

**The Politics of Convict Space:  
Indian Penal Settlements in Southeast Asia, the Indian Ocean and the Andaman  
Islands<sup>1</sup>**

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***Introduction***

From the late eighteenth century, as the British made incursions into India, they established a series of penal settlements for the reception of South Asian convicts. Bencoolen was the first destination, from 1773. It was later joined and eventually replaced during the first half of the nineteenth century by convict settlements in Prince of Wales' Island (Penang), Singapore, Malacca, the Tenasserim and Martaban Provinces (Burma), Mauritius and Aden. In the wake of the 1857 Uprising, the British further settled the Andaman Islands as a penal colony. Situated in the Bay of Bengal, 7 miles east of continental India, within ten years the Islands had become the sole destination for Indian transportees. Transportation was a punishment that removed offenders from society, isolated them in distant settlements overseas and put them to work. At the same time, colonial officials believed that the journey across the ocean (black water, or *kala pani*) which transportation entailed threatened convicts with loss of caste and hence social exclusion. Combined with the geography of the

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<sup>1</sup> This article has emerged from material collected during several years' research in the British Library, India Office Library, London (IOL), National Archives of India, New Delhi (NAI), National Library of Scotland and Tamil Nadu State Archives, Chennai (TNSA). I thank the British Academy, the British Academy Southeast Asia Committee, the Carnegie Trust for the Universities of Scotland and the Faculty of Social Sciences, University of Leicester, for their generous support. Fieldwork in the Andaman Islands was conducted in Spring 2001; I am again grateful to the British Academy for the award of a research grant to fund this trip. In addition, I am indebted to Swapnesh Choudhury, Curator of the Port Blair Cellular Jail Museum, and his staff, for all their help. Mukeshwar Lal kindly allowed me to see his personal collection of Local-Born Association records and generously shared his wide

penal spaces to which they were sent (islands or mainland areas frequently surrounded by hostile landscapes and populations), a powerful colonial cultural representation of transportation was formed.

This chapter seeks to analyse the contradictions between convicts' perceptions of and colonial discourses on the *kala pani*. Convicts themselves did not always view the prospect of their exclusion and isolation in the same way. Throughout the nineteenth century, it became increasingly clear that transportation was not the focus of terror in the way administrators had hoped for. Colonial representations of the power of the *kala pani* eventually had to acknowledge convicts' differing views and desires about the punishment, in relation to caste. By the 1890s, the realisation of the breach between the discourse and practice of the punishment led penologists in the Andamans to take radical measures to make transportation the deterrent they believed that it no longer was: the construction of a Cellular Jail at Port Blair. The chapter will then go on to show how this space of secondary confinement was later used to incarcerate political agitators. Subsequently, since independence, the Jail has been transformed into a symbolic anti-colonial national site. Paradoxically, the resurrection of the discourse of *kala pani* has been central to this, the creation of the Andaman Islands more generally as a space of anti-colonial struggle.

The construction of the Cellular Jail followed a history of further exclusion in Indian penal settlements. There had always been secondary zones of isolation within these places of exclusion. There was racial separation in some sites. The Mauritius government separated convicts transported from Ceylon from those from Bengal and

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knowledge of the Island's Local-Born community. Alison Bashford, Ian Duffield and Carolyn Strange commented extensively on earlier drafts.

Bombay, for instance.<sup>2</sup> In most other penal settlements, male and female convicts were segregated. In all the penal settlements there was also the thorny problem of how to further punish and isolate secondary offenders. Islands were usually chosen for these exclusive penal spaces. During the early nineteenth century, Rat Island was used for this purpose in Bencoolen.<sup>3</sup> Viper Island served the same function in the later Andamans period, until 1908 when all inmates were transferred to the Cellular Jail.<sup>4</sup> In the treatment of secondary offenders, there was an extensive interplay between penal colonies and other spaces of confinement. Mauritius retransported some of its secondary offenders to both Robben Island and the penal colonies of New South Wales and Van Diemen's Land (Tasmania).<sup>5</sup> Other convicts were further removed to leper colonies. Diego Garcia and Isle Curieuse in the Seychelles were both used for this purpose by the colonial government of Mauritius.<sup>6</sup> During the second half of the nineteenth century, a prohibition was placed on the shipment of lunatics sentenced to transportation to the Andamans. Convicts who were believed to be insane were initially shipped back to mainland asylums, though this ended in 1876 over fears that the policy encouraged convicts to feign madness.<sup>7</sup>

### ***Caste, Place and Punishment: transportation, isolation and the kala pani***

By the late eighteenth century, the British were beginning to formulate ideas about caste as one of the most important determinants of Indian social and economic

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<sup>2</sup> Clare Anderson, *Convicts In The Indian Ocean: Transportation from South Asia to Mauritius, 1815-53*, Macmillan, London: 2000, pp. ?

<sup>3</sup> IOL P/134/48. Regulation for the Better Management of the Bengal Convicts, 5 October 1820; IOL MSS Eur D.742/46. A Regulation for the better order and management of the Convicts at Bencoolen, under sentence of transportation from Bengal and Madras, 1 January 1824.

<sup>4</sup> NAI 1999. 3.116. June 1907 and 1999 5.26 March 1908.

<sup>5</sup> Anderson, *Convicts In The Indian Ocean*, pp. ?

<sup>6</sup> Anderson, *Convicts In The Indian Ocean*, pp. ? Leprous slaves were also sent to these leprosaria.

