left the territory in September 1916.¹²⁶

As a result of this incident, the government became even more vigilant in stemming potential abuse. The affair offers a convincing argument that the BNBC would not compromise on the matter of labour supply provided by Javanese indentured migrants. One could not help but think that Javanese indentured labourers in the territory were 'untouchable' in certain areas, having more privileges and bargaining power than their coolie contemporaries of different ethnicity. Every assault inflicted on a Javanese labourer had to be reported to the Governor, who would then relay the matter to the Court of Directors in London. Each estate was required to submit labour returns specifying the number of instances of abuse inflicted by Europeans on Asiatics.¹²⁷

The Protectors of Labour, as well as the judiciary, constantly asserted that every facility was provided for the Javanese immigrants to complain to the protectorate

¹²³ SSA: NBCA 906. 'Harington G. Forbes, Secretary BNBC, to The Secretaries, Bongawan Rubber Ltd. 10 January 1916'.

¹²⁴ See Chapter 5.

¹²⁵ SSA: Despatches (Gov. to Court, 1916). Governor to Chairman. 16 October 1916.

¹²⁶ SSA: NBCA 906. Governor to Chairman. 22 September 1916.

¹²⁷ SSA: Despatches (Chairman to Gov., 1918). Secretary BNBC to Governor Pearson. 2 May 1918.

officers when they visited the estates, or through the agency of the management. Nevertheless, on occasions, illegal methods of labour control escaped the attention of the authorities, because employers omitted to facilitate Javanese labourers in making a complaint.¹²⁸ Moreover, very few Javanese immigrants brought formal complaint against their employers, and in common with other non-Javanese labourers, often declined the offer of the Protector to bring a prosecution.¹²⁹ The lack of complaints, however, did not necessarily mean the absence of grievances. The presence of the employer during inspections discouraged Javanese labourers from testifying against their superiors, and coolies normally complained in their absence. Moreover, '...when coolies were seen in the presence of Estate officials whose guest the Inspector is for the time being, they would be very unlikely to have the courage to state any grievances.'¹³⁰

Numerous complaints by government-imported Javanese, and Javanese coolies generally, were only received in the presence of the Dutch Labour Inspectors, whom they believed could be trusted to protect their welfare. When scores of complaints were received in 1927 by Baron van Lijnden, and Macaskie (Protector) who accompanied him, the latter took the liberty to withhold the rights given to employers to be present during an inquiry. Employers only had to be within the estate's vicinity to answer any allegations thrown at them.¹³¹ Nevertheless, it did little to allay fears of the government-imported Javanese because the whole system put coolies under constant pressure not to complain for fear of retaliatory action by the estate officers. Even if a coolie did bring a formal complaint, sometimes his or her case was dismissed from the lack of evidence and witnesses.¹³²

¹²⁸ SSA: NBCA 906. Horton to Government Secretary, Prot 167/16. 27 May 1916.

¹²⁹ SSA: NBCA 231. Pearson to Chairman, BNBC. 1839/17. No. 914. 22 November 1917.

¹³⁰ PRO: COS31/14. Buxton and Harris, to Under Secretary, 5 February 1920.

¹³¹ Refer Chapter 5 for more details.

¹³² SSA: NBCA 465. Complaints to Viehoff against Mandore Rakim of Sapong Estate.

Also, they looked at the court as an extension mechanism for labour control. The magistrates were generally depicted as pro-management, and this assumption was linked by similarities in race, class, social interactions, and cultural prejudices against the Asians. Owen Rutter described that he had occasionally fined a planter for assault, and later made amends by inviting the planter for a *tiffin* (a courtesy snack).¹³³ Hence, when a coolie was punished by the magistrate for breach of contract, indentured coolies viewed the magistrate-cum-Assistant Protector of Labour as a foe rather than a friend, more so after witnessing close fraternisations between the supposed 'protectors' and their employers.¹³⁴ Additionally, the coolies were disadvantaged by legal procedures because they were illiterate, and unable to communicate effectively with the magistrate because of language constraint. Few of the newly-arrived immigrants were proficient in the local Malay language, which was spoken in court. The unavailability of a Javanese or Sundanese interpreter (although this was rectified in 1927) provided by the Protectorate Department also placed the immigrant Javanese at a serious disadvantage before the magistrate. Worse still, the patience of magistrates was also compromised because of language problems. A European magistrate once remarked that after listening to evidence given in a foreign language, sifting through it and mentally recording potential questions, he was left weary of the whole situation.¹³⁵ It would not be surprising if this culminated in sentences that were prejudicial to the coolie. As noted by Bernard A. Platt, the territory's Judicial Commissioner in 1916, there were a 'rare few' magistrates who showed 'a little laxity' in administering justice.¹³⁶

Nonetheless, as described in earlier paragraphs, the rights of employees were also upheld by magistrates. And when employers of labour lost in court, it normally left them incensed because they thought that 'as little gods or kings upon their estates ...

¹³³ Rutter. *British North Borneo*. p. 153

¹³⁴ PRO: CO531/14. Buxton and Harris, to Under Secretary. 5 February 1920; PRO: CO874/575. Bernard A. Platt, Judicial Commissioner, to Government Secretary. 1 September 1919.

¹³⁵ Bruce. *Twenty Years in Borneo*. pp. 74 and 76.

¹³⁶ PRO: CO874/575. Governor No. 559. AR. Judicial Department for 1916. 30 June 1917.

their word was enough; that if they accused a coolie of an offence he must be convicted; ... and [they] were perfectly indifferent to the value of evidence...'.¹³⁷ A magistrate showing sympathy to the coolie population was labelled as a 'bad one', and accused of causing trouble at places of labour because of 'deteriorating' discipline among its coolies.¹³⁸ Some planters' used their influence amongst the European administrative circle to dispose of 'difficult' government officials. For instance, Manager Lease of Sapong Estate succeeded in 'pulling the right strings' when the magistrate (Oscar Cook) who convicted him of assaulting his labourers, was transferred to a different district.¹³⁹

Punishment by the Colonial-State

Although some estate officials took matters into their own hands in punishing coolies, most recalcitrant coolies were handed over to the colonial state for chastisement. The colonial state could impose penal sanctions for breaches of contract. The conditions of life, while under the indenture of government-imported Javanese, could be gleaned from the statistics on convictions and punishments for breach of contract. This information was included in the labour reports of the Protectorate Department, but unfortunately separate data on each ethnicity were not available. On government-imported Javanese, this information could be found in the labour returns submitted quarterly to the NEI authorities, but this information was only included in the returns from the second quarter of 1927.¹⁴⁰ The timing actually coincided with the visit of the Dutch Labour Inspector, Baron van Lijnden, so it was possible that he demanded this item to be included in the labour returns.

Convictions of government-imported Javanese under the Labour Ordinance, between April and December 1927 totalled 170 cases (2nd quarter (43), 3rd quarter (62),

¹³⁷ Cook. *Borneo*. p. 209.

¹³⁸ PRO: CO874/511. Ling to Chairman, NBTCo. Ltd. 25 May 1921; Cook. *Borneo*. p. 205.

¹³⁹ Cook. *Borneo*. pp. 33-34.

¹⁴⁰ SSA: NBCA 980. Quarterly Labour Returns 1927.

4th quarter (65)), out of the 766 labourers overall punished for breach of contract. Assuming that between 200-240 government-imported coolies were convicted for the year, based on the average of 57 convictions for each of the last three quarters, the rate of punishment for government-imported Javanese for the year was between 26 and 31 per hundred. However, if calculated based on the total population of government-imported Javanese (around 6,400 coolies) on 31 December 1927, the rate of punishment for breaches of contract was relatively low, between 3.1 and 3.7 per hundred. This roughly corresponds with the punishment inflicted on all labourers in the territory for that year.

The number of punishments inflicted on labourers in British North Borneo is shown in Table 7.1. Convictions of coolies were generally higher in the 1910s and the first half of 1920s, ranging from 4.0 to 8.8 per 100. Employers rigorously prosecuted and convicted coolies from 1918-1921 because it was a period of high inflation, and incidences of desertions and labour unrests were quite common. After a steady decrease, the rate of conviction cases rose again in 1925-1926, but the figures had never reached the level of the 1910s. There was an economic revival with the boom in rubber prices, which witnessed an increase in the level of production.¹⁴¹ The imperatives of the economic revival played a part in the harshness of the discipline. More forceful methods were used by people in authority to increase production to meet targets, secure profit and their commission. At times like this, they looked at coolies as just that – coolies, who were paid for their labour. As long as ‘their pulse is normal, their tongue clean, and they have no temperature’, overseers had no understanding or sympathy for ‘*sakit panat*’ (tiredness).¹⁴² It was likely that workers showed some form of resistance, resulting in prosecutions and convictions.

¹⁴¹ See Appendix 1 on Total Exports of Rubber (in Tons and in £)

¹⁴² Cook. *Borneo*. p. 204. ‘Panat’, meaning ‘tired’, is now spelled ‘penat’ in the current Malay language.

Table 7.1

Coolie Punishments and Desertions in British North Borneo per hundred (1915-1932)

Year	Punishment	Desertion	Year	Punishment	Desertion
1915	5.5	7.6	1924	4.4	7.5
1916	5.6	6.9	1925	4.8	7.0
1917	5.6	4.5	1926	4.9	6.2
1918	7.0	5.0	1927	3.8	4.3
1919	6.6	5.5	1928	2.8	5.3
1920	8.8	6.9	1929	2.3	5.2
1921	6.2	8.1	1930	2.3	n/a
1922	5.0	8.5	1931	0.6	n/a
1923	5.0	9.1	1932	0.1	n/a

Source: PRO: CO648 Administration Reports, relevant years.

However, it has to be mentioned that employers and the colonial administration were very cautious about prosecuting Javanese indentured labourers because of their 'special' status in British North Borneo. If possible, the authorities avoided prosecuting them altogether. The threat of penal sanctions was only used to subdue Javanese labourers. The depiction by Cook, illustrating a visit he made to Labuk Estate prior to the closure of the estate in 1918, concurred with this sentiment:

I had spent the night on the Estate and had arranged to return to Klagan the following morning, but before leaving had promised to walk to a distant division and harangue some Javanese coolies who were inclined to be troublesome. There was no question of a prosecution; I was only to remind them of the obligations of their contracts and the possible consequences if they were forgetful.¹⁴³

Yet, Cook asserted that even if penal sanctions were used to punish obstinate coolies, they were not excessively used. He rejected as nonsensical the general perception among the critics of indenture at that time that indentured labour was atrocious and akin to slavery. Cook believed that 'every contract in the world has within it the germ of slavery', and that disciplinary measures or penal sanctions, did not necessarily constitute ill-treatment or brutality, as proclaimed by critics of indenture.¹⁴⁴ As part of the administrative circle in British North Borneo during his heyday, Cook's personal convictions were hardly surprising.

¹⁴³ Cook. *Borneo*, p. 205.

¹⁴⁴ Cook. *Borneo*, pp. 108-110.

The main infractions committed by Javanese coolies included desertion, vagrancy, absenteeism either from labour, or from work without leave, refusal to work, and insubordination.¹⁴⁵ Generally, employers did not prosecute, showing a mildness in terms of the type of indenture system applied to the Javanese, but other illegal methods of punishment were practised, such as imposing fines and wage deductions. On a minority of estates, even the smallest breach of estate regulations on occasions furnished grounds for prosecution. The stance taken by these employers was that as long as their methods of administration were strictly within the confines of the law, external parties (including the government) had no right to interfere with the way an individual estate was managed.¹⁴⁶ Conspicuously, Sapong Estate, which employed a large number of Javanese coolies, had been singled out for its excessive number of coolies charged yearly before a Magistrate Court, compared to figures shown by other estates. Based on the summary of labour returns for 1921, Sapong Estate (Interior Residency) headed the list of estates, with more than one hundred convictions under the Labour Ordinance, with other estates averaging 30-40 convictions a year.¹⁴⁷ In 1925, Sapong Estate again recorded 100 convictions, followed closely by Membakut Estate (97), Ranau Tobacco Estate (83) and New Darvel Bay Tobacco Estate (80).¹⁴⁸ Convicted coolies were punished with criminal penalties, either by fines, rigorous imprisonment or whipping (prior to 1922). Indeed, from 1915-1927, a total of 9,846 estate labourers out of an average 18,000 labour force, had seen the insides of government prisons throughout the territory.¹⁴⁹ Whipping became optional in 1921, and during the second half of the year, there were 494 sentences of alternative whipping or imprisonment. Of these, 200 cases had selected whipping. During the first six months of 1922, 134 out of 337 persons sentenced to optional punishment elected whipping.¹⁵⁰

¹⁴⁵ PRO: CO648/7-15. AR. Constabulary Department, relevant years.

¹⁴⁶ PRO: CO531/14. Report by Pearson and Elphinstone. Annexure E. 8 April 1920.

¹⁴⁷ PRO: CO648/9. Schedule. Summary of Quarterly Labour Returns for 1921.

¹⁴⁸ PRO: CO648/11. Schedule C. Summary of Labour Returns For the State for the Year Ending 3 December 1925, in AR. Protectorate Department for 1925.

¹⁴⁹ PRO: CO648/7-14. AR. Protectorate Department, relevant years.

¹⁵⁰ PRO: CO531/16. Secretary to Under Secretary of State, Colonial Office. 13 November 1922.

Resistance

The stringent disciplinary control and social discordances described above affected the Javanese indentured labourers in many ways. Their responses to these were expressed through indirect and open resistance. Indirectly, Javanese indentured coolies feigned illness, and often employers accused them of malingering. Also, another form of indirect resistance was suicide, and one can occasionally see the term 'suicide' listed as one of the causes of death in the Quarterly Labour Returns. Suicidal coolies apparently suffered from fits of depression, and were deemed to have 'unsound minds'.¹⁵¹

The most common type of indirect resistance among the Javanese indentured labourers in British North Borneo was desertion. Statistics on desertion are shown on Table 7.2 for the years 1915-1932. The statistics however, must be viewed with caution, owing to different interpretations of the term 'deserter' ascribed by employers of labour. Some managers had entered as a 'deserter' a man who was absent for over 24 hours, and so technically had 'deserted'. Others had entered only those whose desertion was reported to the police.¹⁵² The table shows that almost a thousand or more coolies attempted to abscond every year. The average success rate is impressively high, at more than 70% each year, except for 1915 and 1925 which recorded 62% and 58% respectively. Unrecovered desertions overall remained high throughout the indentured labour period, running at an average of about 4.5% of the total number of coolies during the second half of 1910s, and reaching alarming levels in the 1920s with an average of 6.1% between 1920 and 1925. Desertion increased due to higher wages and lighter work offered by small holders who could afford to pay such wages owing to an increase in the price of rubber.¹⁵³ Interestingly though, the desertion percentage for unrecovered coolies for 1925 was 5.22 as against 5.91 in 1921, the year preceding the abolition of whipping as a penalty on conviction. The Protector of

¹⁵¹ PRO: CO648/9. AR. Constabulary Department for 1920, by Major H.S. Bond. p. 53.

¹⁵² SSA: Despatches (Gov. to Chairman, 1917). Governor to Chairman. 7 March 1917.

¹⁵³ PRO: CO874/505. OAG to President BNBC. 22 June 1925.

Labour claimed that this drop in the desertion rate significantly proved that the relaxation of penal labour legislation was not followed by the 'evil' results predicted by many employers of labour.¹⁵⁴

Table 7.2

Year	Total Desertions	Recovered	Unrecovered		Total Labour Force
			Overall Total	Government-Imported Javanese	
1915	1179	448	731	1	15,513
1916	1180	332	848	10	17,172
1917	938	177	761	17	20,940
1918	1035	185	850	23	20,746
1919	1179	244	935	14	21,487
1920	1436	303	1133	18	20,924
1921	1345	252	1093	30	16,540
1922	1355	235	1120	12	15,923
1923	1469*	331	1138	13	16,179
1924	1260	293	967	14	16,852
1925	1242	348	894	12	17,680
1926	1153	239	914	19	18,491
1927	880	212	668	48	20,401
1928	1006	423	583	34	18,724
1929	965	326	639	27	18,534

CO648/7-14. AR. Protectorate Department, 1914-1932, relevant years.

*Inclusive of native labourers who failed to return to the Estates at expiry of their leave under the Indigenous Labour Scheme. After that, estates were instructed to distinguish between actual desertion and such native labourers who refused to return to the Estate after visiting their villages, when submitting their Returns.

As for the government-imported Javanese, a total of 317 or 3.18 percent successfully absconded, of the 9,969 imported under the NEI permit throughout the years the system was in operation.¹⁵⁵ Between 1914 and 1918, desertions were high from U Kubota Estate, Tawau Kuhara Estate, Bongawan Estate and Kimanis Estate, some of them unrecovered.¹⁵⁶ In the late 1910s and throughout the 1920s, desertions from Sapong and Melalap estates were the highest. In fact, at the former, 9 Javanese out of a gang of 29 newcomers successfully absconded within a few hours of their arrival.¹⁵⁷ From 1923 until the end of 1929, unrecovered Javanese deserters (of various types of contracts) totalled 2,418, averaging 300 deserters each year. This figure is

¹⁵⁴ PRO: CO648/9. AR. Protectorate Department for 1921.

¹⁵⁵ Computed from figures available on Table 7.2.

¹⁵⁶ PRO: CO648/8. AR. Protectorate Department for 1918; PRO: CO874/358. Jesselton Police Report for 1915, by Acting Chief Police Officer.

¹⁵⁷ HCPP: Cmd. 1060. Annexure E. Report by Pearson and Elphinstone. 8 April 1920.

slightly lower compared to the number of Chinese deserters recorded during the same period which totalled 3,070.¹⁵⁸ This shows that a high rate of desertion was not exclusive to one particular group of labourers, but was a common phenomenon among labourers working under written contract on British North Borneo estates. Communication problems and an insufficient means of identification accounted for a certain proportion of unrecovered deserters.¹⁵⁹ Moreover, a larger proportion escaped in boats to neighbouring territories, particularly Brunei, because absconders did not need to pass through or go near any government station, or police posts.¹⁶⁰

Reasons for desertion varied. The biggest lure was the attraction of higher wages offered by other estates.¹⁶¹ Also, some coolies deserted as a response to the abuses inflicted by estate management and overseers, and the repeated imposition of sentences, legal or illegal, that often linked with mounting tensions and accumulated frustrations. Notably, the desertion rate for Sapong Estate was consistently high throughout the period under study, and was even exclusively singled out by the Anti-Slavery Society for investigation. Naturally, the Commission of Enquiry on Estate Abuses did not specifically mention ill-treatment (the true position of ill-treatment by Sapong Estate was only revealed during the visits of the Dutch Labour Inspectors in 1927 and 1928), but the results of excessive and rigid discipline observed on the estate, and the fact that the management exacted the utmost from the labour force.¹⁶²

Employers were quick to blame the high rate of desertions on the ethics of coolies, whose main objective was to secure an advance of wages, and then abscond as soon as possible. This *modus operandi* was usually associated with 'professional' deserters, who were blamed for the tremendous increase in the territory's desertion

¹⁵⁸ PRO: CO648/9-14. AR. Protectorate Department, relevant years.

¹⁵⁹ SSA: Despatches (Gov. to Chairman, 1917). Governor to Chairman. 7 March 1917.

¹⁶⁰ PRO: CO531/14. Annexure E. Report by Pearson and Elphinstone. 8 April 1920.

¹⁶¹ SSA: Despatches (Chairman to Gov. 1915). J. Hatton Hall to Secretary, Beaufort Borneo Rubber Ltd. 9 October 1915.

¹⁶² PRO: CO531/14. Annexure E. Report by Pearson and Elphinstone. 8 April 1920.

rates during much of the 1920s, particularly between 1922 and 1923.¹⁶³ They were mostly '*laukehs*', or old hands, and they absconded soon after receiving monetary advances or bonuses upon recruitment or re-engaging, a common practice in British North Borneo. Others allegedly absconded because they felt *tidak senang hati* (restless) or 'homesick'.¹⁶⁴ The rise in desertions towards the end of the decade reflected either growing dissatisfaction among the coolies, or increasing tensions in the relationship with the employer.

Employers also 'assisted' in these desertions during certain economic junctures. When the rubber slump occurred in 1921, most estates reduced their labour force, with many employers turning a blind eye when coolies deserted, and decided against pursuing and prosecuting runaway coolies, hence the high rate of desertion of 81.3 per 1000, against 62.1 per 1000 conviction. As reported by D.R. Maxwell, the Acting Protector of Labour, '... the rubber slump compelled Estates to reduce their labour force, the desertion of certain types of labourers became in the eyes of some employers a quasi- virtuous act, which was positively, if not actively, assisted'.¹⁶⁵ In fact, 30 Javanese coolies recruited under the Dutch permit absconded that year, the highest crude figure ever recorded before 1927. A similar situation could be seen during the last few years of the 1920s where more than 100 government coolies absconded between 1927 and 1929 alone.¹⁶⁶ In view of the intensity of the rubber slump and the Depression, estates became anxious to reduce their labour forces, whose indentures stipulated wages and conditions which could not be met. Efforts were successfully made to induce the labourers to break their contracts. Most significantly, by allowing coolies to desert, employers saved on charges incurred by repatriating Javanese coolies to Java, a right which had always been insisted upon by the NEI authorities.

¹⁶³ PRO: CO648/9. AR. Protectorate Department for 1922-1923.

¹⁶⁴ PRO: CO648/9. AR. Interior Residency 1923.

¹⁶⁵ PRO: CO648/9. AR. Protectorate Department for 1921, by D.R. Maxwell. p. 56.

¹⁶⁶ See Table 7.2.

Although the Javanese were stereotyped as being more 'docile' and able to endure suffering better than Chinese labourers, violence was not uncommon among them. On the temperament of his Javanese labourers, a prejudiced planter had this to say:

It cannot be said that Javanese are satisfactory labourers. I feel bound – in duty to my fellow planters to write in plain language regarding these people. They are by nature vicious and delinquent. I have 18 years experience of coolie labour in India and Borneo, and I say without hesitation that the Javanese are the lowest and most degenerate race that I have encountered. They have marked homicidal tendencies; they are dangerous people. Their morals are practically non-existent. A dog or a cat will show more appreciation of kindly treatment. To heap concessions and relaxations of discipline on these people is utter folly. The deplorable condition of affairs in Sumatra is solely due to such a policy, and any further weakening or modification of discipline in Borneo will produce the same results.¹⁶⁷

Acts of revenge by a Javanese labourer against his or her employer or property was a common form of resistance. Retaliation by coolies was meant to carve out spheres of autonomy for themselves in the midst of all the constricting limitations of the system. It is worth mentioning that most resistance was not brought to bear exclusively by government-imported coolies under the Dutch Contract alone, but was a collective action by all Javanese working in the particular enterprise, regardless of the type of contracts they were in.

Among the more overt and identifiable forms of resistance committed by Javanese coolies would be the various acts against the property of the enterprise, physical rebellion, either against an authority figure in the enterprise, or by way of collective action as a strike. Lone acts of resistance included sabotage, such as the obstruction of transportation on the enterprise, injuring crops and rubber trees, and the destruction of estate property.¹⁶⁸ Arson was the most common act by coolies to protest their lot. Two cases of arson were reported from Marudu Bay in 1915, and in 1919, and four tobacco drying sheds at Ranau Tobacco Estate were set alight. The kitchen premise of an empty bungalow at Mawao Estate was burnt down in January 1921,

¹⁶⁷ SSA: NBCA 533. Carew, Manager of Lingkungan Estate, to Protector. 3 September 1929.

¹⁶⁸ See PRO: CO648. AR. Constabulary Department for 1920, 1921, 1922.

presumably because coolies in one coolie line were stopped from playing dominoes, while those in another line were allowed to continue.¹⁶⁹

The most feared manifestation of coolie discontent in the world of indentured labour was physical assault against the management. Hands-on managers and overseers were often the targets of outbursts of physical violence which sometimes resulted in grievous bodily harm, or even death. The motivations for these outbursts were many. Among others, these outbursts were attributed to the constant fining on wages and commissions, whereby coolies felt that they had been unjustly punished, and that their wages had been deducted as a result of these punishments. The general practice of hitting coolies by all those in authority on every possible occasion also incurred labourers' wrath, not to mention heavy task work, the high price of goods (especially rice) and disputes over women. Overseers and *opases* were also regarded as *sombong* (arrogant) and overbearing, and attacks on them were meant to teach them a lesson.¹⁷⁰ During these attacks, the weapons used included tapping knives, rakes, *changkol* (hoe), *parang* (machete), and *pisau blati* (small knife).¹⁷¹

As early as 1914, the planting circle in British North Borneo was shocked by the death of F.C. Pauw, the Manager of Melalap Estate, and his assistant, F.J.F. Legatt, as a result of assault by 80 Javanese coolies, of whom 22 were newly-arrived immigrants. The attack however, was not calculated, and it was triggered by 'a blow with a stick' on a Javanese coolie named Abdullah, after a verbal reprimand was ignored. His other comrades later joined in the attack.¹⁷² Also, on 19 May 1921, a Javanese head-*mandur* at Sekong Estate, who continuously oppressed and ill-treated his Javanese labourers, was attacked by his subordinates, and almost burned down his

¹⁶⁹ PRO: CO874/511. Extract from Governor Pearson's No. 108, 14 February 1921. 'Various Matters'.

¹⁷⁰ SSA: NBCA 231. Prot. 469/17. Lok Kawi Estate Riot; PRO: CO874/475. Diary Reports.

¹⁷¹ Lind. *Daily Express*. 25 July 1993; *BNBH* 2 March 1914.

¹⁷² SSA: *BNBH*. 2 March 1914. p. 38.

house.¹⁷³ In self-defence, the *headmandur* fired on the rioters with a shot-gun, wounding eight men. Seven ringleaders were imprisoned by the Sandakan Magistrate Court, and the rest were ordered back to work by the Assistant Protector of Labour, after a \$2.00 fine each.¹⁷⁴ Javanese overseers at Sekong Estate and Ranau Tobacco Estate were also murdered by their subordinates due to jealousy over women.¹⁷⁵

Another regular form of resistance in the enterprise was strike activity, although its extent is difficult to measure from the official Protectorate records, since local officials tended to gloss over the difficulties involved. However there were a number of collective discontent that did reach the official tallies, some more serious than others. They were mainly isolated incidents and confined to individual estates. Strike activities were indications that largely covert forms of protest had failed, and that the normal networks had broken down. A specific incident sufficed to trigger them. The open resistance that did occur was often the result of Javanese coolies having their existing conditions reduced in some way, such as reduced wages or rations, the direct assault of a co-worker, and in support of a specific demand, i.e. holiday.

