

## *Introduction*

THIS BOOK IS ABOUT CONVICTS from India, or *bandwars*, to use a Hindustani term employed by a sepoy, or soldier in Bengkulu, to refer to his fellow countrymen in that west Sumatran settlement in the early nineteenth century. The sepoy was alluding to convicts banished to insular prisons across the Indian Ocean to serve mostly life sentences of penal transportation for their heinous crimes, not inmates lodged in jails in India.

My focus is on narrating the lived experiences of these overwhelmingly male convicts housed in three penal settlements in the Indian Ocean in the long nineteenth century extending from 1789 to 1914: Bengkulu (also known as Bencoolen or Fort Marlborough) in west Sumatra, Penang (or Pulo Penang) in present-day Malaysia, and Singapore. Authorities in the Bengal Presidency, headquartered in Calcutta, along with their counterparts in the other presidencies of Bombay (Mumbai) and Madras (Chennai), also transported *bandwars* to other parts of Southeast Asia: to Burma (present-day Myanmar), Malacca (Malaysia), and various islands in the Indonesian archipelago that were in and out of British hands in the decades before and after the turn of the nineteenth century. Colonial authorities also made use of other imperial outposts across the Indian Ocean, that body of water generically termed *kala pani* or black water by many people in India, dispatching “criminal” offenders in significant numbers, particularly to Mauritius in the southwest quadrant beginning the 1810s, and to the Andamans in the Bay of Bengal, briefly in the 1790s and then again beginning in the late 1850s, when it became the principal penal depot for convicts from India. The British takeover of Ceylon (Sri Lanka) in 1796, followed by its establishment as a Crown Colony in 1802, added another locale in the circuit of coerced labor

from where convicts were transported across the Indian Ocean to the Straits Settlements and Mauritius.

The overwhelming majority of convicts sentenced to transportation were guilty of heinous crimes: murder or other violent acts committed in conjunction with robbery, thugi (banditry accompanied by murder, often believed to involve ritual strangulation), or dacoity (armed gang robbery by five or more people). Some were also banished for political acts, typically rebellion and treason, classified as criminal offenses, in which they were generally either the instigators of small-scale uprisings or second-echelon leaders of larger insurgencies whose top brass were invariably put to death. An exception to the latter rule—although he was not categorized as a convict—was the Sikh rebel Bhai Maharaj Singh, exiled to Singapore in 1849 for his commanding role in the war against the British in the late 1840s. In other words, convicts were problematic people, deviants and troublemakers, whom the authorities in India thought best to purge the subcontinent of and cast into oblivion by deporting them to distant shores. They were also criminal bodies spared the ultimate brutality of capital punishment and granted a mitigated punishment that enabled colonial rulers to trumpet their quality of mercy and superior governance and policies.

In both India and the penal settlements, colonial administrators did not envision sharp divides between convicts and the rest of their fellow countrymen and women. In their imagination, all colonized people were more or less criminal, some more evil and dangerous than others, a characterization also extended to other subject peoples, in Southeast Asia, for instance, to the Chinese, Malays, and Burmese. All these peoples embodied inferior races: they were savage and barbaric in comparison to their European rulers, who hailed from the superior and advanced civilization of the West. That is, the difference between convict and nonconvict subjects in the local populations was small, but it was vast between all colonized people and their European colonizers. Consequently, a highly racialized ideology informed colonial ideas and practices relating to crime and criminality and the judicial and penal system designed to maintain and enhance law and order.

Ruling criminal and unruly subjects in colonized lands necessitated brutal and harsh regimes of discipline. In the penal colonies that meant subjecting convicts to labor regimes that exacted a pound of flesh, their work being perceived as rehabilitating them into becoming productive and pliant subjects. Penal transportation targeted both their bodies and minds, to exploit their brawn for colonial and imperial projects and to coax them into shouldering

heavy workloads. Disciplinary regimes were therefore both exacting and indulgent, violence always a threat and mercy a state of exception but a possibility. Colonial rule often cloaked its iron fist in a velvet glove. Very little effort, if any, went into configuring legal and penal institutions to induce moral reform in people convicted of crimes.

*Bandwars* thought of themselves as *naukars* or servants of the East India Company, much in the way that sepoys performed *naukari* or service on behalf of the rising British colonial state in India in the late eighteenth and early nineteenth centuries. They were convict workers, coerced labor, but men (and some women) defined not by their criminality but by their bodies, which negotiated the corrective penal violence directed at them. Indeed, a major concern of the book is to narrate their subjective experiences of forced labor in exile.

