

‘Noumea no good. Noumea no pay’:
 ‘New Hebridean’ indentured labour in New
 Caledonia, 1865–1925

Dorothy Shineberg

‘EVERYONE HAS HIS NEW HEBRIDEAN’, SAID ADMIRAL COURBET, GOVERNOR OF NEW Caledonia, in 1882. Almost three thousand imported Oceanians were working in New Caledonia that year — in settlers’ homes, in the mines, on the wharves and in the stores, on coffee, sugar and maize plantations, as stockmen and labourers on cattle stations, as sailors and boat’s crew on the coastal shipping runs, as rowers (*canotiers*) of the boats which brought the convicts back and forth each day from Ile Nou to work on the mainland, and even as guards of those prisoners. Yet this wave of imported labour has been overshadowed in New Caledonian history by the later influx of Asian workers and by the eventual success in coercing indigenous Melanesians into contract labour. In the Pacific labour trade as a whole it has been eclipsed by the larger, better-documented movements to Queensland and Fiji. The importation of labour into New Caledonia from other Pacific Islands corresponded in time, and competed with, the so-called ‘kanaka traffic’ to Queensland, Fiji, Samoa and Hawaii but outlasted them all. It had not officially stopped before the Second World War, though it had diminished to a trickle at the time of the great depression. I estimate that at least 14,000 foreign Oceanians had come to work in New Caledonia by 1925, about 12,550 of these from the New Hebrides (now Vanuatu). ‘New Hebridean’ was commonly used as a generic term to denote this form of imported labour although probably about 1,500 of the foreign Oceanian workers came from the Solomon Islands and a handful from the Gilbert Islands (now Kiribati).

The figures which emerge from collation of the evidence are so much higher than previous estimates that this in itself makes a difference to one’s thinking about the subject¹. Imported Oceanians were the backbone of the labour force available both to the civil Administration and to private settlers up to almost the end of the 19th century, despite the presence of large numbers of convicts and the indigenous Melanesian population. Even the penal Administration employed them. This paper deals with one aspect of the trade — the poor record of New Caledonian employers in the matter of the payment of their workers —

¹ Basically from the addition of New Hebridean ‘passengers’ from shipping reports in the newspapers over a period of 60 years, cross-checked by the occasional official report (an earlier version of this and some related material has appeared in a recent James Cook University publication without specific acknowledgement of my authorship).

since it serves to illustrate important facets of the history of the colony as well as the labour trade in general and because it was probably the thing closest to the hearts of the labourers themselves. Extraordinary hardships have been borne by migrant labourers throughout the centuries, for the sake of the meagre pay which promised to improve their status or the lives of their children. It follows that the most heinous abuse in the labourers' calendar was failure to pay the stipulated wage. Without pay they were slaves indeed, with nothing to show for their work and their subjection, ashamed to return home with empty hands. And yet this abuse was continual in New Caledonia throughout the period under review, in spite of its recognition by the authorities and indeed by individual employers who were able to see that it would discourage the supply. 'Noumea' suffered a decline in its reputation as a recruiting destination. Failure to pay enough, failure to pay in cash, payment in shoddy goods and indeed failure to pay at all was a characteristic of the Oceanic labour trade in New Caledonia, and one which eventually applied equally to the employment of local Melanesians and imported Asians.

This is the more striking because, in its earliest phase, the New Caledonian labour traffic had enjoyed the best reputation in the business. From 1865-69, under the supervision of Governor Guillain, it was both organised and strictly policed by the Administration which produced *ad hoc* regulations for each cohort introduced. Recruits were engaged at first for only one year, then for two years, and those who survived were repatriated with satisfactory rewards. The problem began when the State in effect opted out of this regulatory role about 1870.

Under the first legislation codifying the piecemeal regulations dealing with Oceanian, African and Asian indentured labour, the *arrêté* (local decree) of 26 March 1874,² the labourer received little protection in the matter of wage payments. There was no fixed minimum wage: wages were to be arranged by agreement between employer and employee but to be noted on the contract. The code was based on the notion of a free contract between employer and employee, although in this case it was patently absurd to consider the parties to be on an equal footing for the purposes of negotiation. Agreed wages were to be paid in cash every three months before an immigration officer. In the case of non-payment of 'all or part' of wages due at the expiry of contract, the employer would be given a month to pay, after which the Immigration Commissioner 'could, after obtaining the authority of the Colonial Secretary, take him to court for the recovery of the money on behalf of the employee'. Infractions of the contract were to be heard in a magistrate's court (*simple police*), and the penalty for non-payment of wages was a fine of 10 to 15 fr., with the possible addition, according to circumstances, of imprisonment for three to five days.

² Reproduced in Great Britain, Royal Navy, Records of the Australia Station, 32; also in *Le Moniteur de la Nouvelle-Calédonie* (hereinafter *Moniteur*), 1 Apr. 1874.

Even on paper, the sanctions provided virtually no deterrence to employers who chose to cheat workers. In the event of prosecution the penalty was derisory: a fine of 10 to 15 fr., about a month's wages for his worker, and rather less than the usual fine for a minor offence such as being drunk in public. The month's grace to pay for the employer, at the end of the contract, was already serious for the labourer: by Article 73, if discharged workers were not on board the repatriating vessel on the appointed day, they lost their right of repatriation. They were, in any case, obliged to work for their employer or some other employer up to the moment of their departure, or else be sent back to the depot there to labour on public works without pay. The prospect of delays occasioned by legal procedures to recover the money was even more daunting. Considerable pressure was therefore exerted on employees whose masters owed them money either to re-engage in the hope of recouping it or to return home empty-handed: as we shall see, both these options were frequently taken. Not until 1893 was this ordinance replaced by a *décret* (metropolitan legislation), setting out conditions specifically for the recruiting of Oceanian indentured labour, which, however, was for many years used also to apply to Asian workers. This code did set a minimum wage of 15 fr. for men and 9 fr. for women and children, but did not change the procedures for redress against employers who failed to pay, except that the fine for those convicted was raised to from 50 to 100 fr., and all mention of imprisonment was dropped.³