Among the notable collective resistances organised by Javanese coolies that resulted in work stoppages was one that occurred as early as June 1914. Here, coolies of Lumat Estate refused to turn out to work unless two of their members arrested the night before for disobeying a gambling order, were released. Their demand was not met, but instead, when their behaviour became too threatening, a police detachment was sent, together with the District Officer, who executed his power by punishing them with whipping.¹⁷⁶ Work stoppages also occurred as a result of strict economy, which involved reduced wages, insufficient rations, and in a worst case scenario, transfer to a different estate. In 1919, grievances over the high cost of rice and increasing inflation

¹⁷³ PRO: CO874/511. Governor Pearson to President BNBC. 2 June 1921.

¹⁷⁴ PRO: CO648/9. AR. Constabulary Department for 1921.

¹⁷⁵ PRO: CO648/10. AR. Protectorate Department for 1924.

¹⁷⁶ PRO: CO648/7. AR, Protectorate Department for 1914. p. 4.

caused by the First World War caused discordance on several estates. Coolies at Woodford Estate stopped work when their rice rations were reduced. A more serious demonstration, followed by an assault on an Assistant Manager, occurred at Kimanis Estate over the issue of rice. A group of policemen was sent to the estate, but three hundred Javanese labourers made their way to Papar town to confront the local Assistant Protector. They were only pacified after reasons were explained to them.¹⁷⁷ When Ranau Estate abandoned tobacco cultivation in 1927, the labour force staged a riot. A small police force was stationed there for several weeks. Finally the superfluous labour force was discharged and absorbed elsewhere.¹⁷⁸

Work stoppages also occurred over grievances regarding holidays and bonuses. In August 1914, Javanese coolies at Beaufort Estate went on strike over the question of *Hari Raya* (the Mohamedan holiday) which fell on a Sunday, therefore, the coolies lost an extra day of holiday. The holiday was allowed by the estate management, after much compromise.¹⁷⁹ In May 1922, the Javanese labour force at Malapulut Timber Camp was instigated by three influential leaders to refrain from working the day after they celebrated *Hari Raya*, because they were not satisfied with the amount advanced to them for the festival.¹⁸⁰ H.S. Arrindell, the Assistant Protector of Labour, settled the matter by sending the ringleaders and thirty others to Sandakan, where they were subsequently prosecuted and punished by him, in his capacity as Magistrate.¹⁸¹ The ringleaders were sentenced to imprisonment and whipping, while the rest were fined \$3 each under Section 55 (ii) of Ordinance 1916.¹⁸²

However, the most sensational collective resistance organised by Javanese indentured labourers in the territory occurred at Sandala Estate, Sandakan, in 1928. The stoppage of work was provoked by a demand made on the 27 August 1928 by

¹⁷⁷ PRO: CO648/8. AR, Protectorate Department for 1919. p. 59.

¹⁷⁸ PRO: CO648/14. AR. Protectorate Department for 1927. p. 32.

¹⁷⁹ PRO: CO648/7. AR. Protectorate Department for 1914.

¹⁸⁰ SSA: NBCA 1397. Arrindel to Resident Sandakan. 3 June 1922.

¹⁸¹ PRO: CO874/479. Pearson to President BNBC. 10 June 1922.

¹⁸² SSA: NBCA 1397 Arrindel to Resident Sandakan. 3 June 1922.

over more than one hundred government-imported Javanese coolies, to declare the next day as a holiday (Hari Maulud). When the estate manager rejected the demand by insisting that that day was not a recognised holiday, either under the Dutch Contract or under the local contract, they became abusive and threatening. One of the ringleaders, Kamdari, threatened the management that they would go on strike. True to their word, the entire Javanese labour force failed to turn out for work the next day, and was even reported to be insolent to C.D. Martyn, the Deputy Protector, who was called by the management to look into the matter. A detachment of policemen in two hired buses, led by Subedar Labh Singh, also arrived at the scene.¹⁸³

Further investigation, supported by testimonials of Javanese *mandurs*, revealed that the work stoppage was no ordinary strike. It was organised by a group of newly-arrived Javanese coolies believed to be Communist sympathisers, who managed to instil a strong spirit of rebellion, fuelled by elements of communism, among the Javanese coolie population of the estate.¹⁸⁴ A structurally organised committee had been earlier established by the ringleaders – Kamdari (President), Sastro (Vice President), Dalimin (Comrade No. 1), Suratmin (Comrade No. 2), Warno, (Comrade No. 3), and Kontji (Comrade No 4, who also served as Intelligence Officer and General Intimidator), - supposedly championing the social welfare of Javanese coolies in the estate, including protecting them from ill-treatment by *mandurs*.¹⁸⁵ The committee was reported to have links with similar coolie committees in other estates, although the only proof that a similar committee existed in other estates was that a few Javanese coolies from Mile 5 and Mile 11 came to Sandala Estate, and secretly conferred with the ringleaders.¹⁸⁶

¹⁸³ SSA: NBCA 1397. OAG to President BNBC. 3 October 1928.

¹⁸⁴ PRO: CO874/363. AR. Armed Constabulary Department for 1928. p. 100.

¹⁸⁵ SSA: NBCA 1397. Enquiry by C.H.C. Pearson. 28 September 1928.

¹⁸⁶ SSA: NBCA 1397. Enquiry into Alleged Communism on Sandala Estate.

To become an exclusive member of the Committee, each coolie had to subscribe between 10 - 20 cents per month to a common fund. Members were informed that subscriptions raised were ostensibly used to aid sick coolies in hospital to buy luxuries such as coffee and cigarettes, and to buy winding clothes for the dead.¹⁸⁷ However, the proceeds of the fund were also used to make red flags, clearly a sign of Communist allegiance.¹⁸⁸ Generally, *mandurs* were not allowed to become members, as they were considered to be traitors to their own *bangsa* (race), although one or two of them did manage to register. The names of each member were listed in a pocket-sized account book, which supposedly contained a communistic emblem, written in Arabic characters. Members were sworn to secrecy about the existence of the society.

Investigation by the Criminal Investigation Department, led by C.H.C. Pearson, disclosed that the emblem was not necessarily communistic in nature because it was an exact replica worn by Javanese in Java when they fought the Dutch in the eighteenth and nineteenth centuries. Moreover, it was considered as a '*gimat*' (charm), not only used in anti-government propoganda, but was also worn by robbers.¹⁸⁹ In his final analysis, Pearson remarked that the evidence of a 'communistic' organisation at Sandala Estate was incomplete, although it appeared entrenched within the related few who organised the strike. The police investigation concluded that the main objective of the demonstrators was rooted further than a mere demand for an extra holiday for the coolies, and that the strike was more against the government than against the management of Sandala Estate.¹⁹⁰ The confessions of one or two of the ringleaders of being former school educators in Java, and were involved in communist uprisings in Java in 1927, hammered the notion that the committee had to be quelled quickly by the government.¹⁹¹ The leaders were most likely former associates of the Sarekat Islam group, which in the 1920s was promoting socialism on an Islamic basis, or the more

¹⁸⁷ SSA: NBCA 1397. Evidence given by Manghoenhardjo, a coolie of Sandala Estate, to the police on 21 September 1928.

¹⁸⁸ SSA: NBCA 1397. Enquiry into Alleged Communism on Sandala Estate.

¹⁸⁹ SSA: NBCA 1397. Report of Enquiry by C.H.C. Pearson. 19 September 1928.

¹⁹⁰ SSA: NBCA 1397. Report by Pearson. 29 September 1928.

¹⁹¹ SSA: 1397. Captain Pearson to Government Secretary. 14 September 1928.

radical Communist Party of Indonesia (PKI).¹⁹² Six ringleaders were sentenced to imprisonment, varying from one to four months, under Section 58 of Ordinance 9/16, in the hope that it would serve as a deterrent to the rest of the labour force.¹⁹³ Kamdari and Sastro, the two top leaders of the Committee, were banished from the land under the Banishment Ordinance 1901, after they served their sentences, while the rest were returned to Sandala Estate, at the request of the manager.¹⁹⁴

After the Sandala Estate fracas, the only reported incident involving government-imported Javanese occurred on 17 August 1930, when thirty coolies at the Litang Estate in Lahad Datu, refused to work, and threatened to attack the estate management if they were ordered to do so. The trouble was engineered by two men, and the reason given by them was that they did not see fit to work after many of their comrades had been repatriated to Java.¹⁹⁵ The strike was quashed without any trouble by Reginald A. Rutter, Acting District Officer of Lahad Datu, who proceeded to the estate by a *sampan* (small boat), in the company of ten Indian policemen.¹⁹⁶ Both ringleaders were prosecuted under the Labour Ordinance, since intent to cause riot was not proved. Rutter opined that 'loot was the eventual object of the ringleaders'.¹⁹⁷ The other followers were not prosecuted by Rutter on the basis that it would be disadvantageous to the estate which needed the remaining labour to do the work. The main reason behind this was that the authorities had no means of transporting so many prisoners on a low river, a problem which was shared by many enterprises and local authorities in the East Coast.¹⁹⁸

¹⁹² Fred R. von der Mehden. 'Marxism and Early Indonesian Islamic Nationalism'. *Political Science Quarterly*, 73,3 (September 1958), pp. 335-351.

¹⁹³ SSA: NBCA 1397. Agent of Harrisons & Crossfield (Borneo) to Captain C.H.C. Pearson. 4 September 1928.

¹⁹⁴ SSA: NBCA 1397. OAG to President BNBC. 3 October 1928.

¹⁹⁵ SSA: NBCA 1397. Rutter to Resident Tawau. 23 August 1930.

¹⁹⁶ SSA: NBCA 1397 Resident Tawau to Government Secretary. 20 August 1930.

¹⁹⁷ SSA: NBCA 1397. Rutter to Resident Tawau. 23 August 1930.

¹⁹⁸ SSA: NBCA 1397. Rutter to Resident Sandakan. 23 August 1930.

Overall, open resistances of Javanese indentured workers in British North Borneo were short-lived, comparatively small in scale, and did not spread to other enterprises. This revealed the effectiveness of isolation, discipline on the enterprise, and hierarchical structures. Any protest, regardless of the underlying reason, was perceived as a threat, and was put down by the management with the help of overseers. Managers, assistant managers and *headmandurs* were usually armed with guns and rifles, and bullets were not spared in times of 'self-defence' and mutiny. Effective protests were also hindered because many of the *mandurs* were pro-management, being experienced and older individuals who often had personal stakes in the advantages offered them by the system. Additionally, the authorities, with the support of the armed forces, played a significant part in suppressing coolie disturbances. The harsher the punishment inflicted by the authorities, the more frightened the coolies were to protest against their conditions. The penal sanctions entrenched within the Labour Ordinance proved to be the main factor affecting the reluctance of most indentured coolies to challenge the existing system, however exploitative it might be, in order not to jeopardise their future freedom. Lastly, to many docile Javanese coolies, the labour contract played an important deterring factor for open protest. Apart from an insignificant few, these government-imported Javanese willingly signed the Dutch Contract, or the local contract upon re-engagement, and they felt that they lacked the leverage or justification for complaint or launching a large-scale rebellion.

Conclusion

The labour regime and the legal system restricted the freedom and mobility of the indentured Javanese. Attempts to go against them were met with threats of prosecution and conviction under penal sanctions. Although there was no excessive use of criminal prosecution to enforce indenture contract of Javanese labourers, planters did use other methods of labour control to exert more from their labour force. Physical abuses and other violations of the law by estate officials were not uncommon, although the level of

abuses varied from one estate to another. For obvious reasons of appeasing the Dutch authorities, and not attracting attention to some of the damaging labour conditions in British North Borneo, the authorities tried to uphold the rights of the Javanese indentured immigrants by pruning such abuses, and shutting off access of some enterprises to new labour, pending radical improvements. Despite these efforts, life and labour on British North Borneo enterprises was not what Javanese labourers had expected when they signed on the indenture contracts in Java. Their multifaceted responses to the indenture system were a testimony to this. While some were either fatalistic or rebellious about their indenture experience, a majority of them were cooperative to the system and lived through the experience until the expiration of their indenture contract.

CHAPTER 8

THE REPATRIATION OF JAVANESE INDENTURED LABOURERS, 1914-1932

Introduction

Life under indenture meant different experiences for individual Javanese labourers. Some had been disappointed, discontented and even in desperation, while others had found their indenture experience relatively satisfactory by making the most of difficult conditions and challenges. The options individuals made after their indenture contracts expired reveal a greater insight into the attitudes of migrants, whether they chose repatriation, being re-indentured, or settling into the land of their indenture. The Netherlands East Indies (NEI) government had made it a condition that Java recruited coolies should be repatriated to Java at the end of their indenture contracts. This chapter aims to analyse whether this stipulation was adhered to by the Company government, while simultaneously identifying problems inherent in the repatriation process.

The Repatriation Process

Under the Dutch contract, every employer had to offer free repatriation to the labourer and his or her family, from the place of employment to the place of origin, at the latest three months after the expiration of the contract. The provision for repatriation was assured for one year (although five years was the figure stated on the original contract in Dutch)¹ after the termination of the last (written or verbal) contract. Expenses incurred when providing necessities (i.e. food and water, accommodation, medical treatment and clothing) for the labourers and their dependents, while waiting for embarkation homeward, were borne by respective employers. The same provision was granted to family members if a labourer died during the term of contract, and the claim for repatriation was made by the family not later than three months after the labourer's

¹ Further information forthcoming.

death.² For government-imported Javanese coolies, this privilege of a free return passage was inserted in the contract at the urgent request of the NEI government. The provision was crucial to the labour arrangement because, in the first place, the Dutch authorities were reluctant to allow their subjects to work outside of the Outer Islands. British North Borneo was given dispensation on the understanding that the territory comply with the wishes of the NEI government. Furthermore, the Javanese migrants might not have left their homelands without such a guarantee.

To regularise and monitor the repatriation of Javanese coolies (and other coolies) in British North Borneo, a new *Instruction for Repatriation* was enforced on 1 January 1919, as a substitute for the old procedure, which had failed to address labourers with handicaps such as blindness. As proclaimed through Circular No.3 of 1919, the instruction served as a new guideline for the future repatriation of Javanese coolies from the land. The new ruling strictly enforced the fact that government would not bear the cost of repatriating coolies, except with written consent from the Protector of Labour for Kudat, West Coast and Interior Residencies, or the Resident of Sandakan (Deputy Protector, from 1923 onwards) for Sandakan and East Coast residencies. However, if government-funded repatriation was needed, the application should be accompanied by a medical certificate, setting forth the reasons why repatriation was essential, and supplemented by another certificate, to the effect that proper investigation had been made as to the liability of any former employer. No sanction from the government was necessary in cases of repatriation at the employer's expense.³ To ensure that every Javanese labourer under the government contract was entitled to repatriation after completing his or her term of contract, a repatriation fund was instituted in 1919, with a sum of \$4,491 (£524) deposited as the nucleus for the

² See provisions on repatriation in Appendix 1, 2 and 3.

³ SSA: NBCA No. 1243. Circular No 3 of 1918. Instructions for Repatriation.

fund. The source of this figure was from the balance of the Protectorate Department's account, in connection with the recruitment of coolies.⁴

The repatriation of the Javanese, recruited in Java was carried out through the Protectorate Department. Javanese from the Interior and West Coast residencies were sent to the Jesselton coolie depot at Victoria Barracks, while unfit coolies were immediately dispatched to the civil hospital at Karamuning, with a covering letter to the Protector of Labour. Javanese coolies from the Kudat and Sandakan residencies were also sent to the Protector at Jesselton, while those from the East Coast residency were forwarded to the Protector at Jesselton via the Resident of Sandakan. Under Instruction for Repatriation 1931, Javanese repatriations from Kudat were handled by the Deputy Protector in Sandakan.⁵

On arrival from the estates, the labourers were maintained by the Protectorate at the depot, at the employers' expense, until a steamer was available. They were suitably clothed by officials, and each coolie was provided with a mat, and where necessary, a blanket, unless he or she owned one, or had the means to purchase the item. Upon completion of these checks, the official in charge would then remark 'clothing inspected and found sufficient' on the repatriation advice list.⁶ On the day of departure, all repatriating Javanese coolies were once again medically checked by a government medical officer. Fit labourers were provided with a Repatriation Identification Certificate or a Deck Passenger's Passport, endorsed by the medical officer himself.⁷ They were photographed and thumb-printed at the port, prior to boarding the steamer. Subsequently, the Protectorate officers would send a telegram to the receiving officer in Java, advising him of the number of Javanese repatriates and

⁴ PRO: CO874/753. Acting Governor's No. 234. Fund for Repatriation of Javanese Labourers. 28 March 1919.

⁵ SSA: Secretariat Circular 1924-1940. Circular No. 6. 1931.

⁶ SSA: Secretariat Circular 1924-1940. Circular No. 6. 1931.

⁷ SSA: NBCA No. 1243. Circular No 3 of 1918. Instructions for Repatriation.

the names of the vessels involved.⁸ On reaching Java, they were met by the agents of the recruiting agency, and were provided with fares for the further transport to their own villages.⁹ In 1917, the total cost of repatriation per coolie was between \$30 and \$50 approximately, which covered the \$5 ticket fare to Singapore, the \$3 photograph for passport, and expenses pending to the sailing date, as well as between \$20 to \$40 in charges imposed by Singapore agents.¹⁰

The 'Missing' Repatriates

Between 1914 and 1928, government-imported Javanese coolies were repatriated through the liaison between the Protectorate Department and the Singapore agents for further shipments to Java. The repatriation process went relatively smoothly, without major hiccups in the 1910s. From the start of the 1920s until the 1930s, however, this state of affairs deteriorated. Three issues regarding repatriation served to affect the bilateral relationship between British North Borneo and the NEI; firstly, the numbers of Javanese repatriates actually arriving in Java; secondly, the different interpretation of the repatriation clause on the Dutch Contract; and thirdly, the disposal of Javanese coolies on Singapore soil.

In the early 1920s, the Dutch authorities noticed discrepancies between the number of government-imported coolies arriving in Java and the number registered on the labour returns provided by the Protectorate Department. Apparently, the number of Javanese labourers who were registered upon arrival at Batavia was much less, and in most cases, only nine per cent of the labourers registered on the passengers' list of the vessels to Batavia via Singapore.¹¹ For the years 1920, 1921 and 1922, the *wervingscommisariaten* of the NEI traced the number of repatriates arriving in Java as 17, 42 and 31, significantly lower than the figures supplied by the Company officials.

⁸ SSA: Secretariat Circular 1924-1940, Circular No. 6. 1931.

⁹ SSA: Despatches (Gov. to President, 1931). Governor to Court. Labour in British North Borneo.

¹⁰ PRO: CO874/744. Extract from Report by Manager of Mawao Estate. August 1917.

¹¹ Koji Miyazaki. 'Javanese Labourers'. p. 13.

The Dutch Director of Justice, Dr. F.J. Cowan, had called for an enquiry into the discrepancy.¹²

Table 8.1 shows the different figures recorded by both sides. As the table depicts, the figures for returning Javanese migrants have never tallied since day one. The lowest figure recorded is 1919, at slightly more than three per cent, a drastic decrease from the previous year of almost 43%. It is odd that the regressive trend failed to cause alarm among the Dutch officials in the first place. Van Hemert could have raised the matter during his interview with the territory's Governor, following his tour of inspection in 1918, but for unknown reasons, he did not. To be sure, no action to this effect was taken by the Dutch Labour Inspectorate in the 1910s, presumably because it 'was primarily an agency for collecting information rather than directly intervening in labour conditions'.¹³ As Stoler observed, 'In the early years...the Arbeidsinspectie was an information-gathering service, not a vehicle for change'.¹⁴

When the issue of the missing Javanese repatriates came to the fore in early 1920s, the Labour Inspectorate was already pursuing a vigorous policy of intervention on labour matters relating to its subjects, not only in the NEI, but to a certain extent in British North Borneo.¹⁵ This dispelled the theory that suggested it was a fault in the registration system in Batavia which led to large numbers of Javanese evading the attention of the authorities, and being illegally recruited for further employment elsewhere. Stringent control exercised by the Dutch authorities at all ports of entry rendered it impossible for a Javanese coolie to go unnoticed on arrival at Batavia from Singapore. Not only was each coolie examined and registered by the police, who acted for the Labour Department, but registers kept by private recruiting agencies were subject to government scrutiny. The Dutch authorities also argued that such large scale

¹² SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 March 1924.

¹³ Lindblad. 'Coolies in Deli', p.71.

¹⁴ Stoler. *Capitalism and Confrontation*. p. 58

¹⁵ Lindblad. 'Coolies in Deli', p. 71.

and continuous evasions were by no means accidental. Although it was noted on their annual report that coolies probably returned to their *desa* (villages) on their own, it was incomprehensible why several hundreds of Javanese coolies returning to their homes in Java would desire to escape notice in the first place, when they could, upon application, seek assistance from the Dutch authorities for the journey to their villages.¹⁶

Table 8.1

Returned Migration of Government-Imported Javanese Labourers supplied by the North Borneo Protectorate Department (NBPD) and the NEI Labour Bureau, 1914-1929

Year	NBPD	Netherlands East Indies
1914	3	14
1915	9	87
1916	103	76
1917	112	60
1918	98	42
1919	215	7
1920	242	17
1921	276	42
1922	490	31
1923	438	224
1924	143	97
1925	190	201
1926	155	102
1927	407	392
1928	418	479
1929	804	916
1930	1512	n/a
1931	1000	n/a

Source: KIT: *Verslag Arbeidsinspectie*, relevant years; SSA: NBCA 980, Quarterly Returns of Javanese Labourers; PRO: CO648/7-14, Relevant years.

Both British North Borneo and the NEI denied responsibility for the irregularities, and neither accused the other openly of irresponsible conduct. Indeed, the Dutch authorities claimed that the Company government performed the repatriation of Javanese labourers 'with all care and despatch', while the Company administration praised the efficiency and meticulousness of government inspections in Java, rendering it impossible for such wholesale misrepresentation to go on over a long period. Moreover, Company officials considered the fact that the Javanese coolies

¹⁶ KIT: *Verslag van den dienst der Arbeidsinspectie in Nederlandsch-Indië over de jaren 1921 en 1922*. Weltevreden: G. Kolff & Co. 1923. p. 79; SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 February 1924.

themselves could not be willing participants to any 'deception'.¹⁷ In its 1925 report, the Protectorate Department commented that many Javanese repatriates preferred to take their discharge in Singapore, rather than proceed to Java.¹⁸ Privately, though, there were officials on both sides who suspected that the irregularity in numbers was the consequence of corruption among certain individuals in British North Borneo and Java.¹⁹

The blame for the discrepancy was placed on Singapore. The NEI authorities strongly held that the coolies failed to reach Java, because they were induced to enter new employment in Singapore. Newly-arrived Javanese coolies interviewed by the Controller of Recruitment in Java told of how they were persuaded by staff in the organisation responsible for their temporary accommodation in Singapore, to enter fresh contracts for enterprises in British North Borneo, and most probably, Malaya. This took place during transshipment in Singapore, pending the availability of a vessel to transport them to Java.²⁰ The agent in-charge (i.e. the Labour Association of Singapore) of handling Javanese coolies on behalf of the Company government was blamed for the ignominy, a suspicion that the Protector Martyn believed to be 'almost impossible to entertain' because the Protectorate Department was furnished with full details by the Labour Association regarding each batch of repatriates, a statement of account for passages, transportation, and a guarantee that all Javanese repatriates had been returned to their respective homes.²¹

By 1924 a more efficient system of repatriation was called for by the NEI government, to curb the problem of missing repatriates from British North Borneo.²² The Company authorities suggested a direct shipment of Javanese coolies to and from

¹⁷ SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 February 1924.

¹⁸ PRO: CO648/14. AR Protectorate Department for 1925. p. 65.

¹⁹ SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 February 1924.

²⁰ SSA: NBCA 1184. Translation of letter addressed to His Majesty's Consul-General at Batavia by the Chief of the Service of Labour Inspection for the Outer Possessions attached to the Labour Bureau of the Netherlands East Indian Government. 11 December 1930.

²¹ SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 February 1924.

²² SSA: NBCA 1119. C.D. Martyn to Government Secretary. 14 March 1924.

British North Borneo as the answer to this problem. However, as mentioned in Chapter Three, the Dutch authorities were reluctant to associate with the proposed Osaka-Shohen-Kaisha liners patronising the route, because of their failure to conform to the regulations set forth by the Dutch authorities. Moreover, employers failed to take advantage of the private arrangement made between C.D. Martyn and the Koninklijke Paketvaart Maatschappij (KPM) to guarantee a requisition of 150 labourers.²³ The problem of 'missing' repatriates while on transshipment in Singapore continued. The dilemma was only solved in 1928, when direct shipment was sanctioned and coolies were repatriated direct from Tawau to Java, thus avoiding Singapore.

Meanwhile, in 1925, the west coast branch of the NBCC lobbied for a complete system of informing estates as to the safe arrival of repatriates to be adopted by the Protectorate Department. The representatives of the organisation argued that the system implemented at that time was not sufficient to protect the interests of employers. Estates repatriating Javanese coolies were usually presented intermittently with three sets of accounts; the first would involve expenditure incurred from Jesselton to Singapore; the second would represent an account of expenses while on transshipment in Singapore; and the last one involved the cost on arrival in Java. Therefore, when a repatriate elected to remain in Singapore, the respective employer received no notification of this intention. The Committee felt that employers should be made aware of the movements of repatriates, and that in the event that a Javanese coolie elected to remain in Singapore or arrived safely at his or her native village, the Protectorate Department should immediately inform the respective employer.²⁴

Interpretation of the Repatriation Clause

Further irregularity concerning repatriation that gained considerable attention from the NEI authorities was the interpretation of the repatriation clause, as stipulated in the

²³ SSA: Despatches (Gov. to President, 1924). OAG to President No. 550. 14 August 1924.

