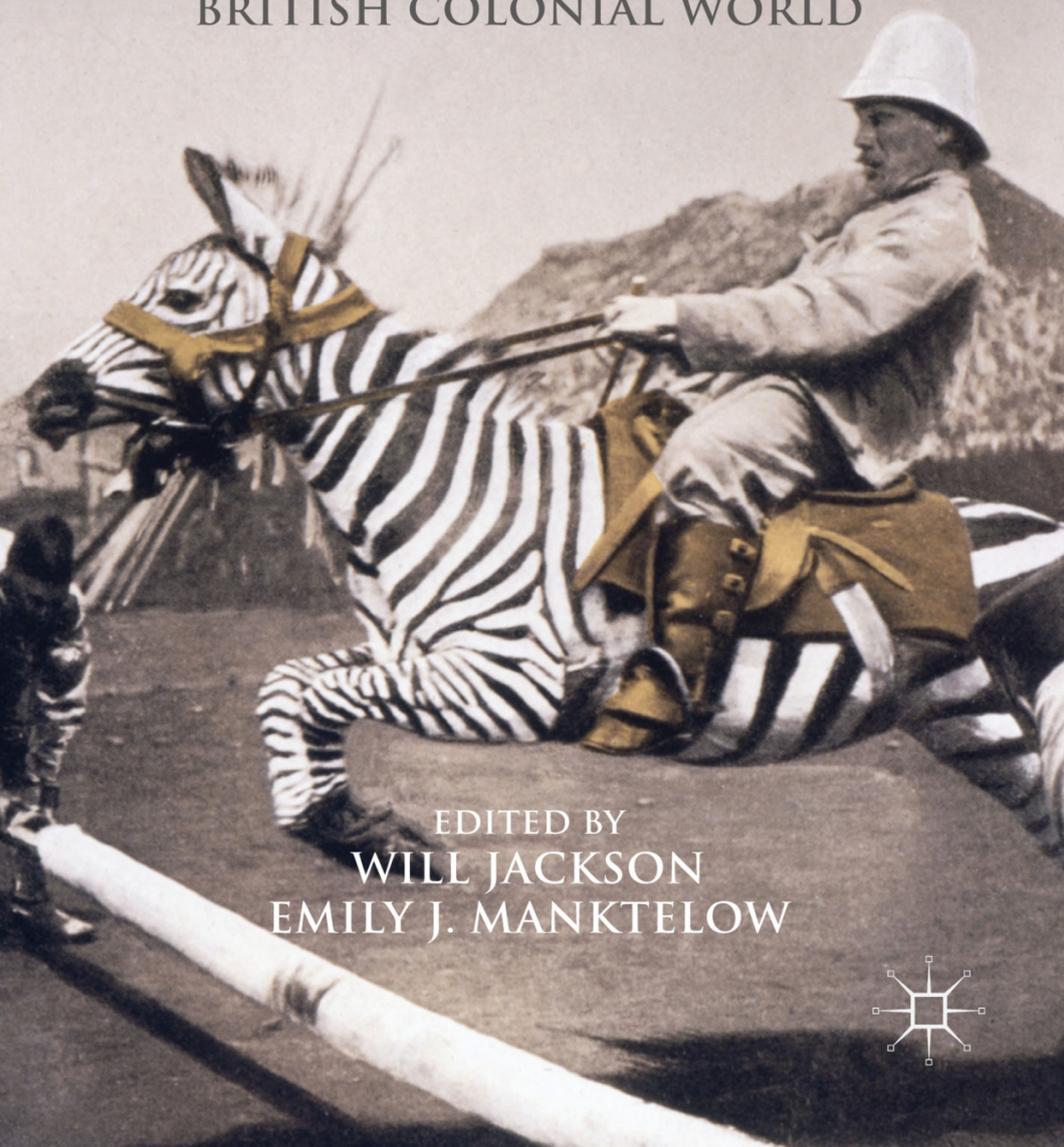


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DEVIANCE AND DISORDER IN THE
BRITISH COLONIAL WORLD



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Subverting Empire

Deviance and Disorder in the British Colonial World

Edited by

Will Jackson

and

Emily J. Manktelow

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1

Introduction: Thinking with Deviance

Will Jackson and Emily J. Manktelow

Nothing in the whole history of our Empire in the East is likely to make a greater impression on our Indian fellow subjects than the splendid demonstration that is now in progress at Delhi.... The Delhi Durbar is a splendid proof that British rule in India has not only been successful, but has become popular... The VICEROY, speaking in the name of the SOVEREIGN, impresses the Oriental imagination, but even this is not the most important element in the effect of the Durbar at Delhi. The Princes and the population of India have learned to understand the solid power and the steady policy of the British Empire... In Delhi, at all events, the East, which always recognises the reality of power, can heartily welcome an Empire which, after centuries of strife and terrorism, has brought pacification to a dominion almost as large as Europe.

'Nothing in the whole history of our Empire',
The Times of London, 30 December 1902.

We do not wish to advocate an unholy haughtiness; but an Indian household can no more be governed peacefully, without dignity and prestige, than an Indian Empire.

The Complete Indian Housekeeper and Cook;
Flora Annie Webster Steel (1904).

Performing and Subverting Power

Colonialism was invested in the performance of power – from the pomp and ceremony of the imperial durbars to the everyday interactions of

performed superiorities. The basic legitimating idea behind empire was the notion that the colonisers were superior to the colonised, whether that be in the form of unique access to the means of production, supposedly democratic systems of governance or those racial and cultural registers of difference that justified rule and interlaced it with high-minded ideals of imperial benevolence. These were not *de facto* truths, but synthetic, constructed ideologies. Imperialism was invested in its own performance of pre-eminence and colonial powers believed themselves uniquely capable of harnessing their ascendancy for the benefit of themselves and others.

The key to understanding this ideology of superiority lies in its recognition not as mere ignorance or self-delusion but as a studied and manufactured set of common senses that legitimised imperial rule and became the implicit assumptions underpinning colonial interactions. Recognising this performative aspect need not blind us to the very real violence and coercion of colonial systems however. From wars of pacification and conquest via rebellions and their suppression, to the everyday cruelties, humiliations and exactions of colonial regimes throughout the world, colonialism was invested in the strategic deployment of force. Such deployment was itself demonstrative. The exercise no less than the symbolism of power was performatively conveyed.

There are few better examples of the performative quality of colonial violence than the events surrounding the Amritsar massacre in 1919. On 11 April, at a time of intense anti-British feeling in Amritsar and elsewhere across India, an English missionary, Marcella Sherwood, was pulled from her bicycle by a crowd of Indians and assaulted. Brigadier-General Reginald Dyer, in charge of British troops, was outraged. Having issued a command ordering all Indians passing the site of the assault to crawl the length of the street on their bellies, Dyer explained, 'some Indians crawl face downwards in front of their gods. I wanted them to know that a British woman is as sacred as a Hindu god and, therefore, they have to crawl in front of her too.'¹ In his attempt to restore order, Dyer knew the value of racial symbol. Sherwood, the white lady missionary, embodied civilisation: if Indians would not recognise her sanctity, then they would be forced to perform their own self-abasement. Whenever colonial hierarchies were subverted, the forces of law and order were called upon to restore at least the appearance of racial deference and white prestige.

This book seeks to move beyond and behind these performances to the 'lived realities' of colonial life by looking at those individuals who subverted, deviated from or were marginalised by European, specifically

British colonialism. As Clare Anderson has shown, constructing subaltern life histories of empire can place more obviously apparent aspects of colonial history under revealing new light. By piecing together fragments of marginal lives still recoverable from European and colonial archives, it becomes possible to see not only how global forces impinged on 'ordinary' lives but how 'ordinary' actors shaped and, indeed, constituted such forces.² Anderson's work is typical of a turn towards a biographical frame of analysis in colonial history as well as an invigorated interest in colonial subalternity.³ Several historians, in emphasising the complexity of movement across imperial networks, have highlighted the flexible, permeable quality of spatial borders.⁴ Boundaries were weak, but dextrous too and easily repositioned – a point elaborated upon in several of the chapters that follow. Borders and boundaries were never merely spatial or cartographic, however, and some of the most interesting work to appear in the field in the past ten years has taken up the idiom of the boundary in metaphorical, discursive or figurative ways. Conceptualising boundaries less in terms of lines that were crossed than as sites of encounter or 'contact zones', typically this work has foregrounded the liminal and the in-between – the margins and interstices, the fringes and frontiers.⁵ A corresponding stream of work, influenced by the field of critical whiteness studies, has focused on poor or failed whites: those 'low and licentious Europeans' in the words of Harald Fischer Tiné, whose insalubrious circumstances attracted the interventions of the colonial state at the same time as they evaded its control.⁶ The embodied, performed quality of colonial common sense meant that those ascribed the identity of 'coloniser' were imbued with the reputation of their racial and cultural affiliations. Those who failed to adhere to social norms sabotaged the guiding logic by which the costs and rewards of empire were distributed according to a schema that meshed together hierarchies not just of gender, race and class but of culture, respectability and 'civilisation' as well.

Deviance and Empire

As a concept applied primarily in twentieth century social science, it is unsurprising that the term 'deviance' is entirely missing from the colonial lexicon. Yet, there is no shortage of discursive equivalents and colonial archives are replete with talk of undesirables and rogues, ne'er do wells and bad characters. Empire was depicted as dangerous and degrading as often as it was uplifting or exultant. Throughout the seventeenth and eighteenth centuries, the colonial world represented for

many in Europe the prospect of corruption and decay, the site where 'Europe' was undone.⁷ Degeneration is customarily viewed as an anxiety of the later nineteenth century but the corrosive potential of empire was a much older concern. Power was justified by the myth of the superior character of those who discharged it but it was no less likely to be seen as a self-destructive force. As Nicholas Dirks and James Epstein have eloquently shown, empire was a potent site of scandal. The trials of Warren Hastings and Thomas Picton, Governors General of Bengal and Trinidad respectively, demonstrated the scope for corruption inherent in an expanding imperial presence in both East and West.⁸ Hastings' trial highlighted a culture of self-enrichment amongst the nabobs of the East India Company; Picton's trial for torture revealed the violence of West Indian Slavery.⁹ In both cases, scandal served to articulate domestic constituencies of feeling. Outrage, either at the self-serving spirit of Company rule or at the tyranny of lawless violence served the rhetorical means for liberals, abolitionists and humanitarians to advance their own political agendas and to claim 'Britain' as their spirit. If we reasonably posit scandal, then, as 'deviance exposed', we can certainly see the value of the construction of deviance for the pursuit of quite particular ideological or political goals. However, in its most literal sense – meaning a deviation from that which is judged to be morally right and good – deviance could take any direction. Slavers in the American South saw the Enlightenment as the most monstrous deviance of all. It is a curious genealogy that links postcolonial intellectuals, with their critique of the enlightenment as intellectual fuel for empire, to the slave-owners of the American South.¹⁰

Kirsten McKenzie took the study of colonial scandal further. In tracking the lives of people who discover in empire the opportunity to reinvent themselves – to quite literally 'leave the past behind' – McKenzie demonstrated the power of inversion that colonial spaces contained.¹¹ Not just in port cities but in trading and mission stations, on settler farms, at government *bomas* and on board the very vehicles of migration – the train, the plane, the safari, the ship – hierarchies dissolved, identities slipped. Throughout the nineteenth century, and with a deepening pessimism by the century's end, the world beyond Europe presaged the possibility for things to be turned upside down. In populating empire, Europeans both exercised and exposed their racial prowess. Empire was a place of uncertainty. Identities could be forgotten or forged; fortunes were lost as well as made; power was redistributed and realigned.

Empire then, no less in the early twentieth century than in the early nineteenth century, should be recognised as a world of turbulence. Its

iconography drew on the solemn march of the durbar but outrage at colonial deviance – be it aimed at sex, violence or incompetent misrule – was a no less constant strain. As functionalist accounts of deviance argue, however, the labelling of certain people, situations or behaviours *as* deviant can serve a vital social function: constructing transgression invokes the very boundaries that, while appearing to have been undermined, are in fact reinstated. Egregious offenders such as Hastings, Picton or Dyer only proved the rules that they had broken. Hence, the value of the criminal trial or the government commission, for these provided the vital rhetorical and ritualised spaces by which deviance was simultaneously repudiated and invented.¹² By constructing certain individuals and their actions as evil the greater undertaking that was colonial rule itself could be redeemed. Throughout the British century, the scandals of the later eighteenth century were recursively replayed: the cast had changed but the message was much the same. Governor Eyre's suppression of the Morant Bay rebellion in 1865, the passing of the Ilbert Bill in India in 1882 and the 'red rubber' scandal in the Belgian Congo all seemed to repeat the lesson that empire was always about moral strength and goodness – and its dereliction.¹³

If the evidence of the Hastings trial was that empire was itself corruptive, what various branches of colonial discourse achieved subsequently was to shift the culpability from person to place. It was not the deviant white man that was aberrant (less still the historical phenomenon of which he was a part) but the alien environment into which he had entered. To conquer was also to stray. Settlers and expatriates harboured a culture of distance from the places and peoples over whom they ruled but they could never escape the fact that their dominion unavoidably meant contact. As Ann Stoler has shown, across the European colonial empires the boundary lines separating 'coloniser' from 'native' were far from self-evident. These were never 'given', Stoler argued, but 'a shifting pair of social categories'. For many of those 'new' or critical colonial historians writing in Stoler's wake, the key task has been to focus on those shifts and slippages, on the precarious movement by which those categories were both realigned and undermined.¹⁴

Much of this work has centred on questions of colonial sexuality and procreation – what Stoler called the 'dense points of transfer' for colonial relations. What better way to think about the blurring of boundaries, after all, than in the sexual act and its potential consequences? There now exists a considerable literature documenting the cultural and social history of racial mixing: on inter-racial marriage and inter-racial sex, on concubinage, prostitution and miscegenation.¹⁵ This is a field notably

dominated by women, much of its initial impetus spurred by a broadly felt dissatisfaction with Ronald Hyam's *Sexuality and Empire*.¹⁶ Feminists, Hyam later observed in a defence of his book, did not like his lack of theory – and he pointed it out for those who had missed it.¹⁷ But has there ever been a work of imperial history to include the phrase, ‘some men spurt, others dribble’? One thing Hyam's critics failed to note is that the book was itself deviant in its way and it is worth reflecting on the nature of the discomfort that, for some, the book gave rise.¹⁸ In any case, if *Sexuality and Empire* is now irrelevant analytically, it undoubtedly remains empirically rich. Hyam's problem was to be delivering his material to an old, white, male historiography, an historiography primarily concerned with the geopolitical phenomenon that was ‘the British Empire’.¹⁹ Mechanistic accounts of empire read as phallogocentric now; students of colonial studies rarely allude to ‘the British Empire’ in any sort of monolithic terms. But how might Hyam's material look to those of us concerned with colonial deviance? The field awaits its book on paedophilia and empire, on the sentimental history of decolonisation or on the racialised dimensions to self-loathing, sadism or rage.²⁰

Hyam wrote primarily about what white men did to others. Not only feminist historians have recognised that intimacy might be considered in broader or more complicated ways than that. Esme Cleall, in her book *Missionary Discourses of Difference*, offered ‘religion, sibling relationships, and platonic friendships as alternative “critical arenas of intimacy”’. Keen to ‘emphasise that there are many “intimate spaces” and “dense points of transfer” where ambiguous relations occurred’, Cleall is just one of a number of scholars to take the colonial family as ground on which to explore the contested, contradictory interplay of public good and private feeling.²¹ As several of the chapters collected here show, the policing of colonial deviance can be as effectively explored in the mundane settings of the day-to-day – on the veranda, the back step, on the street or on the beach – as on the more conspicuous stage of political scandal.

What recent scholarship on scandal has affirmed is the basic premise of the ‘new imperial history’: that metropole and colony cannot be divided. Hastings' and Picton's trials reverberated through British society; deviance brought the empire ‘home’. In more nebulous ways, ideas of the colonial world as threatening or unknown animated to a great extent the domestic British understanding of empire overseas. Much of the cultural history of empire ‘at home’ has focused, significantly, on its appeal. Be it heroic or romantic, nostalgic or escapist, we tend to think of empire's resonance for the British public as essentially

attractive. School boys recited lines of Newbolt, explorer-heroes were the celebrities of the day, jingo crowds thronged the city squares.²² For many, however, the world not just of Africa or 'the East' but of the Europeans who dwelt there was one of uncertainty and misgiving and the literary canon reflects this. In Conrad and Kipling, the leading high and low brow authors of the 'high' imperial phase, deviance was signalled by the fraying outpost, the racial mutability of the hinterland and the final expiration (in Conrad most evocatively, up the great Congo river) of colonial power. In the 1920s, the reputation of British settler and expatriate communities conjured a range of salacious associations. Britons on the Nile, on the China coast and in Kenya's Happy Valley all tarnished British prestige.²³ Somerset Maugham, Graham Greene, Doris Lessing and others rendered these worlds as sites of entropy and malaise.²⁴ Throughout the period of decolonisation, stories of British violence amidst headlong political retreat undermined the myth of a benign and far-sighted colonial power. Stories of torture, summary execution and sexual, psychological and physical abuse, given new life with the disclosure of thousands of previously suppressed Foreign Office files in 2011, promise to diminish the reputation of British colonialism yet further. At the same time, cultural connotations of the former colonised world as a place where normal rules do not apply continues to inform how 'other' places and people are encountered. Today, British package tourists to the Gambian Coast drink with a noon-day recklessness; 'sex tourism' (if that is what it is) goes on in the shadows of the hotel compounds. Outside their perimeter fences, children wait for sponsors. Here, it is not just sex but an entire range of possible intimacies that recalibrate the dynamics of indiginé / outsider.

Breaking the Rules

At its most basic, deviance describes the phenomenon of social transgression. Students of deviance examine the construction and the maintenance of rules, the sub-cultures and subjectivities of those who break them and the ways in which transgressors are perceived and sanctioned.²⁵ Frameworks grounded in European and North American sociology, however, can hardly be transposed to the historical colonial context in any simple or straightforward way. The importance of recognising metropole and periphery as a 'single analytical field' notwithstanding, it remains the case that colonial spaces were organised in profoundly different ways from those of metropolitan Europe. As Partha Chatterjee argued, 'the rule of colonial difference' structured colonial societies according

to ideologies of native inferiority.²⁶ If deviance involves a process of splitting the legitimate from the illegitimate, then, it is worth remembering that it was out of the universalist promise of the abolition of slavery that scientifically endowed theories of racial inferiority emerged. Race, in other words, was invented precisely to pre-empt the kind of all-inclusive citizenship that would have ruled out in turn the gross dispossession that enabled ‘the British world’.²⁷

If we are to talk about the centrality of race for understanding imperial deviance, however, we have to recognise first that it was the incipient deviance of all the colonised world – as well as ‘that which is to be colonised’ – that underwrote the moral value of empire. And yet, if we follow our definition of deviance as rule-breaking, we quickly recognise that colonial ideologies always contained elements of what was later known as cultural relativism. Difference, whatever its pejorative meaning, invokes different sets of rules. Distinctions between colonisers and colonised were articulated in the control of the transgressions respective to each.²⁸ There was, as Megan Vaughan has argued, never the need to invent new languages of inferiority when race provided the master code. Far more destabilising to colonial thinking were those people who seemed to escape their racial designations: only Africans who *failed* to go mad in the ways that colonial psychiatry dictated that they should were deviant; those who went mad in African fashion fulfilled, in the idioms of their madness, their allotted racial roles.²⁹ Colonial deviance might well be defined, then, as anything that threatened to subvert the predictable life of empire; that threw a spanner in the intellectual works.

If race is key to understanding colonial deviance, it is also the case that ‘empire’ was never a single or coherent social formation but an aggregation of various communities and groups. We cannot envisage, therefore, a static or delimited body of deviant behaviours: numerous value systems and social hierarchies were in play, systems and hierarchies that were, precisely because of their transformative effects on each-other, themselves often in a state of unprecedented flux. Deviance was mobile, not least because of its potent – and versatile – exclusionary force. Our task, then, is not so much to write a straightforward or linear history of colonial deviance but, rather, to ‘think with deviance’ as a means to explore the many different ways in which the rules of empire were eroded and expressed.

‘Thinking with deviance’ also forces an advance on work that has investigated the operation of colonial power and knowledge. Numerous scholars have utilised Michel Foucault’s thinking on bio-power to investigate the *governmentalité* of colonial regimes. Studies into aspects of colonial science, the history of medicine and the

body, the control of borders and the production and reproduction of sentiment and sexuality have all elaborated on the question of what was particularly colonial about colonial systems and ideologies of social control.³⁰ With its primary emphasis on the state, however, the risk remains with this approach that it can imply the success of these regulating projects and relegate to insignificance (or miss out entirely) the agency of a whole panoply of fringe figures who suffered the effects but also to a great extent subverted the rules and regimes imposed upon them. Only recently have more textured social histories begun to explain how the impositions and interventions of colonial regimes were flouted, their energies dissipated and their visionary ideals co-opted or contravened.³¹ From this perspective, Frederick Cooper's argument that the lines of racial exclusion and where they would be drawn was 'always the focus of enormous and shifting debate' does not go far enough. Such debates reverberated through colonial societies but in the process of their conversion from ideology to practice – that is to say, in their concrete application – they were, at every stage, challenged, changed and redirected. At points, these lines of exclusion were simply rejected outright, as we see most clearly in those waves of popular protest that by the mid-twentieth century had accumulated such militant force as to make large parts of the European empires ungovernable. Such moments of intensified resistance are liable to be incorporated into dangerously celebratory narratives of nationalist emancipation, however; they also appear, by their very momentary nature, as exceptional. The subversion of empire, on the other hand, was constant: an ever-present and infinitely varied dissolution of colonial power and a no-less constant scribbling over of colonial common sense.

A second branch of Foucauldian-influenced colonial history focused on particular deviant populations such as the criminal and the insane. Kim Wagner's work on Thuggee in India and Charles van Onselen's work on Irish bandits in Southern Africa present two good examples of groups that challenged social order in colonial locales.³² There are parallels here with Stanley Cohen's seminal work on folk devils and with the study of social anxieties more broadly.³³ As histories of the emotions gain ground in colonial historiography, writing histories of deviance – or deviant histories – attunes us to the psychology of control as well as its lapse, to that which disturbed social sensibilities and disrupted social order. Court records and patient case files allow for various readings; inevitably it is the attempt to write through representation that provides the most provocative, problematic work. What did thugs really think? What did mental patients really feel?³⁴ More problematic still is

the habit of looking at the deviant in isolation; that is to say, as groups whose defining attribute is their deviance, whatever particular form it takes. Empire was not subverted solely by the obvious outliers and to direct analysis deliberately towards the palpable threats to social order – the madman, the criminal, the prostitute, the drunk – risks diverting attention from the disorderly, corrosive character of those agencies and individuals too often relied upon as ‘safe’.

Deviance works

If it follows, then, that we can find histories of deviance not only from amongst those constructed as such by their contemporaries, it is equally the case that deviance was not necessarily problematic. Indeed, what several of the following chapters illustrate is the extent to which actions that might appear entirely disreputable were in fact crucial to the successful running of colonial regimes. Whalers on the New Zealand coast relied on indigenous populations for scarce resources and vital local knowledge. Missionaries adapted their beliefs to local cosmologies. Settlers and officials learned local vernaculars if only to better exploit the people on whose land and labour the colonial future depended. Rule-breaking, in other words, was endemic. Deviance worked. What these chapters also show are the ways in which social control was inconsistently applied: how obligations were waived, directives disobeyed and sanctions only most erratically implemented. Languages of deviance were deployed opportunistically to serve ulterior motives just as the licence to transgress was often illicitly or surreptitiously granted. In writing historically of deviance, then, processes of complicity, accommodation and denial may be as worthy of analysis as the offending acts themselves. What in one light might look like the weakness of social control might, in another, be seen as the lightness of its touch.

The identification of deviance, therefore, provides us not so much with an empirical quarry – a delimited or bounded object for research – but with an analytical framework that holds contemporary perceptions of the deviant in tension with our own historical application of the term. What may appear deviant to us may have been invisible to contemporaries. Sometimes, behaviours only became deviant when strategies of discretion or secrecy broke down. That attempts at concealment often resulted in the revealing of deviance to historians is a particular irony of any studied attention to that which transgresses social norms. While private acts of deviance themselves (sex, corruption, criminality) often remain obscure, attempts to police, extirpate and suppress them

leave tracks that become all too obvious to historians increasingly guided towards reading both with and against the archival grain.

The chapters brought together here interact with many of these themes: the extent to which colonisers and colonised failed to live up to the racial and social standards expected of them; the messy complications behind the performance of colonial power; the scandalous nature of public disorder (and colonial attempts to contain it); the sheer volume and variety of the ways by which colonial common sense was rendered vulnerable. Like the existing literature in the field, much of this work centres around illegitimate sexuality but the chapters here broaden out to include aberrations of body and mind, departures from imperial cultural norms, the contested micro-politics of public and private space and the refraction of intimate conflicts and accommodations through the filters of state control. They explore not only the undermining of social order but its subsequent restoration, both the breaking of rules and their attempted repair. They think about race and difference, intimacy and affectivity, margins and borders, as well as the instabilities of the archives with which we work. As a body they point towards the ambiguities and blurry edges of colonial history, the ways in which deviance moved and mutated – tolerated, accepted or even encouraged at certain moments whilst at others overlooked or disavowed.

Fullagar's chapter on indigenous intermediaries begins our collection by exploring the lives of three colonial go-betweens who navigated the emergent terrains of seventeenth- and eighteenth-century colonisations from the Americas to the Pacific. While existing historiographies have situated such characters on crude binaries of 'victimhood' or 'individualism', Fullagar demonstrates that these colonial intermediaries were complex individuals who represented the changing requirements of their respective communities as they came into contact with European colonialism. Indigenous intermediaries not only defied the expectations and desires of the colonisers they came into contact with but, in refusing to conform to historiographical dichotomies, they deviate also from our own historical preconceptions, subverting the neat analytical categories that historians of empire are prone to deploy in writing of contact and encounter in early colonial history.³⁵ Their deviance is contextual and historiographical – a meta-deviance to think with as we explore our own interaction with the materials that we use.

Meleisa Ono-George's chapter on interracial relationships in Jamaica also seeks to trouble existing historiographies that try to characterise colonial women as 'only powerless victims or radical resisters'. As her analysis demonstrates, women could, far more than these categories

suggest, negotiate and renegotiate the regimes of intimate and political power in which they lived. This chapter uses the case of Grace Donne and her relationship with (white) Jamaican planter and attorney Simon Taylor to explore the ways in which narratives of colonial intimacy can trouble and break down simplistic categories of 'self' and 'other'. Donne's life was one of conflict and co-operation at an intimate domestic level – but should not be underplayed because of it. Indeed, Grace Donne's story 'highlight[s] the way intimacy allowed some women to negotiate relations of power that would have otherwise been outside of their reach'.

While Ono-George's chapter situates deviance within the realms of sexuality and intimacy, Andrew May's chapter on north-east India examines the politics of sympathy on the borderlands of an expanding British world. May uses three cases studies in one space – among the so-called 'hill people' of India – to explore ideas of 'over-identification' and 'partiality' among a range of colonial actors – an administrator, a soldier and a missionary. Here, the 'jungle' space in which these people lived was seen as corrupting, not because 'it moves away from civilisation, but because of its potential to move towards sympathy'. Over-affiliation or identification could be problematic not only because sympathetic administrators or missionaries troubled the objectives of the colonial state but because *similarity* between peoples within colonial regimes was far more ideologically destabilising than difference.

While Andrew May's chapter looks at social affiliations across the racial divide, Malcolm Campbell explores what happens when Europeans in imperial spaces defied their racial categorisations. Race was, of course, fluid and malleable, particularly in the late eighteenth and early nineteenth century, which made the policing of racial boundaries particularly important. Campbell's chapter explores the history of white beachcombers and, in particular, their interactions with evangelical missionaries in the Pacific. By presenting two quite incompatible elements within the presence of expanding British colonialism, Campbell shows how the construction of certain behaviours as deviant worked to articulate quite particular ideological interests. Missionaries were appalled by beachcombers' apparent disregard for the civilisation that comprised the entire moral value of their empire. At the same time, however, beachcombers' relations with indigenous peoples represented a far less aggressive or destructive aspect of empire than a 'cultural imperialist' view of missionaries might suggest.³⁶ Constructions of deviance were always interpretive, morally loaded and political. Both colonists and missionaries feared the ability of beachcombers to undermine their

respective agendas, as outlaws, pirates and brigands or as alternative intermediaries between rival claimants for imperial power. Campbell's chapter also works to disaggregate deviance, by showing how assorted behaviours and self-presentations – from the expression of religious belief, through the visible, bodily markers of racial identity to the quotidian cultural practices of daily life – were liable to be taken up as signs of failure or subversion. Deviance here, as elsewhere, was spatially and temporally contingent, and in this instance was clearly connected to the marginal and protean status of colonial reach in the Pacific at this time.

Emily Manktelow's chapter keeps us in the Pacific, and the conflicted world of evangelical missionaries, to explore a case of missionary misbehaviour that was not only deviant but potentially criminal as well. In exploring the sexual transgressions of the missionary Alexander Simpson, she explores the extent to which his subversion of evangelical expectations was partially exposed, imperfectly hidden, surprisingly tolerated, but ultimately excoriated as inveterately disorderly. In revealing that it was Simpson's public drunkenness, rather than his private acts of sexual abuse, that finally undid his career as a missionary, Manktelow explores the interaction between deviance and authority, constructed and fractured along lines of gender, race and professionalism. At the same time, this chapter asks the reader to think with gossip as an analytical and methodological tool. Gossip mediated what was known, unknown and imperfectly known (or supposed) and as such is revealing of both social deviance and social lives. And yet, gossip was itself subversive, deployed against the abused, the abuser, and the mission itself. Tracing the evolution of gossip around this particular case of scandal allows us to explore not only the deviant acts themselves but also the ways in which deviance was contained, tolerated or exposed for public judgement.

In her chapter on colonial disability, meanwhile, Esme Cleall takes us to the imperial heartland, both by examining deviance and disability within Britain and by exploring the mobile, mutable nature of colonial bodies. With disability as her lens, Cleall enables an exploration into the contradictory articulation of internal 'others' as well as the susceptibility of colonial hierarchies to subversive ways of being and ways of knowing no less than in the worlds of action and behaviour. John Kitto's deviance in this chapter entailed his perceived failure to live up to the standards of imperial Britishness and imperial masculinity. Yet, in colonial spaces Kitto's deafness was less obvious than it had been in the metropole; here his racial and cultural identity overtook the deviation of his body. Kitto's subsequent navigation of marginality was mediated

by his racial and cultural identity. His ability to partially conceal, or obscure, his bodily difference in colonial spaces was an option uniquely available to him as a white, British man. As Cleall remarks, 'part of the power of the coloniser in colonial spaces was the ability to define deviance.' Yet, what her chapter so eloquently shows at the same time is the capacity for the subaltern colonial to resist or evade those very definitions.

'Madness' represented another variant of subaltern subversion that, in a number of ways, pushed at the limits of colonial control. Like the deaf, the 'mad' could pass unnoticed; insanity's tell-tell signs raised only the profound uncertainty of a migrant's past. But 'madness' proved a useful label too and a powerful means for debarring entry to a colony or justifying an individual's removal. With its focus on imperial migration, Angela McCarthy's chapter shows up the basic weakness of national and territorial borders at the same time as it reveals the tremendous value that a discourse of madness provided for the gatekeepers of the state. Entertaining both the reality of insanity and its powerful stigmatic force enables a recognition of the particular problems that madness posed for settler colonies. While the very future of the colony depended on its immigrant 'stock' madness could disappear, lie dormant and erupt at any time. Authorities in the settler colonies knew only too well the uncertainty of the next arriving ship; sending people away from one place entailed their inevitable arrival at the next. As McCarthy shows, however, colonial authorities went to remarkable lengths to investigate the histories of their immigrant insane. If empire constituted, as scholars now agree, less a coherent system than a complex set of networks and webs, it is equally the case that these presented opportunities for pursuit as well as escape, for the evasion as well as the enforcement of social boundaries – for connection, in short, but also for breach. In McCarthy's telling various individuals subverted colonial control: the emigration officials and family members who tried to palm the insane off on settler colonies, the settler states that tried to block their immigration, and the 'insane' themselves, who failed dramatically to live up to prevailing racial and social standards. Here it was not only the fiscal objectives of colonial settlement that were subverted, but the colonial fiction of robust, masculine and healthy colonies that emerged as 'younger sons' to the imperial motherland.

McCarthy's chapter might well tempt us to consider whose actions and reactions were the most deviant and for whom. Ushehwedu Kufakurinani's chapter, by contrast, explores one particular instance of the colonial state's attempt to prioritise differing levels of deviance,

and to make consistent judgements as to which was the lesser of two social evils: in this case, prostitution on the one hand, miscegenation on the other. By looking at white women's prostitution in Southern Rhodesia, Kufakurinani demonstrates the extent to which commercial sex was tolerated by a colonial state concerned not with the elimination but the management of racial boundary crossing. Here, one sort of deviance worked to pre-empt another. While white women's prostitution was clearly problematic for the settler elites who spoke on behalf of their community, the greater threat for the colonial regime was interracial sexuality among white male settlers and female Africans. It was only when spectres of African men with white women loomed in the imperial imagination that white prostitution became truly problematic, disrupting colonial hierarchies in a far too visible and unruly fashion.

Any account of colonial deviance has, then, to consider the dynamics by which transgressions were made visible or invisible; how discretion and deceit worked sometimes with and sometimes against elite intervention. Jonathan Saha's chapter on corruption in *fin-de-siecle* Burma draws our attention to the conflicts between a perceived need for rigorous investigation on the one hand and the dangers inherent in any public exposure of the failings and inadequacies of the colonial regime on the other. Saha's chapter not only explores the history of corruption itself, but also the potential difficulties of dealing with a colonial archive that was animated by dissonant moral and ideological forces as well as by the idiosyncracies of entirely localised competitions for power. Saha's chapter fulfils what many historians have called for but often failed to achieve – a history that destabilises the colonial archive at the same time as it contributes to, in Saha's words, 'big questions regarding how-we-know-what-we-know about empire.' In so doing, Saha highlights the internal contradictions of imperial paperwork, contradictions that generated a sense of knowledge about and a fiction of control over colonised peoples, but also provided a means to confuse and confound the colonial state through the creation of false, and falsified, documentation.

Will Jackson's chapter continues with this theme – examining the 'archival haze' around investigations into interracial sex in high imperial Natal. Here, Jackson uses the voyeurism of colonial documentation to challenge the basic notion of archival truth that lay at the heart of the bureaucratic work of social control. Its agents – the police, the courts, the officers of the colonial administration – all sought out conclusive proof for that most profound of racial subversions: incidents

of heterosexual, interracial sex that gave rise to mixed race offspring. What they generated instead are stories open entirely to interpretation. What went on around the deviant act itself, in the voluminous ‘haze’ of paperwork, suppositions and detective research, are only allusions towards the kinds of intimacies and transgressions that empirical evidence alone can never comprehensively represent.

Here, interracial relationships exist in the silences of the record and are unrecoverable – defying the control and the categorisation of the colonial state. By contrast, Stacey Hynd’s chapter on the trial of Harjit Kaur in post-Second World War Kenya reminds us of the many layers and levels of deviance that lie beneath one classically deviant act: murder. Even when deviance seemed self-evidently ‘proven’, the complexities of the case defied the state’s ability to treat the crime as precisely that – as a criminal act. Deviance, we learn, cannot be spoken of only in terms of an offence against the state: deviant behaviours were embedded in various social and cultural frames. By exploring the history of the case Hynd reveals the politics of conformity and deviation within a single family and the ways in which these interacted with the broader Sikh community in twentieth century Kenya. This chapter, then, is not only about deviance itself (in this case entailing both murder and sexual abuse – and the cover up of both), but also about the ways in which deviance interacted with competing cultures of morality and their attendant social codes. As the case evolved into discussions of honour and criminal culpability, the colonial state was forced to ask how far a judiciary, itself divided by racial politics and community standards, could successfully operate at a colony level. More often than not the colonial state was confronted by its own internal contradictions. Examining those contradictions through the endeavour to police and punish deviance further highlights, in Hynd’s words, ‘the limits of colonial power both practically and discursively’.

As cultural performers and social agents, individual human beings – *people* – embodied the ideologies that made justifiable sense of an unequal distribution of access to power. To that end, however, people were unreliable, more often than not fragile, cracked and inadequate to the task. The chapters in this collection explore this theme in a number of ways but all essentially argue for the importance of exploring the lived experiences of individuals, the ‘social lives’ of colonial documentation, and the embodied intimacies, deviations and failures of those living the empire across its varied reach. Social histories of empire not only break down sometimes stark historiographical divisions, but highlight the extent to which culture and society were lived through

everyday interactions, encounters and relationships. This is not a call to reductionism or miniscularity, whereby any statement must be refined by the caveats implicit in recognising the individual's ability (and propensity) for defying social norms. Rather it is about recognising the extent to which the cultures of empire and the social lives of empire were constructed in counterpoint to one another – through histories of expectation and disenchantment, conformity and aberration. Colonial regimes relied upon deviations from fictive standards of normativity that could not hold up in practice – and would not have benefited colonial regimes if they had.

Conclusion: Thinking With Deviance

This book seeks to introduce a new framework with which to think in our evolving understanding of imperial and colonial history. Taking a concept from social theory to illuminate the social history of empire brings with it the pitfalls as well as the possibilities characteristic of any attempt at interdisciplinary work.³⁷ Readers will have noted our deliberate resistance to pinning down a closed definition of deviance; instead, we have encouraged an exercise in 'thinking with deviance' as an analytical and interpretive method for rethinking aspects of the colonial past and, in particular, the ways in which colonial discourses were embodied, resisted and negotiated in everyday practice. Our intention has been to see beyond a set of assumptions about the nature of colonial societies that derive largely from the reiterative and self-congratulatory regime of the colonial archive itself. By prioritising disorder, we do not intend merely to illustrate the chaotic nature of colonial social formations or the weakness of the colonial state. Empire relied upon functioning dysfunction. Transgression was neither as straightforward nor as subversive as we may imagine.

Thinking with deviance allows us not only to trouble the analytical boundaries of 'self' and 'other', but also gives pause to consider the construction of the colonial archive itself, and to recognise our complicated relationship with archival paperwork whose categories of identification and ways of knowing are increasingly inimical to our own. It is a thought experiment that allows us to embrace the ambivalence of colonial relationships, and indeed of our own relationship with the materials upon which we rely to create knowledge about the past. If much of the culture of empire elaborated upon a performance of power, its social history – that is to say, how it functioned, or failed to function, how it was mediated and how it was understood – was a far more messy, integrated and complicated web of interactive human lives.

