Race, caste and hierarchy: the creation of inter-convict conflict in the penal settlements of South East Asia and the Indian Ocean, c.1790-1880

The historiography of Indian convict transportation

There is a rich historiography on convict transportation from Great Britain. Several accounts have focused on the eighteenth-century convict labour stream existing between Britain and North America. The convict settlements established in the Australian colonies during the late eighteenth to mid-nineteenth centuries have been examined in even greater depth. These studies, however, have predominantly focused on the white diaspora. In contrast, the nature and impact of non-white convict migrants to Australia originating in the British colonies, primarily the Cape, Mauritius, West Indies and British North America, have been relatively neglected.

1 This research was carried out between 1994-8 with the generous assistance of the British Academy, Carnegie Trust for the Universities of Scotland and Faculty of the Social Sciences, University of Leicester. Additionally, I am much indebted to the staff at the India Office Library (IOL), Mauritius Archives (MA), National Archives of India (NAI) and Public Record Office (PRO). Ian Duffield provided some useful comments on this paper and kindly agreed to present it on my behalf at the conference ‘Exiles and Empire - Convict Experience and Penal Policy, 1788-1852’, University of Tasmania, 25-26 July 1998.


3 A selection of the most recent historiography includes J Damousi, Depraved and Disorderly; Female Convicts, Sexuality and Gender in Colonial Australia (Cambridge, 1997); I Duffield & J Bradley (eds), Representing Convicts; New Perspectives on Convict Forced Labour Migration (London, 1997); B Oyster (ed.), Beyond Convict Workers (Sydney, 1996); R Evans & W Thorpe, ‘Power, Punishment and Penal Labour; Convict Workers and Moreton Bay’, Australian Historical Studies, 25, 98 (1992), pp. 90-111; S Nicholas(ed.), Convict Workers: Reinterpreting Australia’s Past (Cambridge, 1988); D Oxley, Convict Maids: The Forced Migration of Women to Australia (Cambridge 1996).

Studies of South Asian convict transportation have been even more limited. From the late eighteenth to mid-twentieth centuries, tens of thousands of Indians were transported to penal settlements across the Indian Ocean and in South East Asia: Bencoolen (from 1773), Prince of Wales’ Island (Pinang) (1789) the Andaman Islands (an abortive attempt in 1794 and a successful one in 1858), Mauritius (1815) and Malacca and Singapore (1825). Very little is known about these transportees. The relative silence has been broken largely by Indian nationalists focusing on the significance of the Andaman Islands as a receptacle for political prisoners; freedom fighters from 1857 and, later, victims of the twentieth-century independence struggle.

This apparent lack of historiographical interest masks the important role which South Asian convict migrants played in colonial expansion. As a cheap, controllable form of labour, they became an invaluable workforce in all the penal settlements. When the East India Company

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6 See S N Aggarwal The Heroes of Cellular Jail (Patiala, Punjab, 1995); F A M Dass, The Andaman Islands (Bangalore, 1937); L P Mathur, Kala Pani; History of Andaman and Nicobar Islands With a study of India’s Freedom Struggle (New Delhi, 1985); R C Majumdar Penal Settlement in Andamans (Government of India, 1975); and N Iqbal Singh, The Andaman Story (New Delhi, 1978). Several early twentieth-century travelogues mention the convicts. See Mrs Talbot Clifton, Pilgrims to the Isles of Penance; Orchid Gathering in the East (London, 1911) and C Boden Kloss, Andamans and Nicobars (New Delhi, 1971; first published 1901).

