Final Report for the History Project Grant

"Across the South Seas: Gender, Intimacy, and Chinese Migration in British Malaya" "[1]

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On a sweltering summer day in 1890, a sixteen-year-old Chinese migrant girl, Lam Tai Ying, sat outside on a five-foot pathway of a brothel in colonial Penang, conversing with a prostitute. Lam had accompanied her aunt, who worked as a seamstress and hairdresser, to the town's famed red-light district located on Campbell Street. Some of the aunt's wealthiest clients included women in the colonial sex trade, who provided sex, conversation, and companionship to the port city's predominantly male migrant population. As Lam waited for her aunt to finish up her day's work in the brothel, an assistant Chinese Protector on duty passed by. Convinced that Lam was being trained as a minor for "immoral purposes" by the prostitute sitting by her side, the Protector forcibly detained Lam in a local convent. A lengthy court battle for her custody ensued. While the colonial state saw itself as the rightful moral "protector" of Lam's welfare, the aunt argued that her own "honest" work providing services to brothel workers helped to support Lam's upbringing. Upon hearing the news, Lam's mother, a domestic servant working for a family in Dutch Sumatra, journeyed back to the British colony to sort out matters with the Chinese Protectorate.[2]

I first came across Lam's story while browsing through the Straits Settlements Supreme Court collection housed at the Law Library at the National University of Singapore (NUS). Through her detention by the colonial government, I was offered a glimpse into a world of trans-colonial mobility, of female-centered communal households, and of migrant Chinese women's participation in wage labor in the intimate economies of colonial Malaya. These revelations disrupt dominant narratives of overseas Chinese migration. Historians writing on Chinese diasporic communities in colonial Southeast Asia have spilled much ink on certain kinds of labor practices and migration patterns during "Asia's mobility revolution" between the 1840s and 1940s.[3] Overseas Chinese studies have deepened our historical understanding of *kongsi* networks, mercantile entrepreneurship, "coolie" labor, as well as *Peranakan* and hybrid cultural identities in Southeast Asia. In particular, Aihwa Ong has framed Chinese emigration as a "strategy of flexible accumulation," while Adam McKeown has underscored how migration functioned as a family strategy that depended on stability, precedent or "grooving networks," and economic opportunities in Southeast Asia, the Pacific Islands, Latin America, and North America.[4]

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[1] As a result of my archival research, the title of my project has changed slightly to more accurately reflect the theme and arguments.

[2] *In re Lam Tai Ying* (1890), 4 Ky 685.

However, Lam's story begs new questions: about the intimate labor migrant women performed and how it fit into the export-oriented economies of colonial Malaya; about the role of kinship and family ties structuring Chinese migrant communities; and about the function of colonial power in circumscribing the mobility, livelihood strategies, and intimate ties of Chinese women. The focus of my research thus stems from a premise that gender and intimacy were crucial components in the migration patterns and settlement experiences of Chinese diasporic communities. Contrary to traditional scholarship on Chinese migrations and diasporas, which has paid scant attention to the role of migrant women, I argue that these women's labor – both intimate and reproductive (social and generational) – were crucial lynchpins that sustained the regional workforce. In particular, I focus on the lives of women who journeyed as wives, domestic servants, and prostitutes across the South Seas. In doing so, the project offers a more capacious understanding of Chinese labor migrations that is traditionally associated with mercantile communities and the productive labor of men.

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[3] Sunil S Amrith, *Migration and Diaspora in Modern Asia* (Cambridge: Cambridge University Press, 2011).

[4] Aihwa Ong, *Flexible Citizenship: The Cultural Logics of Transnationality.* (Durham: Duke University Press, 2006); Adam McKeown, *Chinese Migrant Networks and Cultural Change: Peru, Chicago, Hawaii, 1900-1936* (Chicago: University of Chicago Press, 2001).

The history of overseas Chinese has long been narrated with a set of characters: of sojourning men, "left-behind" women, mercantile members and fellow clansmen, and the local women with whom the men formed "secondary" marriages.[5] Chinese women have consequently emerged as marginal rather than central figures in histories of migration. Recently, however, historians have shifted their focus to the important social, economic, and cultural roles that *quiaojuan* or "left-behind women" played in the provinces of Guangdong and Fujian in southern China.[6] Yet, these narratives implicitly enforce a notion of female immobility, of women who remained "rooted" to their respective homelands. Lam's story, recounted above, is illuminating precisely because it was not particularly unusual. It only appears so if we view it solely through the prism of criminality and victimhood or as a window on colonial prostitution. If we widen our frame, her life story, like hundreds of thousands who set sail across the South Seas between 1890s and 1930s, point to the ways migrant women engaged also in serial, circular migrations and were entangled in the bustling colonial economy.

In my first four months of research in Singapore, I began a quest to locate their traces in "archives of mobility" that would provide clues on the lives of Chinese migrant women in Malaya. The search for such archives, however, was complicated by the challenges of researching and writing women's histories – the main one being that women rarely left written accounts of their own. Searching for these archives thus entailed gathering and ordering collections for those who do not traditionally have institutional archives for their stories. It also involved a creative reading of official sources where fragments of their life stories do emerge: in court records, police files, immigration documents, and census reports. In addition to "reading against the grain" for moments when migrant women's lives come into contact with the colonial state, I collected and conducted oral interviews (both at the Oral History Project at the National Archives of Singapore and from my own interviewees). Using a micro-historical approach, I set out to create a collective portrait of their lives within the larger framework of early-twentieth century migratory systems, market arrangements, and changes in the colonial political economy.

