THE SOCIAL LIFE OF CHINESE LABOR

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Was Chinese labor a commodity? This question should be hard to avoid in a discussion of Chinese traders and commodities, because the mobilization and exchange of labor were indispensable aspects of expanding markets and trade. Not only were migrant laborers important producers, consumers, and transporters of goods, but the trade in labor itself was a major source of profit for many merchants. But thinking about labor as a commodity quickly raises analytical difficulties. The rapid expansion of market- and commodity-based cultures over the past three centuries has included an insistence that people are free agents who exchange things, not things that can be exchanged. Imagining labor as a personal possession that can be separated from the body and voluntarily exchanged partly overcomes these difficulties. But the terms under which such exchanges should take place remain a major issue of contention, with deep implications for how we interpret the expansion of capitalism over the past three centuries.

Rather than get mired in debates over the definition of commoditization and free exchange, it is best to start by understanding the specific processes, politics, and meanings of labor exchange within concrete social and historical contexts. In the words of Arjun Appadurai, value does not generate exchange, but “economic exchange creates value. Value is embodied in commodities that are exchanged. . . . The link between exchange and value is politics, construed broadly.”\(^1\) Commodities have social lives, with values that change over time and space as they pass through and create different social relationships. The essays in this volume amply demonstrate how the meaning and value of objects like jade, birds’ nests, opium, and coins have shifted through the complicated processes of exchange, in which market relations are important but hardly the only creators of value. Such an approach is even more relevant for the exchange of labor, suffused as it is with a high-stakes
vocabulary of slavery, freedom, dignity, self-determination, contract, obligation, indenture, protection, and development. Few things are more contentious, political, and value-laden than the conditions under which labor is exchanged.

A thorough history of the social life of Chinese migrant labor would be an immense undertaking. The aims of this essay are more modest: to introduce some of the complexities of the politics of Chinese labor exchange in the second half of the nineteenth century, and to give a sense of what is at stake. While many histories of Chinese labor migration have uncritically appropriated the vocabulary of the “coolie” trade, indenture, and the “pig” trade, a more careful awareness of the specific politics, interests, and incoherencies that surrounded the production of these categories is warranted. Ultimately, the very meaning of “freedom,” the characterization of Chinese society, and the terms on which Asia is incorporated into world history are at stake.

Labor as Commodity

An attempt to think about labor as a commodity must contend with two pervasive conceptual anchors. The first is slavery, especially as exemplified in memories of the African slave trade to the Americas. The very body of a slave is under the power of others, treated as property, and subject to sale and exchange like any other thing. At the extreme, this commoditization can be seen as a form of “social death,” but, in practice, slavery includes various levels of autonomy, subjection, and integration into families or society. Indeed, the biography of a slave can often be traced through periods of relative commoditization and social integration. However, the legacy of abolitionist discourse, with its stark dichotomy between freedom and slavery, has come to dominate much of the global imagination and obscure the many possible variations of slavery.

The second conceptual anchor is labor as a service. Most economists speak of goods and services in the same breath, both subject to the laws of supply and demand that are grounded in the existence of free individuals making choices in their own best interests. Like any other good, labor is something that an individual can possess and should be allowed to dispose of as he or she chooses. Trading one’s own labor is seen as an exercise of freedom that is quite the opposite of trading other people who are not free to dispose of their own labor. Indeed, the commoditization of labor is often situated as part of a grander world-historical narrative of progress through the liberation of markets and men.
Marxist political economy constructs a similar narrative with a different twist. Marxists share with other economists the concept of an evolution from slave to capitalist society in which labor is freed from other social bonds and commoditized in the context of an expanding market economy. But rather than understand this as the progressive realization of the natural laws of economics, they situate market relations as the manifestation of unequal power relations in the specific historical conditions of capitalism. Labor is not liberated but alienated and exploited. The value of labor and its products, previously determined by their specific use-values in the service of men and social relations, are now defined by market exchange-values far beyond the control of the laborer. Labor itself has become a commodity that can be quantified and made equivalent to things. The processes of production and exchange have become the masters of men rather than the other way around. This diminishing control over the conditions and products of labor is sometimes referred to as “wage slavery.” More nuanced analyses emphasize how the very process of “freeing” labor from other social obligations is a necessary step in its commoditization and alienation from the person who labors.

All of these approaches share a common belief in a historical trajectory from slavery to commoditized labor. They differ in their evaluation of the meaning of labor as a commodity. The same markets and property laws that can be seen to liberate human potential can also facilitate the subjection of people as property. The same process of commoditizing labor as service that can be described as the realization of free choice, consent, and the dignity of man can also be depicted as man’s subjection to capital and alienation from the world that he produced.