<sup>7</sup> NAI 1999 5.69 January 1874; 1998 2.21-3 & 45; 1998 1-3, 31-3.

life.<sup>8</sup> They believed that the significance of caste to Indians made transportation a hugely effective punishment. The threat of caste defilement associated with the crossing of the *kala pani* which made convicts social outcasts gave it special potency. In the 1780s the Prison Discipline Committee highly commended the punishment in this respect, describing it as ‘a weapon of tremendous power ... little short of the effect of a sentence of death’. The Committee believed that the effect of transportation on the whole community would be greater than capital punishment.<sup>9</sup> Twenty years later a Bengal judicial enquiry agreed. Of the 35 magistrates questioned, 29 concurred that transportation was a huge deterrent to crime.<sup>10</sup> The 1838 Committee on Prison Discipline similarly wrote of transportation’s ‘indescribable horror’ to Indians.<sup>11</sup>

Given their reliance on the social observations of high-caste Brahmins in understanding the Indian subcontinent, the origins of this discourse can be located in British acceptance of a varna-based model of caste as central to social organisation. Indeed, Brahmins themselves were punished through special laws. During the late eighteenth and early nineteenth centuries, Brahmins were not subject capital punishment, but transportation. The aim of this special exemption was to effect social stability, as it was feared their execution might cause unrest.<sup>12</sup> Suffice to say that the meaning of caste to Hindus was inevitably more complex than the simple model

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<sup>8</sup> There is a burgeoning literature on caste in India. For an overview, see Susan Bayly’s ‘Caste and “race” in the colonial ethnography of India’, in Peter Robb, ed., *The Concept of Race in South Asia*, Oxford University Press, New Delhi: 1995, pp. 165-218 and *Caste, Society and Politics in India from the Eighteenth Century to the Modern Age*, Cambridge University Press, Cambridge: 1999.

<sup>9</sup> David Arnold, ‘The Colonial Prison: Power, Knowledge, and Penology in 19th-Century India’, in David Arnold and David Hardiman, eds, *Subaltern Studies VIII: Essays in Honour of Ranajit Guha*, Oxford University Press, New Delhi: 1994, p. 175.

<sup>10</sup> Jorg Fisch, *Cheap Lives and Dear Limbs: The British Transformation of the Bengal Criminal Law, 1769-1817*, Franz Steiner Verlag, Wiesbaden: 1983, pp. 59-62.

<sup>11</sup> *Report of the Committee on Prison Discipline, 8 January 1838*, Baptist Mission Press, Calcutta: 1838, p. 86.

<sup>12</sup> N. Majumdar, *Justice and Police in Bengal, 1765-1793; A Study of the Nizamat in Decline* (Calcutta: Firma K.L. Mukhopadhyay, 1960), pp. 236-43 & 329-31; Fisch, *Cheap Lives*, p. 49. Radhika Singha, *A Despotism of Law: Crime and Justice in Early Colonial India*, New Delhi: Oxford University Press, 1998, pp. 102-3.

presented by the British, with social position also connected to factors such as community, kinship, gender and occupation. Additionally, these factors shaped convict attitudes to transportation. Yet, from the late eighteenth century, the British imagined the meaning of transportation as a punishment to Indians within what we might term an orientalist discourse.<sup>13</sup>

For some convicts, transportation certainly induced the caste fears colonial penologists spoke of. Fragments of convict voices emerge through the colonial archive, expressing anxiety about the loss of caste convicts faced through their journey overseas. In August 1846, for example, two days before his ship was due to sail for Singapore, convict Shreekristna Wassoodewjee sent the following petition to government. Wassoodewjee was a clerk who could read and write English, and wrote the petition himself:

he is a member of a high class of Hindu and not capable of wearing a cap and trousers and therefore humbly trusts that your generous feelings will prompt you to grant him as a special favor the prevelege of being dressed in a manner suitable to his caste, and provided with separate warter and Diet as required by his religion that he may preserve it unsullied and retain his Caste.

His relations would, he said, pay any additional expense.<sup>14</sup> There is other evidence that convicts refused to eat communally prepared food on board ships to

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<sup>13</sup> I refer here of course to Edward Said, *Orientalism*, Pantheon, London: 1978. On orientalist constructions of India, see Ronald Inden, *Imagining India*, Blackwell, London: 1990.

<sup>14</sup> IOL P/404/3. Petition of Shreekristna Wassoodewjee, 1 August 1846; List of Convicts in Bombay County Jail Under Sentence of Transportation to Singapore, 27 July 1846.

Singapore.<sup>15</sup> In this, convicts were attempting to carve out their own cultural spaces of inclusion/exclusion within the isolatory practice of transportation. In theory, caste was not to impact upon colonial prison discipline. In practice, it did.<sup>16</sup>

During the early period, when common messing had not been introduced in many settlements, some convicts took measures to maintain caste distinctions when eating. In 1835, for example, a policeman in Mauritius assaulted a convict when the convict refused to allow him to light his pipe from his fire. The convict told the officer: 'he could not take the fire outside while cooking, it being against his religion.'<sup>17</sup> As common messing was introduced in Southeast Asia, it undoubtedly impacted on caste. A convict of some means, Goherdone Babboo, was transported to the Tenasserim Provinces at the beginning of 1835. He was sent to Moarny Island and later that year sent a petition to his father to forward on to the Bengal Supreme Court. In the petition, Goherdone Babboo claimed:

The head man of the aforesaid jail made himself a Regulation amongst the prisoners that one of the prisoners should boil and prepare victuals for 40 prisoners whether a Hindoo or moreman [Muslim] and this way many of the Hindoo prisoners by the force of the Head man of the jail became moreman.

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<sup>15</sup> NAI 1998 2, 12-13.

<sup>16</sup> For a discussion of this point in relation to mainland Indian jails, see: David Arnold, 'The Colonial Prison: Power, Knowledge and Penology in Nineteenth-Century India', in *Subaltern Studies VIII; Essays in Honour of Ranajit Guha*, eds David Arnold & David Hardiman, (New Delhi, 1994), pp. 170-5.

<sup>17</sup> MA Z2A83. Police report, Savanne, 22 August 1835. For further discussion of convict attempts to maintain caste distinctions in the Mauritian settlement, see Anderson, *Convicts In The Indian Ocean*, pp. ?.

