Damning the 'Hell on Earth'

Introduction

Setting up a penal colony on the Islands had been a mode chosen by the British to colonize the Islands. The success of this method, however, was always open to question. In the initial two decades (1860s and 70s), the British had opened the penal colony on an experimental basis and had started putting up permanent dwelling places only when assured that the colony could be held, in the years to come, in its present form. And, by the 1870s, the Settlement on the Andamans acquired a firmer footing. Interestingly, this was also the decade when the abolition of the penal colony began to be debated. The abolition, however, did not come until 1921. Throughout this period, spanning over four decades, notwithstanding evidences to the contrary, a hegemonic discourse regarding the debauched and depraved character of the penal colony developed, and was continually resurrected to push the case for the penal settlement's abolition. The main terms of the abolition debate revolved around the nature and purpose of the sentence of transportation. By the early twentieth century, the utility of the sentence of transportation as a penal device was seriously under fire. Moreover, the fate of transportation, by this time, was inextricably linked with that of the Andamans' performance as a penal colony. The only justification for the continued use of the sentence of transportation was because of the supposed success of the Andamans as a penal colony. However, the penal settlement in the Andamans was also under a cloud since the turn of the century. There was a projection, in the abolition debate, of a particular imagery of the Andamans as a virtual 'hell on earth'. The Andamans once again, stoked the fears that Norfolk Islands had once inspired in the Western imagination. In the end, it was this discourse surrounding the Islands that became the real tour de force in the abolition debate. Ironically, a similar discourse, albeit structured differently, had inaugurated the Andamans' innings as an Imperial outpost. There were three central ingredients of this imagery of 'hell on Earth' – the failure of the self-supporter system to reform the convicts;

1 The Jail Conference of 1877 had noted that the deterrent effect of the sentence was disappearing and that transportation of the convicts involved very serious expense and loss of labor to Indian jails, in Report of the Indian Jail Committee, Calcutta, 1877.
the high rate of 'prostitution' and 'homosexuality' amongst the convict population; and lastly the 'fallen' disposition of the locally born convict progeny. These issues were continually raised, debated, reaffirmed and they together became progenitors of a misanthropic image of the Andamans, which, in the long term, not only discredited the penal colony in the eyes of the contemporaries but also proved fatal for the sentence of transportation.

_Temporal Biography of the Abolition Debate_

The debate over the abolition of the Settlement stretched over nearly forty years. Initiated by the Jail Conference of 1877. However, the first time the issue of abolition was taken up seriously only by the Jail Committee of 1889. The Committee had felt that the day was not far when there would be a better system of jail organization and of remunerative industrial employment for convicts. And that the system of sending convicts overseas would come to be seen as not only very expensive but also unremunerative.² Both the Jail Conference of 1877 and the Jail Committee of 1889 held up the conditions of Indian jails as the reason for not abolishing the Settlement. It was felt that the Indian jails were not suitable 'for the confinement of all transportation convicts both because the jail establishments required to be reorganized, and because accommodation in central prisons in some provinces was inadequate even for convicts not under sentence of transportation'.

In January 1890, Sir Charles Lyall and Sir A. Lethbridge visited Port Blair to make recommendations for the future organization of the Settlement. They were firm on the opinion that abolition of the penal settlement in the Andamans would be a 'misfortune' and that substitution of transportation for confinement in jails would not be the same because the latter was a good deterrent but 'impossible to make reformatory'.³ They suggested a few changes in the Settlement, which would go towards making the early years of the convict in the Settlement, more penal and harsh. They recommended the building of the Cellular Jail, which was to be used as a clearinghouse for convicts who arrived in the colony, and the enhancement of the penalty of the early years of confinement. These changes or 'reforms', instead of leading to the abolition of the system of transportation and the penal settlement, gave them a new lease of life.

² Report of the Committee of Jail Administration in India, Calcutta, 1889.
The issue of abolition of the Port Blair system once again flared up towards the end of the 1890s. There was an exchange of opinions in the official circles, initiated by a letter written by the Inspector General of Jails, Madras, Cardew who urged the reconsideration of the question of the abolition of the penal settlement in the Andamans. He felt that 'the evils of the Andaman System and the desirability of terminating it as soon as possible should be recognized by the Government of India'. When the issue came up before the Governor General's Council it was struck down because it was felt that all the issues that Cardew had raised had already been dealt with by the inquiries made subsequent to the report submitted by the Lyall and Lethbridge Committee.

The impetus for abolition in the last three decades of the nineteenth century came from the mainland officials and penal administrators. The issue of abolition, as a result, was something never seriously deliberated upon, until the time the request for abolition came from the Settlement officials. In 1904, the then Superintendent of the Andamans, W. R. H. Merk, wrote a note to the Secretary of the State urging the total abolition of the penal settlement. He also raised the usual issues of laxity of discipline in the Settlement and the non-deterrent effect of the sentence of transportation. The issues being raised by Merk had already been acknowledged, debated upon and resolved by the State in the last decades of the nineteenth century. The coming up of the Cellular Jail was an acknowledgement of these problems. However, different impetus and motives operated in the reopening of this debate in the first decade of the twentieth century. In Merk's view, the existence of a penal settlement on the Islands was inhibiting their commercial development. Following the abolition of the penal settlement, he wished Port Blair to be used as a naval harbour and coaling station, and the commercial resources of the Andamans to be given over to private enterprise to exploit.

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1 Report of Lyall and Lethbridge, in Home, Port Blair, June 1890, 74, NAI.
2 Home, Port Blair, May 1899, 41-43, NAI.
3 The issues raised in favour of abolition of transportation to the Andamans by Cardew were: Inequalities in the execution of the sentence of transportation; it was not a deterrent form of punishment, convicts at Port Blair were permitted to propagate their species; Port Blair had bad morals as a result of an insufficient number of women; and, lastly, the Port Blair system was more expensive than confinement in Indian jails.
4 Merk's note written on 15 Sep 1904, in Foreign, Internal, Sep 1906, 90-91, B, NAI.
The Secretary to the Government of India, H. H. Risley, responded to Merk's note. Risley was not in favor of deporting the transported criminals to India primarily because of the problem of retaining in India, in event of war or rebellion, a large number of criminals. This was an objection raised by the Jail Conference of 1877 as well, mostly because 'in the mutiny of 1857 the final shock to law and order was in many places given by the release of the convicts from the jails'. The second difficulty was of finding accommodation for the additional long-term prisoners, who would return from Port Blair. Total abolition was also something that the government was not willing to consider given the amount of money sunk into the Islands. Obtaining the views of the provincial governments was seen as essential because, in the case of abolition of the Settlement, it would be to the jails in the provinces that the returnee convicts would be sent. As a result, the matter was forwarded to the various provincial administrations for consideration.7

By the time the Government of India received the replies of the provincial governments Superintendent Merk had finished his term and been replaced by Colonel Browning. Before the government could arrive at any decision, the latter shot off another letter stating that the Settlement either be abolished completely or else the system be left as it were, with a slightly smaller number of convicts. Merk was urging this action because, in his view, it was impossible to carry out the extra-mural forest works on the Islands with limited labor resource, and he saw the Government's to attract free labour settlers as nothing more than a 'delusion'.8 The Governor General's Council was foxed over the intermixing of two issue: Of abolition of the penal settlement; and the forest works in the Andamans. They felt that the question of development of the forest operations in the North Andamans had been inserted into the debate to lend weight to the argument favouring abolition. The conflation of the issue of abolition with that of forest works was seen as unnecessary and that Colonel Browning's letter was seen as 'both premature and ineffectual'. However, the ultimate abolition of the system was something most local governments also desired but the Governor General's Council believed that a certain radical change in the system was

7 Foreign, Internal, Sep 1906, 90-91, B, NAI.
8 written on 22 Feb 1907 in Home, Port Blair, Dec 1910, 80, NAI.
required, to make the eventual abolition of the system easier.⁹ Again a few changes were introduced in the penal regime, which did not alter it in any significant way, but its abolition was once again deferred to a later date.

In the early twentieth century, a new dimension was added to the abolition debate - the nationalist opinion, which began to exert a pressure on the issues, related to the Andamans.¹⁰ The publications by the Savarkar brothers and letters that the Bengali prisoners sent home, led to a wide dissemination of information regarding the conditions of life on the Andamans, especially on the life within the Cellular Jail.¹¹ There was a general belief in the Calcutta media, and amongst the politically active Indians, that the political prisoners in the Cellular Jail were treated with particular severity. An article in a Bengali newspaper of the 4 Sep 1912 unceremoniously shed light on the darker aspects of the administration in the Andamans.¹² Bhupendra Nath Basu, a member of the Governor General’s Council, drew the attention of the government to this news item and tabled a demand for clarification.¹³ However, the Government of India replied that it had left the treatment of the political prisoners to the discretion of the Superintendent of the penal settlement in Port Blair and that there were no orders for any particular convict be treated with severity. The Government of India also refused to institute any inquiry to ascertain the truth in this matter. However, with continued exertions of the nationalist public opinion, pressure was mounted on the government to institute an inquiry. Fear of questions being raised in the House of Commons, also propelled the officials in India, into action. Congress leader, Surendra Nath Bannerjee, in a speech in the Governor General’s council, in February 1914,

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⁹ Home, Port Blair, Dec 1910, 80-93, NAI.
¹⁰ Home, Political, Feb 1915 68-160, A, NAI.
¹¹ Upendranath Bandhopadhyaya, Nirvasier Atmakatha, National Publishers, Calcutta, 1967; Barindra Kumar Ghose, The Tale of My Exile, Pondicherry 1922; Bejoy Kumar Sinha, In Andamans, The Indian Bastille, Kanpur, 1939; and V. D. Savarkar The Story of My Transportation for Life, translated by V. N. Naik, Bombay, 1950. Savarkar, in his memoir, narrates one incident when the dreaded jailer, David Barry, is supposed to have remarked, ‘Look here Jemadar, if these fellows do not complete their task by the afternoon bring them to me. I will cane them all right. I will cane them on buttocks till they burst’. Cited in R. C. Majumdar, Penal Settlement in Andamans, Government of India, New Delhi, 1975, p. 153.
¹² Home, Political, July 1912, 1, NAI.
¹³ Home, Port Blair, Sep 1912, 149, NAI.
asked for the participation of non-officials in the inspection of the penal settlement. A prominent leader from South India, Vijay Raghvachari demanded that a commission be appointed to look into the penal administration.\textsuperscript{14} Requests from the local governments and provincial administrations also began pouring in, urging for changes in the system of transportation. They were mainly regarding the lessening of restrictions for deportation.\textsuperscript{15}

Finally, a Committee led by the then Home member of the Governor General’s Council, Sir Reginald Craddock, was instituted to take stock of the situation in the Andamans. Craddock recommended that the British Government should abolish transportation \textit{qua} transportation as a punishment under the Penal Code. ‘We must substitute for it penal servitude that should cover penal servitude whether passed in India itself, Burma or the Andamans. Secondly, we must revise our penal sections so as to make penal servitude, as in England, the substitute for rigorous imprisonment whenever a judge considers that a sentence of more than a certain period should be passed.’ But he was not in favour of hasty abandonment of the penal settlement and wished to retain the Cellular Jail for the irreclaimable and the habitual criminal. Craddock submitted his report of the Andamans by early 1914, but before his recommendations could be implemented and a committee consisting of officials and non-officials could be constituted to look into penal administration, the First World War broke out and the proceedings were stalled till the end of the War.\textsuperscript{16}

The subcontinent, following the First World War, was undergoing significant changes, political realignments, and reconfigurations. The abolition of transportation to the Andamans was being debated for quite a few decades without receiving a green signal from the Central government. However, located within the post-First World War politics it received an instant fillip and actuated into fruition. The instituting of the Montagu

\textsuperscript{14} Home, Port Blair, March 1914, 2-2A, A, NAI.