These conceptual anchors have staked out a terrain of endless contention, not only because of the irreconcilable assumptions behind their evaluations, but also because none of them can adequately account for the myriad forms of labor exchange that actually have taken place in historical time. Debt, social obligations, family relations, adoption, rituals, job status, government regulation, legal requirements, and physical coercion all complicate the meaning and politics of labor exchange. Even the apparently straightforward institution of indenture, rooted in the capitalist values of contract and market, has generated over two centuries of inconclusive debate over whether it is a new form of slavery, “neo-slavery,” or an effective exercise of personal consent that helps create labor markets and opportunities. In a similar vein, scholars of commodity exchange find that a stark distinction between market and gift relationships is hard to uphold, and that taste, dis-
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Extinction, emotional bonds, obligations, and rational calculation pervade exchanges of all kinds.

These conceptual anchors need to be historicized themselves if they are to remain helpful. The first step is to excavate actual practices of labor exchange and mobility on their own terms. What are the conditions under which the value of labor is most likely to be shaped by market relations or embedded in social, family, or ritual obligations? How is labor mobility organized within and across social units, be they class, kinship dialect groups, or political entities? To what extent are common meanings shared by different participants in the process of labor exchange? How do the meaning and organization of labor change over time? In the nineteenth century, we quickly find that it is difficult, if not impossible, to answer these questions in “native” terms. Actual practices were entangled in the ideals, assumptions, and debates over the meaning and nature of free labor. These ideals and the institutions designed to enforce them often obscured the actual practices of migration.

One issue at stake in the understanding of Chinese migrant labor is the origins and meaning of capitalism. The conceptual anchors generally posit an evolutionary story in which capitalism developed in Europe and then diffused to incorporate the rest of the world. The essays in this volume all engage with this world-historical narrative to some degree, demonstrating the great extent, impact, and sophistication of Southeast Asian market economies both before and beyond the impact of Europeans, while simultaneously describing the specific regional contexts and meanings that cast doubt on attempts to project Western economic values as universal truths. It is a delicate balancing act, an attempt to recover the vitality of non-Western history while critiquing and modifying the Western narratives that have established the standards by which to evaluate vitality.

Discussions of Chinese labor have often failed to maintain that balance. The voluminous documentation surrounding indenture has suffused discussions of Chinese migrant labor with a vocabulary of “coolies,” “abuses,” “pig trade,” and of corrupt Chinese officials and brokers. This vocabulary has marginalized Chinese migration from the main trends of world history. European migrants in the nineteenth century are routinely depicted as emblematic of the dislocations and entrepreneurialism of modernity, progressive and creative settlers who opened frontiers and created nations. Chinese migrants, in contrast, are routinely depicted as backward, earthbound peasants, unable or unwilling to participate in the sweep of modern migration history without the direct intervention, protection, and resources of Euro-
peans. Causes of long-term migration patterns that have been discredited in European history, such as war, overpopulation, and despotism are still routinely used to explain Chinese emigration, as if the laws of supply and demand that shaped European labor migrations had to be imposed in Asia through political and economic domination.

In fact, when we look beyond indenture we find that Chinese migrations were qualitatively and quantitatively similar to European ones. Fewer than 4 percent of Chinese emigrants were directly indentured to Europeans. The bulk of the over 20 million Chinese who departed south China from the 1840s to 1930s traveled under their own resources and organization. Peak emigration rates from Guangdong and Fujian were similar to peak rates from Italy, Norway, and Ireland. The 35 million Asians (including Indians) who moved into Southeast Asia from 1870 to 1930 were comparable to the 39 million who moved into the United States. Despite their reputation as sojourners, Chinese return rates were only slightly higher than global averages. Chinese migration was part of an interconnected world on the move, flowing into factories, construction projects, mines, plantations, agricultural frontiers, and retail networks across the globe.6

However, this migration has not been remembered as part of world history. Most Western-language accounts of Chinese emigration only count 2 to 8 million migrants. The trail of footnotes shows these numbers were ultimately drawn from three studies by Chen Ta, Chen Zexuan, and Arnold Meagher, all of which were explicitly counting only contract labor and “coolie” migration.7 The assumption that Chinese labor migrated only under conditions of direct European control has shaped the very collection of data. Chinese-language accounts often give a more accurate number of about 20 million. But they emphasize that the contemporary descendants of Chinese in the world do not even amount to the population of Canada, and interpret Chinese mobility as something other than a true migration of settlers.8 While the basic insight that European power has critically shaped the social life of Chinese migration is accurate, it needs to be qualified with a more specific history of the social interactions that actually shaped mobility, labor exchange, and social relations.

Two entwined discourses had a deep impact on the social life of Chinese labor: the vocabulary of contracts and consent as a foundation of political and economic freedom; and the vocabulary of abolition, with its black-and-white dichotomies of freedom and slavery. These vocabularies proved entirely insufficient to describe, recruit, and understand Chinese migration. Attempts to do so were suffused with contradictions and incoherencies, con-
stantly undermined by the actual practices of migration. Despite this, the basic legitimacy of consent, freedom, and slavery as ways to frame labor exchange was never dislodged. One result of the continual attempts to re-formulate these principles was to obscure the actual practices of migration under a haze of confusion. In the process, Chinese migration was largely erased from the historical memory as anything other than a collection of exploitative and uncivilized practices, reflective of Chinese society itself.

