Geography and Law in *Almayer's Folly*

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ABSTRACT

In his preface to *Almayer's Folly*, written soon after the novel's completion, Conrad takes issue with Alice Meynell's recent article on "decivilization": "I am content to sympathise with common mortals" he writes, "no matter where they live; in houses or in huts, in streets under a fog or in the forests behind the dark line of dismal mangroves that fringe the vast solitude of the sea" (3). At first reading, Conrad seems to peddle the very same prejudices he critiques in Alice Meynell: Jim-Eng, the Chinese opium wreck; Taminah, the impassive oriental woman inured against pain; and Almayer himself, the Indo-European ruined by his fantasies of fortune and unable to return to the European world he reveres. Each are stock characters amongst many more in the novel playing a part little different from those given to them by the popular authors whose works Meynell dismisses. What distinguishes them is their narrative context, whose machinations throw into relief the instability of the rule of law and the "civilizing" mission of colonialism. Conrad's time in South East Asia was one of political and legal transformation for Borneo, the repercussions of which Conrad translates directly into *Almayer's Folly*. This paper argues that his sympathies with the colonized are expressed less through individual characters than through the complexities, frustrations, and indeterminacies that arise out of the colonial enterprise. A key concern for Conrad, therefore, is the problem of justice in an international setting. Long before the publication of "Geography and Some Explorers," Conrad's fiction was already illuminating the inconsistencies that emerge in the process of putting international and transnational law into practice in the indeterminate spaces of colonial geography.

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"Kaspar! Makan!"—the opening of Conrad's first novel, is justly famous. It was not the only opening that Conrad wrote for his novel, though. For, "soon after [he received] the first proofs of the English edition" in 1895, Conrad composed a short "Author's Note" to *Almayer's Folly*, in which he staked out his ethical relationship to the material of his fiction (*Folly*, xxxviii). This preface was not, however, used in the first edition; indeed, it did not appear in print until 1921 when the American and British collected editions of his works were published. In preparing these collected editions, Conrad wrote new and sometimes supplementary prefatory statements for each work. These prefaces were often retrospective and autobiographical, reflecting more on the interaction of memory and composition than on the ethical import of writing on particular topics. Thus the context of the collected editions, as much as the intervening years, served to soften the pertinence of the "Author's Note" to *Almayer's Folly*, distancing both Conrad and his readers from the contemporary debates to which it originally referred. In what follows, I want to use the "Author's Note" as a way of thinking about Conrad's early aesthetic and ethical concerns and, in particular, about how Conrad negotiates questions of law and geography in *Almayer's Folly*. In doing so I want to highlight the significance of the "Author's Note," which has previously been little discussed, and at the same time to open up the possibility for a larger exploration of Conrad from a legal perspective.

The opening of the "Author's Note" to *Almayer's Folly* reads thus:

> I am informed that in criticizing that literature which preys on strange people and prowls in far off countries, under the shade of palms, in the unsheltered glare of sun beaten beaches, amongst honest cannibals and the more sophisticated pioneers of our glorious virtues, a lady—distinguished in the world of letters—summed up her aversion from it by saying that the tales it produced were "de-civilized." And in that sentence not only the tales but, I apprehend, the strange people and far-off countries also, are finally condemned in a verdict of contemptuous dislike.
>
> A woman's judgement that: intuitive, clever, expressed with felicitous charm—infallible. A judgement that has nothing to do with justice. (3)

The "distinguished" lady to whom Conrad refers was Alice Meynell, whose

essay "Decivilised" had appeared in the *National Observer* on January 24, 1891, and was republished two years later in her essay collection, *The Rhythm of Life*. As Conrad's "Note" suggests, Meynell avoids speaking of the indigenous populations of "far-off countries" overtly, and reserves her words for white colonials and "English" provincialism (Meynell 8). Indeed, Meynell devotes a good half of her article to the kitsch that she associates with the degeneracy of the latter: "In England, too, [the decivilized man] has a literature, an art, a music, all his own—derived from many and various things of price. Trash, in the fullness of its insimplicity and cheapness, is impossible without a beautiful past" (9). Nonetheless, the "verdict of contemptuous dislike" that Conrad apprehends is evident in her characterization of "decivilized man" as "bronzed, with a half conviction of savagery, partly persuaded of his own youthfulness of race" (7). It is to this verdict that Conrad responds in his "Author's Note," defending the colonizers, the colonized, and his own art not simply on the grounds of aesthetics but also along ethical lines: "there is a bond between us and that humanity so far away," Conrad writes (3).

