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The British and rubber in Malaya, c 1890–1940

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This paper aims to explain the relations between Capital and Labour on the rubber plantations in Malaya until the time of the Japanese invasion. It examines the way in which the British acquired and controlled land as a resource, and the ways in which companies raised and applied investment capital. It considers the means of recruiting an adequate supply of labour, and controlling it as a workforce; it demonstrates a close relationship between the rubber companies and the State, which was modified by the special interests of the State itself.

Land and capital

The British established a settlement on the island of Singapore at the beginning of the nineteenth century, but it was not until some 50 years later that they began to take a serious interest in the Malay peninsular proper. By then British traders and adventurers had involved themselves in the affairs of the Sultanates that were later to become the Federated Malay States. On behalf of British subjects (and especially those interested in exploiting tin deposits), the Government of Great Britain interfered in disputes over succession to the Sultanates, and ‘in the 1860s and the 1870s, disputes over the succession claims in Perak, Selangor and Sungei Ujong were transformed from the normal short feuds to prolonged and bloody wars’.¹ In each case, the claimant who emerged victorious paid a price to his British allies. He became a Sultan in name only, stripped of all the important powers that once went with that office; his Council retained only ceremonial powers, and both he and it were subject to the advice of a Resident, appointed by the British, who held all real legislative, executive and even judicial power.²

The Residents used their powers to implement systems of landholding that were extremely generous to capitalists seeking to establish plantation estates. In devising them, the British were able to build on Malayan custom and practice. The Sultans had recognised a form of land tenure established through usufruct and had levied taxes on the land payable in kind.³ The Residents adapted the system to allow lease or purchase of land by means of cash. All land was vested in the Head of State, so that thousands of acres of virgin land could be sold or leased with legal title. Malays who had their customary tenure converted into ownership could also sell their land.

Leasehold tenure was particularly generous to the intending plantation owner. The principle of ‘permanent settlement’ applied: the lessees could hold land for up to 999 years without any increase in the lease fee. In this way, the Government alienated estates of some thousands of acres for peppercorn rents. Sir Frank Swettenham, then president of Selangor, but later to become High Commissioner of the Federated Malay States, justified the system on the grounds that both cheap land and security of tenure were necessary to attract a sufficient number of investors.⁴

Some of Swettenham’s fellow Residents, and officials of the Land Departments, pointed out that this system deprived the Government of a most important source of revenue. The British Colonial Office was strongly opposed to the levying of income or company taxes, and in their absence land sales and fees were potentially the single most important revenue source, especially since the value of land would rise as its exploitation proceeded. In 1898, the year after the formal establishment of the Federated Malay States, it was agreed to supersede the system of leasehold with permanent settlement, and substitute a system based on the Australian system of Torrens Title, which would confer freehold ownership on the cash purchaser, and supply the Government with revenue which it could use to build roads and railways to serve the needs of the plantation owners. But the law as drafted had many loopholes, and in practice the land offices of the Federated Malay states continued to offer some land under long-term lease.⁵

Until early in the twentieth century, most applicants wanting large areas of land in Malaya had been seeking tin concessions, or planning to grow plantation crops like tapioca and coffee. The demand for land rose sharply when companies formed in Britain began to seek land for rubber plantations. Except in times of trade recession, demand continued until 1940, when rubber plantations in Malaya spread over 2.1 million acres.

The lure of the cash these companies were able to offer through their agents often proved irresistible to the native Malays who had acquired title to the land they had held through customary tenure. The Government of the Federated Malay States noted in 1912 that it had been caused

grave anxiety and apprehension by the fact that our Malay subjects, deluded by visions of all but transitory wealth, have been divesting themselves of their homestead and family lands to anyone willing to pay in cash for them. The rulers of the Federated Malay States and their Advisers conclusively feel that unless a better judgement is exercised on their behalf, the result will be the extinction of the Malay yeoman peasantry.⁶

The result was the Malay Reservations Act of 1913, which provided that land within a Malay reservation was not to be sold or leased to a non-Malay, as thousands of acres had already been. The official reasoning was that the rapidly increasing populations of the rubber plantations would need huge quantities of rice. It would be possible to import rice, but a home-grown supply would be cheaper, and more reliable. Officially, it was to be the role of the native Malays to supply food for the workers in the rubber plantations and tin mines.