Notes

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2

From Pawns to Players: Rewriting the Lives of Three Indigenous Go-Betweens

Kate Fullagar

In the London summer of 1762, Lord Egremont, the Secretary of State in charge of Britain's overseas colonies, welcomed the latest arrival of an indigenous diplomat to the imperial metropolis. The Cherokee warrior, Ostenaco, had travelled to London to meet King George III, ostensibly to seal a peace treaty just signed between the British and the Cherokee back in the Appalachians. Egremont was a gracious host and ensured that Ostenaco would, during his two-month stay, 'want for nothing'.¹ To the governor of Virginia who had arranged his trip, however, Egremont was less warm. 'You rightly observe', he wrote to Governor Fauquier, 'that such visitors are always troublesome'.²

In what ways were such visitors troublesome to British imperialists in the late eighteenth century? In what ways do they remain so for historians of the imperial past? This chapter addresses these twinned questions by investigating the lives of three different indigenous individuals: the first, the Cherokee warrior Ostenaco; the second, a Polynesian youth called Mai; and the third, a Eora man named Bennelong from what is now known as Sydney Harbour. All three lived during the late eighteenth century and served as significant brokers between locals in their home region and agents of British imperialism.³ All three, as indigenous 'go-betweens', also visited London at some point in their lives.

Britons had sought indigenous brokers in their various imperial ventures ever since the sixteenth century. Keen early advocates of the practice such as Walter Raleigh believed such people could yield any number of advantages – from vital linguistic, geographic, or dietary knowledge, to local resources for trade and sustenance, to the means by which Britons could open political or sexual negotiations. For imperialists, the end goal in cultivating such agents, after survival, was either greater wealth or – increasingly into the eighteenth century – legal sovereignty.⁴

For the indigenous go-betweens, the objective has been harder to explain. Some historians maintain that most examples were the result of imperial exploitation and thus do not require explanation. Others recognize that many took on the role of their own accord, though they usually go on to figure such people as keenly individual opportunists. Certainly, there are plenty of instances in imperial history of the entrapment of indigenous go-betweens: several of Raleigh's own brokers were kidnapped and held against their will until they proffered up some useful facts or introductions.⁵ As well, it is easy to find examples of what looks like self-aggrandizement by brokers eager to make the most of whatever imperial circumstances were to hand.⁶ Both scenarios, however, have a tendency to depict indigenous go-betweens, finally, as pawns of some larger historical process: the kidnapped are pawns of imperial greed directly; the self-promoters are pawns of their own delusions of grandeur, which all too frequently triggers, so it appears, their eventual fall into the hands of empire.

The lives of Ostenaco, Mai, and Bennelong challenge this scholarly tendency. They were neither victims nor self-seekers. Instead, they acted mostly from a desire to protect or grow certain wider interests – from the national in Ostenaco's case, to the familial for Mai, to the regional for Bennelong. Rather than pawns, they were active players in the imperial machinations of their age. Such a perspective subverts historiographic norms about indigenous brokerage, which have been too often forged with the knowledge of hindsight. To see indigenous brokers as agents participating in their own present can be troublesome to historians if they wish at the same time, and understandably, to foreshadow and remember the effects of later colonization. Not to see them this way, however, risks missing their situated perspectives and changeable responses to what then looked very far from being inevitable.

It also risks missing an understanding of how such people could appear troublesome to imperialists in their own time. The histories of Ostenaco, Mai, and Bennelong reveal that many indigenous go-betweens defied on-going 'Raleighian' hopes for them. Certainly, not one of these featured brokers contributed to any clear advancement for the British. Ostenaco, for example, as a key local leader, warrior, and entrepreneur provided crucial trading networks and military assistance as early as 1750. However, just as frequently he turned his diplomatic and warrior talents against the British, especially during the ferocious Anglo-Cherokee War of 1759–61. In the end, he abandoned imperial politics altogether and lived long enough to see the British ousted completely from his homeland. Mai, for his part, as a savvy and adventurous

young man imparted valuable knowledge to the pioneering voyage of Cook in the Pacific when he joined Cook's crew in 1773. His information, however, was evidently not so fulsome as to alert the British to any understanding of potential resources or peaceful options in the region. Bennelong, like Ostenaco, was an important local identity who gave great succour to the early British settlement in his homeland. After a while, though, also like Ostenaco, he rejected the imperial project and deserted a colony that has still, in modern guise, to secure its claim to absolute sovereignty. None of them turned out to be what imperialists thought. None of them ensured sustained riches or possession. Baffled by their failure to fulfill expectations, imperialists could only scratch their heads and call them troublesome.

A dual biographical and comparative approach helps to draw out this history of indigenous go-betweens as troublemakers in both empire and imperial historiography. Studying the full lives of indigenous agents, instead of just those moments when indigenous people encountered imperialists, provides a better sense of the role of empire for individuals. Similarly, comparing these full lives with each other brings certain common or dissimilar strategies to the fore that might not otherwise stand out.

Ostenaco: A head man of the Cherokee

Ostenaco was an influential warrior during his long life, which spanned nearly the entire eighteenth century. He yet awaits a full biography, though he has appeared in a few articles and wider surveys. Some imply that Ostenaco was swept up in the maelstrom of white takeover – both colonial and revolutionary – which led by century's end to Cherokee 'decline' and 'decimation'.⁷ Others note how he acted quite cannily against this maelstrom, and argue that later historical circumstances need not reduce earlier lives to mere tales of grim foreshadowing.⁸ Each of these later discussions, though, attributes Ostenaco's canniness to an ambition for self-advancement. Ostenaco is said to have helped forge alliances, alternately with South Carolina, Virginia, and even the French colonies, so that he could out-do his rivals, 'enhance his influence', or increase his personal 'prestige and power'.⁹

Granted, one reason for assuming self-promotion is that it helps to explain what might otherwise seem an inconsistent approach to empire. Ostenaco's apparent flip-flopping in allegiance between different British colonies, and sometimes between different empires, looks more understandable if he is the determined chancer, changing his

spots as frequently as the imperial landscape demands. Ostenaco's story, however, reveals that such political manoeuvring makes just as much sense if he was acting for broader, national interests. Imperial historians have too often interpreted indigenous groups either as allies or foes of various European incursions, who stick to positions of favour or opposition consistently through time. The Cherokee have been described as allies of the British more frequently than almost any other Native American grouping.¹⁰ Their acts of support for the British in the eighteenth century, however, were far more pragmatic than ideological. Ostenaco served as a cautious friend when he calculated Cherokee benefit, but turned against the British if he suspected the contrary.

Ostenaco was born around 1705 in the Overhill region of the southern Appalachian Mountains. The Overhill region was probably the most influential of the four main clusters of Cherokee towns in the eighteenth century. By the 1740s, Ostenaco had achieved the high-ranking warrior's title of Outacite or Mankiller, in the town of Tellico.¹¹

By mid-century, Tellico was the pre-eminent point of contact between Cherokee trading interests and the fledgling colony of South Carolina. It had helped develop a prosperous economic relationship for all concerned: in exchange for lucrative deerskins, colonial traders provided arms, metals, and glassware to an indigenous economy still flexible enough to entertain both commercial and agrarian bases.¹² Ostenaco was a keen advocate of this relationship through the 1740s, since he saw trade as the means to greater wealth and security for Tellico against surrounding Native American nations. When asked in 1751 by the governor of South Carolina, James Glen, to help smooth over some recent tensions in the trade, Ostenaco readily agreed. By then, Ostenaco was well known to imperial officials. 'I well know how necessary Tasatee's [Outacite's] presence is ...' stated Glen, 'I think if he comes down as one of the head men ... it will facilitate all matters.'¹³

The 1751 talks did not, however, go as planned. A rival Overhill town, Chota, found the recent tensions productive rather than detrimental. They wanted to introduce the threat of competition with Virginia, or even the French, to obtain better deals than had prevailed with South Carolina. Ostenaco was at first unsure: Chota's plan seemed riskier, but then it might protect Cherokee interests more securely. Within one year, however, Ostenaco had gone over to the rival view. By 1753, he was the new head warrior, or Skiagusta, of Tomotley, a small town adjacent to Chota.

What other historians have seen as the act of a turncoat is possible to view instead as Ostenaco's realization that consensus was now the only way

to play a rapidly organizing empire, and that consensus was most likely now to come out of Chota.¹⁴ Ostenaco was present at the next round of talks with Glen in Charleston, but this time the ball was firmly in the Cherokee's court. Ostenaco and the other leaders from Chota saw that the opening up of their market had given them the upper hand. 'Everything is now made straight and easy,' Ostenaco concluded at the meeting, after better trade deals had finalized. 'Nor can the rest of the Nation contradict what we say,' he added, making a lunge for consensus, 'now every Thing is done and ended.'¹⁵

Sadly, of course, things were not done or ended in 1753. Two years later, the Cherokee's new relationship with Virginia had led some also into fighting for the colony in its new campaign for the Ohio Valley. Ostenaco fought for Virginia several times, intent on earning favours for all Cherokee. In one sense, the exchange worked. At the end of one battle, Ostenaco brought home with him a contingent of Virginian soldiers to build a fort near Chota. The Overhill Cherokee had long wished for a colonial fort to keep their homes and kin safe while they were away for increasingly longer times hunting or fighting for colonists. By 1757, the region had a fort built for them by Virginia *and* one built for them by South Carolina.¹⁶

In another sense, though, the Virginians proved tougher partners than the Carolinians. Flailing in their own battles of the Seven Years War, these colonists reneged more and more frequently on their promises of trade or prizes to the Cherokee. By 1759, the ongoing continental war had worn down South Carolina's sense of obligation, too. Displeased already at the Cherokee's determination to play the colonial field, South Carolina also began to cut corners in their deals and promises. Tensions escalated, eventually coming to a head in late 1759 when Glen's successor, Governor William Lyttleton, arrested a contingent of Cherokee leaders come to Charleston to stem the unraveling of relations. Cherokee political leaders argued for weeks for their release. They managed to save a few key figures, but in March 1760 the governor revealed his attitude to such diplomacy by butchering the remaining 23 hostages.¹⁷

Ostenaco had not been among the Charleston contingent this time; he had been asked by his leaders to stay behind in the Overhills to keep the peace. When he heard about the massacre, his belief in the profits of partnership dropped like a stone. 'Make peace who will', he is reported to have said at this moment, 'I will never keep it.'¹⁸ Ostenaco ordered a sustained attack on the South Carolina fort at Chota in retaliation. His superiors persuaded him to halt it while Cherokee in Charleston gave

peace one last stab. However, by June 1760 Charleston had called in Jeffrey Amherst's British North American army and war was inevitable. Ostenaco engineered one of the bloodiest acts of the ensuing Anglo-Cherokee conflict by renewing the bombardment of the fort at Chota until he forced its surrender in August 1760. He oversaw the release of the 200 soldiers still inside and almost certainly helped mastermind the brutal attack on the captives' return march home. Of the 200 rank and file soldiers limping back to Charleston, exactly 23 died in the attack. The numbers accorded with the ancient Cherokee sense of restorative justice – a code dear to Ostenaco's heart. No document places him squarely as the architect of the event, but several observers noted how quickly he appeared afterwards, calling for a cessation of hostilities now that blood on both sides had been 'quieted'.¹⁹

Ostenaco could not have been surprised to find that South Carolina declined to see it that way, however, and violence between both continued for another year. At the end of 1761, after Amherst dispatched another huge force of British soldiers to the Carolinas, which razed dozens of towns and destroyed thousands of acres, the Cherokee sued for peace. Having been one of the fiercest proponents of the war, Ostenaco was among the most reluctant to sign a treaty. He did, though, eventually came round to the idea, following once again an instinct for what was best for his people at any given time, rather than what appeared consistent in retrospect.

His acquiescence to peace displayed all the characteristics of canny national diplomacy. While Chota's political leaders were down in Charleston ratifying the peace with South Carolina, Ostenaco brokered a separate peace with Virginia. The colony of Virginia had not contributed much to the Anglo-Cherokee war, but in Cherokee minds it was just as culpable in starting the conflict as South Carolina. Ostenaco wanted to secure peace with all nearby parts of the British Empire; after all, South Carolina was, at precisely that moment, ensuring ratification from all four Cherokee regions. Ostenaco was merely playing imperial politics at pace with Britain. Ostenaco probably also knew, rightly, that a separate peace with a colony that had given so little to the war would deeply annoy Charleston and thus keep South Carolina on its toes when it came to assuming Cherokee subservience in the future.²⁰

Ostenaco received the Virginian representative, Henry Timberlake, in the Overhills in December 1761. 'The bloody tomahawke, so long lifted against our brethren the English must now be buried deep, deep in the ground,' intoned Ostenaco when they met.²¹ He treated Timberlake with every mark of hospitality, so it took the soldier a few weeks to

realize that he was in fact being kept as a guarantee for the peace process going on in Charleston. If the peace talks down there failed, Timberlake would be the first to feel Cherokee ire. As he eventually cottoned on: 'their revenge falls on any of the same country that unfortunately comes within their reach.'²²

Finally, in March 1762, Ostenaco received confirmation that the South Carolina peace was complete. He offered to escort Timberlake back to his capital, Williamsburg. Once there, he put his next plan into action. He requested a berth to see King George III himself, to make sure once and for all that every British colony would take Cherokee peace seriously. Timberlake was amazed to hear such a request, and even more surprised to see the Virginian Governor, Francis Fauquier, consent to it. Timberlake had not dealt with the Cherokee long enough to understand how influential they still were with southern governors, despite their depleted condition in 1762.²³

Ostenaco arrived in London in June, met the king on 8 July, took in a whirlwind tour of the best and brightest of London, and was home again by October. His speech to George III had been clear about the hardships of the recent war for the Cherokee, but also about his people's sincere wish to build a new and lasting truce.

Some time ago, my nation was in darkness, but that darkness is now cleared up. My people were in great distress, but that is ended. There will be no more bad talks in my nation.... I will order those who are growing up to avoid making war with the English.²⁴

Neither the king, nor his Secretary of State, Lord Egremont, made any binding promises to Ostenaco in reply, but the old warrior may have felt justified in believing that his journey to London was not wholly unrelated to the crown's actions towards Native Americans the following year. In October 1763, the British crown proclaimed a boundary line in North America in order to protect Indian lands from settler encroachment. Numerous factors, of course, were behind the royal proclamation but, as Ostenaco would have known, it was Lord Egremont who drafted the original act. To what extent the Secretary of State had been influenced by his troublesome Cherokee visitor, bringing tales of bloody and unproductive war, deserves more speculation than it had thus far received.²⁵

Tragically – for Ostenaco, Lord Egremont, and even the king – the Proclamation Act of 1763 did not deliver on its potential. The crown did not have the manpower, cash, or will to enforce the line.²⁶ Ostenaco

saw crucial amendments to the boundary made as early as 1765. At a talk near Charleston he was among the Cherokee who agreed to adjust it to settlers' advantage, though he noted at the time that while 'the price the white people give for land ... is very small, they give a shirt, a match coat, and the like which soon wears out ... land lasts always.'²⁷

Ostenaco decided to support treaties rather than armed resistance for the rest of the 1760s – it was a much leaner decade for the Cherokee than the 1750s had been, and, as a leader, he chose once again the path most feasible between two large groups at the time. Nonetheless, his acquiescence had a limit. In 1775, when a speculator called Richard Henderson pressed for a massive amendment to the boundary around the Cherokee's northern-most hunting grounds, Ostenaco felt enough was enough. Henderson wanted to carve out nearly 30,000 square miles, which was more than all the other conceded 'amendments' till then combined.²⁸ The Henderson event is well known in wider Cherokee history as the moment when Attakullakulla's son, Dragging Canoe, stomped out of the talks, declaring dissent from his father's diplomacy-led generation and war on all white settlers. Few historians have noted that one member of his father's generation, old Ostenaco, decided quietly to join him.²⁹

Ostenaco could not agree with Dragging Canoe on the issue of renewed war – perhaps he had seen too much of British resources 15 years earlier. But he did agree that negotiation was now at an end. It took a couple more years for Ostenaco to complete this final switch in policy but by 1777 he had migrated with Dragging Canoe and the mostly young 'Chickamauga' dissidents, as they became known, west into what is now Tennessee. At this point, Ostenaco drops out of all records and it is presumed that he died soon afterwards.³⁰ It remains significant, however, that this one-time advocate for colonial trade, later war leader against British aggression, then stalwart peace negotiator, ended his days removed entirely from white activities. As troublesome as he had been to colonists – playing them one way, then another, then fighting them, then treating with them – nothing was more frustrating than having him walk away entirely. Loyalists such as the colonial Indian agent John Stuart needed him to model peaceful acquiescence to his Cherokee brethren. Revolutionaries such as Thomas Jefferson wanted him to take the bait for war, in order to have reason to defend a land grab later. For Ostenaco, to abandon the crisis took the wind out of all white plans. As a broker, Ostenaco had never been predictable, but this final act was, to imperialists, his most baffling.

Mai: Familial vengeance

The scholarship on Mai is fuller than on Ostenaco, though there has been only one serious biography – Eric McCormick's *Omai: Pacific Envoy* (1977). Mai has interested historians chiefly as a feted 'noble savage' in Britain between 1774 and 1776. In this role, Mai appears usually as 'socialite phenomena among an elite class' or as the 'darling of London society' – a judgement on Georgian vacuity, perhaps, but nonetheless an unfortunate attenuation of an otherwise complicated life.³¹ Even McCormick declared in his preface that Mai's greatest historical significance was as a 'catalyst' for British discussions about themselves in the eighteenth century. His book, in fact, made a solid case for Mai being a great deal more than that, even if McCormick himself never went further than asserting that the islander's 'success' owed much to his 'individual ... qualities.'³²

In sketching Mai's whole life, the two-year trip to Britain recedes somewhat into the background. What stands out more prominently is the rationale behind the journey, which was Mai's lifelong ambition to reclaim his ancestral lands from marauding nearby Bora Borans. He was a dupe of neither Britons nor his own selfishness but rather a spirited rebel against the local status quo. British explorers failed to acknowledge that his ambitions conflicted with their expectations of a broker, and thus they ended up feeling frustrated by their chosen go-between.

Mai was born about 1753 on the island of Raiatea, just over 100 miles northwest of Tahiti. Later sources suggest he was the second son of a *raatira* family, members of the middling rank in Polynesian society – neither noble nor serf but landowning and probably artisanal.³³ In the early 1760s, just as Mai was coming of age and probably acquiring his first tattoos, his island home was invaded by Bora Borans. This battle was merely the latest in a string of conflagrations between the two islands, but it ended poorly for Mai's family. His father was killed in the skirmish, along with hundreds of others. Bora Borans took control of Mai's family estate while he and his surviving relatives fled to Tahiti.³⁴

Settled in the north of Tahiti, Mai's family would have found some kudos as Raiateans, for their island was considered the motherland of Tahitian spirituality.³⁵ But their refugee status did not necessarily make them safe. A few years later, the first European ship to discover Tahiti sailed into an adjacent harbour. Captain Samuel Wallis had been charged by the British government to explore islands 'in the southern hemisphere ... convenient for ... the product of Commodities useful in Commerce.'³⁶ When he entered northern-lying Matavai Bay, however,

Wallis acted more like a conquistador ordered to wreak havoc on all inhabitants. Mai claimed afterwards to have been wounded in the resultant violence.³⁷

Far from curdling his view of Europeans, though, Wallis's extraordinary attack inspired Mai to think about ways in which they might help further a by now entrenched ambition. For even as a teen, Mai was driven by a desire to avenge his father's memory and regain his ancestral home from the Bora Borans. Soon after Wallis's departure from Tahiti, Mai apparently returned to Raiatea to engage the usurpers of his inheritance. The Bora Borans defeated Mai once more, however, and took him and several others as captives to Bora Bora itself. Luckily, Mai escaped to an island midway between Raiatea and Tahiti called Huahine. It was on Huahine that Mai met with his second European vessel, Captain James Cook's *Resolution*, in 1773.³⁸

While some islanders understandably cowered from the sight of another tall ship, Mai tried to ingratiate himself with the crew as soon as they docked. He found favour with the captain of the accompanying vessel, Tobias Furneaux of the *Adventure*. Cook did not particularly approve of Mai, but knew that other Polynesians before him had proved useful aides in navigating Pacific waters. As well, he knew that his one-time fellow explorer, Joseph Banks, wished to host, and scrutinize, a Pacific Islander back home in England. Mai would not have been his first choice, Cook claimed, but he gave in to the enthusiasm of his inferiors. 'He is a fellow of quick parts,' opined the officer James Burney, 'very intelligent, has good memory, and takes great notice of everything he sees.'³⁹ The naturalist George Forster agreed: 'he was warm in his affections, grateful and humane ... polite, intelligent, [and] lively.'⁴⁰

For his part, Mai was determined to gain a berth on the vessel because he wanted to find out how to secure the kinds of weapons that Wallis had wielded five years earlier. His sole mission was to acquire firepower in order to realize his dream of vengeance. Few of his later English acquaintances missed it: he 'would never listen to any plan, except that of destroying the bora bora chiefs and freeing his Native Island,' noted another officer, James King.⁴¹ 'His desire to shoot his enemy the King of Bolabola [sic] is always uppermost,' observed a Reverent Michael Tyson in Cambridge.⁴²

By the time Mai arrived in Portsmouth in July 1774, all the crew realized that he was no simple savage, good only for show. Burney noted that he was as strong and useful as any sailor on board. More importantly, he had explained many mysteries about Tahitian religion and astronomy along the way, and had helped find food for the crew when

it stopped in New Zealand.⁴³ As an indigenous go-between, Mai was, in fact, proving all too satisfactory in 1774. Notably, however, Mai's usefulness to imperial endeavour faded soon after disembarkation. Unlike every other arrival from the New World in the last century, including Ostenaco, Mai did not sign any treaty of commerce, transfer or even friendship while in Britain. He met with the monarch of the day, as other envoys had, but for the first time this led to no significant engagement with either the Admiralty or the trade board.⁴⁴

The failure to take advantage of Mai's presence in London can hardly be attributed to Mai alone. Evidently, the men of influence around him – Cook, Banks, Lord Sandwich (the First Admiral) – decided not to press him for further commitments. But how far Mai deterred such impressment is worth pondering. He did not carry himself as an international diplomat, but rather as a man determined to complete a singular familial mission. Even though Banks took him on several 'botanizing' expeditions, Mai offered up no information about Pacific comparisons. Even though he also met with some key moral philosophers, Mai generated little anthropological knowledge. And even though he endured many hours at court with George III, no political discussions about Pacific annexation flowed. The only thing that Mai did appear eager about was weaponry. Banks's old housekeeper, Mrs Hawley, who shouldered much of the everyday burden of hosting Mai, noted as much when she observed that Mai 'says he wants to return with men and guns in a Ship.' After only a short acquaintance, Mrs Hawley knew the reason by heart: 'to drive the Bola Bola Usurpers from his property.'⁴⁵

Mai's journey back to the Pacific revealed more clearly how little he fit typical expectations for go-betweens. Mai set off home on Cook's third (and, it turned out, final) voyage in mid-1776. Although he was useful at the first Pacific stop, Tasmania, by proving a good shot of geese, Mai also annoyed Cook when he showed off this skill to the locals. Mai's excessive firing at a target terrified the observing Tasmanians, who fled just as Cook was trying to gather critical insights from and about them. The Captain was displeased and left Tasmania unchartered, feeling that Mai was partly to blame.⁴⁶ In New Zealand, the story was similar. Mai helped Cook when he acted as interpreter and food gatherer, but also irritated him when Mai fumed about Cook not killing a known Maori troublemaker. Mai and some other British sailors were convinced that they had found the man who had murdered some of their crew in a previous voyage. 'There is Kahourah,' exclaimed Mai to Cook, 'kill him!' When Cook refused, Mai flew into a rage 'why do you not kill him, You tell me that if a man kills another in England he is hanged for it, this

Man has killed ten and yet you will not kill him.' Cook brushed him off, but other officers noticed how annoyed the captain was that Mai had grown so 'proud' and 'sulky' with 'no bounds to his excess'.⁴⁷

When the voyagers reached Tahiti, Cook began negotiations with the leader, Tu, for Mai's peaceful repatriation. Cook hoped to ensure Tu's protection of his charge, who might otherwise face danger as a displaced person. By late 1777, however, Cook was no longer chagrined but resigned when Mai ruined all his best-laid plans. Mai insulted Tu upon greeting him, and then refused point blank to take Tu's daughter as his wife. Cook was forced instead to resettle him back on Huahine island, between Tahiti and Raiatea. Cook sighed when summing up his thoughts on his Polynesian passenger. He wants 'application and perseverance to exert [understanding],' Cook concluded. His knowledge was 'in many instances imperfect,' and Cook's faith in his ability to 'copy after us in any one thing' was weak.⁴⁸

In the end, Mai did not gain as much from the British voyagers as he had wished. Banks had ensured he took home some weapons, but Cook had placed him on an inconvenient island and refused to help him attack Bora Borans personally. What is perhaps more pertinent in this context, however, is how little the British voyagers gained from Mai. After nearly four years of hospitality, Mai had returned access to neither wealth nor sovereignty. His example had impressed the British so little, indeed, that after Cook was killed by Hawaiians two years later, he was never raised once as a counterpoint to the ensuing flood of vitriol about Pacific Islanders. Cook's murder may well have turned Britain off the idea of colonizing Oceania for a good generation, but this turn was also confirmed by the mixed behavior of Cook's chief indigenous go-between.

Mai was said to die around the same year as Cook, at the hands of Bora Borans who had by then shifted their own imperial eye towards the island of Huahine.⁴⁹

Bennelong: 'Incorrigible' elder

As a key personality in the founding history of Australia, Bennelong has received more attention from historians than either Ostenaco or Mai. Oddly, though, he has also generated only one serious biography – Keith Smith's *Bennelong* (2001). Other works that include discussion of Bennelong are divided quite clearly between those that reckon him a pitiful victim of British exploitation and those that see instead a rather ineffective self-promoter, doomed by his own vanity. For those

who see victimhood, Bennelong was a man 'defeated', 'abandoned', or 'discarded by those who had used him'.⁵⁰ For those who see only misplaced opportunism – such as, ironically, the first great advocate of Aboriginal history, W. H. Stanner – Bennelong was mostly a 'mercurial upstart ... a volatile egotist ... and eventually a bit of a turncoat'.⁵¹

Smith also shared the view that Bennelong was 'wily and cunning', but unlike most others of this position he did not think that Bennelong's wiles worked counter to greater Eora interests.⁵² He argued, in fact, that Bennelong's actions helped create the two years of relative peace that colonists and locals enjoyed between late 1790 and late 1792. He did maintain, however, that Bennelong's real work for Eora peoples began after he left the colonial sphere and settled into his role as elder of his Wangal tribe. It is possible, though, to interpret Bennelong's life as one seamless endeavour to further his community's best interests. Like Ostenaco and Mai, Bennelong became a sometime go-between for Europeans as part of his overall determination to vouchsafe Eora stability. Also like Ostenaco and Mai, Bennelong disappointed those imperialists who sought to understand this new broker only in their own terms.

Bennelong was born around 1768 – when Mai was a teenager and Ostenaco an old man. By the time that Captain Arthur Phillip's first fleet rounded the southern head of Sydney Harbour in January 1788, Bennelong was already an initiated warrior of the Wangal band of Eora nations. Initiation was marked by knocking out a front tooth. Gap-toothed Bennelong may have been among those Aboriginals who stood upon the southern cliffs shouting '*walla walla wha* [go away].' He may have learnt this call from his own elders, who had shouted '*warra wai*' to Cook when he had docked at Botany Bay in 1770.⁵³

The cliffs near the harbour head were in fact a long way away from Bennelong's Wangal homeland. He hailed from a region much further up the river, but like most Eora people he was familiar with the wider region. This is why his first personal encounter with the British newcomers occurred in the northern most reaches of the area, in what Phillip called Manly Cove. In November 1789, Bennelong was spear-fishing with another Eora man, named Colbee. Lieut. William Bradley, on a small boat, held out two large fish to the men to lure them into his clutches. It worked: 'they eagerly took the fish', Bradley wrote, then the 'two poor devils were seiz'd'. Bradley went on to add that the 'crying and screaming' of the Eora around him made it 'by far the most unpleasant service I was ever ordered to execute'.⁵⁴

Bradley had been given orders by Phillip himself, who, in turn, had received his orders from the crown. 'You are to endeavour by every

possible means to open an Intercourse with the Natives and to conciliate their affections, enjoining all Our Subjects to live in amity and kindness with them.⁵⁵ Phillip at first tried to carry out these instructions peacefully, but was always, and to his mind bewilderingly, met only with aggression from the Eora. Eventually, he thought that aggression in return would be the best way to ensure the start of a conversation about Britain's supposedly good intentions. Phillip first attempted to capture a local man to teach him kindness in December 1788. Arabanoo was a Guringai man who refused to play the governor's game. Little came of his incarceration before Arabanoo died from smallpox. The capture of Bennelong and Colbee was Phillip's second attempt. As with Arabanoo, Phillip ordered them to be held by leg irons, even as he started also to treat them to what he considered the colony's best foods and luxuries.⁵⁶

Colbee was not interested in the enticements, and within days, had freed himself from his chains and escaped into the bush. It is presumed that Bennelong also had the opportunity to escape but chose not to. This choice later garnered him much ridicule by twentieth-century historians on the lookout for straightforward heroes of resistance. To Stanner's scornful words about Bennelong's so-called 'trickster' ways (which Stanner claimed led directly to Aboriginal 'dependency on Europeans'), the noted archaeologist John Mulvaney added his doubt that Bennelong could, as a 'parasite', be 'much honoured today by his people'.⁵⁷ Bennelong's acquiescence to colonial desires at this point, though, can be read rather as a stepping-stone to greater leverage with the newcomers. When Bennelong was captured, the British had been settled for nearly two years. Bennelong may have figured out that it was better to engage rather than ignore people who did not look like they were going anywhere soon.

Into the new year, Bennelong's leg iron came off, and yet he remained at Government House. For the next few months, he enjoyed the wines and different clothes on offer. The officers around him noted that he was 'very lively and very intelligent'.⁵⁸ Phillip started to hope that he would soon be able to learn much from him about Aboriginal 'Customs and Manners'. In those first few months, however, it was Bennelong who learnt about the British more than the other way round. While Bennelong was gathering information about British weapons, food needs, etiquette, and hierarchies, Phillip appeared only to gain an understanding of just how angry the Eora were about the European introduction of smallpox.⁵⁹

Phillip's lack of appreciation of the situation was highlighted when Bennelong suddenly took off in May 1790. One day, he seemed simply to have had enough, and he hopped over the fence and walked back home. Phillip was devastated, and confused: 'our native has left us', he

wrote in a letter to Joseph Banks, '[and] at a time when he appeared to be happy and contended.'⁶⁰ Bennelong had thwarted Phillip's expectations for a chosen go-between.

For his part, Bennelong's departure was perhaps more calculated than it first appeared. Four months later, some British officers spied Bennelong back at Manly Cove. They knew the governor wanted to reconcile with Bennelong so they sent for him immediately. Phillip hurried north. He approached a seemingly friendly Bennelong amid a circle of around 20 Aboriginal warriors. Bennelong made a gesture of introduction between Phillip and another man. As Phillip extended his hand to greet this man, the stranger swiftly planted his spear into the governor's shoulder. Mayhem ensued; the officers hurried Phillip to safety; Bennelong mysteriously disappeared.

A few days later, Bennelong went to Government House to see a recovering Phillip. He voiced his disgust about the attack at Manly Cove, which Phillip accepted as evidence of his innocence. Smith, however, has wondered if Bennelong did not orchestrate the whole incident. Only Bennelong, with his unique knowledge of British customs, would have known that Phillip would stretch out his hand upon an introduction. Smith speculates that this was the signal for the other warrior to punish the colonist for his original kidnapping of Bennelong. A bit like Ostenaco's ritualized killing of 23 British soldiers in 1761, Bennelong's payback performance was – to him – a visible wiping of the historical slate. As Smith comments, it meant that from then on 'a friendly dialogue ... could resume.'⁶¹

Unlike with Ostenaco in 1761, though, Bennelong's piece of political theatre worked just as he had hoped – at least, for a couple of years. When the surrounding Eora saw that Phillip was not going to avenge the spearing, just as Bennelong foretold, they believed that Bennelong did indeed understand the ways of these newcomers. They followed him into Sydney Cove in their hundreds, inaugurating a period of relative détente between the two peoples, when conflicts lessened and food was shared.⁶² In this sense, Bennelong as a go-between now more than fulfilled imperial expectations, though few at the time acknowledged really how he had managed the peace.

When Phillip returned to Britain at the end of 1792, he invited Bennelong to come with him. Bennelong's motive in accepting is unclear. He may have thought the journey would somehow deepen the relationship between the two peoples further. Sadly, if so, this is where he underestimated the circumstances. Soon after Bennelong and Phillip's departure, the colony started to degenerate back into violence

and austerity. By the time Bennelong returned (without Phillip) in 1795, the colony was, as one member put it, close to being in 'open war' with the local inhabitants.⁶³

The new governor, John Hunter, continued Phillip's welcome to Bennelong at Government House but by 1797, Bennelong was making less use of the offer. Several colonists at this point expressed amazement that he should walk away from them, even while they acknowledged the woeful deterioration of relations between British and indigenous. One observer claimed incomprehension that Bennelong seemed to prefer the 'rude and dangerous society of his own countrymen'.⁶⁴ Another concluded that he must after all be just an 'incorrigible' savage.⁶⁵ None connected the violence of Sydney Cove with Bennelong's decision.

By around 1801, Bennelong rarely came back to see the British. He stayed up the river with other Wangal people. Put out, the colony from that point on figured Bennelong not only as a backslider but also as an 'insolent' and 'menacing' drunk, fallen via his own will into the cracks between two cultures.⁶⁶ So confused were they by their one-time successful go-between, they failed to read later evidence in any other way. Many later historians shared their view, even if some brought a sense of pity to it through the centuries. What they could have seen instead, though, was the unusually high profile of Bennelong's sisters and wives, which was one indication of Bennelong's respected status. As well, they might have noticed that the large number of scars on Bennelong's body was not – as some assumed – the mark of a beggar but rather was a sign of esteem: only respected elders endured the barrage of spears that rained after the death of a loved one in communal grief-letting rituals.⁶⁷

When Bennelong died in 1813, no one put together the immense ritualized battle that occurred soon afterwards in his home region with the scale of grief felt by his kinsfolk. Nor did any colonist make much of the request by a notable Cadigal man, Nanbarry, in 1821 to be buried in the same grave as Bennelong. As Smith so many years later realized, 'There could be no greater mark of respect.'⁶⁸ Far from a hopeless outcast, Bennelong had gone back to the Wangal in 1801 to resume the life as a beloved elder. For him, there was no rupture around this date from canny broker to dissolute loser. Such a division only appeared to colonists who could not see through the mists of their own dismay.

* * *

Ostenaco, Mai, and Bennelong defy the label of a pawn today as much as they defied the plans of imperialists in their lifetimes. They appeared

troublesome to the British in the eighteenth century when their particular motivations for entering a brokerage clashed with imperial notions of how indigenous go-betweens should behave. Identifying those particular motivations not only returns a sense of the historical present to indigenous go-betweens but also reveals a far more tentative, and dependent, empire than hitherto imagined.

