
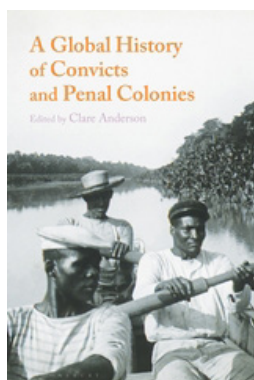


FOR A GLOBAL HISTORY OF PENAL COLONIES AND CONVICT LABOR

Peter M. Beattie^a

 <https://orcid.org/0000-0002-0890-9791>
Email: beattiep@msu.edu

^a Michigan State University, History Department, East Lansing, MI, United States



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This expansive edited volume complements a number of recent attempts to bring together a growing body of research on convict labor and penal colonies in a wide variety of empires and post-colonial nation states from the fifteenth to the twentieth centuries. Eleven chapters are case studies of different global penal transportation systems. One of the main preoccupations of most of these case-study chapters is to quantify the size and evolution of the convict labor flows to examine their relative importance to imperial and national state building projects. Depending on the sources available and the consequent state of regional historiographies, these chapters offer analyses of available data while pointing the way forward for needed research to fill historiographical gaps. These chapters also examine, to varying degrees, the lives of convict laborers and the roles they played in the development of frontier, colonial, and post-independence nation states. The editor Clare Anderson contributes an introductory assessment chapter that highlights the common and divergent themes in the case-study chapters and their collective interventions in and implications for ongoing debates on the nature of penal transportation and the development of criminal justice practices more generally. Anthropologist Laura Ann Stoler provides some concluding reflections on the volume and the emerging field of migratory convict labor systems and penal colonies.

Many of the readers of this journal will perhaps be most interested in Chapters 2, 3, and 9 which survey penal transportation in the colonial Portuguese and Spanish Empires and post-colonial Latin America respectively. But I would strongly suggest that those interested in the broader contours of global penal transportation systems to read chapters on other world regions from Britain and Ireland and within British colonial Asia as well as French, Dutch, Danish, and Scandinavian empires. Separate chapters explore mostly internal penal migration in Japan, Russia, and modern Europe. Those interested in the African slave trade, free Africans, military impressment, and Indigenous Brazilian slavery will find parallels between these migratory coercive labor systems as well as intersections between their roles in colonial and national development strategies.

Historian Joel Coates synthesizes his ongoing pioneering work on Portuguese colonial penal transportation both within Portugal and to Brazil, Africa, and Asia. Portugal's rather diminutive population compared to its European imperial rivals, not to mention the large indigenous populations of its far-flung colonial territories, led imperial authorities to utilize their sparse human resources covetously. Clearly, the African slave trade and indigenous slavery in Brazil constituted much larger streams in terms of coercive labor migration but Coates demonstrates that Portuguese penal transportation constituted an important part of its colonial settlement and development strategies. While internal exile to Portugal's frontiers and service on Mediterranean galleys was important in the medieval period, more and more Portuguese authorities sought to exile convicts to strategic colonial territories. By the twentieth century Portugal's African possessions became the primary destination for Portuguese convicts. From 1823 to 1932, some 16,000 to 20,000 Portuguese convicts and vagrants disembarked in Africa. Because of the uneven documentary record on convict migrants, Coates makes these estimates based on years where documentation is available and uses them as a basis to cautiously estimate what numbers may have likely been over a broader sweep of time. As most of the case-study chapters across the globe demonstrate, when frontier areas became more settled locals resented the relocation of convict laborers and there was a reorientation of convict migration flows. From 1415 to 1961, Anderson estimates

that the Portuguese exiled as many as 100,000, mostly Portuguese convicts, internally and abroad (ANDERSON, 2020, p. 25).