7 On their economic role in the Straits Settlements, see Turnbull, ‘Convicts in the Straits’, p. 88.
established itself in Southeast Asia and the British seized control of the Ile de France (Mauritius) convict transportees were put to work on public works projects and hired out to individual settlers. They built and repaired roads and bridges, constructed buildings and cleared land. Agricultural settlements also flourished, with convicts involved in subsistence farming and the cultivation and manufacture of commercial products such as silk, cotton, tea and spices. Convicts allocated to individuals were put to work in various capacities: principally as cooks, servants and, in the Mauritian context, labourers on the rapidly expanding sugar plantations.8

Key to the success of the various penal settlements was the effective organisation of the convicts. Each settlement had its own system. In the Straits Settlements (Pinang, Malacca and Singapore), labour organisation evolved until convicts were divided into six classes with varying privileges and labour demands, dependent on their fitness and behaviour.9 In Mauritius, there was no convict class system, but small gangs of men were sent out to work all over the island. In the post-1858 Andamans settlement, convicts were placed in confinement for an initial period, then sent out to work. Convicts worked their way through the various classes until they eventually became self-supporting. Though differing over time and space, each system had certain elements in common. Both the punishment and operation of the system of transportation encompassed colonial understandings of Indian socio-economic structures. Moreover, incentives were used to encourage good, that is, conformist behaviour. Such incentives in turn encouraged inter-convict conflict, which itself became crucial to the settlements’ successful operation.

Race, caste and transportation

The efficacy of the punishment of transportation in the South Asian context was

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8 In 1825, preferential tariffs on West Indian sugar entering British markets were ended. This boosted Mauritian production: between 1814 and 1832, the proportion of land under sugar cane cultivation rose from 15 per cent to 87 per cent. Nigel Worden, ‘Diverging Histories: Slavery and its Aftermath in the Cape Colony and Mauritius’, *South African Historical Journal*, vol 27 (1992), p. 11.

9 McNair discusses the system throughout his book *Prisoners Their Own Warders*. The Butterworth Rules (as they were known) are detailed at IOL P/143/51 (7 August 1850).
integrally bound up with colonial understandings of Indian socio-economic structures, particularly those relating to ‘race’ and ‘caste’. During the early nineteenth century there was a shift away from an emphasis on the physical and moral homogeneity of humankind and towards an emphasis on heterogeneity. Now ‘races’ were perceived as clearly differentiated types. Climate was viewed as racially formative, leading to the creation of an image of the ‘submissive, ineffectual Hindu’, where heat and humidity were seen to subvert ‘manliness, resolve, and courage’. The scientific discourse of ‘race’ fed into the entire basis of colonial rule. Inevitably, it also informed the policy of transportation. Despite the increasing importance of New South Wales as a receptacle for convicts from Great Britain and other colonies, such as the West Indies, Mauritius and British North America, Indian convicts were never transported there (or later to Van Diemen’s Land or Western Australia) directly from the Indian Presidencies. The official justification was that the climate was ‘unsuitable’ for the ‘Indian race’. No Indians could be transported anywhere more than 30’ north or 25’ south of the equator.

At the same time, Orientalist scholarship of the Indian subcontinent was producing an image of a caste-based and rigidly hierarchical society which left little room for individual or collective socio-economic mobility. The importance of other principles of social organisation (such as gender or relationship to the means of production) was minimised. Historians now reject this image of ‘caste society’, presenting the institution of caste as less rigid than has been allowed for. It is argued that social structures other than caste could also determine the ritual or economic dominance of certain groups. Caste was also highly localised in social meaning. Only with the

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13 IOL F/4/534. Extract Judicial Letter from Bengal, enclosing Act 53 George 3rd Cap 155-sec 121, 7 October 1815. A few convicts of Indian origin were, however, transported from Mauritius to Australia. See Anderson, *Unfree Labour and its Discontents*
modernising project of a British colonial élite concerned to classify, categorise and control did
the disparate identities of various caste groupings become singularised and then unified.
Nineteenth-century depictions of the rigidity of caste are perceived as little more than Orientalist
stereotypes which have served only to reproduce an outdated teleology of ‘timeless India’.¹⁴
Nevertheless, however misconstrued, Orientalist representations had real implications for
colonial administration. One of these was legal reform; more particularly transportation.

