

CONCLUSION

THE COLLAPSE AND RESURGENCE OF BONDAGE

The world of labor and unequal rights depicted in this book did not collapse with the French Revolution or the British Industrial Revolution, but only between 1870 and 1914. Serfdom was abolished in 1861; American slavery in 1865; the Master and Servant Acts were repealed in 1875; and the indentured contract was abolished in India, in 1916. Between the 1890s and World War One, the European powers decreed the abolition of African slavery, while new labor rules were adopted almost everywhere in Europe. To many contemporary observers and more recent scholars these interrelated changes seemed to depict an irreversible and worldwide march toward freedom. But was that actually so?

I do not intend to elaborate a fully detailed answer to a question for which an entire volume would be necessary (a volume that will, indeed, follow this book). I rather suggest hypotheses and broad trends in the evolution of labor rights as practiced in the three main areas examined above—wage labor in Europe, indentured labor in the colonial world, and certain forms of labor in post-emancipation Russia.

Collective Bargaining and the “New” Labor Contract in Western Countries

Between the 1890s and the 1920s there emerged what today we call the labor contract (*contrat de travail* in French, *contract of employment* in Britain). These new legal institutions marked a departure from the labor institutions that had sustained the economic growth and the social transformations of Europe between the seventeenth and mid-nineteenth century.

In England, at the start of the 1870s, most industrial enterprises were still independent family-run firms that employed fewer than a hundred workers. Mass production was slow in evolving and was still quite rare by 1870.¹ By the mid-nineteenth century, a decisive shift occurred toward an industrialized economy in which sustained increases in output per capita were able to support a growing population, which, in a virtuous circle, provided a source of rising demand.² From the mid-1880s on, large combines of firms began to emerge, notably in textiles, coal, and engineering. This process was paralleled by changes in the nature of intrafirm organization: Managerial functions grew, while technical change influenced the contract system. Internal contracting was often bound up with traditional methods of craft control, which came under pressure from increased mechanization. Vertical integration, the welfare state, and changing labor institutions went hand in hand. Vertical integration required a stable labor force and large units; the peasant-worker, the traditional poor, and Poor Laws hardly fit this process. For Sidney and Beatrice Webb, the emergence of a fully developed and stable form of trade-union organization in the middle decades of the nineteenth century was associated with the establishment of wage labor as the predominant form of work relationship.³ Under the Statute of Artificers and Apprentices, the journeymen's association was nothing more than a subordinate department of the masters' guild. Picketing was a criminal offence, and under the Master and Servant Acts, individual workers taking part in strikes were liable to prosecution. The Trade Union Act and Criminal Amendment Act of 1871, as well as the Conspiracy and Protection of Property Act and the Employers and Workmen Act, both of 1875, provided a basis for union growth. Trade union membership grew steadily after 1870; membership in 1914 was double that of 1905.⁴

The removal of criminal sanctions from the individual employment relationship in the 1870s was soon followed by the first legislative interventions of the welfare state. A wave of social legislation began with the Employers' Liability Act of 1880, according to which an employer could not be held liable in tort where one employee's negligence caused personal injury to another. From this small beginning, the first Workmen's Compensation Act was introduced in 1897, and the first National Insurance Act, in 1911. They imposed liability on employers for workplace-related injuries and disease, and they prompted the widespread use of employers' liability insurance to spread the risks in question.⁵ This same act made unemployment compensation available on the basis of contributions paid by individual wage earners (limited to some industrial sectors and extended to other sectors and agriculture only in 1936). These changes

meant that the Poor Law remained in place but dealt only with residual cases that fell outside the range of the statutory social-insurance scheme.⁶

The growth of collective bargaining, supported by the state, contributed to the same process. Prior to 1870, the restricted legal status of unions limited collective bargaining. After 1875, with the repeal of criminal penalties in both labor contracts and union activity, collective agreements emerged in particular trades. In some sectors (engineering, shipbuilding, and construction), attempts were made to regulate and limit piecework, with unilateral union control of employment conditions being the ultimate goal. In some other sectors (iron and steel, the coal industry) collective bargaining took the form of joint control between trade unions and employers' associations. Finally, in a third group of sectors (dock work; road, rail and river transports; tailoring, dressmaking, laundry work), associations were too weak to establish either controls over the labor supply or controls over forms of the joint regulation of minimum terms and conditions.⁷

Despite advances, seasonal and casual workers were excluded from these provisions and were designated independent contractors.⁸ Litigation thus occurred over the definition of "independent," with employers trying to avoid responsibility for the social risks of illness, injury, and unemployment.