Further acts of 1917 and 1918 supplemented the Act of 1913. These were aimed at ensuring that the Malays used the lands reserved to them to grow rice, and did not use them to set up smallholdings in rubber. Colonial policy went further than this, and aimed directly at preventing rubber cultivation by Malays in smallholdings from competing with plantation rubber. The principal means to this end was through the manipulation of land policy. By the time the Malay Reservations Act was passed in 1913, Malays had been growing rubber for some years on the land to which they had acquired tenure through custom, but also on land they had managed to buy. These smallholdings were usually family affairs, often worked only from time to time. They were, according to the Government, poorly cared for and a source of weeds and plant diseases, which would infest the plantations and involve their owners in considerable expense.⁷

The land offices of the Federated Malay States discouraged the Malays from acquiring land for rubber production, and discriminated against them. They reserved virgin land close to railways and main roads for purchase by non-Malays, and in 1915, 1916 and 1917 refused to sell any land at all to Malays for the purpose of rubber planting.⁸

Malayan land policy in the years of the great expansion of the rubber plantation industry, offered land to foreign investors, and especially British foreign investors, on extremely attractive terms. Besides that, for a time, the Government offered loans on very easy terms to intending British purchasers, and discriminated in their favour against native Malays in choice of sites.⁹ The policy of confining as far as possible land use by Malays to the cultivation of food crops also helped reduce the danger of over-supply of Malayan rubber for sale on the world market.

Capital and labour

By 1906, British capitalists were seizing the opportunity to make fortunes by investing in Malayan rubber plantations. Companies sometimes paid dividends of over 200 per cent, and agency houses amassed huge profits in the buying and selling of plantations. Apart from some ups and downs depending on the world rubber price, the area continued to expand until halted by the world depression which began in 1929. In that year, the rubber plantation companies were employing about 258, 000 coolies on their estates.

Most of these men and women – about 80 per cent – came from Southern India, where Madras Presidency, like much of the rest of India, was a fertile recruiting ground. Frequent failure of the monsoon resulted in drought and famine; the system of taxation the British Raj imposed exacerbated poverty and indebtedness. The people most affected were Untouchables and of the lowest castes. Recruitment for employment in Malaya was often an alternative to starvation, both for themselves and the families they left behind.

Until 1912, most Indians were recruited under indenture. Agents for recruiting firms visited villages, offered a cash advance to men and sometimes women willing to put their thumbprint to an indenture agreement. This provided that the recruit would work for a specified employer (and no-one else) for a fixed period (usually three years) to his employer's satisfaction, and for a fixed wage. The cash advance

was a charge against the money the coolie would earn; if he succeeded in repaying it within the period set by the indenture he was free to leave the plantation; if not he had to remain and work off his debt. If he left before he had acquitted his debt and served his time, he was subjected to criminal penalties.

By 1910, at the time when the number of rubber plantations was increasing rapidly, plantation owners were discovering that the indenture system was unsatisfactory. The Parr Inquiry of that year found that the system lent itself to corruption and fraud, which was expensive; despite the ordinance on crimping, coolies who risked criminal punishment by running away readily found employment with another estate, often at a higher wage. Moreover, the coolies were not coming in sufficient numbers, because other destinations were more attractive.¹⁰

The main purpose of the indenture system was to secure a reliable supply of labour to the plantation employers at the lowest possible wage. The Parr inquiry found it was failing to do this. Parr's solution was to abandon recruitment by indenture and replace it with a system of mass immigration by 'free' labourers.¹¹ The Government accepted the recommendation, and the Indian Immigration Fund, already established, would pay for the passages of 'free' coolies to Malayan ports. Employers contributed to the Fund according to the number of Indian coolies they employed. They hired their labourers not through professional agencies, but via Kanganis – senior plantation employees who travelled to India and recruited among fellow villagers, tribe, family and caste. The recruit did not sign an indenture, and in law was free to leave his employment after giving due notice.¹² Kangani recruitment in combination with assisted passages brought hundreds of thousands of coolies to Malaya and largely achieved the employers' objectives. Sheer numbers reduced the wages of plantation labour to a minimum, and the social ties and obligations established by Kangani recruitment helped keep the coolies working obediently on the one plantation for long periods.¹³