Transportation was perceived as a particularly appropriate punishment for India’s ‘caste-
based’ society. It was argued that the innumerable evils of caste defilement associated in the
minds of Indians with the crossing of the kala pani¹⁵ were more efficacious as a deterrent to
crime than even the death sentence. It was commended in the 1780s by the Prison Discipline
Committee as ‘a weapon of tremendous power … little short of the effect of a sentence of death’.
Moreover, the effect of transportation on the whole community was believed to be greater
than the death sentence.¹⁶ During one judicial enquiry of 1801-2, when thirty-five magistrates were
questioned, twenty-nine ascribed an enormous deterrence to transportation.¹⁷ It was particularly
feared, it was said, where convicts knew nothing about their destination.¹⁸ Moreover, it was seen
to result in total social ostracisation. It was widely believed that after their transportation convicts

¹⁴ See, for example, C Bates, ‘Race, Caste and Tribe in Central India: The Early Origins of Indian Anthropometry’,
in P Robb (ed.), The Concept of Race in South Asia (New Delhi, 1995), pp. 219-57; L Carroll, ‘Colonial Perceptions
233-51; B S Cohn, Colonialism and its Forms of Knowledge: The British in India (Princeton, 1996); and N B Dirks,
of caste mobility, see Pradip K Bose, ‘Mobility and Conflict: Social Roots of Caste Violence in Bihar’, in Dipankar

¹⁵ Kala pani: the sea, literally ‘black water’. Convict ships were referred to as jeta junaza: ‘living tombs’.

Hardiman (eds), Subaltern Studies VIII; Essays in Honour of Ranajit Guha (New Delhi, 1994), p. 175.

¹⁷ Jorg Fisch, Cheap Lives and Dear Limbs: The British Transformation of the Bengal Criminal Law, 1769-1817

¹⁸ IOL P/129/6 (31 May 1804). Letter from S M Threipland, East India Company Counsel, to J A Grant, Secretary to
Government Bombay, 4 May 1804.
became ‘absolute leper[s] to [their] own kith and kin’.\textsuperscript{19}

There was evidently some truth in beliefs about the significance of caste and its implications for convicts. Initially respecting cultural practices in the preparation and consumption of food, all Bengal Presidency prisoners, including those sentenced to transportation, were allowed to buy and prepare their own rations. Attempts to phase out this system in the 1840s in order to introduce more ‘disciplinary’ common messing led to resistance in the form of protests, hunger strikes, assaults and eventually riots in Calcutta’s Alipore Jail, as well as in Bihar and the North-Western Provinces.\textsuperscript{20} Equally, the crossing of the \textit{kala pani} did hold out the prospect of loss of caste, for some high caste convicts. The fear of caste defilement said to be engendered in the whole of Indian society was, however, exaggerated. Caste \textit{varna} were given ‘a degree of cultural uniformity that simply did not exist’.\textsuperscript{21}

One Bombay convict, Nathoo Moobo, went on hunger strike when a sentence of transportation was passed on him; a result, colonial officials noted, of his ‘great dread’ of the punishment.\textsuperscript{22} Moobo made no such claims about his motives. Clearly, his actions cannot simply be dismissed as unconnected with caste. However, his religious beliefs might have been compounded by other fears to which the official commentator was blind. In many ways, his response mirrored the dread with which many European convicts regarded the prospect of transportation to Australia, where caste was clearly not an issue.\textsuperscript{23} Moreover, in India as in

\textsuperscript{19} Adam, \textit{The Indian Criminal}, p. 52


\textsuperscript{21} Carroll, ‘Colonial Perceptions of Indian Society’, p. 238

\textsuperscript{22} IOL P/400/73 (2 April 1834). Letter from J P Willoughby, political Agent in Kattywar (Gujarat) to C Norris, Secretary to Government Bombay, 10 March 1834.

\textsuperscript{23} Similar debates relating to this issue emerged in Britain and Asia when the abolition of the transportation system was first proposed. As knowledge of Australia became more widespread, it was said that transportation was no longer feared. In India, and not altogether consistent with the earlier stress on the significance of caste, the same argument regarding the South East Asian penal settlements emerged. See, David Meredith, ‘Full Circle? Contemporary Views on Transportation’, in Nicholas (ed.), \textit{Convict Workers}, pp. 28-42.
Britain, transportation was not always feared. Indeed, by the late 1820s a number of life prisoners in Alipore Jail were petitioning for the commutation of their sentences from jail terms to transportation.\textsuperscript{24} Prison conditions were perhaps intolerable, with any other prospect a preferable option. Prisoners may too have lost connections with their former communities, removing many caste anxieties. Whatever the case - and grounds were no doubt diverse - the ensuing volume of commutation petitions challenges, to at least some degree, British assertions that the terror of transportation lay in a generalised ‘Indian’ attachment to caste. In fact, both the nature of South Asian society and caste itself were far more complex.