²⁴ SSA: NBCA 1119. R.K. Hardwick to Protector of Labour. 28 September 1925.

Dutch Contract. Article 8 of the original indenture contract, written in Dutch, guaranteed unconditional repatriation within five years after expiration of the last contract.²⁵ However, the repatriation clause became a debatable issue among the colonial states when the Dutch Labour Inspector, Van Hemert, who visited the territory in late 1918, identified a faulty translation of the English version of the contract. According to him, the English version omitted the important provision of the contract, stipulating the rights of repatriation 'at any time within 5 years of the completion of the last contract'.²⁶ Van Hemert warned Governor Pearson that there was a minute possibility of the NEI authority agreeing to further batches of labourers leaving Java for British North Borneo until the missing provision for repatriation was inserted in the English version, and was given full effect.²⁷

The faulty translation was first noticed by H.C. Ridges, the Protector of Labour, at the time the contract was arranged in 1914, and in fact, he made a marginal note to this effect. Yet he failed to take steps to rectify the matter.²⁸ Since the right of repatriation was usually guaranteed within one year in most places of labour, it was possible that Ridges purposely disregarded this technical error. In 1921, W.J. Worth implied that the phrase was not even on the original version (in Dutch) given to the Company government.²⁹ Since there was a gap in the sources, and no further information on what had transpired between the two colonial states regarding the matter could be found, it is worth mentioning that the Dutch authorities had accepted the arguments and excuses given by the Company authorities. This was proven by the mere fact that the English version of the contract continued to be enforced, as could be seen in the working contract forms of 1925 and 1929.³⁰

²⁵ See ARA: ARA: Mailrapport 1857/13. Model-Werkcontract. 18 November 1913. No. 25.

²⁶ PRO: CO874/753. Minutes. Interview with Dr. Van Hemert. 18 January 1919. Governor No. 38.

²⁷ PRO: CO874/753. Pearson to Chairman on Interview with Dr. Van Hemert. 18 January 1919. Governor No. 38.

²⁸ PRO: CO874/753. Pearson to Chairman. Interview with Dr. Van Hemert. 18 January 1919.

²⁹ PRO: CO874/753. Copy of Messrs. Guthrie's letters addressed to Government Secretary. Re. Labour Contract. 22 November 1921.

³⁰ See Labour Agreements 1925 and 1929, kept under PRO: CO874/752.

Technically, even if a government-imported Javanese continuously re-engaged on a written or verbal local contract on the same estate, the employer would still be liable to repatriation if the said coolie claimed the right of repatriation within a year after the last contract ended. However, many employers failed to explain this privilege to the Javanese coolies, and interpreted the repatriation clause differently. To them, the local contract carried within it a lower wage scheme, and did not contain a repatriation clause to Java. Hence, if they could induce government-imported Javanese coolies to re-contract locally, they could evade their repatriation liability altogether. Van Hemert condemned this practice of re-engaging government-imported coolies under the local contract because many of the coolies were unaware that it had no repatriation clause to Java. He suggested to the government authorities that no Javanese should be engaged locally, except under the Dutch Contract. Better still, Javanese labourers recruited in Singapore should also be employed on the Dutch Contract. It was no secret that the locally contracted Javanese, particularly Singapore-recruited coolies, were dissatisfied with the non-existence of a repatriation clause on their local contract. Therefore, by suggesting that all Javanese coolies in British North Borneo should be employed under the Dutch Contract, Van Hemert was trying to ensure that every Javanese coolie in the territory had the means to return to Java. Simultaneously, this could alleviate friction, discontent and misunderstanding among Singapore-recruited coolies and '*Java kontrakkan*', which was a common phenomenon caused by the repatriation issue.³¹

Like Java-recruited coolies, employers in British North Borneo were also bound under Protectorate circular No. 207/21 of 18 May 1921 to provide a free return passage to Singapore-recruited Javanese coolies, but this provision stipulated that tickets would be provided only to Singapore, and not to Java.³² However, as usual, certain employers realised that they could still beat the system by inserting the repatriation clause in the

³¹ PRO: CO874/753. Notes of Interview with Dr. Van Hemert.

³² PRO: CO874/753. D.R. Maxwell to Assistant Protector, Beaufort. Prot. No. 207/21. 18 May 1921.

labourers' first local contract. By inducing the coolies to sign a second local contract, without the clause, they evaded this liability. Accordingly, it paid them to cancel the first contract before it expired, writing off any small debt and promising a fresh advance. Out of ignorance, many Javanese coolies re-engaged all over again. It was only when the first local contract expired that the coolies realised that they had signed away their repatriation rights.³³

Governor A.C. Pearson characterised the practice of employers evading repatriation liability by enticing coolies to re-engage on a new contract as something approaching a swindle. Each local Protector was eventually required to warn a coolie of what he or she was about to take on. Consequently, if the coolie clearly understood the situation and accepted a cash bonus in lieu of a return passage, the coolie had to be responsible for his or her own actions.³⁴ Ideally, this policy of calling for local Protectors to exert their protective responsibilities was commendable, but realistically, the existing situations and local demands restricted its success. Protector Macaskie himself indirectly sanctioned the practice in October 1922, claiming that there was no ruling or objection to an employer notifying a labourer that he was unwilling to agree to repatriation at the end of a new contract, and offering the labourer instead a bonus, as an inducement to him to re-contract without a repatriation clause. It appeared that Company administrators had no desire to explain in detail the implications and consequences of signing a second local contract, as 'it is the interest of all that labourers should remain and settle in this country and there can be no suggestion that this Department [the Protectorate] wishes to insist upon repatriation'.³⁵

When the problem mentioned above persisted throughout the 1920s, the Dutch Inspector Viehoff, in 1928, called for an amendment to the existing Labour Ordinance 1916. To ensure that Java-recruited coolies were not denied their repatriation passage,

³³ PRO: CO874/753. Notes by Governor. 28 September 1923.

³⁴ PRO: CO874/753. Notes by A.C. Pearson. 1 October 1923.

³⁵ PRO: CO874/753. Macaskie to Assistant Protector Beaufort. 5 October 1922.

he proposed an amendment to Section 13(v), by adding a proviso specifying that the employer's liability for repatriation expenses should not be cancelled by the contract becoming void. Additionally, since there could be a possibility that a coolie's contract could be refused attestation which might leave him or her stranded in a new land, Viehoff proposed that the Protector should be given discretion in Section 14(i) to force an importer to pay the repatriation expenses. Likewise, an employer's repatriation liability should remain, even if a labourer's contract had been determined with the Protector's permission. Most importantly, even if a government-imported Javanese became a free agent, but still worked for the same employer, he or she should not lose the right to free repatriation. Instead, the coolie's discharge certificate had to be endorsed by the employer, together with a note of the time worked as a free labourer. In any given time that a written contract was cancelled for one reason or another, Section 51 of the Labour Ordinance 1916 should provide a clear provision, stipulating the employer's commitment and obligation to repatriate labourers.³⁶

Indeed, Viehoff proposed the introduction of the 'Netherlands' Indian Labourers' Protection Ordinance (NILPO) for government-imported Javanese, but the Company government felt that such an ordinance would create further difficulty, because of the different groups of Javanese working in the territory. Labour Ordinance No.2 of 1929, substituting Labour Ordinance 1916, was then enforced, following most of Viehoff's recommendations. Nevertheless, one issue concerning repatriation received wide attention. The new Ordinance stipulated that a Java-recruited labourer would not lose any right of repatriation under the contract, 'unless the Protector declares such right to be forfeited'. This gained critical response from the authorities of the NEI.³⁷ Governor General A.C.D. de Graeff (1926-1931) condemned the move as opening the way for 'erroneous interpretations', and stated that the territory's Labour Ordinance did not sufficiently concur with the provisions of the immigration contract, which labourers

³⁶ SSA: NBCA 465. Memoranda of Viehoff's Recommendation.

³⁷ PRO: CO874/760. See Section 18 of the new Labour Ordinance.

recruited in Java had signed in their country.³⁸ Accordingly, De Graeff strongly called for the enforcement of Article 10(2) of the Dutch Contract (amended in 1925) which guaranteed unconditional repatriation within one year after expiration of the contract. Governor Richards finally appeased the Dutch authorities by explaining that the new clause was only applicable to a Javanese indentured labourer who had to serve a long prison sentence shortly after arrival. Employers claimed unfair treatment if they were to be saddled with the labourer's repatriation expenses when they had little or no benefit from the labourer's services. Hence when such circumstances arose, the labourer would be repatriated by the Company government.³⁹

Employers constantly complained of the defective, unfair system of repatriation imposed on the original employers (importer) of the government-imported Javanese.⁴⁰ They pleaded for new laws to prohibiting a Javanese indentured labourer who had claimed repatriation from withdrawing the claim and engaging elsewhere. The argument used in favour of such laws was that the original employer remained liable for a labourer's repatriation expenses if claimed within the prescribed periods. Because no statutory assurance was given, despite numerous requests, employers tended to repatriate a coolie at the time a claim for repatriation was made. In 1929, a representative of the NBCC brought to the attention of the government the predicament encountered by Langkon Estate. A male Javanese coolie had elected to return to Java at the expiration of his contract, and a through ticket from Kudat to Singapore had been taken for him by the Assistant Protector of Kudat, at the expense of Langkon Estate. Nevertheless, when the coolie arrived at Jesselton, he changed his mind and decided to remain in the territory. He was later employed on another estate. The NBCC regarded it unfair for Langkon Estate, or any other estate facing similar dilemma, to

³⁸ PRO: CO874/752. Governor General to Governor. Copy of Enclosure in G.S.O. 1589/30. 16 September 1930.

³⁹ PRO: CO874/752. Governor Richards to Governor General. 6 October 1930.

⁴⁰ PRO: CO874/752. Extract from Minutes of NBCC. Repatriation of Javanese Coolie. 2 November 1929.

provide a second passage, if claimed within a year.⁴¹ Notwithstanding the 'injustice' of the situation, the Acting Secretary, W.J. Worth, declared that if the Dutch authorities demanded that the coolie be repatriated, the new employer, or the employer under whom the 'last (written or verbal) agreement prior to repatriation was served', had to bear responsibility for repatriating the coolie.⁴²

The Planters' Association proposed a more extreme measure. It urged the government to amend the repatriation clause within the Dutch Contract, so that it would be reduced to the same terms as a Javanese emigrant to Sumatra, who received: 'repatriation with his family by first opportunity to his place of original engagement, unless he wishes to stop in the district. The right of free repatriation remained good until one month after expiration of the contract'.⁴³ Again the Company government was unprepared to open unnecessary tension with the Dutch authorities pending the renewal of the annual recruiting permit. The idea was rejected. It was only in March 1932 when a more definite regulation as to repatriation for government-imported Javanese was decreed, thereby diminishing the ambiguity surrounding the position of labourers who engaged with subsequent employers in written or verbal contract, after leaving the original importing employer.⁴⁴ The regulation stipulated that the liability to repatriate remained with the employers until the labourer had 'settled in the state'. And under no circumstances would a labourer be considered settled until a full year had elapsed, after ceasing work for an employer. Therefore, the original employer of the coolie would retain liability until a year had passed after the coolie had ceased to work for him, unless in the meantime, the labourer had engaged with another employer. Subsequently, the new employer would take over the liability, until such times as the labourer had 'settled in the state'.⁴⁵

⁴¹ SSA: NBCA 1126. Labour Advisory Board. Macaskie Report. 11 November 1927.

⁴² PRO: CO874/752. Comment by W.J. Worth. 24 December 1929.

⁴³ PRO: CO874/752. Extract. Labour in North Borneo.

⁴⁴ PRO: CO648/15. AR. Protectorate Department for 1932.

⁴⁵ PRO: CO874/761. Note by W.J. Worth. Notification 103. 19 April 1932.

Singapore, the Dumping Ground

In 1930, the matter of Javanese repatriation again tested not only the bilateral relationship between British North Borneo and the NEI, but also between the former and the Straits Settlement government. The catalyst was the 'dumping' of Javanese labourers on Singapore soil. As mentioned, those Javanese labourers recruited in Singapore having signed the local contract upon reaching British North Borneo were offered a repatriation clause in their contracts in 1921, stipulating that a Javanese labourer who originally signed on, or when they re-engaged on the same estate, the employer was bound to provide the labourers and their dependants with a free return passage to Singapore.⁴⁶

Between 1921 and the mid-1930s, the repatriation of Javanese coolies to Singapore or via the island went without any major glitch. The outstanding issue was probably the case of repatriates who went 'missing' while on transshipment on their way to Java, as discussed in earlier paragraphs in this chapter. Yet business went on as usual, and Singapore continued to play its role as the main transit point, or the last destination for many Javanese coolies from British North Borneo. Nonetheless, the slump conditions of the Great Depression altered the status-quo. As Bauer observed of Malaya generally, the economic crisis was all-pervasive, and there was 'a severe reduction in consumption, affecting all classes and races'.⁴⁷ Owing to the deteriorating conditions caused by the economic downturn, the Straits Settlement Government objected to the dumping of foreign labour in Singapore, particularly those Javanese discharged by British North Borneo estates.⁴⁸ A significant number of Javanese coolies arrived on the island without discharge certificates, while others were provided with rather ambiguous documents, endorsed either with the words 'Repatriation to Singapore', or 'Sent to Singapore on Repatriation', while some came with no

⁴⁶ PRO: CO874/753. D.R. Maxwell to Assistant Protector Beaufort. Prot. No. 207/21. 18 May 1921.

⁴⁷ Bauer. *The Rubber Industry*. p.16; For more information on the effects of the Great Depression on Singapore, see, W.G. Huff. 'Entitlements, Destitution, and Emigration in the 1930s Singapore Great Depression'. *The Economic History Review*. New Series. 54,2 (May 2001). pp. 290-323.

⁴⁸ PRO: CO874/863. Governor to President. Repatriation of Javanese Labourers Recruited in Singapore. 10 November 1930.

endorsement at all.⁴⁹ According to the Straits Settlement authorities, the Javanese coolies became destitute in Singapore due to insufficient jobs available on the island. The Chief Police Officer also complained of Javanese nationals 'finding their way to the House of Detention' and becoming a charge on the public.⁵⁰

On 7 October 1930, upon consultation with the Dutch Consul in Singapore, the Straits Settlement authorities spent \$803.85 repatriating 67 Javanese labourers to Java, including three women and two children. Meanwhile, the Javanese labourers themselves sought the aid of the Dutch Consulate to repatriate them to Java. The cost of this expenditure was forwarded to the Straits Government.⁵¹ In total, the Straits Settlement spent more than \$1,800 as an advance payment to the Consul General of the NEI for repatriation of British North Borneo coolies to Java. It demanded repayment from the Company government, but the latter was reluctant to reimburse the money, for a variety of reasons.⁵² The Company administrators claimed that the 'Singapore' Javanese coolies did not pass through the Protectorate Department, except perhaps for a day or two's maintenance in a coolie depot. Moreover, the employers were not legally compelled to pay the expenses, as they were subjected to the state's Labour Ordinance and also the 'Decrepit and Destitute Aliens Ordinance', which defined repatriation as 'the return of a labourer to the original place of his embarkation' for the state. According to the Protector, the original place of embarkation in the case of these labourers was Singapore, thus indicating that employers of Javanese labour in the territory had fulfilled their legal repatriation obligations by providing passages as far as Singapore only.⁵³

⁴⁹ SSA: NBCA 1243. Despatch by Government Secretary No. 1718/30. 8 October 1930.

⁵⁰ PRO: CO874/751. Straits Settlement Government to Protector. B.N.B.981/30. 21 November 1930; PRO: CO874/751. OAG to President. 27 May 1931.

⁵¹ PRO: CO874/751. W. Bartley to Secretary to the High Commissioner for the Malay States. 17 October 1930.

⁵² PRO: CO874/751. Governor's No 648. Repatriation of Javanese Labourers Recruited in Singapore. 10 November 1930.

⁵³ SSA: NBCA 1243. Woolley to Messrs. Guthrie. 16 September 1930.

Nevertheless, when the Labour Bureau in Batavia forwarded claims of 556.42 guilders to His Majesty's Consul General at Batavia in respect of transporting these labourers from Batavia to their villages, the Company government settled the claims without further ado. The Labour Bureau stated that all repatriates on the list were officially recruited in Java under the government permit, and had been employed without interruption in British North Borneo.⁵⁴ Such a statement carries a twofold connotation. First, it tacitly acknowledges that a significant number of government-imported Javanese found their way to Singapore, either with the aid of their employers who had opted for a cheaper Singapore fare than a more costly fare to Java, or through the agency of corrupt individuals, who abetted with the coolies. The latter confirmed what had been suspected by the Dutch authorities all along, namely that there was a defect in the repatriation system for government-imported Javanese, both in British North Borneo and Singapore. Second, the fact that the Dutch authorities were aware of the matter meant that the Company government had no other option but to reimburse the payment made by the Labour Bureau. In view of the current atmosphere, where the renewal of the recruiting permit was still on hold by the NEI government, the expenses incurred on sending the coolies to their villages in Java were by no means comparable to the repercussion the territory might suffer, if the Dutch authorities stopped future importation of Javanese labour.

The Straits Settlement government issued a warning letter to the Company government, demanding that the latter take responsibility for the situation. Simultaneously, the former rejected any private arrangement between estates in British North Borneo and the Labour Association of Singapore, the recruiting agent in-charge of supplying Javanese coolies to the territory.⁵⁵ Finally, in a drastic move, the Straits Settlement government enforced the Passengers Restriction Ordinance (Section 9,

⁵⁴ SSA: NBCA 1184. Translation of letter addressed to His Majesty's Consul-General at Batavia by the Chief of the Service of Labour Inspection for the Outer Possessions attached to the Labour Bureau of the Netherlands East Indian Government. 11 December 1930.

⁵⁵ SSA: NBCA 1243. W. Bartley to Secretary to the High Commissioner for the Malay States. 17 October 1930.

Ordinance 169) against Javanese coolies arriving from British North Borneo, and would return them to where they came from, unless assurances were given that they were to be repatriated to Java.⁵⁶ Under Ordinance No. 169, the Straits Settlement government had legal power to return such destitute labour by the boat upon which it arrived.

The Court of Directors in London reprimanded its governing body and questioned why employers 'cannot be legally compelled to pay the expenses incurred'.⁵⁷ The Court maintained that under no circumstances should Javanese labourers (or other foreign nationalities) become a charge on the government for repatriation or maintenance, when the employers could no longer provide them with work. Recommendations by the Court to amend the definition of 'repatriation' in the Labour Ordinance to cover the return of labourers either to their original place of embarkation, or to their native country, or 'whichever may be required', was met with apprehension.⁵⁸ The Company government was reluctant to embark on such a drastic measure, as 'conditions have not yet reached such a stage as to justify emergency legislation for the purpose of repatriating unemployed labour'.⁵⁹

Messrs. Stephenson, Harwood & Tathan, representing the Court in London, introduced a new 'Acknowledgement-by employers-of liability to Government' agreement, to be signed by employers of Javanese labour, to clarify that the government would not bear any financial responsibility with regard to imported labourers.⁶⁰ The Protectorate Department, too, devised an elaborate scheme which placed the financial burden on both employers and labourers, instead of the colonial state. The scheme proposed that upon discharge of a Javanese coolie who had a right to repatriation to Singapore, the employer had to send the coolie to the Protectorate to

⁵⁶ PRO: CO874/751. Governor's No. 687. 1 December 1930; See also, Governor Richards to President 5 March 1931; PRO: CO648/15. AR. Protectorate Department and Secretariat for Chinese Affairs 1930.

⁵⁷ PRO:CO874/863. Governor's No. 648. Repatriation of Javanese Labourers Recruited in Singapore. 30 November 1930.

⁵⁸ PRO: CO874/863. C.F. Collins to Governor A.F. Richards. 8 January 1931.

⁵⁹ PRO: CO874/751. Governor Richards to President. 5 March 1931.

⁶⁰ PRO: CO874/751. Acting Secretary BNBC to Governor. 9 January 1931.

register his or her repatriation rights. The coolie needed to agree before the Protector as to his or her wish to be repatriated. Concurrently, the employer had to deposit with the Protectorate the cost of the labourer's fare to Singapore, plus the cost of three days depot fees. The Protectorate then had to inform the coolie that due to the ban imposed by the Straits Settlement government, a passage to Singapore would not be provided if the coolie could not deposit a sufficient amount for further repatriation to Java. Any coolie who could pay such a deposit would be repatriated to Java by the Protectorate Department, through either Singapore, or Tawau, whichever was cheaper. Otherwise, the coolie had to seek work locally, pending the removal of the immigration ban by the Singapore authorities. Once the ban had been lifted, the labourer could then apply to the Protectorate for a passage, and would be granted one if the application was made within one year of lifting the ban.⁶¹

Employers hailed the scheme as 'equitable and sympathetic', by which the interests of both employee and employer had received equal consideration. The repatriation rights of the labourer had been preserved, and the employers' interests '*have been fully protected without any departure from what is fairly due to the labourer concerned*'.⁶² They unanimously refused to meet any of the expenses claimed by the governments of the Straits Settlements and the NEI because of several reasons.⁶³ First and foremost, they understood that they had fulfilled their legal obligation in the first place by repatriating the labourers to Singapore. Secondly, they alleged that the claims made were not substantial enough to warrant payment. They could not identify the names of the labourers as those who were previously employed or discharged from their estates. Many accused the coolies of being impostors, because they arrived in Singapore without discharge certificates.⁶⁴ Yet when employers did identify the names with those of labourers who worked on their estates before, they maintained that these

⁶¹ PRO: CO874/751. Extract copy of a letter from the Secretariat to the Protector. 1 December 1930.

⁶² PRO: CO874/751. Extract from NBPA Minutes of Meeting. 1 February 1931.

⁶³ PRO: CO874/751. Extract from NBPA Minutes of Meeting. 30 November 1930.

⁶⁴ SSA: NBCA 1243. Macdonald to Acting Government Secretary. 10 November 1930; Manager of Sapong Rubber and Tobacco Estates Limited, to Government Secretary. 17 November 1930.

labourers had been repatriated by them direct to Java via the east coast of British North Borneo.⁶⁵ How they ended up in Singapore after that puzzled them. Meanwhile, the Company government tried to prove that these coolies were, indeed, repatriated to Java, and made their own way from there to Singapore, thereby freeing it from any blame and financial obligation to reimburse all the claims that had been forwarded.⁶⁶

The third factor restraining the employers from meeting the expenses produced by the Straits Settlement was the duration of the coolies' stay in Singapore, before they applied for repatriation at the Dutch Consulate. Apparently, some of the coolies found on the lists provided by the Straits Settlement government had been in Singapore long before they applied to the Dutch Consul for repatriation, as indicated by the dates on which they went into the depot. Some arrived by steamer as early as August 1930, but they only reached the depot two months later to claim repatriation to Java.⁶⁷ Since these coolies had been in Singapore for some time, the employers alleged that there was no proof that they arrived there destitute.⁶⁸ They accused the coolies of spending all their money upon landing, and because jobs in Singapore were scarce during the time of depression, the coolies became destitute, and sought the aid of the Dutch Consulate. The bottom line was that the employers would in no way pay for any extra expenditure on further transportation from Singapore to Java.

The Protector of Labour also argued that there was no proof that the individuals sent to Java were, indeed, British North Borneo coolies, and had not borrowed or bought discharge certificates in Singapore. In fact, men with no certificates were accepted on their bare assertion that they came from the territory.⁶⁹ It became known among the Javanese coolie circles in Singapore that anyone who wanted a free

⁶⁵ See the case of Suradi and his daughter Popon of Sungei Batang Estate. SSA: NBCA 1243. General Manager, Sandakan Estates Ltd., to Government Secretary. 13 November 1930.

⁶⁶ SSA: NBCA 1243. Minute Paper. G.S.O. No. 1718/30. 18 November 1930.

⁶⁷ SSA: NBCA 1243. Acting Government Secretary to the Secretary to His Excellency the British Agent for North Borneo and Sarawak. 20 November 1930.

⁶⁸ SSA: NBCA 1243. Extract from memo by Acting Government Secretary. 18 November 1930.

⁶⁹ SSA: NBCA 1243. Acting Government Secretary to Secretary to His Excellency the British Agent for North Borneo and Sarawak. 20 November 1930.

passage to Java only had to state that he or she came from a British North Borneo estate, and it would be given to the person by the Dutch Consulate, with no questions asked, and at the expense of the Company government.⁷⁰ Even locally-contracted Javanese still working in British North Borneo took advantage of this. A significant number of them gave notice to their employers upon hearing that free passages to Java were at their disposal.⁷¹

For many Javanese coolies who had the intention of returning or going to Singapore, the Passengers Restriction Ordinance imposed by the Straits Settlement government confused them. Singapore-recruited Javanese were unable to comprehend why their employers would not fulfil their promise of a ticket to Singapore as stipulated in their local contract, while government-recruited Javanese whose Dutch contract had expired and wished to make their way to Singapore, were not allowed entry into the island if they could not guarantee payment of passage from Singapore to Java. Generally, the average Javanese discharged from an estate had insufficient funds to pay the difference of his fare to Java, even though the estate guaranteed passage as far as Singapore.⁷² Many were 'forced' to seek local work in 'an overstocked labour market', as a consequence of the depression in the world economy. Hundreds of them were put onto relief gangs' and were maintained by the Company government.⁷³

Several months passed after the enforcement of the Passenger's Restriction Ordinance before the Company administration decided that repatriation would prove a more economical method of dealing with the situation. Deserving cases were soon sent home. At the insistence of the Dutch authorities in Java, all government-imported Javanese who had forfeited their repatriation rights long before but still wished to return

⁷⁰ SSA: NBCA 1243. Protector to Government Secretary. Prot. 543/30 (v). 8 November 1930.

⁷¹ SSA: NBCA 1243. Manager, British Borneo Para Rubber Company, to Acting Government Secretary. 12 November 1930.

⁷² PRO: CO648/15. AR. Protectorate Department and Secretariat for Chinese Affairs for 1931. p. 23.