In their self-perception, their labor had value, as they witnessed first-hand in building the infrastructure of the British Empire across the Indian Ocean. As convicts they did not control their labor power, but they were compensated by the local authorities for their exertions in cash and kind (food and clothing). As a result, some managed to save their meager wages in anticipation of their lives on tickets of leave (a kind of parole) and eventually emancipation. Their work alongside other unfree workers (slaves and bonded labor), and increasingly in the nineteenth century wage labor from India and China, also made them well aware of their usefulness, a labor value that colonial authorities in the insular prisons were endlessly calibrating to maximize financial profit and to justify to Calcutta and London the benefits of coerced labor at a time when the practice of enslaving people was ending.

This book has grown out of research I initially pursued in the 1980s when scholars in many fields were investigating criminal justice systems and the men and women targeted by them in order to comprehend the ideologies and structures of colonial state power and control and the graphic and subtle ways in which subalterns confronted and negotiated such regimes of violence. The current work is also rooted in research I began in the early 1990s on colonial prisons in India, influenced and inspired, as many were then and are now, by the provocative oeuvre of Michel Foucault and other scholars interested in carceral regimes. That project never took off, in part because my research visa was held up, apparently by someone in some ministry in New Delhi worried that my work would fuel the controversy sparked by the 1991 Human Rights Watch report on prison conditions in India. Although I did

finally secure a visa—after submitting a note explaining that my study would focus exclusively on colonial prisons, be archives based, and not involve ethnographic research in contemporary jails—I had by then become intrigued by the men and women who seemingly disappeared off the map of the Indian subcontinent (and South Asian history) after boarding ships transporting them to penal settlements across the Indian Ocean. I was fortunate in that I was already familiar with some of these convict passengers, having encountered them in the records of the criminal justice system in India. Their lives beyond South Asia and across the *kala pani* also fitted in well with my growing absorption with world and global history, with engaging a past not spatially and thematically bound by the boundaries of nation-states but framed more fluidly by land- and seascapes connected through global processes shaped by the movements of peoples, goods, and ideas, and by the large-scale transformations wrought by colonialism, imperialism, and capitalism.

This account of convicts across the Indian Ocean is therefore very much part of a global history of coerced labor, albeit of a history from below because it narrates the lives of ordinary men and women experiencing and negotiating extraordinary events and processes, in some localities working alongside slaves and in other areas preceding and overlapping the first waves of indentured labor from India. This book could justifiably be titled “empire of labor” because convicts, together with other kinds of coerced, semicoerced, and free labor, were critical to the development of European empires and capitalism across the globe. In colonial Southeast Asia convicts followed on the heels of slaves and other forms of coerced labor and paved the way for wage labor, including indentured workers.

*Bandwar* histories, moreover, make for fascinating comparisons and contrasts because convicts figured prominently in other transregional histories, whether of the British Empire in North America and Australia or of other imperial formations in other world regions. The coerced migration of *bandwars* across the *kala pani* also has many parallels with forced movements of enslaved peoples across other bodies of water, particularly the Atlantic and the Pacific.

Convicts—along with other forms of labor and sepoys or soldiers from India—provided the muscle that enabled the East India Company to extend beyond the Indian subcontinent into insular and littoral Southeast Asia and build outposts in Penang (1786), Singapore (1819), and Malacca (1825). The company gained a foothold in the region as early as the seventeenth and early eighteenth centuries, when it acquired territory in west Sumatra and built a

settlement in Bengkulu. However, that faded in importance as the British, firmly anchored in the Indian subcontinent, expanded across the *kala pani* in the nineteenth century to consolidate their domination over the Bay of Bengal, including the waterway between the western edge of the Malayan peninsula and Sumatra, a key gateway or chokepoint between India and East Asia, well known today, as in the past, as the Strait (or Straits) of Malacca. To secure their economic, political, and military presence in the eastern Indian Ocean, the British had earlier sought to establish a base in the Andamans that also involved convict labor. And their takeover of Ceylon in 1796, followed by their occupation of the entire island by 1818, enabled them to stake out a western gateway to the Bay of Bengal as well as to strengthen their presence in the Arabian Sea and the southern Indian Ocean.

Chapter 1 locates the phenomenon of penal transportation in India in global and local contexts. It looks at the prior experience of the British with the banishment of their subjects to North America and then, in much larger numbers, to Australia, at the same time in the late eighteenth and nineteenth centuries that they began deploying transportation in South Asia and elsewhere in Asia. As a strategy of colonial rule and domination, this secondary punishment was considered especially effective because it deported people across the *kala pani*, a voyage that many but not all in South Asia were fearful of undertaking on religious grounds. Thus, transportation was perceived as a punishment perfectly calibrated for India because it inflicted the right measure of violence on the colonial body without amounting to capital punishment. It enabled colonial rulers to intimidate their subjects physically and psychically as well as to claim the moderation befitting a “civilized” regime. And it also helped prop up the growing oceanic empire beyond India by providing much-needed manpower for the outposts that the British had staked out in the littoral areas of Southeast Asia and elsewhere across the Indian Ocean.