The "Author's Note" is intriguing for several reasons. Firstly, at the start of his career Conrad clearly intended his novel to enter into a contentious conversation about the ethics of colonialism. Yet, the "Author's Note," which makes this intention explicit, was not in the end included when the novel first went to print. As Ian Watt observes, its exclusion "remains something of a mystery" (xli). Conrad shared the "Note" with Edward Garnett in early January 1895 but a letter of January 9 to W.H. Chesson suggested that "it may be dispensed with" (*CL* 1:197, 199). In later years, moreover, Conrad implied it had been "suppressed" (Watt xli). Whether that suppression was Conrad's decision or Chesson's and Garnett's, the redaction of the "Note" muted the novel's contribution to literary debates about ethics and colonialism. Secondly, while Conrad's courtroom metaphor is common enough in the aesthetic debates of the fin de siècle, it also signals his awareness of the legal backdrop to contemporary debates about the ethics of colonialism. This alertness to the legal questions raised by colonialism is reflected in the novel itself, as we shall see. Finally, Conrad's claim of equality for the colonized peoples of the British and Dutch East Indies is strikingly unambiguous, far less ambiguous than later expressions of sympathetic feeling such as we find, say, in "Karain." "I am content to sympathise with common mortals," he writes, "no matter where they live; in houses or in huts, in streets under a fog or in the forests behind the dark line of dismal mangroves that fringe the vast solitude of the sea" (Conrad, *Folly* 3). Is this really the progressive statement of solidarity that I, as a middle-class liberal academic, want to hear? To answer this question in what follows, I pur-

sue Conrad's legal metaphor back to *Almayer's Folly* to examine his presentation of colonialism's legal forms in the Dutch East Indies.

TERRA NULLIUS AND *UTI POSSIDETIS*

In "Placing International Law: White Spaces on a Map," Vasuki Nesiah examines the importance of *terra nullius* and *uti possidetis* as legal concepts deployed in the International Court of Justice's deliberations on Western Sahara, and the border between Burkino Faso and Mali. To frame this discussion, Nesiah draws on "Geography and Some Explorers," reading comparatively between Conrad's essay and the court's deliberations and drawing specifically on Conrad's three ages of geographical exploration: geography fabulous, geography militant, and geography triumphant. Nesiah characterizes the legal concept of the unclaimed frontier, *terra nullius*, as like the "virgin territory [. . .] as yet unmapped" for which late nineteenth-century Europe longed nostalgically (10). *Terra nullius* here is like the "little island [. . .] an insignificant crumb of dark earth, lonely," by which Conrad takes his bearing as he passes out of the Torres Straits and to which he recalls James Cook had gone ashore "perhaps only to be alone with his thoughts for a moment" ("Geography" 274). Neither Conrad nor Conrad's Cook assume anyone has prior claim to this "crumb," on whose beach one might taste "perfect peace" (274). In the case concerning Western Sahara, the International Court of Justice thus deliberated whether the region could be considered *terra nullius* at the point of Spanish colonization or whether the region's allegiances to Morocco in the North and/or Mauritania in the South and East were coherent enough to constitute a political claim of possession by one or both of those countries.

The related concept of *uti possidetis*, in contrast to *terra nullius*, concerns the political and state allegiance of territories. In international law, geographical possessions remain with the possessor at the end of a war: "as you possess." Proof of allegiance or possession, particularly in regions that are non-contiguous with the state exerting its claim, is thus inevitably and frequently contentious. In deciding the border between Burkino Faso and Mali, for example, the confusion over where that border could be drawn resulted from the lack of clarity regarding the state allegiance of regions that were poorly mapped and whose inhabitants were traditionally nomadic—it is hard to know how much of something you own when you're not even sure of quite what it consists.

In the light of Conrad's extended legal metaphor in his "Author's Note" to *Almayer's Folly*, these two concepts, *terra nullius* and *uti possidetis*, provide useful points of entry into the legal context of Sambir in the novel. From the

start we are encouraged to recognize the nostalgic desire for *terra nullius* that Lingard's operation in Sambir represents. On the banks of a barely known river that emerges from a barely explored tropical interior, the importance of Sambir, for the Dutch Kaspar Almayer and the British Tom Lingard alike, is its cartographic elusiveness. As we are reminded by Hudig's cashier, Vinck, in Macassar, Lingard had "discovered" the river (Conrad, *Folly* 8). Furthermore, the ongoing "quarrels" between the Dyaks, who inhabit the interior, and the coastal Malays effectively debar the latter from exerting any prior claim of *uti possidetis* upon the tantalizing interior (31). Nonetheless, Conrad's repeated references to the Dyaks signal to his readers that the notion of this interior region as *terra nullius* is suspect. The fact that Sambir falls explicitly within the territorial remit of the Dutch East Indies re-establishes at the very least a colonial right of *uti possidetis*. Both Lingard and Almayer nonetheless romantically imagine Sambir for themselves as *terra nullius*: a region "green and peaceful looking [. . .] [a] promised land" to be "discovered" (8).