Along an analogous path, in France, the law of 21 March 1884 legalized the unions; thus the question arose as to the lawfulness of a union pressuring an employer to dismiss a worker who was employed at will. In general, tribunals and courts still opposed any acknowledgment of collective contracts. Not until 1913 were unions authorized to defend an occupation's general interest.

Within this context the notion of the labor contract (*contrat de travail*) appeared. The term *contrat de travail* was not in widespread use in France before the mid-1880s.⁹ The main impetus for its adoption was an argument by employers in larger enterprises that the general duty of obedience should be read into all industrial hiring; however, once the term became established, it was used in turn-of-the-century legislation with respect to industrial accidents (law of 1898),¹⁰ which introduced the employer's objective responsibility in case of accident. This in turn opened the way to social insurances, which were being developed precisely during this period. Until then, it had been extremely hard to demonstrate an employer's liability; on the contrary, an employer had the easy task of proving the worker's "lack of precaution," even when harm was the result of the pressure the employer had put on him. The employer now had to demonstrate that he had taken all measures to guarantee the safety and protection of workers. At the core of the new concept was

an adaptation of the notion of “subordination”—an open-ended duty to obey was accepted and indeed extended to all wage-dependent and salaried workers; but it was now traded off for the enterprise’s and the state’s shouldering of the burdens of social risks, ranging from health and safety to income and job security.¹¹

The period’s overall economic evolution strongly supported this trend. Until this point, seasonal workers had been perfect fits for task labor, which allowed them to return to the countryside during the summer and other periods of intensive rural activity. In the countryside as well, harvesting and other major work was remunerated in accordance with a task job; only between 1860 and 1890 did the earlier practice of combining agricultural and industrial employment largely vanish. During the summer of 1860, at least 500,000, and most probably 800,000, workers quit their jobs. By 1890, this number had fallen to 100,000.¹² Despite important regional and sectoral differences, as a whole, the agrarian crisis and the second Industrial Revolution attracted more stable workers, who were mostly unskilled, into the towns and the manufactures.

Public order and competition also pushed toward a new labor regime. In 1890, the worker’s booklet was suppressed, and in 1900 the judiciary was asked to impose a private law solution in circumstances where public law solutions had become anachronistic.

However, the new labor law widened rather than reduced legal, social, and economic inequalities among working people. It excluded huge categories, such as small enterprises, craftsmen, and peasants.¹³ All these groups were marginalized as “independent” workers.¹⁴ They were not obliged to fulfill many of the obligations that other workers had toward their employers, but they also could not benefit from the same social security advantages enjoyed by other workers.

To sum up, England and France shared certain tendencies in terms of rules, labor organization, and social dynamics, during the last quarter of the nineteenth century. Common to both countries were the expanding civil and legal rights granted to the unions, the rise of the social welfare state, and the transformation of management and firms. From the 1880s to World War One there was ever greater enfranchisement. The supremacy of the landed aristocracy declined and gradually vanished to the benefit of new industrial and urban elites. Unions, strikes, and other expressions of civil society were also permitted, while women and children were granted greater legal rights.

This process went hand in hand with profound transformations in the economy. The second Industrial Revolution led to a widening gap in the capital-labor ratio. Capital investment had been increasing in Britain and other European countries since the 1860s, with the development of

railways, iron, and chemistry. Although more intense in Germany than in Britain and France, this process was common to all three countries and helps to explain their similar shifts in labor-market institutions. Mechanization required stable and not seasonal workers, while the labor supply was increased by a strong wave of mechanization and the application of chemistry to agriculture. Urbanization thus increased and tended to become more stable; that is to say, the leading actor of previous centuries, the peasant-worker, was vanishing.

At the same time, new labor rules and social protection were limited to specific groups of workers, namely those in unionized industries and large plants. Others—small units, artisans, and peasants—were excluded from these provisions until after 1945, and this social gap grew wider in the colonial state and the global economies.