Weak though the labour legislation might have been, it appears that most settlers found it vexatious. A form of 'custom law' replaced it. Before the 1893 legislation, the nominal rate of payment for a 'New Hebridean' was agreed among employers at about 12 fr. for a man and 9 fr. for a woman or child, although 15 fr. was sometimes agreed for a man and as little as six for children. A higher rate was considered the due of a re-engaged. The wage was often paid by advances in kind — expressly forbidden by both the 1874 and 1893 codes — or by payment in kind at the expiry of the contract. Advances in kind were, of course, extremely advantageous to the employer who generally also supplied the goods, marked them up to pay himself a handsome profit, and kept the worker continually in his debt. Cash payments were often irregular, if they occurred at all, and the requirement to pay on a three-monthly basis before an official was flouted as a matter of course.

Contemporary evidence that labourers were regularly defrauded of their wages is abundant. As early as 1870 a writer claimed that in that year alone the Administration received complaints of failure to pay wages against some of the local big-men — Messrs Blanchot, Bouscarel, Sleath, Peyraud, Dezarnaulds and Joubert. Only Sleath was obliged to pay. As for the others, 'more or less pro-

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tected by the Church or the Administration, they continue to consider them like their own cattle; they don't pay them and they keep them forever'. The writer justly asked: 'How many other blacks not knowing how or not being able to complain have the same problem?'⁴ There is independent confirmation for the case of Numa-Auguste Joubert, who certainly had not paid his workers by 1877 when he became bankrupt.⁵

In September 1879, a settler wrote to the famous humanitarian, Victor Schoelcher, that some employers of indentured labourers managed to avoid paying their workers at all, the regulations notwithstanding, and merely gave them a few worthless articles and bad guns at the end of their term.⁶ This assertion is supported in detail by the testimony of Government Agent Dangeville on board the *Marie* on her voyage of 1884–85. Investigating the complaints of nine 'returns' (*rapatriés*) he was about to land on Tomy Island, off Malekula, he found that they had been given only useless guns like 'children's toys' and some trashy goods, after five or five and a half years of labour for M. Laurie of Canala: he had to give them two muskets from the ship to avoid reprisals from their friends on the beach.⁷ He had also a charge to lay against the missionaries of St Louis (just south of Noumea), after returns he was taking to Gaua in the Banks Group complained of being underpaid and kept beyond their time by the reverend fathers. Because the returns were well treated on board, he said, the *Marie* had no trouble from their relatives on the beach, but neither were there any fresh recruits to be had at that passage, as a result of these grievances.⁸

Labour trading was a competitive affair and by 1880, at last, there was some awareness that the failure of New Caledonian employers to pay their workers made Queensland and Fiji more attractive destinations. At a Commission of Inquiry into alleged kidnapping at the islands in 1880, the Commissioners asked whether the preference for Queensland was related to the fact that labourers were better rewarded there, and learned from a Mr Douglas Carter that his New Hebridean employee Bili had not yet been paid by his first employer, M. Penaud, for whom he had worked for three years: Bili had intended going home after his first indenture, but could not 'for lack of money'. As return passage money was supposed to have been paid in advance to the Immigration Department, he may have meant by this that Bili was ashamed or afraid to go home empty-handed, although, as we shall see, it is quite possible that Bili's first employer also neglected to pay his instalments of repatriation money to the department. Carter added that he knew other labourers in the same situation as Bili.⁹ Both

⁴ G. Durand, 'Extrait d'une correspondance sur la Nouvelle-Calédonie, 1870–1871', Brussels 1871, 10.

⁵ Distraint on the property of Joubert, Notariat 1877–8, Camouilly. Depot des papiers publics des colonies. Aix-en-Provence, Archives Nationales, Section Outre-Mer, New Caledonia (hereinafter ANOM).

⁶ 'marchandises sans valeur et de mauvais fusils dont les plus chers revenaient, à Noumea, à 35 fr. au plus': L. Marchand to Schoelcher, 18 Sept. 1879, Paris, Bibliothèque Nationale, Schoelcher Papers.

⁷ Dangeville, 'Journal de Voyage', 46, 48, 50, ANOM, Carton 63.

⁸ *Ibid.*, 121–2.

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Dangeville and Carter appeared to assume that these cases were, though unfortunate, not common: Dangeville said that the rest of his returns were satisfied with their rewards, and believed that the employees of 'substantial industrialists' and of the Administration itself had been regularly paid, on the evidence of well-filled boxes and contented returns. It is probable that large employers had the resources and the incentive to be more far-sighted in this matter. But it is also the case that cheated employees were less likely to be among the repatriated — and, of course, a high proportion of the many who died (at this time about 5% per annum in years free of epidemics) were probably never paid.

The evidence of failure to pay is, in fact, too general to exempt whole classes of employers. Between July 1874, when registries of the Immigration Department seem to have begun, until September 1882, the time that the first 'suspension' of the labour trade had taken effect, official records show 5,148 'New Hebrideans' introduced as indentured labourers.¹⁰ The records of 3,632 of these, or 70.55%, bore no mention of any payment; 1,046 had died and 810 had been repatriated unpaid: the rest, presumably, re-engaged in the hope of making up their losses.¹¹ Those repatriated, of course, could have been paid according to custom, in goods of the employer's choice, at the expiry of their contract, without any payment having been inscribed on their *livret* or pass-book.