\textsuperscript{15} Letter from L. Stuart, from Lucknow to A. Earle, 5 April 1911, in Home, Port Blair, May 1911, 2, Deposit, NAI. The Officiating Revenue Secretary to the Government of Punjab, H.D. Craik, put forward a proposal in 1916, for the relaxation of the rules regulating transportation to the Andamans. He also felt that if there was a relaxation and more convicts could be sent to the Andamans, it would ‘give fuller effect to Judicial sentences of transportation and clear the Punjab jails of prisoners,’ in Home, Port Blair, Sep 1916, 22-24, NAI.
Chelmsford Reforms, the rise of mass nationalism under the leadership of Mahatma Gandhi, and shifts in the Indian colonial economy, marked the end of the war. A significant aspect of the period was the rise of the trade union and labour movement in India. A corollary to this was the demand for the abolition of indentured labor, which was finally abolished on 20 January 1921. Against this backdrop, the much-awaited Indian Jail Committee was asked by the Government of India to make recommendations, which would help strengthen the reformatory influences of prisons; and to suggest ways in which the convict could be restored to society after his release. The Committee, with regard to Andamans, had three options: First, retention of the present system in the improved form. Second, abandonment of the penal settlement in toto. Third, conversion of the penal

See Majumdar, Penal, pp. 143-234, for a detailed survey of the life of political prisoners in the early period and their final repatriation.


P.C. Emmer equates the abolition of indenture to the abolition of African slavery, and argues that, in both the cases, the ‘humanitarian motives of third parties played a key role in the debate’. He tries to show that the continuation of indenture was actually in favor of all the parties involved: the employers of the labor; the colonial governments; and the indentured Indian labor communities overseas. Hugh Tinker has also emphasized on the pressure created by the Indian nationalist opinion and the crusade of ‘Friends of India’, such as C.F. Andrews and W.W. Pearson against abolition. He has also talked about the growing Indian industry in the 1910s, which clamoured for more labor and became quite vocal about the labor which was being siphoned off overseas. The development of Indian capitalism, in Hugh Tinker’s view, added a ‘powerful reinforcement’ to the protests of the humanitarians and politicians. The dynamics at work in the abolition of penal transportation were quite different but shared a common ground with the abolition of indenture in that there existed a humanitarian rhetoric against ‘unfree’ forms of labour that militated against the continuation of a labour regime that was characterized as ‘inhuman’. See P.C. Emmer, “The Meek Hindu: The Recruitment of Indian Laborers for Service Overseas, 1870-1916”, in P.C. Emmer, ed., Colonialism and Migration: Indentured Labor Before and After Slavery, Martinus Nijhoff Publishers, 1986, pp. 187-208; Hugh Tinker, A New System of Slavery, London, Oxford University Press, 1974, p. 367. This issue of competition between the economic needs of the state and those of private enterprise were also reflected in the issue of jail manufacturing. For this see Padmini Swaminathan, “Prison as a Factory: A Study of Jail Manufactures in the Madras Presidency”, in Studies in History, Vol. 11, No. 1, Jan–June 1995, New Series, pp. 77-100.
settlement into a colony of free men, in which the outstanding feature would be a Central Jail to accommodate, selected prisoners from India. The Committee advised that the third course should be followed. The summary of its recommendations were:

Deportation to the Andamans of all female convicts and of the great majority of male convicts should be stopped as soon as possible, and that these convicts should serve their sentences in the Indian jails. The cellular and associated jails at Port Blair should be retained as places of confinement for really dangerous criminals only, whose escape or rescue from an Indian jail would embarrass the administration, or whose presence in an Indian jail would be liable to cause commotion and unrest. The number of such prisoners is estimated at about 1500. They would not be employed on extra-mural labor. Except in so far as such labor is resorted to in connection with Indian jails. The existing self-supporter system is to be abolished, and its place as a reformatory influence is to be taken by the introduction of the remission rules as existing in Indian prisons.\(^{21}\)

The Committee, thus, gave a thumb-down to the penal settlement in the Andamans. While, at one level, the Committee was responding to the contemporary political atmosphere, its report on the other hand, had the potential of further vitiating that atmosphere. H. D. Craik, Deputy Secretary to the Government of India, Home Department, felt:

The portion which deals with the Settlement is not pleasant reading... it will lead, in all probability, to severe criticism of the Government of India in the Press and on the platform, and though some of the statements made are over-coloured, yet the facts can be put in a very damaging light. It is really not so much the present Government that is to blame, as we appointed a committee at the earliest possible moment to enquire into facts, but the Report may be made the basis of an attack on the efficiency of Government generally. It is, therefore, desirable that we should simultaneously, with the publication of the Report, if possible, issue a resolution on this subject explaining our policy.\(^{22}\)

\(^{20}\) Home, Jails, 28, Resolution no. 63, 1919, NAI.

\(^{21}\) Report of Indian Jail Committee, Oct 1920 in Home, Jails, Dec 1920, NAI.

\(^{22}\) Home, Jails, Dec 1920, NAI.
Many British officials feared the pressure of the nationalist movement in the public arena and the attack on the report by the Indian members in the Governor-General's Council. While the nationalist leaders were favouring abolition of the penal settlement or at least supporting any move for changes in the penal system in the Andamans, the fact that evils, of the kind described by the Jails Committee, existed on the Islands would have been taken up by them as a point to harangue the administration. The then Chief Commissioner of the Andamans, Lt. Col. H.C. Beadon, also feared:

The report and concomitant resolution will certainly attract public attention, now that we live in an era of political fervour and I have little doubt that the general trend of Indian opinion will follow the lead of the minute of dissent, favouring abandonment of Port Blair as a penal settlement. Not much sympathy is felt for dacoits, murderers and prisoners generally, but the Andamans have gained a bad name amongst politically-minded folks, through the deportation of the misguided men, convicted of offences against the State. Accordingly, unless the Penal Settlement is to be abandoned, it is desirable to indicate in the resolution a progressive policy under which the lot of the convicts will be ameliorated and the existing defects removed.\(^{23}\)

Notwithstanding the reception the Committee's report received, it was too late to stem the tide and, finally, on 11 March 1921 it was decided to abolish transportation to the Andamans.

**Evaluating Transportation – Deterrence or Reform?**

The most significant aspect of the debate generated in its attenuated existence was the nature and purpose of the sentence of transportation. The story of transportation of the convicts to the Andamans had its roots in the penal history of the Indian subcontinent. The Prison Discipline Committee of 1838 had given this punishment. In order to justify the continued use of penal transportation in 'the wake of the rising importance of imprisonment as the favoured penal option, the Prison Discipline Committee packaged the former in a particular

\(^{23}\) ibid.
discourse, centring on its ‘deterrent value’. There were three main components of this discourse: first, transportation had great illustrative value; the fear of loss of caste was a defining feature of the Indian life; and the Indian criminal possessed a particular kind of character. The configuration of all three made penal transportation, in the view of the Committee, an unparalleled deterrent and dreaded penal option. However, the reasons of the continued usage of penal transportation by the colonial state actually lay elsewhere. Penal transportation, beyond its utility as a penal device, served varied purposes for the Colonial State: transportation as a penalty imparted a merciful countenance to the Imperial face; it helped the colonial state deal with the problem of ‘collective crime’; and lastly it aided in colonization of frontier colonies. This variety of purpose gave it longevity and permanence as a penal device. Penal transportation, therefore, was not really seen as reformative punishment but as a deterrent. This was also in consonance with the ideals of the mid-nineteenth century penology that saw the main object of punishment as deterrence, and not as reform.

This discourse had a long innings even in relation to the Andamans. For example, according to EC Bayley, the true purpose of punishment was ‘without doubt the prevention of crime by the infliction of a penalty deterrent to others’. For Bayley reformation, which was a very humane object, could be made possible to a certain extent in imprisonment, which brought about reformation by preventing the convicts from repeating their offences. However, the ‘main object of punishment – the main ground on which there is any justification for inflicting it – is the deterring effect which it has on others, anything which affects this, as the uncertainty of the weight of punishment, or the possibility of greatly lightening its burden, pro tanto, diminishes its efficacy, and also the justification for inflicting it’. And that could be most effectively achieved with transportation. Another factor working in favor of this penal device was, in Colonel Man’s view, that it provided ‘an effective substitute for capital punishment and one of greater severity than of a term of ordinary imprisonment’; the judges ‘might, on one hand, be spared the more frequent infliction of the capital punishment, by having an effective secondary award placed at their disposal; and secondly, in cases of gravity, but of a less heinous nature, be able to pass sentences deemed of greater severity

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than terms of ordinary imprisonment. Colonel Man most probably had the British model at the back of his mind while adjudging the sentence of transportation.

As a result, even though penal transportation, as a form of punishment, had lost steam in Britain, it continued to be used in the colonial context. However, the use of this penal device had been under constant fire since the early decades of the nineteenth century. The main criticism of the penal transportation was that it was seen by many as not being a very deterrent form of punishment. As one government resolution in 1811 stated:

At all events, it is an unquestionable fact that a sentence of transportation is at present by no means regarded with that dread which it is essential it should inspire in order to restrain ill-disposed persons from the commission of public offences.... The reasons however here noticed for continuing the punishment of transportation no longer exist. The jail erected at Alypore... being particularly adapted under proper superintendence to prevent the escape of convicts and... to enforce the sentence of hard labor upon them.

Considering this criticism of penal transportation, the hegemonic discourse around the punishment acquired greater urgency in sidelining its critics and dissenters. Furthermore, the sentence continued to be used by the Colonial State because of the various non-penal services that it rendered for the Raj and the discursive fortification by the 1838 Prison Discipline Committee. The Andamans, with time became a colony where the efficacy of this device as a deterrent was actually put to test. Penal transportation, on account of deterrence, failed miserably to live up to its claims and, by the 1870s, the distancing from, and the discarding of, the discourse on deterrence can be seen.

