Migrant labourers as British protected persons

The Gilbertese experience, 1892–1908

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Abstract

The process of labour migration, especially through indenture, was essential to the operation of European enterprises in various parts of the Pacific in the nineteenth and early twentieth centuries. Treatment and conditions of labourers varied considerably but not for nothing was indenture sometimes called the ‘penal contract system’. This paper looks particularly at the nature of the ‘protection’ offered by colonial (especially British) powers as they groped to understand just what they meant by a ‘protectorate’. Seeking to understand the contrary British protection of Gilbertese labourers in German Samoa and the lack of institutional protection for Gilbertese labourers in Central America, the paper highlights the importance of the personal roles of individual actors in the colonial project whose efforts served to ameliorate somewhat the sad tale of this small group of inadequately protected ‘protected persons’.

Keywords

indentured labour; protectorates; Gilbertese labour; Kiribati
Before World War One, approximately 500,000 Pacific Islanders and Asians entered the process of labour migration to work for European enterprises in various parts of the Pacific, and at least another 300,000 afterwards. In legal terms, their conditions of employment hinged on the institution of indenture, a system of unfree labour whereby individuals entered into contracts that bound them to an employer for a stipulated period (usually ranging from 3 to 5 years) in return for a fixed wage and other specified conditions. Indentured servitude usually derived its legal authority from the various Master and Servants Acts ostensibly setting down mutual rights and obligations. The reality was different because breach of contract was a civil offence for employers but a criminal offence for workers—the reason for indenture's sometimes being called the 'penal contract system' (Northrup 1995; Moore, Leckie & Munro 1990). The institution of indenture in the Pacific Islands was phased out during the 1940s and 1950s in favour of freer forms of labour, although vestiges of the old system remained to varying degrees.

The treatment of indentured labourers varied considerably from one place of employment to the next. But generally, the penal sanctions and on-site employer discipline combined to erode what civil liberties the workers possessed in law. Sometimes, however, workers could look to their home governments for a measure of protection. A local Chinese Consul, for example, vigorously upheld the rights and interests of Chinese plantation labourers in German Samoa (Moses 1973; Firth 1977). Or else, workers might be the subjects of a colonial power that extended extra-territorial protection to their colonial subjects working overseas. Gilbertese labourers, though, became British protected persons with the declaration in 1892 of a British protectorate over what was then called the Gilbert Islands (now Kiribati). But what measure of real protection did this status afford to those Gilbertese who ventured beyond the confines of the archipelago as contract labourers?

The 'protection' they received was highly variable. In 1893, a group of Gilbertese plantation workers in Central America, whose employer had reneged on their repatriation, appealed to the local British authorities. The matter reached the Colonial Office in London and thereby was unequivocal: 'These men are not British subjects and we have no claims on them, or they

over us when they leave the limits of the protectorate.' The following year, 98 Gilbertese were recruited for German plantations in Samoa under a special arrangement with the British. On this occasion, however, the British used the fact of protected person status to place the Gilbertese under the protective oversight of the local British Consul—and this despite their having left the limits of the Gilbert Islands Protectorate. This paper attempts to untangle the conundrum of why the two groups of Gilbertese labourers received such contrary treatment from Britain as the so-called protecting power.

The Gilbert Islands Protectorate

The Gilbert Islands were an important labour reserve from the 1860s. The main impetus to emigration was not the 'pull' of plantation life, which at best was difficult and dangerous as well as requiring years of separation from one's home culture, but the 'push' of hardship and suffering. The southern Gilbert Islands in particular are a harsh and uncompromising environment, punctuated by severe and prolonged droughts. The only means of escaping the hazards of drought, from the 1860s, was to enlist on labour recruiting vessels for the expanding plantation systems of Fiji, Tahiti and Samoa. Return labour migration became part of Gilbertese life, and the question of continued labour from that source for German plantations in Samoa was crucial to the declaration of a British protectorate in 1892 (Macdonald 1982: 54-63).