In any case, the law was being treated with contempt. In 1875 Governor Pritzbuer had issued a warning that Article 43 of the 1874 code, forbidding prestations in kind to workers in lieu of cash wages, was to be strictly observed.¹² Subsequent 'warnings' of almost identical wording appeared again and again in the government newspaper to 1891, giving the impression that employers had defaulted with impunity. Indirect evidence of this, however, is rendered unnecessary by the assertion of the *Néo-Calédonien*, a local newspaper representing settler interests, that the law was — and should remain — a dead letter. In 1881, under the stronger administration of Governor Courbet, when a more serious attempt was mounted to supervise proper payments to indentured labourers, the paper protested vigorously. It published a letter from a 'very experienced' employer who argued that the original *arrêté* had been the brainchild of Governor de la Richerie, who had a passion for vexatious regulations, but it had never been applied; governors who succeeded him — Alleyron, Pritzbuer and Olry — had all allowed Article 43 to 'sleep in the dust'. Yet now when business was in a critical situation,¹³ employers were to be forced to pay cash to their workers every three months instead of paying them in goods at the expiry of

¹⁰ Report of Inspector Courmeaux, Inspection Mobile 1884, ANOM, Carton 180. The figure appears in other contemporary documents as well.

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their contract 'as has been the practice up to this time'.¹⁴ As during this period at least 20% of indentured labourers died before the end of their first contract, this customary form of payment would have enabled their employers to escape the obligation to pay wages, which they no doubt considered just, since they would not have got full value for the 'passage money', or hiring fee, which they had paid to the broker. It can not have promoted concern for the health of workers near the end of their term.

There were two official suspensions of the Oceanian labour trade to New Caledonia — from 1882 to 84 and from 1885 to 90, although during the second period the ban was circumvented, with the acquiescence of the Administration, by importing labourers as 'free immigrants'. Over this period there was some attempt to strengthen the labour legislation before the official renewal of the trade in 1890. Most of the reforms, however, related to recruiting procedures, as kidnapping scandals had caused unfavourable press in Europe. In the matter of payment of wages, little changed. On the eve of the second suspension the Immigration Commissioner announced that employers who had not settled accounts with their indentured workers of all origins, or who owed money to the Immigration Fund (advances of repatriation payments, hospital dues, deferred wages etc.), would no longer be able to engage such labour.¹⁵ Even this obvious measure, which did not go as far as *withdrawing* labour from recalcitrant employers, let alone punishing them, was unenforceable. In the case of the 'free immigrants' of 1887–90, they had not even the guarantees on paper to protect them. With the official recommencement of the Oceanian labour trade in 1890, the reputation of 'Noumea' as a non-payer was recognised as a handicap in the trade war with recruiters for Queensland and Fiji. In 1892, Commandant Gadaud of the warship *Saône* cruising the New Hebrides wrote to the Governor of New Caledonia that the people had a repugnance to recruiting for 'Noumea'. 'The reason they give', he said, 'is that these natives, when repatriated, bring back very few goods and almost no money. It is not the same, they say, with those who return from Queensland and Fiji.'¹⁶

This view had been expressed by New Hebrideans for many years. In 1879, on his tour of the New Hebrides, Contre-Amiral Du Petit-Thouars found that in certain islands of the archipelago it was impossible to recruit for New Caledonia 'because the natives say that the recruits come back with too few goods and that contracts are not always kept'. Queensland and even Fiji were preferred without the least hesitation 'because they bring back hardly anything from Noumea'.¹⁷

¹⁴ *Néo-Calédonien*, 21 Oct. 1881.

¹⁵ *Moniteur*, 18 Mar. 1885.

¹⁶ Commandant Gadaud to Governor of New Caledonia, 22 Oct. 1892, BB4 1996, Paris, Archives de la Marine.

¹⁷ Report of Contre-Amiral Du Petit-Thouars, *Mémoires et Documents, Océanie*, vol. 4, 102, Paris, Archives des Affaires Étrangères.

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The people who greeted the *Marie's* returns at Gaua in 1884 summed up the sentiment fairly well. 'Noumea no good. Noumea no pay', they explained when refusing to send fresh recruits to the ship.¹⁸ There were other reasons for the unpopularity of 'Noumea' as a destination but 'small fellow pay'¹⁹ was the recurrent theme.

Commandant Gadaud also alluded to the practice of fining workers for various infractions, which kept them in constant debt.²⁰ The Administration had freely adopted the practice of fining workers on the complaint of their employers for 'illegal absence', 'refusal to work', as well as for petty offences such as drunkenness, or being found in the town after 8p.m. The practice was illegal, as the only form of punishment laid down in the code was a stint at the *atelier de discipline* or disciplinary workshop. The imposition of fines not only suited the Administration, always short of money, but was also generally favoured by employers, who did not thereby stand to lose the services of employees at an inconvenient time, yet reaped the benefit that labourers might be forced to work an extra period in order to repay the debt incurred by the fine. In one revealing case in the courts, however, M. Maestracci actually requested that the debts of his worker Bozérou be foregone by the Administration. He brought forward evidence that Bozérou had incurred a fine which with costs was equal to 50% more than the total of his wages for the two years he had worked for his master. The reason for Maestracci's petition — which was granted — was that Bozérou had saved the life of Charles Simon.²¹ It is fair to assume that workers not having done such noble deeds simply had to suffer this loss. The justice system was indeed very hard on Oceanians whose court costs included an additional 10 or 15 fr. (a month's wages) for the services of an interpreter into *bislamar*.²²

Some employers took to inflicting fines themselves, putting the employees constantly in their debt. The French paper *l'Eclair* quoted an example which it claimed came from a report of a Syndic (District Officer) sent to the bush in January 1898 to examine stories of wages overdue for three or four years: the Syndic was received with great hostility, especially in Canala and Hienghène, where settlers claimed that the Governor supported their right not to pay in the prescribed manner. One even denied the Administration's right to interfere in any matter concerning 'his' *engagés*. The Syndic established that a large number of employers had arrogated the right to impose fines on their workers and never

¹⁸ Dangeville, 'Journal de Voyage', 122.

¹⁹ Journal of the *Sea Breeze*, Fiji labour vessel, 1881, kept by J. Day, Government Agent, Suva, Central Archives of Fiji (mf, Australian National University, Division of Pacific and Asian History). In this case, the complaint was also made against Fiji, where the pay was officially half the rate of that in New Caledonia and Queensland.