There was a relatively large Muslim population interred in Alipore at this time, reflecting the social composition of the Bengal Presidency. Social divisions within the Muslim community cannot be simply represented in terms of caste. A significant number of the non-Muslim convicts were of either peasant (\textit{shudra}), ‘untouchable’ (\textit{dalit}) or tribal (\textit{adivasi}) origin.\textsuperscript{25} A specific attachment to caste - as the British perceived it - was not a significant factor in the social choices of these groups, particularly those with limited economic or ritual status. Added to this, caste was intensely localised in meaning. Each petition thus countered the image of Indian society as solely caste-based. Moreover, prisoners became active agents within the web of power relations and exercised some influence over their fate.\textsuperscript{26}

Key to the perceived success of transportation as a \textit{punishment}, colonial beliefs about the significance of race and caste were extended to the \textit{operation} of the South East Asian and Mauritian penal settlements. Racially, this began with the separation of white from non-white

\textsuperscript{24} PP 1830 XXVIII. A Regulation for empowering the Governor-General to commute Sentences of Imprisonment for Life in the Allypore Gaol, to Transportation for Life to any of the British Settlements in Asia, in certain cases, 10 April 1828. See also MA RA341 Letter from J Master, Superintendent of Alipore Jail, to H Shakespear, Chief Secretary to Government Bengal, 27 May 1828.

\textsuperscript{25} For example, 286 of the 851 convicts transported to Mauritius (for whom data is available) were Muslims. 99 of the convicts were of \textit{adivasi} origin. A further 289 were from peasant \textit{shudra} or \textit{dalit} groups. C Anderson, ‘Kala Pani: Indian Convicts in Mauritius, 1815-1853’, unpublished PhD thesis, University of Edinburgh (1997), p. 78.

\textsuperscript{26} IOL P/138/65 (19 June 1828) Just under half of the 1828 petitioners were sent to the convict settlements in South East Asia: Singapore, the Tenasserim Coast and Arakan. The remaining eighty were selected to be sent to Mauritius. Letter from J Master to H Shakespear, 19 June 1828.
convicts, even where both were convicted in India. The Australian colonies refused to receive Indian convicts; the authorities in Asia and the Indian Ocean were at first equally unwilling to receive European convicts. A blatant reminder of its own ‘criminal class’ (if not ‘caste’), such convicted white felons threatened the racial (and moral) authority of the colonial administration. The Superintendent of the Andamans refused entry to five European convicts from Bombay in 1795, on the grounds that the climate there would ensure the convicts’ speedy deaths.27 A Eurasian (Anglo-Indian) female convict was received in Mauritius in 1828 only after a guarantee that no more would be sent.28 Yet white convicts were later seen as useful for the effective management of Indian convicts. From the 1830s, a handful were sent to South East Asia and the Andaman Islands. Within the racial hierarchy that emerged, they were clearly privileged. Half a dozen Europeans imprisoned in Bengal were transported to the Andamans on tickets-of-leave when the settlement was re-established in 1858, for instance. After their arrival at Port Blair they were placed in charge of Indian convict working parties. It was said that more was done under their superintendence than under Indians’.29

Divisions within South East Asian convict societies went beyond the racial divide. There was also a degree of self-enforced separation between Indian convicts of various geographical origins. Given differences in language and culture within the subcontinent this was perhaps inevitable. It was common, for example, for recaptured convicts from the penal settlements to blame convicts of different geographical origin for escape attempts. After one such incident, involving thirteen convicts who reached the South Indian coast from the Andamans, one convict claimed that a group of Bengalis had forced the Madras convicts to go with them.30 Such

27 NAI Home (Public) Original consultation, 19 January 1795, no. 4.

28 IOL P/139/23 (17 March 1829) Leller from G A Barry, Secretary to Government Mauritius, to H Shakespear Secretary to Government Bengal, 7 August 1828.