The origin of that declaration lay in the 1886 convention by which Britain and Germany agreed to carve the Western Pacific into respective spheres of interest. The Gilbert Islands lay within the British sphere. As one historian has wryly noted, the two powers responded to their agreement quite differently: whereas Germany regarded the accord as a route to annexation of the islands falling in its part without provoking British objection, Britain saw it as a device by which she could ignore her side without fear of German intrusion (Porter 1984: 105). As the British themselves conceded, Germany 'religiously confined herself' to her part of the divide. But the presence of other metropolitan interests in the Western Pacific, who were not obliged to observe the 1886 agreement, created pressures that forced Britain to adopt a more positive role within her sphere of interest.
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Briefly, the German Trading and Plantation Company in Samoa, (Deutsche Handels- und Plantagen-Gesellschaft, the DHPG, banteringly referred to as 'the Long Handle Firm') felt its access to Gilbertese labour threatened by a series of unwelcome developments. First, the renewed competition from other recruiters in 1890 diverted labourers that were needed in Samoa. Worse still, the following year it was being rumoured that the United States government was planning to enter into treaties with Gilbertese chiefs, the effect of which would have been a ban on German recruiting in the group. So Germany asked Britain to raise the flag in the Gilberts. After making the vague argument that 'it is necessary that some kind of authority should be exercised there with a view to maintain order', the Germans revealed their real motive: to 'keep the market open for the supply of labourers to the German plantations in Samoa' and to prevent the wholesale exploitation of the group by competing recruiters. The request was made on the tacit understanding that Germany would be able to continue recruiting Gilbertese after the establishment of a British protectorate.³

Lord Salisbury, the British Prime Minister, was willing to entertain the German request because he needed their diplomatic support to counter French opposition to the British occupation of Egypt, and with it control of the Suez Canal. The Colonial Office strenuously opposed the assumption of formal responsibility over an island group without commercial or strategic significance, and in the absence of any appeal for protection by the local authorities. Their resistance appreciably hardened when Germany's real motive became known, and matters hardly improved when the Admiralty confirmed that the Gilberts were of no naval value to Britain.⁴ Salisbury then played his trump card by threatening to allow the Germans themselves to annex the group: predictably, the Colonial Office backed down. The British (through Captain E.H.M. Davis in HMS Royalist) hoisted the Union Jack over the group in May 1892, the only occasion when Britain extended her borders at the behest of another Power. The Colonial Office was left to lament: 'This is just one of the many effects of our remaining in Egypt. As we encounter everywhere the hostility of France, so we have to purchase support from Germany in regard to Egypt by pliability in other matters. This confronts us in every colonial question, where Germany, France and Italy are in the least concerned' (quoted in Kennedy 1974: 111).
But what sort of protectorate did the British have in mind? In British colonial thinking, a protectorate was an evolving form, originating out of the Foreign Jurisdiction Act of 1843, which gave Britain influence without the trouble and expense of outright annexation. By the 1880s, the protectorate had emerged as a clearly defined species of empire but one in which jurisdiction did not extend to non-Britons, and to ‘natives’ only by treaty (Roberts-Wray 1966: 47–53, 112–6; Johnston 1973: passim; and on the ill-defined nature of British protectorates, McIntyre 1967: 364–8). That was not good enough for (later Sir) John Bates Thurston, the High Commissioner for the Western Pacific, based in Fiji. As the person ultimately responsible for the administration of the Gilberts, he warned that the proposed new protectorate would be ‘beset with difficulties in consequence of an inability to enforce its authority over natives and foreign residents alike’. He proposed outright annexation instead and gave details on the likely expense and various schemes for administering the new protectorate.5

The Colonial Office could see Thurston’s point, given the recent example of British New Guinea, where an ungovernable protectorate was turned into a colony, in 1888, precisely to overcome lack of jurisdiction over foreigners and ‘natives’ (Mayo 1975: 68–9). But New Guinea turned out to be an ‘oddity of empire’ in that it was never intended to establish a precedent. Indeed, when Britain added to its Pacific empire in the early 1890s by the incorporation of Gilbert, Ellice and Solomon Islands, all three island groups became protectorates rather than colonies, despite the Colonial Office, the Foreign Office and even the Law Office’s recognition of the practical need to widen the powers of protection (Newbury 1973: 80–3). But the timing was premature for such a daring initiative and what settled the matter was the defeat of Salisbury’s conservative government. Lord Ripon, the new Secretary of State for Colonies in the recently elected Liberal government, was opposed to annexation ‘even on the smallest scale’ and had no hesitation in quashing Thurston’s recommendation.4 In practice, however, the old concept of protectorate would no longer do. The problem was twofold: how to devise a means by which the new protectorates could be effectively administered, which essentially meant extending jurisdiction over foreigners, while at the same time overcoming objections to annexation. The obvious solution was to abandon the idea that
a protectorate allowed a degree of influence and jurisdiction only over British subjects, and instead adopt a continental type of protectorate, especially that of Germany, which had no qualms about asserting an authority tantamount to full sovereignty within its own protectorates.7

Although the Germans made a distinction in theory between colonies (Kolonien) and protectorates (Schutzgebiete), in practice they were governed alike. British officials had debated the legal position of German so-called protectorates when the German practice was formalised in 1885. The Law Office resent Germany’s redefinition of international understanding to suit itself and objected to the interpretation that a protectorate should exercise jurisdiction over all persons within its boundaries. The Colonial Office, on the other hand, took the more permissive view that the difference was merely semantic and that the Germans were entitled to call their overseas territories by whatever names they pleased. The Colonial Office was also being pragmatic: there was nothing that Britain could do to force Germany to observe the traditional distinction.