The conditions prevalent in the colony of the Andamans contributed in great measure to this estrangement. Restructuring the life of the convict in the Andamans in a manner that it would serve as a deterrent to future crime and to other criminals became near impossible to enforce. Moreover, the functioning of the administration at most times because of

25 Home, Public, 27 March 1869, 167 to 169, A, NAI.

26 Resolution of the Govt. at Fort William, Bengal Criminal Judicial Consultations, 10 Dec 1811, cited in Banerjee, Background, p. 91, ftnt no. 154.
geographical and financial constraints and existence of indigenous resistance, as discussed in Chapter Three, was such that, in the words of A. P. Howell, it made the spirit of the Prison Discipline Committee a 'dead letter'.\(^{27}\) Reforms were brought about in the system but none, which, in the eyes of the local officials, could shore up the fast-eroding deterrent value of the sentence of transportation. As one official noted:

The practice of deporting to Port Blair convicts sentenced to limited terms had had the effect of lessening the deterrent force of the punishment, and that this was partly due to the laxity of discipline which had then undoubtedly prevailed at Port Blair. No doubt since 1868 discipline has to some extent been tightened; but, owing to the reasons set forth in my note, unless convicts are confined in mural jails, it is not feasible to make the local discipline really stringent. And with the increase, in numbers, of the convicts, the tendency is in fact for discipline to continue to relax.\(^{28}\)

In view of the British officials, by the turn of the century, with the rise in the infrastructural capacity of the Islands and the developments in communications and transport, the colony was ready for the next stage in its development. This stage was one where it no longer had to rely on convict labour. This meant that it had developed enough to attract free and contract labour to the Islands. The officials subscribing to this view saw the continued use of convict labour, instead of aiding the development of the colony, hindering it. They were positing, for the Andamans, the trajectory taken by Singapore and the Straits Settlement. The onward march of the Andamans on this path deemed that the convict settlement be done away with, making space for contract labour or free wage labour. This is evidenced by the view Superintendent Merk took of the state of the Andaman Islands and the reasons that he puts forward for the abolition of transportation thither:

The time has come to stop transportation. This is a point which is reached sooner or later in the history of every trans-marine penal settlement. First comes the stage of the exceedingly strong effect of deportation to a distant and unknown spot – Botany Bay, Tasmania, The Falkland islands, Singapore, The Andamans, Sahgalien, New Caledonia,

\(^{27}\) A. P. Howell, *Note on Jails and Jail Discipline in India 1867-68*, Calcutta, 1868.
Cayenne. The removal of men to so far a place produces of itself a profound moral impression. The paucity of convicts permits of the exaction of a rigorous discipline and of severe labor. The next stage is that, with the influx of convicts and the difficulty of expense of maintaining a coercive agency to correspond, more liberty must perforce to be allowed to the criminals. The third stage is when the terrors of distance and of the unknown disappear, when the laxity of discipline and of labor (inherent in local conditions) become known to the criminal classes, and transportation loses its effect. The final stage is abolition.29

Superintendent Merk was seeing the advancements in the Andamans as part of the general progression of history that all penal settlements went through. This grand theory formed the basis of Merk’s arguments and was justified in terms of the diminishing deterrent value of the sentence of transportation. Various provincial and native states also took a similar view of transportation. According to Major II. Daly, the Agent to the Governor General in Central India, the four leading states in Central India viewed this form of punishment with disfavour and the smaller states would also gladly be relieved of the heavy additional cost incurred by maintaining prisoners at the Andamans. Identical was the view of H. Bradley, the Chief Secretary to the Government of Madras, Judicial Department, who hoped that transportation would gradually but ultimately cease.30

This opinion regarding the loss of deterrent value, however, was not shared across the board in the British officialdom. There were officials, who believed that transportation still had potential to terrorize the natives, and there were others, who felt that transportation was still relevant in the colonial context for its reformative, if not deterrent value. H.H. Risley, was one such official who believed that the deterrence discourse still held water. In his view:

No doubt popular opinion as to the terrors of transportation to Port Blair has undergone a material change and convicts and the class from which they are drawn are aware that it is better to be transported to the Andamans than to be imprisoned in India.

28 Home, Port Blair, July 1906, 39, NAI.
29 Merk’s note written on 15 Sep 1904, in Foreign, Internal, Sep 1906, 90-91, B, NAI.
30 Foreign, Internal, May 1907, 143-151, B, NAI.
But from this it does not follow that people who have not been convicted at all, and are not in the habit of associating with those who have, realize the difference between the two forms of punishments. Still less can it be argued that if they do know the difference they are in any way influenced by the knowledge. It is noticeable in the first place that the bulk of the criminals at Port Blair (in 1904-05 8,386 out of 14,088) had been convicted of simple murder and it is probable that in the majority of instances persons who commit this crime do not consider consequences at all. Either they are carried away by passion or, if the crime is premeditated, they count on escaping detection. Secondly, in their case the deterrent element is represented not by the mystery of transportation but the greater mystery of death, since transportation is usually inflicted only in commutation of the death penalty, and it has never been contended that capital punishment is not deterrent. Thirdly, both for murderers and other criminals it is not the character of the punishment that deters but the degree of certainty and probability that punishment in some form will follow.  

For these reasons, Risley felt the idea that transportation was no longer a deterrent was an exaggeration, and that there was no proof that it contributed to the degree of criminality among the general population. Some of the provinces also threw in their weight in favor of the sentence of transportation. For instance, Colonel C. MacTaggart, the Inspector General of Prisons in the United Provinces, noted that most of the commissioners of the various divisions in the United provinces were in favor of continuing transportation to the Andamans, as it was seen as an extremely dreaded form of punishment. MacTaggart, in his minute, stated:

I maintain that transportation is still a much dreaded form of punishment, although no doubt its terrors have been considerably lessened of late years owing to the return of convicts from the Andamans and the accounts of these men regarding the circumstances under which the prisoners live... (it is) absolutely necessary in the interest of discipline in

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31 Foreign, Internal, Sep 1906, 90-91, B, NAI.
Indian jails that the transportation to the Andamans of 'dangerous' life convicts be continued.\textsuperscript{32}

H.C. Quin, Secretary to the Government of Bombay, and W. M. Hailey, the Secretary to Government of Punjab and its dependencies, also approved the proposals set out by Risley. Quin remarked that there was a 'danger of underrating the deterrent effect of transportation'.\textsuperscript{33}

Notwithstanding the divergence of opinion amongst the British officials, there was the factor that everybody agreed upon: the sheen of deterrence had worn off from this punishment. The officials, who still held on to the belief that transportation had considerable deterrence value, also conceded this point. The withering of the discourse had important implications for the fate of the sentence of transportation. If, the reason for which it was instituted, no longer held water then there was little meaning in continuing to use this penal device. While the use of transportation could no longer be justified on penal grounds, its importance as a supplier of the crucial labour resource continued to be immense. Without any local sources of labor supply, the administration was completely dependent on the supply of convict labor, of the felons sentenced to transportation. Moreover, the colony had risen in its infrastructural capacity and was after a few decades of developmental works, in a better position to sustain a population but importation of contract or indentured labour at this stage would have entailed huge costs for the government. Therefore, in view of circumstantial exigencies, the abolition of the sentence of transportation could not be considered.

Consequently, one sees a shift in the penal ideology in the Settlement and the hitherto neglected issue of the 'reformative aspects' of the penal transportation comes under the spotlight. Transportation of convicts to the Andamans begins to be seen as being of great value because the reform that it was able to accomplish amongst the convicts. This shift in penal ideology in the Andamans was coterminous with a concurrent shift in penology in the Indian subcontinent, where the colonial government began to pitch 'reform' as the main

\textsuperscript{32} dated 29 Sep 1906 in Foreign, Internal, May 1907, 143-151, B, NAI.

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purpose of punishment. Habitual criminals and the Criminal Tribes also became the focus of the State’s reforming ideology.\textsuperscript{34} New penal categories and legislation, in accordance with the shift in the ideology, were being deployed. These changes got the full support of the Settlement administrators. As D. M. Stewart, who served as the Superintendent of the Andamans in the early 1870’s stated, ‘presumably the end of transportation means above all things, punishment; but, if I understand the question rightly, it also aims at profitable employment and reformation, leading up to a state of comparative freedom within the limits of the Settlement’.\textsuperscript{35} Colonel Browning, who became the Superintendent of the Andamans in 1906 and was instrumental in organizing sports teams of the local-born youth, also emphasized the reformatory aspect of the sentence of transportation. He also urged:

Transportation, it has been accepted, is not in itself, except so far as it involves exile, as deterrent as imprisonment for a lengthy period in an Indian jail, but while in the Indian jail system the reformation of the criminal has been given up as impracticable, it is contended, for the Port Blair system, that reformation can be and has been effected.\textsuperscript{36}

Reform, thus became the main object of penal transportation. As a result of this shift, the spotlight once again reverted back to the character of the Settlement in the Andamans. The Settlement, now, more that ever, had to prove that it was successful in achieving the reformation of the convicts. However, what exactly constituted ‘reform’ was never really spelt out. At best, the idea of reform implied the preparing the penal settlement, to make a transition to a free society, some point in the future. The restoration of the honour, self-respect, and the social life of the convicts were seen as helping the convict proceed on the path of self-improvement and a life as a free person. The system through which the local

\textsuperscript{34} dated 30 Nov 1905 in Foreign, Internal, May 1907, 143-151, B, NAI.
\textsuperscript{36} Home, Port Blair, August 1874, no. 52, Appendix I, NAI.
\textsuperscript{35} Home, Port Blair, Nov 1908, 48-52, A, NAI.
administrators were hoping to achieve the reform of the convicts was the 'self-supporter system'. The nationalists and officials developed a hawkish interest in charting the working of the self-supporter system. The success or failure of the sentence of transportation was now to be determined by that of the self-supporter system. And, eventually, the self-supporter system was also found lacking in reformation of the convict, providing grist for the abolition mill.