Nonetheless, the space Lingard and Almayer imagine for themselves is not quite the unregulated heroic space of exploration that Nesiah identifies in "Geography and Some Explorers." In this essay, one of the final publications of his lifetime, Conrad eulogizes explorers like Cook and Franklin whose exploits were "the search for truth" and whose accounts in turn "sent me off on the romantic explorations of my inner self" ("Geography" 251, 253).[1] Park and Bruce's expeditions in the Sudan and Abyssinia, likewise, had inspired Conrad, he tells us, to imagine "worthy, adventurous, and devoted men nibbling at the edges, attacking from north, and south and east and west, conquering a bit of truth here and a bit of truth there" (254). By contrast, Lingard and Almayer operate in a post-Romantic age. They hope not so much for the ennoblement of truth, but for the commercial prospects of something like the chartered company status of the British North Borneo Company and its more famous antecedent, the East India Company.

By the time of *Almayer's Folly,* the Dutch chartered company, the VOC (Vereenigde Oostindische Compagnie), was a thing of the past;[2] however, like the United Africa Company in what was soon to become Nigeria, the British North Borneo Company, which was chartered in 1881, maintained primary responsibility for the administration of British North Borneo even after the territory became a British protectorate in 1888.[3] Throughout this time, which coincides with the temporal setting of *Almayer's Folly*, the British North Borneo Company retained its original aim of economic exploitation of the region's natural resources. This program of exploitation is exemplified in the extensive experimental gardens established in Borneo to trial crops, which led rapidly to large-scale plantations of export produce, such as tobacco. Indeed, the former

governor, William Hood Treacher, reported in 1891 that 600,000 acres were given over to tobacco plantations and that between 1881 and 1888 (the period in which he was in office) the value of exported goods had more than tripled from $145,444 to $525,879 (Treacher 119, 108). Along with the development of crops, the British North Borneo Company sought to extract as much as it could of the region's natural wealth, which Treacher itemizes in detail:

> bees-wax, camphor, damar, gutta percha [. . .] India rubber [. . .] rattans [. . .] sago, timber, edible birds'-nests, seed-pearls, Mother-o'-pearl shells [. . .] dried fish and dried sharks' fin, trepang [. . .] aga [. . .] pepper, and occasionally elephants' tusks—a list which shews the country to be a rich store house of natural productions. (108)

To these riches Treacher adds "the gold on the Segama River, on the East Coast," which he notes is difficult to access and has eluded European diggers but begun to "repay the labours of Chinese gold diggers" (106).

It is commonly held that alongside the real "Captain William Lingard" (who opened up the Berau river to colonial European trade), Sir James Brooke, Rajah of Sarawak, serves as a prototype for Tom Lingard the "Rajah Laut."[4] While this holds true in some respects, not least Lingard's heroic off-stage exploits in *The Rescue*, in *Almayer's Folly* and *An Outcast of the Islands,* Lingard's territorial aspirations, like Almayer's, are much closer to those of the British North Borneo Company. Brooke's rule was one of legal administration through sovereign authority. By contrast, in *Almayer's Folly* particularly, Lingard's rule, like that of the British North Borneo Company, is governed explicitly by commercial interests. While Lingard may not have georgic aspirations to set up plantations, nevertheless his interest is in trading the resources that lie up the Pantai River in exchange for more or less legal commodities from further along the coast (such as tobacco, gunpowder and opium).[5] His interests are only ever political insofar as politics impinges on this economic relationship to place.

Sambir promises Lingard and Almayer this particular opportunity for commercial exploitation because of its territorial and legal indeterminacy. This indeterminacy is made evident in several ways. First and foremost Sambir, whilst falling within the legal boundaries of the Dutch East Indies, occupies an emphatically insignificant and liminal place in the administration of that colony. Its remoteness is signalled from the start, when Almayer fantasizes about where an uprooted tree floating on the river might end up, whilst he remains trapped upriver and inaccessible: "he began to wonder how far out to sea it would drift? Would the current carry it north or south? South, probably, till it

drifted in sight of Celebes, as far as Macassar, perhaps!" (Conrad, *Folly* 6). The remoteness that the tree's imagined journey signals is not only geographical, however. As Almayer's imagination reaches Macassar his "fancy" "quicken[s]," "but his memory lag[s] behind some twenty years or more in point of time" (6). Almayer feels himself here not only displaced to a geographical periphery but a temporal one, too. Conrad's play on words, in which Almayer's lively—"quick"—fancy contrasts with the "lag" of his memory, signals the gap between the Macassar of the past, reached by his memory, and the Macassar of the present, reached by the uprooted tree, that his "quick" fancy attempts and fails to bridge. Sambir is located out of time as well as out of the way.