Ultimately, the British solved the difficulty without overt reference to German practice. With African precedents in mind (see Sillery 1965: passim) and with the consolidated 1890 Foreign Jurisdiction Act and the 1891 Brussels Conference as the enablers, the Colonial Office used the Gilbert Islands as a stepping stone in the implementation of what later became known as the colonial protectorate. This was the legal device that eventually enabled Britain to bring her theory of protectorates into line with the more expansive continental varieties and to administer protectorates as if they were in fact colonies (Newbury 1973: passim). By mid-1893, jurisdiction in the Gilberts was extended to foreigners and ‘natives’, which gave Thurston and the new protectorate administration the means to control and curtail the activities of foreign recruiters.

Gilbertese in Samoa

This control over foreigners’ activities was, in fact, the very reason the Colonial Office agreed to extend the limits of jurisdiction in protectorates. The Colonial Office officials disliked from the start the anomalous situation of a protectorate being declared for no other reason than to safeguard German labour supplies, and pointed to the ‘want of reciprocity’ shown by Germany in closing its own territory to foreign recruiters while at the same time ‘claiming the privilege of obtaining labour from a British protectorate’. They also developed a sudden awareness that the establishment of a protectorate carried certain obligations ‘on the part of the protecting power in respect of the inhabitants, which cannot be disregarded’. On a more practical note, Thurston had reported that so many labourers had been recruited that the business should be banned until at least the end of the year and, if recommenced, should be permitted only to places where a British Consul could exercise an oversight. The Colonial Office had no difficulty in cultivating a moral obligation to ‘discourage if not altogether prohibit recruiting by German vessels in the British sphere of influence’. But the Foreign Office was hardly going to allow the matter of a few Gilbertese labourers to prejudice policy towards Germany, and the British Consul in Samoa was informed that Britain had no intention of interfering with German recruiting in the Gilberts. The German Ambassador in London was also notified, the clear implication being that a decision favourable to the DHPG would be finalised once Thurston had visited the Gilbert Islands and advised.9

The Germans barely had time to indulge their satisfaction at what seemed an advantageous outcome. Instead, Thurston set out systematically to nullify the German position and to embarrass them as much as he could. He concluded from his visit to the Gilberts that there was no need after all to suppress the labour traffic because the population was increasing. All the same, it would be necessary to impose certain restrictions on recruiters, and he obtained the agreement of local chiefs that the business be regulated by his own office. Specifically, he recommended that Gilbertese labourers, whether or not employed by British subjects, be paid, fed and treated according to detailed standards and, more importantly, that in the case of Samoa their employment be under the control of the British Consulate in Apia. Labourers were free to complain to the British Consul and to be represented by him in any legal proceeding involving their employer, and the Consul in turn should be free to inspect the places of employment to ensure that the agreement was being observed. The labourers would not be amenable to the German Consular Court or to company discipline as before: their only punishment, apart from cancelling their contracts and repatriating them, was deductions from wages.10
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The Germans were not at all enamoured of Thurston's formula, rightly fearing that a privileged class of worker would be difficult to control and would lead to problems within the plantation workforce at large. But they had the ground cut from under them since all employers were bound by the same rules; and a few months later, to emphasise the point, Thurston forced Queensland recruiters to cease operating in the Gilberts (Munro 1992: 451-3). Nor, because the DHPG badly needed more labourers, were the Germans in a position to argue.

In the early months of 1894, ninety-eight Gilbertese were recruited for Samoa and the Germans' worst fears were almost immediately realised. Now under the protective oversight of the British Consul, the Gilbertese took full advantage of their unique status and successfully resisted the draconian discipline that prevailed on DHPG plantations. What had initially appeared to be a successful outcome for the DHPG was transformed into two years of acrimonious Anglo-German dispute over the Gilbertese, who as British protected persons were not subject to German jurisdiction and who manipulated the fact of British consular protection in ways that went beyond what even the British had envisaged. The startled Germans were clearly unable to adjust to the restraints placed on their traditional methods of disciplining labourers. After the Gilbertese had gone on strike, resisted overseers' discipline, routinely refused orders, absconded at will, and put the discipline of the rest of the workforce at risk, the DHPG paid them off early, glad to be rid of them (Firth & Munro 1990: 125-6).