The Parr Inquiry also investigated the recruitment of Chinese labour, which differed from that of the recruitment of Indians. Chinese who were mustered in hostels in Chinese ports then travelled to a depot in Singapore, usually on the 'credit ticket' system, which obliged them to work for the ticket's purchaser. This was always a labour contractor, who would assemble his coolies at the depot (often amid scenes of great disorder which bordered on riots) and take them to a kongsi house he had built on the estate of the plantation owner with whom he had contracted. Here, the coolies would work under his supervision, he would pay them, and the estate management would have no direct contact with them. Chinese employed on this contract system made up about a third of the plantation workforce in 1931.¹⁴

Both systems of labour were regulated by various acts and ordinances, which dated from the 1870s. Those relating to Indians were consolidated into the Labour Code of 1912, which laid down certain requirements regarding working hours, pay, housing and accommodation, which were supplemented later by other Acts. There was a Labour Department headed by a controller of Labour, who could inspect premises, and even close them down.¹⁵ The Controller could also hear complaints from coolies, and he sometimes prosecuted overseers for violence against them.

Administrative arrangements for the supervision of Chinese labourers were different from those applying to Indians. Since the coolies worked under a contract system, the management of the plantation was not their employer in law, and the detailed regulation of the Labour Code did not apply to Chinese plantation workers. There was instead a Protector of Chinese, with deputies in the various Federated Malay States.

The system of contract labour lent itself to serious and frequent abuse, which the overworked staff of the Protector could do little to check, but this did not deter Chinese from coming in numbers that the Government considered adequate. It was, in fact, wary of any influx of Chinese which would add to the large numbers of them already permanently residing on the Straits Settlements and the Federated Malay States. So Government policy tended to concentrate on augmenting the supply of Indian labourers, who also had the advantage, from the point of view of both plantation owners and the Government, of being more docile. Encouragement of 'free' Indian immigration resulted in an adequate surplus of arrivals over departures in almost all the years up to 1930. The manager of the Immigration Fund also used it to encourage the recruitment of women and family groups by allowing their admission and employment at a lower rate of levy on the estate owner; and in the 1930s, the Fund actually paid a bonus to the estate owners on each coolie they recruited locally, provided they paid a small fee for their registration.¹⁶

The aim of these measures was to establish as quickly as possible a local plantation workforce born of Indian migrant parents.¹⁷ This would help solve a difficult problem for the Government: how to keep wages at something like the minimum rates the Rubber Growers' Association and the Planters' Association of Malaya wanted, without having to resort to the mass migration of Indians – which the Indian Government was increasingly reluctant to agree to, and in fact refused to allow from 1938.

The Planters' Association of Malaya (PAM) was an association of rubber planters organised on the basis of local associations in Malaya. It later enlarged its membership to include planters of other crops and become the United Planters' Association of Malaya (UPAM). The Rubber Growers' Association had its headquarters in London, and its members were representatives of companies and agency houses. In 1927, the RGA had 87 members, whose firms had issued capital to the value of £106 million, most of it invested in the rubber plantations in Malaya.¹⁸

Both Associations lobbied very actively, the RGA in London, mainly on matters to do with the supply and marketing of rubber. The [U] PAM, made up largely of their managerial employees, dealt with the Straits Settlement and Federated Malay States governments, directly on matters of industrial conditions and relations. The two colonial Governments consulted closely with the [U] PAM, and their legislatures included [U] PAM members. The guiding principles of the Association's industrial policy were three fold: to limit the interference of the Government in what its members considered were purely matters of domestic management on their plantations, which meant a minimalist interpretation of the Labour Code; to restrict the movement of 'free' labour by ordinances against 'crimping'¹⁹ and by internal agreements among members; and to keep the supply of 'free' labour as large as possible to depress wages to a minimum. Even in 1931, in the depths of the Great Depression, the Planters' Association attempted to slow the rate of repatriation of unemployed Indian labourers for as long as possible.²⁰