Legally, the region's indeterminacy is indicated in the novel by a brief but significant reference to the joint Dutch and British commission in the region in 1884, following several years of land disputes between the two in the wake of the British North Borneo Company's charter. At stake in the commission's deliberations, both historically and in the novel, is whether the disputed regions could be determined as *terra nullius* in which case the British North Borneo Company sought to exercise control, or whether the Dutch could claim *uti possidetis*. As Ian Watt suggests, there is, in fact, little evidence from the period that "Britain was ever seriously interested in annexing parts of Eastern Borneo as far south as Tanjung Redeb," the locale which forms the basis for Sambir (xxv). Conrad uses the historical moment of the commission, however, to dramatize in a legal context the temporal and geographical isolation that Almayer feels imaginatively when he watches the uprooted tree float down the river.

Thus we are told at the end of chapter 2 that when the British North Borneo Company is founded there is a stir: "Great changes were expected; annexation was talked of; the Arabs grew civil," and Almayer grows hopeful, for, as he himself explains a few pages later, the English "knew how to develop a rich country" (Conrad, *Folly* 26, 29). The expectation that Almayer shares with the other traders of Sambir is that the region will be declared *terra nullius* and therefore available for British annexation, leading to increased trade and wealth. In the imagined time that lapses between the end of chapter 2 and the start of chapter 3, however, the legal decision is taken to abandon the Company's claim "to that part of the East Coast [. . .] leaving the Pantai river under the nominal power of Holland" (28). The ensuing arrival of a Dutch man-o-war on the coast, delivering a new flag to Lakamba, the Rajah of Sambir, signifies the Dutch authority's exercise of *uti possidetis*, but this happens only once the British drop their own claim. Implicit in this brief episode is Sambir's insignificance and indeterminacy. The apparent contestation over whose rule applies in the region, that of the British or the Dutch, highlights its indetermi-

nate status. That neither government, however, seems eager to exert their claim underlines its inconsequence for their rival colonial projects: the British claim is "abandoned," while the indifference of the Dutch is signalled by the passive inheritance of Sambir; it is left ("leaving") to its "nominal" rule.[6]

The arrival of the Dutch to assert their "nominal power" is marked, as noted above, with the symbols of legal and political authority: the presentation of a flag to the local Rajah. Nonetheless, the rhetorical gesture of the flag, as we later discover, is in fact secondary to an investigation into the illegal gunpowder trading in which the Dutch suspect Almayer is embroiled. This expedient visit is matched by the expediency of the local hosts, who likewise hang flags and hurry their slaves "out of sight into the forest and jungle," in order to present the appearance of conformity to Holland's "nominal power," which included a ban on slavery (28). These bothersome performances of political cordiality belie the mutual mistrust and bad faith that characterize all parties involved. As Ian Black notes, historically the more far-flung possessions of the Dutch East Indies, including the various states in Borneo, were referred to as *last-posten*, that is to say "nuisances" (281).[7]

Sambir is thus cast legally as well as imaginatively as a troublesome, indeterminate space, where claims of possession are made expediently. Sambir's illegal gunpowder trade is one clear "nuisance" to the Dutch, and we might, like them, first assume that this trade is intended to support the long-running war of resistance against the Dutch in Aceh, when the chief of the visiting "Commission" suggests Almayer's involvement (Conrad, *Folly* 29).[8] We learn in the following chapter, however, when Lakamba's license for powder is revoked and a load of one hundred and fifty barrels confiscated, that unbeknownst to the Dutch the powder is also put to use in "the desultory warfare carried on by the Arabs and the Rajah with the up-river Dyak tribes" (38). The "nuisance" of Sambir here is not so much directed at the Dutch as it is an offence that occurs within their purview because the territory falls within their possession.

The Aceh War represented a political dispute over territorial sovereignty, albeit one that was economically motivated.[9] Nonetheless, the officers of the Commission who arrive in ceremony to greet Lakamba, following the British North Borneo Company's abandonment of its claims, make clear their preference for trade with Almayer's Arab rival, Abdulla, rather than legal and administrative support for the lone resident Dutchman. Trade trumps citizenship and statehood for the Dutch officials in Sambir, despite the rhetorical symbolism of their flag-bearing visit. Once again, Sambir's legal status seems ambiguous, making sense only when understood as peripheral: Sambir is not a

territory over which the Dutch wish to exercise *uti possedetis*, however, having been "left" it they address the nuisance its existence presents expediently.