On the strength of this episode, one would think that British protection was an enviable status, and Thurston continued to press the case for British consular protection for DHPG labourers from another British protectorate, namely the Solomon Islands. But Thurston's motivation was to harass the Germans, and his uncaring attitude towards Indian plantation workers in his own colony of Fiji stands in contrast to his solicitude towards the Gilbertese (and Solomon Islanders) in Samoa (Lal 2000: 173). Another contrast is that offered by the contemporaneous experiences of Gilbertese in Central America, who discovered the limits rather than the extent of British protected person status.
Gilbertese in Central America

Three shiploads of Gilbertese left for Central America. In 1890, the *Helen W. Almy* recruited some 300 for southern Mexico. The following year the *Tahiti* recruited a further 300 adults and 100 children, but they never reached their destination in Guatemala; the vessel sank off the south Mexican coast with the loss of all lives on board. Undeterred, the Guatemalan coffee planters outfitted another vessel, the *Montserrat*, in 1892, and a further 404 adults and 71 children enlisted, glad to get away from the drought.

The *Montserrat* received the unwelcome attention of Captain E.H.M Davis of HMS *Royalist*, who was in the group to declare the British protectorate. Davis, an interventionist-minded sailor, warned that he would tolerate no irregularities and made it clear that he entirely disapproved of the *Montserrat’s* mission; only a lack of enabling instructions prevented him from halting it altogether. His interest caused considerable discomfiture to both recruiter and captain, neither of whom appreciated his initiatives (Inkersly & Brommage 1894: 572). Throughout June and July Davis kept an eye on the recruiters. He forced the *Montserrat* to submit to inspection and boarded the vessel to satisfy himself that the recruits understood what they were doing, were leaving of their own free will, and had no complaints about arrangements on board. He was assured through interpreters on all counts. Davis ‘took such precautions as I deemed fit for the protection of [the] natives’ and warned the local rulers that Britain could do nothing for the workers once they had left the jurisdiction of the Empire. At the same time, Davis cautioned at least one of the European traders engaged by the *Montserrat* that ‘any infringement of the Pacific Islanders Protection Acts of 1872 & 1875 would render him liable to be tried for a felony, for each offence committed’. He also obtained a copy of the employment contract and a bond of £6 per head for the return of each recruit at the end of the term of engagement. Remembering the *Tahiti*, Davis also stipulated that the bond would be forfeited in the event of shipwreck or death by drowning.

On the coffee plantations the Gilbertese generally received reasonable treatment, at least by Guatemala standards. The problem was a high mortality rate. Not only did the Gilbertese lack resistance to unfamiliar infections (see generally Shlomowitz 1996: *passim*), but the coastal piedmont of Guatemala
was an extraordinarily unhealthy place, particularly when periodic epidemics of smallpox or yellow fever ravaged the area. Malaria, moreover, was endemic and taken for granted, as were parasites of all manner (Bunzel 1952: 143). Of the 475 adults and children brought on the Montserrat, perhaps 275 survived to mid-1896. The Gilbertese were no strangers to death in their ranks. In their home islands, mortality rates were high as a result of drought, misadventure and warfare, and after several decades of involvement in the labour trade they knew that workers died on plantations. But nothing prepared them for the magnitude of the numbers of deaths experienced in Guatemala’s coffee piedmont. If a handful opted to stay when their contracts expired, the majority was only too happy to return home.

Around such hope and expectation, however, uncertainties began to develop quite early in the piece. This part of the story began to unfold in January of 1894 when Britain’s Minister to Mexico City received a telegram from a Captain R. Briggs, sent from the southern border town of Tapachula. ‘Fifty-six British subjects are here,’ it read, ‘the contract arranged under British law is carried out by them but is not being fulfilled by Mr. [W.H.] Magee who has not complied with it. Please reply to me, as I am interpreter of the subjects who belong to the Gilbert Islands’. These were the survivors of the group of Gilbertese recruited in the Helen W. Almy in 1890. Of the 300 or so, 95 had died in the first month during a smallpox outbreak, and by January 1894, only some 58 survived. When Magee stalled on providing their return passages, saying that because of sickness and malingering they had not worked the three years contracted, several fled to the nearby town of Tapachula. With the help of Captain Briggs they appealed to the British Minister in Mexico City, who referred the matter to the British representative in Guatemala City. At this point, Magee washed his hands of the Gilbertese, refusing to repatriate them, and the British consul in Mexico was prepared to involve himself further only if given specific ‘instructions with a view to the repatriation at the public expense of these unfortunate people in question’.