29 NAI Home (Public) A proceedings, 17 July 1862, nos 21-29. One of the European convicts, Seymour Fox, had been captured in Calcutta after escaping from a sentence of transportation in Van Diemen’s Land. He had originally been transported for a ten year term for arson. NAI Home (Judicial) Original consultations, 7 January 1859, nos 6-8.

30 NAI Home (Port Blair) A proceedings, May 1873, no. 13.
ascriptions of blame may have simply mirrored colonial expectations, as officials were constantly nervous of ‘racial’ escape conspiracies.\textsuperscript{31} European fears were no doubt exploited by some convicts in an attempt to lessen their punishment at the expense of other prisoners. Yet, given the diversity of convict origins, it would be curious if such plots had never existed at all.

Although Indian convicts themselves may have preferred to associate with those sharing their language and culture, convicts were sometimes deliberately segregated on ‘racial’ grounds. In Mauritius, for example Singhalese convicts were allocated as servants to a group of high status political prisoners, banished to the island from Kandy, and segregated from other Indian convicts.\textsuperscript{32} Two other convicts of Batavian origin were placed together as servants for the head of the Convict Department.\textsuperscript{33} Yet it was more common not to divide convicts in this way. With the distinction between ‘race’ and ‘caste’ often becoming blurred in administrators’ minds, their intermixture was seen as a way of dividing potential conspirators. The Superintendent of Convicts in the Straits Settlements, J F A McNair, wrote in his memoirs that such a policy was a safeguard against revolts, as ‘one caste would invariably “split” against another’.\textsuperscript{34} Increasingly, as more uniform penal ideologies took hold, the integration of convicts from different socio-economic backgrounds within the penal settlements was seen as integral to their punishment. It was the penal hierarchy, and the class in which each convict was classified, which was the prime determinant of status.

Caste was important in another way, though: in organising convicts as a workforce. The implications of this for productivity were clearly acknowledged.\textsuperscript{35} Of course, as in the Australian

\begin{itemize}
\item\textsuperscript{31} For the Andamans, see: NAI Home (Judicial) original consultations, 22 October 1858, nos 13-18.
\item\textsuperscript{32} For details of the Kandyan prisoners in Mauritius, see M Adikarange Durand Appuhamy, \textit{Rebels, Outlaws & Enemies to the British} (Columbo, 1990) and \textit{The Kandyans’ Last Stand Against the British} (Columbo, 1995).
\item\textsuperscript{33} MA RA387. Letter from W Staveley to G A Barry, Colonial Secretary Mauritius, 8 December 1828.
\item\textsuperscript{34} McNair, \textit{Prisoners Their Own Warders}, pp. 534 & 123.
\item\textsuperscript{35} In the Mauritian context, see MA RA240. Letter from F Rossi, Chief of Convicts, to G A Barry, 4 July 1825.
\end{itemize}
colonies, in many cases convicts were simply assigned to labour which matched their former occupations, with ‘caste’ simply a marker of work skills. Literate convicts were put to work as scribes in the various convict departments. Convict silk cultivators were employed in attempts to set up a silk company in Mauritius. Bania (shopkeeper/trader) caste convicts ran the shops from which rations were purchased in the Andaman Islands. Preferences were also expressed about the type of work suitable for low and high caste convicts. Low caste convicts in the Andaman Islands were put to work as sweepers. In Mauritius, they were used as hospital attendants, on the basis that such labour would not be polluting. Officials there also had a clear idea on the hierarchy which they believed existed between convicts. Departmental notices were read by brahmins who were thought most suitable for the task. The potential influence which high caste convicts could have was recognised elsewhere. In the penal settlement at Bencoolen, fears that high-caste convicts could incite others to mutiny were sometimes expressed.