The officials disregard Almayer's claims to protection primarily because they suspect him of treason. Of course, as a treasonous subject, Almayer forfeits his right to the protection of the law that he begs. But this dismissal of Almayer is also inflected with a snobbery that Andrew Francis unpacks: in the period in which the novel is set there was a distinct difference drawn between those who went to the Dutch East Indies only for a limited time (*trekkers*) and those who stayed (*blijvers*). The former looked down upon the latter, particularly if they became "too Indies" ("'You always leave us'" 54 and n. 22). Almayer's father, we are told, was a "subordinate government official" working in the Botanical Gardens in Buitenzorg (Conrad, *Folly* 6), an earlier Dutch version of the experimental gardens developed by the British North Borneo Company noted above. As such, Almayer is the son of *blijvers* himself and thus an "Indo-European" in the anxiously precise taxonomy that the Dutch colonies developed to distinguish class and caste. Thus, treasonous or not, the gin-soaked Almayer in his "flowered sarong" represents exactly the type of man who has become "too Indies" for the Dutch officials to pay interest in his claims to their protection. Almayer's "timid hints anent the protection required by the Dutch subject against the wily Arabs" imply that there is a legal relationship akin to *uti possedetis* between them (not so much "one of us" but "one of ours") (29). The Dutch officials' rebuff is as decisive as their departure from the jetties of Sambir.

"NOT ABSOLUTELY PROHIBITED BY LAW"

If the territory of Sambir is treated expediently and indeterminately by the international authorities of the Dutch and British, it also nurtures local legal indeterminacies, not least in marital relations, slaving, and trade. Taking marriage first, it is important to recognize that Almayer's cohabitation with Mrs. Almayer is not unusual as such. Indeed, as Francis notes, prior to the opening of the Suez Canal unofficial unions between Dutch colonials and Indonesian women were common and even encouraged insofar as these unions were understood to limit the demand for prostitution ("'You always leave us'" 54, 49). Likewise, the mode of their union was by no means unheard of. It was not uncommon, as Laura Ann Stoler explains, for Indonesian women to be handed on to a younger friend by a man retiring from the colonies, just as Lingard hands over his young ward to his protégé, Almayer (49). Moreover, Lingard's care for his ward—her education, her marriage to a European, her dowry (she is to be left his estate)—suggests that he hopes that his adoption of her as his

"daughter" will ensure she is accepted into European society. As Francis suggests, however, entry into European society seems to have been reserved for the legitimate Eurasian children of European men, with the occasional exception where illegitimate Eurasian children were recognized by their European fathers ("'You always leave us'" 52–3). The dramatic story of Lingard rescuing his ward from Sulu pirates not only puts paid to any suggestion of a biologically paternal relationship, but also removes any opportunity to prove Eurasian rather than straightforwardly Asian ethnicity. His ward thus fails to meet the social criteria by which she might pass acceptably into European society. Moreover, as Stoler notes, "the East Indies Company, like the Dutch, firmly discouraged Euro-Asian marriages" (48). Thus, ironically, it is Almayer's legal relationship to his Asian wife that is out of place, rather than their cohabitation.

The troublesome fact of their Euro-Asian marriage is repeatedly underlined by the use of her legal title—she is emphatically "Mrs." Almayer. Indeed, her legal naming as wife is varied only in her legal and biological relationship to Nina as "mother" (and to Dain as "mother-in-law") and in Lingard's designation of her as "my daughter" (Conrad, *Folly* 111, 52, 8). The Dutch Almayer, who has grown up in the finely stratified society of the Indies, recognizes immediately the transgression of marriage to an Indonesian, feeling a "confused consciousness of shame" (10). Lingard, ever the optimistic businessman, assures Almayer that "Nobody will see the colour of your wife's skin. The dollars are too thick for that" (10). By contrast Almayer, endlessly anxious about his social standing, reconciles his shame to his avarice (for the dowry) by reasoning that "she may mercifully die" or else that it is "easy enough to dispose of a Malay woman" by sending her away (10). Thus, Almayer and Lingard consciously flout the unwritten colonial regulation of civilized conduct and instead use the legal contract of marriage as a proxy for a business deal which both hope will make them rich.

If Sambir permits the privileging of expediency over civilized respectability, signalled in Almayer's marriage, a similar permissiveness is reflected by the presence of slavery.[10] In 1893 Ada Pryer recorded in her memoir, *A Decade in Borneo*, that

> In accordance with the terms of the Royal Charter, slavery is *not yet entirely* abolished, but measures have been taken to modify it, and *its ultimate extinction* is a mere matter of time. All children born of slave parents since 1883 are free, while the importation of any fresh slaves is prohibited, neither are slaves allowed to be bought or sold in the territory. (153; my emphasis)

Returning to the subject towards the end of her account, she uses similarly evasive and contradictory language: "Slavery though *not absolutely* prohibited by law is *largely* restricted and has *almost* died a natural death" (187; my emphasis). She goes on to give a singularly disingenuous account about the carefree lives of those still enslaved, suggesting that "slaves were often as well if not better clothed than their masters and loafed through life in much the same lazy manner [. . .] if hard work was demanded of them they thought themselves very ill-used" (187).