The Association's low wage policy had brought it into direct and chronic confrontation with the Agent of the Government of India in the 1920s. Following the Montague-Chelmsford reforms of 1918, the Government of India became much more amenable to the pressures of the Indian National Congress. Congress members took a keen interest in the employment of Indians abroad, and especially their wages. After some negotiation, the Government of the Federated Malay States agreed to the appointment to the Indian Immigration Committee (which administered the Indian Immigration Fund) of an Agent of the Government of India. The Committee then proceeded to conduct a series of inquiries whose purpose was to set wages for certain districts in the FMS.²¹

The Planters' Association presented statistics to the Committee to demonstrate that the wages it proposed allowed coolies to achieve the standard of nutrition necessary to help keep them in healthy working order. The Committee accepted this minimal standard, and set wage rates accordingly.²² The Government encouraged the coolies to contribute to their own subsistence by requiring plantation owners to set aside very small plots (one sixteenth of an acre) on which the longer serving coolies might graze animals or grow food, a concession the estate owners were reluctant to make.²³

This issue assumed even greater importance in the Depression, when the price of rubber slumped to a few pence per pound, planters began to dismiss their coolies, and a massive repatriation began. The wage standards set by the Immigration Committee in 1930 became irrelevant, with the connivance of the Government, and coolies left in droves.²⁴ Yet it was obviously desirable to try to retain some part of the workforce against the time when recovery could begin.

This occurred about 1934, and immigration resumed. In 1936, a Committee of Inquiry visited Malaya on behalf of the Government of India, and recommended that immigration cease unless the Planters' Association restored wage rates and conditions to their 1928 level. It did, briefly, but then threatened to reduce them again; when it did, the Government of India prohibited State-assisted immigration to Malaya from 1938 thenceforth, planters had to rely on local residents and unassisted migrants to supply their workforce – which, as it turned out, they were able to recruit in sufficient quantity for estate owners not to have to raise wage rates significantly. A trade recession in 1938 helped them hold the line, but in September 1939, with demand for both rubber and tin booming, the UPAM petitioned the Government to use the Indian Immigration Fund to import Javanese labour.²⁵

Labour resistance and reaction

The Government had been able to curb the oversupply of Indian coolie labour in the depths of the Great Depression through manipulation of the Immigration Fund. It had no such power over Chinese immigrants, so in 1931 it enacted an Immigration Ordinance to apply to them, and followed it two years later with the Aliens Ordinance of 1933. These ordinances together set quotas and restored the number of Chinese who could arrive as deck passengers.²⁶

The ordinances applied only to males, and one of their unintended consequences was a significant increase in the female component of the Chinese plantation workforce. It became more settled, and coolies living near the estates began to supply a much greater proportion of the local labour. This had consequences for the authority of the contractors who did not have the same control over locals as over coolies who were recruited in China, and who owed passage money. Local labour reacted more strongly against abuses like short and irregular payment. But that alone cannot explain the increase in militancy after 1936, which culminated in the General Strike among rubber workers in 1937. This was due to the increased demand for labour which came with recovery in 1934 and afterwards, and the tactical exploitation of that bargaining advantage by the Malayan Communist Party.²⁷

A Communist Party had operated in Malaya in the 1920s, but as a branch of its Chinese parent. The Malayan Communist Party (MCP) was established in 1930 by decision of the Comintern and its chief industrial front, the Malayan General Labourers' Union, a few days later. Police raids almost wiped it out at birth, but it recovered sufficiently to be able to integrate itself with various 'red' and 'grey' unions by 1934. These operated mainly in Singapore, but by 1935, the Party organisation was beginning to supply skilled cadres for the organisation of strikes among Chinese workers on rubber plantations. The MCP's membership was almost entirely Chinese, and at this stage it had neither the means nor the ambition to reach out to Indian plantation coolies.²⁸