In addition, the man claimed, he had been made to clean the convict latrines, that most polluting of labour.<sup>18</sup>

Even though the experiences of exclusion and isolation that transportation entailed impacted on some convicts' religious beliefs, a very large proportion of transportation convicts during the first half of the nineteenth century completely lacked caste as the British understood it. Many were Muslims or from tribal (*adivasi*) communities. Only half of the convicts transported to Mauritius in the period 1815-37 were even Hindus. Of those Hindus from the Bengal Presidency, just 7% were Brahmins. By far the largest proportion – over half - of Hindus were low-caste peasants or *dalits* (formerly 'untouchables'), who had a quite different relationship to caste to higher status communities.<sup>19</sup> The politics of social exclusion were not the same for them.

After 1828 all prisoners sentenced to life imprisonment in the Bengal Presidency were given the right to petition for the commutation of their sentence to life transportation.<sup>20</sup> If the terror of the *kala pani* was firmly ingrained on high-caste minds, we would expect them to have been unlikely to petition for commutation of sentence. There are few surviving caste lists of convict petitioners; the records of just 66 Hindu convict petitioners transported to Burma in 1847 survive. Yet the social composition of this group of Hindu life prisoner petitioners was very similar to the convict cohort sentenced to transportation, and sent to Mauritius: three quarters were

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<sup>18</sup> IOL P/140/70. A. Holroyd, Clerk of the Crown, to R.D. Mangles, Secretary to Government Bengal Judicial Department, enclosing Abstract Translation of the Bengal Letter of Goherdhone Babboo and Petition of the Defendant above named and now a prisoner of the Jail of Moarny Island [Tenasserim Provinces], 15 August 1835.

<sup>19</sup> Anderson, *Convicts In The Indian Ocean*, Appendices B6 and C2. Of the known origins of 986 convicts sentenced in the Bengal Presidency and transported to Mauritius, 55% were Hindu, 32% Muslim and 14% *adivasi* (figures rounded up to nearest 1%).

<sup>20</sup> Parliamentary Papers 1830 XXVIII. A Regulation for empowering the Governor-General to commute Sentences of Imprisonment for Life in the Allypore Gaol, to Transportation for Life to any of the British Settlements in Asia, in certain cases, 10 April 1828.

listed as peasants/*dalits* and less than one in ten as Brahmins. Muslims made up a smaller number of petitioners than in the general body of Mauritian convicts: about a quarter of the total. Just one *adivasi* convict applied for commutation of sentence.<sup>21</sup> To what extent this spread reflects the social composition of – and mortality rates in – the prison population is difficult to say. Whatever the case, a proportion of high-caste Hindus were amongst the petitioners. Yet the numbers of inmates applying for commutation remained at just ten per cent annually over the course of the next decade.<sup>22</sup> Whilst transportation remained an attractive alternative punishment for some; the vast majority chose to continue their incarceration in known surroundings.

Several commonly convicted prisoners who applied for commutation of sentence from imprisonment to transportation in 1847 petitioned together.<sup>23</sup> The promise of continuing companionship probably made the prospect of shipment to a penal settlement less frightening. The Southeast Asian and Mauritian penal settlements were developed in unknown places, distant from the Indian mainland. Care was taken to ensure that convicts were not transported to places familiar to them, or close to their native place. From the 1820s, convicts from Northeast India were not sent to Burma, for instance. This maximised their sense of displacement and minimised the risk of successful escape home. The basis of the transportation system was of course the supply of cheap labour to fuel colonial expansion. It was inevitable that as these settlements grew, they became further interlocked with the regional economy. As convict and other migratory streams to these spaces increased, they

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<sup>21</sup> IOL P/142/60. List of nine convict petitioners to Moulmein *per Enterprize*, 10 January 1847; IOL P/142/61. List of twelve convict petitioners to Moulmein *per Enterprize*, 10 January 1847; IOL P/143/3. List of thirty-seven convict petitioners to Moulmein *per Enterprize*, 10 June 1847; IOL P/143/4. List of eight convict petitioners to Kyook Phyoo *per Tenasserim*, 10 July 1847; and, IOL P/143/5. List of ten convict petitioners to Kyook Phyoo *per Tenasserim*, 10 August 1847 (IOL 1847 Lists of Convict Petitioners).

<sup>22</sup> *Report of the Committee on Prison Discipline*, p. ?.

gradually came out of isolation. As convict spaces became more familiar in India (or at least to Indian inmates), the prospect of transportation to them was not as frightening to convicts as it had once been. By the turn of the nineteenth century, this began to be recognised.<sup>24</sup>

Thirty-four years after the first convicts had been sent to Prince of Wales' Island, officials acknowledged that the prospect of transportation there was no longer feared.<sup>25</sup> There had been several cases of prisoners assuming the identity of convicts destined for transportation in order to be sent to the settlement from quite early on. In 1805 for instance the prisoner Gunnah Pyke took the name of a dead prisoner in Calcutta's Alipur Jail, Gungaram Dome, and was shipped to Prince of Wales' Island to serve out his sentence.<sup>26</sup> As knowledge about penal settlements filtered back to the mainland, fears receded. Convicts wrote letters to relatives and friends, others escaped, many more returned home at the expiration of their sentence. Convicts were accepted back into their communities after serving their time; they were not outcast. Knowledge about the location and penal regime in the settlements spread. In 1835 the Judges of the Madras Supreme Court wrote, in relation to Malacca, that as information was disseminated transportation would lose its deterrence.<sup>27</sup>

But with the colonisation of new areas, notably the Tenasserim Provinces after 1828, new zones of isolation came into being, about which nothing was known. Prisoners petitioning to be transported were not keen to go to these penal settlements. When the Superintendent of Calcutta's Alipur Jail, J. Master, asked for volunteers for

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<sup>23</sup> IOL 1847 Lists of Petitioners.