²⁰ See footnote 16.

²¹ Procès-Verbaux du Conseil Privé, Séance 6 Jan. 1885, Noumea. The infliction of the fine and costs for 'drunkenness and rebellion' had taken place in Dec. 1883, without protest then, it seems, from Maestracci.

²² Records of the judgements in the Tribunal Correctionnel, Service des Archives, Noumea, passim.

paid their employees but the report was classified and never acted upon, a familiar fate for the reports of Syndics which were adverse to the settlers.²³ It appears that Governor Feillet was quoting from this very report when he wrote to the Minister for Colonies concerning a settler threatening to make trouble for him at the Ministry and in 'certain organs of the Press': Feillet wanted to put the Minister in the picture first, in case the settler made good his threats. This man, a M. Pesnel of Nakéty, had paid his workers by advances in kind, which was not regular but 'constantly practised in the colony, and the Administration, which cannot prevent it, in fact leaves . . . the employers and employees to arrange this to their own satisfaction'. This remark supported the settlers' claim that the Governor had no objection to this method of payment. But Feillet could not condone Pesnel's imposition of fines 'on various pretexts: laziness at work, loss or deterioration of tools, etc'. He also owed the deferred pay of his workers — a sum of 90 fr. — to the department's funds. Pesnel had reacted badly to remonstrances, had shown an 'incorrect' attitude, and had unjustly attacked the officer concerned.²⁴

Matters had not improved by 1904, when some members of the Council-General expressed disquiet at the continued abuse in the matter of fines as well as of payment of wages to indentured labourers. M. Blandeau quoted the case of an employer who, having worked his labourers for four or five years on insufficient rations and next to no clothing, contrived to have them still in his debt at the end of their term. He questioned the ability of the Administration to deal with the maltreatment of indentured labourers. Blandeau was supported by Councillor Dezarnaulds²⁵ who said that when wages were owed to workers the department was content to put the matter in the hands of its lawyers where it rested for years. He requested a list of arrears in wages, a demand he was forced to repeat two years later. M. Vincent expressed regret that employers who had not paid their workers were still able to hire new workers from the Immigration Department (so much for the decision of 1885, above), and Leconte insisted that the Immigration Department refuse absolutely to allot workers to employers who owed money either to the department or their workers. Dezarnaulds asked the Administration to strictly enforce the 1893 decree.²⁶ Apart from a humanitarian concern, the motive for this heightened interest in reform was perhaps that some employers were feeling the decline in the labour supply as a result of the laxity in policing the contract. This debate also made clear that employers had not only been able to cheat their workers, they had also managed to defraud the Administration by not paying the advances of passage money and other due

²³ See below.

²⁴ Feillet to Minister for the Colonies, 3 June 1899, ANOM, Carton 5.

²⁵ James-Bernard, son of the Dezarnaulds mentioned below.

²⁶ Procès-Verbaux du Conseil-Général, Noumea (hereinafter PVCG), Session of 22 Nov. 1904.

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payments. The Colonial Secretary weakly replied that he had sent a circular to all employers requesting payment of dues which had resulted in the return of 20,000 fr.; he admitted that 86,000 fr. was still outstanding,²⁷ a figure which the Inspection Mission in 1907 was to find grossly understated.

In 1906, Councillor Laroque, Director of Ballande and Son, voiced concern at the amount of money anticipated by the Immigration Department as the receipts of fines on indentured labourers for the year 1907: the amount came to 26,000 fr., constituting nearly 23% of its entire revenue. As the fines were inflicted arbitrarily by the Syndics and not by the courts, he argued that it was immoral that the money should go into the department's funds, quaintly suggesting that it be earmarked for charitable works instead. His colleagues, including the Secretary-General, demolished his proposal; the Acting Immigration Commissioner, M. Engler, declaring that the fines were not as heavy as they appeared, considering that they were now spread among Asians as well as 'New Hebrideans' and indentured kanaks. In reply to the question about arrears in wages, the Secretary-General finally disclosed that the sum of 4,699 fr. 79c. was owing to indentured labourers of diverse backgrounds,²⁸ which was an average of about two days' wages for every labourer in the colony;²⁹ this sum also was grossly underestimated.³⁰

Although it was common talk in Noumea that there were employers who cheated their indentured workers out of their wages, among other abuses, it was still usually said that the 'bad' boss was the exception. In 1907, the report of the Inspection Mission shattered that myth. The inspectors found that evasion of payment was very widespread, and that this was hardly surprising since non-paying employers were never prosecuted by the Department of Immigration, nor were their workers withdrawn from them, nor were they prevented from re-engaging new ones. Inspectors Fillon and Revel found that in the matter of payments of wages — as in a good many other matters — the labour code was very rarely observed, yet guilty employers suffered no inconvenience from the Administration.

It is not just a few months of arrears that have been tolerated, but years; there are completed engagements for which the law has never been policed, and unfortunately some indentured labourers have lost, almost entirely, the fruit of their labour.³¹

²⁷ Ibid.

²⁸ PVCG, 10 Dec. 1906, 759.

²⁹ More in the case of Oceanians, less for other categories. The Secretary-General had earlier given the figure of 4,854 as the total number of indentured labourers currently in the colony: *ibid.*, 458.

³⁰ See below.

³¹ Inspector Revel, Report on the performance of M. Engler, Head of the Immigration Department, 6 Mar. 1907 (one of the reports of the Inspection Mobile of 1907), ANOM, Carton 209, 14. Hereinafter the voluminous series of reports connected with this mission will be referred to as the Fillon Papers, after Chief Inspector Fillon.

Inspector Revel quoted the case of a New Hebridean woman who had completed two contracts without having been paid, as well as a Vietnamese and a Javanese couple who were owed years of wages without hope of redress, emphasising that these were by no means exceptional cases: 'And these cases could be multiplied at random from the registers'.³² He believed that the total owed to indentured workers of all backgrounds would undoubtedly exceed 100,000 fr. for employees in Noumea alone — a far cry from the 4,000 odd admitted by the Secretary-General in the Council debates of the previous year.