Along with tracing the spatial dimensions of penal transportation, this initial chapter also draws attention to the administrative and legal frameworks within which that punishment was devised and enacted, not only to fit the crime but also to serve the imperatives of the British Empire in India and across the Indian Ocean. Consequently, Calcutta, in consultation with Bombay and Madras, constantly tinkered with the laws relating to transportation because of changing political, economic, and social circumstances in India and the outposts of empire. In India exile and banishment was about removing and cleansing the subcontinent of dangerous people—and who

was deemed threatening changed over time; in the penal colonies, transportation was about acquiring much needed manpower for labor-deficit lands and increasingly convicts with particular skills. Thus, changing colonial and imperial needs and interests led to the rules of transportation constantly being remade and their implementation modified at the local level to best serve the imperatives of the penal colonies, a process of governance that accentuates the complexities of colonial and imperial governmentality.

Chapters 2, 3, and 4 delve into the lived experiences of convicts by anchoring their stories in specific locales and time periods to narrate similar but also different tales about coerced labor. Viewed together, the three accounts flesh out a more immersive portrait of *bandwar* lives, of subaltern men and women who spent the better decades of their adult lives as the criminalized and laboring subjects of the colonial state, if they survived the first years of their captivity, during which mortality rates were extremely high. The shading of each chapter varies somewhat, in part because of the circumstances in which people found themselves at different sites, the different composition and size of the inmate and noninmate populations, the local articulations of colonial governmentality, and the archival traces available on each venue to breathe life into their stories. Historians make do with the archival hand they have been dealt.

Chapter 2 focuses on the penal colony of Bengkulu between the late eighteenth century and 1825. At the centerpiece of this microhistory is a convict named Fateh Khan, who became the leader of its small local community of Indians, mostly consisting of *bandwars* and sepoys, and was acknowledged as such by the honorific titles *sahib* and *sardar* (head) being conferred on him. His rise to that lofty status speaks to his personal abilities and standing in the convict body but also to the local peculiarities of the disciplinary regime under which he and his fellow convicts lived and worked. That included—as it also did to some extent in Penang and to a lesser degree in Singapore—working in tandem with other types of unfree labor, chattel slaves from East Africa, especially Madagascar, and bonded labor or debt slaves from the nearby island of Nias. Coincidentally, some in the local European community also thought of themselves as living in exile on a forlorn island.

In the wake of Khan sahib’s downfall in 1813, local administrators scrambled to tighten up their disciplinary system so that they could better manage their convict population of a few hundred, changes that were also configured by their understanding of penal rules and practices in Australia. The new

regulations became the “Bencoolen rules” in the early 1820s, a template for other insular prisons in Southeast Asia. When Bengkulu was handed over to the Dutch in the wake of the Anglo-Dutch Treaty of 1824, its convicts were relocated to Penang and Singapore, along with its disciplinary practices. As the making of these new rules reveals, the local authorities sought to combine mostly carrots with sticks to formulate policies and practices aimed at creating a more productive and pliant convict body.

Chapter 3 shifts attention to Penang, which also emerged as a penal depot in the late eighteenth century and developed into the principal insular prison in the region until the 1840s. As this chapter shows, Penang acquired a sizable inmate population because its colonial administrators were intent on aggregating enough laboring hands to transform the island into a major commercial and strategic port for the British Empire in the Strait of Malacca. Neither the convict numbers nor the port buildup ever materialized, however; Penang’s fate was sealed by the emergence of Singapore in the late nineteenth century. In the absence of a need for a large convict workforce devoted to public works in a settlement perennially in budgetary shortfall, local authorities opted to reduce their maintenance costs by loaning out many *bandwars* as servants to government officials and private individuals, much in the way that convicts were assigned in Australia.

In the early decades of the nineteenth century convicts shared the island with 73 survivors of the so-called Poligar Wars in south India, whose death sentences were mitigated to transportation. These prisoners also thought of their insular exile as emotionally wrenching, although they were exempted from the penal servitude exacted from most *bandwars*. No wonder convicts conceived of themselves as the East India Company’s *naukars* or servants. Periodically, as this chapter reveals, convicts absconded by capitalizing on the long-standing circuits of trade and shipping that connected India to maritime Southeast Asia, their escape narratives offering tantalizing accounts of convict life in Penang and the possibilities opened up by its disciplinary regimen. Their escapes also highlight the shrinking world of the Indian Ocean, as imperial networks added to the linkages that bound India to the littoral areas of Southeast Asia well before the advent of European sailing ships in the *kala pani*.