<sup>24</sup> IOL P/129/6 (31 May 1804). S.M. Threipland, East India Company Counsel, to J.A. Grant, Secretary to Government Bombay Judicial Department, 4 May 1804.

<sup>25</sup> IOL P/136/31. Minute of W.E. Phillips, Prince of Wales' Island Government, 15 April 1824.

<sup>26</sup> IOL P/129/36. E. Thornton, Magistrate 24 Parganas District, to G. Dowdeswell, Secretary to Government Bengal Judicial Department, 18 November 1805.

transportation in 1828, 116 life prisoners initially put their names forward.<sup>28</sup> When they learnt that their destination was the Tenasserim Provinces, they all withdrew their applications.<sup>29</sup> The same group of jail inmates was equally sceptical when the same call was made two years' later.<sup>30</sup> Such a response was not of course exclusive to South Asian culture. The fear of shipment to newly established, unknown penal spaces was common to all societies, in Europe and elsewhere.<sup>31</sup>

The Andaman Islands were established as a penal colony after the 1857 Uprising swept across much of North India. A place was urgently needed to which Indian rebels could be sent. An earlier attempt at establishing a penal settlement in the Islands in 1794 had ended in disaster.<sup>32</sup> Many settlers and convicts had died. In 1801, the surviving convicts were transferred to Prince of Wales' Island, and the settlement abandoned.<sup>33</sup> Of course these harsh, isolated conditions were what made the Islands ideal as a penal settlement. This was a place about which little was known; a place of unmapped topography, of thick, impenetrable jungle. This was a place from which escape attempts were futile. Moreover, the islands were inhabited by various indigenous tribal (*adivasi*) groups, who frequently responded to European settlement with violence. Most nineteenth-century visitors to the Andamans were more interested in these reclusive and often hostile populations than the penal settlement. During the

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<sup>27</sup> TNSA Madras Judicial Proceedings, volume 291. J.F. Thomas, Register Foujdaree Udalut, to F.R. Wheatley, Chief Secretary to Government Madras Judicial Department, 22 August 1835.

<sup>28</sup> IOL P/138/59. J. Master, Superintendent Alipore Jail, to H. Shakespear, Secretary to Government Bengal Judicial Department, 23 February 1828.

<sup>29</sup> IOL P/139/1. Master to Shakespear, 22 August 1828.

<sup>30</sup> IOL P/139/66. Master to Shakespear, 29 December 1830.

<sup>31</sup> On the fear of transportation in Britain, see: Robert Hughes, *The Fatal Shore*, chapter 3 and David Meredith, 'Full Circle? Contemporary Views on Transportation', in Nicholas, ed., *Convict Workers*, pp. 14-27.

<sup>32</sup> N. Iqbal Singh, *The Andaman Story*, Vikas, New Delhi: 1978, pp. ??; L.P. Mathur, *Kala Pani: History of Andaman and Nicobar Islands with a study of India's Freedom Struggle*, Eastern Book Company, New Delhi: 1992, pp. ??.

<sup>33</sup> IOL P/128/54. Return of the Bengal convicts brought to Prince of Wales' Island from the Andamans, 1 November 1800 to 31 January 1801. There were 234 surviving men.

second half of the nineteenth-century a whole series of anthropologists encountered, enumerated, photographed and measured what they viewed as the most primitive of dying races: the Onge, the Sentinelese and the Jarawa.<sup>34</sup> As Satadru Sen argues in his groundbreaking account of the Andamans in the nineteenth century, the indigenous Andamanese were central to how the British conceptualised the Islands.<sup>35</sup> From the very early years of the penal settlement, the jungle and its inhabitants were seen as natural convict guards. If convicts were foolish enough to attempt their escape, they would not survive for long.<sup>36</sup>

Although, as we have seen, by the mid-nineteenth century, colonial lawmakers saw caste as less important than fears about the unknown in explaining how convicts regarded transportation, during the early period of transportation to the Andamans, the discourse of the *kala pani* once again emerged.<sup>37</sup> There is indeed some evidence that convicts returning from the Islands at the end of their sentence had to undertake particular community orientated ceremonies to defend their caste.<sup>38</sup> During the 1860s, when convicts' families were encouraged to join them on the Islands in forming permanent colonial settlements, some refused to undertake the voyage when they

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<sup>34</sup> G.E. Dobson, 'On the Andamans and Andamanese', *Journal of the Anthropological Institute*, 4 (1875), pp. 457-67; W.H. Flower, 'On the Osteology and Affinities of the Andaman Islands', *Journal of the Anthropological Institute*, 9 (1880), pp. 108-33; A. Lane Fox, 'Observations on Mr Man's Collection of Andaman and Nicobarese Objects', *Journal of the Anthropological Institute*, 7 (1878), pp. 434-70; E.H. Man, 'On the Andamanese and Nicobarese Objects presented to Major-General Pitt Rivers', *Journal of the Anthropological Institute*, 9 (1882), pp. 268-94; E.H. Man, 'On the Aboriginal Inhabitants of the Andaman Islands', *Journal of the Anthropological Institute*, 12 (1883), pp. 69-175 and 327-434; E.H. Man, *On the Aboriginal Inhabitants of the Andaman Islands* (London, 1885 [reprinted 1932]); M.V. Portman, *A History of Our Relations With The Andamanese, Volumes I and II*, Government Printing Press, Calcutta: 1899; C.H. Read, 'Mr Portman's Photographs of Andamanese', *Journal of the Anthropological Institute*, 12 (1893), pp. 401-3; R.C. Temple, *Remarks on the Andaman Islands and their country* (Bombay, 1930). For a critical analysis of nineteenth-century Andamans ethnography, see Elizabeth Edwards, 'Science Visualized: E.H. Man in the Andaman Islands', in Elizabeth Edwards ed., *Anthropology and Photography, 1860-1920*, Yale University Press, London: 1992, pp. 108-21. On the position of these *adivasi* (tribal) communities today, see K.S. Singh, *The Scheduled Tribes*, Oxford University Press, New Delhi: 1994, pp. 420-2, 930-5, 944-8 and 1066-9.