Yet the supposed rigidity of caste, as a marker of status and occupation, was always open to question. Indeed, for convicts, transportation may have been seen as a way to secure upward social mobility. In 1821, seven convicts placed in jail for insubordination petitioned the Chief Overseer in Mauritius for their release. They claimed that as they were of a high caste, they were in daily conflict with other convicts. Of the seven petitioners, two were Muslim of indeterminable social standing, but the five Hindus were shudra peasants, although possibly wealthy (kurmi, cowra and gujar). Whilst not of high ritual status, it is possible that the

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37 NAI Home (Judicial) original consultations, 29 July 1859, nos 55-8.
38 MA RA60l. Letter from A Montgomery, Surgeon-in-Charge of the Civil Hospital, to Charles St John, Chief Medical Officer, 21 October 1840.
40 IOL P/128/41 (19 April 1799). Extract of a letter from Fort Marlborough (Bencoolen), 16 January 1799.
42 IOL P/132/7 and 20. Convicts per Lord Minto, Helen and Lady Barlow, 1st December 1815, 12 April 1816 & 15 January 1817.
convicts were economically dominant in their region of origin. The claims of the *shudras* are more problematic. It is possible that their petition was an attempt to escape hard labour on the roads in favour of less demanding work tasks. Indeed, six of the seven men had previously attempted to escape from Alipore Jail. Aware of the opportunity to break old community ties which transportation offered, the convicts’ petition may have been an attempt to transform the meaning of their caste. Repositioning their relation to the social hierarchy held out the possibility of greater standing (and possibly privileges) amongst other convicts.

Convicts then were not simply *represented*, but *represented themselves*. Whilst detailed indents, complete with ascriptions of ‘caste’, accompanied convict ships to Mauritius, these were meaningless to many officials. Thus departmental lists compiled on the convicts’ arrival stated simply ‘Hindoo’ or ‘Mussulman’, and occasionally ‘brahman’, ‘soldier’, ‘cultivator’ or ‘bearer’. It would not have been difficult for a convict to ensure a change in his or her own officially-recorded status. It is perhaps significant that, in their communications with the Indian Presidencies, the Mauritian authorities expressed a preference for convicts from Bengal and the ‘Upper Countries’, describing them as *rajputs* (‘warrior’ caste).  

The *rajput* convicts may have been well conducted after their arrival in Mauritius. Yet colonial officials seemed rather confused about the association between this caste and region of origin. Possibly, convicts themselves invented and perpetuated their *rajput* status, in an attempt to command respect and perhaps also to inspire a little awe.

*Convicts, commanders and conflict: negative punishments and positive incentives in the penal settlements*

Whilst the creation of racial and caste categories were *important* factors in both the transportation system and convict organisation (and in how convicts were able to negotiate their

place within them), punishments for misconduct and positive incentives for good behaviour were crucial. Convicts who deserted the workplace, refused or went slow in labour tasks, attacked their peers or abused their overseers could suffer flogging, solitary confinement or fettering at the hands of their superintendents. Convicts who broke the law as opposed to convict regulations could be - and frequently were - tried by local jurisdictions. Thus they could be imprisoned, put to hard labour or even retransported for offences ranging from petty theft and assault to gang robbery, poisoning and murder.44

Brute force alone, however, could not ensure compliance. Positive incentives were equally important. Financial incentives in particular were crucial to the successful extraction of convict labour power. In Mauritius, every convict was paid a gratuity of one rupee per month as a spur to ‘efficient labour’.45 This system was also widely employed in the Straits Settlements.46 Gratuities were not the only means to induce good behaviour. Convicts could be allocated to favoured tasks, such as working in government offices, as post office couriers or servants for European overseers. In the Straits, some convicts even accompanied officials on tiger shoots.47 Such work was a break from the drudgery of the roads, affording a degree of responsibility, together with social and even economic mobility.

Perhaps the most important stimulus to good behaviour was the use of convict petty officers, also known as convict commanders, *jemadars* or *tindals*. By the time the Andaman Islands were re-established in 1858, they were a well-established feature of convict management.48 Convict commanders attained their position as a reward for good behaviour,

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44 Convicts were commonly imprisoned in local jails. A handful were executed or retransported to other penal settlements. On the retransportation of convict Sheik Adam from Mauritius to Van Diemen’s Land, for instance, see Anderson, ‘Unfree Labour and its Discontents’.