What responsibility did Great Britain have for the Gilbertese? The sticking point was that whatever they or Captain Briggs might think, these people were not British subjects. At best the Gilbertese were only British protected persons and to complicate matters, this particular group had departed for Mexico
before the declaration of the protectorate. ‘[T]hese men are not British subjects,’ insisted the Colonial Office, ‘and we have no claims on them, or they over us when they leave the limits of the protectorate’.20 Yet later that same year the Colonial Office readily agreed to Thurston’s proposal that the British protected person status of Gilbertese in Samoa be used to the hilt as a means of retaliation against the Germans for forcing the issue of privileged recruiting rights. But the Gilbertese in Central America, having no political usefulness, were left to fend for themselves, on the grounds that they had moved outside the limits of the protectorate.

Lacking alternatives, the Gilbertese nevertheless showed themselves intent on forcing what protection they could from the British. Faced with the local Minister’s lack of interest in their fate and fearing treatment similar to that received by those who came on the Helen W. Almy, the Montserrat Gilbertese sought help from another quarter. One of the traders who accompanied them as an interpreter and overseer translated an appeal to the head of the Roman Catholic Mission in the Gilberts. In a moving letter, interspersed with a melancholy list of those who had died, they pleaded with the missionary to intercede on their behalf and ‘end our slavery’. They still had a year to run on their contracts but they feared that their employers, too, would renege on the repatriation article.21 The letter took a year to work its way through the mails and the channels of British bureaucracy, but in October 1895, and while there yet remained some indecision as to the exact legal status of the Gilbertese vis-à-vis the British government, the acting Minister to Guatemala, J. Frederick Roberts, received instructions to investigate the situation. When Roberts attempted to check up on what was planned for the workers, he encountered resistance among the planters to complying with the repatriation article. Only by applying considerable pressure did he convince them to charter a repatriation vessel.22

Eventually 203 adults and 25 children (or about 20 per cent of the approximately 1,200 Gilbertese recruited for Central America) together with three of the white traders who accompanied them from the outset, arrived back in the Gilberts in June 1896, ironically on board the Helen W. Almy. Even that small proportion would have been diminished had not one of the traders taken measures to prevent a yellow fever epidemic on the return voyage. On
their arrival, the Resident Commissioner of the Gilbert Islands Protectorate noted, aptly though with nice understatement, that the whole episode had been 'a trying one' to all concerned.\textsuperscript{23}

But not all the Gilbertese had left Guatemala. At least 47 individuals remained, who had contracts either on Eugene Dufourcq's plantation 'Paris', or on Manuel Barillas's 'La Libertad'.\textsuperscript{24} Of the latter group, there is no doubt that they had stayed voluntarily. In the case of Dufourcq's workers, however, the situation was less happy. It appeared that not only had he cheated them under their original agreement, but he deceived them into remaining under conditions that they did not understand and that were clearly to their disadvantage. When it became apparent that the other employers would bear the cost of repatriating the surviving Gilbertese, Dufourcq told his workers that because of sickness and their own bad habits they had not worked the agreed three years. They were, in any event, he said, in debt to him for food and other articles. Guatemalan law provided that a worker resident on a plantation might not leave even if his contract had expired, so long as he owed money (Bauer Pais 1965: 86–90). Dufourcq convinced his Gilbertese that they had to remain on his property and sign a new contract that was altogether in his favour. Not only were they now to work by the task instead of by the day—which, given that the planter set the size of the task, typically meant a reduction in real pay—but they had to find their own food and home passage.\textsuperscript{25}

After reviewing the situation the British Consul, Hugo Fleischmann, admitted that the contract was probably legal but certainly unfair, and he blasted his own selection of acting Consul for the travesty. Dufourcq had taken advantage of Fleischmann's temporary absence to have drawn up and signed a contract that the Gilbertese did not understand, and the acting Consul, Franz A. Sarg, had approved the arrangement. The Gilbertese had not noticed the absence of an article guaranteeing repatriation, and neither Dufourcq nor Sarg saw fit to point out the omission. Not only had the Gilbertese been intimidated into signing the contract but, unlike Barillas's workers, they expected and wanted repatriation as soon as possible. All that the furious Fleischmann could do for the moment was to protest the evident abuse to Dufourcq and sever his relations with Sarg.\textsuperscript{26}
When it became evident that because of the ill-defined and anomalous status of British protected persons the Foreign Office would not press the issue, Fleischmann decided to act on his own. Although Dufourcq continued to deny any wrongdoing and to protest the problems the Gilbertese caused him, he eventually agreed to sell to Fleischmann the debts of the workers who had re-contracted. In August 1896 Fleischmann paid a total of US$383.40 for the debts of the eighteen adults and eight Gilbertese children, and Dufourcq signed an agreement in which he relinquished claims to the workers and, he believed, absolved himself of all obligations to them. But Fleischmann had neatly turned the tables: he had hired a lawyer to draw up the papers in such a way that they voided the second contract and reinstated the first, with its obligation for repatriation. The Gilbertese were now free to go and to work where they wished, and if they desired to proceed judicially against Dufourcq for repatriation, then he, Fleischmann, would assist them. He must have been disappointed when apparently none did so. Faced with the Consul’s fait accompli, the Foreign Office agreed to reimburse him from the funds of the Gilbert Islands Protectorate. Dufourcq’s Gilbertese now went and joined their fellows on Barillas’s property ‘La Libertad’.