Bulungi's slave girl, Taminah, seems to fulfil Pryer's characterization, mooning about as she does after Dain Maroola and failing to sell the cakes she is sent out with each day. She accepts the violent beatings from Bulungi's jealous wives uncomplainingly, with what Conrad troublingly refers to as "the strange, resigned apathy of half savage womankind" (Conrad, *Folly* 30). But even if her presence reinscribes the stereotypes of gender and race that Pryer unreflectively promotes, she nonetheless highlights the slipperiness of legal jurisdiction alluded to evasively in Pryer's optimistic assessment of slavery in Borneo: "not *absolutely* prohibited by law [. . .] *almost* died a natural death" (187; my emphasis). Indeed Pryer's combination of superlatives "entirely," "ultimate extinction," "absolutely," are tellingly qualified by "not yet," "largely," "almost" in ways that signal the ongoing compromise between statute and practice. Moreover, these passages neatly reveal a pragmatic combination of nominal legal declaration (e.g., "all children [. . .] are free") with an active policy of non-intervention that operates on the rhetorical basis that slavery will die a "natural death" in "a mere matter of time" (Pryer 153, 187).

Although cast in a much rosier hue, Pryer's account differs little from a report about the conditions of Berau, the historical site of Sambir, which appeared in the *Straits Times Overland Journal* a decade earlier in 1883, a year before the Dutch-British Commission, which informs the novel's political backdrop:

> The inhabitants are lazy and unenterprising. Labour is for woman and slaves only. Slaves are met with in [*sic*] almost every house. On the lower river, there is even a large village wholly inhabited by slaves. The authorities allow this, in spite of Art. 115 of the Government reg. whereby slavery in Netherlands India has been abolished. Most of the slaves are fairly well off excepting those who have to work in the mines. (qtd. in Sherry 130)

Taken together, these accounts supply suggestive detail to the early mention of slavery noted above, when the Dutch commission arrives in Sambir. Hurrying the slaves "out of sight," the inhabitants of Sambir go to some effort to present

themselves as naturally inclined to the law even though the Dutch authorities are disinclined to enforce it. In this disingenuous performance of the law in which all participate but none believe, we see that expedient combination of statute and non-intervention to which Pryer's account gestures.

Slavery's ambiguous status is complicated further in the Almayer household, where at key moments familial and enslaved relationships are substituted. This propensity is first signalled in Almayer's response to Lingard's suggestion of marriage. In Almayer's mind "a Malay women" is "a slave after all [. . .] convent or no convent, ceremony or no ceremony" (Conrad, *Folly* 10). By contrast, the young Mrs. Almayer reassures herself on their wedding day that "according to white men's laws, she was going to be Almayer's companion and not his slave" (19). Mrs. Almayer's aspirations are soon dashed, though, and in urging on her daughter's relationship with Dain as one that will bring Nina wealth and happiness, she reflects that in fact she has been a "slave all [her] life" (112). The practical misery of Mrs. Almayer's sense of marital enslavement is thrown into relief by the romantic enslavement that Dain and Nina profess for each other towards the end of the book (112, 129, 136). At the same time, Mrs. Almayer's status as wife (not slave) is undermined by Almayer's familial reference to his domestic slaves as "my own people." The inherent ambiguity of "own," signalling both ownership and kinship, muddies the relationship communicated in this phrase. This elision of his Asian family with his Asian slaves echoes the blurring of Asian slave and Asian master implicit in the accounts of slavery we find in Pryer and the *Straits Times Overland Journal* report, where slaves might be "better clothed than their masters" (Pryer 187).

The final example of Sambir's indeterminacy that I want to examine is the figure of Jim-Eng, the Chinese opium smoker who in the last pages of the novel moves into Almayer's Folly with him, supplying him with the opium he had earlier resisted. Like Taminah, the passive slave girl, Jim fulfils a stereotype, this time of the Chinese opium addict. With no immediately apparent employment, Jim-Eng lounges, observes, smokes, representing the trope of indolence that had attached to oriental opium smoking since the end of the eighteenth century. Nonetheless, like Taminah, Jim-Eng's presence begs other questions of geography and law.

Firstly, we might ask whence does Jim-Eng's opium come? In the latter half of the nineteenth century, both the Dutch and the British colonial powers regulated the opium trade in Borneo with profitable taxation. This regulation was managed by the Dutch, as by the British, through opium "farmers." The colonial powers auctioned off the rights to trade opium, supplying successful bidders with the commodity wholesale and thus "farming out" its circulation and retail. As Carl Trocki and others have demonstrated, the opium farming busi-

ness was rapidly dominated by Chinese merchants, who developed and drew upon large scale and increasingly international networks of finance.[11] These networks were frequently founded on *kongsi*: Chinese communities of trade, finance, and labor, which governed themselves through principles of direct democracy and commercial enterprise. *Kongsi* were often associated with mining as well as the opium trade and, like the Dutch and British chartered companies, exercised direct rule over their territories whilst pursuing commercial profit. By the mid-nineteenth century, the western region of Borneo was controlled to a considerable extent by *kongsi* republics, and the Dutch fought three wars against them in an effort to bring the region under their control. The last of these occurred between 1884–85, that is to say, in the same period in which the novel is set. If Lingard and Almayer had hoped to find a *terra nullius* upriver from Sambir on the east coast, the *kongsi* republics had already successfully established similar claims on the west coast.