45 PRO C0415.15. Letter from G A Barry to F Rossi, 27 January 1816.

46 McNair, *Prisoners Their Own Warders*, passim.

47 In the Mauritian context, see PRO C0415.15. Letter from W Staveley to W Clover, 30 August 1824. See also Tumbull, ‘Convicts in the Straits’, pp. 89-90.

48 On convict *tindals* in the Straits, see McNair, *Prisoners Their Own Warders*, pp. 18, 28 & 40.
rather than in relation to their former socio-economic or ritual status. As authority figures, they had interests removed from the remainder of the convict population. However they were still convicts, subordinate to Europeans both in terms of their prisoner status and their ethnicity. The commander system thus existed as a means to exert authority and control over convicts, whilst at the same time implicating them in the colonial hierarchy of authority. In the Australian penal colonies, overseers and sub-overseers were usually themselves convicts, not military men, as in South East Asia and Mauritius. *Jemadars* enjoyed similar perks and privileges to Australian convict sub-overseers, but their conditions of service were also distinctly different in that the they were themselves subordinate to free European soldier-overseers. The difference with the Australian penal policy suggests that in South East Asia and Mauritius colonial authorities attempted to lock Indian convict *jemadars* within a racial hierarchy.

Mauritian convict commanders were employed in the working parties in the districts, the capital (Port Louis) and at the civil hospital. Like *jemadars* in the other settlements, they were expected to set an example to the other convicts and provide them with a position to aspire to. Their duties were to take the daily roll calls of the working parties and order the convicts to fall in, ready to march to and from work. They were also responsible for inspecting the convict huts and organising the convict watch over the camps, which changed every three hours at night. Sick convicts who remained in their camps were placed under their charge. Commanders were expected to inform the convict overseers of any ‘disorders’ amongst the convicts and punish convicts for minor infractions, by placing them in the stocks. Commanders were also

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49 It has been argued that convict overseers in Australia underwent: ‘a confusion of roles as both subjects and objects of power’. A Davidson, *The Invisible State; The Formation of the Australian State 1788-1901* (Cambridge, 1991), p. 100.


52 MA JB167. Trial of Joidore. Interview of overseer William Blackburn, 5-6 July.

despatched in search of convict deserters.\textsuperscript{54} Taking on the classic colonial role of the ‘native informer’, commanders frequently gave evidence against the misdemeanours of convicts under their command. In Mauritius, after six convicts were implicated in a robbery in 1819, the convict commander of their camp, Bijenauth, testified against them in the Court of Assizes. He stated that prior to the robbery he had seen the convicts sitting together and heard one of them say: ‘let us go out tonight and look for ten or 20 rupees’.

In a hierarchy where convict commanders were granted the privilege of authority over convicts, other convicts inevitably sometimes expressed deep resentment against them. As one official wrote of the Andaman Islands:

> The position of a petty officer at Port Blair is by no means an enviable one. If he allows the convicts under his charge to do pretty much as they like, he stands well with them, but incurs the displeasure of his station officer. If, on the other hand, he does his duty properly, and extracts from them sufficiently hard work, he makes enemies and endangers his life or at all events his safety.\textsuperscript{56}

He was not exaggerating the threats they faced. Attacks on European overseers in Indian convict settlements were not uncommon. Two European overseers were murdered by convicts in Malacca and Pinang in 1833 and 1855.\textsuperscript{57} In one incident in Mauritius a convict attempted to strike his overseer with a crow bar. Another convict there struck his overseer with a pickaxe.\textsuperscript{58} In what became the most famous case of this kind, the Viceroy of India, Lord Mayo, was murdered during a visit to the Andaman Islands in 1872. A pathan convict apparently confessed that he had

\textsuperscript{54} Ibid. and MA RA1118. Letter from W A Rawstone to C J Bayley. 17 January 1851.

\textsuperscript{55} MA JB136. Trial of Ruttunah, Ramsook, Sobah, Turée, Kehurée & Madow. Interview of commander Bijenauth, 21st February 1819.

\textsuperscript{56} NAI Home (Port Blair) A proceedings, September 1877, nos 18-19.

\textsuperscript{57} Turnbull, ‘Convicts in the Straits’, p. 91.