⁷³ PRO: CO648/15. AR. Protectorate Department and Secretariat for Chinese Affairs for 1930.

to Java would be returned by the government.⁷⁴ Likewise, an arrangement was made with the same government, whereby destitute Javanese were sent to Tarakan in Dutch Borneo, and from there, the Dutch authorities would deliver them to their respective homes. In 1931, a total of 114 non-government imported Javanese were repatriated as far as Tarakan, via Tawau, 33 being estate labourers and dependents, and 81 being destitute unemployed and destitute dependents.⁷⁵ In 1932, due to further cases of estates going on to the 'care and maintenance' basis, the number of repatriates swelled, owing to lack of employment.⁷⁶

It must be mentioned that under the territory's 'Decrepit and Destitute Aliens Proclamation, 1911' Javanese labourers were protected, as it guaranteed them repatriation should they fall into this category. The ordinance of 1911 stipulated that employers were responsible for the repatriation of indentured (contract) labourers, provided that the labourer was not in possession of \$1 when he or she was discharged. There was, however, a weakness in this law. To escape liability for their repatriation, employers realised that they had only to send their contract coolies off with a dollar each.⁷⁷ It was in consequence of this that the amending Notification 276 of 1914 was passed and published in 'Decrepit and Destitute Aliens Ordinance 1915', raising the amount required to exempt a coolie from the definition 'destitute', to \$10, and a further sum of \$3 for each dependent who was a minor.⁷⁸ However, since the cost of repatriation usually amounted to more than \$10, most employers made it a practice of shirking their responsibility for repatriating coolies by discharging a coolie with only \$10. So ironically, the effect of one section of the Ordinance was to nullify, in practice, the operation of the main principle of the Ordinance, with the result that the burden of repatriating estate coolies had to be taken up by the Company government, thereby

⁷⁴ PRO: CO648/15. AR. Protectorate Department and Secretariat for Chinese Affairs for 1930.

⁷⁵ PRO: CO648/15. AR. Protectorate Department and Secretariat for Chinese Affairs for 1931. p. 23.

⁷⁶ PRO: CO648/15. AR. Protectorate Department for 1932. p. 30.

⁷⁷ See Section 3 of the Decrepit and Destitute Aliens Ordinance 1911, in. SSA: The Ordinances and Rules of the State of North Borneo, 1881-1936.

⁷⁸ SSA: NBCA 1348. No. 182. Under Section 3 of the Decrepit and Destitute Aliens Ordinance 1915.

burning a big hole in the government's account.⁷⁹ This was proven during the time of the Depression, in the late 1920s and early 1930s, when more than a hundred 'destitute' Javanese individuals were returned to their homeland at the expense of the Company government.

Total Number of Repatriations under the Dutch Contract

In the total period of indentured immigration (1914 – 1932), on average, almost 70 percent of the Javanese immigrants recruited from Java eventually took up their return passage rights and returned to their homeland (Table 8.2). The Labour Returns of Javanese labourers imported by government reported the number of repatriates to be more than 7,000 out of 9,969 imported. Those who chose to remain in the new environment, despite all the trials and tribulations of their indenture experience, and who made British North Borneo their new home, figured at less than 1,500 (15%).

Between 1914 and 1923, around 73 per cent of women did not take up their free passage, compared to 53 per cent of men.⁸⁰ This trend continued until the end of indentured migration in 1932. The majority of these women, some probably the 'street women' the recruiters were accused of procuring, got married locally, thereby increasing their social standing. Likewise men who stayed on probably had no intention of returning to Java in the first place, and they saw British North Borneo as a possible place for social promotion, and to enhance their economic position. Javanese indentured migrants and their descendants blended into the local population in general, and the Muslim community in particular. Apparently, male ex-coolies made good grooms and gardeners.⁸¹ Also, as their predecessors who came to the land during the late 19th century and early 20th century, these ex-Javanese indentured labourers

⁷⁹ PRO: CO874/863. Minutes, 21 January 1916.

⁸⁰ SSA: NBCA 1119. Prot. No. 265/23. Schedule.

⁸¹ Rutter. *British North Borneo*. p. 81.

ended up as police or watchmen, traders, gardeners, tailors, carpenters, servants, fishermen and boatmen, seamen, engineers, and firemen.⁸²

Table 8.2

The Quarterly Returns of Javanese Labourers Imported by Government, 1914-1932

Term			Repatriated		Settled		Re-engaged	
Y	M	D	During the period	To date	During the period	To date	During the period	To date
1914	12	31	3	3	-	-	-	-
1915	12	31	9	12	9	9	6	6
1916	12	31	103	115	92	101	189	195
1917	12	31	112	227	46	147	94	289
1918	12	31	98	325	142	289	122	411
1919	12	31	215	540	23	312	160	571
1920	12	31	242	782	16	328	417	988
1921	12	31	276	1058 ^a	97	425	323	1311
1922	12	31	490	1548	78	503	323	1634
1923	12	31	438	1986	79	582	264	1898
1924	12	31	143	2129	26	608	198	2096
1925	12	31	190	2319	18	626	227	2323
1926	12	31	155	2474	9	635	166	2489
1927	12	31	407 ^b	2881	89	724	372	2861
1928	12	31	418	3299	96	820	324	3185
1929	12	31	804	4103	124	944	636	3821
1930	12	31	1512	5615	343	1287	492	4313
1931	12	31	1000	6615	130	1417	167	4480
1932	12	31	508	7123	73	1490	20	4500

Sources: SSA: NBCA 980; CO874/744, 753, 752; Annual Reports, 1914-1932; CO648/7-15, relevant years.

* Some figures presented on the Quarterly Returns in NBCA980 differed from other sources due to miscalculation and wrong data entry. Based on the table above, the figures found in NBCA 980 for (a) = 1053; (b) = 207. The rest of the figures are computed based on correct calculations.

At the end of 1916, when the first batch of government indentured contracts expired, more than 100 coolies claimed their repatriation rights. More than half hailed from Kinarut Estate. Apparently, the unexpected exodus was caused by the machinations of a labourer, who was unhappy about being transferred from the company's estate at Melalap.⁸³ Other estates had fewer coolies opting for repatriation. The managements of these estates understood that their labour force formed part of the companies' capital, and implemented a policy of 'insist on good work but get it done with the least possible friction'. They maintained that the estates' management ability to

⁸² Sullivan and Regis. 'Demography'. p. 551.

⁸³ PRO: CO648/7. AR. Protectorate Department for 1916.

succeed in the aspects of 'control and treatment of labour' contributed significantly to the high rate of re-engagement.⁸⁴

From 1919 onwards, Javanese repatriation was heavier, compared to previous years, but this repatriation expanded proportionate to the increased number of Javanese labourers imported under the government permit. When the rubber slump intervened, providing a serious set-back to the planting community, and eventually leading to deteriorating economic and social conditions, the rate of Javanese repatriation rose to a record high in 1922, for the next six years. An estate manager calculated the wastage for the six months ending 30 June 1922 to be 10%, and a further decrease in the number of Javanese labourers occurred at the end of 1922, with an enormous proportion of Javanese coolies availing themselves of their right to repatriation and to leave the territory.⁸⁵ A similar trend can be seen between 1929 and 1932. Due to the economic malaise, Javanese coolies were repatriated as soon as their three-year contracts expired.

Data from 1918, 1921 and 1927 in Table 8.3 reveals the length of time that adult Javanese migrants had resided in British North Borneo before they left the territory. Most of the repatriates left the land immediately, following the expiration of their contract, and more than 85 per cent stayed no longer than four years. Thompson puts this phenomenon down to social and religious ties, which inclined Javanese labourers to return to their homeland immediately upon the expiration of their contract, or even to desert.⁸⁶ The table also clearly shows that despite spending more than a decade in the territory, some individuals chose to be repatriated towards the end. Again, the attachment to their ancestral land probably heightened the call to return.⁸⁷

⁸⁴ PRO: CO874/744. Extract from Report for August 1917 by Manager of Mawao Estate.

⁸⁵ SSA: NBCA 533. Carew to Protector. 18 November 1922.

⁸⁶ Thompson. *Labor Problems*. p. 2.

⁸⁷ PRO: CO874/105. Foreign Office to Secretary BNBC. 12 April 1890.

Table 8.3**Length of residence in British North Borneo, Javanese repatriates***

Years	1918	1921	1927	Total	Percentage
2 years and below	59	65	277	401	51.3
3-4 years	39	177	52	268	34.3
5-8 years	0	34	56	90	11.5
9-11 years	0	0	20	20	2.6
12-13 years	0	0	2	2	0.3
14-19 years	0	0	0	0	0
Total	98	276	407	781	100

Source: SSA: NBCA 980 Javanese Labourers, Quarterly Returns.

* Data computed manually by author based on dates of registration of contract for each repatriate for respective years.

However, the most likely explanation as to why Javanese indentured labourers chose to leave British North Borneo was the lack of encouragement and inducement for staying provided by the colonial state and the land of their indenture. In the first place, the Company government handled the matter of Javanese indentured labour very delicately. Right from the start, no serious or direct efforts (as opposed to the Chinese) were instigated by the government to promote Javanese settlement schemes among the imported coolies. Such an approach was followed as based on the understanding agreed upon when the first recruitment permit was granted by the NEI government in late 1913, as described in chapter three. The Dutch had openly rejected the idea of the Javanese entering as settlers, based on the conditions set by the Company government at that time. All imported Javanese were to be considered as labourers, and upon expiry of their contracts, they had to be repatriated instantly.⁸⁸ Hence, the special circumstances surrounding the introduction of the Javanese indenture system had, indeed, affected the rates of Javanese repatriations. Therefore, colonial perception from the very beginning viewed Javanese immigrants as transients and sojourners, and they were meant to be repatriated.

Moreover, the territory's labour laws failed to include a provision which required an employer to set aside lands for migrant labourers who wanted to settle down in the territory. Neither did the government allot state lands to immigrant coolies who chose to

⁸⁸ Refer sub-section 'Negotiation of Dutch Contract' in chapter three.

remain. As mentioned in chapter two, the Land Code in the territory favoured two groups of people, the capitalist and the natives, thereby further alienating coolie migrants from the equation.⁸⁹ The land policy aimed primarily to grant foreign investors secure title, not to mention the need for the Chartered Company to retain paternalistic control of the native population, by preventing large areas of native lands from falling into the hands of foreigners.⁹⁰ In other words, the migrant communities, i.e. the Chinese or the Javanese, were prohibited from purchasing or leasing land under a native title.

In November 1923, the Company government tried to induce settlement by promulgating new land terms for non-indigenous Asians. Lands were offered rent-free for the first six years if cultivated within six months of occupation. The terms and conditions of the new land policy suited Chinese opportunists well. Ex-Chinese coolies secured lands for occupation which developed into smallholdings, and Chinese settlers from China applied for 1,054 passes in 1927, when for the first time a two-dollar deposit was required.⁹¹ Conversely, the Javanese immigrants failed to take advantage of the new land policy. Very few, in fact, drifted to small holdings and lands of their own. Thompson sees Javanese as individuals who have 'no spirit of rivalry or of competition'.⁹² This perception more than likely suggests that the Javanese preferred not to endure the demanding work expected of them should they want to see returns within the first six months. The majority of Javanese labourers preferred to remain in the more populous centres of labour with their kinfolk, because they considered British North Borneo as a place of temporary domicile.⁹³

⁸⁹ See, Mark Cleary. 'Codifying Land: Colonial Land Regulation in Early 20th Century British Borneo'. *Landscape Research*. 27,1 (January 2002), pp. 25-37.

⁹⁰ Cleary. 'Plantation Agriculture'. pp. 179-180.

⁹¹ Tregonning. *A History of Modern Sabah*, p. 150.

⁹² Thompson. *Labor Problems*. p.121.

⁹³ PRO: CO874/1061. Report of the Committee appointed in November 1932, to advise on certain matters relating to labour.

However, the situation might have been different if British North Borneo had offered an unconditional land allotment policy to immigrants who chose to settle down, as occurred at some other destinations using Javanese indentured labourers. Comparatively, destinations where colonisation and settlement schemes were enacted within labour or immigration ordinances had made it attractive for ex-indentured Javanese labourers to settle in the new territories. In Surinam, for example, the government played an active role in promoting colonisation by offering plots of lands to labourers, including Javanese, who had served their contract. Javanese contract labourers who renounced their free repatriation to Java also received Dfl.100. Therefore, between 1896 and 1939, less than 24 per cent (around 7684) of the 33,000 Javanese labourers returned to the NEI, the majority remaining in Surinam.⁹⁴ In the FMS, the labour code required every employer to set aside one-sixth of an acre of suitable land for each labourer with dependants to use for allotments or grazing lands.⁹⁵ Large tracts of swampland were drained by the government to be settled and cultivated by Javanese immigrants. Block-applications for land were also straightforward, only requiring permission from the proper authorities.⁹⁶ The British colonial government in the FMS also both viewed and treated Javanese as originating from the same racial stock as the Malays, and granted them full rights, i.e. they were given lands on Malay reserved areas. They believed that the Javanese immigrants found it easy to assimilate with the indigenous Malay population, because of similarities in culture and religious background.⁹⁷ Such promising carrots rendered it possible for many Javanese indentured labourers in Malaya (especially in Selangor and Pahang) to settle within the areas after their indenture contracts expired.

In fact, so attractive was the situation in Malaya that *kontrakkan* Javanese from British North Borneo decided to hop over there after the expiration of their contracts,

⁹⁴ Hoeffte. *In Place of Slavery*, p. 62

⁹⁵ PRO: CO874/761. Minutes – Extract from the *BNBH*. 1 February 1934.

⁹⁶ Tunku Shamsul Bahrain. 'The Pattern of Indonesian Migration'. p. 239

⁹⁷ Amarjit Kaur. 'Mobility, Labour Mobilisation and Border Controls: Indonesian Labour Migration to Malaysia since 1900'. p. 4; Lockard. 'The Javanese as Emigrant.'. p. 46.

instead of heading towards Java. The immense number of Javanese repatriates who decided to go 'missing' in Singapore (explained earlier in this chapter), supports this argument. It is possible that some of the 89,735 residents born in Java, and the 170,000 ethnic Javanese living in Malaya in 1930, had a stint at one of the British North Borneo enterprises.⁹⁸

It is difficult to measure whether the indenture experience of the government-imported Javanese had been worth it, and had made material difference in their lives because of unavailability of evidence pertaining to collective or individual wealth they had accumulated while in service. No figures have been found on remittances of Javanese labourers, and there were no signs of institutional channels for remittances to Java, as opposed to Chinese coolies who had the liberty, while still under contract, to remit money to China with the aid of their employers. Estates such as Beaufort, Sapong, Langkon, Lahad Datu Cultuur Maatschappij and Taritipan, had occasionally utilised the services of their estate shops to send remittances to China, either direct, or through reputable Chinese firms in Jesselton, Kudat or Sandakan.⁹⁹ The New Darvel Bay Tobacco Estate and Silimponon Coal Mines remitted through the agent, Harrison & Crossfield.¹⁰⁰ For other estates that had no such arrangement, Chinese coolies remitted by the hand of some friends or relatives returning home.¹⁰¹ Similar methods might have been used by the Javanese coolies in British North Borneo. Those who re-engaged probably remitted through friends or relatives, while those who opted for repatriation might have taken money, gold ornaments and jewels back on their

⁹⁸ Graeme Hugo. 'Indonesian Labour Migration to Malaysia: Trends and Policy Implications'. *Asian Journal of Social Science*. 2,1 (1993). p. 37.

⁹⁹ SSA: Despatches (Gov. to President, 1924). No. 698. 21 October 1924; For more information on Chinese business operation in Southeast Asia and its relationship to kinship and networks, see Rajeswary Ampalavanar Brown. *Capital and Entrepreneurship in South-East Asia*. New York: St. Martin's Press. 1994; Rajeswary Ampalavanar Brown. 'Introduction: Uses and Abuses of Chinese Business History and Methodology'. in: R.Ampalavanar Brown (ed). *Chinese Business Enterprise*. London and New York: Routledge. 1996. pp. 8-9.

¹⁰⁰ SSA: Despatches (Gov. to President, 1924). Report on the facilities existing for remitting money for RChinese labourers in the State to China, by C.D. Martyn.

¹⁰¹ PRO: CO648/7. AR. Protectorate Department for 1914, by D.R. Maxwell. p. 36.

persons, akin to what had been suggested by researchers working on Javanese coolies in East Sumatra and Surinam.¹⁰²

In her study of Javanese contract labourers in Surinam, Hoefté argues that Javanese male labourers had a tendency to remain at the expiry of their contract to avoid being ridiculed if they were to return to their homeland without sufficient savings.¹⁰³ If this was the standard attitude of Javanese in general, then the majority of Javanese labourers in British North Borneo probably had earned enough to enable them to return to Java without such fear. Generally, pauperism amongst Javanese coolies was small compared to their Chinese counterparts. Based on statistics compiled by the Protectorate Department between 1916 and 1930, around 169 Javanese labourers (of various contracts) were repatriated as paupers against 1054 Chinese. This connotes that a majority of Javanese indentured labourers returned to Java with sufficient earnings. The number of Javanese 'paupers' swelled between 1931 and 1932 as a result of the Great Depression. Enterprises that went into 'care and maintenance' basis dismissed a large proportion of their coolie force. To prevent the spread of 'pauperism' on the territory, the Company government repatriated 387 dismissed Javanese coolies during the two years alone.¹⁰⁴ Many of them, together with agricultural labourers expelled from other areas for the same reason, returned to their already densely-populated villages in Java.¹⁰⁵

The impact on home areas in Java was difficult to measure, due to the lack of evidence. This renders it impossible for the author to determine the exact fate of ex-indentured labourers from British Borneo. However, assumptions could be made based on research already done by previous scholars, which give a convincing impression of what ex-British North Borneo labourers were involved in when they returned to Java.

¹⁰² See Pelzer. *Pioneer Settlement*. 1945; Hoefté. *In Place of Slavery*. p. 67.

¹⁰³ Hoefté. *In Place of Slavery*. p. 67.

¹⁰⁴ PRO: CO648/7-15. AR. Protectorate Department, relevant years.

¹⁰⁵ Thompson. *Labour Problems*. p. 150.

Scholars have reiterated that labour emigration increased social-economic mobility, since emigrants returned with greater knowledge of agricultural operations.¹⁰⁶ Nevertheless, whether the ex-Javanese indentured workers of British North Borneo could put theory into practice is a different matter altogether, considering that when these migrants returned to their homeland, Java was still beleaguered with high population problems, and the scarcity of land. Thus, when these migrants were delivered back to their own villages, a similar environment awaited them as before they left. The only difference which might have occurred would be in their attitude, whereby they could have toughened up, become more self-reliant and better prepared physically, mentally and psychologically, to deal with the impending situation. Those who had enough savings could have obtained a plot and planted their own crops. Others could have joined agricultural estates in Java, or in Sumatra. Some found their way back to Singapore.¹⁰⁷

After a rigorous experience as indentured labourers in British North Borneo, some could have rejected agricultural labour altogether, and ventured into other areas. Scholars observed that persons who rejected agricultural labour from areas, such as Jelapar, Kebumen, Purworejo and Wonosobo in Central Java, and districts within the Regency of Pasuruan in East Java, had ventured into various petty trades which served the needs of villages. While some became carpenters, blacksmiths, cobblers, and tailors, others engaged in 'home industries', i.e. basket-weaving, mats and hats-plaiting, and clay pots-making.¹⁰⁸ Ex-immigrants were also reported to have become cloth merchants in Rembang, while those from the areas of Pekalongan (north central

¹⁰⁶ Adapa Satyanarayana. 'Birds of Passage'. p. 24.

¹⁰⁷ SSA: NBCA 1243. General Manager, Sandakan Estates Ltd., to Government Secretary. 13 November 1930.

¹⁰⁸ Hurustiati Subandrio, 'Javanese Peasant Life Villages in East Java'. Thesis submitted for the Academic Post-graduate Diploma in Anthropology. University of London. May 1951; Koentjaraningrat. *Some Social-Anthropological Observations on Gotong Rojong Practices in Two Villagers of Central Java*. Monograph Series. Ithaca, New York: Cornell University. 1961.

Java), Surakarta and Yogyakarta, were involved in the batik industry.¹⁰⁹ It would not be surprising if Javanese ex-coolies from British North Borneo occupied similar industries.

Conclusion

This chapter shows that Java-recruited labourers who went to British North Borneo were repatriated at the end of their indenture contract. This was mainly due to the policies of the NEI authorities to restrict or limit the permanent residence of government-imported settlers, and the predisposition of the Company government to yield to the demands of the Dutch, in order not to shut the door to future importation of Javanese labour. Repatriations went accordingly, but challenges and inconsistencies relating to the repatriation issue had slightly affected the bilateral relationship of the colonial states. Nevertheless, these were eventually ironed out, through intervention and communication between the Company government and the NEI authorities. The existence of the repatriation clause influenced the Javanese labourers' decision to stay within the estate milieu. A significant number prolonged their stay by re-indenturing for another one to two years, following which, repatriation was sought. Fundamentally, on the one hand, the lack of incentives afforded to ex-coolies, and the policy of the Company government to treat them as Asiatic-aliens, rendered it impractical to set down roots in British North Borneo. On the other hand, the few opportunities given to them were not seized upon either, thus contributing to the prejudices held by employers and government officials against them (i.e. lazy, not industrious, and very poor settlers). In the final analysis, Javanese labourers who came to British North Borneo between 1914 and 1932 were deemed as transients within the indenture system. They were sojourners, nothing more than just 'birds of passage'.¹¹⁰

¹⁰⁹ Gooszen. *A Demographic History*. pp. 61-81.

¹¹⁰ PRO: CO874/1061. Report of the Committee appointed in November 1932; SSA: NBCA 533. Carew to Protector. Copy of Enclosure No 3. 3 September 1929.

CHAPTER 9

CONCLUSION

The original research question posed was to analyse the extent to which the system of Javanese indentured labour in British North Borneo over the 1914 to 1932 period, was 'a new form of slavery', or a particular variety of 'free labour'. The previous seven chapters have provided the empirical data to answer this question, by looking into the historical realities relating to the recruitment process, living and working conditions, the response of Javanese immigrants to the indenture system and to their new social environment, and post-indenture options.

When the system of Javanese indentured labour was approved in 1913 and immigration began in 1914, British North Borneo was at a crossroads, due to the cut-off of supplies of Chinese labourers from Singapore and Hong Kong. The grim realities of some systems of indentured labour resulted in the changing perception of the system; it was no longer seen as compatible with free labour. The system has been reviled as 'differing but little from a form of slavery'.¹ This new discernment on the degradation of indentured labourers, matched by nationalistic sentiments from the Chinese government and Indian leaders, resulted in the suspension of Chinese and Indian indentured labour overseas in the late 19th century and early 20th century. Following suit, the Colonial Office abolished the indentured labour system in neighbouring Malaya by 1914, cutting off one of the main arteries of Chinese labour supply for British North Borneo enterprises.

Yet a few questions remain to be answered. Why did the Chartered Company assent and yield to the so-called reviled system, when the world, led by Britain, was in the midst of a campaign calling for its very abolition? And why did the Netherlands East

¹ Tinker. *A New System of Slavery*. pp. 339-340.

Indies (NEI) government agree to export Javanese as indentured labourers? Was the system of Javanese indentured labour in British North Borneo really a new kind of slavery, as contended by the critics?

The answers to these questions have been explained throughout the thesis. In the earlier chapters, the thesis has shown that the BNBC was the principal institution in expanding the economy in the territory, and in bringing Javanese indentured labourers into the territory. Although not directly participating in the economy until the 1920s, the Company government contributed to a fertile environment for economic growth by introducing attractive liberal policies to lure capital and investors into the territory. In its quest, the BNBC had even been accused by a philanthropist organisation of profit maximisation at the expense of the indigenous population. Yet in the late 1880s and early 1900s, encouraged by these incentives, British North Borneo was invaded by tobacco planters, followed by rubber and timber enterprises, which stimulated revenue for the government in export duty and land sales. It also increased employment opportunities in the territory.

Nevertheless, the expanding economy had one constant problem, the availability of continuous labour to staff the burgeoning enterprises. Java was targeted to fill this labour vacuum. The permission granted by the NEI government to recruit Javanese labourers from Java came at the most opportune time for the Company government, and lifted the territory from a precarious position. Not only had it given a life line to the enterprises in British North Borneo by sponging up access labour from Java to cater for their needs, but it saved the Chartered Company from embarrassment, and from being lambasted by planters who had pumped in huge sums of capital into the territory. Meanwhile, the neighbouring NEI government had allowed its subjects to avail themselves of this system of labour in an overseas destination, because they too relied heavily on Javanese indentured workers for the enterprises at Deli, Sumatra. The Dutch also favoured the retention of indenture until the 1930s

because employment contracts 'could be regulated and excessive abuses avoided'.² Although the numbers of Javanese emigrating to British North Borneo as indentured labourers were comparatively small, the system had been part of the solution to lessen its domestic problems caused by an 'overpopulated' Java.

Critics of indenture denounced the system of indentured labour as a disguised form of slavery. They argued that similarities between indentured labour and slavery lay in the recruitment, transportation and harsh conditions of labour. Discipline was severe, mortality rates were high, and many recruits were forced to sign on after their contracts expired, and some never returned home.³ Evidence from the thesis, nevertheless, has argued that the shortcomings of the Javanese indenture system in British North Borneo do not make it comparable to slavery.

As related in Chapters 3 and 4, the major flow of Javanese indentured immigration to British North Borneo started in the 1910s. The Dutch and British colonies and protectorates were already aware of the heightened criticism of the indentured labour system, so much so that the recruitment process was already highly regulated, and many precautions were taken by the Dutch authorities, as well as the recruiting agencies, to minimise irregular recruiting practices. Ports and coolie depots were brought under greater government supervision and inspection, so as to eliminate abuses in the recruiting system. The Recruitment Ordinances (*wervingsordonnantien*) issued by the NEI government in 1909 and 1914 to curtail abuses prevailing in the recruiting industry in Java saw to it that a more stringent system of registration was enforced. Throughout the whole process, from the initial contact with the recruiter to the very end before embarkation for British North Borneo, intending emigrants were subjected to check-ups and interviews by government officials in various capacities, to

² Parmer. *Colonial Labour*. 1960.

³ Miers. *Slavery in the Twentieth Century*. p. 7.

determine that the emigrants were indeed fit for hard labour, and that they were willing participants in the system.