The *kongsi* both paid their members for their labor and sold their members/laborers goods and supplies including opium.[12] Indeed, the Chinese remained not only the primary vendors but also the primary consumers of opium in this period. As the opium trade expanded in reach and revenue, increasingly large-scale investment was needed to bid successfully for the opium farms auctioned by the Dutch and British, driving the development of an economy of international trade and investment amongst these Chinese communities that stretched from Burma and Shanghai through the Malay archipelago to Australia (Trocki, "Opium" 311). Although both the Dutch and the British governments and publics expressed regular qualms about the morality of the opium trade, the sheer volume of revenue that it returned drowned out any sustained protest long into the twentieth century.[13] A more pressing concern for the British and Dutch was the regulation of opium sales to increase revenue, and the policing of unregulated opium sales. Thus while the colonial powers sought to drive up competition between *kongsi* for opium farms, *kongsi* syndicates might collude to keep the auction prices down and thereby increase their own opportunity for profit (312). In terms of policing opium sales, responsibility fell to the farmer, and the syndicates rapidly developed their own police forces to protect their territory from smuggling (310). As the financial power and independent security of the Chinese syndicates grew, so did British and Dutch anxieties. This led to contradictory responses, which characterized the Chinese on the one hand as victims of a merciless colonial trade that reduced them to "opium wrecks," and on the other as astute and untrustworthy "foreigners" whose enigmatic networks threatened the financial and physical security of the colonies.

Jim-Eng embodies both these characterizations. As Agnes Yeow points out,

in *An Outcast of the Islands* Jim-Eng's background as Straits Chinese is made explicit, suggesting that he represents "one of the very small group [of] affluent Chinese who had made their fortunes and become upwardly mobile" (85). With a wholesale quantity of opium (six cases), "Conrad's Jim-Eng is not simply a private consumer or even an opium shopkeeper, but *the* opium revenue farmer of Sambir with the monopoly" (89). Jim-Eng's social standing is less clear in *Almayer's Folly*, however, where his fondness for the consumption rather than the commercial exploitation of opium is emphasized. The enigma of his trade, married with his interest in the comings and goings of others, keeps the legality of Jim-Eng's operation in question in the earlier novel, an indeterminacy that is erased in *An Outcast*. The possibility left open in *Almayer's Folly* that Jim-Eng might trade opium illegally with impunity once more underscores the novel's suggestion that neither the Dutch nor the British consider Sambir worth their attention. In fact, Jim-Eng's sole appearance in *An Outcast of the Islands* seems likewise designed to highlight his ambiguous relation to both British and Dutch powers. Demanding protection of Almayer, Jim-Eng appears on his doorstep pursued by Willems who demands that he take his hat off before the Dutch flag. Jim-Eng refuses, claiming he is British and will only take his hat off before the Union Jack. As Yeow points out, Jim-Eng's claim is underwritten by his Straits-Chinese identity, which also provides the basis for identification of shared whiteness with Almayer (86). Nonetheless, if Jim-Eng is indeed a legal opium farmer in Sambir, his license must have been bought from the Dutch. Likewise, his claim to Almayer's protection on the basis of shared whiteness fails to acknowledge Almayer's own self-identification as Dutch, not British.

Reading back from this scene of muddled allegiances in the later novel to the ending of *Almayer's Folly*, we can discern a fitness to the befuddled companionship to which Jim-Eng and Almayer finally resort. As Straits Chinese, Jim-Eng represents the second or third generation of Chinese colonialism in the region (85). Like the Dutch and British, he distinguishes himself from the Arabs, Malays, and indigenous tribes as white and, more specifically, as "English." Yet to the novels' British characters, Ford and Lingard, Jim-Eng is emphatically a "Chinaman" (Conrad, *Folly* 154). Similarly, as the Indo-European son of *blijvers*, Almayer's own claims to Dutch identity and protection under Dutch law are swept aside by the officials who visit Sambir. Like Sambir itself, Almayer and Jim-Eng are abandoned by the British and neglected by the Dutch. In such a situation both resort to escapism: Almayer through his incessant day-dreaming, Jim-Eng through his opium pipe.