Population, Migration, and Labor, 1870–1914

In examining indentured labor in the Indian Ocean, we related its economic and social dynamics to certain major forces. Legally speaking, indentured labor was an extreme version of forms of European servants' employment regimes; from an economic perspective, it responded to the abolition first of the slave trade, then of slavery in the European colonies, and to the simultaneous increased demand for sugar, cotton, and tobacco in Western economies. Since the 1870s, the declining prices of these items and the joint process of mechanization led to decreasing immigration of indentured Indians, Chinese, and Africans in many production areas in the Antilles and the Indian Ocean. Yet migratory flux increased in the last quarter of the nineteenth century. In Europe, mechanization and concentration compelled people to migrate, while massive population flow helped create a single global economy for both labor and capital. Thus between 1840 and 1940, 55–58 million Europeans and 2.5 million Africans and Asians reached the Americas; during this same period, 29 million Indians, 19 million Chinese, and 4 million Africans and Europeans moved to Southeast Asia, the Pacific islands, and the Indian Ocean rim. Finally, 46–51 million people from northeastern Asia and Russia moved (or were compelled to move) to Siberia, Manchuria, and Central Asia.¹⁵

Economic factors were important, but they were not alone in causing this phenomenon. Given a strong boost by the revolution in transportation (the definitive success of steamboats and railroads), global migrations caused a significant shift in the distribution of the world's population. All three aforementioned destinations experienced enormous population growth, increasing by factors of 4 to 5.5, from 1850 to 1950. Growth rates in these areas were more than twice that of growth rates for the

world population as a whole and about 60 percent greater than in Africa, a region of small net immigration. By comparison, growth rates in the regions of emigration were lower than world population growth and less than half of those in the regions of immigration. Taken together, the three main destination regions accounted for 10 percent of the world's population in 1850 and 24 percent in 1950.¹⁶

Even if relocation within the same empire was important (in particular in the Russian and British Empires), transimperial, intracontinental, regional, and local forms of migration were also important—and they clearly show the inadequacy of the Eurocentric paradigm, which consists of explaining migration as an expansion of the West.¹⁷

Indeed, migration was multiscaled and involved almost all areas of the world. Nearly 4 million Indians travelled to Malaysia, over 8 million to Ceylon, over 15 million to Burma, and about 1 million to Africa, other parts of Southeast Asia, and islands throughout the Indian and Pacific Oceans. Up to 11 million Chinese (most from the southern provinces) traveled from China to the Straits Settlements, although more than a third of these transshipped to the Dutch Indies, Borneo, Burma, and places farther west. Nearly 4 million traveled directly from China to Thailand; between 2 and 3 million to French Indochina; more than 1 million to the Dutch Indies (for a total of more than 4 million, if transshipments from Singapore are included); and just under 1 million to the Philippines.¹⁸ At the same time, railroad construction and a relative relaxation of frontiers between Russia and China also led 28–33 million northern Chinese to migrate to Siberia and Manchuria.¹⁹

Migration within each area increased and interacted with long-distance emigration. Migrants from Ireland traveled to England for work, others moved from eastern and southern Europe to industrial areas in northern Europe, especially France and Germany. In Russia, migrants moved into the growing cities and southern agricultural areas. Within India, they moved to tea plantations in the south and northeast, to the mines and textile-producing regions of Bengal, and to newly irrigated lands and urban areas throughout the subcontinent.²⁰

Thus it would be reductive to explain twentieth-century emigration as simply an “expansion of the West” and as the triumph of free labor and free emigration over bondage. To be sure, whole sets of laws in defense of “freedom” were adopted world over. Free migration expanded with the increasing restriction of indenture contracts and their final abolition in 1920. In the United States, the Anti-Peonage Act of 1867 extended the prohibition of servitude (voluntary or involuntary) to all states of the union. The government of India first restricted and then forbade Indian indentured contracts in 1916, while an 1874 agreement between

the Chinese and Portuguese governments stopped the export of Chinese contract labor from Macao. Chinese authorities investigated the conditions of Chinese migrants in Cuba, Peru, and the United States, which led to the suspension of most of these contracts.