Nevertheless, no matter how conscientious the recruitment commissionaires (*wervingscommissarissen*) were in fulfilling this responsibility, there were bound to be irregularities. The system of recruiting remained imperfect, and in itself, invited the use of malpractices such as fraud and deception by recruiters. Ultimately, the system of paying recruiters and their henchmen (*wereg*) by results inevitably opened the door to abuse. The booming bounties drove these recruiters to use unscrupulous methods to increase their earnings. There was no official record indicating the use of kidnapping to meet the demands of Javanese indentured labour for British North Borneo, which significantly implies either that the extreme method of recruitment was non-existent, or that it was minuscule. Meanwhile, the misrepresentation of conditions in British North Borneo succeeded in luring potential recruits.

The incentive of payment by result given to recruiters was imperative, if they were to fulfil the numbers required by British North Borneo and for the system of indentured labour to succeed. As highlighted by Lawrence in his study of the West Indies, 'Without recruiters the regular flow of labour essential to estates organised on the basis of indenture could not have been provided'.⁴ However, this does not mean that recruiters or colonial recruiting agencies condoned malpractices, such as kidnapping emigrants, or using fraud and deception as a regular practice. Emmer strongly argued that recruiters and their agents would indefinitely face a financial loss when a fraudulently recruited emigrant had a change of mind, and decided against emigrating.⁵

⁴ K.O. Lawrence. *A Question of Labour: Indentured Immigration into Trinidad and British Guiana, 1875-1917*. p. 494.

⁵ P.C. Emmer. 'The Meek Hindu: The Recruitment of Indian Labourers for Service Overseas, 1870-1916'. in: P.C. Emmer (ed.). *Colonialism and Migration: Indentured Labour before and after Slavery*. Dordrecht: Martinus Nijhoff Publishers. 1986. p. 193.

The thesis has therefore shown that malpractices such as, fraud, coercion, deception and misrepresentation did occur in the recruiting business in Java, but on the whole, most Javanese recruits made a deliberate choice to work as indentured labourers, and emigrated voluntarily. The fact that the majority came from the poorer areas of inland Central and East Java concurs with the argument that their emigration to British North Borneo was based on the push factor. In fact, in these parts of Java, the majority of the rural population neither owned, nor had direct access to sufficient agricultural land to obtain subsistence. To make matters worse, neither the cities nor the villages could provide sufficient income to support the villagers and their dependents. Thus, indentured labour provided a means for families to maximise their income, by encouraging some members of the household, especially men, to work in British North Borneo, while remaining household members would somehow cope with limited village-based labour demands. The nature of the indentured labour system, which provided guaranteed jobs and consistent wages, proved to be the pull factor to potential recruits, while monetary advances, another focal trait of the system, enticed them even more into enlisting. Apart from providing for family members left behind, advances were often welcomed to pay off debts.

Probably the most notable form of 'deception' entrenched in the whole recruitment system was an institutional one, i.e. the harsh disciplinary law imposed by colonial legislatures, contained in the labour ordinances. The Dutch Contract made no mention of the types of punishment involved for infraction of the contract and the Labour Ordinance in British North Borneo. Punishments of a criminal nature were enforced for breach of civil contracts. Java-recruited coolies, on the one hand, had their indenture contract and the protective provisions of the Labour Ordinance to protect them, but on the other hand, could be prosecuted and punished with whipping, fines, imprisonment and extension of contracts, for minor infractions such as absenteeism from work and desertion from the estates. Chapter 5 has illustrated this anomaly, and proved that the system contained tenets which militated against the Javanese

indentured immigrant. One could not disregard the profound paradox entailed in the laws, which neglected to formally notify the intending Javanese emigrants of their existence.

So how 'voluntary' were emigrants then, if crucial information was withheld from them, as in the enforcement of criminal penalties, and in the fact that they could be jailed for failing to perform their job accordingly? Would they embark on the journey willingly, knowing the facts? Indeed, this calculated deception, which depicts a weakness in the system, has been a constant focal argument between anti-colonialists and the revisionists. However, it is impossible to comprehend that the majority of the immigrants had no initial knowledge of the existence of penal sanctions, given the fact that Semarang, where potential recruits gathered before embarkation to British North Borneo, was a bustling port filled with the comings and goings of immigrants, thus making the transmission of information about a particular destination easier. Similarly, the point regarding chain migration and networking has to be made. One has to take into account the fact that over a period of time, indentured migrants were familiarised with the conditions in British North Borneo through relatives, friends, and neighbours, who often provided vital information. Hence, potential recruits from areas such as Kapasan, Karang Tembok, Blitar, and Purworejo, where the majority of British North Borneo labourers hailed from, would have known about penal sanctions and the conditions of labour in the territory. Yet they still emigrated, despite having this knowledge. This strongly subscribes to the contention that recruits emigrated voluntarily. They chose to endure temporary hardship in British North Borneo, and leave the poverty and social misery behind in Java, hoping that this fate could be overturned by the return of wages and savings. Therefore, as observed by Northrup, 'It is that frame of mind that separates them from the involuntary recruitment and permanent legal coercion of slavery'.⁶

⁶ Northrup. 'Free and Unfree Labor Migration'. p. 130.

From the moment they left their homeland, to their eventual return, the welfare of the Javanese labourers was generally taken care of. Ships transporting Javanese coolies were highly regulated, be it British-owned or Dutch-owned. Although facilities were sometimes lacking on some of these steamers, both the Company government (representing Great Britain) and the NEI (representing the Netherlands) attempted to improve conditions out of concern of being accused of operating and continuing the slave trade under a new guise.⁷

In British North Borneo itself, despite having criminal penalties to enforce civil contracts, the territory's Labour Ordinance revealed that there was indeed greater effort on the part of the Company government to make indenture something different from slavery. To be sure, the Company government's way of safeguarding the indentured immigrants was by the amelioration, rather than abolition, of the system. The Labour Ordinance 1916 which replaced the one-sidedness of Ordinance 1908 significantly improved the leverage of employees in labour relations. Subsequently, reforms were made over the years to provide labourers with adequate protection from ill-treatment and other potential abuses. The special agreement with the NEI government played a significant role, which governed the course of Company government's policies towards the labour question in British North Borneo, particularly regarding Javanese indentured labour.

From 1914 to 1932, the Company government strove to maintain a strong relationship with the NEI authorities, by expelling undesirables, and eradicating practices, which might jeopardise the annually-renewed recruiting permit. It has been consistently described throughout the subsequent chapters that the project to recruit Javanese labour for British North Borneo enterprises was seen as a 'favour' to the Company government. The anxiety that this 'favour' might be terminated at any time rendered it necessary for Company officials to be rigorously vigilant in ensuring that the

⁷ Termorshuizen. 'Indentured Labour'. p. 303.

labour conditions under which Javanese labourers lived and worked, were according to standards, and the rights of each labourer protected. Undoubtedly, some managerial officials were stricter than others, and cases of ill-treatment, brutality and physical aggression by overseers against Javanese labourers could be found occasionally. But when they came to light, the administrative machinery of the Company government promptly dealt with these cases. However, there is justification for saying that the courts now and then extended a more lenient punishment to offending estate officials than to coolies for minor breaches of contract.

All the same, it was quite obvious that the treatment of Javanese labourers was regulated, and the enforcement of the regulations and laws pertaining to this group of labourers was quite strict. Following the infamous incident in 1916, relating to Assistant Manager Holman, who was convicted of physically abusing Javanese labourers, the system offered reasonable hope that important abuses had been detected and brought under control. The Company government, under direct orders from the Court of Directors in London, even demanded that quarterly returns on abuses inflicted by European estate officials on Asiatic coolies be submitted by employers of labour.

This, once again, reflected the agency of colonial states in manoeuvring the conditions of indentured labour away from the path of slavery. The earlier paragraphs have already described the responsibility of the NEI government to ensure the system of recruitment in Java was free from obvious possibilities of abuses. To complement this effort, the NEI authorities, under the auspices of the Labour Inspectorate, not only scrutinised the enforcement of the labour laws in British North Borneo, but also exercised considerable influence on their inception. Apart from being consulted on proposals to amend laws on labour, regular reports were also sought after, particularly on health and general conditions of government-imported Javanese working on British North Borneo enterprises. The Dutch Labour Inspectors sent to inspect labour situations also posed a striking figure of authority. Van Hemert, who visited the territory

in 1918, was cautious in his inspection, but too easily satisfied with colonial explanations, while Baron Van Lijnden, Viehoff, and Frohwein, who came in later years, demonstrated more formidable and imposing personalities. In the final analysis, it would not be far from the truth to say that the Dutch colonial state and its civil servants were genuinely interested in the welfare of the Javanese indentured labourers in British North Borneo. The colonial state in the NEI went through an administrative strengthening after 1900 under its Ethical Policy. In one way or another, the mindset of Dutch colonial civil servants working in the NEI at the time could have been influenced by some sense of moral obligation invoked by the Policy.⁸

Throughout the period of indenture, material conditions were generally taken care of by employers. Nominal and real wages of indentured Javanese were usually higher than the rest of the coolies on local contracts, although conflicts relating to wages and tasks were frequently heard (wages were withheld or illegally deducted for various infractions). The coolie accommodation (*kongsi*), although sometimes overcrowded, lacking in privacy, exposed to thieves and other dangers, and in need of repairs, met certain minimum standards. Some employers⁸ did somehow let coolie lines deteriorate to a deplorable condition to save maintenance costs during periods of strict economy. Water supply to coolie lines became an issue, particularly when such estates depended on streams or unprotected wells. Sanitation problems remained a constant headache for visiting government inspectors, although the unhygienic habits of the coolies were partially to blame for any health hazards. Medical attention for coolies was recognised as important from early on, because of the limited supply of labourers in the territory. Economically, the high cost of recruiting, and the difficulty of getting new recruits rendered it necessary to maintain the good health of the imported coolies, not to mention the impact on production. Various schemes were devised to ensure that adequate medical attention was given to sick patients, but on the whole, although the

⁸ Robert Cribb. 'Introduction'. in R. Cribb (ed.). *The Late Colonial State in Indonesia: Political and Economic Foundations of the Netherlands Indies 1880-1942*. Leiden: KITLV Press. 1994, pp. 1-9; Houben. 'Introduction'. p. 7.

quality of services was commendable, this aspect of the indenture system was one of the most criticised by the NEI authorities. And for their part, government officials and international humanitarians continued to be obsessed with improving health conditions throughout the territory.

However, as Chapter 6 has shown, the full extent of the ill health of Javanese coolies working under indenture in British North Borneo was not much different from other labourers and the general population. The number of coolies treated in hospitals remained quite large, as compared to the general public, but the statistics, too, could not be taken at face value. Employers had a tendency to force labourers to be admitted in hospital for signs of illness, whereas the general public, particularly the indigenous people, remained sceptical of European doctors and medicines, and preferred to consult their own local healers. The mortality rate of labourers was consistently under three percent, except for the years when they were affected by the influenza pandemic. Also, throughout the period under study, malaria was predominantly the main cause of death for both estate labourers and the mass of the population. This affirmed the fact that epidemiological factors were the main cause of death of indentured labourers in British North Borneo, and not the harshness of life under indenture, as contended by critics of the system. This, however, does not excuse some employers' lack of concern for proper nutrients and hygienic sanitary conditions, which contributed to incidences of beri-beri and hookworm. But these employers were immediately reprimanded by the proper authorities, and campaigns to eradicate both diseases which followed on the respective estates, eventually witnessed a cessation of the diseases.

The thesis has shown that the confinement of coolies within the estate milieu and the use of penal sanctions made the system open to abuse. Also, continuous conflicts relating to tasks and wages, physical assaults, and the denial of certain rights, reflected the power held by employers and overseers over their indentured labourers. Other elements of social control, such as estate housing, estate shops, estate tokens,

opium, brothels, and gambling, all invited abuses and made labourers feel dependent and vulnerable to the estate. Coolies' responses to these forms of labour control were manifest through the occurrence of desertion, strikes and rebellions, sometimes involving loss of life. The treatment of absentees and deserters was sometimes very rigorous, and a source of punishment, although it varied widely between enterprises. Sometimes, conditions of indenture were made worse by human failings, particularly on the part of the Company administrative machinery. The staffs of the Protectorate Department were limited during the earlier years of indentured immigration. While this matter was gradually resolved, other defects lingered on. The local Protectors of Labour were sometimes guilty of negligence, and bias because of their racial prejudices. Complaints were not promptly investigated, and law enforcement was, at times, very sloppy. The vastness of the territory, with its inadequate transportation and communication system, at times hindered effective surveillance by government officials. The non-existence of a Javanese interpreter attached to the Protectorate Department prior to 1927 also remained a sore point, thus further weakening the labourers' position in voicing their complaints.

Although the life of Javanese labourers working under indenture was harsh, it did not make the system in British North Borneo comparable to slavery. The use of penal sanctions in the territory did not necessarily reflect the ill-treatment of Javanese indentured immigrants. Indeed, the high rates of convictions, which exceeded five per cent during the 1910s and early 1920s, were statistics involving the entire labour force in the territory, irrespective of the type of labour contract they were in, (i.e. two to three-year indenture contract, one-year local contract, or one-month verbal contract). The prevailing notion at that time was to evade prosecuting Javanese labourers, particularly those recruited from Java under the government permit, to avoid attracting unnecessary attention from the Dutch authorities. This fact seems to connote that compared to other labourers the disciplining of government-imported Javanese was more lax. Therefore, from a broader perspective, the indenture of government-imported

Javanese in British North Borneo was harsh, if one is to gauge this by the existence of penal sanctions, but the fact that penal sanctions were not strictly enforced on Java-recruited Javanese meant that the system was weaker than it seemed.

Moreover, the presence and reliance on criminal sanctions for labourers working under indenture to prevent absenteeism, desertion and insubordination, appeared not to be as effective as the employers had hoped. Over the years, employers persistently lobbied for more effective punishments, and complained about the ineffectiveness of the Labour Ordinance, which they described as mocking the position of employers. The repeated efforts to amend the territory's labour laws so as to secure more effective means of compelling the indentured to work, the constant complaining about absenteeism and desertion, and their reluctance to abandon penal sanctions altogether for fear it would bring 'evil' consequences, reflected their mentality and attitude towards labour. It has to be mentioned that some of these attempts by employers to amend labour legislation failed because they were disinclined to exert themselves after leaning heavily on the government's assistance for so long. Co-operation on matters pertaining to labour, and those affecting the planting industry, was also prejudiced by dissension in the planting community itself, and the incessant distrust between the NBCA and the NBCC. This effectively lowered their collective bargaining power.

One of the constitutive elements of slavery is property ownership, where a slave is the property of another.⁹ In British North Borneo, indentured labourers were never legally proclaimed to be the property of their employers. Furthermore, even if employers held such power, he could only exert it to a certain extent because he was constrained by law and subject to time limits.¹⁰ Evidently, most employers in British North Borneo knew better than to treat their imported Javanese labourers as slaves. As

⁹ H.J. Nieboer. *Slavery as an Industrial System*. pp. 3-19. <http://www.ditext.com/nieboer/p1ch1.html#1>. [18/08/2008 15:15].

¹⁰ Houben. 'Introduction', p. 5.

Clarence-Smith opined in his study of indentured labour in the plantations of São Tomé and Príncipe, the high cost of procuring labourers obliged employers to make certain concessions whenever possible.¹¹ Hence, skilful management in British North Borneo realised the importance of maintaining good labour relations with their indentured workers because this would definitely increase the level of production, create better working atmosphere, improve business in the long run, and benefit the enterprise when labourers re-engaged. They understood too that that over-reliance on penal sanctions would bring the opposite effect, since they would lose not only manpower, but also output, if coolies were convicted and punished with imprisonment. Penal sanctions were used mainly as a deterrent to subdue labourers, but not necessarily enforced. These employers ensured that their labour force was relatively satisfied with the working conditions to prevent desertion, or other form of aggressive resistance.

Nieboer contends that the definition of slavery depends on the meaning or idea one attaches to the term.¹² In British North Borneo, there were a number of employers who viewed indentured immigrants as simply a source of profit, meant to be exploited as long as they (the employers) did not break any laws. Sapong Estate, for example, was singled out for its harsh regime for labourers, and its excessive number of prosecutions and convictions. Hence, one could say that this group of employers acted on the assumption that their indentured labourers were slaves, as portrayed in their attempts to control every aspect of the labourers' life, as with the attitudes of masters of slaves in the transatlantic slave trade. But even in these circumstances, the state of being subjugated to someone more powerful was not a continuous process, nor was it inherent. Unlike children of chattel slaves, the offspring of Javanese indentured labourers in British North Borneo, once of age, were not expected to perform labour.

¹¹ W.G. Clarence-Smith. 'Labour Conditions in the Plantations of São Tomé and Príncipe, 1875-1914'. *Slavery & Abolition*. 14,1 (April 1993). p. 150.

¹² Nieboer. *Slavery*. p. 2.

Orlando Patterson defines a slave as a 'socially dead person' who was 'denied all claims on, and obligations to, his parents and living blood relations'.¹³ Developments in the social life of the Javanese indentured immigrants in British North Borneo, as noted in the foregoing chapters, contradict the definition of 'slave' used by Patterson. Over the years the hold employers had over their indentured coolies' became more lax. Coolies had more access to the outside world after working hours. Social outings such as visiting friends at other neighbouring estates, or attending gatherings at *tamu* or native market, became regular affairs during weekends or holidays. Likewise, as opposed to Wells' argument contending that indentured labourers were denied opportunities and resources to establish families and reproducing themselves, most employers in British North Borneo saw the importance of a settled labour force, and encouraged marriages and family life among its labourers.¹⁴

Critics of indenture argued that although recruits had a repatriation clause in their indenture contract, many never returned home, because they were tricked or coerced into forfeiting their free repatriation passage. However, the findings in Chapter 8 have rejected this notion, with the percentage of returned migration to Java standing at more than 70% by the time indentured labour was abolished in late 1932. Throughout the period the system was in operation, Javanese immigrants consistently opted for their free passage, either as soon as their contract expired, or after a bout of three to four years in the territory. Even for those who continuously re-engaged for several years, it was apparent that at the end of the day, they were given their right to a free repatriation to Java. Whether this was granted at the employer's expense or the government's was irrelevant. The crux of the matter was, they held a unique position in labour ranking in the territory. Not only were they government-imported coolies, but they also worked under a different type of contract, under a special permit granted by the Dutch authorities in Batavia. The future importation of Javanese labourers into

¹³ Quotes from Orlando Patterson. *Slavery and Social Death: A Comparative Study*. Cambridge, MA: Harvard University Press. pp. 5, 13 and 17.

¹⁴ Wells. 'Imperial Hegemony', p. 190.

British North Borneo depended upon the ability of the territory to follow the terms and conditions of the agreement with the Dutch. From the labourers' point of view, social and religious ties inclined the Javanese indentured workers to return to their home villages upon the expiration of their contracts. This argument certainly went against Patterson's definition of 'slave' mentioned above.

The Javanese indenture system operating in British North Borneo over the 1914 to 1932 period was, therefore, not akin to slavery. The Javanese indentured labourers were not free men or women in today's definition of the word, but the system in operation then was a particular variety of 'free labour'. It was a form of coerced labour, which stood in between slavery and modern systems of contract labour. As highlighted by Campbell and Alpers, coercion, which was 'generally considered a defining feature of slave work, was not exclusive to slavery'. It was only that economies of scale, such as plantations, made high levels of coercion profitable.¹⁵

The study refutes Amarjit Kaur's contention that indentured immigrants in British North Borneo laboured under conditions reminiscent of slavery, because internal and external conditions and pressure, rendered it necessary for employers not to treat indentured labourers as slaves.¹⁶ The study supports Black's contention that although conditions of labour might have been appalling during the pioneering period in the late nineteenth century, which led to high mortality rates, the twentieth century witnessed a more progressive policy by the Company government to eradicate abuse and improve labour conditions.¹⁷ The thesis concurs with the point of view of contemporary actors and writers such as Cook and Rutter, namely that disciplinary measures on plantations were imperative and did not necessarily mean ill-treatment and brutality. Yet it

¹⁵ Gynn Cambell and Edward A. Alpers. 'Introduction: Slavery, Forced labour and Resistance in Indian Ocean Africa and Asia'. *Slavery & Abolition*. 25,2 (2004). p. x.

¹⁶ Amarjit Kaur. *Economic Change in East Malaysia*. 1998. p. 93.

¹⁷ Black. *A Gambling Style of Government*. 1984. p. 211.

challenges Cook's philosophy that 'the labourers were indentured really only in name', as shown by the upshot of the analysis on the characteristics of indenture.¹⁸

Putting the 'slavery or not slavery' debate aside, Javanese indentured immigration had a profound impact on British North Borneo. The impact was multi-faceted. The main contribution of the Javanese immigrants was an economic one. The advent of the Javanese avoided a major labour crisis in the land, and facilitated the expansion of plantation agriculture. Economic prosperity in the territory grew in direct proportion to Javanese immigration. A continuous importation of Javanese labour was reflected in the increasing production of rubber, and only when rubber prices fell did immigration of Javanese decrease, eventually to be suspended altogether. In simpler terms, without the Javanese immigrants, bigger rubber estates would have suffered if not collapsed, and companies investing capital in British North Borneo would have faced financial ruin. Rubber cultivation would still prosper due to the effectiveness of small holder rubber cultivation, but the Company government would have been embarrassed as a result of its inability to live up to its promises to provide the necessary support to capitalist investors.

Additionally, with the immigration of the indentured Javanese, what evolved in British North Borneo society, which had no history of slavery on plantations, was a hybrid labour system, with indentured and free labour coexisting together in the main sector of the plantation system until 1932, and free labour in the tangential areas of economic activity. Aside from the economic perspective, the Javanese contribution and their involvement in other spheres were minimal. Politically, they were already marginalised, because their foreign status denied them a vote. However, socially, there were contradictory signs. On the one hand, cultural adaptation and assimilation had begun. Contact with other population groups, particularly other Muslim labourers such as the Malays and the indigenous population (Bajaus, Suluks, Illanuns, Kedayans,

¹⁸ Rutter. *British North Borneo*. p. 168; Cook. *Borneo*. p. 109.

etc.), made assimilation easier. The frequent visits to *tamu* especially eliminated certain feelings of hostilities, distrust and ignorance amongst the various ethnic groups, and promoted social and racial integration.¹⁹ As noted by scholars, acculturation in Southeast Asia was facilitated by the fact that slaves, or bonded labourers, originated from societies with linguistic and cultural backgrounds similar to that of the dominant society.²⁰ These similarities enhanced the dispersion of Islam and intermarriages amongst the various ethnic groups of British North Borneo. Javanese men and women married local spouses. On the other hand, cultural conservatism prevailed. The Javanese retained distinct cultural features in dances, music, marriages, deaths, language and customs. Places such as 'kampung Java' (Javanese Village) appeared in districts where there were high concentrations of Javanese. Although most Javanese left British North Borneo at the end of their indenture contracts, those who remained became a small, but permanent component of the territory's population. All things considered, the immigration of Javanese indentured labourers into British North Borneo, similar to immigration of Chinese and Indians in Malaya, was a direct consequence of Western presence, and had contributed to the cultural diversity found in Sabah today in particular, and Southeast Asia in general.²¹

For the majority who left the territory, a significant portion went to Singapore, and the Federated Malay States to seek new opportunities, while the rest headed back to Java. The number of paupers repatriated to Java was generally small, and there was no evidence of the actual amount of savings brought back to Java by indentured labourers from British North Borneo. Nevertheless, based on the assumption that returning migrants brought monies, jewellery, and gold ornaments on their persons, similar to returning migrants from Sumatra and Surinam, it can be construed that ex-indentureds from British North Borneo returned with sufficient earnings to enable them

¹⁹ Padasian. 'Cultural Progress and the Arts'. p. 534.

²⁰ Campbell and Alpers. 'Introduction: Slavery, Forced Labour and Resistance'. p. xiv; Anthony Reid, 'Introduction: Slavery and Bondage in Southeast Asian History', in: Reid (ed.), *Slavery, Bondage and Dependency in Southeast Asia*. St Lucia: University of Queensland Press. pp. 13, 25-26.

²¹ Victor T. King and William D. Wilder. *The Modern Anthropology of Southeast Asia: An Introduction*. London and New York: Routledge Curzon. 2003. p. 11.

to secure their own plot of land (either through purchase or lease), or venture onto other indigenous enterprises. The availability of new sources could throw some light into the matter.

What happened to these Javanese who remained in British North Borneo after the system of indentured labour was abolished in the territory deserves further research. It would be interesting if an in depth analysis could be conducted on whether they continued to work as free labourers on rubber estates when labour was, once again, in demand following the increase in the price of rubber, or joined the wage labour market in other industries. Javanese labourers continued to be sought by employers in British North Borneo. In fact, a new agreement was negotiated by the Company government in 1938 for the recruitment of free Javanese labour from Java. During World War Two, Javanese labourers arrived in numbers, but they came as 'romushas', or forced labour, under the Japanese flagship. Indeed these historical realities provide further avenues for future research.

In the final analysis, it can be concluded that the Javanese indentured labour experience in British North Borneo over the 1914 to 1932 period, although it shared similar traits with other colonies experimenting with the system of labour, its distinctive characteristics were very pronounced. Going back to the main research question, this thesis concludes that the experience of Javanese indentured labourers in British North was indeed a particular kind of 'free labour', and not a disguised form of slavery.