A significant aspect of the abolition debate was that it took place at two levels, one, where the abolition of the entire Andaman penal system was being considered, and another where only the abolition of the system of transportation of convicts was being debated. Both the issues were strongly interconnected. This was because there was no local reproduction of labour and the system in the Andamans depended completely on transported convicts for its labour requirements. Therefore, the abolition of the system of transporting felons to the Andamans would have entailed the drying up of labour reserves and forcible replacement by indentured, contract or free wage labour. That would have meant winding up the penal settlement. And the reverse also appeared true. This was because by this time the Andamans had become an important arm of the penal administration on the Indian subcontinent and was the only place being used as an overseas penal station. The fortune of the sentence of transportation was inseparably tied to the fate of the Andamans as a penal colony. Thus, despite the clamorous vigour of the debate the officials did not take the final step in its abolition until 1921. The condition of the Indian jails, problems in repatriation of the local-born community, the expenses incurred in building the Cellular Jail and the strategic location of the Andamans as a fuelling base were factors which desisted the government from taking the plunge.37

37 As Craddock in his report stated, 'It would really be a sinful waste to throw on to the scrap heap the Cellular Jail and the various industries that have been set going. The large capital sunk...at Rupees 170 lakhs, and the natural resources forbid its hasty abandonment'. In the report by Sir Reginald Craddock on his visit in November 1913 in Home, Port Blair, April 1914, 34, NAI. Also the Report by C. W. Gwyne, 13 August 1921 in Home, Jails, 1922, 8, NAL. He stated in his report that 'a considerable amount of capital estimated at nearly two crores of rupees has been sunk in the islands which it would be folly to waste'. Further, there was also the 'strategic importance from the Imperial point of view of these islands. If they were abandoned by Great Britain it is quite conceivable that Japan might annex them and find them very useful as a coal base in the event of war with Great Britain....these islands which would be a serious menace, if they, were occupied by a foreign hostile
The Faltering Self-Supporter System

The shift in the discourse enveloping penal transportation stalled the question of its abolition. However, the debate was far from resolved. Although there was a divergence in views regarding the method of reform, the self-supporter system became the lynchpin of the idea of reform. Ironically, by the turn of the century, it was the self-supporter system, which came to be derided for degrading the prisoner than reforming him. These accusations opened a Pandora's box for the Settlement officials. The indictment of the self-supporter system had a bearing not only on the fate of the sentence of transportation but also on that of the Settlement itself. Following is an examination of the components of the rhetoric and vitriol surrounding the self-supporter system.

The main idea behind the self-supporter system was to create industrious and self-respecting convicts whose confidence in their abilities had been restored. This view found a clear expression in the approach of the Lyall and Lethbridge Committee which came to review the working of the Settlement and, following which, significant changes were instituted:

It appears to us that the system yields the most satisfactory results in promoting the reformation of transported offenders.... A course of discipline which, while adequately protecting society, effects the gradual reformation of the offender and his re-establishment as a useful member of the community should not in our opinion be condemned merely because it is less severe and penal in its character than that to which prisoners are subjected in the Indian jails. 38

The self-supporter system was the first to falter in the estimation of the officials, in its reformative influence on the lives of the convicts. This system while seeking to reform, also gave convicts considerable freedom, which was seen by many as being prejudicial to the penal ethos. Colonel Man, was one such exponent of 'reform within penal limits':

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38 Home, Port Blair, June 1890, 74, NAI.
If rightly conducted, transportation may be the occasion of the greatest benefit to the criminal himself, by removing him from early evil associates, and giving him an opportunity, under strict discipline and watchful care. Of acquiring habits of self-control and industry, and a knowledge of a trade which shall enable him to maintain himself honestly when released from restraint.\textsuperscript{39}

Imparting to the convict the knowledge of a particular profession, was seen as the aggregate of reform that could be achieved. And yet there were others who continued to adhere to a much more open-ended view of reform, which went beyond simply imparting professional skills. It involved helping the convict settle down on the Islands, acquire some property, and help him raise a family where the children got the benefit of inheritance and education. Superintendent D.M. Stewart, was one of the most vociferous proponents of this scheme. He felt that by these means and by giving every encouragement to private enterprise, progress could be achieved. That is, 'convicts who, by their ability and industry, acquire property and hold a stake in the Settlements, would be the direct source of support to the authorities'.\textsuperscript{40} The rigors of jail discipline, in this view, were seen as being counterproductive to the idea of reform and going against the larger aim of settling and peopling the Islands.

However, the dominant counter view was that the system was far too liberal. It was felt by some of the members of the Governor-General’s Council that the ‘excessive freedom allowed to self-supporters seems in fact almost incompatible with the maintenance of the principle that the self-supporters are still under penal discipline’.\textsuperscript{41} Reginald Craddock’s report was the severest indictment of the reformatory influence of the penal system in the Andamans:

\begin{quote}
It is a system of slavery which is tolerated by the slaves themselves without special murmur so long as it is carried out on certain lines which have become traditional. To get full work out of slaves, you must have the overseer with his lash; the blow must
\end{quote}

\textsuperscript{39} Home, Public, 27 March 1869, 167 to 169, A, NAI.

\textsuperscript{40} Home, Port Blair, August 1874, No. 52, Appendix I, NAI.

\textsuperscript{41} W. Booth-Gravely in a note dated 12 Aug 1914 in Home, Port Blair, Sep 1914, 15, A, NAI.
descend upon the man who for a moment slack in his labour. Such a system would be barbarous and hopeless, with no element of reform, and of course quite impossible.... I do not think that there can be any other conclusion than that a slave settlement controlled by slave petty subordinates with no family life and no social or religious restraints, is and must be a failure as a reforming agency.... The mere terror of crossing the kalapani is an exploded bogey. .. but it would be going too far to say that the convicts regards the Andamans as a delectable residence.42

Craddock also had an extremely negative opinion regarding the social life of the self-supporter convicts. In his view, 'these do not exist at present and never can exist among large bodies of men deprived of a female society, without caste influences, with no village opinion, and without any religion; these very influences which keep men in respectability in an ordinary Indian Village or town are more than required in the task of leading a man to regain lost respectability'.

The acquisition of property by the convicts and the land question also came under a cloud. The theoretical position of the government was that it recognized no private ownership and the only tenure, was a five-year license, renewable at the discretion of government. This tenure was liable to cancellation, at any time, at a year's notice, and subject to the payment of compensation for improvements and standing crops. However, the actual state of affairs widely differed. Foremost, the government, for the purpose of dividing up the land had undertaken no cadastral survey,43 neither was there a check on the amount of land allotted nor proper supervision over the management of the villages. Moreover, the self-supporters were permitted to follow their own trades, which did not earn enough for them to send for their wives from India. A self-supporter obtaining a ticket as a cultivator had the option of taking a grant of rent-free cleared land for a year with free rations for eight months and free implements, or of attending a weekly auction at which rights in holdings were sold by the occupants.

42 Report by Sir Reginald Craddock on his visit in November 1913 in Home, Port Blair, April 1914, 34, NAI.
43 Home, Port Blair, Sep 1915, 37-40, A, NAI.
The main defect with the system was: there was no check on the amount of land allotted; nor proper supervision over the management of the villages; and the self-supporters, who were permitted to follow their own trades did not earn enough to send for their wives from India. A self-supporter obtaining a ticket as a cultivator had the option of taking a grant of cleared land rent-free for a year, with free rations for eight months, and free implements; or of attending a weekly auction at which rights in holdings were sold by the occupants. The wheeling and dealing in licenses among the self-supporters, as a result of the auction system, led to the creation of a non-cultivating licensee at auctions with a future sale. The convicts on taking self-supporters' tickets had to take a loan from these persons in order to acquire land. Nearly all found this solution preferable to breaking up a holding, which had fallen out of cultivation. The richer men thus acquired the best holdings, and since there was no limit, appropriated large areas and employed poorer licensees as cultivators. Creditors obtained work without trouble from their debtors and some self-supporters, it was believed, prostituted their locally married wives in return for labor. The non-cultivating self-supporters, especially the ones working as artificers or government clerks were also not very well off. The provision of married quarters and the general moral condition of the villages prevented them from importing their wives. An inquiry, in 1915, showed that sixty per cent of the self-supporters were in debt. This system had been further despoiled by the permission granted by the Government of India, in 1908 to the released convicts to settle in the self-supporter villages. These freed persons gradually acquired the best lands, and not being bound by the same laws and restrictions as the self-supporters, were able to oppress the latter.

Thus, the self-supporter system was seen as faltering on various accounts. This led to the questioning of the over all reformative value of the penal system in the Andamans, which, since the demise of the discourse on deterrence, had been the sole justification for keeping together the penal system in the Andamans. For instance, in the view of H.H. Risley, to think that there was an attempt in punishment to effect reform was mistaken because the majority of Indian offenders were not necessarily habitual criminals or even persons of criminal tendency (according to him, in England, the reverse would hold good). The only

44 Home, Port Blair, Feb 1918, 39, NAI.
reform that could be done was to teach him some trade, but the chances were that they would follow their caste profession once out of the jail. It followed that reformation was possible only in the case of juveniles who were better off in reformatories than jails. Thus, Risley concluded that the condition of the self-supporters in Port Blair was poor because the convicts themselves stood in no need of reformation. If the self-supporter passing through various stages of internment, became respectable ‘the result must rather be ascribed to himself than to the beneficent influence of his surroundings’. For these reasons, he believed, that the Government of India was under no obligation, either, to abandon transportation because its deterrent effect is alleged to have been weakened or to retain it by reason of the reformatory influences which it has been supposed to exercise’.  

For Craddock, also, the Andamans was not a place where reform could be achieved. For him, this was just a sophism harboured by the Settlement officers:

If we turn to the system, not the theoretical system of the Codes and Manuals, but the system in actual working, it is easy to perceive that the incentives before the convicts are not incentives which tend to reform but incentives which tend to debase them. Every convict’s object is to get, if possible, on to a light job, escape punishment, and obtain promotion. If he could secure these ends by honest endeavour and steady work as the Manual contemplates, the system would be excellent; but in the vast majority of cases, he can only obtain them by gaining the favor of the petty officer, for it is by the petty officer mainly that work if enforced, complaints made and merits determined. Bribery or intimidation and sometimes readiness to submit to unnatural connection may afford the royal road to privileges and indulgences according to the character of the convict or of the petty officer concerned…. the sovereign incentive for reform, namely, reward for hard work and good conduct, must be utterly lacking.  

Craddock believed that reforms could not be achieved simply by the restraints of bars, fetters and jail punishments. If, the government was hoping to build a self-supporting colony

45 ibid.
46 Foreign, Internal, Sep 1906, 90-91, B, NAI.
47 Report by Sir Reginald Craddock on his visit in November 1913 in Home, Port Blair, April 1914, 34, NAI.
on the Andamans, then there must be moral, religious, and social restraints at work to check and reform. Thus, over the years, the reformative value of the penal system became questionable, thoroughly jeopardizing the existence of the Settlement.

Colonial Vices – Prostitution and Homosexuality

A definite blow to the regenerative and rehabilitative value of the penal system on the Andamans came with the publicization of reports regarding the prevalence of prostitution amongst convict wives and daughters; and homosexuality amongst the male convicts. The convict marriages, inaugurated in order to alleviate homosexual tendencies amongst male convicts, were seen as conferring on the criminal needless freedom and promoting sexual licentiousness. The social life in the Settlement was measured against the moral standards set by the village life in the mainland society, which on closer scrutiny the mainland jails would have also failed to measure up to. Whether prostitution existed to the degree estimated by the contemporary government records is open to question. It seems that the notion that female convicts prostituted themselves was more a product of the misogynic characterization of convict women, which saw a close connection between harlotry and criminality. Committing crime was seen as social deviance and in case of women this deviance extended to their sexual behaviour and violation of the feminine code of conduct. Moreover, on the Andamans, prostitution was the epitome of the transgression of wifely

48 David Arnold in his article on the Colonial Prison in the nineteenth century has shown that in the mainland jails also corruption by convict warders were rife. Even the Indian Jails Committee of 1919 also admitted that they were responsible for acts of 'extortion, unnatural offences and tortures'.