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[5] See for example: Gungwu Wang, *Don't Leave Home: Migration and the Chinese* (Singapore: Times Academic Press, 2001); Michael Szonyi, "Mothers, Sons and Lovers: Fidelity and Frugality in the Overseas Chinese Divided Family Before 1949," *Journal of Chinese Overseas* 1, no. 1 (2005): 43–64; Glen Peterson, "House Divided: Transnational Families in the Early Years of the People's Republic of China," *Asian Studies Review* 31, no. 1 (2007): 25–40; Lisa Yun, *The Coolie Speaks: Chinese Indentured Laborers and African Slaves in Cuba* (Philadelphia: Temple University Press, 2008).

[6] Huifen Shen, *China's Left-behind Wives: Families of Migrants from Fujian to Southeast Asia, 1930s-1950s* (Honolulu: University of Hawai'i Press, 2012); Shelly Chan, *Diaspora's Homeland: Modern China in the Age of Global Migration* (Durham: Duke University Press, 2018), Chapter 4.

Lam's story was one of many I came across in these records that caught my attention. It quickly became clear that legal sources have the power to unlock the domain of the intimate, granting historians fresh perspectives on women and children involved in inheritance battles, matrimonial disputes, or in Lam's case, in custody struggles with the colonial state. Moreover, court records often illuminate familial bonds and conflict in extraordinary ways; more often than not, they are the only point at which individual lives, particularly that of women, find written record. At NUS, I mapped out landmark cases involving Chinese women, heard before the colonial Supreme Court in the mid-19th to early-20th centuries. From there, a discernible pattern emerged: women almost always appeared before the colonial court, whether as defendants or plaintiffs, as widows (as was the case when Lam's mother appealed for her release). Of course, colonial records of the Police Court or the Coroner's Inquest tell a very different story. But, in tracing the genealogy of colonial common law and Chinese customs on marriage (especially polygamy), property rights, and custody disputes, I was able to analyze the ways in which marriage reforms for Chinese migrants were tied to the colonial agenda to promote long-term female settlement in the colony in an effort to offset the gender imbalance within the Chinese migrant community.

Supreme Court records, however, told only one side of the story: the ruling of Chief Justices who had little contact with or knowledge of Chinese migrant women outside the courtrooms. To understand how the realm of colonial law was experienced from the perspective of women themselves, I needed to draw on a different set of records – ones that relied less on a discursive analysis and more on an interpretation of women's lived experiences. Legal records in Southeast Asia, however, are often poorly preserved, and sometimes, as a legal historian of Singapore recounted to me, mysteriously "lost" during the transfer from courtroom to archive. It was a serendipitous discovery that I stumbled on a new set of legal records, which had recently been donated by a private collector. The Koh Seow Chuan Collection, consisting of over 400 boxes of legal records from the District and Supreme Courts of the Straits Settlements, contained petitions, writs of summons, appeals, and wills penned by Chinese migrant women. They shed light on the innovative ways that Chinese women of a particular class increasingly utilized colonial legal institutions to settle transnational family disputes. At the same time, they illuminate these migrants' vulnerability navigating through complex legal institutions, which were in many ways arbitrary and tenuous in the ways they offered "protection" to migrant women.

Two new chapters on the intersections of colonial law, conjugality, wealth, and Chinese women have resulted from these archival discoveries. One entitled, "Six Weddings and a Funeral: Marriage, Modernity, and Chinese Customary Law in the Straits Settlements," examines how Chinese polygamy served as a site upon which colonial jurists debated ideals of marriage and modernity, as well as diasporic identity and imperial subjecthood at the turn of the twentieth century. The other chapter, "Wives, Widows, and Mistresses in Transnational Households," shifts the focus from colonial legal discourse and the writings of jurists to migrant women's experiences. It contends that contrary to colonial perceptions of Chinese migrant women as "mute, hapless, and weak" and thus in need of protection by the colonial state, many of these migrants navigated the colonial legal system with dexterity. From suing in-laws for refusing to give back the jewelry in their dowry to contesting their deceased husbands' business dealings, the new chapter illuminates how Chinese women became increasingly litigious during the late-colonial era.

While married women and widows with a degree of wealth appeared most frequently in colonial Supreme Court records, I could not stop thinking about migrant women and girls, like Lam Tai Ying, who relied on female communal living arrangements and in the case of her mother, frequent mobility across colonial borders in search of wage labor. In these legal records, class distinctions mattered as only affluent women could afford to pursue litigations that cost both time and fortune. The anecdotal appearance of Lam Tai Ying in the Supreme Court records, I later realized after poring over the legal files, was an anomaly. For accounts of women who labored in the sex trade and in domestic households, I had to consult a different set of sources, including Chinese Protectorate files, labor reports, lodging licenses, and oral histories. As I wrapped up my research in Singapore, I set out to Malaysia (Penang and Kuala Lumpur) where I began the next phase of the dissertation research.

I spent four months in Singapore supported in part by a research grant from the History Project and the Institute of New Economic Thinking (INET). The time allowed me to explore a range of sources that have remained underutilized by scholars writing social and economic histories of migrant communities in Southeast Asia. As a result of my time, I was able to find creative ways to use the Koh Seow Chuan collection’s legal records to tell a new history of Chinese migrant women. These historical fragments also led me to alter the geographic scope of the dissertation project. While I had initially framed my research with a focus on the port city of Singapore, it quickly became clear (as the case with Lam’s mother demonstrates) Chinese women’s journeys did not end at port cities; rather, these cities served as a stepping stone to other towns and villages within Malaya, especially for itinerant women plying their trade as servants and prostitutes. As I outline and write my dissertation chapters, these invaluable archival discoveries have remained central to this project.