<sup>35</sup> Satadru Sen, *Disciplining Punishment: Colonialism and Convict Society in the Andaman Islands*, Oxford University Press, New Delhi: 2000, p. 28.

<sup>36</sup> NAI 1998 1 11-17; 57-64.

discovered they had to travel by ship. One convict's kin got as far as Calcutta, turning back when the realisation dawned.<sup>39</sup> I would not then go as far as Satadru Sen who argues that there was no culturally ingrained dread of crossing the *kala pani* at all.<sup>40</sup> Yet it was in the very concept of the family migration scheme that there was a tacit acknowledgement that caste was not central to many convicts' fears of transportation.<sup>41</sup> Though transportation was supposed to be dreaded on the basis that it caused loss of caste, the scheme presupposed that crossing the sea did not have a significant impact for many people. Indeed, the convicts transported to the Andamans were drawn from the same communities as those shipped to Southeast Asia and Mauritius: *adivasi*, low-caste or Muslim communities. The first census of the Islands, conducted in 1871, shows ...<sup>42</sup>

Moreover, though transportation was supposed to exclude convicts from their former social and kin networks, the alacrity with which many relatives travelled to the islands to join convict husbands and sons showed that it did not. Throughout the second half of the nineteenth century, transported convicts maintained contact with India. There is even evidence that some received visitors from the mainland.<sup>43</sup> Many returned to their communities at the expiration of their sentence. If ex-convicts wished to return to India, they could only do so if their relatives agreed to support them. It was unusual for them to refuse.<sup>44</sup>

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<sup>37</sup> NAI 1999 5.10-20.

<sup>38</sup> NAI '98 1 82-4.

<sup>39</sup> NAI 1998, loose leaf 13-14 & 18-19 & 1-3/25.

<sup>40</sup> Sen, *Disciplining Punishment*, p. v.

<sup>41</sup> On family emigration, see Satadru Sen, 'Rationing Sex: female convicts in the Andamans', *South Asia*, 30, 1 (1999), pp. ??

<sup>42</sup> NAI 1999 5.3-11. Detailed caste lists of the kind compiled for convicts shipped to Southeast Asia and the Andamans do not survive.

<sup>43</sup> NAI 1999 5.10-20. On convict letter writing, see: NAI 1999 4.87.

<sup>44</sup> Extensive correspondence relating to the return of individuals can be found in the TNSA Judicial Proceedings series, particularly from the 1880s.

As early as 1877, the Prison Conference urged the abolition of transportation on the grounds that, as knowledge about the Andaman Islands spread, they had come out of isolation and the punishment had lost its deterrent effect. The 1888 Jail Management Committee made the same point.<sup>45</sup> There had been a good deal of land clearance, and an uneasy truce had been reached with the Islands' indigenous peoples. The cultural landscape could no longer be imagined or feared as a natural prison. Two years after the Jail Management Committee, in 1890, C.J. Lyall and A.S. Lethbridge's *Report on the Andamans* was published. The *Report* argued that transportation to the Andamans was now viewed by convicts as preferable to imprisonment in Indian jails. It recommended that in order to intensify transportation discipline, a 'penal stage' should be introduced, with convicts subjected to a harsh regime on arrival.<sup>46</sup> This was the spur to the construction of the Cellular Jail, a place of exclusion and isolation within a more broadly constituted remote penal space. Work began shortly afterwards, and the Jail was completed in 1897. It was an imposing Bent Amite structure consisting of a central panoptican watchtower overlooking seven wings. There were 698 cells.<sup>47</sup> As convict ships arrived, it loomed on the horizon. It was a bold architectural representation of the changing politics of convict space, for its purpose was to fulfil the penal role the topography and people of the Islands had once played.

### ***Isolation, Imagination and the Andaman Islands***

With the demise of the grand narrative and the emergence of postmodernism, cultural geographers, anthropologists, social theorists and historians have begun to consider the multiple ways in which the histories of people and events are constituted.

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<sup>45</sup> NAI 1999 5.19-20; NAI 1999 5.57.

<sup>46</sup> NAI Home (Port Blair), A proceedings, June 1890, nos 74-8: Report on the Andamans by Mr C.J. Lyall and Surgeon-Major A.S. Lethbridge.

Doreen Massey in a nuanced consideration of ‘Places and Their Pasts’, argues: ‘The identity of places is very much bound up with the *histories* which are told of them, *how* those histories are told, and which history turns out to be dominant ... it may be useful to think of places, not as areas on maps, but as constantly shifting articulations of social relations through time.’<sup>48</sup> This point is well illustrated in Wendy Singer’s recent examination of contemporary oral accounts of the Freedom Fighter movement in South Asia. Singer shows how storytelling has become central to the creation of written histories of anti-colonial agitation in the state of Bihar (North India). In this way, ‘mythic and material pasts’ have become intertwined in revealing and reflecting aspects of contemporary politics.<sup>49</sup> Singer is right to stress this close relationship between the past and its present articulation. To take a further Indian example, in considering the significance of the contemporary in framing national memories and identities, Tim Edensor discusses the contesting narratives which have been used to interpret the meaning of the most famous image of India, the Taj Mahal. He argues that the Taj has now become integrated into India’s ‘imagined geographies’. As a symbolic site, it reflects fears about the country’s national integrity.<sup>50</sup>

The Andaman Islands too might be considered not as a geographically bounded place, but as an imagined space onto which the complexities of colonial/post-colonial relationships have been mapped. Whilst this was the also case for Indian penal settlements elsewhere during the colonial period, few have been culturally configured in the same way since decolonisation. Relatively little has been written about early penal settlements in Southeast Asia, for instance. The

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<sup>48</sup> Doreen Massey, ‘Places and Their Pasts’, *History Workshop Journal*, 39 (1995), pp. 186-8.