The Gilbertese receded from view, only to resurface a dozen years later. In January 1906, ex-overseer and trader and now government collector of revenue in the Gilbert Islands Protectorate, G.M. Murdoch, received a letter from Guatemala. It was from 28 of the remaining Gilbertese; they outlined their woes and begged that arrangements be made for their return. The Resident Commissioner recommended granting the request for repatriation and suggested recovering the costs from the Islanders on their return. What had become of the £6 per head bond extracted in 1892 by Captain Davis of HMS Royalist was not clear, and efforts to resolve this point came to nothing. Consul Fleischmann, still in Quezaltenango and one of the few European participants in the original episode still alive, explained that in the intervening years he had kept in touch with the Gilbertese. He related what had happened since their compatriots left a decade before. General Barillas lost ‘La Libertad’ to German creditors in the world coffee crash of 1898, and most of the Gilbertese moved to work on another of his properties, ‘San Antonio’, on the slopes of the Santa Maria volcano. In 1902 a violent eruption of Santa Maria
destroyed many properties in the vicinity, including 'San Antonio', and covered much of western Guatemala with a blanket of ash. Seven of the Gilbertese had died in the eruption. Those who survived were now dispersed on several plantations. As well, one who had murdered a fellow Gilbertese was in prison, and another was confined in a lunatic asylum. The British Minister in Guatemala acceded to their request for repatriation. It was decided that any outstanding wages would go towards their home passage and the British authorities would make good the balance, in addition to any debts still owing to their employer. In the event, 15 Gilbertese (11 Adults and 4 children, and also the Guatemalan wife of one of them) set sail in mid-1908 and arrived home after a long absence of 16 years.

**Summation**

The contrasting examples of Gilbertese plantation workers in Samoa and Central America indicate the anomalous position of British protected persons overseas. The ninety-eight Gilbertese labourers to Samoa in 1894, for reasons of political expediency, received extraordinary consideration from the British authorities. Both Thurston and the Colonial Office regarded the Gilbertese as a useful means to annoy the Germans. Thurston's objective was to create difficulties for the DHPG and to that end he placed the Gilbertese, as British protected persons, under the oversight of his Consul in Apia. Even when the DHPG repatriated its entire Gilbertese labour force a year early, rather than endure further provocation, Thurston continued his assault by pressing for the transfer of jurisdiction over 'natives' of all British protectorates from the *de facto* authority of the German Consul to the *de jure* oversight of his British counterpart. This is in contrast, as we have noted, to Thurston's reluctance to enforce the protective provisions of the indenture laws relating to Indian plantation workers in his own colony. It was also in contrast to Thurston's lack of action on behalf of the Gilbertese in Central America. He knew what was going on but could be moved only to express regret that '[h]ad a British protectorate been established a little earlier, recruiting for Guatemala would not have been allowed' and that 'it will not of course be permitted in the future'. Otherwise, he made no effort to help them: they were of no political use. Yet he had no hesitation in acting on behalf of Solomon Islanders in
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Samoa, who may well have been recruited prior to the establishment of a British protectorate in their own islands.

All the same, one should avoid regarding Thurston’s inconsistencies too much in terms of moral absolutes. Thurston was unquestionably eager to grasp any opportunity to frustrate the Germans, but he did have a history of solicitude for Pacific Islander plantation workers. At that time, labour was regarded as an impersonal asset and access to labour supplies was a frequent bargaining point in diplomatic negotiations between the Great Powers (Newbury 1980; Munro & Firth 1990). Thurston’s thinking went beyond such imperatives and he often went to considerable lengths to stamp out abuses and alleviate the sufferings of labourers. His comparative lack of concern for, or sympathy with, Indian labourers in Fiji is less commendable. He was certainly handicapped by his colony’s financial dependence on the success of a dominant plantation company. This left him with little leverage in improving the conditions of the Indian plantation workers. But neither was he inclined to be solicitous and, in fact, he presided over a progressive tightening of the labour laws in the planters’ favour (Gillion 1962: 83–5, 87–9).