Indenturing Asians

British attempts to recruit Chinese contract labor in the 1850s were shaped by the experience and institutions of Indian indenture. These, in turn, were framed by the experience and debates of abolition.9 Plans to bring indentured Indians to sugar colonies in the Indian Ocean and Caribbean regions materialized immediately after the abolition of slavery in the British Empire, in 1834. Criticisms of those plans emerged just as quickly. Both sides appealed to freedom, progress, and the greater interests of the empire. Anti-indenture activists drew on the ideals, personnel, and institutions of the antislavery movement to argue that the restrictions on personal liberty entailed in indenture contracts were actually a form of pseudoslavery. During the period of indenture, contracted laborers could be punished, exchanged, and confined by their employers, with no power over the conditions or location of their work. The empire had a responsibility to protect and assure the well-being of its colonial subjects. This was especially true for those who, whether due to ignorance or coercion, were unable to protect themselves against adventurers and self-interested capital.

Pro-indenture activists spoke of how indenture was essential for the progress and prosperity of all parts of the empire. Contracts and cash advances “freed” impoverished migrants to circulate throughout the empire to places where they could work most effectively for the benefit of themselves and their employers.Indenture alleviated poverty and overpopulation in India while alleviating labor shortages in the sugar colonies. To suppress the right of Indians to freely move and enter into contracts was to undermine British ideals. As one Calcutta firm wrote to the Bengal government in 1838, “It is a question involving the rights of British subjects (in principle, of all British subjects) to carry their manual labor to the most productive market. . . . Any other political doctrine, though practically extended for the present to only a particular class of men, must obviously be extensible to all classes alike; and to assert it, therefore, in this case, would be to establish a precedent of the most perilous nature to constitutional liberty.”10
By the 1850s, however, both sides tended to agree that a “free” migrant was an independent, self-willed individual, and that most Indians were not inherently free but enveloped in networks of obligation and ignorance, unable to achieve their own natural liberty. They continued to debate whether indenture contracts could work to “free” them, but agreed that some level of government surveillance was necessary to maintain a level of free consent that could make the system acceptable, disagreeing only over the extent and effectiveness of that surveillance. As investigations and reports continued to reiterate the pro- and anti-indenture positions, the British government established an intermediary position of “benevolent neutrality” that could enact mild regulation to objectively mediate between the two extremes. In effect, the “free” migrant did not exist through a lack of government intervention but as a product of proper regulation. When abuses persisted, they could now be blamed on the activities of native recruiters, ignorance, and custom rather than on indenture itself.

This modus vivendi worked for Indian indenture within the British Empire until the rise of Indian nationalist sentiments in the late nineteenth century, but its application to China was far from straightforward. Like India, China appeared to be a favorable site for labor recruitment because of a commercialized rural economy and dense population. Serious recruiting did not begin until the late 1840s, however, when the establishment of Hong Kong and the treaty ports helped ease many of the Chinese restrictions on European traders. But Chinese indenture remained a vexed and relatively unsuccessful enterprise throughout the 1870s, when abuses and scandal led the Chinese and American governments to suppress all but the most highly regulated recruitment. Britons and Americans blamed most of the abuses on the incompetence of the Chinese government and the schemes and greed of non-Anglophone recruiters. Ultimately, however, the biggest problem was that Chinese indenture did not take place within the surveillance of a single empire but across multiple frontiers. Migrants departed from China, Macau, Hong Kong, and Singapore to a variety of destinations, which included Hawaii, Peru, and British, Dutch, French, and Spanish colonies. Private recruiters could easily evade regulations and shop for favorable forums. From one perspective, this international market could have signified a truly free market beyond the controls of any single government. But in practice, British diplomats forsook “benevolent neutrality” in favor of a systematic campaign against the unregulated private organization of the “coolie trade.”

The transposition of Indian indenture was also difficult because mar-
Market relations with the Chinese were already on a different footing than with other Asian peoples. In European eyes, most native peoples were notable for their laziness and obstinate refusal to act according to the laws of economics by selling their labor at market rates. Indeed, indenture was often seen as one of the methods to assimilate Asians into the laws of the market. Chinese, on the other hand, were often noted for their commercial acumen, industriousness, and willingness to conform to the laws of the market. Reports from Penang, Melaka, and South China in the 1840s and early 1850s were aware of extensive Chinese-organized labor migration to mines and agricultural areas throughout Southeast Asia. Prevalent financing schemes in which the migrants’ passages were paid in advance in return for one year of labor abroad were described in terms that made them appear little different than the indentured migration of Europeans to the Americas that had been prominent until the 1830s. As late as 1876, U.S. Minister to China William Williams responded to questions posed by an investigation committee from California in a way that compared the freedom of Chinese emigrants favorably to that of European emigrants. Despite some reservations about the “heathenish influences” of Chinese emigrants, he asserted that the debts used to finance migration to the United States demonstrated the positive effect of the market forces and political restraint of China and the United States as compared to the aristocracies, serfs, and deportations of Europe.