<sup>49</sup> Wendy Singer, *Creating Histories: Oral Narratives and the Politics of History Making*, Oxford University Press, New Delhi: 1997.

contemporary silence about convict settlement in these regions perhaps reflects historians' reticence to engage critically with the fact that colonial expansion was predicated on the extensive use of forced labour, long after the abolition of the slave trade in 1807. At the same time, the insertion of a specifically *Indian* 'convict stain' into the history of multi-ethnic communities in modern Southeast Asia is problematic and potentially socially destabilising. Perhaps most significantly, these regions were not colonized as penal settlements, but as territories to which convicts were sent. It is thus relatively easy to remove them from narratives of colonization.<sup>51</sup> Even the most recent study of the making of the urban built environment of Singapore does not acknowledge the crucial role of convict labour in early nineteenth-century public works programmes, though it tackles colonial power relations head on.<sup>52</sup>

In contrast, convicts make a brief appearance in the historiography of Mauritius. They are (mis)represented either as high-caste Hindus transported for rebelling against colonial rule, or *sepoys* (soldiers), transported for minor military offences.<sup>53</sup> This kind of nationalist discourse is also visible in contemporary articulations of the Andaman Islands. However, unlike Mauritius, representations of the Islands' convict history have become of real importance to how British rule, and

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<sup>50</sup> Tim Edensor, *Tourists at the Taj: Performance and Meaning at a Symbolic Site*, Routledge, London: 1998.

<sup>51</sup> The two main exceptions to this are Kernial Singh Sandu, 'Tamil and Other Indian Convicts in the Straits Settlements, A.D. 1790-1873', *Proceedings of the First International Tamil Conference Seminar of Tamil Studies, Volume I*, International Association of Tamil Research, Kuala Lumpur: 1968, pp. 197-208 and C.M. Turnbull, 'Convicts in the Straits Settlements, 1826-67', *Journal of the Malay Branch of the Royal Asiatic Society*, 1970, 43, 1, pp. 87-103. The only historical account of the Indian convicts transported to Burma dates from the colonial period: John Furnivall, 'The Fashioning of Leviathan', *Journal of the Burma Research Society*, 29, 1 (1939), pp. 36-43.

<sup>52</sup> Brenda Yeoh, *Contesting Space: Power Relations and the Urban Built Environment in Colonial Singapore*, Oxford University Press, Singapore: 1996.

<sup>53</sup> B. Bissoondoyal, *The Truth About Mauritius*, Bharatiya Vidya Bhavan, Bombay, 1987, pp. 19-23; Moomtaz Emrith, *History of the Muslims in Mauritius*, Editions le Printemps, Mauritius: 1994, pp. 20-2; K. Hazareesingh, *History of Indians in Mauritius*, Macmillan, London: 1977, p. 20; A.R. Mannick, *Mauritius: The Development of a Plural Society*, Spokesman, Nottingham: 1979, p. 39; and, Moonindra Nath Varma, *Indian Immigrants and their Descendants in Mauritius*, published by the

the struggle against it, is imagined in post-colonial India. The Andamans were of course colonized as a penal settlement, rather than as a colony to which convicts were later sent. The forced migration of convict transportees to the Islands is thus impossible to ignore. It is in this context that, as a state of independent India, the Islands and their convict history have become firmly embedded in the process of post-colonial nation building. Parallels might be drawn here with the relationship between the representation of convict history and nation-building in Australia and, more dramatically still, the central place Robben Island now occupies in post-apartheid South Africa.<sup>54</sup> Both Robben Island and convict heritage sites in Australia draw hundreds of thousands of visitors each year.<sup>55</sup> Yet the post-colonial cultural mapping of the Andaman Islands focuses on a very specific and limited aspect of Indian convict transportation: the reception and treatment of anti-colonial agitators.

From the turn of the twentieth century, nationalist prisoners were removed from India and transported to the Islands. These prisoners were educated, middle-class men, convicted of conspiracies or sedition against the British state.<sup>56</sup> After shipment to the Islands, they were isolated from the mass of ordinary offenders in the Cellular Jail and made subject to different treatment. Most significantly, they never passed through the Jail's 'penal stage'. For them, the Cellular Jail was a permanent site of isolated incarceration within a site of exclusion. It was not long after their transportation before details of the Freedom Fighters' plight began to leak out.

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author, Mauritius: 1973, pp. 16-7. For a breakdown of the offences for which the convicts were transported, see my own *Convicts In The Indian Ocean*, appendices B1 and B2.

<sup>54</sup> Harriet Deacon, *The Island*, ??.

<sup>55</sup> Deacon, *The Island*, ; David Young, *Making Crime Pay: The Evolution of Convict Tourism in Tasmania*, Tasmanian Historical Research Association, 1996; Carolyn Strange, 'The Port Arthur Massacre: Tragedy and Public Memory in Australia', *Studies in Law, Politics, and Society*, 20 (2000).

<sup>56</sup> Ujjwal Kumar Singh, *Political Prisoners in India*, Oxford University Press, New Delhi, 1998, pp. ??.