Revel ordered that a list of arrears in wages be drawn up and every effort made to recover the money owed to those 'unfortunate people who have worked so hard and waited too long for them',³³ although Chief Inspector Fillon realised that total reparation was not possible. Some workers had died, some had been repatriated, some had deserted. It was unlikely that accounts were in sufficiently good order to determine the exact state of affairs. 'Numerous *engagés* will remain victims of their masters' duplicity and the blind negligence of Immigration.'³⁴ In his reply, the Acting Head of Immigration, M. Engler, asserted that it was impossible under current regulations to enforce the prompt payment of wages; his department sent a series of three warning notices to the defaulter, after which the matter was put in the hands of the Administration's lawyer. Revel's comment on this echoes that of the councillor in 1904: 'It has never got any further than sending the matter to the lawyer: the courts have never had to decide the issue'.³⁵ As for withdrawing unpaid workers from defaulting employers, Engler protested that he had no legal power to do it by virtue of his office; only the courts could implement such a measure. No need whatever to do it *ex officio* in order to do it promptly, replied Revel. Immigration had only to notify a Justice of the Peace who could cancel the contract as a matter of urgency and at the cost of the employer. Inspector Fillon added, with some asperity, 'And no Justice of the Peace has ever been notified'.³⁶

In the matter of fining indentured workers, the Inspection Mission condemned the system as unjust and illegal. Colonial custom was that police complied with an employer's request to arrest workers for alleged infraction of the labour regulations, then informed the Syndic that they were at his disposal; the outcome was usually a fine and/or several days in prison. Both of these penalties were illegal, and the police had no business to be mixed up in labour matters. The inequity and severity of multiple fines was alarming, concluded the inspectors. They cited the case of the New Hebridean woman Yakoali who had been fined 10 fr. on 3 January 1906, another 100 fr. on 18 January, given 15 days

³² *Ibid.*, 15.

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ *Ibid.*, 14.

³⁶ *Ibid.*

at the *atelier* on 19 February and another 30 days on 30 May. The Immigration Department did not take the trouble to find out why she had violated her contract, but inspection of her *livret* would have shown that she had quite simply never been paid. In consequence she was forced to work for a settler who had disappeared from Noumea also without paying her for her work. 'When one compares this severity with the laxity vis à vis the employers', noted Revel, 'the conclusion is distressing'.³⁷ Yakoali was never to benefit from the interest in her case, for she died in Noumea a few months later, at the age of about 30.³⁸

The Administration itself, according to the inspectors, joined in the business of cheating the indentured labourers. Labourers detained in an immigration centre not only had to work for nothing but were also (illegally) charged for their keep, a debt that was extracted from their wages when they began to earn money after their discharge. Those detained for breach of contract were thus unjustly asked to pay twice for their offence; but in the case of inmates who had committed no offence, but were simply there awaiting engagement or a ship to repatriate them, the injustice was outrageous. In this way, said the very thorough Inspector Revel, the commune of Noumea had used 6,508 days of free labour in 1903, 8,626 in 1904 and 7,359 in 1905, since when it had continued to have four to 12 men at its daily disposal without spending a penny. The government gardens at Anse-Vata also benefited from free labour from the depot to the tune of one or two men per day.³⁹ Fillon commented: 'Disorder, arbitrary decisions, whimsy — it's all there! And that's not all yet!'⁴⁰

Defrauding of employees was not only widespread, it was virtually sanctioned by the Administration. The Inspection Mission concluded that the Immigration Department had proved its impotence to ensure respect for the regulations, and had neglected the role of protection it was supposed to perform, using the police powers put at its disposal only against those whom by law they were supposed to defend.⁴¹

native workers in the colony are cheated as much as possible out of their wages, and the Immigration Department has always given this permanent theft all needful co-operation. It is unconscious complicity — but how culpable!⁴²

In theory, the report of this Inspection Mission turned the Immigration Department upside down, as one local councillor put it.⁴³ Engler was dismissed and given an official reprimand. His assistant Gayon, who acted as Syndic for Noumea among other things, was also officially reprimanded. Fillon remarked

³⁷ *Ibid.*, 16–17.

³⁸ Etat-Civil, Décès, Noumea, 1907.

³⁹ Revel, Report on . . . Engler, 18, Fillon Papers.

⁴⁰ *Ibid.*

⁴¹ *Ibid.*, 20.

⁴² *Ibid.*, 17.

⁴³ Leconte, PVCG, 18 Dec. 1907, 261.

of him: 'Born in Noumea, [he] has constantly given proof in the course of his duties of weakness and an inexcusable partiality'.⁴⁴ The Immigration Department was to be separated from the Native Affairs Department in future, and for the moment abolished, Immigration being made directly responsible to the Governor. A commission was set in train to make effective the regulations that already existed. Governor Liotard promptly enacted the appropriate *arrêtés*. As the inspectors had recommended, an enormous list of unclaimed estates dating back to 1890 appeared in the *Journal Officiel* in June 1907, representing the list of indentured labourers (of all origins, now including local Melanesians) known to have been owed money.⁴⁵ Many of them had already died, some had been repatriated, some had deserted and were untraceable. The many for whom there were no proper records, as Revel had predicted, did not make the list. In any case, as the inspectors realised, it was just a gesture: few expected that workers in the colony or their heirs in the New Hebrides would respond to a notice in a French newspaper and lay claim to the estate. As if echoing Revel, Councillor Reverchon pointed out that the books of the Immigration Department were in such chaos that nobody knew how much employers owed their workers, so officials were obliged to get their information from interested parties.⁴⁶

In spite of these measures, it seems that there was no revolutionary change in the *modus operandi* of the Immigration Department. Governor Liotard himself was gone by 1908, and so was the liberal government in France that had sent the Fillon Inspection Mission. At the end of 1907, Councillor Leconte pointed out that arrears of pay were due to workers at the Kaiviti mine near Koné, and that the Administration could easily make employers pay them but had not done so because the system of recovery was defective — a charge made before the inspection and apparently still valid. By way of reply, the Secretary-General pointed out that the Commission was in process of revising the regulations.⁴⁷ In mid-1908 Councillor Devambeze asked what had happened to this Commission which was supposed to have reported in the previous session but from which they had heard nothing.⁴⁸ In the same year indigenous chiefs and parents were still complaining that they had never been paid for the work of their children sent to pick coffee on settlers' plantations.⁴⁹ In 1911, in almost exactly the same words used by Inspector Revel, M. Martin observed in the Council-General, 'rare

⁴⁴ Fillon to the Minister for Colonies, 16 Apr. 1907, Fillon Papers.