In February 1937, a strike occurred among Chinese workers on a British owned estate in Kajang. The Selangor Rubber Workers' Union called for a general strike of all rubber workers in the State, and it began on 7 March. The strikers' main demand was for a hefty increase in wage rates, but they also made a series of other claims, including freedom to operate trade unions legally. The strike spread beyond Selangor onto estates in Penang, Malacca and Johore, and into the colliery that supplied the tin mines and the railways. The police broke up demonstrations, and shot dead two of the strikers. The Government called in a Punjabi regiment, and the police made mass arrests, but the strike continued until mid August. The terms of settlement included a substantial rise in wage rates to 75 cents per day, and stricter rules to control abuses by contractors. The Government agreed to extend the provisions of the Labour Code to cover Chinese workers, and subsequently spent much more time monitoring their operations. The terms of the settlement of the strike applied only to Chinese workers, but their victory also produced a gain for Indian coolies because it prodded the UPAM into accepting the wage recommendations of the Sastri Inquiry.²⁹

The Government had suspended assisted Indian immigration in 1931, but resumed it in 1934. Drought and famine in Southern India assured a plentiful supply, and in 1934 and 1935, over 155,000 Indians arrived in Malaya with a willingness that rendered recruitment by kanganis unnecessary. Intervention by the Controller of Labour secured employment for the immigrants at the rates of 35 cents per day for men, and 28 cents for women in May 1934. Over the next two years of strongly improving rubber prices, the UPAM refused to restore rates of pay to pre-Depression levels. In 1936, the Government of India pressed for an inquiry into the payment and conditions of Indian labourers in Malaya. Headed by V.N. Sastri, the Inquiry recommended restoration of the pay rates to the pre-Depression levels of 50 cents and 40 cents respectively. The 1937 strike of Chinese coolies removed any doubts the members of the UPAM might have had about accepting the recommendations, and they paid the new rates from April. Even so, Indian rates were well below Chinese, and parity of payment became an issue that industrial organisation could focus on.³⁰

But no successful industrial action was possible immediately. A fall in the demand for rubber led the UPAM to threaten to reduce the rates it had recently accepted.³¹ The Indian Government responded by banning the migration of Indian labourers to Malaya from May 1938.

The UPAM carried out its threat, and for a while the ban had little effect. But the threat of war and then the war itself brought huge increases in the demand for rubber, and the UPAM began to relent. At a time when rubber plantation companies were making profits of up to 250 per cent, it restored Indian wage rates to pre-Depression parity in October 1939, one month after the beginning of World War II.

These were the rates payable when the Klang District Indian Union (KDIU) was formed in mid 1940. This organisation was one of the several industrial associations which had been formed after the Chinese strike in 1937, and the visit to Malaya of Jawaharlal Nehru, who urged Indians to form trade unions and agitate for improvements in their pay and conditions. The origin of the KDIU owed nothing to the Malayan Communist Party, but certainly something to the Central Indian Association of Malaya. The CIAM was an arm of the Indian National Congress, which had declared non co-operation with the British war effort, and like its Indian parent, was composed mainly of high caste Indians now seeking the alliance and support of Indian workers.³²

The KDIU aimed, among other things, at parity of payment between Indian and Chinese plantation coolies. In response to a series of small sporadic strikes, the UPAM offered a slight advance in pay rates, and when the strikes did not stop, increased its offer to 60 cents for men and 55 cents for women, per day, in April 1941. But the strikes still continued, involving over 20,000 Indian workers, and when police action failed to restore order, the Government called in volunteer reserves, and then an Indian regiment. Five strikers were shot dead, and scores wounded. After the arrest and deportation of their leaders, the strikers drifted back to work in mid-May, with no advance on the April offer.³³

In the early phases of the strike, the local British resident had been very reluctant to issue arrest warrants, and the Controller of Labour had invited the CIAM to take part in negotiations. This the UPAM considered almost tantamount to treason, and when the Controller refused to offer it guarantees of support, it complained bitterly, and its complaints reached the ears of the Colonial Office. The Controller was prevailed upon to take early retirement, even though the High Commissioner went on record as believing that a good part of the blame for the strike lay with the undue concern of the plantation managers and their London Directors for company profits and shareholders dividends. The UPAM continued to assert that there was no genuine industrial basis for this strike, and blamed everything on locally born hotheads.