\textsuperscript{58} MA Z2A113. Letter from A Van Hilten to J A Lloyd, 3 December 1838.
waited ‘long and patiently to kill a white man of high rank’. 59

Indian convict *jemadars* were also attacked. In one case, an Andamans convict murdered his commander after he refused to give him one rupee to buy food. 60 In another incident there, a convict killed his *jemadar* after he reported his absence from work, leading to a five rupee fine. 61 More common were attacks resulting from *jemadar* corruption, a problem as such convicts sought to increase their power and influence. One convict commander, Ghunna, who was murdered by a convict in Mauritius, claimed shortly before his death that it was the result of a punishment he had administered on his assailant earlier that week. 62 His assailant, Rughobursing, stated that he had sold Ghunna a piece of blue cloth, which the commander had refused to pay for. Each time he had asked for his money, Ghunna threatened to complain to the European overseer and have his creditor put in the stocks. According to Rughobursing, it was this abuse of authority which had led to the attack. 63

In a similar case, an Andamans convict attempted to kill his petty officer with a hoe. The convict had just come out of hospital but was still suffering from dysentery. Whilst out at work clearing land, his *jemadar* refused to allow him to answer a call of nature and, as a result, he messed his *dhoti* (loin cloth). The convict stated:

> Those [convicts] who can afford to pay [the petty officers] get light work, to the others they give all the hard work and strike and abuse them. I had only just come out of hospital and out of a rationed class [where he received no money gratuity] and was unable to pay them anything; they were consequently hard on me.

When asked if he had any witnesses to call, he answered: ‘Whom shall I call? ... no labouring


60 NAI Home (Judicial) Original consultation, 24 December 1870, no.22.


63 MA JB266. Trial of Rughobursing. Evidence of Rughobursing, Court of First Instance, 11 August 1834.
convicts will give evidence against petty officers.’ The colonial authorities were forced to admit the existence of ‘systematic corruption’.64

Perhaps most disconcerting were the allegations of sexual abuse which surfaced in the Andamans in the 1870s. Commander Shah Allum was murdered by a convict under his charge, Jugnu, who claimed to have been sexually assaulted by him. The authorities swiftly moved to cover up the affair, ascribing the incident to the commander having tried to make a ‘troublesome and insubordinate convict do a fair amount of work’. The fact that similar complaints had been made against Shah Allum on previous occasions was ignored and again put down to his attempts to exact labour, reporting recalcitrant convicts for ‘idleness and negligence’.65 We will probably never know the truth of the allegations against him. Either way, the potential for commanders to abuse their authority - or convicts’ resentment at being put to work by their comrades - is clear.

Conclusion

The efficacy of the punishment of transportation was integrally related to colonial perceptions of race and, particularly, caste. Paradoxically, the elevation of the importance of the latter as the main principle of Indian social organisation allowed convicts some leverage within the penal system. Caste was also significant in determining how convicts were organised in the South East Asian and Mauritian penal settlements. At a basic level, it was an indicator of work skills, which could be harnessed in order to maximise productivity. The penal settlements also replicated certain aspects of Indian social organisation, in its crude understandings of appropriate labour tasks to set those of ‘low’ and ‘high’ caste. In general, however, the castes were not separated from one another. This was seen as a means to counter the threat of convict unrest.

In general terms, and despite the significance accorded to caste within penal ideology, effective convict organisation relied most on the institution of a non caste-based penal hierarchy.

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64 NAI Home (Port Blair) B proceedings, October 1876, nos 18-19.

65 NAI Home (Port Blair) A proceedings, September 1877, nos 18-19.
Negative and positive incentives, such as physical punishments and monetary gratuities, were both employed as a means to manage convicts. The implication of convicts in the command structure itself was perhaps most significant. With convicts absorbed into the hierarchy of authority, and sometimes seeking to exploit their own position, inter-convict conflict became inevitable. The penal settlements were thus a microcosm of the collaboration integral to the process of empire building. The colonial authorities manipulated power relations to form alliances with particular convict groups. The penal status of individuals could thus vary considerably. And once divided, convicts could be ruled.