Chapter 4 traces the rise of Singapore as the newest Sydney of Southeast Asia and its subsequent development as a major entrepôt and strategic hub in the region. One key to its growth was the effective mobilization and deployment of its sizable *bandwar* population, far more impressively than other

penal settlements were able to do. As the chapter details, convict workers remade the island's natural and built environment by clearing its rain forests, draining its swamps, and building its communication infrastructure and major edifices. Their "public service" laid the foundations of the thriving modern city that Singapore became in the late nineteenth century.

In addition, this chapter fleshes out many specifics about *bandwar* identities. It makes them as visible as possible by piecing together archival fragments generated by the colonial surveillance project aimed at disciplining and exploiting the convict body as cost effectively as possible. Administrators in Singapore, Calcutta, and London were always concerned with that bottom-line calculation about the advantages of forced versus free labor. Their preoccupation with calculating and documenting the productive capacity of their convict workers as a collective body and on an individual basis generated an abundance of details about the workings of coerced labor and the personal backgrounds of many of the *bandwar* men and women. The chapter also recounts the story of Bhai Maharaj Singh and Khurruk Singh, two Sikh rebels who were exiled to Singapore in 1850, to add texture to the exilic experiences of the island's inmates.

The final chapter (5), an epilogue of sorts, carries the stories of convicts forward into the late nineteenth and early twentieth centuries. It updates the status and condition of the several thousand surviving *bandwars* in the Straits Settlements in the 1860s and 1870s at the time of the disbanding of its convict establishment. It tracks some of the men and women who were pardoned and freed and their ensuing trajectories of repatriation and persistence into the early years of the twentieth century. It also touches on the contract or indentured labor that increasingly flowed into the Straits as penal transportation came to an end in the late nineteenth century.

The extensive deliberations conducted at the highest levels of government in the Straits Settlements, India, and Britain, as well as at the provincial and local levels in India, to determine the status of each and every surviving convict in Penang, Singapore, and Malacca offer a fascinating window into the workings of colonial and imperial governance, a governmentality that exposes both the extent and limits of state power. This rich archive also points to, as do earlier accounts of convict life in Bengkulu, Penang, and Singapore in the late eighteenth and early nineteenth centuries, the ways in which *bandwar* men and women sought to carve out economic and social spaces for themselves even as their bodies were being appropriated for colonial and imperial projects.

This concluding chapter chronicles the lives that convicts made for themselves under precarious circumstances, many eking out a bare subsistence-level existence by relying on the skills and experiences they had developed as company servants. It also features the stories of a small handful who fared better, some in their own lifetimes and, in one case, in the postconvict generation. Few descendants of transmarine convicts today in Southeast or South Asia, however, are willing to publicize the convict pasts of their ancestors, which, as this book shows in extenso, constituted a significant episode in the making of the British Empire and its colonial states and societies across the Indian Ocean. Then, and now, *bandwars*, who were relegated to the margins of society, remain marginalized, even though their stories have much to tell us about the ways in which their coerced labor forged an empire across a vast swathe of the Indian Ocean.

The images that adorn the cover of this book are a stunning reminder of the lives that penal transportation destroyed by wrenching people away from their families and communities to face indeterminate futures in distant penal colonies. That was in fact one of the principal objectives of the punishment. Who or what they left behind—or returned to, if repatriated—is difficult to gauge, in part because of the shortcomings of any historical archives about people on the move, particularly ordinary men and women, who mostly did not leave behind any written traces. Bhai Maharaj Singh is an exception to that rule because he was a “state prisoner,” a man of considerable political importance, and his captors maintained a voluminous correspondence about his escapades and followers right up to the moment of his capture. Furthermore, he was subsequently granted permission to write a letter to his “family,” which he did to disclose his plight in Singapore. And when he was captured in Punjab in 1849 the British official who apprehended him seized several objects in his possession, which were later handed over to the British Library by that administrator’s descendants over a century later. The objects on display here—a conch shell, a finger ring, a knife, two steel quoits, a sewing needle and thread, and a text with passages written in Gurmukhi from the Sikh holy books, the Adi Granth and the Dasam Granth—all embody the military and religious leader Bhai Maharaj Singh was when he was captured and quickly whisked off to Singapore. The stories that follow are largely about the post-India experiences of convicts and other prisoners in the penal settlements of Southeast Asia in the long nineteenth century, lives eked out under conditions of precarity.