There is no caste among the Chinese, no privileged class or titled aristocracy on the one hand claiming rights over serfs, or slaves on the other; and, consequently, no power inheres in the hands of one portion of society to get rid of their drones, their criminals, their paupers, or their useless slaves, by shipping them to other lands. Those who arrive in California are free men, poor, ignorant, and uncivilized indeed, easily governed and not disposed to make trouble in any way, but hoping to get a good price for their labor. . . . The imperial government can no more control the movement of its subjects, or keep them within its territory, than the President can restrain those of our citizens; neither power can control or limit emigration or travel.

All of these reports seemed to point to the ease of establishing contract relations with Chinese labor. In 1851, British officials began to collect information about the possibility of indenturing laborers from southern China to work in the Caribbean. A circular to South China consuls in 1853, asking if Chinese should be enticed through contracts and advances or left “wholly
free and unfettered,” received unanimous agreement that a contract and cash advance was necessary to get Chinese to migrate to an unknown land.\textsuperscript{14} The issue was not that Chinese were impoverished and ignorant of migration, but that they already had access to well-developed migration networks and could make well-informed, commercially astute choices. Recruitment for the West Indies would have to be competitive. However, these attitudes changed as soon as the British actually attempted to break into this market. It quickly became clear that indenture functioned best when it could be seen as a means of extracting natives from backward, nonmarket conditions, not in conditions of open competition.

Contracting Chinese

The first attempts at recruitment in Amoy (or Xiamen, chosen for its long-standing practices of labor migration to the outside world) not only failed to be competitive, but also caused riots against the Western companies that attempted them. The main complaints were that the Chinese recruiters engaged by the companies were outsiders who relied on kidnapping and deceit.\textsuperscript{15} Indeed, such practices were probably necessary in order to recruit Chinese to unknown lands on terms much less favorable than those in Southeast Asia, although the effect of rumors generated by competing Chinese recruiters cannot be discounted. The British retreated to Hong Kong, where, despite repeated efforts over the next twenty-five years, they were never able to establish indenture recruitment on favorable terms and without “abuses.”

To many Europeans, the Chinese state was a major obstacle against a smooth regime of free emigration. They saw it as excessively authoritarian and opposed to free intercourse, yet incapable of enforcing its own laws against emigration. It was indeed difficult to engage Chinese officials on this topic because of the embarrassment of discussing the regulation of a migration that was officially prohibited. After the withdrawal from Xiamen, the Colonial Office instructed Hong Kong governor John Bowring to notify consuls in China that they were not to aid in the recruitment of coolies; however, “if the Chinese subjects of their own free will should prefer to risk the penalty attached to the transgression of the law . . . you are not bound to prevent, or even ostensibly be cognisant of, such acts, for it is the duty of the Chinese government to enforce its own laws.”\textsuperscript{16} However, this attitude did not prove sufficient to channel labor away from competing recruiters in China or Macau. An 1853 report from the Colonial Land and Emigration Commissioners recognized, in reference to China, that “it would appear dif-
Social life of Chinese labor was also no guarantee that migrants themselves would become free. Rather, it only generated new ways to depict the migrants as unfree and the cause of their own abuse. As early as the 1840s, Hong Kong officials worried about their still tenuous control over the island argued that once Chinese were freed from the despotic control of the Chinese state, it could only be expected that a people with no habits of self-restraint would relapse into banditry and licentiousness. The very act of movement even selected for such people. As Chinese Secretary Charles Gutzlaff wrote in 1846, “It is very natural that depraved, idle, and bad characters from the adjacent mainland and islands should flock to the colony where some money can be made. They are a roving set of beings, and committing depredations wherever it can be done with impunity; they cannot be considered as domesticated, and are in the habit of coming and going according to the state of the trade.”

British officials also identified Chinese customs and economic practices as major obstacles working against a migration that was free from abuse, even when those customs seemed similar to the basic principles of free contracts. West Indian planters were adamant about the need for female emigrants to create a less “depraved” laboring population. James White, the emigration agent in China, argued that this would only be possible by offering bounties to men who traveled with their wives. This was based both on the perception of cultural restrictions against female emigration and on the sense that the sale of women and children was pervasive in Chinese society. White concluded that the distinction between marriage and a market transaction was trivial, and slavery was indistinguishable from the patriarchal
control over the household. Female emigrants could only be obtained by collaborating with local practices. This led to some discussion and ethnographic reports on whether proper marriage even existed in China. The colonial land and emigration commissioners ultimately agreed with White, adding, “Whatever may be thought of the state of morality which renders this possible, we cannot but point out that, as far as the woman is concerned, the result will be to raise her from the state of slavery under Chinese, to that of freedom under British law. . . . We cannot help hoping that these considerations will be held to constitute a substantial difference between the proceedings recommended by Mr. White and the Slave Trade.” Hong Kong Governor George Bonham, however, objected that Mr. White’s plan “would doubtless give rise [to] . . . a trade little different from the Slave Trade,” arguing that “the offer of a premium, without some official check, is a dangerous experiment to try with so venal and money-grasping a people as the Chinese.” He stated that if such a plan were to be implemented,