The Colonial Office was also inconsistent and minimalist towards the Gilbertese in Central America. Once reconciled to the inevitability of a Gilbert Islands Protectorate, the Colonial Office was anxious to impose a greater degree of jurisdiction and to move towards the concept of a colonial protectorate that more approximated a colony than a conventional British protectorate with all its constraints on the administering power. The Colonial Office, moreover, supported Thurston’s initiatives in Samoa. But when it came to Gilbertese in Central America, there were no political stakes to defend and more pressing exigencies elsewhere, so the Gilbertese were left to fend for themselves on the grounds that they had left the limits of the protectorate and thereby lost or moved out of protected person status and/or that they had been recruited before the declaration of the protectorate. In fact many of the Monsterrat contingent were recruited slightly after the declaration of the protectorate in May 1892. But as there was no political capital—only nuisance value—to be derived from the Gilbertese in Central America, the Colonial Office, too, took the line of least resistance. In fairness, the question as to which Islanders qualified as British subjects at a time when the theory of protectorates
was still in flux teased the minds of the British authorities when unusual cases did arise. The neglect of the Gilbertese in Central America is difficult to square, in principle, with the desire of the Colonial Office to increase the extent of jurisdiction in the new protectorate and its support of Thurston's offensive against the Germans in Samoa. At the same time, certain facts of life have to be recognised. The Gilbertese question was, in the wider context of running an empire on which the sun never set, a minor affair—one that was easily subordinated to more pressing matters elsewhere in the world that made up the daily round of work at Whitehall.

It was the men on the spot who made the difference and who, of their own volition, provided the protection so needed by the Gilbertese in Central America. Despite efforts by the Gilbertese to look after themselves, little would have been accomplished but for the help of certain individuals at critical points. The trader overseer Jack Gleeson alerted the Catholic Mission in the Gilberts to events in Guatemala; they in turn took up matters with the British authorities. His counterpart George Murdoch prevented the outbreak of yellow fever on the repatriating voyage (and later alerted the Resident Commissioner to the plight of the remaining 28 Gilbertese). Captain Briggs did his best for the Gilbertese in southern Mexico, even if his efforts made no appreciable difference. The crucial factor was that British officials on the spot stepped in where their own government had declined to act. The main body of Gilbertese would not have been repatriated in 1896 but for the purposeful intervention of J. Frederick Roberts. Fleischmann was instrumental in freeing a group from the clutches of Dufourcq, at financial risk to himself, and much else besides. If there is a hero to this story, it is the unsung Hugo Fleischmann. Hervey, for his part, facilitated the repatriation of the remaining Gilbertese. Their efforts were not strictly required by the Colonial Office and no censure would have followed had they chosen to ignore the Gilbertese, as did the British Consul in Mexico. Rather, they risked rebuke for acting outside their instructions.

The lawyers could argue all they liked about the powers and obligations that went with a protectorate. But the fact remains that the legal protection of migrant labourers from British protectorates in the 1890s and 1900s was anything but assured. If the labourers were politically useful, as they were in
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Samoa, the fruits of protection followed. Otherwise, the status of protected person carried little or no protection, as the Gilbertese recruited to Central America painfully discovered.

Notes

We are grateful to an anonymous referee whose comments sharpened some of our arguments. Our terminology (Gilbert Islands, Gilbertese) follows contemporary usage. In 1979, the former Gilbert Islands adopted, with their independence, the name Kiribati (the transliteration of Gilberts) and the Gilbertese people are now referred to as I-Kiribati. To use these terms when referring to the 1890s is anachronistic and we have preferred the contemporary usage.

2  Fuller to Bramston, in CO to FO, 6 July 1891, CO 225/37/13791.
3  Fuller to Bramston, 10 July 1891, CO 225/37/13791; minute of 24 Oct 1891, in FO to CO, strictly confidential, 23 Oct 1891, CO 225/37/20020.
4  Admiralty to Ripon, 5 Jan 1891, CO 225/40/356; FO to CO, 8 Jan 1892, and minutes, CO 225/41/457.
5  Thurston to Knutsford, 31 Aug 1892, CO 225/38/21892. Actually, Thurston had anticipated these very problems three years earlier. Thurston to Knutsford, 3 May 1889, CO 225/30/12656.
6  Thompson 1980: 145 (for the quotation); Fuller, minute, 7 Dec 1892, in Thurston to Ripon, 4 Oct 1892, CO 225/39/23076.
7  See enclosures and minutes in CO 225/231/13870; CO 225/23/21435; CO 225/27/12683; CO 225/27/14514.
8  Enclosures and minutes in Thurston to Ripon, 6 Jan 1893, CO 225/41/21335; FO to CO, 20 March 1893, CO 225/44/4661; CO to FO, 20 March 1893, draft, CO 225/44/5780.
10  Thurston to Ripon, 5 Sept 1893, CO 225/42/19620; Thurston, ‘Gilbert and Ellice Islands Journal, 1893’, National Archives of Fiji. A copy of the conditions of employment is in CO 225/51/5257.
12 See Records of the Western Pacific High Commission, Series 4, Inwards Correspondence-General, minute paper 209 of 1896, Public Record Office, Kew (hereafter abbreviated thus: WPHC 4, 209/1896); WPHC 4, 322/1896; WPHC 4, 236/1896; WPHC 4, 370/1896; WPHC 4, 490/1896; WPHC 4, 12/1897; WPHC 4, 192/1897; CO 225/49/18609; CO 225/50/1877; CO 225/50/21658; CO 225/50/21668; CO 225/51/24468; CO 225/52/2706.