REFERENCES

PRIMARY SOURCES

A) United Kingdom

Public Records Office, London

Colonial Office 874, North Borneo Company, 1865-1952

- CO874/105 Foreign Office, Dec 1880-Dec1890
CO874/229 Inward Despatches from the Company's Governor,
Jan 1882-March 1882
CO874/231 Inward Despatches from the Company's Governor, June 1882-Aug 1882
CO874/239 Inward Despatches from the Company's Governor, May 1885-Aug 1885
CO874/244 Inward Despatches from the Company's Governor, Aug 1887-Dec 1887
CO874/248 Inward Despatches from the Company's Governor, June 1889-Dec 1889
CO874/249 Inward Despatches from the Company's Governor, Jan 1890-Sept 1890
CO874/250 Inward Despatches from the Company's Governor,
Oct 1890-March 1891
CO874/252 Inward Despatches from the Company's Governor, Oct 1891-April 1892
CO874/271 Inward Despatches from the Company's Governor, Jan 1903-June 1903
CO874/292 Inward Despatches from the Company's Governor, May 1882-Apr 1883
CO874/357 Constabulary, October 1913-December 1916
CO874/358 Constabulary, February 1916-December 1917
CO874/359 Constabulary, December 1917-November 1920
CO874/362 Constabulary, February 1927-February 1933
CO874/394 Opium traffic, suppression of
CO874/436 Land Regulations, 1912-1913
CO874/437 Lok Kawi Rubber Ltd., 1913-1917
CO874/438 Lok Kawi Rubber Ltd., 1917-1946
CO874/462 Rice Subsidy, 1920-1921
CO874/475 Diary Reports, 1911-1914
CO874/477 Diary Reports, 1916-1918
CO874/478 Diary Reports, 1918-1922
CO874/479 Diary Reports, 1922-1940
CO874/505 Returns of Coolie Population
CO874/511 Disturbances, 1921-1941
CO874/552 North Borneo Chamber of Commerce, Minutes of Meeting, 1913-1919
CO874/553 North Borneo Chamber of Commerce, Minutes of Meeting, 1919-1924
CO874/554 North Borneo Chamber of Commerce, Minutes of Meeting, 1924-1928
CO874/555 North Borneo Chamber of Commerce, Minutes of Meeting, 1928-1933
CO874/563 Bongawan Estates Ltd., 1920-1940
CO874/574 Judicial Administration, 1911-1912
CO874/575 Judicial Administration, 1913-1920
CO874/576 Judicial Administration, 1920-1935
CO874/587 Lingkungan Co., 1913-1914
CO874/590 Sablas North Borneo Rubber Co. Ltd., 1913-1928
CO874/594 Beaufort Borneo Rubber Co. 1918-1932
CO874/595 Beaufort Borneo Rubber Co. 1918-1932
CO874/596 North Borneo State Rubber Ltd., 1913-1931
CO874/604 Membakut Rubber Ltd., 1913-1926
CO874/605 Membakut Rubber Ltd., 1926-1933
CO874/609 New London Borneo Tobacco Company, 1915-1928
CO874/619 Tenom Borneo Rubber Co., 1915-1921
CO874/625 Kimanis Company, 1915-1946

CO874/645 Lahad Datu Culture Syndicate, 1913-1945
 CO874/646 Census, 1901, 1911, 1921, 1910-1929
 CO874/647 Census, 1929-1940
 CO874/744 Javanese Immigration, 1912-1917
 CO874/753 Javanese Immigration, 1918-1924
 CO874/752 Javanese Immigration, 1924-1930
 CO874/751 Javanese Immigration, 1930-1946
 CO874/754 Memorandum regarding labour in North Borneo and the
 Immigration of Chinese Settlers
 CO874/755 Wages of Labourers, 1920-1929
 CO874/756 Wages of Labourers, 1930-1941
 CO874/757 Whipping 1921-1922
 CO874/758 Whipping, 1922-1930
 CO874/759 Amendment of Labour Ordinance, 1920-1928
 CO874/760 Amendment of Labour Ordinance, 1928-1930
 CO874/761 Amendment of Labour Ordinance, 1930-1935
 CO874/766 Labour Recruiting, 1918-1940
 CO874/785 Vagrants and Pauper Institute, 1918-1925
 CO874/786 Vagrants and Pauper Institute, 1925-1940
 CO874/802 Beri-Beri, 1918-1929
 CO874/834 Rebellions and Disturbances, 1914-1915
 CO874/835 Rebellions and Disturbances, 1915-1919
 CO874/863 Repatriation, 1930-1940
 CO874/872 Hook-worm Campaign, 1916-1920
 CO874/937 Indigenous Labour, 1918-1921
 CO874/938 Indigenous Labour, 1922-1923
 CO874/939 Indigenous Labour, 1923-1929
 CO874/1024 Forced Labour and Contract Labour in North Borneo, 1926-1930
 CO874/1025 Forced Labour and Contract Labour in North Borneo, 1930-1933
 CO874/1037 Application of Labour Conventions to North Borneo, 1930-1932
 CO874/1052 Unemployment in North Borneo, 1930-1938
 CO874/1061 Abolition of Contract Labour, Proposed Immigration Fund and
 Recruitment of Javanese Labour, 1932-1934
 CO874/1062 Abolition of Contract Labour, Proposed Immigration Fund and
 Recruitment of Javanese Labour, 1934-1937

Colonial Office 855, British North Borneo and Sabah: Government Gazettes

CO855/23 Herald and Official Gazette 1909
 CO855/34 Herald and Official Gazette 1920
 CO874/35 Herald and Official Gazette 1921

Colonial Office 648, British North Borneo (Sabah) Sessional Papers, 1908-1950

CO648/7 Administration Reports, 1914-1916
 CO648/8 Administration Reports, 1917-1919
 CO648/9 Administration Reports, 1920-1923
 CO648/10 Administration Reports, 1924
 CO648/11 Administration Reports, 1925
 CO648/12 Administration Reports, 1926
 CO648/13 Administration Reports, 1927
 CO648/14 Administration Reports, 1924-1929
 CO648/15 Administration Reports, 1930-1933

Colonial Office 531, British North Borneo Original Correspondence, 1907-1951

- CO531/2 Despatches, Offices and Individuals, 1909-1910
CO531/5 Despatches, Offices and Individuals, 1915
CO531/6 Despatches, 1914
CO531/8 Despatches, Offices and Individuals, 1915
CO531/9 Miscellaneous, Offices and Individuals, 1915
CO531/10 Despatches, Offices and Individuals, 1915
CO531/11 Despatches, Offices and Individuals, 1917
CO531/12 Despatches, Offices and Individuals, 1918
CO531/13 Despatches, Offices and Individuals, 1919
CO531/14 Despatches, Offices and Individuals, 1920
CO531/15 Despatches, Offices and Individuals, 1921
CO531/16 Despatches, Offices and Individuals, 1922
CO531/20/16 Labour Laws of North Borneo, 1927
- CO273/567/4 Contract Javanese Labour in Malaya
CO1069/522 Sabah 7; Manganese Mining and Shipping of Ore in North Borneo
1900s, with some prints on rubber plantations.
CO1069/524 Sabah 9; Langkon Estate, Marudu Bay, British North Borneo,
early 1900s
CO1069/529 Sabah 15; Photographs of British North Borneo, forwarded to the Court
of Directors by the Governor. August 1921.
CO1069/530 Sabah 16; Views of North Borneo and its People. 1921.
CO1069/560 Singapore 5: Singapore Quarantine Station, St. John's Island;
Photographs Submitted by F.R. Sayers, Chief Health Officer, Singapore.
FO12/129 British North Borneo Company, 1904-1905

British Library, India Office Records, London

Public and Judicial Department Records: Annual Files

- IOR/L/PJ/6/118/File 307 Emigration; Application for introduction of Indian
immigrants into the territory of the British North Borneo
Company. 13 February 1884
- IOR/L/PJ/6/127/File 1102 Proposal for Indian coolie emigration to the territory of the
British North Borneo Company. 24 May 1884
- IOR/L/PJ/6/129/File 1259 Application of British North Company for immigrants from
India. 10 July 1884
- IOR/L/PJ/6/212/File 1759 Emigration to British North Borneo. 28 Sept 1887.
- IOR/L/PJ/6/223/File 487
and Emigration of Indian labourers to British North Borneo
Dutch East Indies. 13 March 1888.
- IOR/L/PJ/6/303/File 1298 Emigration from India to British North Borneo and Labuan
sanctioned. 21 July 1891
- IOR/L/PJ/6/321/File 829. Emigration to British North Borneo; appointment of
an Indian Immigration Agent. 4 May 1892.

Anti Slavery International, London

The Anti-Slavery Reporter and Aborigines' Friend

Series V., Vol. 9, No. 4; January 1920
Series V., Vol. 10, No. 1; April 1920
Series V., Vol. 10, No. 3; October 1920
Series V., Vol. 10, No. 4; January 1921
Series V., Vol. 11, No.1; April 1921
Series V., Vol. 11, No. 2; July 1921
Series V, Vol. 12, April 1922 – January 1923

Anti Slavery Society. 1921. 'Abuses in North Borneo'. Record No. 2388.

The Hansards, House of Common Parliamentary Papers

1888. [C.5617] Papers relating to N. Borneo (Establishment of British Protectorate)
1920. [Cmd. 1060]. Correspondence on the subject of allegations against the administration of the British North Borneo Company.
1928. [Cmd. 3086]. Tables and diagrams relating to the rubber industry (Tables).
- 1932-33. [Cmd. 4393]. Statistical abstract for the several British Oversea Dominions and protectorates in each of the years 1913 and from 1925 to 1931.
- 1928-29. [Cmd. 3198] Statistical abstract for British self-governing dominions, colonies, possessions, and protectorates in each year from 1903 to 1925.

Others

School of Oriental and African Studies Archives, London

MS283792 British North Borneo Papers (Papers collected and written by E.P. Gueritz)
19-20; Reports of the half yearly meeting of the British North Borneo Company, 22nd-98th, 1894-1935.
21; Reports of the Directors and statements of accounts / British North Borneo Company, Holdings: 1924-1927.

GL Letter Guthrie Corporation Archives
G/BBR/7; Beaufort Borneo Rubber

B) The Netherlands

Algemeen Rijks Archief (The Netherlands National Archive, The Hague)

Mailrapport Series

1913 No. 1062, 1857, 2257
1915 No. 2326
1917 No. 50
1918 No. 338
1919 No. 431
1920 No. 258, 3051
1921 No. 4005
1922 No. 4013

1923 No. 3348
1925 No. 2191, 2593
1926 No. 2201
1927 No. 585

Koninklijk Instituut voor de Tropen (Royal Tropical Institute, Amsterdam)

Kantoor van Arbeid (KvA)

1913 Arbeidsinspectie en Koeliewerving, Batavia.

1914 *Derde Verslag. Arbeidsinspectie en Koeliewerving in Nederlandsch-Indie.*
Weltevreden: Filliaal Albrecht & Co.

1919 Verslag van den dienst der Arbeidsinspectie in Nederlandsche-Indie, 1917-1918.
Weltevreden.

1920 Verslag van den dienst der Arbeidsinspectie in Nederlandsche-Indie, over het
Jaar 1919. Weltevreden: Boekh. Visser & Co.

1923 Verslag van den dienst der Arbeidsinspectie in Nederlandsche-Indie, over de
Jaren 1921 en 1922. Weltevreden.

1926 Tiende verslag van de Arbeidsinspectie voor de Buitengewesten, 1925.
Weltevreden.

1927 Elfde verslag van de Arbeidsinspectie voor the Buitengewesten, 1926.
Weltevreden: G. Kolff & Co.

1929 Dertiende Verslag van de Arbeidsinspectie voor de Buitengewesten 1928.
Weltevreden: Landsdrukkerij.

1930 Veertiende Verslag van de Arbeidsinspectie voor de Buitengewesten 1929.
Weltevreden: Landsdrukkerij.

C) Singapore

National University of Singapore

Parr, C.W.C. *Report of the Commission appointed to enquire into the conditions of
Indentured Labour in the Federated Malay States.* No. 11 of 1910.

Parr, C.W.C. *Further Report of the Commission Appointed to Enquire into the
Conditions of Indentured Labour in the Federated Malay States.* 31 August 1910.

D) Malaysia

The National Archives of Malaysia

The Malay Mail
Warta Ahad
Selangor Secretariat File

Sabah State Archive

North Borneo Central Archives (Secretariat Files/Pink Files)

- 23 West Coast Residency 1929
- 37 Medical Report on North Borneo by Sir Allan Perry 1912
Medical Report 1931 by G.G. Campbell
- 69 Medical Department 1923
- 83 Penal Sanctions, Labour Ordinance, Probable Abolition
- 126 Census North Borneo 1931
- 164 Forced Labour 1932
- 164a Forced and Compulsory Labour, 1929-1930
- 203 Medical Department 1929
- 210 Dutch Inspector of Labour, inspection of Conditions on Estates Employing
Javanese Labour, 1926-1927
- 231 Lok Kawi Rubber Ltd.
- 461 New Darvel Bay Tobacco Plantations Ltd., taking over of Tobacco Cultivation
by Darvel syndicate
- 465 Inspection Tour Report of Dutch Labour Inspector, Visited in 1928
- 480a Labour Ordinance 1929
- 488 Mohammedan Burial Grounds, Lahad Datu
- 497 Desertion by Husbands in the Native Villages
- 533 Settlement Scheme on Estate
- 547 Medical Department 1924
- 587 Slump, Minimum Wages
- 589 Establishment of Pauper Institute 1922, Vagrancy Problem
- 620 Report of Cases, High Court
- 647 Mohammedan Burial Grounds, Membakut Estate
- 673 Labour Advisory Board Meeting Sandakan
1930, re Minimum Wages
- 681 Melalap, Kinarut Estates, the Manchester North Borneo Rubber Ltd. Reports
and Balance sheets
- 711 Cessation of Rubber Tapping May 1930 in North Borneo
- 748 Langkon North Borneo Rubber Ltd (general)
- 805 Coolie Depot Diets
- 851 Lingkungan Borneo Rubber Maatschappij, General, Report and Accounts
- 873 Conditions of labour, health, Tawau Rubber Estate, Nissan Estate
- 906 Assistant Holman, Treatment of Javanese Labourers (1916)
- 980 Javanese Labourers Imported by Government, Quarterly Returns of
- 1016 Conditions of Labour in Colonies, Protectorates, etc. and Problems Connected
with Labour
- 1017 Medical Scheme for Estates
- 1040 Lower Segama Rubber Estate
- 1041 Membakut Rubber
- 1046 Medical Scheme, Kudat Group
- 1049 Labour Trouble
- 1081 Medical Reports on Beri-beri in North Borneo
- 1084 Education, Department Report for 1920-1926, 1934-1939
- 1087 Beri-beri, Incidence in North Borneo
- 1119 Javanese Labourers Memo RE Recruitment through A.D.E.K. Medan
- 1126 Labour Advisory Board, Minutes of Meeting
- 1175 North Borneo Planters' Association, Minutes of meeting
- 1180 Crimping of Labour
- 1183 Labour, Native, Recruitment and Employment
- 1184 Javanese Labourers Repatriated to Singapore
- 1186 Labour Ordinance 1936
- 1191 Labour Recruiting

- 1194 Diets, System of, Feeding of Labourers
- 1201 Employment of Natives by Estate
- 1210 Pauper Fund 1924-1940
- 1216 Emigratie Kantor, Liquid and Reorganization
- 1232 Javanese Repatriation Fund
- 1241 Immigration, Labour Rules and Arrangement for Import and Repatriation
- 1243 Repatriation of Singapore Recruited Labour
- 1246 Pauper Institute 1921-1939
- 1254 System of Advances to Labourers
- 1262 Anti-Malarial Measures in North Borneo
- 1283 Repatriation of Singapore Recruited Labourers by Estates
- 1348 Aliens Decrepit-Destitute Ordinance, 1915
- 1397 Riots, Strikes, and Disturbances, 1911-1940
- 1423 Rubber Cultivation in North Borneo 1917
- 1477. Price of Candu
- 1494 Suppression of Opium Smoking (Candu)

Miscellaneous Files Series: Despatches and Savingsgrams

- Despatches, Chairman to Governor, 1915
- Despatches, Chairman to Governor, 1916
- Despatches, Chairman to Governor, 1918
- Despatches, Chairman to Governor, 1919
- Despatches, Chairman to Governor, 1919, No. 1-600
- Despatches, Chairman to Governor, 1920
- Despatches, Court to Governor, 1920
- Despatches, Governor to Chairman, 1906
- Despatches, Governor to Chairman, 1907
- Despatches, Governor to Court, 1916
- Despatches, Governor to Chairman, 1917
- Despatches, Governor to Chairman, 1918
- Despatches, Governor to Court, 1923
- Despatches, Governor to President, 1924
- Despatches, Governor to President, 1925
- Despatches, Governor to President, 1926
- Despatches, Governor to President, 1927
- Despatches, Governor to President, 1928
- Despatches, Governor to President, 1930
- Despatches, Governor to President, 1931
- Despatches, Governor to President, 1932
- Despatches, Government Secretary to Secretary, London, 1923
- NBCA: Secretariat Circulars, 1924-1940

F/1 (3) British North Borneo Chartered Company, Reports of Half Yearly Meetings
(1901-1939)

- Report of the Forty-Seventh Half-Yearly Meeting of the BNBC. 3 July 1906.
- Report of the Forty-Ninth Half-Yearly Meeting of the BNBC. 23 July 1907.
- Report of the Fifty-Sixth Half-Yearly Meeting of the BNBC. 21 December 1910.
- Report of the Fifty-Seventh Half-Yearly Meeting of the BNBC. 12 July 1911.
- Report of the Fifty-Eighth Half-Yearly Meeting of the BNBC. 14 December 1911.
- Report of the Seventy-Third Half-Yearly Meeting of the BNBC. 22 July 1919.
- Report of the Seventy-Fifth Half-Yearly Meeting of the BNBC. 27 July 1920.
- Report of the Seventy-Sixth Half-Yearly Meeting of the BNBC. 21 December 1920.
- Report of the Seventy-Seventh Half-Yearly Meeting of the BNBC. 1 November 1921.

Report of the Seventy-Ninth (Adjourned) Half-Yearly Meeting of the BNBC. 14 November 1922.
Report of the Eighty-First Half-Yearly Meeting of the BNBC. 6 November 1923.
The BNBC. Progress Report for 1926.
Report of the Eighty-Eight Half-Yearly Meeting of the BNBC. 21 December 1926.
The BNBC. Progress Report for 1929.
Report of the Ninety-Fifth General Meeting of Shareholders of the BNBC. 20 July 1932.

British North Borneo Herald (BNBH) – 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1921, 1930, 1932

Private Paper - KSP.24/M/3. Allan Chin Yin Foh. 'Early Days in the Kinarut Estate'.

Other Primary Sources

Bruce, Charles (A.B.C. Francis). *Twenty Years in Borneo*. London: Cassell and Company Ltd. 1924.

'Census of British North Borneo 1901', *Supplement, BNBOG*, 5 October 1901

Cook, Oscar. *Borneo, The Stealer of Hearts*. New York: Houghton Mifflin Company. 1924.

Department of Overseas Trade. *Report on the Economic Situation of the Netherlands East Indies. To June 1923* by Mr. H.A.N. Bluett, British Commercial Agent for the Netherlands East Indies, Batavia. London: Published by His Majesty's Stationery Office. 1923.

Garry, A.N.M. *State of North Borneo: Report on the Census*. 26 April 1931. London: c.1932.

Handbook of the State of North Borneo, 1921. London: BNBC.

Handbook of the State of North Borneo, 1929. Torquay: Devonshire Press.

Handbook of the State of North Borneo, 1934. London: BNBC.

Mann, C.E.T. et. al. *Report of the North Borneo Rubber Commission*. Singapore: V.C.G. Gatrell, Government Printer. 1949.

Maxwell, D.R. *State of North Borneo: Census Report*. 24 April 1921. Jesselton: Government Printer. c.922.

Rutter, Owen. *British North Borneo: An Account of Its History, Resources and Native Tribes*. London: Constable & Co. Ltd. 1922.

Walker, J. H. 'Census of British North Borneo and Labuan 1891', *British North Borneo Official Gazette (BNBOG)*, 1 February 1892.

SECONDARY SOURCES

- Alatas, Syed Hussein. *The Myth of the Lazy Native*. London: Frank Cass. 1977.
- Allen, Richard. 'Review Essay. Indentured Labor and the Need for Historical Context'. *Historian*. 63,2. (Winter 2001). pp. 390-394.
- Ampalavanar Brown, Rajeswary. *Capital and Entrepreneurship in South-East Asia*. New York: St. Martin's Press. 1994.
- Barlow, Colin. *The Natural Rubber Planting Industry: Its Development, Technology, and Economy in Malaysia*. Kuala Lumpur and Oxford: Oxford University Press. 1978.
- Bauer, Peter Tamas. *The Rubber Industry. A Study in Competition and Monopoly*. London: Longmans, Green and Co. 1948.
- Black, Ian. *A Gambling Style of Government*. Kuala Lumpur and Oxford: Oxford University Press. 1984.
- Breman, Jan. *Taming the Coolie Beast: Plantation and Society and the Colonial Order in Southeast Asia*. Delhi and Oxford: Oxford University Press. 1989.
- Boeke, J.H. "The Effects of the Economic Crisis in Netherlands Indies". *Pacific Affairs*. 7,1 (March 1934). pp. 29-41.
- Campo, Joseph Norbert F.M. à. 'Steam Navigation and State Formation'. in: Robert Cribb (ed.), *The Late Colonial State in Indonesia: Political and Economic Foundations of the Netherlands Indies 1880-1942*. Leiden: KITLV Press. 1994. pp. 11-29.
- Campo, Joseph Norbert F. M. à. *Engines of Empire: Steamshipping and State Formation in Colonial Indonesia*. Uitgeverij Verloren. 2003.
- Castles, Stephen and Mark J. Miller. *The Age of Migration*. Third Edition. Basingstoke: Palgrave Macmillan. 2003.
- Cambell, Gwyn and Edward A. Alpers. 'Introduction: Slavery, Forced Labour and Resistance in Indian Ocean Africa and Asia'. *Slavery and Abolition*. 25,2 (2004). pp. ix-xxvii.
- Chia, Joshua Yeong Jia. 'Koninklijke Paketvaart Maatschappij (KPM)'. Article written for the National Library Board Singapore on 16 June 2006.
(http://infopedia.nl.sg/articles/SIP_1182_2007-12-24.html) {Accessed on 18 October 2008}.
- Clarence-Smith, W.G. 'Labour Conditions in the Plantations of São Tomé and Príncipe, 1875-1914'. *Slavery and Abolition*. 14,1 (April 1993). pp. 149-167.
- Cleary, M.C. 'Plantation Agriculture and Formulation of Native Land Rights in British North Borneo, c.1880-1930'. *The Geographical Journal*. 158,2 (July 1992). pp 170-181.
- Cleary, Mark. 'Codifying Land: Colonial Land Regulation in Early 20th Century British Borneo'. *Landscape Research*. 27,1 (January 2002). pp. 25-37.
- Cleary, Mark and Peter Eaton. *Borneo: Change and Development*. Oxford: Oxford University Press. 1992.

- Cribb, Robert. (ed.). *The Late Colonial State in Indonesia: Political and Economic Foundations of the Netherlands Indies 1880–1942*. Leiden: KITLV Press. 1994.
- de Meel, H. "Demographic Dilemma in Indonesia". *Pacific Affairs*. 24,3 (September 1951). pp. 266-283.
- de Waal Malefijt, Annemarie. *The Javanese of Surinam: Segment of a Plural Society*. Assen, Neth.: Van Gorcum. 1963.
- Dewey, Alice G. 'Trade and Social Control in Java'. *The Journal of the Royal Anthropological Institute of Great Britain and Ireland*. 92,2 (Jul. – Dec., 1962). pp. 177-190.
- Dick, Howard W. et al. *The Emergence of a National Economy: An Economic History of Indonesia, 1800-2000*. Honolulu: University of Hawaii Press. 2002.
- Doolittle, Amity. 'Colliding Discourses: Western Land Laws and Native Customary Rights in North Borneo, 1881-1918'. *Journal of Southeast Asian Studies*. 34,1 (February 2003). pp. 97-126.
- Drabble, J.H. *Rubber in Malaya, 1876-1922: The Genesis of the Industry*. Kuala Lumpur and London: Oxford University Press. 1973.
- Dumartheray, R. 'Message for the Centennial Celebration from the Basel Mission'. *The Basel Christian Church of Malaysia, Centenary Magazine, 1881-1982*. Hong Kong: Tat To Printing Company. 1983.
- Emmer, Pieter C. 'The Great Escape: The Migration of Female Indentured Servants from British India to Suriname.' in: David Richardson (ed.). *Abolition and Its Aftermath: The Historical Context, 1790-1916*. London: Frank Cass. 1985.
- Emmer, Pieter C. 'The Meek Hindu: The Recruitment of Indian Labourers for Service Overseas, 1870-1916'. in: P.C. Emmer (ed.). *Colonialism and Migration: Indentured Labour before and after Slavery*. Dordrecht: Martinus Nijhoff Publishers. 1986.
- Emmer, Pieter C. 'European Expansion and Unfree Labour: An Introduction'. *Itinerario*, 21,1 (1997). pp. 9-15.
- Emmer, Pieter C. 'Was Migration Beneficial?'. in: Jan Lucassen and Lucassen (ed.). *Migration, Migration History, History: Old Paradigms and New Perspectives*. Bern: P. Lang. 1997(a).
- Emmer, Pieter C., and Ralph Shlomowitz. 'Mortality and the Javanese Diaspora.' *Itinerario*. 21,1 (1997b). pp. 125-34.
- Engerman, Stanley L. 'Contract Labor, Sugar, and Technology in the Nineteenth Century'. *Journal of Economic History*. 43,3 (September 1983). pp.635-659.
- Evans, I.N.H. *Among Primitive Peoples in Borneo*. London: Seeley. 1922.
- Feuer, Lewis S. 'End of Coolie Trade in New Caledonia'. *Far Eastern Survey*. 15,17 (August 28, 1946). pp 264-267.
- Fujio, Hara. 'Japanese Settlement Projects in Tawau and the Labour Conflict'. *Borneo Review*. III, 2 (1992). pp. 270-277.