At the same time, formal rules for emigration were not always supported by real legal rights for immigrants once they reached their destination. For example, the conditions of former indentured laborers were extremely different, precisely as they had been for former slaves. The access to landowning that one had on Mauritius and Réunion Island was hardly the rule. Elsewhere, between 1899 and 1938, most of the indentured immigrants served as day laborers in agriculture or commerce; this was the case with Chinese, Indian, and Japanese immigrants in Cuba, British Guiana, Trinidad, and Hawaii. Servant contracts or independent commercial activity were much more widespread in Cuba (40 percent of immigrants) and Hawaii (48 percent) than in British Guiana (8 percent) or Trinidad (24 percent).²¹

Most important, different forms of bondage and debt obligations survived far into the twentieth century. Chinese, Indian, and, to a certain extent, even European emigrants were still subject to disguised forms of indenture contracts and bondage.²² The same can be said for Africans, who even if officially freed from slavery, were still under multiple forms of bondage in both intra-African and African-European relations. Local bondage coexisted with the intercontinental flow of free and less-free people. This was the case for various reasons: Labor markets remained highly segmented, as unequal skills added to important institutional constraints. Immigration was never really free; laws and reciprocal and multilateral agreements between powers obtruded and thus regulated the flow. This was the case between European and American states (both northern and southern); between China and Australia and other British Empire destinations; between the American powers, India, and other British colonies; French and British colonies in Africa; the Ottoman Empire and the Western powers; and between Russia, the Ottoman Empire, and the United States.

To summarize, the decline of indentured labor in some areas did not always correspond to the passage from unfree to free migration, insofar as the conditions for the emigration of new generations of Asians and, to a certain extent, Europeans hardly resembled those conjured up in the liberal imagination. Disguised indentured contracts and other forms of bondage persisted in many areas. This trend contrasted with the increasing social protection of some groups of European workers. To a certain extent, these two processes can be seen as complementary, insofar as more social protection and increasing real wages in Europe were supported and

partially compensated by increasing exploitation of people outside of it. In this context, Russia again displayed a most astonishing evolution.

Russian Growth: From Serfdom to Bondage?

Here, again, I do not intend to provide a full exposition of a broad topic (Russian growth and social dynamics between 1861 and 1914), but only to summarize some points so as to open the field to future broad analyses on this topic in its relationship with colonial and Western development. Conventional views of prerevolutionary Russia run as follows: Reforms were inadequate and partial; the commune was strong; and industrialization from above was unable to stimulate a wider process. Peasants' well-being decreased while political tensions rose, linked mostly to the discrepancies between economic and social dynamics and political conservatism.

This view has recently been challenged: The global trend of Russia between 1861 and 1914 hardly corresponds to the conventional images that Gershenkron and many others have painted. On the whole, revised population trends show lower mortality and birthrates and better living conditions in the eighteenth and nineteenth centuries than previously thought.²³ Thus pauperization of the peasantry and frequent famines did not, in fact, take place,²⁴ and both agriculture and living standards experienced stable growth during the period extending from 1861 to 1914.²⁵

Indeed, this revised analysis is easy to understand when we put it into the broader and long-term perspective developed in the previous chapters. Russian growth during the second half of the nineteenth century was important insofar as it had already been consistent during previous decades and because legal constraints on—and bondage of—the peasantry had already lessened before the official abolition of serfdom in 1861. As a consequence, during the second half of the nineteenth century and up through 1914, the rate of growth and commercialization of Russian agriculture was accelerated.²⁶ Between the 1880s and 1900, the grain trade spread capitalism to even the remotest corners of the empire,²⁷ and Russia's wheat market was fully integrated into global markets.²⁸ Between 1861 and 1914, agriculture's contribution to the national income grew at a rapid pace, comparable to that of contemporary Western European economies. As Gregory evaluated it, Russia experienced rates of growth similar to those of Germany, France, America, Japan, Norway, Canada, and the United Kingdom—1.35 percent average annual productivity growth in agriculture between 1883 and 1887 and between 1909 and 1913, which was three-quarters of the industrial-productivity growth rate and nearly equal to the economy-wide 1.5 percent.²⁹ At the same time,

the share of agriculture in the national income fell over the entire period (1881–1914), from 57 to 51 percent; but most of this decline occurred before Stolypin’s privatization of common lands.³⁰ As opposed to the conventional view, the rates of labor-productivity growth in agriculture do not appear to have diverged significantly from the economy-wide average. In other words, if we look at the performance of agriculture and the main demographic index, recent estimations show that Russia was not falling behind most advanced countries, rather keeping pace with them.