49 Deborah Oxley in The Convict Maids, The Forced Migration of Women to Australia, Cambridge University Press, 1996 states that this characterization of female convicts as whores was 'a metaphorical device distilling all the features that were the obverse of what became the Victorian feminine ideal', p. 203; Philippa Levine, "Orientalist Sociology and the Creation of Colonial Sexualities", in Feminist Review, No. 65, Summer 2000, pp. 5-21, also states, 'the meaning of prostitution as a gendered activity cannot be separated from its meaning as a racialized activity, a weapon wielded in the colonial context as if it were proof of the need for the civilizing mission'. Also see her "Rereading the 1890s: Venereal Disease as 'Constitutional Crisis' in Britain and British India", in The Journal of Asian Studies, 55, No. 3, August 1996, pp. 585-612; Judy Whitehead, "Bodies Clean and Unclean: Prostitution, Sanitary Legislation, and Respectable Femininity in Colonial North India", in Gender and History, Vol. 7, No. 1, April 1995, pp. 41-63; and Sabyasachi Raman Mishra, The Colonial 'Vice': Prostitutes, Soldiers and Venereal Diseases During British Rule in India, c. 1860-1900, M.Phil. dissertation submitted in the Centre for Historical Studies, JNU, 1999.
norms, which sought to confine the women to the domestic realm. One report summed up the state of marriages in the Andamans thus:

Marriage is generally debased into promiscuous prostitution, the husband living on the proceeds. Released convicts are obliged to take their wives with them when they go over to India, but these will not be received by their caste people, and when sent off are sometimes abandoned at seaports or left to support themselves by prostitution.... Several of the murder cases that come before me in the Home Department are very suggestive of what goes on; in one case a murder of a recipient in sodomy by another recipient who had been supplanted by him in the favor of the petty officer. The evidence was given by the convicts as a matter of course. It was common knowledge who were the recipients, why they had quarrelled, how hard jobs had been allotted to the discarded and light work to the new favourite; there had been no shame and no concealment.50

Repeatedly, in government records, one finds disparaging comments and dissatisfaction with the way the system of marriages had turned out. The convict marriages were adjudged by many as unscrupulous, corrupt, and lacking in any social restraint. Colonel Douglas, the Superintendent of the Settlement, between 1913 and 1916, was amongst the people who were the most vociferous denouncers of the system of convict marriages on account of morality.51 He quoted evidence, for his views, from the independent report and inquiries conducted by the Treasury Officer, Khwaja Mohammed Ibadulla Akhtar. According to Akhtar’s report:

It has been stated by almost every self-supporter that the convict marriage is a mere farce. To all appearances the aim of the parties is to escape from physical labor and they consider marriage to be the effectual means. The husband moreover counts on another benefit besides and that is to make money through the wife. The wife is not faithful to her husband and it is certain that moral sense does not exist in either of them. The

50 Report by Sir Reginald Craddock on his visit in November 1913 in Home, Port Blair, April 1914, 34, NAI.
51 Home, Port Blair, August 1915, 66, NAI.
marriage is one of convenience and with the close of their sentence the engagement dissolves.\footnote{ibid.}

The Superintendent to strengthen his case questioned two self-supporter convicts: Jahangir Khan, who was the Chaudhari (headman) of the village; and Quazi Hussain Ali. Both were of the opinion that the marriages generally dissolved once the convicts left the Settlement. The Qazi stated that he had not married because he could not find a respectable woman. In Douglas's view, the convicts were generally seen to be unwilling to import their wives from the marriages contracted in India before conviction. The reasons for this being the fear of moral contamination of the females relatives, disinclination on the part of the relatives to send for his wife, the cost of passages, the possibility of the husband being remanded to labor, the disinclination to work and support a wife, and fulfilling of natural needs by payment for another convict's wife.

Homosexual contact amongst the male convicts, a presumed sign of the poor health of the convict morality, was also believed to be rampant in the Settlement. Seen as an 'unnatural vice', this problem defied a solution largely because of the way the convicts lived. Most of the convicts lived in permanent or temporary barracks made of timber and the self-supporters and the ticket-of leave convicts lived in cottages, 'scattered throughout all the stations of the Settlement, many having their cottages in close proximity to the barracks occupied by other convicts.'\footnote{J.S. Campbell's Report, written in April 1872, reference in Home, Port Blair, August 1874, No. 52, NAI.} Moreover, as the work in the Settlement was mostly extra-mural and often done in the jungles and other remote employ, this gave opportunities to the convicts to indulge in homosexual activities even in the daytime.\footnote{Home, Port Blair, May 1880, 1 to 3, NAI.} Flogging and segregating the young convicts and the ones supposedly addicted to this habit by locking them up at night in separate trelliswork cells and improving the lighting of the barracks were some methods devised, in vain, to check this proclivity.\footnote{ibid.} In exasperation, the Settlement officials concluded, 'the low moral tone of the convict population generally are sufficient to throw

\footnote{ibid.}
doubts upon the efficacy of the most carefully devised schemes for the suppression of this particular offence.\textsuperscript{56}

The sexual contact amongst the male convicts graduated from being a problem of convict management into a progenitor of crimes in the Settlement. Most of the petty officers, jemadars, and tindals, were not always inclined to enforce stringent rules affecting the prevention of sexual contact between male convicts.\textsuperscript{57} Besides, they were also amongst the section of people who were the perpetrators of sexual excesses. This came to light when the Government of India ordered an inquiry into the oppression of convicts by the petty officers. There were eight sessions cases of murder and attempt to murder tried between 10 December 1911 and 22 September 1919 in which the convicts accused that they had attempted to murder, or murdered, because of the 'provocation from petty officers'. This caught the attention of the Government of India and it inquired into the matter. Colonel Douglas who drew up a report of crime statistics, found that 54 sessions cases which had been tried during the past five years were due to the following causes: 11 cases of quarrels over women, 5 cases of quarrels over unnatural crime, 13 cases of crime arising from oppression by petty officers and 25 miscellaneous cases.

Colonel Douglas was of the opinion that this oppression by the convict officers was the result of private animosities and that there were no cases that amounted 'to any systematic practice of tyranny by petty officers'. However, the Deputy Superintendent, who actually conducted the inquiry had a different opinion. The latter was convinced that 'in many cases same-sex contact was the real motive. A large number of petty officers were addicted to sodomy and kept a 'boy'. In his opinion, it was a well-known pathological fact that the feeling aroused by 'this perverted sexual intercourse' was often as strongly passionate as that between man and a woman, and if the petty officer discarded his 'boy' for another, murder or assault was frequently the result.\textsuperscript{58} This matter was again taken up by the Jail Committee in 1919, and was highlighted to argue a case for abolition. The then Chief Commissioner of the Andamans, Lt. Col. H.C. Beadon, stated that the 'vice' existed, this was corroborated by

\textsuperscript{56} Home, P.B., Dec 1874, 48-19, A, NAI.

\textsuperscript{57} ibid.

\textsuperscript{58} Home, Port Blair, Oct 1917, 40-41, A, NAI.
the fact that, 'in almost all murder cases tried by the sessions court the murder is the result of homosexual jealousies'. 59

What is interesting in the above gobbets is that 'sexual jealousy' is isolated as the reason for crime. And, the crime is being seen as a 'natural' outcome of the unbalanced sex ratio. The notion of 'sexual jealousy' and the crimes with a sexual content being seen as 'natural' are very much reminiscent of the discourse surrounding 'wife murder' prevalent amongst the Indian indentured labour in British Guiana and Mauritius. 60 In British Guiana it often led to the commutation of death sentences and an instrument of series of legislation called Marriage laws. And in the Andamans, this eventually contributed to the abolition of transportation.

The Fallen Character of theConvict Progeny
There was also the question of the character of the local-born population. At the time of the decision to abolish transportation, there were 11,532 convicts of whom 1,168 were self-supporters. In addition, there was a population of 3,000 which came under the category of local-born. The convict offspring who formed the 'local-born' category of inhabitants, who lived in the Settlement as free population. These children lived at Port Blair under a license, like the other free persons, and were subject to the ordinary law of India. However, the character of the convict progeny was under constant spotlight. The reason being that the high moral and educational standard of the convict progeny and their successful rehabilitation into a mainstream life, as a law-abiding citizen, was the standard against which the success of the Settlement was measured. Therefore, the convict offsprings, though not subject to the rules and regulations of the penal settlement, were tied to it with their umbilical cords. They had no property right, mere tenancy rights and could be shifted from village to village at the will of the administration. 61 This category of people were important because they knew no home other than the Andamans, and any change in the character of the Settlement would directly impinge on their fate. The officials were also fully cognizant of

59 Home, Jails, Dec 1920, NAI.
the fact. As one official stated, 'in the first place we are under obligations to the local born free population, of whom there are about 2,307 souls. We cannot abandon them to nature, and they would view with dismay the alternative of expatriation to India'.  

The local administration, since the very beginning, had made concerted efforts to provide education for the convict children. A school committee had been formed which assiduously went about the task of establishing schools and encouraging convict children to acquire education. Imparting education was seen as the only way to save the convict progeny 'from the fate of their parents, so far as education (the best preventive of crime) can accomplish such an end, is an object well deserving the sympathies of all connected with the Settlement'.  

Employing local-borns as overseers, police, clerks, and various other subordinate services, when they grew up, was another reason behind the attempts to educate them. These intentions were clearly stated in the Campbell Report:

Care should betaken to give their progeny a sufficient education. There are a large numbers of young children growing up, to whom a good practical education will be of value.... What is now an accepted principle, that is, to teach convicts in the language of their fathers. Two languages are at present taught and others would be, were teaching-power available. Now, considering that these children, born and bred in the Settlement, are never likely to move to the homes of their fathers, but must eventually form a community of which the members should stand by and help one another, I think it very desirable that they should be united by a common language, and that one language should be fixed, to be in future that of the free part of the Settlement. These children, when they grow up, will supply servants to the Government, and be associated in the management of the convicts. Probably the language which will be most of use to them is Hindoostani, and that I would fix as the language of the schools. At the same time the

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61 Home, Jails, 1926, 120, NAI; Education, Health and Lands, Oversees branch, Oct 1926, 59-61, B, NAI.
62 Report by C. W. Gwyne, 13 August 1921 in Home, Jails, 1922, 8, NAI.
63 A note by L. Carthy, the Secretary of Port Blair School Committee, in Home, Public, 6 Jan 1865, 6, A, NAI.
64 J.S. Campbell's Report, written in April 1872, reference in Home, Port Blair, August 1874, No. 52, NAI.
boys who display special intelligence might be taught other languages when they have mastered what they call their own.  