Notes

1. H. Timberlake, *The Memoirs of Lt. Henry Timberlake* (1765), (ed.), D. H. King (Cherokee, N. C.: Museum of the Cherokee, 2009), 59.
2. Egremont to Fauquier, 10 July 1762. CO 5/1345, ff 9–10.
3. I use the term 'broker' and 'go-between' as discussed in S. J. Schaffer, L. Roberts, K. Raj, & J. Delbourgo (eds), *The Brokered World: Go-Betweens and Global Intelligence, 1770–1820* (Sagamore, Mass.: Science History Publications, 2009). See also A. Metcalf, *Go-Betweens and the Colonization of Brazil 1500–1600* (Austin: University of Texas Press, 2005); M. C. Szasz (ed.), *Between Indian and White Worlds: The Cultural Broker* (Norman: University of Oklahoma Press, 1994).
4. On Raleigh, see A. T. Vaughan, *Transatlantic Encounters: American Indians in Britain 1500–1776* (Cambridge: Cambridge University Press, 2006), 21–41, and K. Fullagar, *The Savage Visit: New World Peoples and Popular Imperial Culture in Britain 1710–95* (Berkeley: University of California Press, 2012), 20–24.
5. See Fullagar, *The Savage Visit*, ch. 1; F. Karttunen, 'Interpreters Snatched from the Shore' in E. G. Gray & N. Fiering (eds), *The Language Encounter in the Americas, 1492–1800* (New York: Berghahn Books, 2000), 215–29.
6. See J. Oliphant, 'The Cherokee Embassy to London, 1762', *The Journal of Imperial and Commonwealth History*, 27, 1 (1999), 1–26; K. Smith, *Bennelong* (Sydney: Kangaroo Press, 2001).
7. See, for example, W. Anderson, 'The Cherokee World Before and After Timberlake' in A. F. Rogers and B. R. Duncan (eds), *Culture and Conflict: Cherokee British Relations 1756–1765* (Cherokee, N.C.: Museum of the Cherokee Indian, 2009), 9.
8. See E. R. Evans, 'Notable Persons in Cherokee History: Ostenaco', *Journal of Cherokee Studies*, 1, 1 (1976), 41–54; D. H. Corokran (1991) 'Ostenaco (Judd's Friend)' in the *NCpedia*, <http://ncpedia.org/biography/osteneco-judds-friend> (accessed 17 June 2014); Oliphant, 'The Cherokee Embassy'.
9. See Evans, 'Notable Persons in Cherokee History', 44; Oliphant, 'The Cherokee Embassy', 1; J. Oliphant, *Peace and War on the Anglo-Cherokee Frontier 1756–63* (London: Palgrave Macmillan, 2001), 191, 195; D. H. Corkran, *The Cherokee Frontier: Conflict and Survival, 1740–62* (Norman: University of Oklahoma Press, 1962), 263.
10. See for example, L. J. Sadosky, *Revolutionary Negotiations: Indians, Empires, and Diplomats in the Founding of America* (Charlottesville: University of Virginia Press, 2010), 50.
11. See especially Evans, 'Notable Persons in Cherokee History', and Corkran, *The Cherokee Frontier*. For the history of Cherokee towns, see T. Boulware,

- Deconstructing the Cherokee Nation: Town, Region, and Nation among Eighteenth-Century Cherokees* (Gainesville: University Press of Florida, 2011).
12. See Theda Perdue, *Cherokee Women* (Lincoln: University of Nebraska Press, 1998), 76.
 13. J. Glen to R. Bunning, undated, in W. L. McDowell (ed.), *Documents Relating to Indian Affairs 21 May 1750-7 August 1754 [DRIA]* (1958), 109.
 14. See Oliphant, 'The Cherokee Embassy', 1.
 15. Ostenaco speech in 'Governor Glen to Little Carpenter', 4 July 1753, *DRIA*, 452.
 16. On this incident and on Cherokee forts generally, see D. Ingram, *Indians and British Outposts in Eighteenth-Century America* (Gainesville: University of Florida Press, 2012), 27–58.
 17. See Oliphant, *Peace and War*, 111; Boulware, *Deconstructing the Cherokee Nation*, 118.
 18. *South Carolina Gazette*, 21 June 1760.
 19. See Oliphant, *Peace and War*, 137–39; Corkran, *The Cherokee Frontier*, 219–21.
 20. See Corkran, *The Cherokee Frontier*, 263–66; Oliphant, *Peace and War*, 191.
 21. Timberlake, *Memoirs*, 17.
 22. Timberlake, *Memoirs*, 42.
 23. See Timberlake, *Memoirs*, 47–56.
 24. Cited in Timberlake, *Memoirs*, 147.
 25. See Oliphant, 'The Cherokee Embassy', 9–10.
 26. See C. Calloway, *The American Revolution in Indian Country* (Cambridge: Cambridge University Press, 1995), 188–89; G. Nash, *Red, White and Black: The Peoples of Early America* (Englewood, N. J.: Prentice Hall, 1974), 298–305.
 27. See 'Jud's Friend's Talk to Governor Tyron in Answer to his Excellency's Talk delivered yesterday at Tyger River Camp' *Colonial Records of North Carolina*, vol. 7, 464–66. See also 'Copy of a Talk from the Headman and Warriors of the Cherokee Nation dated Fort Prince George 20th October 1765' *Colonial Records of North Carolina*, vol. 7, 115–17.
 28. See Boulware, *Deconstructing the Cherokee Nation*, 157.
 29. See Corkran, *The Cherokee Frontier*.
 30. See Evans, 'Notable Persons in Cherokee History', and Corkran, *The Cherokee Frontier*.
 31. G. Dening, *Beach Crossings: Voyaging Across Times, Cultures, and Self* (Melbourne: Melbourne University Press, 2004), 40; K. Wilson, *The Island Race: Englishness, Empire, and Gender in the Eighteenth Century* (London: Routledge, 2003), 63.
 32. E. McCormick, *Omai: Pacific Envoy* (Auckland: Oxford University Press, 1977), vii, 132.
 33. McCormick, *Omai*, 1; Anne Salmond, *Aphrodite's Island: The European Discovery of Tahiti* (Berkeley: University of California Press, 2009), 284.
 34. McCormick, *Omai*, 3. Salmond, *Aphrodite's Island*, 36.
 35. See McCormick, *Omai*, 4.
 36. Admiralty instructions cited in H. Wallis (ed.), *Carteret's Voyage Round the World 1766–69 Vol 2* (Cambridge: Cambridge University Press, 1965), 302.
 37. The chief source is James Burney, Private Journal (1772–73) reprinted in B. Hooper (ed.), *With Captain James Cook in the Antarctic and Pacific* (Canberra: National Library of Australia., 1975), 70. See also Salmond, *Aphrodite's Island*, 284; McCormick, *Omai*, 12, 58.

38. As narrated in Hooper, *With Captain James Cook*, 70–72.
39. Hooper, *With Captain James Cook*, 70.
40. Forster cited in Salmond, *Aphrodite's Island*, 284.
41. James King in *The Journals of Captain James Cook on his Voyages of Discovery Vol. III*, ed. J. C. Beaglehole (Cambridge: The Hakluyt Society, 1967), 187. See also Sarah S. Banks, [unpublished] Memorandums, August–November 1774, Papers of Sir Joseph Banks, NLA MS9, where she mentions Mai's desire for guns no less than four times.
42. Cited in McCormick, *Omai*, 130.
43. Hooper, *With Captain James Cook*, 74, 90.
44. For a comparison of Mai's trip to other envoys through the eighteenth century, see Fullagar, *Savage Visit*.
45. Hawley cited in Sarah S. Banks, [unpublished] Memorandums, August–November 1774, Papers of Sir Joseph Banks, NLA MS9. For his activities in Britain, see Fullagar, *Savage Visit*, 130–35.
46. See A. Salmond, *The Trial of the Cannibal Dog: Captain Cook in the South Seas* (London: Penguin, 2003), 311.
47. See Salmond, *Trial of the Cannibal Dog*, 314–17. See also quotes from Officer John Rickman cited in McCormick, *Omai*, 203.
48. See McCormick, *Omai*, 257. See also Salmond, *Trial of the Cannibal Dog*, 356–57.
49. For his return, and the aftermath of Cook's death, see Fullagar, *Savage Visit*, 145–48. And see N. Thomas, *Cook: The Extraordinary Voyages of Captain James Cook* (New York; Penguin, 2003), 292–348.
50. M. Langton, *The First Australians* (Melbourne: Melbourne University Press, 2008), 16, 29; I. Clendinnen, *Dancing with Strangers* (Melbourne: Text, 2003), 264; B. Carr, 27 May 2000, cited in K. Smith, 'Bennelong among his People', *Aboriginal History* 33: 41 (2009).
51. W. H. Stanner, 'The History of Indifference thus Begins', *Aboriginal History*, 1, 19–20 (1977).
52. Smith, 'Bennelong among his People', 23.
53. See Smith, *Bennelong*, 16–17.
54. W. Bradley, *A Voyage to New South Wales ... 1786–92*, facsimile reprint (Sydney: Trustees of the Public Library of NSW, 1969), 181–83.
55. Draft instructions, Crown to Arthur Phillip, 25 April 1787, at http://foundingdocs.gov.au/resources/transcripts/nsw2_doc_1787.pdf (accessed 23 June 2014); see also CO 201/1 ff 29–45v.
56. For all this, see Smith, *Bennelong*, 31–41.
57. Stanner, 'The History of Indifference', 19–20; D. J. Mulvaney, *A Good Foundation: Reflections on the Heritage of the First Government House* (Canberra: Australian Government Publishing Service, 1985), 14.
58. N. Fowell, 31 July 1790, reprinted in F. Bladen & A. Britton (eds) (1892–1901) *Historical Records of NSW [HRNSW]*, 373.
59. Phillip to Lord Sydney, 13 February 1790, reprinted in *HRNSW*, 309. See also Fullagar, *Savage Visit*, 177.
60. Phillip to Banks, 26 July 1790, CY300 2/89–93.
61. Smith, *Bennelong*, 58: for this whole incident, see 51–61, which rely most heavily on eye-witness account by Watkin Tench (1793) and David Collins (1798).

62. See Smith, *Bennelong*, 60–67. Clendinnen calls this period the ‘days of hope’: *Dancing with Strangers*, 272.
63. D. Collins, *Account of the English Colony at New South Wales Volume 2* (London, 1798), 49.
64. Collins, *Account of the English Colony*, 96.
65. *The Times*, 29 October 1805.
66. *Sydney Gazette*, 9 January 1813.
67. See Smith, ‘Bennelong among his People’, 45.
68. Smith, ‘Bennelong among his People’, 46.

3

‘Washing the Blackamoor White’: Interracial Intimacy and Coloured Women’s Agency in Jamaica

Meleisa Ono-George

In the summer of 1804, Grace Donne died after ‘an illness of four or five days’. In a letter to his cousin, Simon Taylor, a wealthy white Creole planter and attorney, lamented that he was ‘like a Fish out of the Water by her loss’.¹ For 36 years, Grace Donne lived with Simon Taylor in his home in the suburbs of Kingston and in St. Thomas in the East as his lover and, in many ways, his companion. Despite her central role in his life, in over 500 letters authored by Taylor to his family, friends, and associates, between the mid-eighteenth century and the time of his death in 1813, there are only a few references to Grace Donne threaded throughout. Despite the paucity of archival records, the relationship between Grace Donne and Simon Taylor presents a lens through which the nuances and complexities of interracial sex, agency, and the dynamics of power in Jamaican slave society can be viewed.

In discussions of interracial sex in Jamaican slave society between free or enslaved women of colour and white men, the standard narrative is one of domination and oppression. Free and enslaved people of African or mixed African ancestry are described either as victims or resisters, and white Europeans as the oppressors in these dominant narratives.² As many scholars have documented, slavery was a system of brutal domination especially for black and brown women. These women often faced unrestrained violence from white men in their everyday lives, as well as from white women and sometimes from black men and men of colour. However, interracial sexual relationships, even in a slave society, cannot be accurately understood as rooted only in sexual exploitation and violence. It is important to highlight the humanity of women, both free and enslaved, who had complex personalities, desires, and emotions. Women were not only powerless victims or radical resisters—but rather, could be independent agents and accommodators as well,

negotiating a place for themselves in a society that privileged masculinity and whiteness.³ As Nell Irvin Painter argues, 'beyond even the most finely tuned categories lies something exceeding race, class, and gender: individual subjectivity.'⁴ How a person lives is not always in line with colonial structures of power.

The study of intimacy provides insight into the fractures and lack of cohesiveness in colonial societies. Colonial encounters were comprised of, in Ann Stoler's words, many 'tense and tender ties'—that is, intimate interactions that were sites in which colonial inequities were produced, traversed and renegotiated.⁵ In Jamaican slave society, diverse forms of intimacy operated between people of different race, class, and status. Amongst these were forms of 'elite Concubinage'—that is, economic-driven sexual relationships between black and coloured women and white men.⁶ Despite the primary motivation of economic or material benefits, at times these relationships also included affection. Such relationships allowed some women to negotiate relationships of power, but are also demonstrative of the way sexual relationships can subvert the binaries of master and slave, oppressor, and oppressed, white and black that colonial authorities relied upon to sustain the system of slavery.⁷

This chapter seeks to recover a narrative of Grace Donne and situate her as a central figure in the life of Simon Taylor. In doing so, it is also my goal to highlight the way intimacy allowed some women to negotiate relations of power that would have otherwise been outside of their reach. I begin the chapter with a brief discussion of the community of colour in Kingston during the mid to late eighteenth century. Next, I explore the ways in which Simon Taylor, and other white Creoles, regarded mixed-race unions and people of colour during this period. The final section of this chapter focuses on the relationship between Grace Donne and Simon Taylor. I also discuss briefly the relationship Taylor had with another women of colour, Sarah Blacktree Hunter, and their daughter Sarah Hunter Taylor. An examination of these relationships will reveal the ways in which sexual (sometimes affective) economic bonds formed and were shaped between those from different social positions. The unstable and ambivalent understandings of race, as well as the complex and muddled nature of sexual-economic exchange during this period will also become glaringly evident throughout the chapter.⁸ The chapter also seeks to reinsert within the historical study of interracial sex in Caribbean slave society narratives of women that were not necessarily passive victims, nor active resisters to the commercialization of their bodies. As the chapter will

demonstrate, some women were able to use sexual relationships with white men as a means of negotiating positions for themselves and their families that were economically and socially beneficial. By expanding on the spectrum of possible social relations during the period of slavery and making space for narratives that do not necessarily adhere to our understandings of power and sex, we can understand some of the complexities, contradictions, and nuances that so profoundly shaped eighteenth- and nineteenth-century Jamaican society.

Kingston's free community of colour

Throughout the latter part of the eighteenth century, free people of colour occupied an ambiguous position in Jamaican slave society. Their status as free but non-white set them in a position somewhere between enslaved blacks and free whites. As their population increased, from around 23,000 or 11 percent of the population in the 1770s to 60,000 in 1830, what was once a scattered community began to unify and form their own identity politics.⁹ There are no exact statistics for how many women, like Grace, were in relationships with white men. However, visitors to Kingston often commented on the frequency of brown and black women they described as 'concubines', 'housekeepers', 'whores' and 'prostitutes'.¹⁰ John Stewart wrote in 1823 that at least nine-tenths of mixed-race women were 'in the situation of housekeepers, as they are here styled, to white men'.¹¹ Whether Stewart's estimate is accurate we cannot know; however, it does speak to the visibility and possible frequency of such matches in the colony.

Support for the partial inclusion of the coloured community in the mid-1700s was fostered through the enactment of various laws that allowed free coloured (and sometimes free black) people to elevate their status. According to Winthrop Jordan, in British colonies like Jamaica, which had a larger ratio of blacks than whites and men than women, inclusive legislation was often passed.¹² Legislation enacted by the Jamaican House of Assembly recognized the benefits of a free mixed-race population that would act as a buffer between whites and blacks. According to an act passed in 1733, *mustfinos*, those four degrees removed from their African ancestry, were deemed white and allowed the same status as English citizens. The act stated that 'no one shall be deemed a Mulatto after the third Generation, as aforesaid but that they shall have all the Privileges and Immunities of his Majesty's white subjects', which included the right to vote and other privileges.¹³ The dramatic increase in the number of mixed-race people by the end of the

eighteenth century may indicate the success of this legal encouragement to 'whiten up' the colony.

Although the effort may have been broadly successful, to 'move from one race to another in three generations' was a time-consuming process.¹⁴ Therefore, another statute provided both black and mixed-race colonists a faster means to achieve partial integration. Special acts of privilege granted 'English status' to those deemed by the Jamaican Assembly to be civilized and worthy of such a status.¹⁵ The rights granted were limited and varied with each individual. Those most likely to be granted an act of privilege first had to already have free status; they usually held property; they were members of the Anglican Church; and they had a Christian education. The majority of those granted an act of privilege seem to have been of mixed racial ancestry. Between 1772 and 1796, of the 67 petitions heard before the assembly and the 512 individuals involved, only one petitioner was black. The others were people of colour, mostly quadroons.¹⁶ Despite the seemingly high number of acts passed, the 'privileges' granted still excluded the black and coloured population from many rights available to white men, such as the right to hold office, serve on juries, sit in the assembly and in some cases, the right to vote.¹⁷ Acts of privilege, along with the 1733 act, provided the coloured population of Jamaica with 'limited freedom'. However, over time, other statutes were enacted as a means by which the white wealthy class could continue to control what was not only a visibly growing community in the second half of the eighteenth century, but an increasingly wealthy one as well.

Throughout the era of slavery, free Blacks and people of colour suffered many civil inequalities under the law. Until 1796, they could not give evidence in court, even if they were involved in the case and until 1813, they could not appear in a case that involved a white person. In addition, they could not sit on juries or vote in local or assembly elections. These were not the only restrictions. The *Devises Act*, enacted in 1761 and repealed in 1813,¹⁸ made it particularly difficult for black communities and communities of colour to get ahead.¹⁹ In a colony where property equaled power, the increase in inherited wealth amongst the offspring of interracial unions became a serious and pertinent issue for white elites. Some white fathers not only manumitted their mixed-race children, if they were not free already, but also bequeathed to them large sums of money and property. According to the findings of a committee set up by the Jamaican Assembly to examine this 'problem', the combined holdings among 50 free black and coloured people in Jamaica, 28 of whom were women, equaled over

£230,000, excluding real estate. Of those 28 women, 15 (four enslaved and 11 free) had been known mistresses of the testators.²⁰ The same committee also found that the devises, or the real estate bequeathed in last wills, to mixed-race children was between £200,000 and £300,000, including four sugar estates, seven pens, and 13 houses in addition to other lands.²¹ The *Devises Act of 1761* put limits on the value of assets or property that could be bequeathed to mixed-race children by their white parent. ‘Negroes’ and ‘mulattoes’, including children of interracial unions born out of wedlock, could not inherit property or cash exceeding the total value of £2,000 local currency, thereby, limiting the financial growth of the free population of colour.²² The *Devises Act* was, in many ways, colonial authorities’ attempt to regulate sentiment. Laws such as this one often ‘stepped in to shore up distinctions that social practice frequently abridged, and that family, blood, and business connections transected’.²³ While laws around inheritance certainly slowed the growth of economic power by the community of colour, it could not stifle that growth completely. For many women, in a society where brown and black bodies were both highly exoticized and commercialized, economically-driven sexual or domestic relationships with white men were often a profitable means by which they could advance their own and their family’s social standing. Despite British critique of these relationships as illicit or deviant, within late eighteenth- and early nineteenth-century colonial society such sexual-economic transactions were customary, if not fully accepted amongst both white Creoles and black and coloured communities.

Marriage and the ‘mulatto’ mistress

Simon Taylor never married, but remained a self-declared ‘old bachelor’ throughout his life. Although he spoke of marriage with his male colleagues, he was convinced that a life of marriage, at least a Christian marriage to a white woman, was not for him. As he wrote in a letter to Chaloner Arcedeckne in England in 1768, ‘in regard [sic] to Matrimony I have as yet no thoughts of it. You that are in so fair a Climate must want a wife more than one who have been so long in this Hot Country.’²⁴ Several years later, Taylor still showed little interest in marrying when he stated, ‘I have not now or ever had any thoughts of Marry [sic] and Hardly think I shall.’²⁵ Taylor was not alone in his decision not to marry a white woman. The ‘perilous’ state of marriage among white people was of grave concern for many, both in the metropole and the colony, who feared the demise of the island if there was not a natural increase in

the population of 'legitimate' offspring, defined as white children born in wedlock.²⁶ Unlike the American colonies where British familial patterns were more widely recreated, in Jamaica, such racially homogenous households were a rarity. As contemporary historian Edward Long explained in 1778, many Creole men preferred to 'riot in ... goatish embraces' with black and brown women than to enjoy the 'pure and lawful bliss' of marriage with women of their own colour. Therefore, he cautioned that if white men did not 'abate of this infatuated attachment to black women' the colony risked becoming, like the Spanish American colonies, overrun by 'a vicious, brutal, and degenerate breed of mongrels'.²⁷ For many white Jamaicans and Britons, the growth of the mixed-race population throughout the eighteenth century spoke to the degeneracy of the colony and the constant threat to Christian values and civility.²⁸

While some Creoles and British observers saw interracial intimacies as a threat to the continuation of white-dominated Jamaica, others in the colony took a more positive view of the situation. Many Creoles shared the opinion that, while a strong white population was ideal, 'it will be of some advantage, as things are circumstanced, to turn unavoidable evils to that benefit of society, as the best preparation that can be made for this breach of its moral and political institutions'.²⁹ The 'unavoidable evils' referred to here were the mixed-race unions and children that, throughout the eighteenth century, were increasing in number. Simon Taylor had a similar view of interracial intimacy and the free coloured population. By 1800, as the ending of the slave trade became more certain, Simon Taylor sought means of shoring up his position, as a slave owner and member of the plantocracy, within the colony. He was active in the fight to prevent the abolition of the slave trade and was antagonistic to non-Conformist missionaries arriving in the colony. However, Taylor saw the inclusion of the mixed-race population among whites as a means by which the colony could remain in the power of white residents. In an 1804 letter to his London agent and friend, George Hibbert, Taylor expressed his opinion on the prospect for white inhabitants in Jamaica if the slave trade was abolished. He outlined a plan by which white people could become a majority in Jamaica and retain control of the island, even if abolition was passed:

There is a new Generation that i[s] coming on and in time provided the Colonies are not ruined before that time comes ... there will be [a] white population, but that will proceed from washing the Blackamoor white ... for the law says that at the four decent

from the Negro [the issue] shall be deemed white. I have a hundred and hundred times reflected on the Means of Establishing a White Population here [in Jamaica] but the experience of forty three years shows me it is impossible to be done *but in this manner*.³⁰

As the passage suggests, Taylor viewed mixed-race people as potential ‘surrogate whites’ and intermixing between white men and black and coloured women as a necessary and strategic way for white Creoles to retain control and power within the island.

Taylor was supportive of other white men in their efforts to put their mixed-race children in better social and economic positions. For instance, in January of 1790 John Tailyour, Simon’s cousin who worked for him as his man of business in Kingston, asked for the freedom of his mixed-race lover, Polly Graham, and their children:

I take up the pen to request a favour of you, which tho [sic] I have often wished to do verbally I have not been able. It is that you would grant Polly her Freedom and that of her children and allow me to put Negroes on Lyssons in their place. Having now for several years experienced her care and attention both while I have been in sickness and health[,] I confess myself much attached to her and I find myself very much so for her children.³¹

John was very apprehensive about the request and how Simon would respond, likely because of the British critique of such relationships. ‘I hope you will not think in making this request I ask you to do anything improper, which I should be very sorry to do,’ he wrote to his cousin. ‘I feel myself more anxious to obtain this favour than I can describe.’ John’s unease was unnecessary in the end. Perhaps Simon saw Polly and her children as potential allies and John as ‘washing the Blackamoor white’. Whatever his motivation, Simon viewed the arrangement John proposed favourably and granted the manumission. John was then able to return to England with his children and eventually put them ‘in a more respectable situation’ than they had been living in Jamaica; his eldest son became an officer in the East India Company and his younger son a London merchant clerk.³²

Taylor’s actions, along with his letter to Hibbert, suggest that he was willing to support the inclusion of some mixed-race people into white society—those he deemed to be of a ‘decent class’—and ignore the differences. Although skin colour was a significant marker in the hierarchy of Jamaican society, for Simon Taylor distant African ancestry could be

overlooked in a pragmatic effort to protect Jamaica as a British colony. Taylor's proposed solution, to wash 'the Blackamoor white' through intermixing, reflects quite candidly one way in which the private and the political so often intertwined. Taylor may even have viewed his relationships with women of colour and his mixed-race children as his contribution to the whitening of the island and the preservation of what he considered to be his 'native land'. In this context, intimate relationships between white men and women of colour were not just a private matter between two individuals, but also had larger political implications in the colony.³³

Instead of regarding them as a threat, Taylor saw some mixed-race women as potential—and necessary—allies. He had at least two long-term relationships with women of colour—with Sarah Blacktree Hunter, with whom he began a relationship sometime in the 1770s, and Grace Donne, who came to live with him at Prospect Pen around 1768. While Grace Donne will be the primary focus here, I will also briefly explore Taylor's relationship with Blacktree Hunter, their daughter, Sarah Taylor, and his granddaughter Sarah Taylor Cathcart.

The Narrative of a free woman: Grace Donne

The records of Grace Donne are much more fragmented than those of Simon Taylor. Taylor mentions Grace only three or four times in approximately 500 letters written between 1779 and 1813. His cousin, John Tailyour, mentions her about five more times and there are two possible references to her in the diary of Lady Maria Nugent, the governor's wife, who visited Taylor's home in Kingston in 1802 and 1804. While circumstantial evidence provides some insight into Grace Donne's life, the empirical evidence that exists would not fill a page. Furthermore, as is commonly the case for black and brown people during this period, there are no sources authored by Grace, although it is more than likely that she was literate.

In his letters, Simon Taylor provides very few personal details about Grace Donne and their relationship. He tells us only that she was a free quadroon woman and that they lived together for 36 years, first at his home on Orange Street in Kingston and then at Prospect Pen, about four kilometers from Kingston. Since it was very rare for white women to have sexual relationships with men of colour during this period and Grace was described as 'quadroon', we can assume that her mother would have been considered mulatto—half white and half black—and her father a white man.³⁴ Grace came to work for Simon Taylor around 1768 when he was about 30 years old and she likely in her late teens

or early 20s. She may have been from Kingston; however, like so many other mixed-race women, she may also have migrated to the town in search of better opportunities. Throughout the years that Grace lived there, Kingston was a city at the heart of the Jamaican economy, pulsating with the hopes, dreams, failures and struggles of the people that moved within and through it. Within the hustle and bustle of the emerging urban port town, Grace likely moved freely, networking and socializing amid a flourishing community of free people of colour.

There have been very few historical studies done on free women of colour in the late eighteenth-century Caribbean and America. In the Caribbean context, Gad Heuman and Lucille Mathurin Mair both discuss, although only briefly, free mixed-race women during the slavery period. Historians such as Loren Schwenger, Adele Logan Alexander and Judith Kelleher Schafer have also explored the place of free women of colour during the same period in the American context.³⁵ The few studies that exist on free women of colour in the late eighteenth and nineteenth centuries demonstrate remarkable similarities in their social position in the southern US and Jamaica. For instance, from the latter part of the eighteenth century, free mixed-race people, especially women, tended to gravitate to urban centers in search of work and more freedom. In Jamaica, many of these women lived in towns and cities such as Kingston, St. Ann's Bay, and Port Royal.³⁶ Kingston had the largest concentration of people of mixed ancestry. In 1774, according to Braithwaite's estimate, the free population in the town was around 1,200, almost tripling by 1807.³⁷ Whatever their level of education or position in life, there was work to be had in a variety of industries for free people of colour. Men often worked as artisans or tradesmen. If they were educated, as many were, having been sent by their white fathers to Britain for an education or educated at one of the few schools in Jamaica like Wolmer's, free men of colour worked as clerks, schoolmasters or druggists.³⁸ Studies on free women of colour in Jamaica have shown that many women had much more limited opportunities available to them than men. While many likely worked as domestics or as market women, others owned taverns or general goods stores, while others jobbed or rented out slaves they may have inherited or purchased. There were also some women who owned or managed lodging homes of 'varying repute'. By the early nineteenth century, mixed-race women were praised as the 'leading domestic entrepreneurs of accommodation'.³⁹

Despite representations of these women in Kingston as 'economically active and viable', most free people of colour likely lived close to

destitution, 'so near the borderline of poverty did many of [them] live that quite often they were buried at the expense of their Church.'⁴⁰ Indeed, according to an 1825-account of wealth held by free people of colour in the island, nearly 80 percent were described as 'absolutely poor'.⁴¹ Grace, like so many other freemen and women, was likely not raised within the affluent community of colour, but had to seek out a means to support herself.⁴² Instead of going into retail, selling 'ribbons, silks, laces and gauzes', or opening up her own lodging house, Grace became Taylor's 'housekeeper', a local euphemism for 'kept mistress'.⁴³

Black and coloured women who engaged in sexual-economic relationships provided white men with invaluable services—as companions, sexual partners, nurses, mothers to their children, and managers of their households. In addition to the domestic benefits of these relationships, women of colour may have served another function for white men—as symbols of status. As a free quadroon woman, a woman almost white, Grace may have been a marker of Simon's status and wealth, much like his elaborate house at Prospect Pen, his expensive furniture from England, or the ostentatious feasts he served his guests. A white man of lesser status and means than Simon, such as a tradesman or soldier, could probably not aspire to form an attachment to a free woman like Grace.

Interracial unions were not only beneficial for the men involved. At least, some mixed-race women regarded relationships with white men as similar to a business transaction. The absence of white women and the low marriage rate in Jamaica provided many women of colour, both free and enslaved, with a certain level of 'bargaining power' by which they could negotiate their relationships with white men.⁴⁴ As was the case in marriages between affluent whites in Jamaica and in Britain during this period, rather than being led solely by romantic notions of love, many women of colour acknowledged their intimate relationships as a contract between two parties and a case of 'mutual advantages negotiated'.⁴⁵ In some cases, relationships between white men and black or mixed-race women were negotiated on behalf of the woman involved by her mother or other female relative who saw benefits in such matches; this was conceivably the case for Grace whose mother and sister also had relationships with white men.⁴⁶ Perhaps Grace had little choice in her partner and an arrangement was made on her behalf. It is also possible that Grace had witnessed her mother and sister's relationships with white men and thought it beneficial to procure a similar relationship for herself. It is certainly possible that she considered her circumstances, and those of her family, would be greatly improved by her relationship with Simon Taylor. Whatever her motivation, in exchange

for the security, wealth and relative status he could provide her, Grace offered Simon both physical and, it seems, emotional companionship.

An inappropriate 'distribution of sentiment': Simon Taylor's will

The first time Simon Taylor mentions Grace Donne is in a letter dated 27 January 1783 addressed to his brother, Sir John Taylor, in England. By this time, Simon and Grace had already lived together for about 15 years. The letter accompanies what appears to be Simon Taylor's first will, in which he bequeathed property to Grace, and was written, in part, to explain to his brother the reasons for including his mistress: 'You will say I have made so great provision for the Woman who lives with me[.] I own it,' he acknowledged, 'but she has been a faithful [sic] servant to me and I never had Occasion to call her twice for anything or awake her in any of my very severe fits of sickness.'⁴⁷ It is clear from this passage that Taylor was both dependent on and devoted to Grace. However, the passage also suggests that Taylor was apprehensive about his brother's reaction. Simon's younger brother, John, though born in Jamaica, had lived most of his life in Britain and was thus removed from the sexual culture on the island. Simon's apprehension, however, was unwarranted in the end. John was supportive of his brother's bequest to Grace and expressed no concern of impropriety.⁴⁸

Taylor made certain in his will that Grace would be well provided for upon his death by bequeathing to her £100 Jamaican, a £50 annuity, several enslaved 'Negroes', furniture, a horse and as well as land, a house, and other property in East Kingston.⁴⁹ Simon was unable to bequeath to Grace the house they shared on Orange Street, either because it was entailed to his brother, Sir John, or possibly because of the *Devises Act*. Although he was unable to give Grace the house, Simon still sought to ensure that she would not be uprooted and forced to move if he should die. Therefore, he made arrangements with his brother that Grace could continue to live in the house until her death. In combination with the inheritance that he left her, Grace could rest assured that she would continue to live comfortably. The will and letter provide clear evidence that Simon Taylor felt strongly for Grace and had a sense of responsibility, concern, and affection for her. Despite this, he still believed strongly in and was committed to systems of white supremacy and patriarchy. Instead of making his own mixed-race children his principal heirs, Taylor bequeathed the majority of his wealth and property to his

white nephew, Sir Simon, a man he was not close to and held in very low esteem.⁵⁰ However, although the amount of cash Simon left to Grace was not substantial in comparison to the sums he left other members of his extended white family, the inclusion of slaves would have provided Grace with additional financial support. These, she would have been able to hire out or sell. Therefore, despite his adherence to dominant systems of oppression, Taylor still provided Grace with money and property, tools she could use to elevate herself and her family within the social hierarchy of Jamaica.

The mistress of Prospect Pen

There are very few records that reveal what Grace's everyday life may have been like and so the historian is left to speculate. It is likely that Grace was able to move freely around Kingston, visiting her mother and sister who lived in or near the port town. In common with other mixed-race women of her status, she would have been able 'to dress finely, and dash about in style in ... carriages, attended by servants in livery.' White visitors in Jamaica often commented on what they saw to be ostentatious displays of wealth exhibited by free women of colour. Perhaps, it was women like Grace Donne they spoke of when they described the way mixed-race women engaged in sexual-economic exchange consistently outdid white women 'in splendour, taste, and expensiveness of dress, equipage, and entertainment' in Kingston.⁵¹ In a trope commonly called up to denigrate indigenous women and women of colour in colonial settings, Lady Nugent found these displays in bad taste and referred to mixed-race women as 'unfortunate' and pitiful.⁵² However, for Grace such elaborate displays may have been markers of her wealth and 'state of near-equality' with affluent whites in Jamaica and in her interactions with other black and brown people.⁵³

Although Grace was probably shut out from wealthy white female society because of her illegitimate and racial ancestry, much 'as a moral stain in her character would do in European society', she could claim to have had an intimate audience with Lady Nugent at least twice.⁵⁴ After dinner during her visit to Prospect Pen in 1802, Lady Nugent wrote that she took tea in her private room 'surrounded by the black, brown and yellow ladies of the house'. One of these ladies was almost certainly Grace Donne.⁵⁵ Two years later in April 1804, Lady Nugent once again dined at Prospect Pen. This time, in order to 'please the old housekeeper', she gave audience to a 'number of black and brown ladies'—to the disapproval of the white ladies she left waiting for her in the drawing room.⁵⁶

The 'old housekeeper' Lady Nugent sought to please was almost certainly Grace Donne. These incidents suggest that Grace held a place of some respect with Lady Nugent. She perhaps recognized Grace's place as the mistress of Prospect Pen, the lady of the house. Even if Grace was excluded from elite white society, she did, at least at Prospect Pen, socialize with her lover's 'respectable acquaintance'.⁵⁷

The incident described here also suggests that among the other 'black, brown and yellow ladies of the house' Grace had a place of respect and authority. It is very likely that Grace was an intermediary between Simon and the enslaved people at Prospect Pen, as black and mixed-race wives often were. For instance, in January 1790 there was a fire at the Pen while Taylor was away in another part of the island. His cousin John wrote to inform him of what had happened. John was not there when the fire broke out and so he relied on Grace's account. According to 'Gracey', John wrote, 'this accident was occasioned by the Negro Boy (who went to supper the Horses) letting a candle fall amongst some dry grass, and in place of calling assistance, endeavoring to extinguish the Fires himself.'⁵⁸ We have no records to tell us the outcome of this incident. We do not know whether the boy was punished, how or by whom; however, that John relied upon Grace's testimony speaks to her role at Prospect. The story she constructed, what she did or did not say, would determine the fate of the 'Negro Boy'. Like the incident with Lady Nugent, this episode suggests that Grace held a place of respect and some power within the household and among the other people of colour at Prospect. She was Simon Taylor's mistress, but it seems that she was also a mediator for the other 68 people enslaved on the Pen.

Even as some women enjoyed the benefits and security they may have procured from becoming a mistress, others experienced the violence that characterized the lives of so many black and brown women in Jamaica. In his diary, Thomas Thistlewood, an English overseer and slave owner in Westmoreland, frequently documented his own acts of sexual violence and brutality against enslaved women. In addition, he also described many incidents in which both free and enslaved mistresses experienced violence at the hands of their white partners. For instance, Thistlewood described how his neighbour, Hugh Wilson, beat his mistress, a free mulatto women named Miss Sally, several times between 1775 and 1781. Another of Thistlewood's associates beat his mulatto wife so badly she died.⁵⁹ That Thistlewood took notice and actually recorded these particular beatings when domestic and sexual violence was so common during this period may be an indication of the severity of the violence. Many white men seemed to share the attitude

that 'so long as she had any d—d black blood in her she couldn't do without the whip,' whether she had free or slave status.⁶⁰ There is no evidence to suggest that Simon's relationship with Grace was violent; however, like other black and brown women in relationships with white men, even those in long-term relationships remained in a vulnerable position that required a constant renegotiation of power.

Other intimacies

Although she may have been his long-term mistress, Grace Donne was neither Simon Taylor's only lover nor the only woman of colour he held in deep affection. In addition to Grace, Taylor had at least one other mistress, a 'free Mulatto woman' named Sarah Blacktree Hunter, with whom he had a daughter named Sarah 'Sally' Taylor sometime in the 1770s. It is unclear when exactly the relationship with Blacktree Hunter began or ended or whether it was ongoing. The absence of Blacktree Hunter in Taylor's 1783 will and her inclusion in an amended will of 1808 suggests that their relationship became closer sometime between these years. In his 1808 will, Taylor left Blacktree Hunter £500 Jamaican and some furniture. To his daughter Sally Taylor he originally left £1000 Jamaican, but increased the amount to £2,500 Jamaican and a £30 annuity in 1813 just before his death. Further, Simon left £500 Jamaican, a £50 annuity, and a slave to his granddaughter, Sarah Hunter Taylor Cathcart, who was six years old when her grandfather died.⁶¹ The large inheritance to his daughter Sally, and to her young child, points to a fairly close relationship between father and daughter. An undated letter from Sally to her father asking for his assistance may also reflect an intimate relationship between the two. Sally wrote to ask for her father's assistance in stopping construction of an asylum that was being built beside her home. She implored her father to come by her home in order 'to see the dreadful and uncomfortable condition I am reduced to by this pest house, which has been placed next door to me'.⁶² We can only speculate how Simon responded to his daughter; that Sally felt she could write to him and ask for his assistance however, suggests that their relationship was a close one. To add to this, when Simon Taylor became ill in 1811, he called on Sally to take care of him. She moved in with him at Prospect Pen, along with her daughter, 'little Sarah', and her mother, Blacktree Hunter. Sally continued to care for her ailing father until his death. Simon wrote to his cousin Robert in England to assure him that his daughter was taking 'every pains to nurse me'.⁶³ Sally's commitment to her father and his

affection towards her speaks to the deep relationship they maintained until his death in 1813.

The relationship Sally had with her father allowed for her own high standing in Jamaican society, but it also allowed her daughter Sarah Taylor Cathcart to acquire some social mobility across the Atlantic in Britain. In 1820, Blacktree Hunter accompanied her then 13-year-old granddaughter to London in an effort to enroll the young child in school there. According to a letter authored by Blacktree Hunter and addressed to Simon's sister-in-law (and Sir John's widow), Lady Taylor, Sarah had been 'very sickly' in Kingston. Hence, at the insistence of Sally, Blacktree Hunter traveled to London so she could 'finish her Education'.⁶⁴ Once in the metropole, Sarah's white Scottish father, William Cathcart, insisted that 'little Sarah' return to Jamaica for 'he had made a provision in Jamaica and that was much better place for girls'. Further, the 'esteem' in which Sarah and her family was held in Jamaica 'do not extend to England'. 'Sarah from her birth', he continued, will 'have many disadvantages which [she] would not be expose to in Jamaica'.⁶⁵ Despite Cathcart's opposition to his daughter's presence in the metropole, Blacktree Hunter was able to utilize the financial income garnered from her ties with Simon Taylor and the familial ties she had with his family living in England to ensure her granddaughter's education and future. The few archival records on Sarah Taylor Cathcart indicate that she remained in England, married Frederick John Wells, a London-based chemist and lived a fairly middle class life.⁶⁶ As for the fate of Blacktree Hunter, and her daughter Sally, I have found no archival records. Sally's commitment to her father and his affection towards her speaks to the deep relationship they maintained until his death in 1813. Although Simon Taylor held a place of power within colonial Jamaica and a commitment to the race-based slave society, he pursued and maintained intimate ties that were socially and financially advantageous to several generations of mixed-race women. These intimate ties ultimately allowed these women the ability to transgress the economic and many of the racial boundaries that structured the society in which they lived.