The British authority should inquire carefully into every case of marriage so performed; should have the parties brought up before him, and the woman narrowly and strictly examined previous to shipment, and a declaration made and signed by her, to the effect that she was a free and voluntary emigrant, that she freely and voluntarily married her present husband, and that no compulsion or any other agency had been set at work to induce her to do so. Without some official control of this nature, the plan would be a bad one.

A system similar to Bonham’s was finally adopted as a solution that was “less abhorrent to our notions of freedom and less suggestive of abuse.” From all perspectives, the Chinese condition in the absence of British intervention was conceived as degradation and slavery. Indeed, the very commoditization of labor that framed the civilizing potential of indenture to free Asians from their traditional bonds and poverty was now seen as the source of Chinese corruption.

A series of Hong Kong regulations to limit recruiting and transportation abuses largely succeeded only in pushing recruitment activities to Macau and the Chinese mainland. The British military occupation of South China from 1858 to 1861, during the Arrow War (also called the Second Opium War), created an opportunity that officials believed would provide “great facilities for conducting emigration on fair and humane principles.” Europeans worked with local Chinese officials to develop a system of surveillance similar to India’s. Governor-General Lao Chongguang issued orders to
local magistrates in April 1859, instructing them to punish all kidnappers, to make sure that emigrants were aware of all the conditions of their contract, and to reassure migrants that the government had no objection to their departing with the foreigners once both parties had given their consent. Emigration depots were established in October, requiring at least a forty-eight-hour stay during which migrants were subjected to a joint examination by Chinese officers and foreign emigration agents, and given a chance to think more carefully before signing a contract. A public proclamation from the governor-general that month described the regulations and explained of the migrants that “their emigration is voluntary, and wholly different from that which is conducted by the kidnapper who sells his fellow-man. In order that this villainy may be stopped, and the difference between it and the former made patent to the world, such means of investigation and of inspection should be provided as will plainly denote a distinction.”

During the negotiations, Prince Gong of the Zongli Yamen (the Chinese foreign-affairs office) had also distinguished labor emigrants from other migrants by insisting, “Although they are employed by foreigners and received monthly salaries, they are not selling their labor to foreigners, they should be considered as if China were loaning them to foreign countries to use. Therefore, even though they have left their homeland, they are still entitled to protection from the Chinese government.” This new surveillance, which for the Europeans meant a guarantee of the emigrants’ freedom, was for the Chinese a means of asserting government jurisdiction in the face of other powers and over migrants themselves. Those who departed without surveillance were not entitled to protection.

The legitimacy of these arrangements was recognized in a provision of the Treaty of Beijing, signed between Britain and China in 1860, which declared that Chinese subjects “are at perfect liberty to enter into engagements with British subjects . . . and to ship themselves and their families on board any British vessels at the open ports of China.” However, surveillance was difficult to maintain in the international conditions of the South China coast. Chinese depots were rarely used because recruitment via Macau circumvented this system altogether. By the late 1860s, Europeans and Chinese in Hong Kong frequently protested activities in Macau. As British ships were prohibited from carrying emigrants from Macau, the British had little interest in supporting the freedom of emigrants to depart from any port they wanted. In these conditions, accounts of Chinese indenture contracts grew overwhelmingly negative, depicting them as an abuse and infringement on individual freedom and calling for government suppression.
In 1867, Hong Kong Legislative Consul J. Whittall claimed that even the more rigorously monitored emigration from Hong Kong should be banned because it was a stain on the reputation of the colony. Indenture contracts should be made invalid in British courts, he argued, because “they shift the responsibility of the miserable coolie’s detention from the shoulders of his kidnappers to those of official authority. . . . Let voluntary emigration, pure and simple, be as uncontrolled from China as from Ireland, but let it be made criminal for British subjects to aid, abet, or in any way subserve, contracts of servitude for a term of years.”

London officials, concerned with justifying Indian indenture, were somewhat dismissive of these objections. Acting Colonial Secretary Henry John Ball in London responded that under existing arrangements Chinese emigrants knew what they were getting themselves into. He blamed the problems on the severity of existing regulations and even hoped that “a uniform form of contract might perhaps be settled on terms more just to the planters than that adopted by the Peking Convention [of 1866], which has caused nearly all honest and open emigration to cease, and has thrown the trade into the hands of unscrupulous parties, who care nothing for the Chinese Government or their Convention, thus actually increasing the evils which it was intended to suppress.” In more moderate terms the colonial secretary added that the suspension of emigration from Hong Kong would cause difficult international complications. He insisted that the British government fulfilled its duty to the migrants merely by ascertaining that the emigrants signed their contracts voluntarily and understood their decision. Opinions in Hong Kong were not so easily mollified. A series of scandals in the early 1870s resulted in British- and Chinese-led international pressure to stop the labor trade from Macau, especially to Cuba and Peru.