Reports appeared in the Indian press, including *The Bengalee* and *Lahore Tribune*.<sup>57</sup> After release, a number of nationalists published memoirs detailing their experiences. These are tales of British cruelty and inhumanity, degradation and fear, to which the Cellular Jail is central. Prisoners described the kind of work they were expected to perform, notably oil pressing and rope making, and the abuse suffered at the hands of convict warders, together with hunger strikes and other indignities.<sup>58</sup> These men had little sympathy with the mass of convicts, who they viewed in much the same way as the British. As Sen reminds us, Indian elites shared and even supplied the colonial state's vision of 'native' criminality.<sup>59</sup> The most famous inmate of the Cellular Jail, V.D. Savarkar, transported to the Andamans for his part in the Nasik Conspiracy Case at the end of 1910, wrote of his first impression of a convict chain gang thus: 'How hideous to behold! There was in it a type of every kind. One looked very fierce, another ... an incarnation of terror.'<sup>60</sup> Another prominent nationalist, Bhai Parmanand, wrote of 'murderers and ruffians' employed as warders. The ordinary convicts were, he said, 'the very worst *badmashes*' (bad characters).<sup>61</sup>

It is not surprising then that the Islands have become prominent symbols of colonial oppression and the fight against it. In the 1960s Indira Gandhi wrote of the Islands as 'a nursery for our great revolutionaries.'<sup>62</sup> Contemporary nationalist historiography has reiterated the Islands' place in the twentieth-century struggle against British rule. L.P. Mathur writes: 'It is rather surprising and painful to note that

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<sup>57</sup> Sen, *Disciplining Punishment*, p. 268; L.P. Mathur, *Kala Pani: History of Andaman and Nicobar Islands with a study of India's Freedom Struggle*, Eastern Book Company, New Delhi: 1992, p. 82.

<sup>58</sup> Barindra Kumar Ghose, *The Tale of My Exile*, ?PUB?, Pondicherry, 1922; Bhai Parmanand, *The Story of My Life*, S. Chand and Co., New Delhi: 1982; V.D. Savarkar, *The Story of My Transportation for Life*, ?PUB?., Bombay: 1950; B.K. Sinha, *In Andamans, the Indian Bastille*, ?PUB?, New Delhi: 1988.

<sup>59</sup> Sen, *Disciplining Punishment*, p. 47.

<sup>60</sup> For the full description, see Savarkar, *The Story*, pp. 34-7.

<sup>61</sup> Parmanand, *The Story*, pp. 106 and 111.

civilized government like the British perpetrated barbaric punishments and showered unimaginable indignities on people who had sacrificed all for their motherland.<sup>63</sup>

Mathur splits the convicts into two distinct categories – criminal convicts and political prisoners. Only the political prisoners are named or discussed; the so-called criminal convicts are barely referred to, and never in terms of either their historical agency or massive socio-economic contribution to the settlement.

It was of course during the period in which the Cellular Jail was built that nationalist ideas of emancipation were starting to threaten the basis of colonial power. If liberty can only be denied to those who are already free, it is a deep irony indeed that it could also be taken away from the very people who were fighting for freedom. It is perhaps this paradox which best explains the powerful symbolism both the Islands generally and the Jail more specifically have now taken on as sites of unified anti-colonial struggle. Correspondingly, historians have rewritten the history of many other convicts transported during the nineteenth century, turning them from local activists to agitators with a proto-nationalist agenda. In 1957, a one hundred anniversary memorial honouring the 1857 ‘martyrs’ was erected in the Andaman Islands’ capital, Port Blair. An example of the symbolic power of the Cellular Jail, which was not in fact constructed by then, it reads ‘In hallowed memory of those heroes who participated in the National Revolution of 1857 from different states of India and were incarcerated in the Cellular Jail, Port Blair, by an alien Government’. S.N. Aggarwal writes of those convicts transported after the 1857 uprising as ‘heroic sons of India’, and refers to the uprising as the First War of Independence. The Andaman Islands are ‘sanctified by the dust of Martyrs’ feet and their sweat and

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<sup>62</sup> B.L. Chak, *Green Islands In The Sea*, Publications Division, Ministry of Information and Broadcasting, Government of India, New Delhi: 1967 (Preface by Indira Gandhi).

blood.’<sup>64</sup> Yet the character of the uprising is still subject to enormous controversy.

That it was a unified national movement is doubtful.<sup>65</sup> Aggarwal goes on to argue that very few ordinary convicts were transported; and in a curious logic states that even they can be described as freedom fighters, ‘because they were in the Andamans when mostly freedom fighters were transported to the Andamans.’<sup>66</sup>

Historians have given undue prominence to other localised movements who made up just a tiny handful of the total number of transportees. These include the Wahabi convicts transported from Eastern Bengal in the 1860s, after the British led a crackdown on their anti-foreign movement. Convicts belonging to the Kuka Movement which in 1871 led a pre-Gandhi non-cooperation and economic boycott campaign against the British, have also been cited. The Moplahs too, transported from the Malabar coast in the early 1920s, after skirmishes with the British, are seen as nationalist offenders.<sup>67</sup> They are clearly distinguished from other ‘hardened criminals’ who, until the publication of Sen’s *Disciplining Punishment*, were almost completely removed from the history of transportation to the Islands.<sup>68</sup> The result of this is that the history of the Andaman Islands is now primarily conceived in terms of its place in the anti-British struggle. As Sen writes: ‘It is no exaggeration to say that the Andamans have been thoroughly colonized by the hegemonic memory of Indian nationalism.’<sup>69</sup> Yet, of the tens of thousands of Indian convicts transported to the Andaman Islands after 1857, the Freedom Fighters shipped to the islands between

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<sup>63</sup> Mathur, *Kala Pani* n.p. (preface).

<sup>64</sup> S.N. Aggarwal, *The Heroes of Cellular Jail*, Publication Bureau, Punjabi University, Patiala: 1995, pp. 20-6.

<sup>65</sup> For an historiographical overview, see C.A. Bayly, *Indian Society and the Making of the British Empire*, Cambridge University Press, Cambridge: 1987, chapter 6.

<sup>66</sup> Aggarwal, *The Heroes*, p. 26.