Conclusion

The relative absence of Grace Donne, and his other mixed-race family, in Simon Taylor's letters speaks more to his own anxieties around his identity as a respectable British gentleman in Jamaica than to their significance in his life. Despite the fact that their relationship may have

been economically driven, the little evidence available suggests that real affection also existed within their relationship. Grace had taken care of him when he was sick, kept his home, entertained his guests, and most importantly, provided him with companionship during the 36 years they lived together. After her death, Simon found support and solace in his other mixed-race family—with his daughter Sally, his former mistress Sarah Blacktree Hunter and his grandchild, Sarah Taylor Cathcart. In exchange he provided them with the economic and material means to live relatively comfortably in both Jamaica and England. These relationships highlight the importance of seeking out individual stories, the 'individual subjectivities', even those that are limited to fragments in the historical record. Jamaican slave society, despite its outward appearance, was not as cohesive and smoothly hierarchical as the planter elite may have claimed. The binaries between master and slave, white and black, powerful and powerless were frequently blurred, challenged and renegotiated. Narratives of sexual-economic exchange, such as those discussed in this chapter demonstrate the necessity for scholars to move beyond such binaries and to seek out the many 'tense and tender ties' that animated colonial spaces. These ties contributed to, and at times transgressed, the intricate hierarchies of difference that structured colonial societies, forcing us to 'more elaborate, cross-cutting ways of thinking'.⁶⁷ Although these stories may be difficult to access, it is necessary to seek them out if we are to gain a fuller understanding of the nuanced dynamics of race, sex, and power in colonial settings.

Notes

1. Cambridge University Library and Institute of Commonwealth Studies, University of London (hereafter ICS), Plantation Life in the Caribbean Pt. 1, Jamaica, c. 1765–1848: the Taylor and Vanneck-Arcedeckne Papers (microfilm), I F 56, Simon Taylor to Robert Taylor, 18 June 1804.
2. For exceptions, see Trevor Burnard, *Mastery, Tyranny, and Desire: Thomas Thistlewood and His Slaves in the Anglo-Jamaican World* (Chapel Hill: University of North Carolina Press, 2004) and Hilary Beckles, *Centering Woman: Gender Discourses in Caribbean Slave Society* (Kingston: Ian Randle Publishers, 1999).
3. For examples, see Hilary Beckles, *Natural Rebels: A Social History of Enslaved Black Women in Barbados* (New Brunswick, N.J.: Rutgers University Press, 1989) and Burnard, *Mastery, Tyranny, and Desire*.
4. Nell Irwin Painter, *Southern History Across the Color Line* (Chapel Hill: University of North Carolina Press, 2002), 4.
5. Ann Laura Stoler, 'Tense and Tender Ties: The Politics of Comparison in North American History and (Post) Colonial Studies', in Ann Laura

- Stoler (ed.) *Haunted by Empire: Geographies of Intimacy in North American History* (Durham: Duke University Press, 2006) and Sylvia Van Kirk, *Many Tender Ties: Women in Fur-Trade Society, 1670–1870* (Norman: University of Oklahoma Press, 1980).
6. Patrick Bryan, *The Jamaican People, 1880–1902: Race, Class, and Social Control* (Kingston: University of West Indies Press, 2000), 97–98.
 7. Ann Laura Stoler, 'Intimidations of Empire: Predicaments of the Tactile and Unseen', in *Haunted By Empire*, 19.
 8. I use the term sexual-economic exchange to describe the relationships in which monetary or material goods are exchanged for sexual/domestic services. In Jamaica, both concubinage and prostitution formed part of this exchange. For more on sexual-economic exchange in the contemporary Caribbean see, Kamala Kempadoo, *Sexing the Caribbean: Gender, Race, and Sexual Labor* (New York: Routledge, 2004); and Amalia L. Cabezas, *Economies of Desire: Sex and Tourism in Cuba and the Dominican Republic* (Philadelphia: Temple University Press, 2009).
 9. Lucille Mathurin Mair, *A historical study of women in Jamaica: 1655–1844* (Kingston, Jamaica: University of the West Indies Press: Centre for Gender and Development Studies, c2006), 268 and Burnard, *Mastery, Tyranny and Desire*, 16. For more on the emergence of a politically active community of colour, see Gad Heuman, *Between Black and White: Race, Politics, and the Free Coloreds in Jamaica, 1792–1865* (Westport: Greenwood Press, 1981).
 10. J. B. Moreton, *West India Customs and Manners* (London: J. Parsons, 1793), 130.
 11. John Stewart, *A View of the Past and Present State of the Island of Jamaica* (Edinburgh: Oliver & Boyd, 1823), 326–27.
 12. Winthrop Jordon, 'American Chiaroscuro: The Status and Definition of Mulattoes in the British Colonies', *The William and Mary Quarterly*, Third Series, 19, 2 (April 1962), 195–197.
 13. Edward Long, *The History of Jamaica*, Volume II (London: T. Lowndes, 1774), 261.
 14. Mair, *A Historical Study of Women in Jamaica*, 90.
 15. *Journals of the Assembly of Jamaica* 8 (1777–1791), 537.
 16. *Journals of the Assembly of Jamaica*, 6–10 (1766–1802). Also cited in Edward Kamau Brathwaite, *The Development of Creole Society in Jamaica, 1770–1820* (Oxford: Oxford Clarendon Press, 1978), 171–73.
 17. Long, *The History of Jamaica*, Volume II, 320. See also Arnold A. Sio, 'Race, Colour and Miscegenation: The Free Coloured of Jamaica and Barbados', *Caribbean Studies*, 16 (1976), 5–21: 8–9.
 18. According to Sio's study, some free people of colour began to gain exemption from the *Devises Act* and other restrictive legislations as early as 1796. See Sio, 'Race, Colour, and Miscegenation', 9. *Devises Act of 19 December 1761* was repealed 4 December 1813.
 19. *Devises Act of 1761* cited in John Henry Howard, *The Laws of the British Colonies, in the West Indies and Other Parts of America, Concerning Real and Personal Property, and Manumission of Slaves: With a View of the Constitution of Each Colony*, Volume I (London: William Henry Bond, 1827), 58–60.
 20. Mair, *A Historical Study of Women in Jamaica*, 89–90.
 21. Long, *The History of Jamaica*, Volume II, 323.
 22. Mair, *A Historical Study of Women in Jamaica*, 95.

23. Kathleen Wilson, *The Island Race: Englishness, Empire and Gender in the Eighteenth Century* (London: Routledge, 2003), 148.
24. Betty Wood and Martin Lynn (eds), *Travel, Trade and Power in the Atlantic 1765–1884* (Cambridge: University of Cambridge Press, 2002), 64.
25. ICS, II A 14, Simon Taylor to Sir John Taylor, 28 March 1775.
26. For more on marriage in eighteenth century Jamaica, see Trevor Burnard ' "Rioting in Goatish Embraces": Marriage and Improvement in Early British Jamaica', *History of the Family*, 11, 4 (2006), 185–97. For more on legitimacy and inheritance in Jamaica, see Christer Petley, ' "Legitimacy" and Social Boundaries: Free People of Colour and the Social Order in Jamaican Slave Society', *Social History*, 30, 4 (2005), 481–98.
27. Long, *The History of Jamaica*, Volume II, 331 and 327.
28. See Christer Petley, ' "Home" and "This Country": Britishness and Creole Identity in the Letters of a Transatlantic Slaveholder', *Atlantic Studies*, 6, 1 (2009), 43–61.
29. Long, *The History of Jamaica*, Volume II, 333.
30. ICS, I F 42, Simon Taylor to George Hibbert, 14 January 1804.
31. ICS, XIV A 50, John Taylor to Simon Taylor, 3 January 1790.
32. Daniel Livesay, 'Extended Families: Mixed-Race Children and Scottish Experience, 1770–1820', *International Journal of Scottish Literature*, Issue 4 (Spring/Summer 2008) <<http://www.ijsl.stir.ac.uk/issue4/livesay.htm>> (2 July 2010).
33. However, Taylor did not support all interracial mixing, but was very explicit that the future white population 'must all proceed from the [mixed-race] Females[,] for the [mixed-race] Boys and Men not being able to have any communication with any of the Women of a further remove than themselves'.
34. In St. Elizabeth Parish between 1780 and 1815, there were at least fourteen interracial marriages including brown men and white women. Most of the men that married white women were from the same family, the James. This suggests a pattern unique to this particular family. In Kingston during the same period there were no recorded interracial marriages. See: Burnard, 'Rioting in goatish embraces'.
35. Heuman, *Between Black and White*. In the American context, see Loren Schweninger, 'Property-Owning Free African-American Women in the South, 1800–1870', *Journal of Women's History*, 1 (Winter 1990), 13–44; Adele Logan Alexander, *Ambiguous Lives: Free Women of Color in Rural Georgia, 1789–1879* (Fayetteville: University of Arkansas Press, 1991); and, Judith Keller Schafer, "'Open and Notorious Concubinage": The Emancipation of Slave Mistresses by Will and the Supreme Court in Antebellum Louisiana', *Louisiana History*, 27 (Spring 1987), 166–82.
36. Mair, *A Historical Study of Women in Jamaica*, 277.
37. Brathwaite, *The Development of Creole Society*, 169. Accurate numbers are not available.
38. There have not been any comprehensive studies done on the number of mixed-race children sent to Britain to be educated during this period. However, according to rough survey of wills of white men in Jamaica, Daniel Livesay found that over seven percent of wills bequeath property to mixed-race children in or on their way to Britain. This figure suggests that there were more mixed-race children sent to Britain than may have previously been assumed. For more, see Livesay, 'Extended Families'. For more on education in Jamaica see Brathwaite, *The Development of Creole Society*, 173 and Mair, *A Historical Study of Women in Jamaica*.

39. Mair, *A Historical Study of Women in Jamaica*, 278. And Brathwaite, *The Development of Creole Society*, 174.
40. Mair, *A Historical Study of Women in Jamaica*, 277–79. And Trevor Burnard, 'Prodigious Riches: The Wealth of Jamaica Before the American Revolution', *Economic History Review*, LIV, 3 (2001), 518.
41. CO 318/76 Commissioners of Legal Enquiry in the West Indies, 1822–28, 52.
42. Mair, *A Historical Study of Women in Jamaica*, 277–79.
43. Brathwaite, *The Development of Creole Society*, 174.
44. Burnard, 'Rioting in Goatish Embraces', 188.
45. Mair, *A Historical Study of Women in Jamaica*, 282. Amanda Vickery argues the notion that genteel women and families in eighteenth-century England made 'a clear-cut operative choice between love on the one hand and lucre on the other crudely reduce the intricacies of human choice. For surely the strategic and the emotional are blended in all of us?' Amanda Vickery, *The Gentleman's Daughter: Women's Lives in Georgian England* (New Haven: Yale University Press, 1998), 44.
46. Mair, *A Historical Study of Women in Jamaica*, 285.
47. ICS, I B 36, Simon Taylor to John Taylor, 27 January 1783.
48. ICS, II B 29, John Taylor to Simon Taylor, 1 May 1783.
49. ICS, II B 36, Simon Taylor to John Taylor, 27 January 1783. According to Fernand Braudel, £1 sterling was worth about £1.4 Jamaican in the eighteenth century although the value of local currency tended to fluctuate. Fernand Braudel, *Civilization and Capitalism, 15th-18th Century* (Berkeley: University of California Press, 1992), 278.
50. ICS, I J 50 Simon Taylor to Robert Taylor, 29 January 1812. For discussion on the interracial sex and mixed-race children as a possible threat to Jamaican slave society, see Petley, ' "Legitimacy" and Social Boundaries'.
51. Stewart, *A View of the Past and Present*, 326, 330–31
52. Lady Nugent, *Lady Nugent's Journal of Her Residence in Jamaica*, 214.
53. Mair, *A Historical Study of Women in Jamaica*, 283.
54. Stewart, *A View of the Past and Present*, 335.
55. Nugent, *Lady Nugent's Journal of Her Residence in Jamaica*, 65.
56. Nugent, *Lady Nugent's Journal of Her Residence in Jamaica*, 203.
57. Stewart, *A View of the Past and Present*, 335.
58. ICS, XIV A 54 John Taylor to Simon Taylor, 22 January 1790.
59. Burnard, *Mastery, Tyranny, and Desire*, 237–38.
60. Cyrus Francis Perkins, *Busha's Mistress, or, Catherine the Fugitive: A Stirring Romance of the Days of Slavery in Jamaica*, 1st Edition 1911, eds. Paul E. Lovejoy, Verene Shepherd, and David Trotman. Princeton: Markus Wiener Publishers, 2003.
61. National Archives of England (hereafter NAE, Simon Taylor's Will PROB 10/7400/7, fola 2–4, folio 59.
62. ICS, XX A 6, Sarah Taylor to Simon Taylor, undated.
63. ICS, I J 48, Simon Taylor to Robert Taylor, 19 September 1811.
64. ICS, III C 4, Sarah B. Hunter to Lady Taylor, 20 October 1820.
65. ICS, III C 5, William Cathcart to Sarah B. Hunter, 16 October 1820.
66. 'Sarah Hunter Taylor Cathcart: Profile & Legacies Summary' on *Legacies of British Slave Ownership*. <<http://www.ucl.ac.uk/lbs/person/view/12954>> (accessed 21 May 2014)
67. Catherine Hall, *Civilising Subjects: Metropole and Colony in the English Imagination, 1830–1867* (Oxford: Polity, 2002), 16.

4

‘The Starched Boundaries of Civilization’: Sympathetic Allegiance and the Subversive Politics of Affect in Colonial India

Andrew J. May

The nature of sympathy, especially as it applied to the subjects of the newly designated Empress of India, was of some concern for Victorian Britons.¹ An article in *The Spectator* on 6 January 1877 neatly encapsulated the question of the limits of sympathy—‘What are the causes of the breaks, or hiatuses, or failures in the human capacity of sympathy?’ Sympathy, as political scientist Sharon R. Krause argues, is of course limited by our capacity to be aware of other peoples’ sentiments, and the more powerful are generally less cognisant of the lives of the powerless.² Krause addresses the role of affect in combating unjust laws in her argument for the proper role of the passions in moral judgement. The relationship of the citizen to the rule of law, she maintains, should not just draw on blind allegiance. In this relationship, there is indeed a role for affect, passion, desire, feeling, as well of course for thinking, rationality and cognition: ‘our minds are changed when our hearts are engaged’.³

The concern of this chapter is to explore the ways in which perceived over-identification with and partiality towards local spaces and local peoples by select colonial functionaries on the north-east frontier of India was seen by the colonial regime as subversive or deviant. In so doing, a repertoire of emotional attachment can be exemplified: first, in the role of ethnic nostalgia in construing political affinities with tribal peoples; second, through the place of the jungle as a particularly sensitised site of contested subjectivity; and third, in the ways the limits of affinity and liberal conscience were underscored by tensions between feeling at home and ‘going native’. If affectivity marks emotion behind action, the colonial politics of affect may fracture a totalising view of the ethics of empire. Could the jungle spaces in the hill country of the tribal north-east, at once constructed by the British as deviant places of

potential misrule and miscegenation, at the same time be momentarily imagined as the 'potential habitat' (to deploy Douglas Kerr's term) of belonging?⁴

Taking a spectrum of three colonial functionaries in north-east India—political agent, administrator and missionary—this chapter proposes that the unsettling aspect of the jungle as a deviant space is feared not so much because it moves away from civilisation, but because of its potential to move towards sympathy. This argument stretches beyond a revision of colonialism that may perhaps more sympathetically reckon its rulers and functionaries as victims of its dehumanising effects,⁵ to the fragile possibility that, in sacrificing their colonial subjectivity through transgression or subversion, some individuals did not choose to act 'as a white man must'.⁶ If, therefore, colonialism does not *ipso facto* predetermine the corruptibility of the 'honourable men' of its company, what indeed are the conditions under which the boundaries of its world view may be breached and its horrors become knowable?

Closing the physical or social distance between two parties may enhance the possibility of sympathetic attachment but, of course, empathy does not work to a formula and is rarely the necessary corollary of proximity. As Ranajit Guha has argued, colonial functionaries were present but aloof in the subcontinent and, certainly in his view, were never 'at home' in empire.⁷ In his extended reading of two select sources—Francis Yeats-Brown's 1930 memoir of his time in India in the decade prior to First World War and George Orwell's 1936 essay 'Shooting an elephant'—physical separation of rulers from those they ruled was the *sine qua non* of colonialism. Any feeling of attachment to place or people, or what Guha might term empire's 'liberal conscience', was always spatially or ethically delimited (in the Englishman's Club for Yeats-Brown, or for Orwell through his inherent racism and instinct to 'play sahib') and thus ultimately foreclosed by colonial imperatives.

There appears to be no possibility that a sprinkling of liberal conscience (at times a useful thing) may in the case of Guha's chosen colonial operatives ultimately lead them to internal liberal revolt against the injustices of their rule over a subject population. Put another way, the totalising moral regimen of empire in this reading of colonialism always and ineluctably has its agents snap back into the party line at the first or even second whiff of subversion, collusion, over-identification or empathy. Here too, Yeats-Brown's script is one of the colonialist holding the line, besieged in the Englishman's club outside of which is a land of immeasurable alienation and unknowability. 'Home' here is read as a place with known limits; India in the colonial eye is consequently

uncanny, always and by definition unfamiliar and beyond limit. By implication, arguing from the particular to the general, Guha extrapolates a pervasive and persistent idea of India in which, despite sporadic stirrings of liberal conscience, there cannot be internal revolt or transgression on the part of the colonialist, nor a chance of transcending the limits and limitations of colonialism.

Yet, if we read India *qua* India not as intrinsically unknowable, and if alternative sources are sought to explore the nature of colonial conscience and experience, what other repertoire of colonial engagement might be proposed? Beyond Guha's selectively delineated script, the native sympathiser (should the logic of empire enable such a person to exist) is likely to have been scrubbed off the muster roll, disciplined within the particular codes and structures of their institutional affiliation (military, mission, civil service), silenced by compulsion, refreshed and recalibrated on furlough, or defused by final dismissal from the colonial front line. In other words, they may be difficult to find, but it may be worth seeking them out. Such sources, and the places in which such interactions might occur, could also (and perhaps necessarily) be well away from the sanctuary of the Englishman's club or the writer's office.

Just as imperialism in India was riven with examples of everyday violence,⁸ might there have been concomitant practices of everyday resistance? Moreover, knowing that the sum total of such collusion may ultimately have been negligible in the grand reckoning of the Raj may not mean that exploring the nature and effect of sympathetic allegiance cannot help us make more sense of the colonial project, the tactics of subversion, the riddles of conscience, and the nature of sympathy. Is it possible to find the foot soldier of empire who, 'when the crunch comes',⁹ rather than finding India unknowable or immeasurable (like Yeats-Brown), actually crosses beyond physical and sympathetic limitations to a prospect from which they look back on the operation of colonialism and simply do not recognise it as their own? Perhaps such people are difficult to find because it never suited colonialism to have or make them known.

Ethnic nostalgia and emotional affinity

In 1864, the scenery around Chittagong reminded Thomas Herbert Lewin 'forcibly of the highlands'.¹⁰ Two years earlier, he had taken up the post of District Superintendent of Hazaribagh in Bihar, now in the present-day eastern Indian state of Jharkhand, and he was certainly not the first to make such an emotional connection. Scottish-born

Robert Lindsay, appointed resident collector of Sylhet in 1778, drew overtly on contemporary tropes of nascent Celtic revivalism and the 'retrospective invention'¹¹ of Highland tradition in finding picturesque equivalence between mountaineer Khasis and tartan-clad Scottish warriors descending the hills. The scene, wrote Lindsay, 'had much of stage effect, the tribes descending from rock to rock as represented in *Oscar and Malvina*'.¹² This correlation drew on the Romantic nationalism of the late eighteenth century, popularised by such works as the opera *Oscar and Malvina, or the Hall of Fingal*, itself likely drawing on James Macpherson's earlier purported translations of ancient Celtic epic verse in *The works of Ossian* (1765).

Another Scot—David Scott—was appointed Political Agent to the North-east Frontier of India in 1823.¹³ Following the first Anglo-Burmese War and the subsequent 1826 Treat of Yandabo, it was critical for the British to shore up a range of strategic regional political alliances. This was particularly important in Cachar and the Jaintia Hills where Burma had been seeking military support, and Scott sought to ensure the security of the Assamese frontier zone that lay between British India and the Burmese threat. In 1826, he negotiated a treaty with Khasi chief U Tirot Sing. In the narratives of the event constructed by Scott and his assistant, Captain Adam White, the Khasi tribesmen were characterised not only as the stereotypical noble savage (physically superior, in harmony with nature, innately intelligent) as a kind of surety for their rightful capacity to treaty, but also and quite particularly as *hill* people rather than plainsmen. The process of domesticating the hills for possible British settlement meant 'pacifying' the tribal threat through particular racialised constructions. As 'highland' zones, the hills had a special emotional resonance for the British, who were inclined with the Khasis (as with the Todas of Ootacamund in the Nilgiri Hills in south India, the Lepcha people of Darjeeling, and the Paharis of Simla) to represent hill peoples much more favourably than their plains neighbours.¹⁴

The sympathies of Scott and White—like Lindsay before them—certainly had an ethnic basis. While for contemporaries, the Scots were apparently over-represented in the service of the Company, their numbers more or less equated to their proportion of the British population as a whole.¹⁵ David Scott's uncle (also David Scott) had established the mercantile agency of Scott, Tate and Adamson in Bombay. As a 17 year old, unable to secure a Company nomination, David Scott senior had set off for India to make his own way as a private merchant. As his fortunes grew, so did his influence, and he eventually secured the patronage of

fellow Scot Henry Dundas to become an East India Company Director in 1788 (and Chairman in 1796 and 1801).¹⁶ The business networks of private traders like Scott, developed through Scottish agency houses, ships' masters, financiers and other contacts, were a key factor in the formation of Scottish elites by 1800.¹⁷

Adam White was the son of a Scottish businessman with commercial, banking and shipping interests, who was to be elected first Provost of Leith in 1833. White viewed the Khasi Hills through the romantic lens of his own ethnic identity; the country around Nongkhlaw reminded him 'much, of the beautiful sheep hills in the south of Scotland'. The 'sudden appearance' of the Khasi warriors 'on the top of these beautiful hills, gave a wonderful effect to the scenery around'.¹⁸ In this conception of landscape, the hills were a stage onto which ethnic nostalgia was projected; in White's picturesque ordering of the scene, the natives were romanticised bit players. White also subtly hitched it to a particular and characteristic Scottish reading. As the Khasis looked down on Assam below them, where

the British Ensign had advanced to the sacred fountains of Bramah Kound, it was natural for them to cherish distrust of such a powerful neighbour: but I rather think the instinctive dislike of mountaineers to the inhabitants of the plains, so general throughout the world, had more influence on the deliberations.¹⁹

The sympathetic representations of the Khasi as noble savage and highland warrior were, to be sure, rhetorical tactics to advance British political objectives. But there was also a residual sense that empathy may have led to partiality, if not to some fateful over-identification which had resounding political consequences. In 1829, inexplicably to government, U Tirot Sing and his supporters murdered two English soldiers in what was known by the British as the Nongkhlaw massacre. There is a sense in the archive that David Scott had deviated from the colonial script and that the cause of the insurrection of the 'rude tribes' could be laid squarely at his feet. White was more inclined to take this as a sign of Scott's remarkable personal qualities and his respect for the Khasis: 'they were treated', he wrote, 'on a footing of equality; indeed, took greater liberties than are allowed in that state; penetrated at all times, without ceremony, into your most private apartment'.²⁰ Scott, it seemed, was misinformed about the general undercurrent of disaffection precisely because he had been overly indulgent and liberal in his relationships with the Khasis. 'On a review of these events', chastised

the East India Company Court of Directors from London, ‘we see in the conduct of the officers of your Government much to be regretted, and something to be blamed’.²¹ In one version of the events surrounding the Nongkhlaw massacre, U Tirot Sing’s mother Ka Ksan Syiem tipped off David Scott about the impending events and thus facilitated his safe escape, raising questions about the exact nature of the personal relationship between the two. That Scott survived a confrontation during which two British soldiers were brutally murdered, and did so through some kind of illicit communication with the Khasis, cast doubt on the taken-for-granted loyalty of imperial martial culture. In suggesting that this was an episode where ‘patriotism should have triumphed over emotions’—in other words, that Ka Ksan Syiem betrayed her people—sociologist Tiplut Nongbri reinforces the view that both parties deviated from the expected norms of their political allegiances.²² In terms of group psychology, the labelling of Scott’s behaviour as somehow subversive within the imperial political regime served to enhance social coherence and integration and to clarify expected organisational norms.²³ Scott’s sympathies for the Khasis, perceived or otherwise, were subsequently mobilised to justify a much more forceful and coercive military response to Khasi insurrection.

The jungle as habitat of belonging

Thomas Lewin’s tours of the district took him into the hill territory of the Santhals, the largest tribal group in India. ‘My darling’, he wrote to his mother Mary from Camp Kusmar in 1863, ‘The jungle owns me for its child once more’.²⁴ Lewin had arrived in India as a young lieutenant in 1857, the year of the Rebellion, and later became Deputy Commissioner and Political Agent for the unregulated Hill Tracts, a position that in essence was the *de facto* governorship of the Lushai and Chittagong Hill regions on the south-east border of Bengal. Lewin became known in the hills as ‘Thangliena’, an adaptation of a name he had adopted in the mid 1860s on an expedition through the region between Chittagong and Burma. Seizing on a phonetic quirk, Lewin rendered the name of a Mrung headman he had encountered as ‘Twekam Tongloyn’; ‘My name is the same as yours ... Urbut Tongloyn (Herbert Tom Lewin)’.²⁵ In its modified version, Lewin claimed affinity with his ‘friendly namesake’ as a strategy of parley as well as of authority: ‘fancy up in the Hills’, he wrote to his mother in August 1864, ‘I shall be Magt and Supt and King and everything’.²⁶

The jungle that ‘owned’ Lewin was a contested place, physically and symbolically. From the Sanskrit word *jangala*, originally denoting simply

wasteland or uncultivated ground,²⁷ 'jungle' was most often fashioned in the English literature of colonial India into one of a number of key tropes that structured imperial discourses on civilisation, deviance and marginality. The unregulated and backward regions of tangled forest were deemed to be the very opposite of civilised social order. If it were not 'tiger-infested', 'impenetrable' or 'unwholesome', the jungle compounded martial and remittent medical vulnerabilities when teamed with 'warfare' or 'fever'.²⁸ Even if some hill stations were salubrious places of resort from the heat of the plains, the surrounding jungles were malarial death traps.²⁹ Vulnerability was not just physical; the jungle was a powerful locus of moral and racial liability.³⁰ The impenetrable jungle served not only as a metaphor of a native populace unknowable and therefore uncontrollable, but also heightened the derring-do achievements of British adventurer pioneers.³¹ In the wilderness of the north-east, hill people could melt away into the jungle fastness, avoiding surveillance and control and 'affording positions capable of being defended by a few determined men against an army'.³²

Bush, jungle and wilderness were the alien spaces of colonial occupation: in Australia, unwelcoming and deceitful spaces of displacement and disappointment; in Africa, hostile and threatening zones in the European imaginary; in Canada, the psychologically menacing vastness whose corollary lay in the garrison mentality.³³ The jungle in India, as Julia Wardaugh has noted, became for the British a metaphor of deviance 'emblematic of the country itself.... Their task was to know and therefore be able to control Jungle India, without becoming part of it, without "going native"'.³⁴ India *per se* was for the British an unorthodox and anomalous place; at its heart, the jungle was its symbolic ultima Thule, a place where identity and allegiance could be tested at arm's length. As a liminal space—or in Douglas Kerr's adroit phrase, a 'theatre of alterity'³⁵—the jungle was a testing ground for the agents of colonialism in their fraught negotiation of the limits of exploitation and of sympathy. Kerr notes that timber merchant John Flory, a character in George Orwell's novel *Burmese Days*, flirts with a sense of the jungle as a place of benediction and belonging rather than of hostility and alienation. In a telling scene, Flory becomes one with the jungle for an instant, forgetting his violent and despotic Eurocentric role as he swims naked in a forest pool,³⁶ though ultimately this is revealed as one of the 'unsound proclivities of his which seem to threaten standard prohibitions against too close an involvement with "native" life'.³⁷

It is in the jungle waterhole that the fictional Flory 'becomes like an infant, or even an unborn child in its amniotic element'.³⁸ In north-east

India, the jungle fostered the real Thomas Lewin, and a woodland chorus of jackals and leopards ‘whispers low and mild’ to him in assurance ‘that this is indeed my home’.³⁹ At other times nature was a cruel *aide memoire* of exile rather than a comfort of home. He wrote to his mother on a weekly basis, of his everyday doings as well as his dreams: ‘I dreamt last night I was in a Hansom—coming to you and I woke in my swing cot far in the jungles with the cry of a barking deer harshly breaking the night silence.’⁴⁰ Lewin’s biographer John Whitehead has observed the ardent emotional attachment the grown man had for his mother Mary, to the extent that the attentions of her sons were akin to the rivalry of suitors for her favours.⁴¹ Lewin himself put it quite explicitly: ‘I often think that our letters might pass as love letters.’⁴² In writing to his mother of the maternal lure of the jungle, the 24-year-old Lewin may well have been expressing at some level the psychosexual tensions of an emotionally immature young man. He was to live and work in India on and off for two decades before retiring to Surrey in England, and his letters home through his Indian years continually test his conflicting sympathies with civilisation (control) and savagery (freedom). India was ultimately a country to which, like Flory in Burma, he could never finally belong.

Like many in the service of the British Empire, Thomas Lewin’s involvement in India ran in the family. In 1841, his uncle Lieutenant William Charles James Lewin, a commissioned officer in the Bengal Artillery, found himself sitting out his eighth monsoon season since transferring to the Invalid Establishment at Cherrapunji in the Khasi Hills in 1833. His health still shattered from the rigours of the Anglo-Burmese War the decade before, Lewin, his wife Jane and their five children could still welcome the Welsh missionaries Thomas and Anne Jones to share their cramped and damp quarters. Chronically ill and never financially secure enough to return ‘home’ with his family to England, William Lewin died of jungle-fever in 1846. His own career trajectory and ultimate demise was a case study in the flux of circumstance and sensibility. Lewin had, for example, undergone a spiritual awakening on his 1822 voyage to India as a young cadet, and on his arrival he read the Bible every day, a practice that deviated from the desirable affiliations of the soldiery (Anglican, Presbyterian or Catholic) and which isolated him from his comrades: ‘suspicions began to be entertained that I was somewhat “methodistical,” and thenceforth I stood alone’.⁴³

The unexpected or out-of-the-ordinary experience of the individual could reinforce but also challenge normative prescriptions about career, belief or ideology. Comments Lewin made in his 1829 memoir, reflecting

on a stopover at the Cape Colony on his 1822 voyage to India, make an explicit critique of slavery that was informed by ideologies of gender, liberty, race and nationalism, themselves heavily influenced by the particular political sympathies of his social milieu. William's sister Harriet married British radical politician and reformer George Grote, while a second sister Frances married Nils von Koch, later known as the liberal-minded reformist and humanitarian Attorney-General of Sweden. Challenge and reformulation of what could be considered to be acceptable social and political attitudes can be observed in the family correspondence threaded across intermediate and transnational space between England, India, Sweden and Switzerland. It is in this context that the motors of change and influence are observable; what was reactionary yesterday becomes today's orthodoxy.

Where William Lewin had failed to weather out his Indian sojourn, his nephew Thomas Lewin made quite a success of his official career. His 1885 memoir of his life in India ends with the following passage, a personal summation of his role in governing India:

Talleyrand's maxim, *Surtout point de zèle*, is, perhaps, too cynical as applied to our Indian bureaucracy; but a zeal that involves the outlay of Government money, and risks lives that may have to be avenged, is to be deprecated rather than encouraged. I know and loved my hill people. I lived among them and was their friend. They admitted me into their homes and family life as few Englishmen have been admitted. I ate with them, talked with them, played music at their feasts, and joined in their hunting expeditions. They concealed no thoughts from me; I had their confidence. They gave me their sons to educate, and invited me to the marriage-feasts of their daughters. I was ready to spend and be spent in their service.⁴⁴

His letters to various family members through his time in India betray a continual plotline of tension between the pull of home and the lure of the hills, a struggle in which the relative understanding of 'civilisation' is a contingent and complicated notion. His Uncle William had desperately wished for a return to England where he could reap the rewards of a colonial career and have his children properly educated. But for the single and unencumbered Thomas, 'I am not sure', he wrote to his Aunt Harriet Grote in 1867, 'that I would to-morrow, accept of a competence, if it carried with it the condition of a return into the starched boundaries of civilization'.⁴⁵ The climate, scenery and people, he confided, were having an increasingly strong influence on his thoughts and feelings. This had led to an

emotional change that excited him and that also self-consciously troubled the boundaries of personality: 'I don't know whether my letter will show it but I imagine that I must be a good deal changed since I last saw you'.

In a similar fashion, the rhetoric of successive correspondence of the missionary Thomas Jones utilised actual physical distance to construct an ideological one that could be read from home as disobedience, deviance, or even rebellion. Soon after his arrival in 1841, he was already renegotiating the power relationship between himself and the mission authorities back in Britain. 'Do not think', he wrote somewhat respectfully to mission secretary John Roberts, 'that I, in any way, suppose myself in India to be something other than I was in Wales'.⁴⁶ But the genie was already out of the bottle. In 1846, the year before he was ultimately dismissed by the Mission Board, the tone of his correspondence was far more radically assertive: 'I have little regard for those missionaries who are always looking for an excuse to return home, and my desire to see you all progressively diminishes with each passing year, and my affection for this country increases'.⁴⁷

Continuing his letter to Aunt Harriet, Thomas Lewin fashioned a lyrically descriptive evocation of the forest scenery and its effects on his imagination—the buzz of thousands of insects his lullaby, fireflies his nocturnal guide. The hill people, he also confided, were 'to my taste'. At one level this affinity, like the earlier attraction of the Scots to the hill people, was in contradistinction to the people of the plains, or what Lewin more colourfully described as the 'fetid slime bed of Bengallee villainy and lies'. Clearly influenced by the political persuasions of his aunt's coterie—Harriet sympathised with radical politics and the mid-nineteenth century feminist movement, and was an intimate associate of the Benthamite circle that included John Stuart Mill—he approved of the more elevated social position of women amongst the hill tribes, compared with their more inferior position in other parts of India. Here in the hills, he celebrated 'a people where "the Mother" occupies her rightful position in a house, and where, in courtship, the admirable course of "selective affinity" is followed'.

How much would a man dare say even to a socially radical aunt? 'You must have no fear', he assured Harriet, 'of my becoming enslaved by the daughters of the land, although there are pretty girls here as in every other part of God's earth'. The following year, writing to his cousin Jane (daughter of William Lewin), he was more explicit about his sympathy for the tribal hill people:

The ties which bind me to England grow looser I think.... I even contemplate with some degree of pleasure the possibility of my passing

my life among my Hill people.... I am now thank God beginning to make entrance into their inner life to break down the generally inseparable barrier which difference of race and colour raises up between us English and our subjects out here.... Now I live as a Hill man.... I go bare foot and there is nothing a Hill man can do ... [My] text is—I am a man like you—I eat your food—wear your dress and feel as you do.... My house is surrounded by some 6 or 8 families [of] stalwart young men and their wives. They call me Father and are not afraid to let me see and come into contact with their wives and daughters—The only objectionable thing is that they all bother me to get married—of course meaning me to marry a Hill girl but I cannot do it. Not on account of the girls for some of them are very comely but somehow—well I don't know how but I shrink from it.... Faith I laugh sometimes to myself at the thought of how all English friends would stare to see me of an evening sitting surrounded by men and women and children—all smoking talking and laughing with the smallest possible amount of clothing on that you can conceive!⁴⁸

Lewin often commented on the beauty of the native women and, while even his explicit contemplation of marrying a hill girl was somewhat provocative for the time, his insistence in his correspondence that he had not succumbed to their allure is contradicted by alternative sources. Dari, the name of a Lushai girl, was reputedly 'so often on Lewin's lips that the sepoys thought it was the Lushai word for girl'.⁴⁹ When the missionary Herbert Lorrain wrote to Lewin in October 1915, he included news of Dari, and in response Lewin returned a photograph of himself along with some money for the now widowed Lushai matriarch with whom once he was reputed to have had a child. Dari herself asked that Lorrain send back to Lewin a *zawlpuan*, the cloth used by Lushai women to wrap the body of their husband after death. The red, blue and yellow cloth arrived at Lewin's home at Parkhurst when he was seeking medical advice in London, where he died on 2 February 1916 with Margaret, his wife of 40 years, by his side.

Going native

The Welsh Calvinistic Methodist missionary Thomas Jones arrived in north-east India in 1841. After falling out with his superiors he was dismissed from their service in 1847, following which he stayed on in India and acted on his own account, seeking to establish a new self-sufficient mission along Moravian lines. I have rehearsed the complexities

of Jones's dealings with government elsewhere.⁵⁰ Suffice to say that he entered into an extended and ultimately fatal campaign to defend the rights of the Khasis under his care against the brutalities and nepotism of local British magistrates and government officials.