Between the accusations and counter-accusations, the vested interests, and the shifting of blame to crimps (local Asian recruiters) and subcontractors, the actual practices of migration were lost, never able to fit within the categories of voluntary or coerced. Both migrants and officials were even encouraged to obscure the modes of organization in order to fulfill the formal requirements of freedom. Migrants were easily trained to assert their voluntary adherence to the terms of a contract when undergoing inspection. On their part, Hong Kong officials found it in their best interest to deny knowledge of any local activities in their port that might be interpreted as a coolie trade, a silence similar to that they had once criticized among Chinese.

In 1854, the Hong Kong harbormaster wrote that the free emigrant and the coolie “are understood to be widely different, the former being a class of
persons who have paid their passage, while the latter are understood to be those who have had their passage paid for them under an agreement.”30 Such a categorization lumped kidnapped coolies into the same group as those who borrowed money from friends and family abroad, making it very difficult to make finer distinctions. By 1881, ignorance of alternatives to indenture and self-payment had become the official stance of Hong Kong officials. That year, in response to requests from Australia to report on the free or unfree nature of Chinese emigration, the attorney general of Hong Kong would only say that he had been consulted on the meaning of contract emigration and its relation to debt obligations many times. His answer was that he could only address concrete cases, not hypothetical ones.31 Only in 1910 did Hong Kong formally admit that many Chinese engaged in “kañany” emigration, in which a returned migrant gave assistance to new emigrants.32 These developments helped perpetuate an understanding of all Chinese labor migration as outside of legitimate social practice, something other than true, self-determined migration and free labor markets.

Chinese Labor in the Straits Settlements

Officials and planters in the Straits Settlements had a much more direct interest in the flow of Chinese labor. They remained fully aware of the activities of Chinese brokers, becoming entrenched in a long struggle over the control of Chinese labor. The consistently high labor demands and entrenched laissez-faire ideology of the late nineteenth century generated a firm opposition against most plans to regulate migration and labor markets. But regulation still found a ready audience when formulated in terms of suppressing the perceived abuses and underground government of secret societies, countering the perceived antimarket practices of Chinese brokers, and preventing the seduction of labor to places beyond British colonies.33

Secret-society riots of the 1860s and 1870s along with the wave of indenture scandals in Hong Kong set the stage for the discussion of migrant regulation in Singapore. In 1871 and 1873, groups of Chinese merchants and planters sent petitions to the legislative council requesting an inquiry into labor-recruitment practices that could lead to some sort of regulation. After praising the fame, paternal protection, and impartiality of English laws, the 1871 petition explained that “now-a-days we hear of ill-disposed people (vagabonds) that often make it their trade of the ‘Singkeks’ or new comers, who, on their first landing here, not happening to be acquainted with any one in the place, are by these vagabonds invariably deceived and cheated.” They requested “a trustworthy officer to superintend all the new arrivals,
and ascertain from the ‘Singkeks’ themselves where they intend to go, those of them willing to stay to be apprised that they are at liberty to act as free agents, that these vagabonds may not have the opportunity of deluding these ‘Singkeks.’”

These complaints and suggestions resulted in the enactment of an 1873 law that required all incoming Chinese laborers to register with the authorities. At a public meeting held to protest the law, European employers and merchants complained that it was “impolitic because it interferes with the importation of free labour to this Settlement, and unnecessary, because it can never accomplish the object which it is supposed to secure.” In a petition to the legislative council, they explained that any abuses were surely the fault of the secret societies and their insistence on creating an imperium in imperio. Their suppression would help promote the establishment of a free market that could, by its very workings, offer the best protection against abuses.

Once landed in Singapore, and apart from this influence [of the secret societies], the competition for labor is so great as to obtain for the newly arrived Immigrant perfect security from extortion or unfair labor bargains. The only danger which assails him is that he may be, either before landing or after, hurried and cajoled into engagements to work in countries outside of this Settlement, and in ignorance shipped away beyond the influence and protection of our laws.

Enforcement of the 1873 law was delayed, and a committee was appointed in 1875 to investigate the conditions of Chinese labor migration. Its findings elaborated on those from the 1840s and 1850s, describing a system of brokers and agents that reached from Malayan plantations to Chinese villages and from European financiers to small headmen in charge of groups of ten to twenty migrants. Migrants who did not pay their own passage were distributed to local employers and obliged to work for six months or a year in order to pay off their passage, after which they were free to find employment on their own. The commission concluded that abuses were minimal and that “perhaps no stronger practical testimony could be borne to the respectability of the mass of Chinese immigrants who arrive here than the fact that the system described above works fairly well for the employers.”