- Geertz, Clifford. *The Social Context of Economic Change: An Indonesian Case Study*. J.T., Cambridge Mass. 1956.
- Gordon, Alec. 'Contract Labour in Rubber Plantations: Impact of Smallholders in Colonial South-East Asia'. *Economic and Political Weekly*. 36,10 (March 10-16, 2001). pp. 847-860.
- Gordon, Alec. 'Dynamics of Labour Transformation: Natural Rubber in Southeast Asia'. *Journal of Contemporary Asia*. 34, 4 (2004). pp. 523-546.
- Gooszen, A.J. *A Demographic History of the Indonesian Archipelago, 1880-1942*. Leiden: KITLV. 1999.
- Guterl, Matt Pratt. 'After Slavery: Asian Labor, the American South, and the Age of Emancipation'. *Journal of World History*. 14, 2 (2003). pp. 209-241.
- Hall, Maxwell. *Makan Siap. Table Tales of North Borneo*. Capitol, Labuan: Foo Tong Chai. (no date).
- Han Sin Fong. *The Chinese in Sabah, East Malaysia*. Taipei: The Orient Culture Service. 1975.
- Hayashi, Yoko. 'Agencies and Clients: Labour Recruitment in Java, 1870s-1950s'. IIAS/IISG CLARA Working Paper. No. 14. Amsterdam. 2002.
- Hoefte, Rosemarijn. *In Place of Slavery: A Social History of British Indian and Javanese Labourers in Suriname*. Honolulu: University Press of Florida. 1998.
- Houben, Vincent J. H. "Menyang Tanah Sabrang': Javanese Coolie Migration In-and Outside Indonesia 1900-1940.' Paper presented at the Conference 'The Malay Archipelago and the World Economy, 1790s- 1990s.' Canberra. 23-27 November 1992.
- Houben, Vincent J.H. 'Java in the 19th Century: Consolidation of a Territorial State'. in: Howard Dick, et al. *The Emergence of a National Economy: An Economic History of Indonesia, 1800-2000*. Honolulu: University of Hawaii Press. 2002.
- Houben, Vincent J.H., J, Thomas Lindblad, et al. *Coolie Labour in Colonial Indonesia. A Study of Labour Relations in the Outer Islands, c. 1900-1940*. Wiesbaden: Harrassowitz. 1999.
- Huff, W.G. *The Economic Growth of Singapore: Trade and Development in the Twentieth Century*. Cambridge and Singapore: Cambridge University Press. 1994.
- Huff, W.G. 'Entitlements, Destitution, and Emigration in the 1930s Singapore Great Depression'. *The Economic History Review*. New Series. 54,2 (May 2001). pp. 290-323.
- Hugo, Graeme J. 'Circular Migration in Indonesia'. *Population and Development Review*. 8,1 (March 1982). pp. 59-83.
- Hugo, Graeme. 'Indonesian Labour Migration to Malaysia: Trends and Policy Implications'. *Asian Journal of Social Science*. 21,1 (1993). pp. 36-70.
- Ingleson, John. *In Search of Justice: Workers and Unions in Colonial Java, 1908-1926*. Singapore and Oxford: Oxford University Press. 1986.

- Ingleson, John. 'Sutomo, the Indonesian Study Club and Organised Labour in Late Colonial Surabaya'. *Journal of Southeast Asian Studies*. 39,1 (2008). pp.31-57.
- Johari Alias. *Pameran Hasil Sumbangan Islam*. Kota Kinabalu: MUIS. 1981.
- John, D.W. & Jackson, J.C. 'The Tobacco Industry of North Borneo: A Distinctive Form of Plantation Agriculture'. *Journal of Southeast Asian Studies*. IV,1 (1973). pp. 88-106.
- Jones, L.W. *The Population of Borneo: A Study of Peoples of Sarawak, Sabah and Brunei*. University of London: The Athlone Press. 1966.
- Jones, L.W. 'The Decline and Recovery of the Murut Tribe of Sabah'. *Population Studies*. 21,2 (September 1967). pp. 133-157.
- Kahin, George McTurnan. 'The State of North Borneo, 1881-1946'. *The Far Eastern Quarterly*. 7,1 (November 1947). pp. 43-65.
- Kalikiti, Webby Silupya. 'Plantation Labour: Rubber Planters and the Colonial State in French Indochina, 1890-1939'. Unpublished PhD. Dissertation. SOAS, University of London. United Kingdom. 2006.
- Kartodirdjo, Sartono. *Protest Movements in Rural Java: A Study of Agrarian Unrest in the Nineteenth and Early Twentieth Centuries*. London: Oxford University Press [for] the Institute of Southeast Asian Studies, Singapore. 1973.
- Kaur, Amarjit. 'Hantu' and Highway in Sabah: Transport in Sabah, 1881-1963. *Modern Asian Studies*. 28,1 (1994). pp. 1-49.
- Kaur, Amarjit. *Economic Change in East Malaysia: Sabah and Sarawak since 1850*, New York: St. Martin's Press. 1998.
- Kaur, Amarjit. 'Mobility, Labour Mobilisation and Border Controls: Indonesian Labour Migration to Malaysia since 1900'. Paper presented to the 15th Biennial Conference of the Asian Studies Association of Australia. Canberra 29 June-2 July 2004.
- Kaur, Amarjit and Ian Metcalfe. *Mobility, Labour Migration and Border Controls in Asia*. Basingstoke: Palgrave, Macmillan. 2006.
- Kennedy, Raymond. 'Status of British Borneo'. *Far Eastern Survey*. 14, 17 (August 29, 1945). pp. 243-246.
- Keyfitz, Nathan. 'Indonesian Population and the European Industrial Revolution'. *Asian Survey*. 5,10 (October 1965). pp. 503-514.
- Khazin Mohd. Tamrin. *Orang Jawa di Selangor: Penghijrahan dan penempatan 1880-1940*. Kuala Lumpur: Dewan Bahasa dan Pustaka.1987.
- Khazin Mohd Tamrin. *Javanese Labour and the Development of Malaya*. Kertas Kadangkala Bil. 6. UKM: FSKK. 1992.
- Khazin Mohd. Tamrin. 'Perantau Jawa di Sabah dari Perspektif Sejarah'. in: Mohd. Sarim Mustajab. (ed). *Warisan Budaya Sabah: Etnisiti dan Masyarakat*. Universiti Malaysia Sabah. 2004. pp. 229-243
- Khoo Kay Kim. (comp.). *Sabah: History and Society*. Kuala Lumpur: Malaysian Historical Society. 1981.

- King, Victor T. and William D. Wilder. *The Modern Anthropology of Southeast Asia: An Introduction*. London and New York: Routledge Curzon. Taylor & Francis Group. 2003.
- Koentjaraningrat. *Some Social-anthropological Observations on Gotong Rojong Practices in Two Villagers of Central Java*. Monograph Series. Ithaca, New York: Cornell University. 1961.
- Koentjaraningrat. *Javanese Culture*. Singapore: Oxford University Press. 1985.
- Lai, Walton Look. *Indentured Labour, Caribbean Sugar*. Baltimore and London: Johns Hopkins University Press. 1993.
- Lawrence, K.O. *A Question of Labour: Indentured Immigration into Trinidad and British Guiana 1875-1917*. Kingston: Ian Randle; London: James Currey, 1994.
- Lee, Edwin. *The Towkays of Sabah*. Singapore: Singapore University Press. 1976.
- Lee Yong Leng. 'The Population of British Borneo'. *Population Studies*. 15,3 (March 1962). pp. 226-243.
- Lee Yong Leng. *North Borneo (Sabah): A Study in Settlement Geography*. Singapore: Eastern Universities Press Ltd. 1965.
- Leong, Cecilia. *Sabah: The First Hundred Years*. Kuala Lumpur: Percetakan Nan Yang Muda. 1982.
- Lind, Richard. 'An Estate Where Life was Good but Harsh for Some'. *Daily Express*. 25 July 1993.
- Lind, Richard. *My Sabah: Reminiscences of a Former State Secretary*. Kota Kinabalu: Natural History Publication (Borneo). 2003.
- Lockard, Craig A. 'The Javanese as Emigrant: Observations on the Development of Javanese Settlement Overseas'. *Indonesia*. 11 (April 1971). pp. 41-62.
- Lutz, Jesse Gregory and Rolland Ray Lutz. *Hakka Chinese Confront Protestant Christianity, 1850-1900*. Armonk, New York: M.E. Sharpe. 1998.
- Marks, Shula and Peter Richardson (eds). *International Labour Migration: Historical Perspectives*. Hounslow, Middlesex: Temple Smith for the Institute of Commonwealth Studies. 1984.
- Mantra, Ida B. *Population Movement in Central Java*. Yogyakarta: Gadjah Mada University Press. 1981.
- Massey, Andrew. 'The Political Economy of Stagnation. British North Borneo under the Chartered Company 1881-1946'. Unpublished PhD. Dissertation. Hamilton University, Queensland, Australia. 2004.
- Massey, Douglas S. et al. 'Theories of International Migration: A Review and Appraisal'. *Population and Development Review*. 19,3 (September 1993). pp. 431-466.
- McFadyean, Andrew. *The History of Rubber Regulation, 1934-1943*. London: George Allen and Unwin. 1944.

- Medhurst, W. H. 'British North Borneo'. in: Paul H. Kratoska (ed.). *Honourable Intentions: Talks on the British Empire in South-East Asia Delivered at the Royal Colonial Institute 1874-1928*. Singapore: Oxford University Press. 1983.
- Mehden, Fred R. von der. 'Marxism and Early Indonesian Islamic Nationalism'. *Political Science Quarterly*. 73,3 (September 1958). pp. 335-351.
- Miers, Suzanne. *Slavery in the Twentieth Century: The Evolution of a Global Problem*. Walnut Creek, California and Oxford: AltaMira Press. 2003.
- Miyazaki, Koji. 'Javanese Labourers to North Borneo in the First Half of the Twentieth Century'. In: Koji Miyazaki (ed.). *Making of Multi Cultural Sabah*. Tokyo: Research Institute for Languages and Cultures of Asia and Africa. 2002. pp. 5-20.
- Mohammad Said. *Koeli kontrak tempo doeloe, dengan derita dan kemarahannya*. Medan: Percetakan Waspada. 1977.
- Mohd. Shafie Abdul Karim. *Jepun di Borneo Utara: Migrasi dan Kegiatan Ekonomi 1884-1941*. Kota Kinabalu: Penerbit Universiti Malaysia Sabah. 2007.
- Murray, Martin J. 'White Gold' or 'White Blood'? The Rubber Plantations of Colonial Indochina, 1910-40. *Journal of Peasant Studies*. 19, 3/4 (1992). pp. 41-67.
- Murray, Martin J. 'Blackbirding' at 'Crooks Corner': Illicit Labour Recruiting in the Northeastern Transvaal, 1910-1940. *Journal of Southeastern African Studies*. 21,3 (September 1995). pp. 373-397.
- Naim, M. 'Voluntary Migration in Indonesia'. in: Anthony H. Richmond and Daniel Kubat (eds.) *Internal Migration: the New World and the Third World*. London: Sage Publications [for] the International Sociological Association. c1976.
- Newbury, Colin. 'Labour Migration in the Imperial Phase: An Essay in Interpretation'. *Journal of Imperial and Commonwealth History*. 3,2. (1974-1975). pp. 234-256.
- Nieboer, H.J. *Slavery as an Industrial System*. pp. 3-19. 1910.
<http://www.ditext.com/nieboer/p1ch1.html#1>. [Accessed on 18/08/2008].
- Nitisastro, Widjojo. *Population trends in Indonesia*. Ithaca: Cornell University Press. 1970.
- Northrup, David. *Indentured Labor in the Age of Migration, 1834-1922*. Cambridge: Cambridge University Press. 1995.
- Northrup, David. 'Free and Unfree Labor Migration, 1600-1900: An Introduction'. *Journal of World History*. 14,2 (June 2003). pp. 125-130.
- Ochiltree, Ian. 'Mastering the Sharecroppers: Land, Labour and the Search for Independence in the US South and South Africa'. *Journal of Southern African Studies*. 30,1 (March 2004). pp. 41-61.
- Ong, Jin Hui. 'Chinese Indentured Labour: Coolies and Colonies'. in: Robin Cohen (ed). *The Cambridge Survey of World Migration*. Cambridge: Cambridge University Press. 1995. pp. 51-56.
- Olsen, Wendy K. & Ramana Murthy. 'Contract Labour and Bondage in Andhra Pradesh (India)'. *Journal of Social and Political Thought*. 1,2 (June 2000).

Padasian, Johan M. 'Cultural Progress and the Arts'. in: Anwar Sullivan and Cecilia Leong. *Commemorative History of Sabah, 1881-1981*. Kota Kinabalu: The Sabah State Government. 1981. pp. 523-541.

Parmer, J. Norman. *Colonial Labour Policy and Administration: A History of Labour in the Rubber Plantation Industry in Malaya, c.1910-1941*. Monographs of the Association for Asian Studies. No. IX. New York: J.J. Augustine Inc. 1960.

Parsudi, Suparlan. 'The Javanese in Surinam: Ethnicity in an Ethnically Plural Society.' Arizona State University: Program for Southeast Asian Studies. 1995.

Patterson, Orlando. *Slavery and Social Death: A Comparative Study*. Cambridge, MA: Harvard University Press. 1982.

Peekema, Wibo. 'Colonization of Javanese in the Outer Provinces of the Netherlands East-Indies'. *The Geographical Journal*. 101,4 (April 1943). pp. 145-151.

Pelzer, Karl J. *Pioneer Settlement in the Asiatic Tropics: Studies in Land Utilization and Agricultural Colonization in Southeastern Asia*. New York: American Geographical Society. 1945.

Pelzer, Karl J. 'Tanah Sabrang and Java's Population Problem'. *The Far Eastern Quarterly*. 5,2 (February 1946). pp. 132-142.

Peper, Bram. 'Population Growth in Java in the 19th Century: A New Interpretation.' *Population Studies*. 24,1 (March, 1970). pp. 71-84.

Poeze, H.A. 'Political Intelligence in the Netherlands Indies', in: Robert Cribb (ed.), *The Late Colonial State in Indonesia: Political and Economic Foundations of the Netherlands Indies 1880-1942*. Leiden: KITLV Press. 1994. pp. 229-245.

Price, Charles A. *Southern Europeans in Australia*. Melbourne: Oxford University Press. 1963.

Rallu, Jean-Louis. Book review of, Jean Luc Maurer. 'Les Javanais du caillou, des affres de l'exil aux aléas de l'intégration: sociologie historique de la communauté indonésienne de Nouvelle Calédonie/The Javanese of the Rock: From the Hazards of Exile to the Hazards of Integration'. *Contemporary Pacific*. 19,2 (2007). pp. 633-634.

Ranjit Singh, D.S. 'The Development of Native Administration in Sabah 1877-1946'. in: Anwar Sullivan and Cecilia Leong. *Commemorative History of Sabah, 1881-1981*. Kota Kinabalu: The Sabah State Government. 1981. pp. 81-103.

Ranjit Singh, D.S. *The Making of Sabah 1865-194: The Dynamics of Indigenous Society*. Kuala Lumpur: University of Malaya Press. 2003.

Reid, Anthony. 'Introduction: Slavery and Bondage in Southeast Asian History', in: Reid (ed.). *Slavery, Bondage and Dependency in Southeast Asia*. St Lucia: University of Queensland Press. 1983.

Rush, James. *Opium to Java: Revenue Farming and Chinese Enterprise in Colonial Indonesia, 1860-1910*. Ithaca and London: Cornell University Press. 1990.

Rutter, Owen. *The Pagans of North Borneo*. London: Hutchinsion. 1929 (Reprinted by Oxford University Press, Singapore, 1985)

- Sabihah Osman. 'Japanese Economic Activities in Sabah from the 1890s to 1941'. *Journal of Southeast Asian Studies*. 29,1 (1998). pp. 24-43.
- Satyanarayana, Adapa. "Birds of Passage'. Migration of South Indian Labour Communities to South-East Asia, 19-20th Centuries, A.D.'. Clara Working Paper No. 11. Amsterdam. 2001.
- Saunders, Kay. (ed.). *Indentured Labour in the British Empire 1834-1920*. London and Canberra: Croom Helm. 1984.
- Schuler, Monica. 'The Recruitment of African Indentured Labourers for European Colonies in the Nineteenth Century.' Pp. 125-61. in: P.C. Emmer. (ed). *Colonialism and Migration: Indentured Labour and After Slavery*. Comparative Studies in Overseas History, Vol. 7. The Hague: Martinus Nijhoff. 1986.
- Shineberg, Dorothy. *The People Trade: Pacific Island Laborers and New Caledonia, 1865-1930*. Honolulu: University of Hawaii Press. 1999.
- Shlomowitz, Ralph. 'Epidemiology and the Pacific Labor Trade'. *Journal of Interdisciplinary History*. 19, 4 (Spring 1989). pp. 586-610.
- Smith, H. Hamel and F.A.G. Pape. *Coco-nuts: The Consols of the East*. London: 'Tropical Life' Publishing Dept. 1912.
- Spaan, Ernst. 'Taikongs and Calos: The Role of Middlemen and Brokers in Javanese International Migration'. *International Migration Review*. 28,1.(Spring 1994). pp. 93-113.
- Steinfeld, Robert J. *Coercion, Contract and Free Labor in the Nineteenth Century*. New York and Cambridge: Cambridge University Press. 2001.
- Stokhof, Malte. 'Javanese in Hochiminh Today: an Aftermath of Coolie Migration in French Colonial Vietnam?'. Unpublished Masters Thesis. Universiteit van Amsterdam. 2002.
- Stoler, A. *Capitalism and Confrontation in Sumatra's Plantation Belt, 1870-1979*. New Haven, London: Yale University Press. 1985.
- Stoler, Ann. *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule*. Berkeley and London: University of California Press. 2002.
- Subandrio, Hurustiati. 'Javanese Peasant Life Villages in East Java'. Thesis submitted for the Academic Post-graduate Diploma in Anthropology. University of London. May 1951.
- Suhaimi bin Untong. "Melencer' Orang Jawa ke Borneo Utara, 1881-1941'. Unpublished Undergraduate Exercise. University Malaya, Kuala Lumpur. 1994.
- Sullivan, Anwar and Patricia Regis. 'Demography'. in: Sullivan, Anwar and Cecilia Leong. *Commemorative History of Sabah, 1881-1981*. Kota Kinabalu: The Sabah State Government. 1981. pp. 545-579.
- Suyanto, S. T.P. Tomich & K. Otsuka. 'Land Tenure and Farm Management Efficiency: the Case of Smallholder Rubber Production in Customary Land Areas of Sumatra. *Agroforestry Systems*. 52 (2001). pp. 145-160. Kluwer Academic Publishers. Netherlands.
(<http://www.springerlink.com/content/x02k3786w17m3515/fulltext.pdf?page=1>).
[Accessed on 21 October 2008].

- Termorshuizen, Thio. 'Indentured Labour in the Dutch Colonial Empire, 1800-1940', in: Gert Oostindie (ed.). *Dutch Colonialism, Migration and Cultural Heritage*. Leiden: KITLV Press. 2008.
- Thee Kian-Wie. *Plantation Agriculture and Export Growth: An Economic History of East Sumatra, 1863-1942*. Jakarta: Leknas-Lipi. 1977.
- Thompson, Virginia. *Labour Problems in Southeast Asia*. New Haven: Yale University Press. 1947.
- Tinker, Hugh. *A New System of Slavery: The Export of Indian Labour Overseas, 1830-1920*. London: Oxford University Press. 1974.
- Tirtosudarmo, Riwanto. 'The Indonesian State's Response to Migration'. *Sojourn*. 14,1 (1999). pp. 212-228.
- Tirtosudarmo, Riwanto. 'Cross-border Migration in Indonesia and the Nunukan Tragedy'. in: Aris Ananta, et. al. *International Migration in Southeast Asia*. Singapore: ISEAS. 2004.
- Treacher, W.H. 'British Borneo: Sketches of Brunei, Sarawak, Labuan and North Borneo'. *Journal of the Straits Branch of the Royal Asiatic Society*. 21. (June 1890). pp. 82-92.
- Tregonning, K.G. *Under Chartered Company Rule*. Singapore: University of Malaya Press. 1958.
- Tregonning, K.G. *A History of Modern Sabah, 1881-1963*. Singapore: University of Malaya Press. 1965.
- Tregonning, K.G. *Home Port Singapore: A History of Straits Steamship Company Limited*. Singapore: Oxford University Press. 1967.
- Tunku Shamsul Bahrain. 'The Pattern of Indonesian Migration and Settlement in Malaya'. *Asian Studies*. 1,2 (August 1967). pp. 233-257.
- Van Klaveren, Marieke. 'Death among Coolies. Mortality of Chinese and Javanese Labourers on Sumatra in the Early Years of Recruitment, 1882-1909'. *Itinerario*. XX1,1 (1997). pp. 111-122.
- Vickers, Adrian. 'The Country and the Cities'. *Journal of Contemporary Asia*. 34,3 (2004). pp. 304-317.
- Voon Phin Keong. *Western Rubber Planting Enterprise in Southeast Asia 1876-1921*. Kuala Lumpur: Penerbit Universiti Malaya. 1976.
- Vredenburg, J. 'The Haddj: Some of its Features and Functions in Indonesia.' *Bijdragen tot de Taal-, Land-en Volkenkunde*. Leiden. 118,1 (1962). pp. 91-154.
- Warren, James Francis. *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a South-east Asian Maritime State*. Singapore: Singapore University Press. 1981.
- Wells, Andrew. 'Imperial Hegemony and Colonial Labour'. *Rethinking Marxism*. 19,2 (2007). pp. 180-194.

Wertheim, W.F. and The Siauw Giap. 'Social Change in Java, 1900-1930'. *Pacific Affairs*. 35,3 (Autumn 1962). pp. 223-247.

Wong Tze Ken, Danny. *The Study of an Immigrant Society: A Study of the Chinese of Sabah*, London: ASEAN Academic Press, 1998

Wong Tze-Ken, Danny. *Historical Sabah: Community and Society*. Kota Kinabalu: Natural History Publications (Borneo). 2004.

Wong, Yieng Ching. 'Orang Jawa di Borneo Utara (1881-1941)'. Unpublished Graduation Exercise. Universiti Malaysia Sabah. 2005.

Woolley, G.C. *The Timoguns: A Murut Tribe of the Interior, North Borneo*. Jesselton: Native Affairs Bulletin, 1, Government Printer. 1962.

Wright, L.R. *The Origins of British Borneo*. Hong Kong: Hong Kong University Press. 1970.

LIST OF SELECTED INTERVIEWEES

1. Salamah Sajiran. Age: 67. Kg. Gum-Gum, Sandakan. Date of Interview: 14 March 2007.
2. Imam Sarji Kartamawijoyo. Age: 53. Kg Rancangan Sg Manila, Bt. 12. Sandakan.
3. Surip Wongsusatiko. Age: 86. K.g Rancangan Sg Manila, Sandakan. Date of Interview: 12 March 2007. (Regretfully, Mr. Surip passed away on 8 December 2007).
4. Satiman. Kg. Jawa 1, Bt. 12, Sandakan. Date of Interview: 14 March 2007.
5. Muslim Imam bin Amat Samsudin. Head of Malaysia Palm Oil Board, Sabah Division. Age: Unknown. Date of Interview: 26 March 2007.
6. Tarmin Marsoh. Kg. Bongon, Penampang. Date of Interview: 28 December 2006. Age: 70 plus.

No. 25.-

Bijlagen

1.

EXTRACT uit het Register der Besluit-
ten van den Gouverneur-Ge-
ne-ral van Nederlandsch-Indië.

BATAVIA, den 18den November 1913.

Gelezen de missives:

- a. van den Gouverneur van Britsch-Soedj-Borneo van 25 September 1913 No 1996/13;
- b. van den Directeur van Justitie van 20 October 1913 No 15900⁴¹;
 Gelet op de missives van den Edele Gouvernements-Secretaris, den Edele Isten Gouvernements-Secretaris en den Isten Gouvernements-Secretaris van 25 April, 16 Mei en 12 September 1913 Nos 1297, 1800 en 2179, zoodra van den Isten Gouvernements-Secretaris van beken No 2680⁵;

Is goedgevonden en verzoen:

Beslist: Het dispositie van het in artikel 1 der ordonnantie van 9 Januari 1907 (Staatsblad No 8) bedoeld verbod aan het gouvernement van Britsch-Soedj-Borneo, voor den tyd van één jaar, ingaande op den datum van dit besluit, vergunning te verleenen op ten hoogste 2000 (twee duizend) Inlanders (mannen en vrouwen) van Java voor het verrichten van arbeid op de in voornoemd gebied gelegen landbouwondernemingen aan te werven, op den voet van de ordonnantie van 6 Augustus 1909 (Staatsblad No 497) en van het aan dit besluit gemaakt medel-verkoopcontract.

MOES-VERKONTRACT.

No.

Tot de serring is vergunning ver-
leend by Gouvernements-besluit van 18
November 1913 No 25.-

zy ondergetekenden

Numer.	Y A N E N.	oud.	Nationa- li- teit.	Gehou- ren te	Schik- sel	laatste woon- plaats. (plaats van aanwerving).

ter

2.

ter eene
en

....., verfigent bevoer-
der van het te Semarang gevestigde Soe-
ma'se Migratie-, Vreemde- en Commissie-
kantoor, handelende als gemachtigde van
het Gouvernement van Britsch-Indië-Bor-
neo,

ter andere zijde

verklaren te zijn overeengekomen als
volgt:

1. De contractant ter eene zal ten
behoove van de landbouwondernemingen in
Britsch-Indië-Borneo den volgende ar-
beid verrichten:
door mannen: allen arbeid, welke gewon-
lijk door Javanen op landbouw-ondernem-
ingen verricht wordt.
door vrouwen: allen arbeid, welke ge-
woonlijk door Javanische vrouwen op land-
bouwondernemingen verricht wordt.
2. Het aantal werkers, gedurende wel-
ke de contractant ter eene ten behoeve
van voornoemde ondernemingen moet ar-
beiden, bedraagt op elke werkdag ten
hoogste tien.
Slechts in buitengewone omstandig-
heden zal van den contractant ter eene
gevervaard kunnen worden in een stambel
meer dan tien uren te arbeiden.
In zoodanig geval dan wel wanneer
de contractant ter eene zijde uit vryen
wil tot overwerken zich bereid ver-
klaart, wordt hem op den eersten betaal-

dag

3.

dag voor het overwerken een afzonderlijk
loon betaald, te berekenen per uur met
dien veretande, dat het loon in verhoud-
ing tot dat betaald per uur in der
contractueelen werkdag verhoogd wordt,
mitsdien de helft meer betaald.

3. De contractant ter andere zijde zal
aan dien ter eene een loon geven be-
staande in 25 dollarcenten per man en
per dag en van 15 dollarcenten per
vrouw en per dag, uit te betalen weer-
delijke op het einde der maand.