⁴⁵ 519 altogether: 150 Indo-Chinese, 19 Javanese, 128 New Hebrideans and 223 local Melanesians, mostly Loyalty Islanders. The number does not tell us very much, for it relates only to those for whom there were proper records: it does not even tell us anything about the ethnic proportions of the labourers, since the records of some were kept better than others.

⁴⁶ Reverchon, PVCG, 18 Dec. 1907, 259. And Councillor Devambeze spoke of the 'complete anarchy' still permitted by the current regulations: PVCG 1907, 67.

⁴⁷ PVCG, 18 Dec. 1907, 261.

⁴⁸ PVCG, Session Extraordinaire d'avril et de juin 1908, 67.

⁴⁹ *Ibid.* 290-1. Councillor Laroque even implies that it is the Administration itself that is pocketing the money due to the children.

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indeed are the employers who observe the rule' relating to the quarterly payments of wages. The Secretary-General affirmed in 1911 that debts owing to the Immigration Department for repatriation money were at least diminishing and that the system of payment was now 'generally respected' and that M. Solari, the head of the department, looked after it personally.⁵⁰ Solari had been one of the employers singled out by the Fillon inspection as an official (then principal clerk to the Secretary-General) setting a bad example by breaking the law,⁵¹ so one does not know how much confidence to put in this report, nor indeed in the fact that he was promoted to Head of the Immigration Department only four years after being censured by the inspectors.

In 1929 the Inspection Mobile still had a number of complaints about arrears in payment, both to workers and to the department, as well as other abuses, pointing out that promises of reform in response to the inspections of 1925 (of Indo-Chinese labour) and 1928 (of Javanese labour) had not been followed up by the appropriate action.⁵² There is some evidence that after this the regulations were better observed in the matter of wage payments if not in other respects. This offered some guarantees to the increasing number of Asian and indigenous workers who were indentured up to the Second World War, but for the large majority of imported Oceanian workers improvements came too late. As Inspector Fillon feared, many had worked for nothing.

In cheating their workers, employers clearly acted against their own interests in the longer term. Cheap labour was the most valuable commodity in the Pacific: all of them subscribed loudly to that view. 'New Hebrideans' were willing to work abroad for an agreed reward. New Caledonia was a popular labour destination in the 1860s when the trade was strictly supervised. The colony was the nearest of all the labour destinations to the major source of supply, just a few days' sail, with voyages even possible during the hurricane months of December to February. After recruiting for Queensland and Fiji was stopped, in the early years of the 20th century, New Caledonia had only the competition of the internal market of the New Hebrides itself, soon to acquire an even worse reputation in the matter of labour abuses. Yet it had to resort to the more expensive procedure of importing labourers from the French colony of Indo-China and the Dutch colony of the East Indies, whom, incidentally, they began cheating in the same fashion. Why did the settlers poison the goose that laid the golden egg?

To Governor Liotard, responding to the criticisms of the inspectors in 1907, the matter was easily explained: the employers' mentality was the product of a

⁵⁰ Report of the Department of Immigration and Native Affairs, PVCG, Budget Session, Nov. 1911.

⁵¹ Revel, Report on . . . Engler, 16-17, Fillon Papers.

⁵² Inspection Mission, 1929, Chief Inspector Coste and Inspector Gayet, ANOM, Carton 746 (hereinafter cited as the Coste Report).

convict colony. In response to the charge that the department had co-operated in the theft of labourers' wages, he said:

Unfortunately this is strictly correct. The settlers have always been heard and the indentured labourers have always been silenced. The Department of Immigration should never have been entrusted to an official born in New Caledonia. There has developed among the inhabitants of this country a special mentality through contact with the *bagne*. I have observed this strange mentality in some people esteemed honourable in New Caledonia.⁵³

But of course the mentality in New Caledonia was no different from that in colonies elsewhere, where it was observable that the privileges of the white settlers appeared to them to be part of the natural order. New Caledonian employers were by nature no greedier, no more short-sighted and no less humane than their counterparts in Fiji or Queensland but, as a Commander of a French warship pointed out, they had, 'unlike the English, no serious regulation'.⁵⁴ In the British colonies the settlers, like it or not, had restrictions imposed upon them in their own long-term interest. In Queensland, in every district where Pacific Islanders were employed, the policing of labour regulations was the responsibility of a salaried inspector, independent of the interested parties. He supervised the half-yearly payments of the labourers' wages, would hear complaints which he was bound to investigate, inspect the work-place, give advice to workers or perform practical functions like banking savings on their behalf. Islanders did not hesitate to go to their district inspector if they thought they had been wronged. Many years after they had left, informants could remember the name of the inspector in the district where they had worked.⁵⁵ In New Caledonia, the appointment of a local salaried inspector was suggested as early as 1877, by Inspector Cuinier, on a general mission of inspection of the colony.