Employer satisfaction was not entirely true. In their testimony before the commission, Chinese brokers and planters consistently called for a government depot and written contracts as a way to limit runaways. Europeans,
on the other hand, were more likely to complain about the unnecessary expense and obstructions of a depot and to imply that this would only further bolster Chinese control over the labor supply. Despite their satisfaction with the existing practices, the commission still found that a major source of abuse lay in the diversion of migrants to Penang and Sumatra against their will. They also agreed with Chinese brokers that the lack of legal recourse over runaway migrants was a problem. They argued that runaways should be treated as a police rather than a civil matter, because employers could rarely expect adequate compensation in civil proceedings, given that migrants owned little more than the clothes on their backs. The commission’s most serious concern, however, was about the lack of government surveillance.

The Government knows little or nothing of the Chinese, who are the industrial backbone of these Settlements; and the immense majority of them know nothing of the Government. We know that a certain number of Chinese arrive each year, and that a certain number go away; but how long they stay, how many come back a second time, what they think about and desire—as to all this we know nothing. . . . We believe that the vast majority of the Chinamen who come to work in these Settlements return to their country not knowing clearly whether there is a Government in them or not.38

As a consequence, whenever laborers got in trouble, they went to the secret societies rather than the government. Thus the commission proposed the establishment of a Chinese protectorate and government depot where labor contracts would be signed and direct contact with magistrates could be encouraged in case of trouble. A protectorate was duly legislated in 1877, along with a crimping ordinance that required all contracts signed by local residents to work outside of the colony to be signed at the protectorate. As in India, mild regulation would produce free migration and labor markets.

The government did not build the depot, but licensed it out to Chinese boardinghouse owners. A court case in 1890 also interpreted the protectorate law to say that the protectorate did not have the power to compel anybody to stay in a depot or sign a contract at its offices. These circumstances led, in 1890, to a new investigation into the conditions of migrant labor. By this time, the idea that the protectorate was designed to safeguard the interests of laborers rather than employers was already firmly entrenched. As the attorney general argued before the court in 1890, “The evil which the Ordinance was intended to meet was the virtual slavery which the immigrant
would be under to the man who had brought him down from China and paid his passage money, if he were free from the supervision of the Chinese Protectorate.” Such ideas helped frame new and more explicit attacks on the Chinese brokers as the main obstacle to free labor exchange.

The actual findings in 1890 about the organization of Chinese labor migration were again little different than previous reports, down to the conclusion that “the abuses of the current system are more sentimental than real.” The report even promoted the further expansion of the credit-ticket system (the main source of trepidation among Hong Kong officials) as a way to create a more vibrant labor market. However, in the spirit of the protectorate, it developed an extended and detailed critique of the Chinese brokerage system as the main obstacle to smooth and abuse-free labor exchange. It argued that brokers drove up prices, obstructed the free flow of labor, and contributed to the labor shortage by pocketing money, providing unnecessary services, speculating on labor contracts, and forming a ring that excluded outsiders. Even the compensation paid by brokers to the families of lost coolies and for funeral expenses were criticized for driving up costs. The report complained that Chinese boardinghouse keepers were “generally of the most worthless class,” unsupervised, and “free to obtain men where and how they can so long as they avoid the displeasure of the authorities.”

Under existing conditions of minimal government surveillance, they could disrupt free markets by exerting undue influence over laborers through persuasion and deception.

While the Sin-Kheh is in the depot it is the keeper to whom he must look as his government, and it is the servants of this man who bring him from the ship, guard him in the depot, and eventually remove him to the scene of his future employment. The power which is thus placed in the hands of the depot-keepers, who are agreed on all sides to be unscrupulous, appears to us greater than should be entrusted to private individuals, and we consider, therefore, that the system should not be perpetuated.

The committee insisted that “it is important that the coolly should be a free agent, at liberty to choose the employment and country he prefers.” The means by which to create free agents was to suppress Chinese businessmen in favor of expanded government control. The committee recommended that the government directly operate depots in Singapore and China, and facilitate direct recruitment by employers that excluded middlemen and channeled each migrant from the very moment of recruitment to a
specific job in the straits. A free market in Chinese labor was to work for the benefit of consumers of labor, not traders or producers.

The Chinese government was held up as the other serious obstacle to a free labor market. Citing diplomatic correspondence in which the Chinese government opposed the emigration of laborers who had not paid their own passage, the commission insisted that this helped to push the credit and labor market underground. “From this cause doubtless springs much of the iniquity of which we have here, and there obtained a glimpse; the bringing of subordinates, purchasing the silence of parents, and tutoring of emigrants to lie to those in authority.” Nearly all the Chinese brokers who testified before the committee denied that the Chinese government in any way interfered with their activities. However, the commission insisted that even the limited efforts of the Chinese government, such as the public execution of a broker accused of kidnapping and attempts to hold brokers responsible for lost coolies, would dissuade more respectable Chinese from becoming involved in the traffic. Effective regulation must be put on a more systematic basis through depots and surveillance from departure to arrival. It was not the existence of regulation, but the form of regulation and the interests it served that made a market into one that was free or suffused with abuse.