13 Trench to Kimberley, 20 Mar 1890, CO 225/46/6079.

14 See extracts in CO 225/36/21454; CO 225/39/23076.

15 Davis to Scott, 16 Aug 1892, enclosed in CO 225/39/23076. See also Farrell 1928: 382–6.

16 Plantations and the associated labour regime in Guatemala are discussed in McCreery (1994), esp. chs. 6–8. The Gilbert Islanders' experience in Central America is recounted at some length in McCreery & Munro (1993).

17 Campbell to Thurston, 8 June 1896, WPHC 4, 278/1896); 'List of Polynesian on the Estates of Messrs. M.L Barillas Co., and of M. Dufourcq,' enclosed in CO 225/51/24468.

18 Briggs to Trench, 20 Jan 1894, enclosed in CO 225/46/6079. Also see enclosures in CO 225/46/4374.

19 Magee to Trench, 25 Jan 1894, and Trench to Kimberley, 20 Mar 1894, both enclosed in CO 225/46/6079; Trench to Kimberley, 21 April 1894, copy, enclosed in CO 225/46/8182; García de Leon, 1979: 65; Seargeant 1952: 77.

20 Mercer to Bramston, minute, 2 Feb 1893, in CO 225/44/1818.

21 Gleeson to Roman Catholic Mission, Nonouti, 7 Oct 1984, enclosed in CO 225/47/17002, and in WPHC 4, 245/1895.

22 Gleeson to Robert, 24 Nov 1895, and Roberts to Sarayoa, 25 Nov 1895, both enclosed in CO 225/44/19530; FO to Roberts, 10 Oct 1895, copy enclosed in CO 225/49/17881; Roberts to Salisbury, 19 Nov 1895, encl in CO 225/49/22717; Roberts to Salisbury, 9 Dec 1896, and 17 Nov 1896, enclosed in CO 225/51/1959; Warburton to Salisbury, 1 Feb 1896, encl in CO 225/51/4721; CO to FO, 15 May 1896, and enclosures, CO 225/51/10578.

23 Campbell to Thurston, 8 June WPHC 4, 278/1896.


25 Roberts to Salisbury, 21 March and 22 March 1896, enclosed in CO 225/51/10578; Campbell to Thurston, 8 June 1896, and enclosures, WPHC 4, 278/1896; Gosling to 'My dear Bertie', 30 Aug 1896, and Fleischmann to Gosling, 20 August 1896, in CO 225/51/22980; Gosling to Salisbury, 21 Oct 1896, and Fleischmann to Salisbury, 10 Oct 1896, private and confidential, CO 225/51/24468.

26 Fleischmann to Gosling, 20 August 1896, private and confidential; and Roberts to Salisbury, 21 March 1896, both enclosed in CO 225/51/22980.

27 Fleischmann to Gosling, 10 Oct 1896, private and confidential, enclosed in CO 225/51/24468.

28 FO to Gosling, 21 Oct 1896, CO 225/51/26421.
References


Chinese contract labour in the Pacific Islands during the nineteenth century

Bill Wilmott

Abstract

This paper tells the stories of Chinese contract labour in the Pacific Islands from late in the eighteenth century, when John Meares first took Chinese tradesmen to Vancouver Island to establish a fur station, to the end of the nineteenth century. The sugar industry in Hawaii used Chinese labour throughout the second half of the nineteenth century, as did the Peruvian guano mines on the Chathams Islands, 1854–1880, where conditions were extremely bad. Stewart's cotton plantation on Tahiti employed Chinese contract labour, 1865–1872, and the German colony of New Guinea, 1891–1903. Only two of these schemes (in Peru and Tahiti) led to permanent Chinese settlement, although contract labour in the early twentieth century also produced Chinese communities in Nauru and Western Samoa.

Keywords

Chinese contract labour; contract labour; Pacific; contract labour, nineteenth century