The Spanish also exiled many convicts from home to its territories in the Americas, Africa, the Philippines, and Mediterranean galleys as well as many convicted in its colonial possessions. Historian Cristian G. de Vito argues that in the early colonial convicts authorities commonly sent penal exiles to build military infrastructure. These convicts resided alongside free and other unfree laborers in presidio towns. Later in some of these presidios, like Ceuta in North Africa, Spanish convicts and vagrants came to dominate the population living there. As with Portuguese convicts, many of these Spanish exiles came to serve in the colonial Spanish army, particularly during the tumultuous conflicts of the late eighteenth and early nineteenth centuries. He identifies three principal destinations for penal exiles: presidios, mines, and *obrajes*. Unlike the British and Dutch East India Companies, de Vito argues that Spanish officials sought to relocate convicts as part of its project to exert control over inland indigenous and slave populations. While documentation of convict laborers in the Americas is sparse, he contends that it was much larger and more significant than heretofore depicted in the historiography. Indeed, he notes that some 63,000 Spanish vagrants were exiled within Spain and across the Spanish empire from 1730-1789, and some 19,410 convicts exiled to presidios from 1703 to 1813 with smaller standing numbers in various localities from Pensacola to Valdivia, Guayaquil, Martín García, and Patagonia in different years. He finds that within the Spanish empire there were nine different regional presidio-related regions of the Spanish empire that reflected the polycentric nature of its different viceroyalties. Convicts traveled mostly on merchant ships alongside free passengers their families and dependents, including their slaves. Once they landed, convicts often had to march overland with ropes around their necks (*cuerdas*) to their determined destinations. He convincingly concludes that convict migrations flows both shaped and were shaped by the networks of Spanish empire. Anderson estimates that Spanish authorities transported some 110,000 convicts from 1550 to 1950 (ANDERSON, 2020, p. 25).

Historian Ryan Edwards provides a peripatetic overview of penal colonies and penitentiaries in post-colonial Latin America. This is a daunting task given the breadth of the topic, and the author does an admirable job of synthesizing a burgeoning body of literature. Because of sparse documentation and the state of the historiography, he does not venture an overall estimate of the number of convicts sent to penal colony presidios on islands and interior frontier outposts versus those held in mostly urban penitentiaries. He observes that the emergence of modern penitentiaries modeled, to one degree or another, on Jeremy Bentham's panopticon design did not replace penal colonies that continued to be important parts of Latin American nations' state building efforts. Rather the two were complementary parts of the whole. Because of the chapter's breadth, Brazil gets a rather brief summation that highlights the penal colony of Fernando de Noronha and the establishment of Latin America's first penitentiary project (construction began in 1834) in its then capital, Rio de Janeiro. The bulk of the chapter deals with penal justice in the twentieth century when periodically political prisoners under authoritarian regimes swelled the capacity of prisons who often overflowed into newly and recommissioned island presidios as well as soccer stadiums and other impromptu locations. Perhaps worthy of note, but doubtless not mentioned due to the need for brevity, is that the housing of twentieth-century political prisoners and ordinary convicts together helped to spawn the emergence of new organizations

forged both on island penal colonies and new maximum-security penitentiaries such as Comando Vermelho and Primeiro Comando da Capital. In both cases, imprisonment resulted in new powerful entities that resisted oppression in both the carceral and penal colonies where they originally organized and subsequently spread their activities well beyond the bounds of their confinement.

Rather than attempt to comment on every chapter in this fine edited volume in a brief review, it is perhaps better to note some of the larger patterns that emerge from a joint reading of the case-study chapters. From 1415 when the Portuguese sent the first known European expedition abroad, partially composed of convicts, to take the North African outpost of Ceuta until the closing of Europe's last penal colony in Guiana in 1953, Anderson estimates that authorities transported some 9 million men, women, and children as convicts and vagrants. These numbers go up when one considers the internal exile during the Russian Empire from 1590 to 1917 (nearly two million) and the USSR (10 to 25 million). If one considers the massive relocation of political, religious, ethnic, and sexually-identified prisoners during the World War II era, some 5 million more were relocated to labor and extermination camps. Clearly the size of these coercive migratory labor systems when considered on a global scale and over a broad sweep of time were massive and merit greater consideration alongside other coercive labor and free migration systems across the world. But as Anderson emphasizes the study of penal transportation in many parts of the world such as the Spanish, Portuguese, Japanese, and Dutch empires as well as post-colonial Latin America, remains fledgling. Archival records on penal transportation are more robust for the British, French and Japanese penal colonies, but they are less well preserved and organized in other parts of the world.