Chinese Labor as Commodity

It is difficult to summarize these debates. Representations of a free and functioning market in Chinese labor varied across time, place, and even individuals, dependent on the immediate interests and circumstances involved. In Hong Kong, the topic of contracts and obligations became so embarrassing that officials ultimately avoided it altogether, relegating it to a hazy zone of vaguely illegitimate native practice. Singapore planters and officials managed to develop a somewhat more systematic critique of Chinese brokers for hindering the free market in labor, without adopting an abolitionist stance against labor contracts. In both cases, it is hard to determine the actual effects on migration flows. But one long-term legacy was to create a flexible and pervasive image of Chinese labor and society itself as somehow unfree and corrupt.

This legacy had a direct impact on global migration patterns. For example, in 1879 David Bailey, a former U.S. consul in Hong Kong, selected material from the extended local debates over Chinese indenture and the sale of women and children in Hong Kong to write a long treatise on Chinese slavery and concubinage. He forwarded it to the U.S. State Department...
with the comment “If Chinese emigration to the United States is to continue and increase with slavery or quasi slavery, and concubinage, inbred and permeating its every feature and organisation, so that they may be said to be an indissoluble part of its present system, is it not a subject to which American statesmen should turn their attention with some degree of anxiety?”\(^{46}\) His report was cited in congressional debates leading to Chinese exclusion, and in court decisions that validated exclusion. In 1884, in a reversal from earlier decisions that protected Chinese immigration under treaty agreements, Justice Stephen Field wrote that the actual practice of Chinese immigration did not live up to the “voluntary emigration” stipulated in treaties because it placed migrants “in the bond thralls of the contractor—his coolie slaves.”\(^ {47}\) It was a kind of labor exchange appropriate for colonies and uncivilized peoples, but unsuitable for a free republic.

These decisions played an important role in the establishment of an exclusionary barrier that kept Chinese out of the white settler nations of North America and Australia. From the 1850s to the 1870s, nearly 40 percent of all Chinese migrants traveled to these locations, the majority under Chinese financing and organization.\(^ {48}\) By the end of the nineteenth century, however, this potential for a globally integrated system of migration was increasingly segmented into distinct regional migration systems. These exclusionary laws helped create a concrete geographic territory where labor was exchanged under conditions believed to be something other than freedom, and which could be relegated to a historical death at the margins of modern world history.

Notes

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4. Contributions to this debate include Tom Brass and Marcel van der Linden, eds.,


8. Qiu Liben, Cong shijie kan huaren [Looking at Chinese from a world perspective] (Hong Kong: Nandao, 2000).


15. Ibid., 71–72, 92–94.
16. Ibid., 21.
17. Parliamentary Papers, Correspondence upon the Subject of Emigration from China (1855), 2.
19. Parliamentary Papers, Correspondence Respecting Emigration, 3.
21. Parliamentary Papers, Correspondence upon the Subject of Emigration from China, 20.
22. Ibid., 25.
23. Ibid., 52–53.
24. Parliamentary Papers, Correspondence Regarding Emigration from Canton (1860), 127.
25. Great Britain, Confidential Print 894, Correspondence Regarding Emigration from China (1860), 21.
26. Quoted in Yen, Coolies and Mandarins, 106.
27. Parliamentary Papers c. 328, Coolie Emigration (1868), 8–9, 19.
28. Ibid., 13.
29. Ibid., 15.
30. Parliamentary Papers, Correspondence upon the Subject of Emigration from China, 62.
31. Daily Press (Hong Kong), 24 August 1881.
32. Campbell, Chinese Coolie Emigration to Countries within the British Empire, 2–24; Elizabeth Sinn, “Emigration from Hong Kong before 1941: Organization and Impact,” Emigration from Hong Kong: Tendencies and Impacts, ed. Ronald Skeldon (Hong Kong: Chinese University Press, 1995), 32.
34. Proceedings of the Legislative Council of the Straits Settlements (hereafter PLC) 1871, app. 13. See also PLC 1873, app. 34, 124.
36. PLC 1874, app. 33, 146.
37. PLC 1876, app. 22, “Report of the Committee Appointed to Consider and Take Evidence upon the Condition of Chinese Labourers in the Colony,” 244.
38. Ibid., 244.
39. PLC 1891, app. 22, 8.
40. Ibid., 32.
41. Ibid., 17.
42. Ibid.
43. Ibid., 20.
44. Ibid.
45. Ibid., 17.
46. Parliamentary Papers c. 3815, Correspondence Respecting the Alleged Existence of Chinese Slavery in Hong Kong (1882), 58.