<sup>67</sup> Aggarwal, *The Heroes*, pp. 32-7 and Iqbal Singh, *The Andaman Story*, pp. 176-88; Mathur, *Kala Pani*, pp. 73-6.

<sup>68</sup> R.C. Majumdar, *Penal Settlement in Andamans*, Government of India, Publications Division, New Delhi: 1975. p. 125.

1906 and the Second World War numbered no more than five hundred.<sup>70</sup> This figure does not rise much higher even if we include nineteenth-century offenders. The multiple histories of ordinary convicts – who perhaps numbered as many as fifty thousand - have been all but forgotten.

In 1997 India commemorated the fiftieth anniversary of Independence. In the same year, the Cellular Jail Museum in Port Blair underwent extensive renovation. Although transported convicts were liberated from the Cellular Jail during the Second World War, and two of the building's wings were destroyed either during the war or when a devastating earthquake hit the Islands in 1941, the site had remained a local prison until 1979. It was then closed, and reopened as the Freedom Fighter Museum. The inauguration ceremony was conducted by no less than the Indian Prime Minister, Moraji Desai.<sup>71</sup> In 1994, the museum expanded into the Jail's original Administrative Headquarters, and was renamed the Cellular Jail Museum. During the fiftieth anniversary of Independence celebrations, a new building, exhibiting a series of photographs of the penal settlement, was opened. A series of publications was commissioned at the same time, focusing on those 'Indian patriots' incarcerated in the Cellular Jail.<sup>72</sup> The museum houses a series of plaques, naming the twentieth-century Freedom Fighters incarcerated on the Island. A handful of these Freedom Fighters are still alive. A few members of their Political Prisoners' Fraternity Association, based in

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<sup>69</sup> Sen, *Disciplining Punishment*, v.

<sup>70</sup> Sen, *Disciplining Punishment*, 264-72. See also Kumar Singh, *Political Prisoners in India*, 50-9.

<sup>71</sup> The traveller Gavin Young describes a trip to the Museum in the late 1970s: *Slow Boats to China*, Picador, London: 1995 [first published 1981], pp. 424-5.

<sup>72</sup> Published lists of Freedom Fighters imprisoned in the Cellular Jail include Rashida Iqbal, *Unsung Heroes of Freedom Struggle in Andamans*, Directorate of Youth Affairs, Sports and Culture, Andaman and Nicobar Administration, Port Blair: 1998; Gauri Shankar Pandey, *Patriots of Andaman In Freedom Struggle Movement 1942-45*, Sangeeta, Port Blair: 2000; Priten Roy and Swapnesh Choudhury, *Cellular Jail: Cells Beyond Cells*, Farsight, New Delhi: 2000.

Calcutta, make a highly publicised visit (*Mukti Tirtha*, or Pilgrimage of Salvation)<sup>73</sup> to the Islands each year.

One of the main attractions in the Cellular Jail Museum is the V.D. Savarkar Cell, which is openly acknowledged as no more than a symbolic site. To prevent communication between prisoners, they were constantly shifted from cell to cell. Other convicts - notably the 1857 mutineers and the Moplahs - are cast as heroes fighting British oppression. Life size models of convicts in fetters, at work and on the flogging triangle are all represented on the site. The gallows have also been restored. Yet for all its symbolism as a place of colonial oppression and nationalist struggle, the museum only attracts about one hundred visitors a day.<sup>74</sup> This of course is directly related to its isolation from the mainland. The Islands are a two hour flight, or three day boat trip, from Chennai (Madras) or Kolicat? (Calcutta). This physical distance creates a post-colonial gaze which has much in common with what colonial eyes saw. The Islands are seen as an isolated place of wild natural beauty. They have been recast as a honeymoon paradise, a stunningly beautiful place, with white beaches and crystal clear beaches, far away from the mainland and as yet relatively untouched by the ravages of tourism. Underlying tensions between Indian settlers and *adivasis*, which sometimes lead to violent skirmishes, add a slight edge to any visit. Many visitors hope to catch a glimpse of the Jarawa community, when passing their reservation on South Andaman.

As we have seen, the nationalist prisoners shipped to the Andamans in the early twentieth century were middle class men. In addition, they were frequently drawn from high-caste communities. It was perhaps inevitable that the discourse of

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<sup>73</sup> Aggarwal, *The Heroes*, p. 22.

the *kala pani* would re-emerge in contemporary representations of experiences of transportation. Clearly, middle class prisoners were unfamiliar with many aspects of prison life, including common messing and communal bathing. These and other sufferings could also relate to their community status. V.D. Savarkar, for instance, wrote of the jail administrators' deliberate use of Muslim and low-convict warders to oversee high-caste Hindus.<sup>75</sup> As a result, nationalist historiography is filled with references to the indignities of crossing the *kala pani*, and as such closely echoes earlier colonial discourse on transportation. S.N. Aggarwal writes in one such publication, *The Heroes of Cellular Jail*: 'A sentence to "Kala Pani" meant a warrant for throwing the prisoner in the living hell to face heard or unheard trials and tribulations and to lead the life like a beast or even worse than that. Transportation to "Kala Pani" for life was worse than [the] death penalty.'<sup>76</sup> Paradoxically, post-colonial readings of convict transportation to the Andamans such as these have strengthened the colonial discourse of caste.

[*Kala Pani*, the movie.]

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<sup>74</sup> In contrast, approximately 200,000 tourists per year visit Port Arthur. Strange, 'The Port Arthur Massacre', 171.

<sup>75</sup> Savarkar, *The Story*, p. 125. Sen writes of this as an extraordinary social experience for warders and convicts: *Disciplining Punishment*, p. 267.

<sup>76</sup> Aggarwal, *The Heroes*, p. 18. For a similar reading, see also Iqbal Singh, *The Andaman Story*, p. 183.