Their shared dreams are reflected in Jim-Eng's "proud" rechristening of Almayer's folly as the "House of Heavenly Delight" (154). Almayer had

intended the building as an architectural correlative to the luxury that his impending wealth would deliver once the British North Borneo Company took over Sambir. It was to be a space of indolence and pleasure, funded by the assured economic boom that British rule would bring. Jim-Eng's name for the unfinished building thus only repeats Almayer's aspiration in a different (Chinese) script. Jim-Eng is a long way from the *kongsi* republics in Sambir but his occupation of Almayer's Folly, the home the Dutchman had built for himself in eager anticipation of success akin to that of the *kongsi* syndicates, suggests a colonization of sorts, not least in the eviction of Almayer's former faithful servant, the Malay Arab, Ali. His claim is not to *terra nullius* but *uti possedetis*. When Ford asks Jim-Eng what the script on the silk wall-hanging means, he replies "that is the name of the house. *All the same like my house*. Very good name" (154; my emphasis). "He smokes. I live here," he tells Ford (153).

"A JUDGEMENT THAT HAS NOTHING TO DO WITH JUSTICE"

So, to what extent are the claims which Conrad makes to sympathy, perhaps even solidarity, with colonial subjects born out by the novel? At first glance Conrad seems to peddle the very same prejudices he critiques in Alice Meynell, the unnamed author of the article with which he takes issue in his "Author's Note": Jim-Eng, the Chinese opium wreck; Taminah, the impassive oriental woman inured against pain; Almayer himself, the Indo-European ruined by his own fantasies of fortune and unable ever to reach the European world he reveres. Each are stock characters amongst many more in the novel playing a part little different from those given to them by the popular authors whose work Meynell dismisses. What distinguishes them is their narrative context, whose machinations throw into relief the instability of the rule of law and of the "civilizing" mission of colonialism, including chartered company colonialism.

It is a commonplace to note that Conrad's time in South East Asia was surprisingly short given the vividness and extent of its influence on his fiction. Nonetheless, his time there and the ensuing years were ones of particular political and legal transformation for Borneo, in particular, the repercussions of which Conrad translates directly into his first novel. I want to argue therefore that the sympathies that he proclaims for "common mortals no matter where they live" are expressed less through his presentation of individual characters than through his dramatization of the complexities, frustrations, and indeterminacies that accompanied the colonial enterprise of the late-nineteenth century. This is why he claims that Meynell's essay expresses a "judgement that is

nothing to do with justice." Meynell is, as her essay makes clear, offended by the people themselves. Conrad's concern, or at least one of them in *Almayer's Folly*, is with the problem of justice in an international setting. Attending to this fact enables us to see how, long before the publication of "Geography and Some Explorers," Conrad's fiction was already illuminating the inconsistencies that emerge in the process of putting international and transnational law into practice in the indeterminate spaces of colonial geography.

NOTES

1. See also Nesiah 3.

2. The VOC was established in 1602 and dissolved in 1799 when its holdings were translated into a formal colony by the Dutch Government (see Francis, *Culture* 12–3).

3. The United Africa Company was founded by George Goldie in 1879 through the amalgamation of several trading companies in the region. Goldie's company obtained chartered status in 1886 as the Royal Niger Company. For a discussion of Conrad's literary and personal engagement with colonial chartered companies, primarily in South and Central Africa, see Stephen Donovan.

4. John D. Gordan was one of the earliest to note Conrad's invocation of Brooke in the details of Lingard's life (618). See also Robert Hampson, *Cross-Cultural Encounters* 212, n. 4.

5. In this regard it is interesting to note Treacher's comment on the relative value of Chinese gold diggers: "The Company will probably find that Chinese diggers will not only stand the climate better, but will be more easily governed, be satisfied with smaller returns, and contribute as much or more than the Europeans to the Government Treasury, by their consumption of opium, tobacco and other excisable articles, by fees for gold licenses, and so forth" (106).

6. Tarling suggests that the war between the Dutch and Aceh at this time left the Dutch authority in their "Outer Regions" stretched (139). This suggestion supplies one reason for their apparent lack of interest in Sambir in *Almayer's Folly.*

7. Black cites an 1865 report on Borneo in the records of the former Netherlands Ministry of Colonies in the Rijksarchief, The Hague, K1665, 16/10/65, 15. Andrew Francis draws attention to this fact in relation to Conrad's Asian fiction (*Culture,* 13, n. 26).

8. The wars between Aceh (in Northern Sumatra) and the Dutch ran between 1871–78 and again from 1881–1905. It is this second war which looms in the background of *Almayer's Folly*.

9. The region was home to the highly lucrative production of peppercorn.

10. Robert Hampson provides a useful discussion of the open secret of slavery in *Almayer's Folly* in *Conrad's Secrets* 37–42.

11. See Karl Trocki and J.F. Scheltema.

12. Trocki notes the relationship between opium's analgesic qualities and its high use amongst Chinese mining laborers, such as those attached to *kongsi*, suggesting that "we should consider the possibility that opium was in fact a necessity, that it was a 'work drug'" ("Opium" 302).

13. For an account of the British lobby against the trade, see J.B. Brown, who notes that it

"was not until 1946 that Great Britain halted non-medicinal shipments of opium to her Far Eastern possessions" (110).

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