An analysis of Jones's time in the hills reveals a progressive alienation from his co-workers as well as the missionary authorities in Britain. A hint of the renegade was evident in his 1839 application to the London Missionary Society—'I think it worth sacrificing everything and attempting it though I die in the attempt'.⁵¹ Nearly a decade later, ten months before he was hounded out of the hills by his enemies to die of jungle-fever in Calcutta, Jones directed his detractors to his manifesto in the pages of the local press: 'I have never once entertained the idea of leaving these people'.⁵² His headstrong deviation from the constraints of propriety and authority had been evident soon after his arrival in India: 'every day convinces me', he wrote to mission secretary John Roberts, 'that the further a Missionary lives from these wicked Europeans, the better'.⁵³ As the man on the ground he was headstrong when it came to decisions, for example, about the use of Roman as opposed to Bengali orthography in the transliteration of the Khasi language. But Jones's deviation soon shifted into moral territory. After the death of his wife Anne in 1845, Thomas Jones's marriage to Emma Cattell, a 15-year-old Calcutta-born English girl, was deemed imprudent at least by his peers, but in the eyes of the mission superiors completely antithetical to their image of the role and qualities of the true missionary wife. But in India, Jones was out of reach, and from their perspective completely thumbing his nose at the authority of the Welsh church. His injudicious second marriage had followed insinuations about an affair with 19-year-old Lucy Marsh, the niece of Lieutenant William Lewin; later charges of breaking the Sabbath and entering into inappropriate financial dealings for personal gain (denied by Jones) were multiplied in the view of the mission board by Jones's complete lack of contrition, and he was finally dismissed as an agent of the Welsh Calvinistic Methodist Foreign Mission. If, as Erlank argues, 'sexual mores were a principal way in which colonial societies attempted to distinguish themselves from indigenous ones', then the extent to which the Welsh mission was able to discharge its brief was under critical pressure.⁵⁴

Over the period of eight years in the Hills 'mixing freely with the natives' and able to speak their local dialects, Jones had the opportunity to observe at close quarters the extent of corruption and oppression on the part of the local British magistrate and political agent. In deciding to advocate for the 'poor Mountaineers' who had come to him with their

complaints, Jones assumed personal responsibility as their spokesman (for 'me and my people'), with a similar sense of paternalism that can be seen amongst diverse colonial district officials who defended 'their natives' against colonial abuses.⁵⁵

Jones's petitions on behalf of the Khasis appealed to a broad discourse of truth, personal duty, moral courage and obligation. As a broad truth claim, he had expected the trust and reliance of government in reviewing the merits of the case:

I feel as firmly convinced of their truth as I do of my own existence and it would be a far less violation to my mind and senses to doubt the existence of the Council and Govt of India than to doubt the truth and reality of the complaints of the Kassias: so firmly am I convinced that were it possible I would not hesitate to risk my eternal destiny upon it. With so much irrefragable evidence before me I felt that if I kept silent I would be a partaker of the sins of their oppressors and totally unworthy of the name of a benefactor of the suffering Kassias as well as inconsistent with my professions as a Missionary of the Gospel.⁵⁶

In the eyes of the Calcutta authorities, however, an overt attack on local authority was a threat to their supreme rule in India. The 'state of the Kassias', Jones wrote, 'is quite an anomaly for the nineteenth century their hardships and grievances are so many and of so serious a character that few will believe that such oppression can exist in any country under British rule and influence'.⁵⁷ The ten thousand Khasis who had some connection with the local trade monopolies of exploitative merchants were completely compromised in their ability to secure justice: superstitiously fearful of the Company and in the thrall of its agents; ignorant of the workings of British legal system conducted in an unfamiliar form and an unknown language; and having succumbed in part to the deleterious influence of Europeans and plainspeople. For Jones the situation was 'monstrously absurd, so scandalous to the British name, that I cannot believe that Government can have properly understood the case'. The challenge to the government was to consider who was civilised, and who was savage: 'Barbarians as the Kassias may be considered they have never been sufficiently barbarous to tolerate such a thing among themselves'. Jones claimed his authority from a spiritual source:

I have never had any license to live in any part of the world excepting the implied one from my creator by his having caused me to exist

upon the Earth, and the devil has been trying to deprive me of that for the last 12 months.

I have no authority for having been in this particular part of the Earth excepting the command of my Lord to teach all nations, and this nation being without a Teacher I considered it my duty to obey, and my occupation is serving him, in that capacity.⁵⁸

For Deputy Governor Littler, Jones's tone and transgressions marked him as being outside the law, and the government considered that the renegade missionary had 'entered upon a course of exciting a part of the wild people of the Hills to set themselves in opposition to the Govt'.⁵⁹ While later inquiries were to censure the nepotism of the Cherrapunji Court and to some extent validate Thomas Jones's charges against the government, once classified as having deviated from the rule of law, he was deemed to be *persona non grata* and a threat to the political stability of the frontier.

If in the eyes of government the deviant missionary was seen to be siding too much with the natives ('one of them'), a later oral tradition claims him as 'one of us'. There is a widespread belief in the Khasi Hills that Thomas Jones married a local girl, and the syncretism of funerary ornamentation on a remote gravesite of a young girl named Camilla lead many to assert that she was the illegitimate child of Thomas Jones and a Khasi woman. 'He loved us', Catholic priest Father Sylvanus Sngi Lyngdoh once told me. 'He esteemed us'. The question of whether or not individual colonialists transgressed the limits and 'went native' may be a moot one—in some cases it was indeed the *stories* of their sympathy that went native, persisting and flourishing in syncretic narratives long after they were dead.

Perhaps what the political agent, missionary and administrator have in common, to a greater or lesser degree, is the extent to which they 'go native'. 'Going native', of course, usually implies getting too close, letting the side down, contamination—but it is also a term that has been variously reclaimed as a means of reading a sympathetic alignment between coloniser and colonised, however unequal that relationship may be.⁶⁰ Even short of the kinds of enduring interracial unions and 'tender ties' that have been the subject of recent emotional histories of empire,⁶¹ elusive and evanescent experiences of sex and sympathy can be glimpsed at these outposts of the frontier, but also importantly structure and define its core constituency. Attentive to the archive, we can discern ways in which a growing sense of intimacy infuses some of these colonial texts, slowly accommodating an Indian presence that

is not just exotic. As Carole Gerson notes in relation to the representations of native women in Canadian literature, natives are all too often sighted in vaguely sweeping terms but rarely as individuals.⁶² So a generalised 'they' can become personalised, if not always as named individuals in the archive. This is what David Scott experienced in his treaty-making process, what Thomas Lewin felt in the Chittagong Hill Tracts, and certainly what Thomas Jones knew in the Khasi Hills. Colonisers found points of connection, even points of resemblance, in a process of transculturation. As Corinne Bigot has interestingly noted in her analysis of first encounters and personal interrelations with First Nations Canadians, the importance of touch is critical in understanding others.⁶³ White and Scott noted how the Khasis 'penetrated at all times, without ceremony, into your most private apartment'. Thomas Jones's Khasi petitioners laid their hands on his pen as he wrote their petitions. And clearly there were more intimate encounters, some rumoured, some documented, between the colonial agents of this chapter and the people they lived amongst.

Krause's contemporary insistence on the importance of affect in moral judgement is a far cry from the boundary riders of empire like Thomas Jones, whose passion (indeed, compassion) was seemingly anathema to the rule of law, and whose critical engagement was labelled deviant. Jones was no armchair evangelist, and had been scathing of those of his brethren who sat comfortably at home while espousing Christian action:

how long will they be satisfied with such poor excuses as these, 'I do not care to leave my mother, or my sister, or some other relative'; or 'I cannot learn the language,—I am afraid of the sea'; or, what I heard one or two people saying 'I do not think I should like to live with black people etc.!' I had better keep silent on these matters, because words cannot express how unworthy are such excuses, and yet they have been made by some of our gifted young preachers! They should be very ashamed, and if there is anything like shame in heaven, they will certainly be eternally ashamed of themselves. And as for those who use their childish attachment to their relatives as an excuse—perhaps the Lord in his righteous dissatisfaction will take these relations away through death and leave them to grieve their loss under the scourge of their guilty consciences.⁶⁴

As George Boulukos has suggested, sentimental attachment—in this case to the suffering of slaves—does not in and of itself bring about

social change or political intervention. ‘Sentiment’, he argues, ‘turns out to be a cultural form without a predetermined content’.⁶⁵ For David Scott, Thomas Lewin and Thomas Jones, sentiment was an abstraction and a luxury that could not be accommodated on the ground of empire. Perhaps what marks them out from the armchair commentators, or even amongst themselves in varying degrees, is the extent to which they were prepared to go to sympathise; to be labelled deviant or transgressive; or, put another way, what they were prepared to lose. Their written words betrayed a proprietary sense over ‘their’ people: for Thomas Jones, this meant a set of obligate relationships and a responsibility to seek redress for the inequities of colonial rule, identifying with the cause of ‘thousands of oppressed Kassias whose welfare is inseparable from mine’. For Thomas Lewin, who lived and dressed for a time as a hill tribal, and who certainly in the role of superintendent of the region exercised some kind of protection of ‘his’ people, particularly in the face of inter-tribal warfare, there was a boundary over which he would not tread. The remainder of the passage at the end of his memoir puts a check on his ultimate allegiance:

But, after all, I was only ‘a fly on the wheel’; they were not *my* people. I did but represent and make known to them the impartial justice, the perfect tolerance, and the respect for personal freedom which characterise the British rule in India[.]

Civilisation, sympathy and deviance

In the extract from the *Spectator* that opened this chapter, the questions of scale and relativity are, as they often seem to be, to the fore. Here the article cites Disraeli’s 1844 novel *Coningsby* on the subject of those who, while having little or no sympathy at an individual level, are nonetheless able to sympathise for humanity as a whole. In the novel, the character Sidonia ‘was capable of rebuilding a town that was burned down ... of redeeming to liberty a horde of captives ... but the individual never touched him. Woman was to him a toy; man a machine’. If Sidonia was intended to be a version of Disraeli himself, the paper argued, the recent crisis during which tens of thousands of Bulgarians had been killed during an uprising against Ottoman rule, had proved that he had lost any ‘capacity of emotional sympathy for suffering on an extended scale’. Comparing two recent tragedies—the Great Backerganj Cyclone of 31 October 1876 in the Bay of Bengal, when a quarter of a million people perished, with the Ashtabula River Railroad Disaster on 29 December

1876, in which 92 people died in the worst rail accident to date in the US—the article queried the British public's lack of sympathy for the Indian catastrophe: 'their territory is perfectly well known, in commerce at all events, and they are specially interesting to the influential section of people known as "the Missionary world". Yet it is undeniable that the record of their terrible fate does not move Englishmen in anything like an adequate degree': 'the essence of the question', the article concluded, is 'still unexplained, and almost inexplicable'.

Thomas Lewin's reference to Napoleon's diplomatic aide Talleyrand at the end of his memoir bears some further reflection. The saying *Surtout point de zèle* – above all, not too much zeal—reminded diplomats that reason rather than emotion should dictate decision-making. The three imperial protagonists—David Scott, Thomas Jones and Thomas Lewin—all had to a greater or lesser degree some entanglement with the colonised other. While imperialists all, did their partial alignment with the hill peoples of the north-east engender some sense of humanitarian impulse, however fleeting it may have been at times? It is in their personal, indeed their *emotional* relationships—what Mary Louise Pratt might call their interactive co-presence in an imperial contact zone⁶⁶—that they find a deeper capacity to empathise with the victims of everyday violence and abuses, however imperfectly they put this into practice. They all came to conquer and coerce of course, to dominate and rule, however much we may find them observing, witnessing, ameliorating. But as predatory imperialists, they also had the capacity to intervene in the very ordinary and 'everyday practices of racial violence' (as opposed to the spectacular or exceptional ones) that sustained British rule in India and which as Elizabeth Kolsky has argued were an endemic and quotidian aspect of the colonial encounter.⁶⁷

Humanitarianism, of course, necessarily involves inequitable relationships, but it is these psychodynamics of sympathy, as Alan Lester notes, 'between donors, practitioners and recipients', that are critical to humanitarian intervention.⁶⁸ Networks and spheres of influence—with nodes like Lewin's reformist relatives—are clearly important, as structures which disseminate more liberal ideologies, and as structures which could also worry imperial authorities. In this way, too, in the difference between an observed value and an expected one, deviation moves away from one point but in doing so initialises the process of fixing another. In this turning aside from rigid understandings of racial interaction, deviation approaches, indeed constructs, sympathy. At a distance, of course, as we well know by now, the pain and suffering of others can become aestheticised, a voyeuristic spectacle that preserves rather than

challenges the status quo and leads to a greater social distance between the observer and the other.

The colonial fears of 'going native' which have been briefly surveyed in this chapter through the careers of three British men in India sometimes concerned inter-racial sex and its presumed degenerative effects, but could involve a range of other behaviours including involvement in local customs or wearing local dress.⁶⁹ Thomas Lewin may have felt at times like a child of the jungle, momentarily belonging among the Lushais, wearing their dress, feeling like they felt, even himself fathering a child as he mingled with their women. As Davis-Fisch reminds us, 'going native' is also constituted through indigenous consent, agency, mutual transaction and exchange, in a 'cumulative practice' in which 'both groups learned new things'.⁷⁰ Davis-Fisch also helpfully nuances a distinction between 'playing' (a temporary simulation, often done for physical and social survival) and 'becoming' savage (forfeiting one's cultural identity); they are best seen not as binary opposites but as performances on a spectrum of behaviour.⁷¹ Thomas Lewin's flirtation with the jungle ultimately affirmed for him on which side of the 'starved boundaries of civilization' he fell ('they were not my people'). While the precise psychic mechanisms that produce empathy may be imperfectly understood,⁷² in the end it was the disgraced missionary Thomas Jones, beyond the pale of law and querying the distinction between civilisation and barbarism, who had a deep and dangerous crisis of subjectivity when aligning himself with the Khasis ('I feel as firmly convinced of their truth as I do of my own existence') and consequently an efflorescence of sympathy for their cause.

Guha saw the Englishman's club as a defensive and delimited 'surrogate for home' and a symbol of a broader alienation and isolation that lay at the heart of the colonial project.⁷³ This chapter has tentatively placed some colonial agents in an India *beyond the limit*, to determine the rather more contingent boundaries of subversion and sympathy. Protracted immersion in India certainly widened the possibilities of feeling 'at home': 'Well, my friend', reflected missionary William Lewis on the death of Thomas Jones's wife in 1845, 'this is something new and foreign in the history of our little Mission. The Lord seems to be making us at home here, for now we have a place to bury our dead!'⁷⁴ A rhetorical connection to a plot of earth did not of course in and of itself logically extend to a connection to a country or a culture. There may also be moments in the lives of individuals or empires at which the possibilities of openness are shut down and exclusivism is confirmed—whether during the high watermark of hardened ideologies in the late nineteenth-century Raj or

in the memoirs of old age—when the actualities of colonial careers are redacted and racial allegiance is confirmed. This chapter has explored a spectrum of imperial sympathy, some closer and some more distant. Nevertheless, we perhaps still know as little about what motivates people to pass beyond structural and ideological limits in order to do good as we do about those who transgress for evil, though both paths may be marked by a claim to moral certainty and an overweening ego. The roots of liberal conscience and an individual's commitment to rights can all too tidily be traced backwards to their personal upbringing, to particular ethnic allegiances, or to religious or other influences or milieux (Nonconformity, political radicalism);⁷⁵ they can rarely be predictively read forward.

In January 1871, Lushai raiders attacked the Alexandrapore Tea Gardens at Katlicherra. A number of workers were killed on the spot, and as Scottish tea planter James Winchester lay dying after his skull was smashed in with a billhook, his 5-year-old daughter Mary was abducted. It is perhaps no coincidence that Thomas Lewin led the punitive Lushai expedition in 1871–72 to recover the child, and she was finally handed over by her captors nearly a year later, in January 1872. According to Lewin's memoir, Mary was found sitting outside the chief's house, 'having for clothing only a blue rag round her loins, and with a pipe in her mouth, issuing sententious commands to a troop of small boys who were disporting themselves before her'.⁷⁶ Mary, or Zolûti, as her captors called her, had forgotten how to speak English and Lewin played a key role in redeeming the child from the possibility of being lost to the jungle and thus remediating her savage tendencies. If the white-vanishing trope that was widely lodged in colonial consciousness 'focused more on the fear of discovering sameness with the Indigene than fear of discovering difference', then Lewin was also resolving his own psychic disorientation in the north-east as a potential child of the jungle.⁷⁷

The irony of the Mary Winchester episode is that while she was the daughter of a British tea planter, her mother was likely a native woman. Contemporary and later reports, if they refer to Mary's mother at all, either imply she was also Scottish or elide any mention of her.⁷⁸ Mary's slightly dark complexion was explained away by the fact that she had been 'bronzed owing to her long stay in the Hills'.⁷⁹ Whatever the case, if the European in her was salvaged, the Indian was lost. In an odd historical quirk, another girl named Mary Winchester was living in a north Indian orphanage at Bhogulpore in the 1860s. If Mary Winchester 'Zolûti' was marginally too dark, her orphan namesake was 'the fairest girl in school, so fair that we think she can scarcely be a pure native'. Like the children of countless interracial unions, this Mary fell between

the cracks of both cultures and in 1869 died at the institution of abscesses of the throat and stomach.⁸⁰

'To lay down the Frontier of an Empire', wrote Thomas Lewin to his mother, 'does not fall to every one's lot, and I said I would do it and mean to be as good as my word'.⁸¹ In such a haughty and hubristic turn of phrase is lodged the brutal and cumulative indecency of empire. Yet, against this backdrop, any reconciliation between colonised and coloniser through which, even for a moment, the colonising subject is rendered deviant and therefore potentially sympathetic is, like Flory abandoning himself to the possibilities of the Burmese jungle, a 'modest achievement'.⁸² Sympathy born of deviance is not a white cloud that slowly looms majestically above the historical horizon. It is a storm inside the human heart.

To examine the politics of affect and the frontiers of sympathy is to offer a counterpoise to revisionist scholarship that, even while bringing into the frame the psychological effects of colonialism on the coloniser as victim, can only read this effect as dehumanising, corrupting and degrading.⁸³ One Thomas stayed and died in India, the other went home. Does ultimate sympathy or true altruism require self-sacrifice? Why do some individuals break the mould? What conditions enable an individual to transcend the proscriptions of family, class, church or state? How might the transgressive behaviour of colonial agents on the ground be read as the anti-colonial zero points in the ultimate 'escalation of moral rhetoric'?⁸⁴ If we want to understand the historical motors of sympathy, we need to understand not just what drives some people to care about some things, but also what drives them not to care about others, and it is in this sense that a history of deviance becomes a history of possible futures.

Notes

1. For a discussion of the limits of sympathy in relation to depictions of the 1876–78 Indian famine, see Christina Twomey and Andrew J. May, 'Australian Responses to the Indian Famine, 1876–78: Sympathy, Photography and the British Empire', *Australian Historical Studies*, 43, 2 (2012), 233–52.
2. Sharon R. Krause, *Civil Passions: Moral Sentiment and Democratic Deliberation* (Princeton: Princeton University Press, 2008), 113.
3. Krause, *Civil Passions*, 200.
4. Douglas Kerr, 'Colonial Habitats: Orwell and Woolf in the Jungle', *English Studies*, 78, 2 (1997), 157.
5. For a recent articulation of what is at stake in this discussion see for example Will Jackson, *Madness and Marginality: The Lives of Kenya's White Insane* (Manchester: Manchester University Press, 2013), 34–35.

6. Ranajit Guha, 'Not at Home in Empire', *Critical Inquiry*, 23, 3 (1997): 492.
7. Guha, 'Not at Home in Empire', 482–93.
8. Elizabeth Kolsky, *Colonial justice in British India* (Cambridge: Cambridge University Press, 2010).
9. Guha, 'Not at home in empire', 490.
10. T.H. Lewin to Mary Lewin, 23 October 1864, British Library, MS EUR C79.
11. Hugh Trevor-Roper, 'The Invention of Tradition: The Highland Tradition of Scotland' in Eric Hobsbawm and Terence Ranger (eds), *The Invention of Tradition* (Cambridge: Cambridge University Press, 1988), 15.
12. Lord Alexander William Crawford Lindsay (ed.), *Lives of the Lindsays* (London: John Murray, 1849), 179.
13. For a more detailed discussion of Scott's role in colonial visions of north-east India, see Andrew J. May, 'Homo in Nubibus: Altitude, Colonisation and Political Order in the Khasi Hills of Northeast India', *The Journal of Imperial and Commonwealth History*, 42, 1 (2014), 41–60.
14. A. White, 'A Memoir of the Late David Scott, Esq.' in Archibald Watson (ed.), *Memoir of the late David Scott, Esq. Agent to the Governor General, on the North-East Frontier of Bengal, and Commissioner of Revenue and Circuit in Assam, &c. &c. &c.* (Calcutta: Baptist Mission Press, 1832), 34; Dane Kennedy, *The Magic Mountains: Hill Stations and the British Raj* (Berkeley: University of California Press, 1996), 84.
15. B.R. Tomlinson, 'From Campsie to Kedgeree: Scottish Enterprise, Asian Trade and the Company Raj', *Modern Asian Studies*, 36, 4 (2002), 770.
16. Pamela Nightingale, 'Scott, David (1746–1805)', *Oxford Dictionary of National Biography*, Oxford University Press, September 2004; online edition, January 2008. <http://www.oxforddnb.com/view/article/63537> (accessed 26 August 2008). On the Scott family see William Anderson, *The Scottish Nation; or the Surnames, Families, Literature, Honours, and Biographical History of the People of Scotland*, Vol. III (Edinburgh; A. Fullarton & Co., 1863), 407; John Burke, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland, Enjoying Territorial Possessions of High Official Rank; but Uninvested with Heritable Honours*, Vol. IV (London: Henry Colburn, 1838), 544. On David Scott (1786–1831) see also N. K. Barooah, *David Scott in North-East India 1802–1831: A Study in British Paternalism* (New Delhi: Munshiram Manoharlal, 1970).
17. Tomlinson, 'From Campsie to Kedgeree', 769–91.
18. White, 'A Memoir of the Late David Scott, Esq.', 34–35.
19. White, 'A Memoir of the Late David Scott, Esq.', 36.
20. White, 'A Memoir of the Late David Scott, Esq.', 39.
21. Extract Political Letter to India from Court of Directors to Government, 3 December 1834 [No. 14], IOR F/4/1549/61881.
22. Tiplut Nongbri, 'Sociological Impact of the Movement: Its Conformity with the Consistent Role of the Khasi Standards of Statesmanship and Review of Other Social Changes', in H. B. Sohliya, R. Lyngdoh and Hamlet Barih (eds), *Celebration of 150th Death Anniversary of U Tirot Singh* (Khasi Cultural Society: Shillong, 1984), 63–72.
23. Gergana Markova and Robert Folger, 'Every Cloud has a Silver Lining: Positive Effects of Deviant Coworkers', *The Journal of Social Psychology*, 152, 5 (2012), 586–612.
24. T.H. Lewin to Mary Lewin, 21 November 1863, British Library, MS EUR C79.

25. Thomas H. Lewin, *A Fly on the Wheel, or How I Helped to Govern India* (London: W.H. Allen & Co., 1885), 229–30.
26. T.H. Lewin to Mary Lewin, 28 August 1864, British Library, MS EUR C79. See also John Whitehead, *Thangliena: A Life of T.H. Lewin Amongst the Wild Tribes on India's North-East Frontier* (Gartmore: Paul Strachan, Kiscadale Publications, 1992), p. 139.
27. Henry Yule and A.C. Burnell, *Hobson-Jobson: A Glossary of Colloquial Anglo-Indian Words and Phrases, and of Kindred Terms, Etymological, Historical, Geographical and Discursive* (London: Routledge & K. Paul, 1968, first published 1886), 470. For a recent discussion of shifting political understandings in the north-east of jungle as wasteland to jungle as potentially productive and therefore revenue-producing land, see Gunnel Cederlöf, *Founding an Empire on India's North-Eastern Frontiers, 1790–1840* (New Delhi: Oxford University Press, 2014), 138–39.
28. 'I had had my bout of jungle-fever in India': Colonel Pollok and W.S. Thom, *Wild sports of Burma and Assam* (London: Hurst and Blackett, Limited, 1900), xvi.
29. Mark Harrison, ' "The Tender Frame of Man": Disease, Climate, and Racial Difference in India and the West Indies, 1760–1860', *Bulletin of the History of Medicine*, 70, 1 (1996), 68–93.
30. See for example of Alice Eustace's novel *A Girl from the Jungle* (1928) in 'Romancing the Raj: Interracial Relations in Anglo-Indian Romance Novels', *History of Intellectual Culture*, 4, 1 (2004), 11.
31. William Wilson Hunter, *The Thackerays in India and Some Calcutta Graves* (London: H. Frowde, 1897), 126.
32. White, 'A memoir of the late David Scott, Esq.', 45. When Khasi Christian convert U Larsing visited Britain in 1861, it was the *absence* of jungle that struck him as one of the most notable features of the country: 'There is not much of jungle, and there is no part of the country without being cultivated', U Larsing to Kiang Katphoh, n.d. [1861], National Library of Wales, CMA 27,223.
33. Kathleen Steele, 'Fear and Loathing in the Australian Bush: Gothic Landscapes in *Bush Studies* and *Picnic at Hanging Rock*', *Colloquy: Text Theory Critique*, 20 (2010), 33–56; Brenda Cooper, 'Landscapes, Forests and Borders within the West African Global Village' in Jamie S. Scott and Paul Simpson-Housley (eds), *Mapping the Sacred: Religion, Geography and Postcolonial Literatures* (Amsterdam: Editions Rodopi, 2001), 275–93; Roger Luckhurst, 'Gothic Colonies, 1850–1920' in Glennis Byron and Dale Townshend (eds), *The Gothic World* (Abingdon: Routledge, 2014), 64–65. See also Jackson, *Madness and Marginality*, 34.
34. Julia Wardhaugh, 'The Jungle and the Village: Discourses on Crime and Deviance in Rural North India', *South Asia Research*, 25, 2 (2005), 131–32.
35. Kerr, 'Colonial Habitats', 149.
36. George Orwell, *Burmese Days* (London: Penguin Books, 2009, first published 1934), 56.
37. Orwell, *Burmese Days*, 153.
38. Kerr, 'Colonial habitats', 153.
39. T.H. Lewin to Mary Lewin, 21 November 1863, British Library, MS EUR C79.
40. Whitehead, *Thangliena*, 174.
41. Whitehead, *Thangliena*, 46.
42. Quoted in Whitehead, *Thangliena*, 107.

43. T.H. Lewin (ed.), *The Lewin Letters: A Selection from the Correspondence & Diaries of an English Family 1756–1884* (London: Archibald Constable & Co. Ltd, 1909), volume 1, 253.
44. Lewin, *A Fly on the Wheel*, 465–66.
45. T.H. Lewin to Harriet Grote, 13 April 1867, British Library, MS EUR C80.
46. Thomas Jones to John Roberts, 28 July 1841, *Y Drysorfa*, November 1841. Welsh original tr. Sylvia Prys Jones, as are all subsequent extracts.
47. Thomas Jones to John Roberts, 28 March 1846, *Y Drysorfa*, July 1846.
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5

‘Base and Wicked Characters’: European Island Dwellers in the Western Pacific, 1788–1850

Malcolm Campbell

In March 1797, a group of six missionaries disembarked from the ship *Duff* on the island of Tongatapu to establish the first Missionary Society station in the Friendly Islands. Within a short time of going ashore, the missionaries encountered the three Europeans known to be living in Tonga. Two were Irishmen, John Connelly and Morgan Bryan, while the third was an Englishman, Londoner Benjamin Ambler. Connolly and Ambler lived on Tongatapu, while Bryan travelled by canoe from the neighbouring island of Nomuka to meet the newcomers. While surprised and pleased to hear the English language, the missionaries were taken aback by the appearance and demeanour of the men who stood before them. Connelly and Ambler appeared so unkempt that ‘in England a well-disposed person would shun them as he would a swindler or a pickpocket’.¹ Morgan Bryan, even more so, appalled the missionaries. Near naked, tattooed and vulgar, he was to God’s messengers an unwelcome distraction from the serious tasks of building a mission and winning souls. ‘He came and staid for some time, but during our interview gave such specimens of depravity as excited a wish for him never more to come under our roof’, the missionaries complained in their journal.² As George Vason, one of the Society’s missionaries wrote later in his memoir of the Tongan mission, these island dwellers were ‘base and wicked characters’, men whose main desire was to ‘indulge, without restraint, in those habits of idleness and profligacy, to which they had been addicted’.³

This encounter in Tonga between newly arrived missionaries and European beachcombers was far from unique in the western Pacific Ocean in the late eighteenth and early nineteenth centuries. Following the foundation of the penal colony at New South Wales in 1788, the rapid growth in shipping, increase in the European

population, and spread of missionary activity deepened Western penetration of this maritime world. Hundreds of sailors, escaped convicts, missionaries, traders and adventurers took to the islands and beaches of the Pacific in a movement that defied attempts at regulation and control. Some of these newcomers became long term residents on the islands, while many more were temporary sojourners who moved in and out of the empire's scrutiny through the permeable boundaries of its Pacific shores.

Britain's inability to regularise the boundaries of its new empire in the western Pacific and normalise the behaviour of its diverse range of inhabitants produced a number of anxieties. These Western island dwellers, drawn from a range of national backgrounds, trades, and life experiences, infringed sensibilities and challenged norms of behaviour in a variety of ways. First, their unsupervised presence among indigenous communities was seen to unleash dangerous political behaviour that threatened the stability of island communities in Britain's new sphere of influence. Second, the beachcombers' appearance and lifestyle transgressed racial boundaries, erasing differences that were believed to separate Europeans from the so-called 'uncivilised' peoples of the Pacific islands. Sexual concerns figured prominently in this respect, with the lives of the European island dwellers frequently cast as sexually deviant for what some contemporary observers identified as their unrestrained promiscuity and disrespect for racial difference. Finally, the European men and women who took to the beaches challenged aesthetic boundaries through their lifestyle, mode of dress and participation in indigenous cultural practices including tattooing.

The investigation of these four areas in which European island dwellers in the western Pacific contravened norms of acceptable behaviour provides a rich opportunity to explore the unstable physical and social boundaries of Britain's empire. Focusing on the lives of a cast of colonial actors from Britain and Ireland, this chapter explores the way individuals and small groups challenged prescriptions imputed to white British men and women in this zone of imperial engagement and the ways behaviour cast as deviant or disorderly was identified, categorised, and proscribed. It suggests that the experience on the beaches in this period worked to blur the boundary between those who sought to define and uphold order on the margins of empire and those whose behaviour was feared to be transgressive and disreputable.

Beachcombers and missionaries constituted the advance guard of Western colonisation in the islands of the Pacific Ocean. Long before

official attempts by Britain and other European nations to control land or resources, beachcombers made their way ashore and settled among island communities. Their arrival on the islands of the Pacific was largely unorganised and took place in conjunction with the near exponential growth in shipping that occurred in what was then known as the South Seas in the half century after the Seven Years War. The establishment of the British penal colony at Port Jackson in 1788, and the subsequent development of regional trading networks in commodities, principally pork, sandalwood and *bêche de mer*, provided the impetus for the increased maritime activity. A little later, once the fallout from the War of 1812 had subsided, the upsurge in the number of New England whalers traversing the seas caused further escalation in the frequency of ships' contacts with island communities.⁴ Excluding the Australian penal settlements, New Zealand (255) and the Hawaiian islands (136) recorded the greatest number of ship arrivals before 1820, although the impact of the boats and the newcomers they brought was most pronounced in those island groups with smaller populations. For example, Tahiti, first visited by Captain Samuel Wallis's HMS *Dolphin* in 1767, and with an estimated population of 50,000, experienced some 119 ship visits by 1821. The Marquesas Islands, with a population of 90,000, received 75 vessels during the same period. The impact of whalers was most evident in the next decade, however. Tahiti received its greatest concentration in the period from 1835 to 1840, when 365 whale ships, mostly sailing under the American flag, visited the islands.⁵

In these circumstances, interludes on the Pacific's shores quickly became a common feature of life in the maritime world. Estimates suggest that by the mid-nineteenth century as many as 2,000 beachcombers resided on the principal islands of the Pacific Ocean, in addition to the missionaries and commodity traders who often lived adjacent on the beaches. The greatest numbers of these men were mariners: historian H. E. Maude estimated that 75 percent of the Pacific's beachcombers in the late eighteenth and early nineteenth centuries were seamen by calling.⁶ Those who took to the islands and lived alongside indigenous communities were often involuntary island dwellers. Shipwreck was one common explanation for early beachcombers' interludes ashore though its incidence diminished as the island world became better known and more frequently traversed. In other cases, those who landed seem already to have been men on the margins, as ships' captains deposited irksome seamen on isolated beaches to be rid of them or deliberately left potential troublemakers behind to smooth their passage ahead. For example, the sandalwood trader, William Lockerby, stranded in Fiji in 1808–09, firmly believed the skipper of the *Jenny* intentionally

abandoned him when his ship sailed to deliver its cargo in China. Unwilling to take a passage to the notorious penal colony at Sydney, Lockerby settled down in Fiji to wait for a more favourable way out, determined to survive by forging good relations with the island population. Others were stranded ashore by captains unable or unwilling to make the payments due to members of their crew.⁷

Not all of those who landed on the beaches were victims of maritime misadventures or vindictive masters. Beachcombers also decisively shaped their own destinies. However, as one historian explained, typically 'even among those who did it voluntarily, premeditation was not a factor'.⁸ John Connelly, from Cork, told the missionaries on Tongatapu that he had arrived in the Pacific Islands from the United States, having signed on as a crewmember of a fur-trader. A cooper by trade, he claimed he had disembarked from his ship in the Friendly Islands with Ambler and Bryan because of the appalling conditions of shipboard life: 'their provisions were so bad as to be scarcely eatable, and so scanty as forced them upon a short allowance; therefore, dreading their case might soon be worse, they requested the captain to discharge them'.⁹ However, escape ashore from a harsh billet at sea was typically a temporary measure and most beachcombers signed on as crew on passing ships after a period of rest, recuperation, or adventure ashore.¹⁰

Others landed on islands purely on a whim, tempted by the panorama, a quest for adventure, or stories of sexual permissiveness and opportunity. A celebrated example of attempted flight to the beaches was the Irish seaman James Marra, who in 1773 leapt overboard and swam for shore when Captain James Cook's *Resolution* raised its anchor and set sail from Tahiti. Fished out of the water, Marra was put in irons until well out of land's reach. 'When I considered the situation of the Man in life I did not think him so culpable as it may at first appear', Cook wrote with sympathy when Marra was finally released from irons after his attempted Tahitian desertion.

I never learnt that he had either friends or connections to confine him to any particular part of the world, all Nations were alike to him, where then can such a Man spend his days better than at one of these Isles where he can enjoy all the necessaries and some of the luxuries of life in ease and Plenty.¹¹

For contemporaries, the South Seas captured the imagination as a sensual place of liberation from rapidly modernising European society and a home of indigenous peoples in need of civilising.

If genuine mariners constituted the majority of the beachcombers, a significant minority was known to be escaped convicts from the penal colonies at New South Wales and Van Diemen's Land. The informality of the early trade networks and the chronic shortage of ships' hands ensured there was a regular pool of masters willing to take a risk and sign on convicts as seamen. Other captains were perfectly willing to assist a fugitive's escape plans for the promise of financial reward. Colonial officials recognised the extent of the people smuggling and its deleterious consequences for the reputation of the penal system. From the 1790s to the 1820s, they attempted to enact a range of measures to stem its flow but with only limited success. American skippers, in particular, were suspected of complicity in the frequent convict escapes. In April 1820, for example, the commander of the supply ship HMS *Dromedary* detained an American vessel, the *General Gates*, in New Zealand's Bay of Islands. Caught in the act, several escapees signed statements confirming that the ship's master, Captain Riggs, had signed them on as crewmembers in the full knowledge that they were prisoners.¹²

In other cases, convicts took the matters into their own hands and engineered daring escapes by sea. In April 1806, in one of the most renowned early-nineteenth-century incidents, prisoners on the 45 ton brig *Venus* commandeered the vessel while it lay at anchor at the end of a difficult voyage from Sydney to Van Diemen's Land. Aided by the *Venus's* First Mate, Benjamin Kelly, a former crew member on an American whaler, the mutineers set course across the Tasman Sea. Kelly and a woman convict, Catherine Hegarty, reputedly living as common law man and wife, went ashore with another convict couple in New Zealand's Bay of Islands and lived for a time among the local Māori iwi [tribe].¹³ In other cases, escapees pilfered small vessels and set sail north along Australia's eastern seaboard in the hope of reaching the Dutch port at Batavia. Some fell short, but managed to make landfall in remote areas of New Guinea or its adjacent islands.¹⁴ The missionaries on Tongatapu were in no doubt that Morgan Bryan, the most menacing of the beachcombers they encountered, was not an unfortunate mariner escaping a harsh billet but a hardened convict who had escaped from the penal settlement at Port Jackson.

Beachcombers are an elusive historical quarry. Few left written accounts. The intimate history of what took place within the beach communities where they resided is difficult to construct in any detail. Many lacked the skill and means to write. A sizeable proportion was composed of people who had something in their pasts to hide and, even had they sufficient literacy skill, most among this group harboured no

wish to tell the world. Furthermore, for those of good character and background, the time on the beach was generally thought scandalous and an affront to European sensibilities, best forgotten before a return to polite society. As historian Greg Denning put it, the beachcombers were 'strangers in their new society and scandals to their old'.¹⁵ Nonetheless, drawing upon the scattered shards of the past, including the small number of first-hand reminiscences by European island dwellers, missionaries' journals and the accounts of those Europeans adventurers who encountered them as they traversed the Pacific Ocean during the early years of Western presence, one can begin to piece together the various ways in which the men and women of the beaches negotiated their way between the tide lines of the so-called civilised and uncivilised worlds, challenged contemporary norms of behaviour and were cast frequently as deviant.

Given the fragility of Britain's presence in this newly-opened maritime world in the late eighteenth century, it is hardly surprising that serious political and security concerns attached to the unsupervised presence of these shadowy white men on the beaches. The French interest in the recently-charted South Pacific Ocean was one source of significant anxiety, while the high proportion of Irish-born among the region's convict population in the wake of the United Irishmen's rising in 1798 created an enduring fear of disorder and sedition. Convict escapes and small-scale disturbances fuelled trepidation in the penal colony at New South Wales, so that by 1801 a near hysterical tone entered vice-regal dispatches to London. Governor Philip Gidley King, writing after the arrival of the convict transport *Ann*, fretted that the United Irishmen in the colony, now numbering nearly 600, were 'only awaiting an opportunity to put their diabolical plans into execution'.¹⁶ King's worst fears seemed to be realised in March 1804, when 400–500 convicts assembled west of Sydney proclaiming their intention to take control of the colony, their battle cry 'Death or Liberty' a stark reminder of the United Irish presence in the penal settlement. The threat posed by these men to British interests if let loose on the islands was an easy one for King and his successors to imagine.