The Government thought otherwise, and soon after the strikes ended, the Straits Settlement and Federated Malay States Council enacted legislation that had been urged on them for some years. These Acts made the registration of trade unions compulsory, and provided for reference of disputes to an industrial tribunal. Restrictions on the membership of union executives were tight, strikes other than for strict industrial purposes were illegal, and the government had extraordinary power of appointment to the arbitral tribunals. The Acts aimed far more at restricting the influence of the Communist Party and the CIAM, than at developing a trade union movement, but the Japanese Army invaded Malaya before they were put to the test.

Conclusion: capital, labour and the state

To promote a prosperous rubber industry in Malaya was a continuing principle of British imperial policy in the 40 years before the beginning of World War II. Malayan rubber plantations were not only a source of considerable wealth for British companies and their shareholders; they provided the British Government with a strategically essential product in times of war, and in times of peace one which earned valuable overseas credits. The good health of Britain's balance of payments depended in no small measure on exports of Malayan rubber.

The metropolitan British and Malayan Governments adopted policies which heavily favoured rubber estates owners. Governments in Britain and Malaya consulted closely with the RGA and [U] PAM, and appointed their representatives to statutory bodies, and the Councils of the Federated Malay States and the Straits Settlements. These two legislatures enacted law and oversaw administration, which aimed to develop the prosperity of the rubber industry through development of the privately owned plantation companies. The Governments acquired land, and made it available cheaply, on easy terms. They provided legislation, which made it possible for companies to buy outright, land that Malays had

held by customary tenure; they discriminated in the companies' favour in land sales, and made things difficult for competing smallholders. Land revenue funded roads and railways, and the companies paid no taxation.

Similarly, the Government enacted labour laws, which heavily favoured the estate employers. When the indenture system proved unable to provide Indian coolies in the numbers plantation owners thought desirable, the Government replaced it with a system of 'free' labour supplied by an immigration fund, which it could manipulate to increase or decrease the supply of labour. It tolerated the minimum wage policy of the [U]PAM and the RGA; the wages of Indian coolies did not rise above statistically calculated survival rates until 1941, and for much of the 1930s were below them. With Chinese labour, it recognised but failed to redress the abuses of the contract system until the strike of 1937 compelled some action.

This is not to say that the rubber companies got everything they wanted. After the first few years, and for the entire period of rapid growth in the number of rubber plantations, the planters did have to pay enough for their land to make a substantial contribution to the development of infrastructure. The Government enacted laws which subjected the health, housing, payment and discipline of their Indian employees to inspection, and it occasionally prosecuted managers and even closed estates down.

This reflected the view of the British Colonial Office and the Malayan Governments that the rubber plantation industry was too important to be left to the rubber companies. Their interest was in quick profit; the government was there for the long haul. One of its major considerations had to be the policy of the Government of India, increasingly concerned with the welfare and status of its subjects overseas, and virtual controller of the supply of Indian labour. Against the wishes of the [U] PAM, cheap labour had to become a fraction dearer.

But when challenge to the control of the rubber companies over their employees began to emerge in the 1930s, the bias of the Government's policy was heavily in the favour of the owners. It deliberately delayed legislation which would have helped the development of a trade union movement for employees which might have acted as a counter to the trade unionism of the employers. It used police powers to suppress the organisation of the Communist Party and the CIAM, and in the strikes of 1937 and 1941, it deployed military forces. On Government orders, Indian troops shot their coolie brothers. The Controller of Labour who had attempted to temporise in negotiations was prevailed upon to resign.

The reaction was extreme, and some of the members of the Malayan administration were not happy with it. One of these was the High Commissioner himself, who refused to accept the insistence of the RGA and the UPAM that the massive disturbance in 1941 was simply the result of agitation of some local young hot-heads and the failure of the Government to suppress it. The High Commissioner, instead, blamed the Klang strikes on the subservience of local managers to British company directors in London and their concern for maximising profits for shareholders. His words might almost have served as an epitaph for the whole system.

Endnotes

- * The authors would like to thank Christine Winter, Research School of Social Services, ANU, for her valuable work in tracking down sources and digging out information.
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19. RGA *Bulletin*, 1927, Annual Report, p. 95.
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29. Tai Yuen, *Labour Unrest in Malaya, 1934-41*, University of Malaya, Kuala Lumpur, 2000, p. 25.
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