Education for children between six to twelve years was made compulsory and after which it became voluntary. By 1872, arrangements had been made for the children of the Settlement to be educated in elementary schools, in their own language. In 1875, Devnagiri classes were discontinued because Urdu teachers were easily available, and English and Urdu became the languages of instruction. In addition, the girls were given tailoring lessons and the boys were taught welding and other work. In the twentieth century, Superintendent Colonel Browning, also helped the local-borns to form an association, which was supposed to be a forum for representing their grievances and interests to the Government. He hoped that the introduction of cultural and sporting activities would 'improve the lot of the so-called local-borns and in time remove the stigma so unjustly attaching to them'. The association was the Browning Club, housed in a big building in a spacious ground. It has become the

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65 ibid.
66 Schools were set up at Ross, Chatham, Haddo, Viper and Port Mout stations, with teachers instructing students in their own tongue or English, if, they so wished. There were 138 children in the Settlement and all of them went to School. The teachers in these schools were all convicts. They were taught to read and write and do little arithmetic. The text-books for the schools were obtained from the Curator of school books, NW provinces, and those for English were procured from Calcutta book-sellers. Home, Education, May 1872, 17-18, A, NAI and Home, Port Blair, Proceedings Volume, 1875, 9 to 11, NAI, Home, Port Blair, Proceedings Volume, August 1919, 56, NAI.
67 The books prescribed for study were – Tashri ul Huroof, Kissa Soorjipoor, Taleem ul Mobtadee, Kissa Dhurm Singh, Khoosh ha Sibeecan, Muaaid ul Insha, Hissa doyam Insha Urdu, Mizabah ul Musahut, Tarikh Badshahan Inglistan, Kurreem ul loghat, Gaography awul, Tarikh Hindostan, Tasheel ul Kawaid. Home, Port Blair, Dec 1875, 19 to 21, NAI.
68 Abdul Majeed, “Memoirs of Master Subhan”, in Golden Jubilee Souvenir, Government Boys' Senior Secondary School, Port Blair (1946-1996), Sep 1997, pp. 6-10. Master Abdus Subhan, born in 1894, is revered in the Andamans as a great educationist. He was employed by the government as a teacher since 1913, until he retired in 1950. In this article, his son has reproduced a memoir that he chanced upon after his father's death on the early education system in the Andamans.
centre of many activities, such as scouting, dramatics, sports, educational and social uplift movements.\textsuperscript{70}

Inspite of these efforts to ameliorate the life of the convict progeny and to give them and the environment which prevented them from taking to the path trodden by their parents, there prevailed a negative opinion regarding the character of the local-borns. They were seen as people of low intelligence and poor moral character. The children of the free parents avoided the schools to prevent contact between their children and the convict offspring.\textsuperscript{71}

One traveller visiting the Islands noted:

In Port Blair the locally born of both sexes may be fairly described, as a whole, as astonishingly wicked. Their delight is to do mischief, and to worry each other and their elders in ingenious variety of underhand and crooked ways, including the perverse and fruitless lawsuit. It is very much better that their minds should be turned on athletic sports and games, while they can still join in them, than on such matters as these; and hence grounds for cricket and football with all requisites have been granted, and a gymnastic instructor has been obtained for teaching the boys. It is believed that satisfactory progress is made, and that much benefit will be derived from the lately established gymnasium, in which 100 boys are being trained.\textsuperscript{72}

Bad moral surroundings were adjudged as the reason for the poor moral character of the convict children. As R.C. Temple stated, 'every child of a self-supporter is free and the boys and girls thus born of necessity live with their parents until release, and grow up in exceedingly bad moral surroundings. My experience in Port Blair has taught me the very

\textsuperscript{70} ibid.

\textsuperscript{71} As a result, the local officers were desirous of making provisions for the children of the free residents and Europeans, and the Eurasians. They also wished to secure the services of a Regimental school master and a school-mistress. However, the services of such people for teaching the free children was difficult to come by because of the low emoluments offered, and therefore, soldiers from the European detachment were used instead. See Home, Education, May 1872, 17-18, A, NAI and Home, Port Blair, Dec 1874, 42-44, NAI. Also see the Census of India, Report on the Andamans, Chapter VII, 'The Local-Born Population', 1931, pp. 29-30.

early age at which it is possible to commence a life of grossest immorality, and, when the
Girls so bred remain in the Settlement, after their parents' release, and daughters or wives of
free men... the effect of their training remains with them. So also when the boys remain and
grow to manhood... both turns them into grossly immoral couples leading the most
undesirable lives. It is in checking the evils thus arising that the powers now conferred on
the local executive will be so useful. 73 This view was shared across the board as attested by
F.A.M. Dass in his monograph:

There has always been a marked difference between the free population introduced from
India and the children of the convicts with the taint of convict blood. The so called
local-born community has suffered in numerous ways in the past both from a social and
an economic point of view. They were socially boycotted by most of the Indian officials
mainly for three reasons: first, for being born to convict parents, second, for not strictly
adhering to the orthodox customs of caste and religion, and third, for their moral
weakness. 74

The convict boys, on the other hand, were seen as inefficient and untrustworthy. Given the
precarious employment situation on the Islands, most of them a government service or an
engagement in forest works. There also existed a general prejudice amongst the local-born
population regarding certain types of works, which prevented them from taking up varied
employment, thereby strengthening the unfavourable stereotype. As one official stated:

It is said to be characteristic of the local population that they do not readily adopt
distinct professions. If they fail to get into Government employment they work fitfully as
cultivators, or as sawyers for local timber merchants. There is a prejudice against the
employment of local born youths, and with reason, for they are frequently found to be
unreliable. 75

73 R.C. Temple to the Secretary to the Government of India, 27 Sep 1895, in Home, Port Blair, Jan 1896, 111,
NAI.
74 Dass, The Andaman, Chapter VI, p. 68.
75 Home, Port Blair, Proceedings Volume, August 1915, 66, NAI.
The Settlement officials punished the local-borns by refusing to renew their licenses and subsequently deporting them. However, they were quite apprehensive when it came to deporting female local-borns, who were suspected of indulging in ‘prostitution’. The main reason for this suspicion was that the locally born free girls were allowed to marry self-supporters. This created certain disciplinary problems for the Settlement officials because the free wives could not be separated from their husbands, and had to perform live among the convict population. The local government in order to deal with this problem even made suggestions for the amendment of the rules of license which provided for the imprisonment of the local women for ‘delinquent’ behaviour, and where deportation was to be used only as a last resort. However, the government also cautioned the local administration that such a clause had the potential for becoming a ‘cloak for inquisitorial investigations by the Police into the private lives of the free settlers’. As in the case of female self-supporting convict, the question of prostitution amongst the convict daughters was open-ended and there was no legal definition available to measure it against. It was at best a matter of conjecture.

Fractures in the Discourse

Some officials, however, were willing to place their faith in convict reform and the self-supporter system, notwithstanding its supposedly seamy side. They were diffident in accepting the picture of convict marriages painted by others. A report by J.M. Woolley, Senior Medical Officer, written for the Census Report, attempted to uphold the utility of the convict marriages. Interestingly, his report was full of contradictions and self-justifications. He candidly attested that most of the marriages in the Andamans was a second marriage for most convicts. But they were accepted as such because the idea was to make the convicts settle down into honest domestic life. According to him, only a small number of women who came to the Andamans could be said to have led ‘immoral lives’ while they were in India. This was because the women of the immoral class were rarely convicted for the crimes for which the women were transported to the Andamans, which was murder. Having absolved the women convicts of any immorality, Woolley waxed eloquent on the nature of the convict marriages. In his view, the main purpose of the marriage on the Andamans was to produce offspring but he admitted, in the same breath, that some of the women were so

76 Home, Port Blair, Proceedings Volume, July 1895, 78-81, NAI.
advanced in age as to be unable to produce children. And, that some women also suffered from venereal diseases, common in the Andamans. But most cases of venereal diseases remained undetected because of fear of punishment or mockery. In the same paragraph, Woolley cited the case of a woman who was infected with syphilis and had spread it among the various villagers. He conceded that there existed a lot of 'immorality' in the Settlement but nevertheless he gave a positive report about the convict marriages and the offspring they produced. In his view:

It is not fair to condemn the system of convict marriages, because some do badly. The fact that some succeed is in itself a sufficient encouragement, and the system also has this additional advantage in that it serves as a perpetual object-lesson for the laboring convict as to what he also may aspire to when the time comes, if he does well and escapes being punished.78

Colonel Douglas took strong not of the report of J.M. Woolley because nothing could deter the former from the view that 'the object of the convict in a number of marriages is said to be mercenary and to make money by prostituting the wife'. Woolley's was not an isolated defence of the convict marriage and the social life of the convicts. Cecil Beadon, the Secretary to the Government of India, realized that this issue had the potential of leading to the abolition of the Settlement and, therefore, took pains to justify the prevalence of this vice in the circumstances of the settlement:

Let me record as an instance the circumstances of the Viper District which comprises four stations for laboring convicts, who live in barracks, and fourteen villages occupied by the self-supporters, scattered over an area of 46 square miles. The total number of convicts approximates to 2,000 and in the whole area there are resident only 45 women, of whom two are wives of custodians and forty-three wives of self-supporters. In such circumstances what is to be expected? With tobacco, opium, and gambling tabooed and, in the case of third class convicts, the possession of even money forbidden, to what can nineteen hundred odd men be expected to turn for amusement or occupation?