In the protean space of this Pacific world, beachcombers stood in an ambivalent position as frontiersmen of Britain's aspirant empire and a potential fifth column beyond official scrutiny and control. On the one hand, there simply was no power or resource to embed other Europeans on the islands as more suitable forerunners of Britain's empire save the newly-arriving missionaries. On the other hand, to both colonial officials in Sydney and missionaries eyeing the Pacific, the beachcombers'

potential to influence negatively island politics and harmfully mediate relations with the outside world constituted a threat to good order and a barrier to efforts to Christianise and civilise the indigenous populations. In retrospect, these concerns over the vulnerability of Pacific peoples to the beachcombers seem often to have verged on the hysterical. Indigenous communities were not powerless or easily won over; newcomers were vulnerable in making their way. Nicholas Thomas reminds us that 'the character of early contact was often such that foreigners were in no position to enforce their demands; consequently, local terms of trade often had to be acceded to'.¹⁷ Once landed, the beachcomber was heavily dependent on the host community for his very survival. However, Europeans came to island communities experiencing unprecedented cultural, economic and political challenges. Knowledge of the outside world, capacity to lubricate the wheels of trade and secure favourable terms of exchange, and privileged access to Western goods and resources quickly made the beachcomber a valuable and prestigious commodity. Island communities benefitted from the newcomers' language skills, counsel, familiarity with technical skills and modern weaponry and quickly recognised the strategic value of hosting a Westerner in their midst.¹⁸

As a valued resource, many beachcombers secured positions of political and cultural influence. Frequently they resided in close proximity to local leaders and participated in forging new political relationships. For example, as the fur trade between Asia and the Pacific North West accelerated from the 1780s, the ranks of beachcombers swelled in the Hawaiian Islands. Newcomers clustered around the principal Hawaiian leaders, Kamehameha and Kaumualii, advancing trade, negotiating the increasingly frequent encounters with passing vessels, and jockeying for political influence.¹⁹ Likewise, at the time the *Duff's* missionaries met the beachcombers on the shore at Tongatapu, John Connolly and Benjamin Ambler enjoyed a privileged position among the island community. Their familiarity with the lands and seas beyond the archipelago and knowledge of the language of the white men were powerful commodities in a world all people knew was changing.

Colonial authorities, missionaries and influential observers of the imperial scene all expressed alarm that these men of typically low birth, suspect morality and inadequate learning might unduly shape the future political landscape on the islands and threaten the viability of indigenous communities. For example, in 1806 Sir Joseph Banks issued a dire warning that Tahiti had fallen under the control of 100 former convict banditti, who 'by the introduction of diseases, murder, devastation

and all kinds of European barbarism, reduced the population of that once-interesting island to less than one-tenth of what it was when the *Endeavour* visited in 1768.' Banks's warning, less than two years after an abortive convict uprising in New South Wales was suppressed by colonial authorities, was undoubtedly influenced by contemporary concerns over the radicalism of Irish convicts transported to the Australian colony. The United Irishmen, and other Irish political protestors, were often identified as a dangerous cabal and fears of their uncontrolled assembly ran deep—there is little doubt Banks's fears centred principally on these particular men with their history of clandestine involvement in violent protest. 'Surely these people will, if not otherwise provided for, soon become buccaneers and pirates', he wrote with alarm.²⁰

If Banks's warning about Tahiti proved to be an exaggerated one, on the ground in Tonga the Missionary Society's men quickly became aware that the local beachcombers posed a risk to their ambitions. Both young beachcombers on Tongatapu, Connolly and Ambler, were under the age of 30, and possessed linguistic skills and local knowledge that could undoubtedly assist the missionaries in establishing themselves. Despite his unkempt appearance, the Irishman Connolly seems initially to have been well-regarded by the missionaries. He won gratitude and respect when he warned them of dangers posed by their conflicting attitudes towards the possession of personal property. The newcomers' sense of exclusivity, Connolly warned the mission men, was at odds with the communal mores of the island people. The dangers of such cultural misunderstandings could be grave, as all of the *Duff's* missionaries quickly became aware. Henry Bicknell, one of the contingent of missionaries landed in Tahiti, explained in a letter to the Missionary Society's Reverend Thomas Haweis in England: 'In this country, we cannot call anything our own for the king is often begging what we have left, and 'tis dangerous to deny him as 'tis his custom to take all from those that refuse to comply, even their lives'.²¹

That level of mutual respect did not last for long, and acrimony soon developed on Tongatapu between the beachcombers and the missionaries. An immediate trigger for the souring of the relationship was the churchmen's refusal to furnish Connolly with a clock he had promised as a gift to the local island chief, Fatafehi. Connolly's prestige with his hosts was at stake; but for the missionaries the surrender of the valued item constituted a weakening of their own bargaining position with the chief. With both the beachcomber and missionaries in competition to secure the friendship and patronage of the local leader, possession of rare and tradable goods was stoutly contested. The missionary George

Vason, a former Nottingham bricklayer, described the conflict when all three of the Tongan beachcombers arrived at the mission seeking prizes to curry favour: 'They demanded goods, as of right! And one day, forcibly entered our habitation, and attempted to seize them. We then stood upon our defence and repelled them with force.'²² For the missionaries, such categorisation of beachcombers as deviants, transgressors, as threats to orderly relations on the island, emphasised the virtue of their spiritual endeavour over the beachcombers' secular domains of trade, weaponry and political intrigue.

Similarity of backgrounds added an additional dimension to the conflict between Tonga's European newcomers in their quest to impress indigenous hosts. As one historian commented, 'in class background [the missionaries] had much in common with their beachcombing rivals ... they were lower class aspiring to the next rung on the social ladder'. After a time, the future of the Missionary Society's presence on Tongatapu seemed to hinge on silencing the beachcombers' voices, limiting their ability to pay tribute, and ensuring the churchmen's direct and uninterrupted communication with the local elders. When the *Duff* returned, the missionaries put their minds to the question of how to get Connolly and Ambler off the island in order that they might monopolise the political relationship. However, the missionaries' ambitions were thwarted not long after when an upsurge of violence in Tonga destroyed the first mission.

Elsewhere in the western Pacific, escaped convicts and shipwrecked sailors continued to influence political relationships in intensely local ways that contravened norms of behaviour and saw the beach dwellers cast by crown officials, military officers and missionaries as disorderly. Jane Samson's study of the exertion of British authority in the Pacific shows tellingly the mounting despair of humanitarians at the presence of the 'white savages'. For example, in 1830 the commander of Britain's Pacific Station complained that 'the Friendly and Society islands are at present infested by great numbers of worthless characters calling themselves Englishmen, from New South Wales and elsewhere, who keep the natives in constant dread of their deprivations'.²³ In rare cases, the Westerners appear even to have assumed positions of leadership in their host indigenous communities, creating a formidable barrier for those who wished to fashion island people in the manners of the missions.²⁴

If subversive and unpredictable political behaviour was one major source of concern, the transgression of racial boundaries fuelled further anxiety about the deviant behaviour of the European island dwellers. As early as the mid-1780s, when the fur trade first developed between

the ports of Asia and the Pacific Northwest, reports emerged from the Pacific of British men infringing the line that divided what were deemed the civilised and uncivilised worlds. Mariners seeking pelts on the North American coast described how a ship's surgeon, John Mackey, remained behind in 1785 when his ship *Captain Cook* returned from Nootka Sound to India. When Captain James Hanna arrived in the Sound on his second voyage in mid-1786 Mackey declined to return across the Pacific Ocean with him: 'he refused, alleging, that he began to relish dried fish and whale oil, was satisfied with his way of life, and perfectly contented to stay till next year.' John Etches, a commercial agent aboard the *Prince of Wales*, reported with a mixture of loathing and envy his ship's inability to procure any good supply of furs due to Mackey's exclusive arrangement to supply stock for another ship, the *Imperial Eagle*: 'The natives had stripped him of his clothes, and obliged him to adopt their manner of dress and filthiest of manners; and that he was now a perfect master of their language, and well acquainted with their temper and disposition.'²⁵ This exclusive relationship was rewarded when Mackey took a berth when the *Imperial Eagle* set sail on its return voyage west in 1787.²⁶

In subsequent decades, observations of such infringement of racial boundaries became more frequent. In Hawaii, Tahiti, Tonga and the Marquesas group, mariners and missionaries encountered men who had crossed the threshold of respectability and joined the indigenous people. The reminiscences of the ship's surgeon John Coulter, who traversed the Pacific in the 1840s, contain numerous tales or sightings of these boundary-crossing Westerners. Coulter reported going ashore at 'Pat's Landing' on Charles Island in the Galapagos group, the beach named after an Irishman who took to sea after Latin America's early-nineteenth-century wars of independence. Abandoned in the Galapagos by his captain as a suspected mutineer, the moccasin-wearing newcomer lived a largely isolated existence, joined from time-to-time by other sailors put ashore.²⁷ Coulter also visited the Marquesas Islands where, as Greg Dening showed, men crossed the beaches to live among the island communities. Coulter found the beachcombers there 'residing with the natives, and living with them, and after their fashion, in every respect—dress, tattoo and all'.²⁸ Later still, in eastern New Guinea, he encountered another escaped convict, 'a man of wild and strange appearance, with a hog-spear in his hand, and a large dog at each side of him'. 'Well-browned by exposure to the sun', with 'long brown hair hung low on his shoulders', and wearing only a rudimentary loincloth, it was only at close quarters that Coulter and his party 'to our amazement discovered that he was a white man'.²⁹

Similarly, in 1840, Captain Charles Wilkes, commander of the United States Exploring Expedition, reported meeting in Fiji Paddy Connell, a Clare-born man who claimed to have deserted the British army in 1798 and switched his allegiance to the French when they landed at Kinsale. Following the French surrender, Connell's life was spared and he was transported to Sydney. Though Paddy Connell claimed to have been freed from servitude immediately upon arrival in the colony, it seems much more likely he absconded by ship—an explanation in line with his circumspect assurance to Wilkes that 'the main part of [his story] was true'. Nearly four decades after his transportation from Ireland, Connell, who Wilkes at first mistook for a Fijian, took pride in having fathered 48 children in liaisons with Fijian women and told Wilkes he hoped to increase that figure in his remaining years.³⁰

Though reminiscences such as Wilkes's sometimes couch these encounters as moderately humorous, a persistent theme in contemporary observations is the way visible markers of European racial identity were stripped away the further the Europeans were removed from the cloak of colonial authority. Beachcombers, wayward missionaries and itinerant traders who came as they pleased walked the ground between civility and sinfulness, attracting opprobrium from naval commanders, colonial officials and missionaries for their betrayal of civilisation and deviant behaviour.³¹ Less visible in the case studies presented here are the voices of 'sympathetic alignment' with the colonised identified in Andrew May's chapter in this volume. Differences in the respective archives, the comparatively uncertain genealogies of Pacific beachcombers, and the frequency with which life on the beach became part of this maritime world's life cycle are all likely explanations for the variation. Other than missionary accounts, there seem for the beachcombers fewer first-hand voices that show diachronic development of empathetic relationships between the European newcomers and the indigenous peoples they encountered on the shores.

In this world of permeable boundaries and fluid identities, even the line between the beachcombers and their harshest critics, the missionaries, was from time to time blurred as God's messengers failed to act according to the prescriptions of their race and religion. In 1798, one year after the commencement of the Missionary Society's Tahitian operation, one of its few ordained ministers, the Reverend Thomas Lewis, abandoned the mission to live with an island wife. A minister in the Countess of Huntingdon's connexion, his departure caused scandal and deep regret until his death the following year. Soon after, most of the remaining missionaries were evacuated from Tahiti and returned

to Sydney on account of the turbulent circumstances on the island. A similar situation prevailed in Tonga, where the mission was overtaken by a wave of violence that took the lives of several of its founders. However, one of the missionaries on Tongatapu, George Vason, survived. Confronted with the challenges of life on the Pacific's shores, Vason, like Lewis, broke the missionaries' taboo and crossed the line of demarcation between civiliser and savage, adopting Tongan dress, lifestyle and wife. 'Modesty lost with me its moralising charm', he wrote later, 'and it was not long 'ere I disencumbered myself from my European garment and contented myself with native dress'. His memoir recounts his decision to live with 'a handsome girl of 18', explaining 'the temptations were too pleasing to the inclinations and suitable to the tastes of a young man of 25.'³² However, unlike the beachcombers, whose transgressions were easily attributable to their suspect backgrounds and perceived moral failings, the burden of condemnation fell most heavily on those who claimed moral superiority but wilfully abandoned their white identity to sexual gratification. Vason's decision to leave the mission, abandon Western dress and embark on a sexual relationship offended his brother missionaries' sensibilities most deeply and marked him out as deviant.

If decisions by single men to abandon their mission and live the life of a beachcomber caused consternation, fears of sexual deviancy weighed particularly heavily on the European women and children resident on the islands. While rare cases of escaped convict women living with indigenous groups are to be found in the historical record, it was the women and children of missionaries who were at the greatest risk of transgressing the forbidden divide. When the *Duff* anchored of Tahiti in March 1797, it sent ashore 18 missionaries, five missionary wives and two children. Among the married missionaries was an Irishman, William Henry, who had been born at Sligo on 21 June 1770 and trained as a carpenter and joiner. Raised in a Church of Ireland household, the young William Henry seems initially to have resisted Methodist teaching. Later, he wholeheartedly embraced its beliefs. Henry married a Dublin woman, Sarah Maben, and a period of work in that city brought him into the orbit of the city's leading evangelicals. He came to the attention of the Reverend John Walker of Trinity College Dublin, then a guiding light of Irish Methodism and a well-known advocate for the interests of the Missionary Society in Ireland.³³ Walker provided theological training and linked Henry to the Reverend Thomas Haweis and the overseas missionary movement. In July 1796, William Henry, aged 26, and his wife, aged 23, travelled

to London, where he was accepted as a missionary and the couple were assigned places on the *Duff*.³⁴

Several historical studies have investigated the Henry family's Tahitian experience to demonstrate the acute challenges of life on the frontier of Britain's empire in the Pacific, particularly for European women and their children.³⁵ In 1798, one year after the establishment of the mission, Sarah Henry gave birth to her first daughter, also named Sarah. The same year, the mission was evacuated to New South Wales amid concerns for the welfare of the evangelists. The Henrys returned to Tahiti from Sydney in 1801, their family enlarged with the birth of their first son, Samuel, and the adoption of a girl, Nancy Connor, the daughter of an Irish seaman and a Tahitian woman. A second daughter, Eleanor, was born to the Henrys in Tahiti in 1803 prior to the family's return to Sydney for a second time in 1808. Another son, William, was born during this interlude in the penal colony before the family returned again to Tahiti in 1813. Instability, both geographical and familial, was chronic and continued to disrupt the family thereafter. William Henry's wife, Sarah, died in 1813 and he promptly returned to Sydney alone where he found and wed a new bride, Ann Shepherd, then aged 15.³⁶ The hasty marriage did not pass without adverse comment, though some of Henry's brother missionaries saw his new marriage as the better of two evils. Acknowledging something of the sexual atmosphere of life on the island, Henry Nott wrote to the Sydney-based clergyman, the Reverend Samuel Marsden, 'you will probably be surprised to see our brother Henry return so soon to the colony, but I suppose he has no alternative. To live in a state of celibacy is an ordeal which I believe few will ever stand for long'.³⁷

In her recent study of missionary families on the frontier of empire, historian Emily Manktelow has explored the extent to which the children in particular were exposed to interracial and intercultural contact. The Henry family's story illustrates how island life in the Pacific world blurred boundaries not only between the European newcomers and the people of these islands but among the Europeans themselves.³⁸ The Henry children were immersed in Tahitian culture and language from the outset. Local women nursed the young Henry children, including Nancy Connor; and childhood games ensured close familiarity with Tahitian children and their communities. The young Henrys ate Tahitian food and spoke Tahitian as their first language.³⁹ Elsewhere in this volume, Manktelow explores the power of gossip to help excavate deviance. In the case of the Henry family, boundary-crossing, particularly from the time of adolescence, quickly aroused indignation

from other missionaries. Henry Bicknell provided a salacious account of their upbringing to Rowland Hassall, one of the *Duff's* contingent of artisan missionaries, who did not return from Sydney after the first flight from Tahiti and subsequently became an influential land-holder in the colony. Sparing no detail of the religious deviation, drinking, or sexual transgressions, he wrote of the Henry children:

It would have been more to the credit of the person concerned [William Henry] who made it his business to calumniate me if he had attended to the advice of his brethren and not given way to lustful desires as soon as his wife was dead, but have stopped and mind his family, or built them a house before he went and not to leave them in a native house where they were exposed to the natives. He should have taught them to work and their duty to God and man. But those that are grown up are ungodly. Nance Connor is a drunkard a whore a blasphemer a deist and a liar and Sarah Henry has been drunk and is a horrible blasphemer as if she had been used to it for 50 years. She wishes The Bible in the fire and all of us in hell and her father to and herself and Jesus Christ, has cursed the King and the King of Huahine to his face in such a way as we felt ourselves much exposed to their resentment, we entreated their forgiveness so it was winked at for the present. She also told a great many natives that we deceived them that Jehovah was the true God but that Oro and Tane was the true gods and much more. It is said that she has done more harm than ever her father did good in this mission. She also played the whore in her father's house.⁴⁰

Sarah Henry was subsequently sent to Sydney aged 16, accompanied by damaging rumours of her seduction by a Tahitian prince.⁴¹

Settlement in Sydney did nothing to enhance Sarah Henry's reputation. She was assisted by the Reverend Samuel Marsden to make a new life in the colony. He expressed surprising sympathy at first over what he regarded as her youthful indiscretions: 'She had been brought up from her infancy with the natives—they were the same to her as her own people and the young Chief was a man of some influence and authority.' Her mother dead, Marsden believed other missionary wives should have acted more the part. Before long, however, Sarah's sexual behaviour attracted new ire. She eloped in New South Wales with the emancipist surgeon, William Bland, whom she subsequently married. Their marriage did not survive one year before it ended, apparently following her commission of adultery with a visiting officer from the East

India Company. With the spotlight on her conduct Marsden believed the time for excuses was past. The clergyman now regretted that 'her habits were bad, she was not industrious, nor had she those modest Ideas which adorn the female character'.⁴²

Having caused scandal in the colony, pathways in polite society closed on Sarah Henry. More liaisons followed in New South Wales and Tahiti. She was regretful for the embarrassment she had caused her supporters, writing to Thomas Hassall in 1822 to thank him for his support: 'I must endeavour to obtain his forgiveness by prayer and repentance. The Almighty is good and I hope he will pardon and receive me as his child'.⁴³ Eventually, Sarah was sent further away, to London, with her father raising questions about her soundness of mind.⁴⁴ In turn, her eldest brother Samuel was sent from Tahiti to Sydney to be reformed and given a trade, and in his case also the pattern of subsequent behaviour caused consternation among the missionaries.⁴⁵

Finally, those who took to the islands of the Pacific in the late eighteenth and early nineteenth centuries frequently transgressed aesthetic boundaries that separated European from island dweller. Tattooing, in particular, affronted European observers. On Tongatapu, Morgan Bryan disgusted the newly arrived missionaries. Judged by one historian, 'the prototype of the low-cultured beachcomber', his heavily tattooed body stood as stark demonstration of his distance from European civility.⁴⁶ Others understood the extent to which marking constituted a permanent testament to life on the beaches, a stain that would accompany former beachcombers if they moved back into the European's world. According to his own account, when the surgeon John Coulter spent time ashore in the Marquesas he was pressured by local people to be tattooed to ensure his presence bore no malevolent effect on the island. His initial efforts to avoid the tattooing ritual provoked discord and he realised opposition 'would be madness'. 'I made up my mind to accede to the wishes of the chiefs and people with as good a grace as possible, and to bear any pain inflicted as manfully as I could', he wrote.⁴⁷ But, conscious that he would not for long remain on the island, Coulter negotiated a compromise so that his most visible features – his face and hands – were spared from any permanent marking. The long term stigma of having 'gone native' was a price the surgeon was unwilling to bear.

In conclusion, in the late eighteenth and early nineteenth centuries, the islands and beaches of the Pacific world constituted a peculiar zone of contact where a diverse cast of recently-arrived Europeans straddled the line between the normative values of empire and indigenous practices and

attitudes condemned as deviant and in need of reform. The beachcombers and those who joined them on the islands were frequently cast by contemporaries as aberrant on a variety of grounds—political, racial, sexual and aesthetic. Some who resided on the beaches were criticised for losing their bearings; others, especially the ex-convicts, were feared for possessing no moral compass at all. While much about this situation mirrors colonial encounters elsewhere, the specific historical context of the Pacific world at this time produced a period of astonishing flux that left an indelible print on indigenous communities and the colonial relationship. The strikingly transient nature of its European population here, and the propensity of so many to return fairly quickly to the normative British world, provides a revealing demonstration of the importance of interrogating local contexts and meanings of the colonial experience across the boundaries of the British empire.

Notes

1. Missionary Society (London, England) [hereafter LMS], *A Missionary Voyage to the Southern Pacific Ocean, performed in the years 1796, 1797, 1798, in the Ship Duff, commanded by Captain James Wilson* (London: T. Chapman, 1799), 98. For background, see also Andrew Porter, *Religion Versus Empire: British Protestant Missionaries and Overseas Expansion, 1700–1914* (Manchester: Manchester University Press, 2004), 42–3; Niel Gunson, *Messengers of Grace: Evangelical Missionaries in the South Seas 1797–1860* (Melbourne: Oxford University Press, 1978); Alison Twells, *The Civilising Mission and the English Middle Class 1792–1850: The ‘Heathen’ at Home and Overseas* (Houndsmills, Hants.: Palgrave, 2009).
2. LMS, *Missionary voyage to the Southern Pacific Ocean*, 246.
3. George Vason, *An Authentic Narrative of Four Years Residence at Tongataboo*, ed. Rev. S. Piggott (London: Longman, 1815), 68.
4. H. E. Maude, ‘Beachcombers and Castaways’, *Journal of the Polynesian Society* 73, 3 (1964), 294–93: 274. The first whaler arrived in Sydney soon after the establishment of the penal colony in 1788 but the War of 1812 retarded the frequency with which American ships visited ports in the Western Pacific. Numbers of voyages increased dramatically from the late 1810s. See I. C. Campbell, *‘Gone Native’ in Polynesia: Captivity Narratives and Experiences from the South Pacific* (Westport CT: Greenwood Press, 1998), 13.
5. Rhys Richards, ‘On Using Pacific Shipping Records to Gain New Insights into Culture Contact in Polynesia Before 1840’, *Journal of Pacific History*, 43, 3 (2008), 376, 379. See also Rhys Richards, ‘Pacific Whaling 1820s to 1840s: Port Visits, “Shipping Arrivals and Departures” Comparisons, and Sources’, *Great Circle*, 24, 1 (2002), 25–39.
6. See Jane Samson, *Imperial Benevolence: Making British Authority in the Pacific Islands* (Honolulu: University of Hawai‘i Press, 1998), 25; Maude, ‘Beachcombers and Castaways’, 274.

7. *The Journal of William Lockerby, Sandalwood Trader in the Fijian Islands During the Years 1808–1809* ed. Sir Everard I. M. Thurn (London: Hakulyt Society, 1925), 19. Also Samson, *Imperial Benevolence*, 24–5. (See also examples in Samson.)
8. Campbell, 'Gone Native in Polynesia', 84.
9. LMS, *Missionary voyage to the Southern Pacific Ocean*, 98.
10. LMS, *Missionary voyage to the Southern Pacific Ocean*, 85–8; Caroline Ralston, *Grass Huts and Warehouses: Pacific Beach Communities of the Nineteenth Century* (Canberra: Australian National University Press, 1977), 24–5; Susanne Williams Milcairns, *Native Strangers: Beachcombers, Renegades and Castaways in the South Seas* (Auckland: Penguin Books, 2006), 97–104.
11. J. C. Beaglehole, 'On the Character of Captain James Cook', *Geographical Journal*, 122 (1956), 428.
12. *Historical Records of New Zealand* ed. Robert McNab (Wellington: Government Printer, 1908) [hereafter HRNZ], I, 521–30; also Maude, 'Beachcombers and Castaways', 264. (John Gare Butler to Captain Skinner, 11 April 1820.)
13. James Belich, *Making Peoples: A History of the New Zealanders : From Polynesian Settlement to the End of the Nineteenth Century* (Auckland: Penguin Books, 1996), 132 tells this story and puts the escape rate among early Australian convicts at 10 percent, many of whom ended up in New Zealand. For critical examination of the incident, see Ian Duffield, ' "Haul Away the Anchor Girls": Charlotte Badger, Tall Stories and the Pirates of the "Bad Ship Venus" ', *Journal of Australian Colonial History*, 7 (2005), 35–64. Other accounts vary in quality and detail, including Mary Louise Ormsby, 'Charlotte Badger', *Te Ara-the Encyclopedia of New Zealand*, updated 1 September 2010, <http://www.teara.govt.nz/en/biographies/1b1/1> (accessed 7 February 2012); Anthony Brown, 'Mystery of the Venus Mutineers', *Australian Heritage*, Summer 2008, 41–6; Michael J. Carroll, *Irish Pirates and Privateers: 'The Brethren of the Sea'* (Cork: Michael J. Carroll, 2007), 91.
14. See Malcolm Campbell, 'Tribal Kings and Tattooed Chiefs: The Hidden Irish of the Pacific World', in Mícheál Ó hAodha and Máirtín Ó Catháin (eds), *Irish Migrants in New Communities: Seeking the Fair Land* (Lanham, MD: Lexington Books, 2014), 3–14.
15. Greg Dening, *Islands and Beaches: Discourse on a Silent Land, Marquesas 1774–1880* (Melbourne: Melbourne University Press, 1980), 129–30. On beachcomber narratives, see Campbell 'Gone Native' in *Polynesia*, *passim*.
16. *Historical Records of Australia*, III, King to Portland 10 March 1801, 8–9.
17. Nicholas Thomas, *Entangled Objects: Exchange, Material Culture and Colonialism in the Pacific* (Cambridge, Mass.: Harvard University Press, 1991), 84. On beachcombers and transculturation, see Thomas Bargatzky, 'Beachcombers and Castaways as Innovators', *Journal of Pacific History*, 15, 2 (1980), 93–101.
18. Maude, 'Beachcombers and Castaways', 276.
19. H. E. Maude, *Of Islands and Men: Studies in Pacific History* (Oxford University Press, Melbourne, 1968), 13–40.
20. HRNZ, I, 278. On links between sailors and Irish protestors, and proposals to escape by sea, see Grace Karskens, *The Colony: A History of Early Sydney* (Sydney: Allen and Unwin, 2009), 97, 178; and Grace Karskens, ' "This Spirit of Emigration": The Nature and Meanings of Escape In early New South Wales', *Journal of Australian Colonial History*, 7 (2005), 1–34.

21. Henry Bicknell to Rev. Thomas Haweis, 28 December, 1797, *Reverend Thomas Haweis Letters, 1791–1830*, Mitchell Library, State Library of New South Wales, ML MSS 633 [CY 171].
22. Vason, *Authentic Narrative*, 30.
23. Quoted in Samson, *Imperial Benevolence*, 26.
24. John Coulter, *Adventures on the Western Coast of South America and the Interior of California: Including a Narrative of Incidents at the Kingsmill Islands, New Ireland, New Britain, New Guinea, and Other Islands in the Pacific Ocean* 2 Vols. (London: Longman, Brown, Green and Longman, 1847), Vol. 2, 160–80.
25. William Beresford, *A Voyage Round the World; but More Particularly to the North-west Coast of America: Performed in 1785, 1786, 1787, and 1788, in the King George and Queen Charlotte, Captains Portlock and Dixon. Dedicated, by permission, to Sir Joseph Banks. By Captain George Dixon* (London: George Goulding, 1789), 231–3.
26. On Mackey, see also J. M. Bumsted, 'Mackay, John, assistant ship's surgeon; fl. 1785–87', *Dictionary of Canadian Biography Online*, http://www.biographi.ca/009004-1\19.01-e.php?&tid_nbr=2039&&PHPSESSID=ychezfqvzape (accessed 2 February 2012).
27. John Coulter, *Adventures in the Pacific, with Observations of the Natural Productions, Manners and Customs of the Natives of the Various Islands* (Dublin: William Curry, 1845), 403.
28. Dening, *Islands and Beaches*, 173; Coulter, *Adventures in the Pacific*, 176.
29. Coulter, *Adventures on the Western Coast* 170–1.
30. Charles Wilkes, *Narrative of the United States Exploring Expedition During the Years 1838, 1839, 1840, 1841 and 1842* 5 vols. (Philadelphia: Lea and Blanchard), iii, 68. On the expedition, see Nathaniel Philbrick, *Sea of Glory: America's Voyage of Discovery: The U.S. Exploring Expedition, 1838–1842* (New York: Viking, 2003).
31. Campbell, 'Gone Native' in *Polynesia*, 83.
32. Vason, *Authentic Narrative*, 108, 110.
33. Niel Gunson, 'The Deviations of a Missionary Family: The Henrys of Tahiti', in J. W. Davidson and Deryck Scarr (eds), *Pacific Island Portraits* (Canberra: Australian National University Press, 1976), 31–4.
34. On Walker see David Hempton and Myrtle Hill, *Evangelical Protestantism in Ulster Society 1740–1890* (Routledge, London, 1992), 65–6. Henry was one of thirty missionaries; his wife one of six women. Three children were also included in the party. See LMS, *Missionary voyage to the Southern Pacific Ocean*, 4. Henry's age is given in that account as 26 years; his wife as 23 (6).
35. In particular, Gunson, 'The Deviations of a Missionary Family', passim; William Tagupa, 'Missionary Lamentations: Early Educational Strategies in Tahiti 1800–1840', *Journal de la Société des Océanistes* 36, 68 (1980), 165–72.
36. Gunson, 'The Deviations of a Missionary Family', 34–5.
37. Henry Nott to Reverend Samuel Marsden, 18 February 1813. *Samuel Marsden Letters 1810–36*, Mitchell Library, State Library of NSW, ML A1996, Vol. 5, 13 [CY 229].
38. Emily Manktelow, *Missionary Families: Race, Gender and Generation on the Spiritual Frontier* (Manchester: Manchester University Press, 2013), 165–7.
39. Tagupa, 'Missionary Lamentations', 168; 'Gunson, 'The Deviations of a Missionary Family', 35.

40. Henry Bicknell to Rowland Hassall, 16 November 1813. Rowland Hassall Papers, Mitchell Library, State Library of NSW, ML A860, vol. 2, 319. See also Gunson, 'The Deviations of a Missionary Family', 36. On alcoholism in the Tahitian missions, see Niel Gunson, 'On the Incidence of Alcoholism and Intemperance in Early Pacific Missions', *Journal of Pacific History*, 1, 1 (1966), 43–62, especially the propensity of the *Duff* missionaries and wives to turn to drink (53).
41. William Henry to Thomas Hassall, 3 January 1814. Rowland Hassall papers, loc.cit, 63–4.
42. Gunson, 'The Deviations of a Missionary Family', 36–7; John Cobley, 'Bland, William (1789–1868)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/bland-william-1793/text2027> (accessed 8 May 2012). Bland was awarded £2000 in a court verdict against the officer, Richard Drake, though the defendant fled before paying the debt.
43. Sarah Henry, New Zealand to Thomas Hassall, 6 April 1822. Hassall Family Correspondence, Mitchell Library, State Library of New South Wales, ML A1677 [CY 920], 449–50.
44. Gunson, 'The Deviations of a Missionary Family', 38.
45. Gunson, 'The Deviations of a Missionary Family', 39–44.
46. Neil Gunson, 'The Coming of Foreigners', in Noel Rutherford (ed.), *Friendly Islands: A History of Tonga* (Melbourne: Oxford University Press, 1977), 96–9.
47. Coulter, *Adventures in the Pacific*, 208.

6

Thinking with Gossip: Deviance, Rumour and Reputation in the South Seas Mission of the London Missionary Society

Emily J. Manktelow

Introduction

Recalling his arrival at the island of Tahiti, site of the London Missionary Society's South Seas Mission (SSM) in 1842, Reverend John Jesson could not help noting his dismay at the prevalence of gossip among his missionary brethren.

When we came into the mission, we found a painful amount of evil reports in circulation in reference to most of the mission families. The prevailing rule appeared to be for *one party* to retail scandal about others, the receiving party to believe the evil report; and yet carefully to conceal *all* from the accused party.¹

Jesson might be regarded as a rather stuffy and staid character. Formerly a Roman Catholic priest, he subsequently studied at Highbury, became a pastor and married at the age of 35 a woman six years his senior in 1841. The change in his circumstances was most likely surprising, and while the cloistered world of English Catholicism was unlikely to have been gossip and scandal-free, he was probably scarcely prepared for the levels of rumour and scandal that would have greeted him upon his arrival at Tahiti in 1842. Certainly, he found gossip itself to be subversive, but the deviant content of the gossip was even more scandalous. What he found there was an island alive with 'secret whisperings' and 'reports flying', and a social world painfully torn between the ideals of missionary evangelicalism, and the 'gross and profligate habits' of those who deviated

from such ideals.² Luckily, Jesson and his wife Mary felt that they had the answer to such dealings:

Against such proceedings we at once made a bold stand as being *unspiritual unmanly* and cowardly in the extreme – We resolved in the strength of our Master to carry out New Testament principles, never to receive an evil report against a Brother without giving him a full and fair opportunity of vindicating himself in the presence of his accusers. We had difficulties at first to contend with, from those who for a series of years, had adhered to the careful system; [but] all our difficulties are now melting away before the Majesty of simple *truth*.³

For a couple who did not like gossip the Jessons could not have arrived at a worse time than 1842. A particularly scandalous crisis was about to hit the mission in the shape of the eventual exposure of their colleague Reverend Simpson's so-called 'improper liberties'.⁴ These, it soon transpired, were far from mere liberties and in fact amounted to accusations of attempted rape and sexual assault, inappropriate touching and groping, and what we might call general lasciviousness – attempts at seduction, filthy jokes and drunken escapades in his victims' bedrooms – all directed at the missionary daughters under his care and tutelage at the South Seas Academy, the school for the children of the missionaries themselves, founded on the small coastal island of Eimeo in 1824.⁵

I have written about Simpson and his 'improper liberties' before,⁶ and do not intend to rehearse those arguments, which focussed on ideas of moral scrutiny and the policing of missionary children, again here. Rather, what this chapter seeks to do is to explore the interrelated history of gossip and deviance in the South Seas Mission, and to use this case to examine in detail the varying degrees of action and reaction to deviance among its community. Thinking with gossip allows us to weigh the community's reactions to deviance. Although the Jessons may not have liked it, gossip served crucial regulatory and social functions in the South Seas Mission, and the colonial world more broadly. For us, as historians, gossip also provides a lens through which to examine the moral boundaries of colonialism, and the axes of power and regimes of authority that structured the colonial community in the Pacific world, in this instance through ideas and practices of gender, race, and professionalism.

The literature on gossip is extremely rich, and usefully summarised in Kathleen Feely and Jennifer Frost's new edited collection *When Private Talk Goes Public*.⁷ They describe the ways in which gossip has been understood through history as a moral issue, a functional one and, finally, as part of political and social discourse. Through this transition, gossip has remained controversial, but has perhaps changed most in character through its emergent place in mass media, a change in form that negates (according to some scholars) its 'personal, social, cultural and political functions ... [that] only occur in face-to-face reciprocal exchanges'.⁸ In colonial history, too, gossip, rumour and scandal have formed the site of interesting and engaging historiographical interventions,⁹ but this chapter seeks to respond to the call of Luise White who, in her examination of vampire rumours in colonial East Africa, challenges us to look beyond just the structural functions of gossip, towards what gossip can do as an analytical and historical tool – what gossip might tell us as historians – how we 'might use rumour and gossip as primary sources in the writing of history'.¹⁰

White's thesis is a challenging call to arms. Gossip, after all, is amorphous and ephemeral. It is a process, and an action, which leaves shadowy imprints on the colonial archive. Nonetheless, gossip lets us in to social values and social truths. It also allows us access to the spoken histories of the past – partial and uneven yes, but in essence guiding us into the everyday interactions of individuals and communities in their day-to-day lives. It relies upon shared moral values, and colonial common senses, and is thus a valuable tool for reading along the archival grain, as well as against it.¹¹ This chapter encourages us to *think with gossip* – to reflect upon what gossip, and the *ways* in which people gossiped, about deviance can tell us about colonial hierarchies, moral boundaries and (un)acceptable behaviours. While colonial historians interested in rumour and gossip have tended to do so as part of their thinking about colonial discourses and mentalities towards 'the other', here we explore the ways in which missionaries' gossip was turned back in on themselves. After all, as various contributions within this volume seek to show, thinking with deviance is about reflecting upon both the ordinary and the extraordinary as a way to understand the social history of colonialism through its everyday ambiguities, fractures and fissures, as well as its more extreme moments of marginality, crisis and the politics of exclusion.

* * *

In one sense, the exact details of the Simpson case are not important here (just as the truth or falsity of corruption or murder in Saha and

Hynd's chapters are the means, rather than the focus, of enquiry). This chapter takes an oblique look at the scandal itself – sidestepping a full-on engagement with Simpson's extreme deviance in order to examine the historical fragments that accumulated around it. Nonetheless, a brief outline of the main events and how they came to light may be useful in orientating the reader into this particular historical moment. Simpson was accused of three counts of attempted rape, one of attempted seduction and numerous instances of his having groped, tickled or pushed the young women under his care while they were washing or undressing in their bedrooms. It is unclear exactly when these events occurred, but the testimonies of the young ladies involved seem to indicate a generally systemic culture of abuse throughout Simpson's tenure as Superintendent of the South Seas Academy (1831–39). The route that these accusations took to public scrutiny (potentially as long as a decade after some of the events occurred) is instructive to this chapter, and will be explored in more detail below. Essentially, the case unfolded as follows. In December 1842,

Mr Thomson told one or two of the brethren privately, and they told it to another, and that other told it to me [Mr Simpson], that Mrs Johnston told his wife that she Miss Pritchard and Miss Bicknell on one occasion occupied one bed, and that I went to that bed to violate the person of the latter who was then 12 years old.

'The brethren to whom this communication was made thought the affair so unlikely that no notice was taken of it',¹² but the role of gossip and rumour is already clear. At the same time, a local trader, George Bicknell, communicated a further series of rumours to two of the missionary brethren, Aaron Buzacott and Thomas Heath.¹³ The latter made a statement of the rumours to be sent to the Mission Committee, and upon receiving it William Howe was instructed to

write to the young ladies who were formerly under Mr Simpson's charge and that the following questions be proposed to them.

1. When you were under Mr Simpson's care did he ever take any improper liberties with you?
2. If so, what were their character?
3. Did you ever say so to any one?¹⁴

These questions elicited a series of responses that became the basis for the accusations levelled against Simpson at a Committee of Examination held in June 1843. The meeting lasted for two days, running well into

the night on the second day, and concluded that Simpson should receive a 'severe censure' for his actions, but that he should not lose his profession or his position of influence in the community (where he enjoyed close relations with the current *ari'i rahi* – paramount chief – Queen Pomare IV). Despite his feelings of persecution – 'obtuse ob[d]uracy ... disappointed ambition ... disconcerted splenetic feeling and an evident delight at the very thought of turning me out of the Mission'¹⁵ – the Mission Secretary Thomas Joseph conceded that Simpson had enjoyed 'a large share of our sympathy on the occasion' and had received 'the benefit of every doubt'.¹⁶ The LMS in London upheld the Committee's decision upon their own 'impartial though rigid scrutiny' of the evidence in 1844, and concluded that although 'it must be admitted that general character, though sustained up to a certain point with the most unexceptionable consistency, cannot be placed against acts of criminality', they were too accustomed to 'regard Mr Simpson as a faithful and devoted servant of Christ – exemplary in all the relations of life' – to allow his character to be 'disturbed on light grounds'.¹⁷ Simpson's character, gender and position of authority destabilised the mission's ability to formally punish him, and he continued on at the mission for another six years, until his eventual dismissal (of which more later) in 1850.