New Hebridean immigration lacks supervision and protection, in spite of the title of Commissioner for Immigration given to one of the bureau heads in the Department of the Interior. Not all the employers fulfil their obligations and there results from this some occurrences likely to compromise this source of labour. A watchdog committee composed of settlers has just been appointed — I fear that it will be still less attentive than the administration in supervising the fulfilment of contracts. One would find, it would seem, more safeguards in the creation of a position of a salaried Inspector.⁵⁶

Fifty-two years later, in 1929, Inspector Gayet was still recommending that an independent Inspector of Labour be appointed as a minimum measure of re-

⁵³ Governor Liotard, marginal comment on Revel, Report on . . . Engler, 17, Fillon Papers.

⁵⁴ Commandant Bigant to Minister for the Navy, 15 Sept. 1890, *Memoires et Documents, Océanie*(10), Paris, Archives des Affaires Etrangères, 337.

⁵⁵ P. Corris, 'Pacific Island labour migrants in Queensland', *Journal of Pacific History*, 5 (1970), 51-2.

⁵⁶ Extract of a report of inspection on New Caledonia by Colonial Inspector in Chief Cuinier, ANOM, Carton 173.

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form,⁵⁷ having observed that a tour of inspection ordered by the local department in 1927 had been resisted by some New Caledonian employers 'who do not understand that the supervision of the Administration over labour . . . is not simply vexatious, but constitutes a safeguard indispensable to the recruitment and maintenance of indentured labour'.⁵⁸ In Queensland and Fiji, inspectors were never sufficiently numerous, nor could even the most conscientious of them prevent abuses of the regulations, but at least they ensured that the law was taken seriously. And among the abuses that came to light in those colonies, the failure to pay due wages does not seem to have been a problem.

It was true that there were peculiar difficulties in New Caledonia. A phenomenon of the colony, even more than in most colonies, was the transient nature of many of its inhabitants. Many of them, including officials, soldiers and convict guards — all employers of 'New Hebridean' labour — spent only a few years in the colony. This problem was perhaps envisaged by the framers of the regulation requiring payment every quarter: in theory anyone who left the country could at least be no more than three months in arrears. In practice, residents could defer payment until the expiry of the contract, then, like the employer of Yakoali, quietly slip from the scene. As the gendarme Commandant Rentz noted in his circular to Syndics in 1907:

If you do not see to the application of this regulation [about quarterly payments] it can happen that indentured labourers can remain unpaid for a long time and that their employers disappear without leaving an address.⁵⁹

Again, it is clear from the records that many settlers were simply unable to pay. Some went bankrupt as a result of problems endemic to plantation agriculture in the Pacific — wild fluctuations of world prices of tropical commodities, droughts, fires, floods, hurricanes and plagues of locusts, and, more fundamentally, the uncompetitiveness of their small-scale production combined with the great distance from the markets it served. Some were so poor themselves that they could, on any rational plan, never have afforded to employ labour in the first place. Yet they were allowed to do so, nor was their failure to pay it any bar to their hiring fresh labour.

Settlers in the bush argued that the regulations about payment were over-rigid and unenforceable. Employees themselves demanded advances in kind, when they ran short of things like tobacco and clothing. It might be a two or three day journey to find the Syndic before whom employers were supposed to settle accounts with their workers, and they and their workers would lose this time. And few settlers in the bush had much cash; many simply had an account with a merchant firm like Ballande and were themselves only paid 'in kind' when the

⁵⁷ Report of Inspector Gayet, 61-3, Coste Report.

⁵⁸ *Ibid.*, 61-2.

⁵⁹ Commandant Rentz, Note de Service, 21 Mar. 1907, encl. in Fillon Papers.

ship came around with their supplies. These arguments sounded plausible, and appear to have convinced many officials, including Governor Feillet.⁶⁰ But gendarmes on the spot, acting as Syndics, tended to take a different view. In 1903 Commandant Rentz reported that the settlers of Sarramea requested permission to settle their wages before their Municipal Commission, on the grounds that to go before the Syndic at La Foa would involve losing a day's work from their employees. This, he said, could appear plausible to the uninformed, but in his view it was their 'bad faith' which gave rise to an excuse 'without the least validity', for the Syndic had in fact visited *them*, and had even arranged to come on a Sunday so that work would not be interrupted. A M. Baguil objected that he was obliged to furnish his workers with certain commodities they needed, since La Foa was far away and they could not go there themselves without losing a day's work. But, said the Syndic,

The truth is that the said Baguil finds it easier to supply the goods himself. The profit he makes on them doubtless pays him his workers' wages in part, if not in whole. I must explain that settlers who reside at stations as far away and further away than Sarramea come regularly to La Foa to pay their workers . . . in cash.⁶¹

On Sundays, he said, workers often came in from other centres just to shop at the stores.⁶² As for the seemingly reasonable request to pay before the Municipal Commission, it was hardly disinterested, for the president of that body was one of the most recalcitrant of the employers who had met the gendarme with abuse when asked to pay overdue wages.⁶³ The argument about the lack of cash in the bush had some foundation, although settlers could have paid their wages as they paid other debts — by a note on Ballande, or the company they dealt with, that would have been honoured in the stores. None of these excuses, however, could be plausibly made in Noumea, which held the largest concentration of indentured labourers. Yet non-payment of wages was very prevalent in Noumea, where, as Inspector Fillon pointed out, 'supervision and immediate action could be particularly effective'. Fillon suspected that it was worse in the bush, extracting at random from the registers several bad cases from Hienghène, Koumac, La Foa and Pouembout, but in 1929 the Inspection Mobile found the abuse to be worse in the capital.⁶⁴

Understaffing of the Immigration Department was a local factor underlined by the inspection missions and evident since the introduction of indentured labour to the colony. For much of its history, the department was just a subsection of the Native Affairs Department, although it always had its own sep-

⁶⁰ Feillet to Minister for Colonies, 3 June 1899, ANOM, Carton 5.

⁶¹ Commandant Rentz, commenting on a report from gendarme Lafourcade, no. 162, 4 Aug. 1903, encl. in Fillon Papers.

⁶² *Ibid.*

⁶³ Report of gendarme Lafourcade, 4 Aug. 1903, encl. in Fillon Papers.