77 Home, Port Blair, July 1895, 81, NAI.
Unnatural circumstances must drive men to abnormal practices and, when such act on a
course despondent people, to unnatural vice. The habitual recipient has come into being
to satisfy a demand: he is really an ‘ersatz’ of a war, which the State has waged against
nature.\textsuperscript{79}

Cecil Beadon also took a much more philosophical and humanist view of the situation. He
admitted that the conditions in the Settlement were such to have ‘driven the weaker vessels
on to the rocks of immorality and those of sterner build, into a calm of contended apathy’
and that most were ‘preferring to drag on as laboring convicts, treating the hospitals as green
islands rising from an ocean of toil’. This system, in his opinion, could be remedied only if
‘we retrace our steps and treat these convicts as \textit{human beings with human wants}, by adopting the
true idea on which punishment of transportation is based. A large percentage of the convicts
are just as moral, just as respectable as the majority of their unconvicted fellow
countrymen…. In short, we have tried to subdue nature unsuccessfully: why not take her as
an ally and see what the union will do?’\textsuperscript{80}

The negative characterization of the convict offspring was also rather unfair and
misrepresented the life of the local population. The vibrant social life of the local-born
community was a testimony of its moral health. Most of the north Indian festivals such as
holi, diwali, and dusshera were celebrated with great gusto and the children participated in a
number of sports competitions, theatre, and dramatics.\textsuperscript{81} One Ram Singh of the Chatham
sawmill even organized a group of boys as an orchestra party complete with flutes, drums,
and uniform. It played at the various marriage parties, birth, and celebrations in the
Settlement. Most of them spoke pidginized Hindustani.\textsuperscript{82} The attempts at educating the

\textsuperscript{78} Census of India, Andamans and Nicobar Islands, Vol. II, 1911.
\textsuperscript{79} Home, Jails, Dec 1920, NAI.
\textsuperscript{80} ibid.
\textsuperscript{81} Gauri Shankar Pandey, “The Most Happiest Day”, in \textit{Golden Jubilee Souvenir}, Government Boys’ Senior
\textsuperscript{82} K. S. Singh, ed., “Rise of Andaman Hindi”, in \textit{People Of India Series, Andaman and Nicobar Islands, Volume
XII, Anthropological Survey of India, Madars, 1994, pp. 246-252.
convicts did not bear the fruits as expected, not always because of lack of effort, on the part of convict children. Not enough convicts proficient in English were available to impart even speaking-knowledge of the language. Moreover, the staff of Urdu teachers was found to be incompetent and inefficient at instructing in the vernacular. This was because the scale of pay decided by the Government of India could not secure the services of competent teachers. The avenues for employment were also extremely limited for the local-borns. About one-third of them were in government employment and the majority worked as cultivators. Moreover, cultivation was not a very profitable enterprise for the convict children. The land tenure system was also unfavourably balanced and led to economic and financial losses for the community. Thus, the problems, such as poverty and unemployment, which actually had their fount in the economic conditions of the Settlement were given a moral overtone. They were seen as being produced by the moral failings of the community, while the reasons for them lay elsewhere.

The varied voices in support of the system, however, were drowned by the rising conundrum against them. And the incriminating evidence was too heavily weighted against the continuation of the system. The system of transportation of the convicts and the penal settlement both began to be considered as a blemish on the image of the Empire and the government, therefore, decided to take decisive steps about the issue at the end of the First World War. This discourse though not directly responsible for the abolition but was nevertheless crucial in generating an atmosphere that led to the characterization of the Andamans in the Indian subcontinent as a 'Hell on Earth'. However, the imperatives, which actually led to the abolition of transportation to the Andamans, had little to do with the discourse generated in favor of its abolition.

**Epilogue**

The year 1921 marked a significant break in the Andamans penal and social history. First, it did not occasion the abolition of the penal settlement, which was retained until after the
British reoccupation of the Islands in 1945. So, the penal settlement continued after 1921 albeit in a significantly transformed manner. The convicts whose term was still incomplete and did not wish to stay on in the Settlement were repatriated to the Indian and Burmese jails. The Government, in order to people the Islands, solicited voluntary migration of rebel communities, criminal tribes, and other prisoners. The Moplah rebels from Malabar; the Bhantu tribals from the gang of Sultana dacoit from the United Provinces; Karens, the Christian hill tribes of Burma; and the Roman Catholic laborers from Ranchi were some of the groups who migrated to the colony. Besides, there also existed a vibrant local-born community and free population of shopkeepers, traders, and policemen from the pre-1921 period, which formed the core of inhabitants in Port Blair. Fresh village settlements were opened for the newly arrived settlers in Port Blair and habitational colonies were also founded in the Middle and North Andamans.

Second, the abolition of transportation to the Andamans led to the complete removal of the sentence of transportation from the Indian penal statutes. This was one of the recommendations of the Indian Jail Committee of 1919. Transportation was seen as a ‘relic of an exploded idea of ancient penology’, in which the ‘reformation of the individual was not seriously contemplated if it was not entirely ignored’. And, therefore, ‘this dehumanizing system’ was to be abolished. The Committee recognized that this would involve the alteration of provisions of certain statutes of the Indian Penal Code. The word ‘transportation’ was to be deleted wherever it occurred, ‘leaving rigorous imprisonment alone where the latter appears as an alternative sentence’, and to substitute transportation of life with rigorous imprisonment for life. As a result, of these recommendations, a Bill for the abolition of the punishment of transportation was introduced in the legislative assembly on 23 September 1922.87

87 It was decided to place the Bill before the local governments and take their opinion. A Select Committee was formed later in the year consisting of Rao Bahadur T. Ragachariar, J. N. Mukherjee, K. B. L. Agnihotri, N. M. Samarth, P.E. Percival, Colonel Henry Stanyon, Muashi Ishwar Saran, Chaudhari Shahabuddin, Sir Malcolm Hailey, Khan Bahadur Sarfaraz Hussain Khan and Rai Bahadur Lakshmi Prasad Sinha. The Select Committee was in knots over the issue of what would be the exact and equal substitute of the sentence of transportation, once it was abolished. Finally, the Committee proposed to substitute transportation with rigorous
The creation of a Free Settlement was furthered through the 'Colonization scheme'. The government wanted convict volunteers from the mainland jails, who belonged to the star class, were not more than 35 years of age, had not been in jail for over three years and who were married and willing to take the wife with them. The object of the colonization scheme was two-fold: to provide a suitable free population for the Islands, which offered opportunities to settlers; and, second, it was to be a means of mitigating the punishment of these men. They were being transferred from a life of hard labor to one of comparative freedom and provided with the means to support themselves. These men were also allowed to have their wives and families with them. The idea was to make them contended settlers.

The idea was to create a sense of civic responsibility in them. They were to have the 'germs of decent citizenship' and they would, in future, it was hoped provide good clerks for the Government. It was believed that religion would provide the glue for the new society and that groups of self-supporters would be encouraged to settle down on a communal basis. Most of the self-supporter convicts who petitioned to be allowed to permanently settle in the Andamans did so because, either they were offered permanent employment in one of the government departments; or with a private individual, as a domestic servant; or had family members who were not in position to migrate back to the home country.

The scheme was workable but encountered unforeseen problems in implementation. The very first problem arose over acceptance of the self-supporter status by convicts and over their decision to remain in the Settlement. The Chief Commissioner, initially, found it difficult to persuade the convicts regarding the genuineness of the offer of the self-supporter status:

imprisonment, where the latter was divided into two classes. That is, rigorous imprisonment with hard labour and second, rigorous punishment under less severe conditions. The Legislative Assembly decided to accept the proposal of the Select Committee but also decided to re-circulate the bill for eliciting public opinion on the matter. 23 Sept 1922, Legislative Assembly Debates.

Punjab was the only province granted temporary permission to deport convicts against their will, in Home, Jail, 1931, 111, NAI.

Home, Jails, 1922, 44, NAI.
The immediate response was not very good because at that time the germs of non-co-operation had reached Port Blair (there was to have been an exposition of 'Down-tolls' and Satyagraha on December 26th, 1921, which was frustrated by my timely executive action); the convicts were disposed to regard the notice with some distrust, thinking that, if they took out self-supporters tickets they would be kept back in the Andamans against their will, either after release or when opportunity to return to an Indian Jail occurred.\(^91\)

The Settlement officers felt that the labor incentives and remission of sentences would encourage the scheme. The granting of the labor incentives and remissions, however, proved to be a difficult task. Gwyne had recommended that convicts be given remission of sentence equivalent to one-third of their term, irrespective of their desire to be repatriated to the provincial jail from where they had been transported, or their wanting to stay on in the Andamans. Much to the Settlement officers' dismay, some of the provinces refused to take back their prisoners because of inadequate jail accommodation.\(^92\) Moreover, the process of transfer of convicts was a very slow one and by December 1925 the convicts in the Settlement numbered 7740, registering a reduction of only 33 per cent.\(^93\) As a result, within a few months of deciding to abolish the penal settlement (March 1921) the Government of India was forced to reopen transportation to the Andamans (December 1921) because of overcrowding in the various local jails. The provinces of Punjab, Madras, NWFP were under consideration, while transportation was being immediately opened for Bengal. Owing to the outbreak of the Non-Co-operation Movement, the Presidency Jail at Kidderpore was opened temporarily on 20 December 1921.\(^94\)

The Settlement began to gradually change in its composition. While all labor in the Settlement continued to be convict-labor, the convicts, with time, began to be paid wages on a sliding scale. They were also granted rations and free clothing to remove the stigma of the

\(^{90}\) Home, Port Blair, Jan 1921, 27-29, NAI.

\(^{91}\) Home, Jails, 1922, 157, NAI.

\(^{92}\) Home, Jails, 1925, 83, NAI.

\(^{93}\) Home, Jails, 1926, 120, NAI; Education, Health and Lands Dept, Oversees branch, Oct 1926, 59-61, B, NAI.

\(^{94}\) Home, Jails, 1922, 44, NAI; Home, Jails, 1921, 2-T-1(1), West Bengal State Archives.
convict status. In 1919, 5,500 convicts were performing the work, which had been carried out by 10,000 convicts. There was a great change in their mental outlook, their bearing, conduct, in the capacity to work, and in their general health. The proportion of self-supporters increased from 10 to 56 per cent. The free population numbered between four to five thousand. There was a revision of land holding rights to enable the development of land by people with capital. The idea was to give a secure occupancy right to the small holders. These changes had served as a real stimulus to the agricultural growth. Everyone who visited the Settlement in the mid-1920s noted them. Colonel Ferrar on the opening ceremony of the causeway connecting Chatham Island with the mainland on 21 April 1930, quite astutely summed up these changes:

On my arrival here in 1923 I was told that in 1926 the Penal Settlement would close suddenly like a book and that Port Blair would revert to Jungle. It is now 1930 and in reality what has happened? In every direction we see progress. The Penal Settlement remains, but changed, immensely changed, owing to the removal of the habitual criminals and the recruitment in their place of casual criminals who come as volunteers with the hope of speedy recovery of their self-respect and who can generally be trusted to behave and to work under less rigorous, less visibly penal forms of restraint. Large numbers of them have imported their families and take one index we have now in Port Blair 4,000 children against some 1,209 in 1923. Every convict on the land has a wife and the dreary villages of idle bachelor convicts have disappeared. The humanizing effect of these changes is great. Then the placing of all convicts on wages has brought money into the bazaars and wealth or at least prosperity to the whole trading community. The standard of living has improved as is to be seen from the great number of fine houses erected in great numbers every year through the whole Settlement. The coconut growers who are more fortunate than their brethren elsewhere in having good markets will export this year about 3,000,000 nuts against the figure nil for 1923. The Forest Department is now exporting five times the amount of timber exported in 1923. Outside capital has still to be attracted but we have the Western India Match Company as the pioneer in this

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95 Home, Jails, 1926, 120, NAI; Education, Health and Lands Dept, Overseas branch, Oct 1926, 59-61, B, NAI.
respect. Their factory, the first private factory in the Andamans, is in course of erection a few yards from where we stand. Another sign of advance is given by motor traffic. Against 2 Ford vans in 1923 we now have close on 150 motor vehicles of all sorts. The outcome of all this has been the building of firstly a deep-sea jetty at Chatham and secondly a road to take all traffic between that jetty and the mainland.\textsuperscript{96}

\textsuperscript{96} Home, Jails, 1930, 30, NAI.
This thesis has attempted to establish that the marginalization of the Andamans was not only a geographical casualty but also a product of the colonial encounter. The imageries, narratives, and the mythical fancies generated in the interface of the colonizer and the colonized produced new spatial metaphors. Spaces – geographical, environmental, domestic, familial and vocational – were ordered, configured, and negotiated anew. Where the present thesis steps away from other ‘encounter histories’ is that it specifically focuses on the production of space in the moment of colonial encounter. Further, it has endeavoured to redress the balance of environmental history in favour of the island spaces; and to examine the way imagery and perceptions of nature and landscape were linked to the way a particular space was used, controlled, and transformed. The attempt has been not only to demonstrate this point in relation to island spaces but also to free the island space from the ‘island complex’ and ‘island metaphor’, which was not always a product of geographical location. The island complex was mostly a Euro-centric assumption that located the islands at the margins and extremities of the civilized and knowable world. These spatial stereotypes were subsequently taken over by the anthropologists studying various islands and their inhabitants and worked into acquired wisdom.