What might this case reveal about the everyday workings of gossip, rumour and reputation in the LMS's evangelical community in the South Seas? In what ways were deviance and conformity coded and policed by a community on the 'edge of empire' – spatially and metaphorically? How were regimes of gender, power and authority disrupted and reinforced through the workings of this case? And what does thinking with gossip contribute to the analytical workings of the colonial historian? This chapter addresses these questions through a moment of extreme crisis. What it reveals is the ubiquity of everyday deviance even at the ideological heart of the colonial project, the extent to which it could be tolerated, and the contested limits of its containment. While private deviance could trouble one's racial and moral identity, public deviance threatened to undermine the very notion of moral superiority that underpinned both the missionary and the colonial enterprise.

Gossiping into the historical record

Gossip was certainly not new to the South Seas Mission when the Jessons arrived in 1842. Members of that community had clearly become used to gossiping about one another, about the social world they inhabited, and particularly about the more marginal or transient

members of that community. The powerful Simpsons – Alexander and his wife Sarah – quickly turned against the more vulnerable members of their community, including, of course, their accusers. The ease with which they were able to defensively mobilise gossip and rumours about others (at the same time as being subject to it themselves) speaks to the pervasiveness of gossip in their everyday mission life. Sarah Simpson thus recalled gossiping about various community members with her new colleague, Mr Thomson, some time previously (and used it as a vehicle to attack *his* character also): ‘I had previous to this reproved him for scandal’, she wrote in 1843.

The subject was Mr Stallworthy’s intended union with Miss Barff. He expressed his surprise that Mr Stallworthy after hearing what he had of Miss Barff [one of Simpson’s accusers], should be so duped. I asked and what has he heard? He replied a very great deal, detrimental to her character and entered into a detail that he had heard, from a foreigner who had gone from Huahine to the Marquesas. I told him he doubtless would get a great deal in that way from such characters, if he condescended to talk to and believe what they said about any of the Missionaries and their families.

‘Would this inexperienced young man study as attentively the orthography and Etymology of the English language, as he does to discuss and talk about the errors and supposed misconduct of others,’ she concluded, ‘how far more suitable would his character appear, and how much *more* would he be likely to prove a useful member of society, and prudent in his conduct amongst a half civilised people.’¹⁸ Indeed, Mr Thomson’s character as a gossip seems itself to have been the subject of gossip. In August of that year Alexander Simpson observed that Thomson was ‘a meddling intrusive person, two of whom would be quite capable of keeping all your Mission in the South Seas in perpetual broils’, and more to the point that upon ‘a hint in one of his letters to ... the probability of his being ultimately obliged to abandon the Marquesas and seek another field of labour, [his former brethren there] wrote to him and told him plainly he would not be received there.’¹⁹

George Bicknell, who had first brought the accusations against Simpson to the attention of the mission community in 1843, was also the subject of Sarah Simpson’s wrath, and in a letter to London written at the same time as the above, she dissected his (second) marriage (to a woman whose ‘character was of such a suspicious kind, that no one of respect noticed her excepting Mr Bicknell’s family’), the behaviour

of his son (whose 'habits were very dissipated, and contrary to our cautions and advice'), and his wanting spiritual life (he had 'set himself aside [from the church] for *several years*').²⁰ Gossip and rumour here policed the moral boundaries of the mission community, delineating what behaviour was acceptable and unacceptable. One's personal associations, everyday habits, and individual spirituality were all subject to communal scrutiny – and the new Mrs Bicknell's character was clearly well-known before her arrival at the mission from New South Wales. The Simpsons, like the Jessons, may have positioned themselves against gossip and scandal, but once again show us as historians how pervasive a social process it was.

Therefore, both the process and the subject(s) of gossip have made their way into the archive through this case, and it is worth acknowledging the extent to which both (process and content) were frequently configured as deviant. Deviance is a many-layered phenomenon, and like many of the chapters in this book, it is the interactions between these layers that is often the most revealing about the social history of empire. Four main instances of deviance have been gossiped into the record here, and it is instructive to examine them, and the community's varying responses to them, in detail. First, of course, was Simpson's so-called 'improper liberties'. 'There was something of it talked about when I was at the Marquesas', wrote David Darling, 'but it was hushed up at that time.'²¹ The formal accusations finally came to the attention of the mission community through the gossip of marginal figures on the edges of that community: George Bicknell, a local trader and relative to the missionary Henry Bicknell, and his son George Jr. It was from the latter that 'sprang the first slanders defamatory to the character of Mr Simpson' wrote Sarah Simpson to London, 'but they were so artfully carried on that we could never obtain sufficient evidence to bring them to justice.'²² George Sr., however, was rather less 'artful', and gossiped freely with two of the mission brethren, Aaron Buzacott and Thomas Heath. Upon hearing such reports, they immediately made a statement about them for the formal consumption of their mission colleagues. As such, three particular rumours were gossiped into the record:

- I. That he [George Bicknell Sr.] had seen a native woman on the premises [of the SSA] at Mr Simpson's under very suspicious circumstances, and late at night – that he mentioned it to Mr Simpson on his returning to the house, and that, tho' a great stir was generally made when anything was found in the fence at night, no further notice was taken of this.

- II. That the pilot's wife's half caste child is reported by the pilot himself to be Mr Simpson's – that Mr S had manifested a reluctance to have this charge lifted, and that Mr Howe had said to Mr Bicknell that he was dissatisfied with this part of Mr Simpson's conduct.
- III. That Mr Simpson had been guilty of taking liberties of an indecent nature with the girls when at school and under his care

Second, then, Simpson's extra-marital affairs were also gossiped into the record. Not only did George Bicknell claim to have witnessed suspicious behaviour, but he also formalised the rumour of the pilot's 'half caste child' (a rumour that surfaced a number of times throughout the case). Such rumours were also mentioned by Louisa (Barff) Thomson and Harriet (Platt) Johnston, two of the former SSA students called to testify against Mr Simpson on the more serious charges. 'Another evening, I saw a native female walking round the end of the house towards the cooking house and appearing as though she wished to avoid observation', noted Harriett (Platt) Johnston during Simpson's Committee trial. '... Mr Simpson came out and went into the house, and on my entering the cooking house, I saw the native woman scrambling over the wall...'. On another occasion, Harriet observed one of the female church members sneaking into the school's spare bedroom. 'I had seen Mr Simpson go up the passage towards the spare bed-room; he shut the passage door after him.' The woman tried to avoid being seen, 'peeping' out of the back door, but shrinking back when noticing that Harriet was watching her. Once Mr Simpson had left the spare room, the woman returned, collecting the small baby she had left on the verandah with a servant.²³ Another servant, Tuane, meanwhile, frequently complained that 'Mr Simpson is a very annoying or giddy man, he will not cease pulling me about, my work will not be well done.'²⁴

As part of their defence against the accusations, meanwhile, Simpson and his wife gossiped fairly extensively about everyone involved in this complex case. Mr Bicknell, Mr Thomson and George Bicknell Jr. (as outlined above) were all subject to their wrath. More importantly, so were the missionary children, including but not limited to the young ladies directly involved. Reputations were fragile in this context, and gossip could serve to further destabilise the moral currency of character. The Simpson's gossip, as well as additional reports and rumours that have crept into the record from other sources, speak to a culture of juvenile deviance in the mission that certainly requires further probing, and speaks obliquely to the prevalence of everyday deviance in the mission community.²⁵ The Simpsons' words thus not only give us a wealth of

information about juvenile delinquency, but also begin to indicate the importance of character and reputation in the world of evangelical mission. Therefore, in August 1843, Simpson began what became a systematic undermining of his accusers' characters. Interestingly, he began with reticence. 'You well know, Sirs, that in all my correspondence with the Directors, I have invariably been silent as to the operation and conduct of my brethren, perhaps, in one, or two instances, *too* much so.'²⁶ His first charges were mild, and in August 1843 he observed only that on the charge of his having used filthy language (purportedly alluding to pregnancy through a metaphor of longitude and latitude) 'what an awfully polluted mind must a young woman or rather a girl of 13 to have, to make any indelicate inference from such language, had it even been spoken.' 'It is a well-known fact to you, that many of the children of missionaries in this section of the field are awfully depraved,' he continued, reminding them that Adam Darling had been expelled from the SSA 'for fornication', and noting his own 'frequen[t] ... disgust at their want of general cleanliness.'²⁷

By November of that year, however, as rumours about his conduct persisted, Simpson began to reveal the more serious gossip relating to the children of the mission. '[D]uring my residence here', he noted, 'three well authenticated instances of natives having been found in the bed rooms of missionaries' daughters have been sustained.' The first instance involved a native man having been let into the house of George Pritchard by either Ann Mary Bicknell or Ann Scott. The second involved a 'native man having been discovered under the bed' of two of David Darling's daughters. The third involved a native man being found in the bedroom of Mr Orsmond's daughter – 'but [he] escaped through the thatch of the house.' 'I bring these sinister cases forward neither to pronounce Judgement on the one side, nor to award a verdict of acquittal on the other,' Simpson assured the Directors. Rather, his purpose was to show that '[k]nowing the liability of those entrusted to our care to fall in the snares of bad men, we used parental watchfulness over them'. Such a statement not only served to challenge the trustworthiness of the girls involved, but was also mobilised to explain his presence in their bedrooms at night.²⁸

Simpson relied upon gossip to make these (counter) accusations. The story involving David Darling's daughters was 'generally known', though Simpson claimed to have 'our information from Mr D himself'. However, the story of Harriet Platt (later Johnston) being discovered with a native man in her bed (causing her mother to fall down 'in a fainting state'), is altogether far more interesting. The Simpsons heard

it from Mr Orsmond, but it did not stop there. Simpson mentioned it to William Howe (asking his advice on whether to bring it forward at the Committee of Examination about his 'liberties'), and someone must have mentioned the whole thing to Mr Johnston for he, warned Orsmond later, 'is prepared through the medical advocacy of Mr Jesson to prove his wife's virginity at the time of her marriage.'²⁹ Indeed, it was Orsmond who had told Johnston of Simpson's intentions, and had then dissuaded Simpson from using the tale 'to screen himself from the detection of falsehood'. 'I leave it with yourselves what name sufficiently opprobrious to give to such dishonourable dealing', Simpson counselled the Directors. As to the story itself, 'I am not prepared to say whether the charge was true or false, but Mr Barff senior, told Mrs S and myself shortly after her marriage that it "was well for Mr Johnson that she was married, through our recommendation, as reports went sadly against her at Raiatea".'³⁰ Gossip may have been 'unspiritual, unmanly and cowardly in the extreme' according to John Jesson, but it was clearly the lifeblood of the mission community and stood at the heart of its social practice.³¹

Fourth and finally, rumours of Simpson's drinking gradually crept into the historical records via the reverberations of this case into the 1850s. At the annual May meetings on the island of Tahiti in 1850, 'Mr Simpson was so drunk that he could not perform the service.' 'He has been drunk for three weeks before', continued Charles Barff (a missionary who for 35 years on the islands had never 'wrote a line to the injury of any one'), and 'had been in the habit of doing so for years.' He was known to have 'brought a large cask of spirits from the Captain of an iron ship', and it was said that 'the Governor and French Doctor went to see him and found him very ill from the evil effects of spirits' such that 'the Chiefs and people of Moorea had consulted together to disown him any more as their Missionary.' 'I laboured hard in former years to persuade him to become as I was, and still am, a teetotaller but could not succeed.' Instead, he found 'on my arrival on Tahiti that the scandalous things mentioned above were common topics of conversation to the great scandal of the gospel.'³² 'I think every one considers Mr Simpson as a confirmed drunkard', he concluded later that year – 'to the pain of all who feel for the welfare of the mission his fame has spread far and wide.'³³

It is in this atmosphere of gossip, rumour and scandal that we must situate the case against Simpson, and our understanding of the social world of the mission. Indeed, it was this general atmosphere of unrestrained social talk that made the case so perplexing to the missionaries

themselves. 'Can it be possible that they could make up such tales', asked Orsmond in July; 'could these delicate young creatures against whom no accusation was ever brought by parent, by native, nor by Mrs Simpson herself, have fabricated such horrid things if they had not existed in fact, if they had not originated with the man in question'. Yet Joseph found himself perplexed on behalf of Simpson's pre-existing character, and the friendliness that existed between the Simpsons and the young ladies involved. Letters of sympathy, too, flooded in to Simpson, including from family members of the young women involved. 'I shall not say how deeply I feel the many, and very severe trials under which you labour', wrote John Barff (whose sister Jane, Simpson was accused of attempting to rape). 'I feel them the more, because the charges brought against you are I believe without foundation'.³⁴ Simpson was shielded by his gender, his moral authority and his professional status. His accusers, meanwhile, were consistently considered untrustworthy due to the association between women and gossip, and their own liminal cultural identities that were often elided with those of the local people.

In the end, their 'impartial though rigid scrutiny' led the Directors to their own conclusions on the Simpson case through their understanding of gossip and its consequences. They conceded that 'there must have been occurrences of a sufficiently questionable character to form a real basis' for the allegations, but that 'in error, or in the spirit of exaggeration, [the young women] have built their statements'.³⁵ The girls' testimonies had been irredeemably problematised by their age, status and gender. After all, noted the Directors, the 'young persons' were 'at a time of life not characterised by habits of reserve'.³⁶ The idea that gossip was untrustworthy and unreliable, and the characterisation of female speech as gossip in this case, allowed both Simpson and the Directors room to manoeuvre. Gossip was more than a functional tool in this society – it became a means by which to characterise that society. Through gossiping into the record, the Simpsons and others froze a malleable social process into a set of distinguishing features: unreliable and marginalised men as gossip; young women as unpredictable and thus untrustworthy; and missionary children as deviant. At the same time, however, Simpson's own character also began to crystallise in this way – as someone suspicious and questionable, intemperate and immoral. His position may have been resistant to the so-called 'unsupported testimony' of individuals marked as questionable,³⁷ but his reputation was not. This would lead to his eventual downfall.

Gossip, rumour and reputation

Sarah Simpson worried continually about the 'base insinuations and secret whisperings' and 'the fabrications in circulation, defamatory to the character of my persecuted and injured Husband'.³⁸ 'Mr Simpson bears it with his usual firmness and submission', she noted with relief, 'but it is like a wound eating his vitals. I sometimes fear he will be a martyr to persecution.'³⁹ In this swirling world of gossip, rumour and scandal, Simpson's moral reputation, and by extension the reputation of the mission itself, was very much up for grabs. Indeed, Simpson's character had been subject to gossip, and thus external communal scrutiny, for quite some time. In 1843 Simpson noted that 'the charges ... have, I grieve to say, been for some time past the private scandal, which too unhappily obtain in some of the Mission families', but professed himself 'exceedingly glad it has come out, as it was, though unknown to me, gnawing away the vital of my character, every succeeding month.'⁴⁰ Even the packet of character references he himself sent to the Directors in London reveals the pervasiveness of rumours. 'Dear Aunt', wrote Eliza Platt to Sarah Simpson (her mother's sister) in one such letter included by Simpson,

I cannot tell you how surprised I was when I heard a report which some parties have been spreading about *me*. They say (to use *their* words), that Uncle 'kicked me from one end of the Verandah to the other'. I was thunderstruck when I heard it. Uncle as far as I recollect, never did any thing of the kind to me, and I am certain that if he had I should never have forgotten it. I cannot think what could have given rise to such a report.

Nor did the rumours abate after the charges were formally examined. 'Too great freedom with the bottle and adultery with native girls and women are reports flying all round our Islands', wrote Orsmond in June 1843. 'They float in every mouth and go off in every ship.'⁴¹

Indeed, rumours about Simpson would not die down, and some of the more marginal members of the community took it upon themselves to push the case towards a more satisfactory conclusion. Therefore, in 1845, Simpson brought two of the missionary William Henry's sons to court for defamation. It transpired that Isaac and Daniel Henry had gone 'from house to house to get condemnatory language against Mr Simpson', and to collect testimonies confirming his adulterous behaviour.⁴² This 'cruel and diabolic attempt to traduce my character'

(in the words of Simpson himself) and the consequent indigenous trial to which it was brought certainly did not help arrest the decline of Simpson's moral character. His attempts 'to obtain the aid of the law in defence of a reputation so dubious by universal consent' only really made matters worse,⁴³ as did his continued questionable behaviour. This case essentially boiled down to the accusation that Simpson was in the habit of having 'unlawful intercourse' with at least one Tahitian woman, and that he paid her money in return for sexual favours.⁴⁴ More broadly, the case was about the function and practice of gossip, slander and reputation. Simpson appealed to the people: 'I now challenge anyone who has aught against my character to speak and not be afraid. I have lived among you nearly 18 years and surely my conduct must be well known. No one came forward...'.⁴⁵

Others among the indigenous community apparently had other ideas about Simpson's reputation, however, and William Henry wrote to George Platt in 1845 that they 'have got such a sad opinion of him'.⁴⁶ More pointedly, Henry's version of the above story was somewhat different. According to Henry's version, the local 'principal persons', when asked to comment on Simpson's reputation, noted that 'we have not seen him do these things with our eyes, nor seized him in the act with our hands, but our ears have been filled with reports, and our mouths have said, "why is this *arometua faaturi* so long preaching?"'.⁴⁷ According to the London Missionary Society's *Tahitian and English Dictionary*, *faaturi* translates as 'prostitution, adultery or fornication' or 'to commit adultery or fornication; but most commonly the term is applied to prostitution for hire.' Even more fascinatingly, its alternative meaning is 'to pretend deafness', related to *Faaturituri* 'to turn a deaf ear repeatedly; to pretend deafness, or that what is said is not intelligible'.⁴⁸ While it seems clear that the context here suggests the former meaning, the potential allusion to Simpson's ignorance of either the rumours themselves, or advice to forestall them by changing his behaviour, is speculative, but suggestive.

It was during these proceedings that rumours about Simpson's excessive drinking began to creep into the recorded mission discourse.⁴⁹ William Henry noted that 'it is reported that Mr S is given to liquor and drinks to excess' and that 'The chief Judge of this place has told me that he has seen him openly in such a state. That Mr S is given to liquor, I have myself witnessed sufficient, besides what I have heard from others, to convince me.'⁵⁰ John Orsmond wrote that '[m]any say, but for him they never would have become drunkards, and many have told me that while he is there, they will never be better'.⁵¹ Various members of the

mission tried to put such rumours to bed for the sake of the mission's reputation. 'Such charges', wrote the then Mission Secretary Robert Thomson in 1845, 'whether true or false are better not to be agitated here, as they only injure the character of the Mission.'⁵² The Directors in London also rebuked Simpson for bringing such public charges – 'A native tribunal was scarcely a suitable place for a Missionary to resort to for this purpose.... If no other evil ensued, a great public scandal must be the inevitable result of such a proceeding.'⁵³ The crux of the matter began to crystallise into one of reputation, however, with Orsmond perceptively observing: 'Can so many reports be said of a man after all the cases which have come under our consideration, and yet all be untrue?'⁵⁴

By 1850, everyone was talking about Alexander Simpson and his propensity for drink and women. 'Mr Simpson's case is a sad one indeed', wrote E Krause.

I have felt ashamed wherever I have been, as his drinking propensities are everywhere spoken of, even in Sydney; that his usefulness must be less than naught amongst a people, who consider him to be a drinker, or as one of his deacons expressed it to Mr Barff, '*na matan I te faararirari*' (he is accustomed to water, or make wet, viz, his throat), must be apparent.⁵⁵

Simpson's reputation was in tatters, and the Directors in London were not immune to the operations of reputation. After so many years of gossip, rumour and scandal circulating around their recalcitrant missionary, the Directors finally took action. They wrote to Simpson in December 1850 that

without entering further into the details of this distressing case, we have, though with the greatest reluctance, arrived at the conclusion that, taking into account the present state of your health, and considering all the great scandal that has been brought upon the cause of Christ by means of the painful occurrence with which you have been associated, it would on the whole be desirable that you should retire from the Mission field.⁵⁶

What is perhaps more crucial here than anything else is that the Directors situated Simpson's deviance not so much in the act of drinking itself, but in the lack of decorum in his proceedings. After all, 'it really appears that there could have been no more ground for the

scandalous charge of intoxication, even upon the supposition that the charge itself were false, if a proper regard had been paid to the earnest exhortation and fraternal counsel addressed to you...'.⁵⁷ The counsel referred to was at the time of his earlier examination, when he had been warned to observe 'the strictest circumspection in regard to all your future conduct'. They thus felt that his 'continuance in the Mission would be incompatible with its welfare'.⁵⁸

To what extent you may be responsible for the scandal bought upon the cause of God by these proceedings, we express no opinion, but, by repeated acts of the most grievous imprudence, you have rendered your motives and conduct so open to suspicion that we could not allow our feelings of sympathy and compassion for yourself and Mrs Simpson to interfere with the discharge of what we regard a plain duty.⁵⁹

One would be hard pressed to find a clearer articulation of the importance of gossip and rumour in the South Seas Mission than these conclusions. It was not drunkenness, debauchery or deviance that finally spelled the end of Simpson's career, but the role that gossip, rumour and scandal had in ruining his moral reputation, thus endangering the reputation of the mission as a whole. Gossip and rumour could regulate deviance, but was itself unregulated, and thus opened the mission community up to unacceptable indigenous scrutiny. As Thomas Joseph had noted nearly a decade previously, the crux of the issue was this: 'the churches can not shine much in purity when such matters are known among them.'⁶⁰

Conclusion: Gossip, rumour and hierarchy

In concluding this chapter, it is interesting to explore the idea that different types or levels of deviance within the mission community elicited differing degrees of action and reaction. Thus, Simpson's affairs with native women elicited hardly any formal response at all from the mainstream mission community. 'Nothing has been done in regard to the reports relative to the native women', wrote the mission secretary Thomas Joseph, 'and therefore I am not at liberty to say anything officially in regard to them.'⁶¹ The reason given was that 'as the charge is one of suspicion and not of fact it cannot for a moment be entertained by this meeting as at all approaching to evidence against the party accused.' This was despite the fact that these suspicions were supported by Harriet Johnston and seem to have been the subject of

island gossip for some time. 'For some time past many reports have been in circulation amongst the natives and white residents on this island respecting the immoral conduct of Mr Simpson', wrote Harriet's husband Joseph Johnston; 'attempts have been made to investigate them, but from the vacillating character of the natives, no satisfactory conclusion could be come to respecting them.'⁶²

This serves as a key reminder that it was not just female speech and testimony that was questioned but indigenous speech also. Mr Johnston, in writing to William Henry about the defamation trial, noted that 'I think there is little use in making further investigations, as the natives will not abide by their word.'⁶³ Indeed, even William Henry remarked that he felt himself 'in a strait' about forwarding on further 'sad, yea I may say shocking things' because he had 'only native authority', and 'you know they can't be depended upon to testify things face to face.'⁶⁴ Indeed, a key facet of the 1845 defamation trial came to circle around native testimony, with both Simpson and Henry accusing the other of intimidating witnesses, and relying upon the supposed instability of Tahitian speech. According to Henry, the 'cook boy' who claimed to have witnessed Simpson's adultery with one of the Tahitian women was 'doubtless intimidated or otherwise delt [sic] with by Mr Simpson and his adherents and supporters' so that he 'denied at the trial what he had told Daniel and the others.'⁶⁵ Simpson, meanwhile, claimed that the Henrys had bribed women into telling falsehoods against him.⁶⁶ Either way, indigenous speech was clearly conceived of as unreliable and unstable, much like the female speech around the earlier accusations.

Simpson's potentially criminal actions with the young ladies of the mission, meanwhile, finally (after much delay) elicited a strong initial response (in the Committee of Examination that was called to examine the charges), but had little long-term impact. Why they took so long to come out also concerns gossip, rumour and reputation and, in this instance, the young ladies' anxieties about their own reputations. They feared not only that they would 'be crushed',⁶⁷ but that the subsequent trial would in fact investigate 'their characters, and not Mr Simpson's'.⁶⁸ Clearly, as we have seen, they were right to be afraid, and it is highly suggestive that the accusations were ultimately mediated through two of the mission daughters who had subsequently married: Louisa (Barff) Thomson and Harriet (Platt) Johnston. The response of the Committee, meanwhile, was partial and uneven. Simpson was given 'the benefit of every doubt' by his peers and (as mentioned) received only a 'severe censure' from the Committee.⁶⁹ Although he was warned that 'his future relations with the Mission must depend upon his pursuing

henceforth such a course of undeviating rectitude – of sobriety of life and manner of single hearted devotedness to his high and holy calling – as to honour the cause of God, to turn aside the shafts of reproach and calumny aimed at religion through the sides of an erring Brother',⁷⁰ at the same time it took a further six years for the Directors to respond appropriately to continued accusations and calumnies.

This compares markedly with the Directors' response to the instances of the mission's juvenile deviance that were gossiped into the record. The missionary children's deviance, brought explicitly to the attention of the Directors in London by Simpson in an attempt to vindicate his own moral character, produced a strong response from the Directors, who began to renegotiate what it meant to be a missionary along the lines of what it meant to be an effective parent.⁷¹ In 1845, they noted the 'gross and profligate habits' of many of the missionary children 'by which the Christian character of the Parents have been dishonoured and the influence of their labour counteracted.' Placing the blame firmly at the parents' door, they passed a series of resolutions specifically targeting missionary children and missionary parenting. They resolved, 'should any missionary decline to withdraw his countenance and support from any member of his family guilty of open and habitual vice, the Directors will feel under the painful necessity of withdrawing their support and confidence from such missionary.'⁷² As mentioned elsewhere, they turned their immediate attention not to Simpson, but to the aging missionary William Henry, whose family was seen as particularly deviant and prone to vice.⁷³

The strongest reaction for Simpson, then, was in response not to his adultery, nor his potential criminality, but to his drunkenness. Why was it on the point of drunkenness that Simpson at last lost his position and his profession? Absolutely, it was about the power of gossip and scandal, and one can well argue that the Directors had simply grown tired and frustrated with their problematic employee. At the same time, gossip itself was proving subversive to the mission's colonial project. As a 'weapon of the weak'⁷⁴ it destabilised colonial hierarchies, giving the young women and the local indigenous people a means through which to exercise both power and agency. This was a partial and uneven process, but subjected Simpson's character to severe and public reproach. His reputation was in tatters, and his ability to perform his duties had been seriously compromised. Gossip, however, remained a double-edged sword, exposing the gossipier to calumny and criticism (as we have seen). Gossip's very power comes from its shadowy, evanescent

and euphemistic quality. It promulgated and relied upon partial truths and half-revealed suppositions. Drunkenness, however, and public acts of deviance, subverted colonial hierarchies, and were far more troubling and uncontainable.

Therefore, the fractures between what is known and what is suspected in this case speak to understandings of colonial hierarchies, and constructions of appropriate behaviour in relation to the axes of power and regimes of authority that structured the colonial community of the islands. While the layers of deviance explored here elicited varying degrees of response and effect, reactions to mission deviance seem more persuasively to have been structured around how they interacted with colonial hierarchies of gender, race and authority. On one end of the scale, Simpson's affairs with native women did little to disrupt those hierarchies – regimes of gender, power and race were not disrupted by his moral failings. On the other end of the scale, Simpson's drunkenness exposed him, and thus the mission, his culture and his race, to foolishness, mockery and disgust. Drunkenness was far more difficult to cover up. While rumour is an effective agent for troubling reputation, it deals in partial truths. Simpson's drunkenness, however, was increasingly moving over into the realm of *news*: verified, supported by multiple first-hand encounters, and thus spinning beyond the mission's ability to conceal it. When the then mission secretary, Alexander Chilsholm, wrote to the Directors about Simpson's drunkenness in 1850, he recounted the testimony of a local Tahitian man named Hwinê. Waiting for a church service to start, Hwinê had gone to find Simpson, who was supposed to lead it. Having waited at Simpson's house for some time,

Hwinê waited a little longer and then went into the bedroom when he saw Mr S sitting in his shirt without trousers or shoes.... [H]e came out, but in a little time went in again, and asked Mr S whether he would not go to church. Mr S did not reply. Hwinê then said this is very bad ... the chapel was full of people waiting, and he saw that Mr S was tipsy – when Hwinê came out, two of the crew went in and tried to raise Mr S up but did not succeed. Hwinê then went in the third time, [and] harshly said, what a foolish missionary.

'[W]e asked him why did you say so', noted Chisholm; 'he replied, because I was disgusted seeing he was really intoxicated with drink.' While the Mission Committee were once again unable to come to any firm conclusions about Simpson's guilt or innocence (incapable once

more of giving weight to native testimony), they at last saw the problem for what it was:

we felt it to be our duty to represent strongly to him the very general impression which exists both in the minds of natives and foreigners that he is in the habit of drinking to excess, and to urge the propriety of his withdrawing to the colony at least for a time.⁷⁵

Drunkenness, foolishness and being unable to perform his services represented threats to colonial hierarchy that could not be easily dismissed. Despite his continued protestations of innocence, the Directors cut off all communication. By 1852, even Simpson's best friend and staunchest defender (aside from his wife) William Howe finally admitted:

Mr Simpson, who has now proved himself to be a confirmed drunkard, by a public debauch of 5 or six days here, preached in the chapel here on the Sunday, and after he went home, although he was lying dead drunk in a small public house at Papetoai, while the people were holding their church meeting in the chapel on the Friday afternoon, he actually preached there the following Sunday!!⁷⁶

Simpson's 'public debauch' was too much for the mission to contain. It exposed the mission, undermined its moral authority and upended colonial hierarchies, situating Simpson in the same rhetorical categories of vice and debauchery which the missionaries used to characterise the local people.⁷⁷ Simpson, like all 'beachcombers' or white deviants in the Pacific region, had begun to trouble the hierarchies of race and culture, power and status, upon which the mission world, and colonialism more broadly depended. Colonial deviance of varying kinds not only worried away at the margins of colonial practice, but troubled the very heart of colonial power – and the *performance* of power. 'You see our difficulties', wrote the poor, broken-down William Howe in 1852; 'pray for us...'.⁷⁸

* * *

Gossip, then, has proved an extremely useful tool in this analysis. By shifting this case on its axis, and examining the social world it illuminates, rather than the exact details of Simpson's 'improper liberties' themselves, we have been able to explore the world of colonial deviance and colonial hierarchy in more detail. Gossip, as an analytical category, allows us to look with fresh eyes at the role of scandal, deviance and marginality that

sometimes stood at the heart of colonial regimes of various stripes. After all, history itself could be called (perhaps uncharitably) an exercise in codifying gossip. ‘Historians are gossip who tease the dead’, goes the famous quote attributed to Voltaire. Gossip is, at heart, a form of communicative memory: it transmits not only information (or suspicion), but values.⁷⁹ It whispers to us through the ages about the social worlds of the past.

Notes

1. John Jesson to London, 27 September 1843, South Seas Incoming Letters (hereafter SSIL) 16/3/C.
2. John Orsmond to London, 29 June 1843; Sarah Simpson to London, 25 July 1843, SSIL 16/3/A; London to David Darling, 15 January 1845, South Seas Outgoing Letters (hereafter SSOL) 3, 327–28.
3. John Jesson to London, 27 September 1843, SSIL 16/3/C.
4. The phrase is first used in a letter from William Howe to the young ladies involved in the case, and is then used frequently by those young ladies in their responses, and subsequently by Simpson himself. William Howe to the ‘young ladies’, c. March 1843, and transcribed in Thomas Joseph to London, 24 June 1843, SSIL 16/2/C.
5. For more on the founding of the school, see Emily J. Manktelow, *Missionary Families: Race, Gender and Generation on the Spiritual Frontier* (Manchester: Manchester University Press, 2013), 100–07.
6. Emily J. Manktelow, ‘Reverend Simpson’s “Improper Liberties”: Moral Scrutiny and Missionary Children in the South Seas Mission’, *Journal of Imperial and Commonwealth History*, 40, 2 (2012), 159–81.
7. Kathleen A. Feeley and Jennifer Frost (eds), *When Private Talk Goes Public: Gossip in American History* (New York & Basingstoke: Palgrave Macmillan, 2014), 1–16.
8. Feeley and Frost, *When Private Talk Goes Public*, 6.
9. The literature on colonial rumour is patchy, but exciting. See Shula Marks, *Reluctant Rebellion: The 1906–08 Disturbances in Natal* (Oxford: Clarendon Press, 1970); Luise White, *Speaking With Vampires: Rumor and History in East and Central Africa* (Berkeley: University of California Press, 2000); Kirsten Mackenzie, *Scandal in the Colonies: Sydney and Cape Town, 1820–50* (Carlton, Vic: Melbourne University Press, 2004); James Epstein, *Scandal of Colonial Rule: Power and Subversion in the British Atlantic During the Age of Revolution* (Cambridge: Cambridge University Press, 2012); Kim A. Wagner, ‘“Treading Upon Fires”: The “Mutiny”-Motif and Colonial Anxieties in British India’, *Past and Present*, 218 (2013), 159–97. While this body of work tends to deal more with *rumour*, for historical treatment of *gossip* see Melanie Tebbutt, *Women’s Talk?: A Social History of ‘Gossip’ in Working-Class Neighbourhoods, 1880–1960* (Aldershot: Scolar Press, 2005); Bernard Capp, *When Gossips Meet: Women, Family, and Neighbourhood in Early Modern England* (Oxford: Oxford University Press, 2003); and Amy Milne-Smith, ‘Club Talk: Gossip, Masculinity and Oral Communities in Late Nineteenth-Century London’, *Gender and History*, 21, 1 (2009), 86–106.
10. White, *Speaking With Vampires*, 56.

11. Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense* (Princeton, N.J.: Princeton University Press, 2009).
12. Alexander Simpson to London, 16 August 1843, SSIL 16/3/B.
13. Joseph to London, 24 June 1842, SSIL 16/2/C.
14. Joseph to London, 24 June 1842, SSIL 16/2/C.
15. Alexander Simpson to London, 16 August 1843, SSIL 16/3/B.
16. Joseph to London, 24 June 1842, SSIL 16/2/C.
17. London to Thomas Joseph, undated, SSOL 3, p. 164.
18. Sarah Simpson to William Howe, 23 July 1843, SSIL 16/3/A.
19. Alexander Simpson to London, 16 August 1843, SSIL 16/3/B.
20. Sarah Simpson to London, 25 July 1843, SSIL 16/3/A.
21. David Darling to London, 25 July 1843, SSIL 16/3/A.
22. Sarah Simpson to London, 25 July 1843, SSIL 16/3/A.
23. Harriet Johnston to Brethren, undated, SSIL 16/2/C.
24. Harriet Johnston to Brethren, undated, SSIL 16/2/C. Harriet includes her speech in the original Tahitian (*e taata hauti rahi Timitani, eita e tuutuu te haru haere naa mai iau, eita roa maitai tau rave raa ohipa*) as well as the translation used here.
25. For a more detailed examination of juvenile deviance, see Emily J. Manktelow, 'Making Missionary Children' in Hugh Morison and Mary Clare Martin (eds), *Creating Religious Childhoods* (Ashgate: forthcoming).
26. Alexander Simpson to London, 16 August 1843, SSIL 16/3/B.
27. Alexander Simpson to London, 16 August 1843, SSIL 16/3/B.
28. Alexander Simpson to London, 26 November 1844, SSIL 17/4/B.
29. Alexander Simpson to London, 26 November 1844, SSIL 17/4/B.
30. Alexander Simpson to London, 26 November 1844, SSIL 17/4/B.
31. Jesson to London, 27 September 1843, SSIL 16/3/C.
32. Charles Barff to London, 20 June 1850, SSIL 23/2/A.
33. Barff to London, 26 November 1850, SSIL 23/3/B.
34. John Barff to Alexander Simpson, 5 April 1843, SSIL 16/2/A.
35. London to Thomas Joseph, [undated], SSOL 3, pp. 164–71.
36. London to Thomas Joseph, [undated], SSOL 3, pp. 164–71.
37. London to Thomas Joseph, [undated], SSOL 3, pp. 164–71.
38. Alexander Simpson to London, 25 July 1843, SSIL 16/3/A; Sarah Simpson to William Howe, 12 June 1843, SSIL 16/2/C.
39. Sarah Simpson to William Howe, 23 July 1843, SSIL 16/3/A.
40. Alexander Simpson to London, 16 August 1843.
41. Orsmond to London, 29 June 1843.
42. Alexander Simpson to London, 14 February 1845, SSIL 18A.
43. Joseph Johnston to William Henry, 5 March 1845, SSIL 18A/2/B.
44. Alexander Simpson to London, 14 February 1845, SSIL.
45. Alexander Simpson to London, 14 February 1845, SSIL.
46. William Henry to George Platt, 7 January 1845, included in William Henry to London, 7 March 1845, SSIL 18A/2/B.
47. William Henry to London, 7 March 1845, SSIL 18A/2/B.
48. John Davies, *A Tahitian And English Dictionary – With Introductory Remarks On The Polynesian Language And A Short Grammar Of The Tahitian Dialect with An Appendix Containing A List Of Foreign Words Used In The Tahitian Bible, In Commerce, Etc., With The Sources From Whence They Have Been Derived* (London: London Missionary Society Press, 1851).