⁶⁴ Fillon to Minister for Colonies, 16 Apr. 1907, Fillon Papers; report of Inspector Gayet, 59, Coste Report.

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arate budget. The staff had always been inadequate for functions which included registering the names and details of the labourers, issuing pass-books, collecting dues for hospital and other services, receiving instalments for repatriation payments and deferred wages, liaison with the Syndics in the bush, overseeing disciplinary measures, prosecuting infractions of the labour laws in court, undertaking tours of inspection and a variety of other chores. In 1907, the complaint of the Inspection was that some of these functions were taken on by staff in addition to others they performed apparently only for the sake of the extra pay. Assistant Head Gayon acted as Syndic for Noumea, cashier/book-keeper, and also was deputy to the Head of the Department of Native Affairs.⁶⁵ Until it was pointed out by the inspectors, wrote Revel, it did not seem to occur to the Acting Head of Department that the accumulation of several jobs was likely to prevent their being performed properly.

The Syndic [Gayon], who should have been the first to point out that he could not carry out the obligations with which he was entrusted, did not protest against the accumulation of extra allowances from which he profited.⁶⁶

As for the Acting Head himself, he was also Head of the Topographical Service and allowed the Immigration Department to be run by Gayon.⁶⁷ Fillon commented that on his own admission, Engler had not had the time to look after Immigration but that he had never failed to collect the 125 fr. per month extra pay for acting as Head.⁶⁸

In 1929, at a time when there were about 11,000 indentured labourers of various origins in the colony, the full-time staff of the department in Noumea consisted of an elderly Head of Department, an assistant and a book-keeper. An auxiliary clerk and seven typists who had other duties, and two interpreters from the ranks of the Asian labourers, made up the rest of the staff.⁶⁹ Those performing the office of Syndics for the town were the auxiliary clerk and a young woman typist, both of whom lacked the training, the status and the authority to enforce the proper settlement of payments or to investigate complaints.⁷⁰ Both admitted to the inspector that they allowed debts or advances not registered on the *livret* to be deducted from wages when supervising the settlement of payments, in spite of an *arrêté* (21 June 1902) specifically requiring this essential evidence.⁷¹ While the general lack of funding of the colonial Administration can be seen as a symptom of the neglect with which the metropolitan government treated its Pacific colonies, the conclusion is still inescapable that in Noumea itself the function of supervising the labour laws had a low priority.

⁶⁵ Report of Revel . . . on Engler, 1, Fillon Papers.

⁶⁶ Reply of Revel to Engler's explanation, *ibid.*, 11.

⁶⁷ Fillon to Minister for Colonies, 16 Apr. 1907, Fillon Papers.

⁶⁸ Report of Revel . . . on Engler, 18, Fillon Papers.

⁶⁹ Report of Inspector Gayet, 15-17, Coste Report.

⁷⁰ *Ibid.*, 59-60.

⁷¹ *Ibid.*

The fate of the labourer basically rested then with the intelligence and good conscience of his master, not the best guarantee in the world: the wonder is that a number of employers fulfilled their responsibilities conscientiously. There were also Syndics in the bush who defended the rights of labourers against high odds: overwhelmed with work, isolated and subject to pressure from the local settlers, and not confident that they would be backed by the department in Noumea. One gendarme reported that when acting as Syndic at La Foa he asked a certain M. Lachaud to pay his indentured labour, whereupon Lachaud arrived, furious, brandishing a letter from the Head of the Immigration Department authorising him not only to pay his workers without the intermediacy of a Syndic but also to punish them at his own discretion.⁷² Another settler assured a gendarme that 'everything he solicits [from the authorities] even if it is against the regulations, is granted him'.⁷³ The reports of Syndics did not necessarily get as far as the department. For example, the report on the recalcitrance of the settlers of Sarramea went no further than the platoon commander⁷⁴ of the gendarmerie, who marked it 'to be filed'. Verifying that this report had never reached the Immigration Department, Inspector Fillon commented: 'Platoon commander Maudet could have, in the same manner, blocked other *procès-verbaux* and reports for the Immigration Department that were sent to him by gendarmes of the interior acting as Syndics'.⁷⁵

Fundamentally, the problem was that the colonial Administration after 1870 was too weak and too easily manipulated to enforce the most basic of the regulations concerning indentured labour. It was the role of the government in other colonies — and arguably the role of the State in all capitalist societies — to oblige employers to restrict their immediate benefits for the sake of their ultimate and more important advantages. It has to be assumed that few employers will impose this discipline on themselves in their own long-term interest. But officials in Noumea were generally themselves employers of indentured labour and in any case unwilling to alienate their fellow whites by appearing to penalise them in the interest of blacks. Governors, high officials and gendarmes coming from France were transitory. Local people who had fallen into disfavour had only to 'bring the force of inertia to bear' against a bad report, as a gendarme remarked, wait for a reforming official to depart, and in the meantime make his life intolerable and his promotion precarious.

⁷² Evidence of gendarme Denis, encl. in Fillon Papers.

⁷³ Copy of report of Lafourcade, no. 162, 4 Aug. 1903, 4, encl. in Fillon Papers. Gendarme Lafourcade was asked by the same settler 'What's the point of bothering about half-savage people' (in this case Javanese), to whom he owed considerable sums. Threats to zealous gendarmes also occurred. Commandant Rentz overheard settler Thomas of Pouembout protesting vehemently to a gendarme who had asked him to settle accounts with his workers in the proper manner, 'I'll do what I like, and we will see who gets the better of it' — *ibid.*

⁷⁴ *Chef de'Escadron.*

⁷⁵ Report no. 16, on the performance of Denis, Syndic of Koné, 2, Fillon Papers.

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Revisionists have pointed out that on the beaches in the islands, recruiting practices were sometimes better policed by fear of local retribution than by supervision of the regulations. But at the place of work, in a foreign land, imported labourers had no such bargaining power. The role of the State was crucial.