The colonization, it concludes, mid-wived the birth of the Andamans on the navigational and survey maps, international trade routes, and anthropological and ethnological monographs. It also re-plotted the Andamans on the Imperial map, not as a segment of Southeast Asian archipelago, but as a frontier outpost of the Empire in India. The ancient and medieval maps, charts, and navigational texts had hitherto nearly always located the Andamans as a part of Southeast Asia in line with Java and Sumatra. In geographical terms as well, the Andamans were an extension of the Indonesian archipelago. The colonial map-making, however, repositioned and appropriated the territory of the Andamans into the pantheon of imperial frontier conquests.¹ Instead of looking eastwards, the Andamans were

¹ Ian J. Barrow, *Making History, Drawing Territory, British Mapping in India, c. 1756-1905*, Oxford University Press, New Delhi, 2003. Barrow demonstrates the way the clarity and scientific nature of the late eighteenth century colonial maps, like historical documents, was beguiling. These maps hid the existent reality of the
now reoriented to face the Indian subcontinent. Thus, the process of disengagement of the Andamans from the Southeast Asian littorals, and its fatal fastening to the trials and travails of the history of the Indian subcontinent began with its colonization. The Revolt of 1857, the co-option of the Cellular Jail in the Indian nationalist hagiography as a place of ‘holy pilgrimage’, and the subsequent decision of the British government to retain the Islands as a part of the Indian Union, were some other cathartic moments which took on the baton of this linkage.

The present work, thus, has attempted to probe the larger colonial project operating in the Andamans of which the penal settlement was only a segment albeit a significant one. The British discursive imagination recreated the island space as ‘wild’. This new designation, I have argued, served a dual purpose for the British. First, it laid the grounds for the colonial conquest and second, it provided a strong foundation for the arguments in favor of establishing a penal settlement on the Islands. Thus, this imagery had the desire for conquest hidden in its belly. Further, it contributed to the spatialization of the Andamans as ‘islands’, a penal fortress, a prison where all disruptive elements were locked up, rendering the mainland safe. The imagery and the characterization of the Andamans that had been generated in the moment of the colonial encounter come to a full circle in the early twentieth century. In this period, a new discourse drawing on the lives and the character of the convict settlers emerges. The Islands, which had been demonized as a ‘perfect purgatory’, metamorphose into a ‘hell on earth’.

Thus, the colonial encounter was a significant milestone in the process of the marginalization of certain island spaces, such as the Andamans. However, not all the islands met the same fate as the Andamans. Some islands, such as Penang, Singapore, Ceylon, Malacca, and Mauritius came under historical spotlight and got integrated within international trading, economic, and military networks as imperial outposts, entrepots, free trading centres, victualing, and fuelling depots. Singapore and Penang had also begun their colonial innings as penal settlements but they had soon outlived their utility as convict colonies and were able to shrug off the penal epithet. They had transformed into commercial contemporary colonial rule in Bengal that was still tenuous and where officials, engaged in mapping and
colonies leading to the gradual exit of convicts and penal administration from the historical scene. The Andamans, however, followed a different trajectory. It continued as a penal colony and never really did break the mould in which it was cast. This was because it was a colony, which remained commercially non-productive. Existence of high shipping costs, absence of a growing international or domestic market and battling with limited technical and infrastructural capacity, set the Andamans apart from the contemporary plantation colonies that had wide international markets and export enclaves. Since little, in commercial terms, was to be obtained from the Andaman Islands, they continued to be used as a penal settlement. However, at the same time, the administration of the colony was such that it rarely approximated to a classical example of a penal colony. Nevertheless, this does not mean that the Andamans remained consigned to the backwaters of history and received no historical attention. The manner, in which it was appropriated into the Empire, drew to the Andamans, *specific kind* of attention. It became an object of fascination for the contemporary nationalists, anthropologists and later, for the historians of convict studies. This process of the repositioning of the Islands within the South Asian history has been explored in the present work.

Therefore, in relation to the Andamans, while a recounting of the moment of the colonial conquest is no doubt significant, however, the history of the penal settlement remains the matrix against which the lives of the convicts, the British administration, and the colonial politics was played out once the Islands were colonized. The establishment of a penal settlement was an important denominator leading to the edging out of these Islands out of the ambit of civilization, and thereby, out of the purview of historical inquiry. Generally, the marginality of islands that served as penal stations, this thesis concludes, was outcome of two factors: most of the islands chosen as penal stations were either not located on commercial highways or were out of the way of mass transit, and could be approached only through state-sponsored vessels. Second, the establishment of a penal station produced and reinforced their marginality that was, in some cases, until their colonization occasioned by their geographical location. The setting up of a penal settlement required cordoning of the space, quarantining it, and sealing it from any external influence and this could be easily

surveying, were being constantly attacked and evaded by local people.
achieved when an island space was being used as a jailhouse. In this manner, the spatialization of a particular island as an isolated and forbidding space, inhabited by the refuse and the dangerous elements, was enough to consign it to the realm of the marginal.

Negotiation, contestation, and differentiation come out as the defining variables at work in the colonial history of the Andamans. These factors not only mediated the relationship of the State with the convict settlers but also operated within the State structure. The lines of divisions, thus, cut horizontally and vertically, through the penal edifice. The above themes come to fore in the sections examining the administration of the colony, the labour regime in the Andamans, and the social life of convicts. The attempt to spatially appropriate the Andamans as a geographical extension of the Indian subcontinent, instead of bringing the Islands into the Indian mainstream, inadvertently imposed a great degree of administrative isolation and huge financial burden on the Islands. This imposed a variety of constraints on the working of the administration and the devices adopted for the management of the convicts. Political consanguinity, in-between the convicts and the Colonial officers, was thus the order of the day. The transported convict, who was marginalized and rendered 'socially dead' by virtue of having been transported, was integrated into not only state-sponsored political hierarchies but also given space to re-build and re-enact his social life through a series of integrative processes. ² Sops given out by the State, which helped the convict ascend the state-sponsored hierarchies, were not the only incentive that the State could offer the convict to make him willingly participate in the labour regime. Rewards and punishments which approximated to the social mores of the convicts had to be re-created in order to effectively manage the body of the convicts who were simultaneously a labour force and legal offenders.

Another historiographical issue raised by the present work relates to the management of the convicts. The system of convict management depended on the physical and material exigencies of the island colony. While the Colonial officials would have liked to enforce a much stricter and scrupulous system of segregation and surveillance, they restructured the traditional penal devices in order to make the best of the situation. The system of rewards
and punishments further enriched the repertory of available instruments of coercion. The state of affairs in the Andamans was not unique by any means. A similar kind of system prevailed in the Straits Settlements and the Mauritius. Kernail Singh Sandhu describes the Straits system as 'liberal and effective' and Clare Anderson reaffirms that in Mauritius 'the system in practice was not based on strict discipline and surveillance, as was claimed'. Instead, positive incentives for good behaviour were 'crucial to the successful operation of the convict system'. What sets apart the case of the Andamans from that of other case studies was that, in the Andamans, convicts formed the majority of the population. Free settlers formed a significant but a very small section of the population. However, in Mauritius and Straits, convicts were a small component of a larger population of Europeans, Africans, and Asians peopling the Islands. The Andamans was, thus, a penal colony, while Straits and Mauritius were colonies with convict stations. Moreover, in the Andamans, there was internal dissension regarding the view that the officials took of meaning and nature of punishment. This divergence of opinion directly impinged upon the variety of management techniques adopted by the administrators. Therefore, in the Andamans, one finds that the functioning of the administration hinged more on the personal views and opinions of the different officials than on a consistent and impersonal policy, which was followed by one and all. The case study of the Andamans, therefore, provides a distinct prototype for studying convict systems and island penal stations in history.

By no means encyclopaedic, the attempt has been to view the history of the Andamans of the past one and a half centuries in its totality. However, there is a silence in the present thesis on one crucial issue – the life of the native Andamanese. They make a brief guest appearance in the first chapter but only in the way travellers, adventurers, and the colonial officials characterized them. Any study of the history of the Islands is unfinished without a narration of the lives and mores of the native Andamanese. Their voice, their relations with

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3 According to Clare Anderson, the management in Mauritius 'was also far more reliant on the integration of convicts within the hierarchy of command that was ever explicitly acknowledged'. The case in the Andamans, however, differed, where the attempt was not only to integrate the convict into state-sponsored hierarchies but also to reform by restoring some measure of his social life which he had lost as a result of transportation.
the colonial state, and the contours of their interaction with the convicts finds no representation in the present work. While the study of their lives was initially part of the research project, it could not be undertaken given the constraints of time and space. There are a number of underworked areas in the history of Andamans, which also await future research. For instance, the social history of the Settlement, following 1921, is an unmapped territory and a field full of potential for future research works. The Port records in Kolkata, Chennai, and Mumbai may have possible clues about the criminal record and the social composition of convicts sent to the Andamans. Similar is the case of the forest works and botanical investigations conducted by the British in the Andamans. In contrast, the period of Japanese occupation remains a phase, which is now being extensively attended to by Indian and Japanese, scholars. A politically controversial period, it evokes intense emotions amongst the local inhabitants who either lived through this period or have had family members or friends who fell to the bullets of the Japanese. The politics of decolonization and the handing over of the Islands to the Indian Republic and not the newly formed Pakistan is also a possible area of inquiry.