The case studies in this volume reveal that penal colonies arose before and continued to flourish alongside the rise of penitentiaries. As Anderson opines, "by the nineteenth century, in numerous global contexts, penal transportation blended convict mobility with carceral immobility" (ANDERSON, 2020, p. 28). The case studies support critiques of Michel Foucault's hypotheses that the advent of the modern penitentiary constituted the most important transition in penal practices moving away from corporal punishments and gruesome executions to carceral confinement intended to promote the rehabilitation of convicts. Indeed, one might further argue that Britain's penal transportation of convicts to Australia made it possible to construct a system of penitentiaries capable of accommodating prisoners at home. Clearly the evidence examined here by numerous authors and other scholarly production indicates that the mobility of convicts continued to be crucial to the imperial and national ambitions of government authorities who sought to utilize their labor to extend territorial gains, develop trade and economic growth, man depleted military forces, and punish and reform "dangerous" subjects and citizens. Indeed, convict transportation and labor touched every continent in the world save Antarctica, yet its global significance remains in many cases little explored.

Across the globe, convict laborers often worked and lived alongside other coerced laborers, from slaves to men pressed into army and naval forces, free Africans, and indentured servants. As Peter Beattie has argued in the case of Fernando de Noronha, the methods that military officers used to discipline convict workers on this agricultural penal colony more closely resembled those employed by slave owners to incentivize, castigate, and terrorize slave laborers and that military officers often used to discipline their soldiers most of whom had been pressed into service. They did not come close to



those practices Jeremy Bentham prescribed for penitentiary discipline. Thus, “modern” penal methods existed as part of the same system that perpetuated “premodern” ones in penal colonies. These case studies suggest the need to see penal transportation as part of a continuum of coercive labor practices that proved highly flexible given circumstances, experiences, and the goals of imperial and national authorities. As Anderson contends, they need to be studied more solidly under the rubric of labor history than they have been to this point.

Anderson notes that in Britain’s colonies, authorities continued to use capital punishment with much greater frequency than they did domestically after the reform of the so-called Black Laws (1723 to 1823) that had prescribed the death penalty for more than 50 crimes including those against property. Though this goes unremarked upon in the volume, it helps us to understand different attitudes toward the death penalty in different empires and their former colonies. As Coates notes in the case of Portugal, this was in part because of Portugal’s small population led its courts to sentence convicts to penal exile rather than the gallows whereas enclosure and Britain’s comparative larger population led its courts to execute many more of its subject. Even in post-colonial Brazil foreign travelers remarked on the fact that public executions were relatively rare. Indeed, Pedro II would implement a *de facto* abolition of capital punishment in 1876 through his powers of commutation, in part, because of Brazil’s pariah status as the last independent nation in the Americas to tolerate slavery which sullied his nation’s international image. With the promulgation of the Brazilian Republic in 1889, its new 1890 Penal Code made capital punishment’s abolition *de jure*. Britain, France, and Spain would only abolish the death penalty in the second half of the nineteenth century. This indicates how necessity and politics shaped policies toward penal transportation and related practices and attitudes toward the death penalty. I offer this observation less as a critique of this volume than as an example of how it opens avenues for comparative histories of criminal justice. Certainly, when one compares the practice and public attitudes toward capital punishment in Brazil and the United States, it highlights the importance of the legal legacies of their imperial founders in shaping their post-independence practices. Though both the US and Brazil share a deep history of chattel slavery (an argument frequently invoked to explain why so many US states tolerate and practice capital punishment), the legal standing of the death penalty in each offers an interesting contrast that leads one to look beyond, without losing sight of, the significance of slavery as an explanation.

This volume makes a more comparative history of coercive migratory labor systems possible, and for that, the editor and contributors are to be commended. It also brings together a rich bibliography in its notes that will allow future researchers to more easily follow their lead.

REFERENCE

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AUTHOR'S NOTES

AUTHOR DETAILS

Peter M. Beattie: PhD. Associate Professor, Michigan State University, History Department, East Lansing, MI, United States.

CORRESPONDING ADDRESS

Department of History, 506 E. Circle Dr., Room 256 – Old Horticulture Building, 48824, East Lansing, MI, United States.

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