Dit overeengekomen loon zal ook
worden uitbetaald over de dagen, gedu-
rende welke de contractant ter eene
zijde door redenen buiten zijn schuld
niet in staat is te werken.

Korting van het overeengekomen
loon is slechts geoorloofd wegens non-
levering van goederen voorschotten dan
wel bij den contractant ter andere zijde
gemaakte schuld.

De door contractant ter eene zijde
verschuldigde belasting (huurpand) zal
komen ten laste der onderneming, waar
by te werk zal worden gesteld, zullende
die bedragen niet op rekening van den
contractant ter eene zijde gebracht.

4. Als voorrecht erkent contractant
ter eene van die ter andere zijde te
hebben ontvangen een bedrag van f 2.50
zullende hem by inscheping een gelijk
bedrag en ter plaatse van ontcheping

of

4.

of van bestemming 7 (zeven) dollars in vooruit worden uitbetaald.

Deze voorschotten zullen worden verrekenend door maandelijksche inhoudingen op het loon van ten hoogste 2 (twee) dollar, doch zulken, voorzover zij nog niet zijn aangewyld, den contractant ter eere worden gecrediteerd, indien hij gedurende de eerste tien maanden na aankomst ter plaatse van bestemming heeft gewerkt, zonder verzuim, anders dan in gevallen, dat hij wegens redenen buiten zijn schuld verhinderd was te werken.

5. Van den contractant ter eere kan geen arbeid worden gevorderd op de volgende dagen: drie dagen ter gelegenheid van het inlandsch Nieuwjaar en twee dagen in iedere maand.

6. De contractant ter andere zijde voegzel ten zijnen koste in vrije woning, vrije voeding, vrije geneeskundige behandeling en kosteloos drinkwater van den contractant ter eere en zijne gezin.

De voeding zal per persoon en per dag bestaan is:

ryst	20 oz.
vleesch of	6 oz.
vleesch	8 oz.
groenten	8 oz.
spiceryen	1 oz.
zout	3/4oz.
klapperolie	1 1/2 oz.
sukker	1 oz.
thee	1/10 oz.

7.

5.

7. De contractant ter andere zijde zal den contractant ter eere niet tegen zijn wil van zijne gezin scheiden.

8. De contractant ter andere zijde noemt aan den contractant ter eere en zijne gezin vrijen overtocht te garen naar de plaats zijner bestemming, zoodat hij en zijn gezin, zoodat dat gezin alreeds is samengesteld, uiterlijk binnen drie maanden na aankomst van zijn verblijf, dan wel vroeger eerder als - hetzij wegens zijne voortdurende ongeschiktheid tot den arbeid, hetzij het wederzijdsch goetvinden - het contract mocht ontbonden worden, kosteloos terug te zenden van de plaats waar hij is werkzaam gesteld naar de plaats zijner herkomst, tenzij de contractant ter eere zijde omgekeerd overreikt wenscht aan te gaan. Nochtans zal het recht op retourpassage gedurende vijf jaar na het verstryken van het laatste contract hem en zijn gezin, zoodat dit alreeds is samengesteld, verzekerd zijn.

De contractant ter andere zijde noemt aan den contractant ter eere met zijn gezin, zoodat dit alreeds is samengesteld, na expiratie van het contract, zoolang hij op schoepschiktheid moet wachten om te repatriëren kosteloos te worden, te huisvesten, geneeskundig te behandelen en te kleeden.

De

6.

De contractant ter andere zijde neemt verder aan, by overlijden van den contractant tye oover gedurende zyn dienstverband of daarna, doch voordat hy van zyn verkregen aanspraak op toezegging heeft gebruik gemaakt, zyn gewin, zoodra het waken is vaasgevalid, doestverlangt uiterlijk binnen drie maanden na het overlijden, kosteloos terug te voeren van de plaats, waar de arbeidde van te werk gesteld naar de plaats van zyne herkomst, zullende dat gewin, zoodlang het op echtspeegelschuld moet waken en te reparaieren, kosteloos worden geveet, gekloed, gahuivret en ginderkuldig behandeld.

9. De tyd gedurende welken de contractant ter eenere zygens vertoef of ziekte van meer dan een maand dan zal zygens dezerlief of het ooverzegen van vryheidscontract niet geverat heeft, behoort by de herstelling van den duur der verrichte diensten of van de oovercontract niet te worden vooegesteld.

10. De contractant ter eenere zal zich op dendag der maand den jaere negentien honderdop de ooverzegen bevinden en by den beooverdar .aarwelden.

11. Deze ooverzegenet wotit aangegaven voor den tyd van twee jaere, gerekent van

7.

van den dag waarop de contractant ter eenere zich by den beooverdar zal hebben aangemeld.

Alhie ooverzegenen te Semarang op heden dendag der maanddes jaere 1900....

Sedat ik dit contract aan partien voorgelezen en den inhoud daarvan aan de contractanten ter eenere zyde middelyk in hun landstaal heb voorgelezen, heb ik by oovertuigt, dat de partien nit vryen vil deze ooverzegenet hebben aangegaven en dat het bedrag van het voorecht, gemeld sub 4 van het contract aan contractanten ter eenere indardand te wittakeld, ten beryde waarvan en in oprolzing van § 10 der "voerschriften tot uitvoering van de Veringvoerzegenen" (byblad op het Staatsblad van Nederlandesk-Indie Yee 6062 en 7651) dit contract door my en den contractant ter andere zyde is gitekend.

Handteekening van den contractant ter andere zyde, Handteekening van den Hervingvoerzegenen,

Banoept by het Besluit van 18 November 1913 No 25.

My bekenit

De Gouvernemente-Secretaris,

E. J. van der ...

Appendix 2

WORKING CONTRACT

For

GOVERNMENT IMPORTED JAVANESE LABOURERS RECRUITED UNDER THE PERMIT OF THE
GOVERNOR GENERAL OF THE NETHERLANDS INDIES BY DECREE
NO. 8, DATED 12TH NOVEMBER 1925

The labourers whose names appear in the Schedule hereto on the one part and
..... acting as
representative of the Government of British North Borneo, hereafter called the Employer, of the other part, declare to
have agreed as follows:-

Article 1. -- The labourer on behalf of the undertaking will out the following work:-

Men -- Every kind of work usually performed by Javanese as regards domestic agricultural, including horticultural and arboricultural and timber felling work.

Women -- Every kind of work usually performed by Javanese women as regards domestic and agricultural, including horticultural and arboricultural work.

Article 2 -- The working hours during which the labourer must work shall not exceed ten, on the understanding that the labourer cannot be compelled to work more than six consecutive hours, the time of rest must be at least one hour.

Under the working hours must be reckoned the time during which the labourer is being employed in other work as transport, on watch and also the time necessary for parcelling out the work, and the time taken for going to and coming home from his work.

Only in extraordinary circumstances can more hours of work per day be demanded from the labourer.

In such a case or whenever the labourer is willing to work overtime, he must be paid on the first pay-day extra wages for overtime, to be reckoned per hour, on the understanding that the wage in proportion to the wage per hour in the contract, must be at least one and a half times the amount.

Article 3. -- The Employer is bound to give wages to the labourer 30 (thirty) dollar-cents per man per day and 25 (twenty-five) dollar-cents per woman per day, to be paid monthly, fortnightly, weekly or daily at the option of the manager.

If monthly payment is made, at the request of the labourer part of his wages should be paid half monthly.

This day-wage agreed upon has also to be paid on the days of rest and holidays as arranged in the terms of this contract, and also on the days during which the labourer, for reasons not due to his own fault, is incapable of working, with the understanding that in case of sickness of the labourer no wage is due, provided that in hospital, the labourer is provided with food free of charge.

Deduction from wages agreed upon is only allowed on amount of payment of money received in advance, or on account of debt contracted with the Employer.

The tax (poll-tax) due from the labourer will become chargeable upon the undertaking where he is being employed, the amount not being down to the labourer.

Article 4. -- The labourer acknowledges to have received an advance of f. 2.50 (two guilders fifty cents) from the Employer. On embarkation a similar amount of f. 2.50 (two guilders fifty cents) and at the place of disembarking or destination the amount 7 (seven) dollars will be advanced to him. These advances amounting to f. 15 (fifteen guilders) will be squared by monthly deduction from wages, not exceeding \$2 (two dollars).

Article 5. -- No work can be demanded of the labourer on the following day --

- a. 3 (three) days on the occasion of the Native New Year
- b. 2 (two) days each month

Moreover no work may be exacted from female labourers one month before expected delivery, neither within forty days after childbirth or after a miscarriage, neither during the first two days of the menstruation period.

Article 6. -- The Employer shall provide at his own expense the following free of charge: living quarters, food, medical attendance, and drinking water, on behalf of the labourer and his family.

The following articles shall be provided free per person per day:-

Uncooked Rice ... 1 ½ lb. (Dutch lb)	Coconut oil ... 1 oz
Fish (fresh or salted) ... 6 oz	Blatchan ... 1 oz
Vegetables ... 6 oz	Chilly (green) ... 1 oz
Tamarinde ... 1 oz	Coconut (young) ... 1 oz
Onions ... 1 oz	Sugar ... 1 oz
Condiments ... 1 oz	Tea ... 0 ½ oz
Salt ... 0 ½ oz	

Article 7. – The Employer cannot separate the labourer from his family against his will.

Article 7a. – The Employer is obliged to defray the expenses of a decent burial in case of death of the labourer or of a member of his family.

Article 8. – The Employer undertakes to give free passage to the labourer and his family to the place of his destination and to the place of origin at the latest three months after expiration of his contract, but in case of the contract either on account of protracted incapacity to work or by natural consent, should be dissolved, a corresponding time limit shall be observed unless the labourer wishes to enter upon a new labour-contract. Nevertheless the right to a return passage is ...him and his family as many as there then are, within the period of 1 year after the expiration of last contract.

The Employer agrees to provide free of cost, food, drinking water, living quarters, medical treatment and clothing, for the labourer and his family, as many as there then are, as long as he has to wait for embarkation homeward.

The Employer further agrees that in the event of the decease of a labourer during the term of his contract or thereafter, but before he has made use of his claim to repatriation, if requested, to give free passage to his family, however many there be, from the place of his employment to place of origin, not later than three months after his decease, providing that family, whilst waiting for embarkation, with food, living quarters, drinking water, clothing, and medical treatment free of charge. The Employer immediately after the expiration of the contract, shall inform the Consul-General of the Netherlands at Singapore, whether the labourer, released of his contract, has entered into a new contract, or whether he has returned to his place of origin, if this be the case, mentioning on what occasion, - or whether he has settled elsewhere.

The Employer – through the Protectorate Department of British North Borneo and the Consul General of the Netherlands Singapore – will send in a quarterly report to “Central Office for Inspection of Labour in Out-stations” established in Batavia, mentioning the mortality amongst the labour force during last quarter, the cause of death and the number of sickness at the end of each month and – if this number exceeds 5 percent – with explanation as to the cause of the number of cases.

Article 9. – The time during which the labourer has not worked on account of illness, less one tenth of the duration of contract, and time lost on account of leave (i.e. absence for no valid reason and also of desertions in punishment restricting freedom (not detention on remand) is not counted in the calculation of the length of time of the contract.

In no case may the protracted length of time of the contract exceed one-third of the duration of contract.

Article 10. – The labourer must be present at the place of employment and present himself to the Manager on the day of the month of the year nineteen hundred and

Article 11. – This contract is entered upon for the period of three years reckoning from the date of signing this contract.

Thus agreed upon attoday, the day of the monthof the year

After having read out this agreement in the presence of both parties and after having explained clearly in the native language the contents thereof to the labourer, I have convinced myself that both parties have entered this contract freely and that the amount of advance payment mentioned under article 4 of this contract has been duly made to the labourer, in support whereof and in compliance with State: 8 of the regulations regarding the execution of the Recruiting Ordinance (Supplement of the Gazette of the Dutch Indies Nos, 8112 and 8174 sub II) this contract has been signed by me and by the Employer.

Contracting party on the other side.

Recruiting Officer.

I hereby certify that the above is a true copy of the authorised translation of the Dutch Contract which accompanied the labourers named therein, the original of which has been duly registered by me.

Source: PRO: CO874/752

.....
Protector of Labour

Appendix 3

LABOUR AGREEMENT (1929)

PERMISSION TO RECRUIT HAS BEEN GIVEN BY DECREE IF THE GOVERNOR GENERAL OF THE NETHERLANDS INDIES DATES

The Labourer whose names appear in the Schedule hereto of the one part (hereafter referred to as the Labourer) and Recruiting Agent, acting as representative of the Government of North Borneo, of the other part (hereafter referred to as the employer), declare to have agreed to the following :-

Article 1. - On behalf of the agricultural estate named in Article 12 hereunder the labourer shall perform the following labour exclusively above ground: all labour usually done by natives of Java (both men and women) on agricultural estates, including horticulture and cultivation of trees.

Article 2. - (1) The number of working hours during which the Labourer has to work shall not exceed 9 hours on each working day, if the work is performed between 5.30 a.m. and 6 p.m., and at the most 8 hours per working day if the work is done wholly or partly between 6 p.m. and 5.30 a.m., on the understanding that the labourer may not be compelled to work for more than six consecutive hours. The rest period must be at least one hour.

(2) The number of working hours includes the time during which the labourer has to perform extra work, such as transportation, watching, etc., as also the time necessary for allocation of work and for covering the distance between the labourer's house and the place of employment, both going to and coming from his work.

(3) When the labourer declares himself willing to work overtime, then for that overtime work he shall be paid per hour or part of an hour a wage of 50 per cent more than the equivalent per hour of the ordinary daily wage.

Article 3. - (1) The employer shall pay to the labourer 30 (thirty) Straits dollar cents per man per day, and 25 (twenty-five) Straits dollar cents per woman per day, on the understanding that, if no prepared food is given, the money value of such food shall be paid in lieu thereof.

(2) These wages shall be paid monthly, half-monthly, weekly or daily at the option of the Manager. Of wages are paid monthly the labourer must be paid part of his wage half-monthly at his request.

(3) The daily wages agreed upon shall also be paid for the rest-days and holidays stipulated in this contract, as also for the days, during which, through no fault of his own, the labourer is unable to work, it being understood, however, that should the labourer be ill, no wages are due to him if free food is supplied to him also while in hospital.

(4) Deductions from the wages agreed upon are only permissible for reimbursement of advances obtained, or debts, incurred to the employer.

(5) The Government poll-tax (if any) due by the labourer shall be borne by the estate on which he is to be employed. These sums shall not be debited to the labourer.

Article 4. - (1) The time during which the labourer has not worked on account of illness, less one-tenth of the duration of the contract, and the time during which he has been absent on leave, or desertion, as well as the time during which he has undergone imprisonment, is not taken into consideration when determining the number of days he has worked or the duration of this agreement. The days on which the labourer has been absent without valid reason, are also not counted.

(2) The days of illness which are not spent in a hospital are considered as leave, except in those cases referred to in article 6 sub (2).

(3) In no case is the total duration of service under this contract, including the period of prolongation thereof to make up for absence, to exceed four years.

Article 5. - (1) As advance the labourer shall be paid the sum of 7 (seven) dollars at the port of disembarkation, or at destination.

(2) Advances given shall be repaid by monthly deductions of one-fifth of the wages earned, but not exceeding a maximum of 2 (two) dollars.

(3) What is given to the labourer in Java is only to be considered a present, and is not permitted to be deducted from his wages.

Article 6. - (1) The labourer cannot be compelled to work on the following days:-

- (a) 3 days on the occasion of the Mohamedan New Year
- (b) the twelfth day of the month Moeloed
- (c) the last days of the month Roewah
- (d) the tenth day of the month Hadji
- (e) 2 (two) days in every month.

(2) In addition to these, the women labourers may not be compelled to work during one month before expected confinement, nor within 40 days after such confinement or after a miscarriage, nor during the first two days of their menstruation. These days are to be considered as days of illness, even though they be not spent in a hospital, while free food is given or the equivalent in money is paid, as is stipulated in article 7.

Article 7. – (1) At his own expense the Employer has to supply the labourer and his family free lodgings, free board, free medical attendance and nursing, and free drinking and bathing water.

(2) Per day and per person the free food shall consist of:

Raw rice	800 grammes = 21 tahils	Salt	25 grammes = 2 tahils
Meat	225 grammes = 6 tahils	Coconut-oil	50 grammes = 1 ½
or		Blatchan	100 grammes = 2 ½ tahils
Fish	200 grammes = 5 ¼ tahils	Coconut	100 grammes = 2 ½ tahils
Vegetables	500 grammes = 13 tahils	Sugar	50 grammes = 1 ¼ tahils
Tamarind	50 grammes = 1 ¼ tahils	Tea	10 grammes = ¼ tahils
Onions	100 grammes = 2 ½ tahils	Chillies	2 pieces
Spices	100 grammes = 2 ½ tahils		

or the equivalent thereof amounting to 25 dollar cents.

(3) Children between the ages of 3 and 10 years receive one-third of a ration or S½ dollar cents per day, children between 10 and 12 years three-quarters of a ration or 18 ½ dollar cents per day, children between 12 and 15 years a full ration or 25 dollar cents per day.

(4) This ration shall be issued to all such children on the Estate irrespective of whether they perform work or not.

(5) The labourer loses his right to free board, if though fit to work, he absents himself, either by desertion or otherwise, from the work which it was his duty to perform.

Article 8. – The employer may not separate the labourer from his family against his will.

Article 9. – The employer is compelled, at his own expense, to provide a proper funeral in case of death of the labourer or of a member of his family.

Article 10. – The employer agrees to provide the labourer and his family with free passage to the place of employment. Within at most three months after the expiration of this agreement, or at such earlier date as this agreement is cancelled either on account of the labourer's continual unfitness for work, or by mutual consent, the employer shall further send the labourer and his family as then constituted, back free of charge from the place where he is employed to his place of origin, even though he should still have a debt owing to the employer, unless the labourer wishes to enter into a new agreement.

(2) Nevertheless the right to free return passage for him and his family, as then constituted, shall be assured during one year after the termination of the last (written or verbal) agreement.

(3) The employer agrees to supply the labourer and his family, as then constituted, with free board, water for drinking and bathing, lodgings, medical treatment and nursing, during the time he has to wait for shipping opportunity to be repatriated after the expiration of either this contract or of a re-engagement contract.

(4) In the event of death of the labourer while under agreement, or thereafter, but before he has taken advantage of his acquired right to repatriate, the employer agrees to send back his family, as then constituted, free of charge, at the very latest within three months after the death, if desired, from the place where the labourer was employed to his place of origin. For the time during which that family has to wait for a shipping opportunity to be repatriated it shall be supplied with free board, water for drinking and bathing, lodgings, medical attendance, and nursing.

Article 11. – (1) Immediately after the contract has expired, the employer shall advise the Consul-General of Great Britain at Batavia whether the discharged labourer has entered into a new contract or whether he has returned to his place of origin (in which case the shipping opportunity must be stated), or whether he has settled elsewhere.

(2) Through the intermediary of the Consul-General of Great Britain at Batavia the employer shall furnish the Head Office of the Labour Inspection Department for the Outer Possessions at Batavia every quarter with a statement of the number of deaths amongst the labourers, the cause of death and the number of sick labourers on the last day of every month, together with an explanation of the causes for the sick rate, if this should exceed 5 per cent.

Article 12. – The labourer shall report himself to the Manager of Estate on the Day of of the year Nineteen hundred and

Article 13. – This agreement shall be in force for 900 working days to be counted from the date of arrival on the estate.

Article 14. – This contract is otherwise subject to the rules and regulations of "The Labour Ordinance, 1929" as since altered and supplemented.

This agreement has been made at on this the day of the month of of the year Nineteen hundred and

After having read this contract to both parties and distinctly made known the contents thereof to the labourers in their own language, I have convinced myself that the parties have entered into this indenture of their own free will. Contracting party on the other side.

Recruiting Officer.

.....
I hereby certify that the above is a true copy of the authorised translation of the Dutch Contract which accompanied the labourers named therein, the original of which has been duly registered by me.

Appendix 4

Estates Employing Javanese Indentured Labourers, 1926

Residency	Estate
Interior	Melalap Estate Sapong Estate
West Coast	Lingkungan Estate Lumadan Estate Padas Valley Estate Beaufort Estate Woodford Estate Lumat Estate Mawau Estate Membakut Estate Bongawan Estate Mandahan Estate Kimanis Estate Papar Estate Kinarut Estate Lok Kawi Estate Menggatal Estate
Kudat	Pitas Estate Ranau Estate Taritipan estate Langkon Estate
Sandakan	Batu Puteh Estate Sungai Batang Estate British Borneo Timber Company Sekong Estate Bode Estate Sandala Estate
East Coast	New Darvel Bay Tobacco Plantations, Ltd. Lower Segama Estate Lahad Datu Cultuur Maatchappij Tenganipah Estate Kuhara Estate Kubota Estate

Source: PRO: CO648/14. 'AR. Protectorate Department for the year 1926, p. 56'.

Appendix 5

Mortality Rate among Labourers in British North Borneo (1915-1932)

	Total Labour Force at end of year	Total Number of Deaths	Death Rate (%)	Death Rate per thousand
1915	15,513	312	2.01	20
1916	17,172	295	1.71	17
1917	20,940	625	2.99	30
1918	20,746	1,301	6.27	63
1919	21,487	505	2.35	24
1920	20,924	507	2.42	24
1921	16,540	547	3.31	33
1922	15,923	426	2.68	27
1923	16,179	359	2.22	22
1924	16,852	299	1.77	18
1925	17,680	368	2.08	21
1926	18,491	298	1.61	16
1927	20,401	399	1.96	20
1928	18,724	376	2.01	20
1929	18,534	291	1.57	16
1930	12,563	218	1.74	17
1931	10,276	155	1.51	15
1932	8,395	126	1.50	15

Source: PRO: CO648/7-1, Annual Report of the Protectorate Department, relevant years

Appendix 6

Javanese Calendar

	Javanese months	Days	Arabic months
1	Sura	30	Muharram
2	Sapar	29	Safar
3	Mulud	30	Rabi' al-Awwal
4	Bakda Mulud	29	Rabi' al-Thani
5	Djemadilawal	30	Jumad al-ula
6	Djemadilakir	29	Jumad al-thaniya
7	Redjeb	30	Rajab
8	Ruwah (Roewah)	29	Sha'ban
9	Pasa	30	Ramadan
10	Sawal	29	Shawwal
11	Sela	30	Zu'l-Qa'da
12	Besar	30	Zu'l-Hijja

The Javanese Calendar is based on the lunar month of either 29, or 30 days, the Javanese Year lasting for 354 or 355 days. Although the names of the months are derived from Arabic, modifications have been made because certain Arabic consonants (i.e. f, z, sh, etc.) are non-existent in the Javanese language. Before and during the Second World War, the inhabitants of Java were following the Javanese year (1878 in 1947 A.D.). After the War, the people of Indonesia used the Arabic year of the Hijra (1368 in 1949 A.D.).

Source: Hurustiati Subandrio, 'Javanese peasant life villages in East Java'. Thesis submitted for the Academic Post-graduate Diploma in Anthropology. University of London. May 1951. p. XXVII.

Appendix 7

Governors of British North Borneo, 1881-1934

1881	W.H. Treacher
1887	W.M. Crocker (Acting)
1888	C.V. Creagh
1895	L.P. Beaufort
1900	Hugh Clifford
1901	E.W. Birch
1904	E.P. Gueritz
1907	Alex Cook (Acting)
1907	E.P. Gueritz
1910	A.C. Pearson (Acting)
1911	F.R. Ellis
1912	F.W. Fraser (Acting)
1912	J. Scott Mason
1912-13	F.W. Fraser (Acting)
1913	Sir West Ridgeway (Temporary)
1913	C.W.C. Parr
1915	A.C. Pearson
1915-1916	F.W. Fraser (Acting)
1916	A.C. Pearson
1919	F.W. Fraser (Acting)
1919	A.C. Pearson
1922	H.W.L. Bunbury (Acting)
1922	F.W. Fraser (Acting)
1922	Major General Sir William Rycroft
1924	F.W. Fraser (Acting)
1924-25	Major General Sir William Rycroft
1925	F.W. Fraser
1925-26	A.C. Pearson
1926	F.W. Fraser (Acting)
1926	J.L. Humphreys
1928	D.R. Maxwell (Acting)
1929	J.L. Humphreys
1930	A.F. Richards
1934	Sir Douglas Jardine

Source: *Handbook of the State of North Borneo 1929*. p. 134; Andrew Massey. 'The Political Economy of Stagnation'. p. 314.

Illustrations



1. A coolie tapping rubber

Source: PRO: CO1069/524 Part 1. Langkon Estate, Marudu Bay, British North Borneo



2. A rubber tapper observed by an overseer

Source: PRO: CO1069/524 Part 1. Langkon Estate, Marudu Bay, British North Borneo



3. Carrying bales of tobacco

Source: PRO: CO1069/524. Langkon Estate, Marudu Bay, British North Borneo



4. Chinese and Javanese coolies sorting and bundling tobacco at Langkon Estate

Source: PRO: CO1069/524. Langkon Estate, Marudu Bay, British North Borneo



5. Labourers working on timber camp

Source: PRO: CO1069/524 Part 1. Langkon Estate, Marudu Bay, British North Borneo



6. Trolley transporting staff and labourers

Source: PRO: CO1069/524 Part 1. Langkon Estate, Marudu Bay, British North Borneo



7. Coolie houses

Source: PRO: CO1069/524. Langkon Estate, Marudu Bay, British North Borneo



8. Part of Javanese coolie houses

Source: PRO: CO1069/524. Langkon Estate, Marudu Bay, British North Borneo



9. Gambling - a necessary 'evil'

Source: PRO: CO1069/524 Part 1. Langkon Estate, Marudu Bay, British North Borneo



10. Opas House and 'Jail'

Source: PRO: CO1069/524. Langkon Estate, Marudu Bay, British North Borneo



11. Estate Hospital

Source: PRO: CO1069/524. Langkon Estate, Marudu Bay, British North Borneo



12. *Tamu* - Native market

Source: PRO: CO1069/524. Langkon Estate, Marudu Bay, British North Borneo



13. Singapore Quarantine Station (St. John's Island)
Source: PRO: CO1069/560. Langkon Estate, Marudu Bay, British North Borneo