Growth relied on the evolution of basic Russian institutions—for example, the peasant commune. It is no accident that during the past twenty years, when the history of enclosures in Britain and agriculture in Europe has been revisited,³¹ the image of the Russian commune has been contested as well. Recent estimations made for Russia confirm the lack of any correlation between land redistribution and productivity.³²

Peasants’ possessions more than doubled between the 1870s and World War One, and acquisitions were made not only by the commune but also increasingly by individual households. Between 1863 and 1872, Russian peasants bought lands to add to their communal allotments. Over three-quarters of all peasant acquisitions on the open market were made by individuals. This trend accelerated with the foundation of the Peasant State Bank, which aimed at encouraging loans to peasants willing to buy lands. Peasant land properties doubled between 1877 and 1905. In 80 percent of the cases, transactions were made by the peasant commune or by peasant associations. During the following years, between 1906 and 1914, the state sold 1.5 million *desiatina* to peasants (1 *desiatina* equaled 1.1 hectares); landlords lost one-fifth of their land, i.e., 10.2 million out of 49.7 *desiatina*. Two-thirds of the purchases were made by peasant societies and communes and one-third by individual families. Cossack and peasant ownership increased by 9.5 million *desiatina*, reaching 170.4 million.³³ The acquisition of land thus further confirms the argument of increasing peasantry well-being between 1861 and 1914.

Added to this revised view of Russian agriculture is that of industrialization. In contrast to traditional judgments, between 1881 and 1913 the share of industry in national income rose from 25 to 32 percent. Industrial labor productivity was 28 percent higher than that of agriculture.³⁴ However, even if the rate of urbanization has been revised upward,³⁵ peasant migrants still accounted for 93 percent of all factory workers in Moscow in 1902,³⁶ most of whom worked in textiles. The industry remained geographically concentrated in the central provinces of Moscow and Vladimir, as well as in and around the imperial capital.³⁷ This means that despite an increasing rate of urbanization and of regional specialization, the peasant-worker was still the leading figure in

the Russian economy. According to the 1897 census, 23.3 percent of the active population was employed in nonagricultural sectors, half of which were in proto-industrial and craft activities and the other half of which was in industry and services. Proto-industry and, in particular, rural cottage industry were still serious competitors for urban industry, not only in terms of production, but also on the labor market.³⁸ This seems to confirm Olga Crisp's and, more recently, Borodkin's and Leonard's argument that a lack of industrial labor was not due to internal passports or legal constraints on mobility, but to the strength of agriculture, its profitability, and the interest that people had in staying in rural areas and alternating these stays with seasonal urban employment.³⁹

Thus the contradictions of this system were related to social relationships rather than to the economy. Mobility, on the one hand, and acquisition of land, on the other hand, weakened the unity of households and the overall economic and social equilibrium linked to it. Because of the social status of the head of the family in peasant communities, young male peasants tended to leave the paternal household early.⁴⁰ Young children and women working and living in towns several months per year were usually reticent to give the head of the household all their income and were also sensitive to urban fashion that called for increasing individual expenditures.⁴¹ Local courts also registered a growing number of conflicts over these issues between 1870 and World War One.⁴² The number of households rose, therefore, from 8,450,782, in 1877, to 12,019,255, in 1905. In fifteen provinces of European Russia, the formation rate of new households was between 30 and 60 percent, in the period of 1861–82. This rate was 2 to 4 times higher than the rate of population growth in these same areas. As a consequence, despite the increasing purchases of land and emigration to Siberia, between 1877 and 1905, land cultivated per family decreased from 13.2 to 10.2 *desiatina*. In other words, social and economic developments were progressively depriving people of the social umbrella of the extended family and commune. World War One would put a halt to previous economic dynamics and would exasperate social tensions within the village, as well as between peasants and landlords.

To sum up, the evolution of labor laws and the economies of Russia and the Western and colonial worlds were connected. The development of Russia accentuated the crisis of agriculture in Europe and thus emigration across the Atlantic. Russian growth also encouraged an overall restructuring of the European economies, with a stronger integration between agriculture (mechanized) and industry. In turn, this social and economic process helped fuel the evolution of labor law in Europe.

Yet these related processes were not necessarily synonymous with increasing freedom of labor. This outcome and the link between economic

growth and freedom were true for some groups of workers in Europe, but not for all. Many Russians and certain emigrants from Europe and Asia also benefited from improved living and working conditions. However, for many others, this was not true. More or less disguised forms of bondage persisted in local labor and emigration, in Asia as well as in the Americas, and even more so in colonial Africa. Ultimately, World War One would reintroduce bondage in the very heart of Europe, in Germany, and in the Soviet Union and their annexed territories.

Notes

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