49. See Harald Fischer-Tine, 'The Drinking Habits of Our Countrymen': European Alcohol Consumption and Colonial Power in British India', *Journal of Imperial and Commonwealth History*, 40, 3 (2012), 383–408; Niel Gunson, 'On the Incidence of Alcoholism and Intemperance in Early Pacific Missions', *Journal of Pacific History*, 1, 1 (1966), 43–62; and Malcolm Campbell's chapter in this volume.
50. William Henry to London, 7 March 1845, SSIL 18A/2/B.
51. Orsmond to William Henry, 3 July 1845, SSIL 18A/3/C.
52. Robert Thomson to William Henry, 18 February 1845, SSIL 18A/2/B.
53. London to Alexander Simpson, 30 September 1845, SSOL 3, 456.
54. Orsmond to William Henry, 3 July 1845, SSIL 18A/3/C.
55. E Krause to London, 23 October 1850, SSIL 23/3/A.
56. London to Alexander Simpson, 11 December 1850, SSOL 4, 603–04.
57. London to Alexander Simpson, 11 December 1850, SSOL 4, 603–04.
58. London to Alexander Simpson, 15 November 1851, SSOL 4, 700–02.
59. London to Alexander Simpson, 15 November 1851, SSOL 4, 700–02.
60. Joseph to London, 24 June 1842, SSIL 16/2/C.
61. Joseph to London, 24 June 1842, SSIL 16/2/C.
62. Johnston to London, 31 July 1843, SSIL 16/3/A.
63. Johnston to William Henry, 5 March 1845, SSIL 18A/2/B.
64. Henry to Platt, 7 January 1845, SSIL 18A/2/B.
65. William Henry to Robert Thomson and the Brethren, 12 February 1845, SSIL 18A/2/B.
66. Alexander Simpson to London, 14 February 1845, SSIL.
67. Joseph to London, 24 June 1842, SSIL 16/2/C.
68. Joseph to London, 24 June 1842, SSIL 16/2/C.
69. Joseph to London, 24 June 1842, SSIL 16/2/C.
70. London to Joseph, undated, SSOL 3, 164–71.
71. See Manktelow, *Missionary Families*, 154–58.
72. London to Darling, 15 January 1845, SSOL 3, 327–28.
73. See Manktelow, *Missionary Families*, 154–58 and Neil Gunson, 'The Deviations of a Missionary Family: The Henrys of Tahiti' in James Wightman Davidson and Deryck Scarr (eds), *Pacific Islands Portraits* (Wellington, Auckland: A. H. & A. W. Reed, 1970), 31–54. See also Malcolm Campbell's chapter in this volume.
74. James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven; London: Yale University Press, 1985).
75. Alexander Chisholm to London, 20 November 1850, SSIL 23/3/B.
76. William Howe to London, 17 August 1852, SSIL 24B/7/D.
77. See Malcolm Campbell's chapter in this volume.
78. William Howe to London, 17 August 1852, SSIL 24B/7/D.
79. Jan Assmann and John Czaplicka, 'Collective Memory and Cultural Identity', *New German Critique*, 65 (1995), 125–33.

7

Producing and Managing Deviance in the Disabled Colonial Self: John Kitto, the Deaf Traveller

Esme Cleall

Introduction

In 1832, five articles appeared in the illustrated weekly paper, *The Penny Magazine* by a man who identified himself as ‘The Deaf Traveller’. Before going on to write about his journeys in the Middle East, the author, John Kitto, explained to his readers that he ‘lived in as total and absolute deafness as I suppose can be possibly experienced’. Kitto believed his readers would easily perceive that his deafness ‘must have given a very peculiar character’ to the history of his life and travels, which would not ‘diminish their interest’ in the things he had ‘to tell’.¹ The premise of the articles was that his travelling to the East as a deaf man was extraordinary or, as he put it, a ‘singular’ thing to do. One might also say it was a deviant thing to do, disrupting as it did both the paradigm of the strong, able-bodied coloniser and that of the static disabled person disconnected from Empire.

This chapter explores the disabled colonial self, a figure that in its very nature can be read as deviant. Postcolonial analysis has traditionally focused on two groups: the coloniser and the colonised. Such work importantly illuminated the stark power dynamics in colonial contexts, and the discursive power of the binary opposition drawn between them.² However, in the last two decades scholars have reflected on the problematic potential in drawing the line between them too strongly. Ann Laura Stoler, for example, has argued that the historiographical division between ‘colonizer’ and ‘colonized’ problematically reproduces two key constructs of imperial authority: first, that Europeans in the colonies were a ‘natural community’ and ‘easily identifiable’ in terms of their ‘culture’ and ‘race’; and second, that lines between the ‘rulers’ and the ‘ruled’ were easily drawn. Stoler argues that this conceptualisation

bears little relation to the ambiguous realities of colonial rule using 'poor whites', women, children and servants as examples of where the boundary between 'coloniser' and 'colonised' was blurred.³ Using the life of John Kitto, a deaf man who travelled to Malta and Baghdad in connection with missionary work and who produced a number of Orientalist writings, I argue that disability was another site of instability in the relationship between colonisers and colonised and that this transgression between the strong discursive lines separating 'self' from 'other' can usefully be read as constituting colonial deviance. Disability, I also argue, was an important axis of embodied difference that contributed to the complexity of colonial relations both at home and overseas and troubled the construction of the colonial self.

Deviance, disability and difference

Literary critic, Rosemarie Garland-Thomson, claims that disability is 'the paradigm of what culture calls deviant' and that the 'disabled figure' is 'the embodiment of corporeal insufficiency and deviance'.⁴ Thomson's argument draws on what are now the established claims of scholars of disability that, like 'race' and 'gender', 'disability' is a social construct rather than a medical reality.⁵ People who are deaf, blind, who have mobility difficulties or intellectual disabilities are not 'disabled' by their impairment; rather, they are disabled by a society organised architecturally, socially, educationally and economically around the able-bodied. As the historian of disability, Jacques-Henri Stiker, has argued, disability and disabled populations always represent what is 'unlike', what 'should not exist' or what must be assimilated.⁶

The social malleability of disability allows it to be imbued with whatever a society considers particularly deviant, disturbing or disruptive and to be inflected with ever-shifting fantasies of the 'extraordinary' or 'incomplete' body.⁷ In both Greek and Roman Antiquity, 'deformed' infants were exposed at birth and 'returned to the gods'.⁸ From *Leviticus's* injunctions on the ritual 'uncleanliness' of the 'blind', 'lame' or 'hunchback' (*Lv*, 21, 17–23), to the miracle healings of the Gospels, Christianity's founding texts and subsequent teachings have been riddled with powerful and conflicting interpretations of disability.⁹ Whilst disability was commonplace in the mediaeval and early modern periods, it was also linked with monstrosity, witchcraft, poverty and charity.¹⁰ New ways of conceptualising difference emerged as the Enlightenment drove medical attempts to 'cure' the disabled. Ideas from this period about human 'progress' were disrupted by intellectual disability which was conceptualised as 'throwback'. Like

attitudes towards race and gender, during the nineteenth century attitudes towards disability shifted and hardened.¹¹ As Sarah Chinn puts it, 'disabled people were no longer just inferior versions of the able-bodied; rather, they were constitutionally different'.¹² It may be further argued that the 'hardening' of attitudes towards race and disability were not simply analogous phenomena but were part and parcel of the same process.¹³

In the eighteenth and nineteenth centuries, colonial expansion shaped the society and psyche of metropolitan Britain.¹⁴ Images of the colonial other were prevalent in cultural products from sermons to school-lessons, published literature to family letters, from missionary memoirs to museums, in public and private fantasies and fictions.¹⁵ Analyses of colonial culture both 'at home' and overseas have demonstrated that the construction of the 'colonial other' was 'mutually constituted' with new ways of imagining the colonial self.¹⁶ Race, gender and class, have been staples of postcolonial analyses but disability has been little used to understand the making of difference. Literary critic Felicity Nussbaum is one of the few exceptions, and her argument that eighteenth-century constructions of race, 'anomaly' and gender were intricately enmeshed gives much food for thought.¹⁷ Elsewhere I have argued that in a context when issues of race and empire gained increasing levels of cultural dominance, attitudes towards deafness and disability absorbed associations of colonial difference.¹⁸ Diverse ways in which this can be seen include the exhibition of disabled and racialised others as 'freaks' in Victorian Britain; the discussion of intellectually disabled peoples as 'savage'; and in 'scientific' discussions of whether Down's Syndrome (or in contemporary usage 'Mongolianism') was a race or a disability.

In colonial discourse, disability is usually associated with the body of the colonised. The colonial 'other' was often represented as physically, mentally and spiritually 'defective', lacking in intellect, prone to sickness, and 'mutilated' by indigenous customs. Such discursive alignments posed disability amongst colonisers as doubly deviant. Not only was disability here as elsewhere a disruption of the able-bodied norm but it problematically aligned white colonisers with a racialised other. In many ways, disabled British people in their very existence disrupted ideas about the Anglo-Saxons as a 'superior', 'imperial race'. In Britain, disabled people potentially represented 'degenerate' otherness, a 'class' of people estranged from 'mainstream' society. To the anxiety of many, the irregular genetic and epidemiological causes of congenital deafness meant it always threatened to emerge within the 'imperial race' itself.

In this chapter, I examine the ambivalence of disability in the colonial self, particularly by focussing on how the deviance of disability was

produced and managed by colonial actors and how this was spatially contingent. Whilst often understood as a passive condition, disability, like other identities is partly performative, produced and managed by individuals with impairments and those around them. Being disabled requires a constant negotiation with the valued norm. As Thompson puts it, 'disabled people must learn to manage relationships from the beginning ... disabled people must use charm, intimidation, ardour, deference, humour [sic], or entertainment to relieve nondisabled people of their discomfort.'¹⁹ In a colonial context, geography and 'race' shaped the way in which disability, naturalised as embodied and 'fixed', was produced, decoded or conversely, able to pass undetected. Inspired by Clare Anderson and others' recent discussions of the utility of life writing to illuminate those often considered 'marginal' to the colonial encounter as well as connections between disparate spaces, contexts and ideas, I explore these interactions through the life and writings of John Kitto, the so-called 'deaf traveller'.²⁰

John Kitto – the deaf traveller

Kitto was born (hearing) in Plymouth in 1804 to an impoverished working-class family. Deafened at the age of 12 and unable to be supported by his alcoholic father Kitto spent his adolescence in a workhouse and was reliant on reading and writing in order to communicate. His desire to learn attracted the attention of local philanthropists who went on to provide for his formal education. As a young man, he worked in Malta as a missionary assistant, and then in Baghdad as a tutor for the sons of an English missionary there. When Kitto returned to Britain in 1832, he started a career as a writer and a Biblical scholar and had a prolific textual output. Despite considerable success, in middle age Kitto suffered from financial ruin, chronic pain and the loss of three children. He died at the age of 51 in 1854 in the German spa town of Cannstatt where he had travelled for treatment.²¹

Kitto is not the kind of subaltern whose lives Clare Anderson has illuminated; he left extensive written records, including those that were autobiographical. He was a published writer, and received international recognition for his work including an honorary doctorate. Yet, Kitto also experienced marginalisation and discrimination. His body deviated significantly from that of the archetypical able-bodied coloniser: not only was he deaf but his short stature (he was four feet eight inches) was also a source of personal disappointment. He experienced significant poverty and his class background excluded him from certain literary circles. In

mapping Kitto's movements from metropolitan sites to those of formal and informal colonialism, I am in part mapping these slippages in status. In doing so, I hope to address wider questions about the construction of the colonial self; the ambivalence of individuals who occupied positions as both subordinated and subordinator; and the significance of colonial encounter as terrains where deviance was produced and managed.

Kitto has received little historical attention but his publications have been of interest to literary scholars and literary theologians.²² Of particular relevance is Eitan Bar-Yosef's article on Kitto's 6-part series, 'The Deaf Traveller', written for *The Penny Magazine*.²³ In it, Bar-Yosef discusses the 'Victorian disabled traveller' and the perceived paradox created by disabled people (associated with stasis) who were geographically-mobile. Here, I draw on his argument that Kitto and other disabled travellers 'problematized the very notion of the able-bodied traveller, given that all travellers, particularly those ignorant of local languages, encounter obstacles of the unfamiliar'.²⁴

This points us towards the socio-spatial contingency of disability. What is considered, performed and experienced as disability (and hence as deviance) differs according to one's positioning both geographically and socially. In Britain, John Kitto was primarily read as deaf, an identity that was stigmatized, and indeed racialised, as an internal colonised 'other'. When abroad, Kitto was read as a white, British, Protestant man who carried with him the racialised privileges of the 'self', the colonial elite. Whilst 'home' and 'away' were mutually constituted zones in the nineteenth century, they were nonetheless terrains where identities were articulated, performed and managed distinctly. On some occasions, deviants 'at home' were yet more troubling 'overseas' where they embodied a collapse of easy colonial categories of 'self' and 'other' and in so doing threatened the performance of superiority upon which colonialism relied. At other points, individuals deemed 'deviant' in the metropole, including disabled people, seemed less so overseas due to their alignment with white privilege and power. Imperial Britain was also a colonial space, albeit one where the rule of difference was less violently enforced than overseas. As such, the language of difference and otherness that developed in the Empire could be used 'at home' to identify what may be termed 'internal others', split off and rejected from the colonial self.²⁵

At home: Deaf as 'other' in a quasi-colonial encounter

Kitto lost his hearing at the age of 12 when he slipped when helping his father to slate a roof and fell backwards onto the paved court below.

When he woke from a coma two weeks later he was surprised to find he struggled to communicate with the anxious relatives around his bed. In Kitto's words, 'one more clever than the rest hit upon the happy expedient of writing upon a slate', soon the writer 'displayed upon his slate the awful words, "YOU ARE DEAF"'.²⁶ This constituted a major trauma and a marking point in Kitto's life. Disability differs from other categories of identity, such as class, ethnicity and gender in the extent of its malleability both in terms of the extent of change (one moves between the false binaries of 'non-disabled' and 'disabled') and the commonality with which change occurs within an individual life-cycle.²⁷ Whilst it is impossible to calculate the exact numbers of deaf people in the nineteenth century, there were proportionately many more deaf people in Britain in the past than there are today. Illnesses causing deafness (such as scarlet fever, mumps, chicken pox, influenza, measles, meningitis, and rubella) were prolific and there were higher rates of industrial accidents. Furthermore, what today might be considered a moderate or 'correctable' hearing loss, had profound social implications: audio-enhancing technology was of poor quality and, for those like John Kitto, prohibitively expensive.

That Kitto lost his hearing at the onset of adolescence meant that deafness functioned as a key element in his identity formation, in how he was viewed and in how he viewed the world.²⁸ In this way, Kitto differs from those deafened in adulthood such as Harriet Martineau, perhaps a better known deaf and disabled traveller. That he was deafened, rather than born deaf, was also highly significant in the way in which Kitto forged his deaf identity; it was linked with trauma, parental neglect, and loss. It meant he had good familiarity with the English language and this remained his key means of communication even though, after his accident, this meant conversing by written notes and the manual alphabet, rather than speech.²⁹ Acquiring deafness through an accident also meant that Kitto would not have been subject to the anxieties and prejudices projected onto the congenitally deaf in this period who were believed to be intrinsically 'degenerate'. By the age of 12, Kitto had also already formed his prejudices about disability and, like hearing contemporaries, saw the deaf as a deeply deviant group.

The experience of deaf people in metropolitan Britain can be read as a quasi-colonial encounter in which deaf people were situated as a deviant other.³⁰ Many Deaf activists discuss the encounters between deaf and hearing people as colonial.³¹ Harlan Lane, for example, claims members of Deaf cultures as linguistic minorities, with a distinct culture, that suffer the 'physical subjugation of a disempowered people, the imposition of alien language and mores, and the regulation of education on behalf

of the colonizer's goals'.³² The roots of this 'colonial' relationship can be seen in the medical and educational 'advancements' of the eighteenth and nineteenth centuries. The link long drawn in western philosophy between language and thought meant that without speech, deaf people were imagined unable to think, reason, or believe in God.³³ Often conceived as 'idiotic', deaf people were sometimes unable to inherit, denied access to the courts, and refused education.³⁴ Medical 'advancements' in this period were also problematic, painful and ineffective.³⁵ Kitto himself described how various doctors

poured into my tortured ears various infusions, hot and cold; they bled me, they blistered me, leeches me, physicked me and at last, they put a watch between my teeth, and on finding that I was unable to distinguish the ticking, they gave it up as a bad case, and left me to my fate.³⁶

Later in the century, fears about the creation of what was called 'a deaf variety of the human race' were used to discourage deaf people from marrying and reproducing.³⁷ These interventions were justified on the grounds that deaf people fell outside what it meant to be a thinking, functioning person.³⁸

Constructions of deaf people as a 'degraded' people in need of civilisation and salvation also carried colonial and racial connotations. In the same manner that indigenous languages were dismissed as incapable of conveying the intricacies of 'civilised' thought, the rhetoric of racial discrimination was often deployed to claim the 'deaf and dumb' were 'savages' stuck at a 'primitive' stage of 'evolution' and that their language was 'degraded'.³⁹ Baynton has discussed the 'ethnisation' of deaf people in late nineteenth-century America where the use of sign-language marked their exclusion from the nation and concerns about racial 'degeneracy' were applied to groups defined by supposed ethnicity and supposed ability alike.⁴⁰ In Britain and Ireland earlier links can be drawn between the treatment of deaf people and wider processes of colonisation, including those of a more 'humanitarian' model. In some publications, deaf people, like the 'degraded' Indians and Africans of Empire, or the slum-dwellers of London's East End, were explicitly labelled as 'heathens' who needed rescuing.⁴¹

Kitto was keen to distance himself from such tropes and, as a deaf person who was literate in English and claimed to 'abominate' sign language, occupied an ambivalent position in regards to the British deaf community. Kitto was at pains to distance himself from other deaf

people, particularly the group he, like hearing commentators, labelled the 'uneducated deaf and dumb'.⁴² In his biographical writing about deafness, Kitto uses a 'deaf and dumb boy', only conversant in sign-language, met in his youth, to serve as an example of the kind of deaf person that Kitto himself was not. The boy exemplifies many of the stereotypes of deaf people in this period: impoverished, isolated and unteachable. Later in life, Kitto was deeply offended to have been connected with the Deaf and Dumb Institution and strove to distinguish himself from 'deaf mutes'.⁴³

Yet Kitto was also acutely aware of his own outsidership. Following his accident, Kitto found that the way in which he was viewed, even by his family, completely changed. 'I was no longer required to resume my former labours' he later wrote, 'and it is now clear to me, that I was considered to have been rendered useless by my affliction'.⁴⁴ Not only was he thus excluded from the possibilities of work and 'independence' that were cornerstones to Victorian masculinity, but his embodied ways of being were considered deviant. His need to write things down or finger-spell his conversation with his companions was conspicuous and drew attention in the streets.⁴⁵ His voice, which he only acquired at all after an episode discussed below, was guttural and unregulated, his accent marked him as different, and significantly as 'foreign'. 'Those ... who do not know me', he wrote, 'often take me for a foreigner.... I am told my voice is unlike the voices of other men'.⁴⁶ Such reflections suggest a sense of a gendered as well as raced deviance. Kitto was aware of what disability scholars have called the 'disabled gaze', a parallel ocular identification of difference to what has been discussed by post-colonial scholars as 'the colonial gaze'.⁴⁷ He writes of the way in which his voice, unvarying in volume and thus, in quiet streets, perceived by those around him as too loud, attracted stares. Walking down Burlington Arcade Kitto was 'lost in astonishment' to find everyone stop and stare at him with what he described as 'that rude gaze which I take to be characteristic of the English people, as I never noticed the like of it in any country through which I have travelled'.⁴⁸ Whilst it is possible that this stare was peculiarly English, Kitto's interpretation also suggests that he felt most conspicuously deviant as a disabled person in Britain. Because of the alignment of difference with what was colonial in this period, and the slippage between languages of race and disability in the nineteenth century, Kitto's encounters 'at home' can in some ways be read not only as deviant but as having a quasi-colonial dimension. So pervasive was colonial discourse in the nineteenth century that it shaped the way in which other forms of difference were seen and recognised, including back in metropolitan Britain.

Overseas: Disabilities in spaces of formal and informal influence

When deaf people travelled to the Empire, the complex and fluid intersections between ethnicity and disability were further contorted. British people with disabilities could be immensely troubling to white communities overseas anxious to project an image of the superior mental and physical capacity of Europeans to indigenous people. Disability also threatened to disrupt wider colonial discourses where 'sickness' was increasingly associated with the colonial 'other', of Africa as a 'sick continent' for example, of Bengal as the 'home' of cholera or of indigenous peoples across the globe as needy patients for western biomedicine.⁴⁹ From a different perspective, operating in a colonial sphere where they were often read through their race as well as their disability provided some deaf people with an opportunity to circumnavigate some of the disadvantages posed by deafness at home. The empire could also be a space where new identities could be tested and tried out, including those considered deviant.

Having undergone an important 'change' and growth of 'spiritual life' during his late teens, Kitto resolved to work, in some capacity, as a missionary. This was an ambitious decision for a deaf man. Highly conscious of the costs of supporting incapacitated missionaries, and saturated with their own prejudices around mental, physical and spiritual 'health', most nineteenth-century missionary societies systematically filtered out disabled applicants. The London Missionary Society, for example, automatically rejected all candidates who had experienced, or had a family history of epilepsy, mental illness, speech impediments or deafness – all conditions believed to impede a candidate's ability to learn a foreign language.⁵⁰ When it had been first raised, Kitto also saw a missionary career as an impossibility, thinking himself 'entirely incompetent to the duties of so arduous a station' and believing his 'deafness' to be an 'obstacle'.⁵¹ But a solution was found where Kitto could make a textual contribution: he would go as a printer, the printed pamphlet being a staple tool for proselytization in this period. Even then, his admittance to overseas missionary work was far from guaranteed, but Kitto was relieved to receive notice that 'The Committee [of the Church Missionary Society] did not consider my deafness as any material impediment to my usefulness as a printer at one of the Society's stations' and so Kitto went to London to train.⁵² On 20 June 1827, he set sail to Malta in that capacity.

The moment when Kitto left England for the first time, on the ship to his new station, marked a major psychological and physiological

change in how he performed his deafness. Ever since his fall Kitto had spoken with 'pain and difficulty', 'in a voice so greatly altered as to be not easily understood' and one, as noted above, that troubled his ethnic and gendered identification. Due to intense self-consciousness about speaking, Kitto had induced others to believe that he was 'mute' – communicating only through writing or the manual alphabet. But when on the ship to Malta, Kitto's travelling companions, Dr Korck, a German physician, and Mr Jadownicky, a converted Polish Jew, realised that Kitto *could* in fact use his voice, but chose to not. Kitto later explained how, with the ship's captain, the two had 'entered into a conspiracy', refusing to understand 'a word I said, otherwise than orally throughout the voyage'. Kitto claimed that 'as I had much to ask.... I made very great progress with my tongue during the six weeks' voyage, and by the time we reached our destination, had almost overcome the habit of clutching a pen or pencil to answer every question that was asked me.'⁵³ The shift was likely in part due to the psycho-dynamics of his relationship with Krock and Jadowicky, but the striking nature of the change, previously believed by Kitto to have been impossible, is suggestive of the power of the liminal space of the ship. The only Englishman on board, and suspended between metropole and colony, the ship may be read as an equivocal colonial sphere where all identities were liable to transition.⁵⁴ In leaving Britain, Kitto seemed to leave behind his primary persona as a 'deaf-mute' and come to be seen, in the first instance, as an Englishman abroad.

Kitto arrived in Malta later in 1827. At this point, Malta occupied the unusual position of being a colony in Europe. Kitto was horrified by its Catholicism, which he saw as strange, frightening and different. He wrote of the Maltese as utterly 'other', full of the 'zeal of error against truth, of darkness against light'.⁵⁵ These othering tendencies were extenuated still further when, little more than two years later, he was employed as the tutor for the sons of a missionary and travelled with the family to where they were to be stationed in Baghdad.

Baghdad was a cosmopolitan city with diverse populations of Arabs, Turks, Kurds, Jews, Armenian Christians, Russians, and other small, European communities where many British people were engaged with informal imperialism, not least through the missionary activity with which Kitto was associated. In this period, Baghdad was also in the midst of extreme political turbulence. Kitto's time there coincided with the dispossession of the Mamluk rulers and reimposition of direct Ottoman rule by Ali Ridha Pasha, a protracted siege and outbreaks of cholera and plague. However, Kitto was much impressed by the city,

a place he described as ‘the renowned seat of an Empire which stretched its gigantic arms from the Indus to the Mediterranean, and the great scene of Arabian Tale and romance’.⁵⁶ Reaching Baghdad was in itself a subversion of what it meant to be deaf as Kitto himself was aware:

At one time I had no idea but that I should spend my days in the obscurities of my humble location, and then, when this view was altered, it seemed so much the tendency of my deafness, to make me a fixture, in some chimney-corner, that I should quite as soon, perhaps sooner, have thought of crossing the rivers of the moon, as the Neva, the Volga, the Terek, the Araxes or the Tigris.⁵⁷

In Baghdad, Kitto felt himself to be primarily read as ‘European’ and, significantly, this gave him the potential to pass as hearing, at least in his interactions with the Armenian, Jewish, Arabic, Kurdish and Turkish communities that lived there. The fluid and cosmopolitan nature of Baghdad itself contributed to the dilution of Kitto’s ‘outsider’ identity. The ethnically diverse populations, not always conversant in the same languages, often resorted to gesture or pantomime to convey their meaning. Kitto, always reliant on non-verbal communication, excelled at interpreting such gestures. He believed that, in Baghdad, his occasional signing caused him ‘to seem to them rather as a foreigner ignorant of their language, than as deaf; and the resort to signs had not strangeness to them or attracted that notice from others which it never fails to do in this country [Britain]’.⁵⁸ Conversely, Kitto could also use speech to pass as a hearing British person, also recording examples when, not wanting to communicate, he spoke in English knowing that although his guttural voice was not likely to be understood, as it seldom was by strangers, those encountering it would attribute the misunderstanding to their own unfamiliarity with English rather than Kitto’s difficulties with speech. Occupying a position of power, be it one designated by racialised, gendered, or abelist status, could entail the authority to dictate who or what was, and was not, deviant. Part of the power of the coloniser in colonial spaces was the ability to define deviance.

Even more identifiable performances of deafness, such as finger-spelling, could be represented in the colonial field not as deviant, but as one of the wondrous European ‘achievements’ brought to [non]-European spaces. Kitto wrote of finger-spelling:

How greatly did not our caravan companions – the natives of the country – marvel at it, as at one of the mysteries which might have been hidden under the seal of Solomon. And how pleasant was it to behold the reverence and admiration of THE USEFUL radiate

their swart countenances when the simple principle of the art was explained to them, and it was shown to be as available FOR THEIR OWN LANGUAGES – Arabian, Persian Turkish – as for any other.⁵⁹

Here finger-spelling is imbued with the same awe-inspiring powers that missionaries describe the written word to have had in other contexts. Finger-spelling is not represented here as a signifier of disability, but as another example of the enlightened technology of the European.

In his interactions with the European communities in Baghdad or amongst British Protestants in Malta, however, Kitto continued to feel marked as deviant, his body holding within it the contradictions of the colonial community and regime. In Malta, Kitto was a disappointment to his colleagues. His ankles (which had been weak since his fall) were not strong enough to stand at a printing case for ten hours a day; he did not enjoy conversation with his colleagues as he found it difficult to follow due to his hearing loss; and he complained that his colleagues did not understand his 'privations' as a deaf man.⁶⁰ This was not acceptable and Kitto returned to Britain only two years later in the midst of considerable bad feeling. In Baghdad, both Kitto and his colleagues seem to have accepted without question that his being deaf 'preclud[ed]' him from many tasks abroad including 'from any occupation that can be called *missionary*.'⁶¹ Kitto appears to have internalised the view that deaf people were 'disqualified' from the possibilities and responsibilities enjoyed by his hearing colleagues. In a personal letter written when Baghdad was ravaged by cholera, and the family he was staying with fell sick, he wrote of 'the hard prospect' his employer must have faced 'of leaving his young family and affairs in the hands of a deaf man, unacquainted with the language, and quite ignorant of managing business in these countries'.⁶² Here, deafness and his Englishness are aligned in the perceived difficulties of communication overseas. Kitto presents himself as unmanly almost, unable to step in to defend the young family. Imperial masculinity was deeply paternalistic, defined through the ability to provide for and defend junior (women, children and servants) family members. Disability was seen to trouble the construction of gender, particularly, masculinity.

Back home – Textual constructions of the colonial other and self

Having returned to Britain in 1832, Kitto never left Europe again. However, his relationship with both the geographical spaces of the informal Empire and the conceptual spaces occupied by the 'eastern other' were sustained and extended in the remainder of his life through his

writing which included travel writing, children's stories, ethnographical accounts, and Biblical scholarship. In representing 'the East' and making it part of the imagined world of its nineteenth-century British readership, Kitto, like so many other writers, created images of Empire with which the British imagined the colonial other. He also shaped his own positioning within this Empire.

As a white Englishman in Britain, Kitto occupied a dominant, valued and normative ethnic status. At the same time, his deafness resurged as a deviant condition, effecting how he was perceived and how he experienced the world. In his letters, Kitto recorded more 'annoyance in consequence of [his] deafness' when travelling from Plymouth to London, than in all his travels around the Middle East together.⁶³ Kitto was, however, viewed differently when he returned to Britain from the way in which he had been before he left. He had undergone a major class transition, finding upward mobility in his writing. The authority that he had gained by visiting and observing 'overseas' places fed into his new authorial identity. Textual production, in which the author may, to some extent, be seen as non-embodied, offered new ways in which to negotiate the embodied deviance of deafness. Imperial travel writings were also, of course, an important media through which images of Empire were transmitted to the British public and new ideas about otherness were framed.⁶⁴

Kitto's first published writings were five papers entitled: 'The Deaf Traveller', a series commissioned for and published in *The Penny Magazine* in 1832. As implied by the title, Kitto's deafness was essential to his authorial identity in these pieces and his travels believed to be of public interest precisely because of it.⁶⁵ Kitto believed his readers would 'easily perceive' that his deafness 'must have given a very peculiar character' to the 'history' of his 'life' and 'travels.'⁶⁶ Interestingly, however, having set himself up overtly as 'the Deaf Traveller', in the pieces themselves Kitto hardly made any reference to his deafness whatsoever and, unlike in his private writings, he does not mention experiences which may have offered an additional or alternative perspective to that of a hearing person. It may be argued that Kitto's decision not to mention his deafness at the same time as he marketed his accounts as those of a 'Deaf Traveller', suggests that the writings were an attempt to resist the construction of deafness as deviant. Kitto exercised considerable agency in presenting himself, negotiating his deafness as an 'exotic' condition which would excite a reader's interest, but also as one that did not deviate too far from able-bodied norms.

Kitto's later writings included *The Pictorial Bible* which was published in three large volumes between 1835 and 1838; *History of Palestine and*

the Holy Land, including a Complete History of the Jews (2 volumes 1841); the *Cyclopaedia of Biblical Literature* (2 volumes, 1848) and *History of Palestine from the Patriarchal Age to the Present Time* (1852). As in the accounts of contemporary Orientalists, Kitto's whiteness, masculinity, learning, and familiarity through travel with the places about which he is writing combined to create the authoritative voice typical of a colonial writer. Characteristic tropes include his 'ethnographic' descriptions of place and people and the collapsing of space and time in depictions of the 'East' where the assumption is made that by looking at Palestine and Persia in the 1830s one would 'see' the 'Biblical Land' of two millennia earlier.⁶⁷ Although Kitto is sometimes present in these narratives (in his discussion of his difficulty in sitting cross-legged, for example), his deafness is entirely omitted. Given that 'The Deaf Traveller' series was published semi-anonymously (under 'J.K.'), his readers were not necessarily able to connect the pieces and were often unaware that Kitto was deaf. 'There has not ... been any studious concealment or deep secret in the matter', Kitto said of the omission, 'it has rather been my wish that I should not seem to owe any part of the success I might attain as an author, to the sympathies which my sufficiently singular personal history might be likely to produce.'⁶⁸ Writing offered Kitto an opportunity to pass as hearing because he was disembodied in his writing; he felt the admiration his work received would be undermined if his deafness was known.

Yet, Kitto also produced one of the most striking memoirs of deafness of the Victorian period, *The Lost Senses*, in which he wrote in great detail about the physical and emotional aspects of his deafness, from his experience of sonic vibrations to an acutely personal account of his struggle to control his vocal chords. In some ways, *The Lost Senses* can be read as an attempt to navigate the perception of deafness as deviant, discussing the manual alphabet in the same terms as a discussion of Greek and Hebrew, for example, a move that clearly associated the manual alphabet with the status of classical learning.⁶⁹ At the same time, however, the self is split. The foil onto which Kitto projected his anxieties about deafness are sign-language users. In Kitto's writing, as with that of hearing contemporaries, sign-language (as opposed to the manual alphabet) is associated with otherness. He comments that 'the signs used by the Orientals to express universal act and object' that he saw on his travels 'not to be materially different from those which my former deaf-mute companion had employed'.⁷⁰ He also reproduces at length the writing of several scholars, describing sign language as a 'natural language' used amongst the hearing 'savages of America', drawing the established

association between sign-language, 'primitive' communication, and otherness that adds a colonial dimension to his writing.⁷¹

In thinking about the relationship between colonialism, deviance, and disability, it is significant that one of the most striking ways in which Kitto attempted to navigate the deviance of deafness in *The Lost Senses* is in his framing of the disability he experienced at home, through the more accepted idiom of travel. Kitto began *The Lost Senses* with a statement about his deafness, explaining that he felt himself 'under the same obligation to the public of describing [my] condition, as a traveller is under to render his report respecting the unexplored countries which he has traversed.'⁷² In the context of imperial Britain, where such travel was associated with status, the imaginary imperial terrain repositioned a deaf identity not in the position of the colonised but in that of the coloniser.

Conclusion

This chapter has used deafness to explore notions of deviance in the colonial self as constituted by experiences in metropolitan Britain, formed through colonial encounters overseas, and generated through textual production. I have argued that disability, though seldom considered by postcolonial historians, was an important axis in the construction of deviance and of colonial difference. In the nineteenth century, many of these fantasies around disability (including those of dependency, deviance, and deformity) were inflected by the language of colonial difference. Whilst the treatment of the deaf in Britain was very different from the treatment of colonial others overseas, it shared with them practices of exclusion, subjugation and denial. These attributions were performative and contingent in part on colonial positioning. Deaf, white British people, slipped between positions of colonised and coloniser as they moved around the Empire, both produced deviance and enabled those labelled as deviant to manage that label.

Here, I have traced these negotiations through the life and work of the deaf traveller, John Kitto, to explore the way in which disability could disrupt and transgress colonial discourses. However, some of my arguments have wider implications. First, the chapter has made an implicit argument that colonial deviance was not only constituted in formal colonies but also in metropolitan Britain, spaces of informal imperial influence and in the imagination through textual production. Second, in arguing that the bodies of disabled colonisers were intrinsically deviant, I have suggested that the body of the coloniser more

generally was a vulnerable site in colonial relations. Third, in arguing that disability never simply existed but was produced, performed, and managed in a manner contingent not only on time and place, I have also sought to argue for the spatial and social contingency of deviance. As such, I have attempted to show that disability can help us to both understand the 'lived realities' of colonial actors themselves and to understand the role played by deviance in identity-formation and the creation of social categories.

Notes

1. J. Kitto, 'The Deaf Traveller, No. 1', *The Penny Magazine* (1833), 310.
2. F. Fanon, *The Wretched of the Earth*, trans. Constance Farrington (London, 1961: Penguin); F. Fanon, *Black Skin, White Masks*, trans. Richard Philcox, New Edition (New York, 2007: Grove Press).
3. A. L. Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley; London: University of California Press, 2002), 42. See also A. L. Stoler, 'Rethinking Colonial Categories: European Communities and the Boundaries of Rule', *Comparative Studies in Society and History*, 31, 1 (1989), 134–61.
4. Rosemarie Garland-Thomson, *Extraordinary Bodies: Figuring Physical Disability in American Culture and Literature* (New York; Chichester: University of Columbia Press, 1997).
5. M. Oliver, *Understanding Disability: From Theory to Practice*, 2nd edn (Basingstoke: Palgrave, 2009), 41–58.
6. Henri-Jacques Stiker, *A History of Disability*, trans. W. Sayers (Ann Arbor: University of Michigan Press, 1999).
7. For changing constructions of disability across time and places see for example, essays in D.M. Turner and K. Stagg (eds), *Social Histories of Disability and Deformity* (London: Routledge, 2006). For disability as deviant see Margrit Shildrick, *Dangerous Discourses of Disability, Subjectivity and Sexuality* (Basingstoke: Palgrave, 2012).
8. Stiker, *A History of Disability*, 39.
9. C. Moss and J. Schipper (eds), *Disability Studies and Biblical Literature* (Basingstoke: Palgrave, 2011). See also, E. Cleall, ' "Deaf to the Word": Deafness, Gender and Protestantism in Nineteenth-Century Britain and Ireland', *Gender and History*, 25, 3 (2013), 590–603.
10. See essays by Stagg, Shuttleton and Gladfelder in Turner and Stagg, *Social Histories of Disability*.
11. C. Bolt, *Victorian Attitudes to Race* (London: Routledge and Kegan Paul, 1971).
12. S.E. Chinn, 'Gender, Sex, and Disability, from Helen Keller to Tiny Tim', *Radical History Review*, 94 (2006), 242.
13. E. Cleall, 'Orientalising Deafness: Race and Disability in Imperial Britain', *Social Identities* (forthcoming).
14. See for example essays in C. Hall and S. O. Rose (eds), *At Home with the Empire: Metropolitan Culture and the Imperial World* (Cambridge: Cambridge University Press, 2006).

15. See for example, essays in C. Hall (ed.), *Cultures of Empire: A Reader: Colonizers in Britain and the Empire in the Nineteenth and Twentieth Centuries* (Manchester: Manchester University Press, 2000).
16. Hall, *Cultures of Empire*.
17. F. Nussbaum, *The Limits of the Human. Fictions of Anomaly, Race, and Gender in the Long Eighteenth-Century* (Cambridge: Cambridge University Press, 2003).
18. Cleall, 'Orientalising Deafness'.
19. Thomson, *Extraordinary Bodies*, 13.
20. Clare Anderson, *Subaltern Lives: Biographies of Colonialism in the Indian Ocean World, 1790–1920* (Cambridge: Cambridge University Press, 2012). See also Fiona Paisley and Kirsty Reid (eds), *Critical Perspectives on Colonialism: Writing the Empire from Below* (New York: Routledge, 2014).
21. J. Eadie, *Life of John Kitto* (Edinburgh: Oliphant, Anderson, & Ferrier, 1886); W.M. Thayer, *From Poor-House to Pulpit; or, The Triumphs of the Late Dr. John Kitto, from Boyhood to Manhood* (Boston, 1859).
22. I. Pardes, 'Remapping Jonah's Voyage: Melville's *Moby-Dick* and Kitto's Cyclopaedia of Biblical Literature', *Comparative Literature*, 57, 2 (2005), 135–57, 154. M. Stoddard Holmes, *Fictions of Affliction: Physical Disability in Victorian Culture* (Ann Arbor, Michigan: University of Michigan Press, 2004), 158–64; J. Esmail, *Reading Victorian Deafness: Signs and Sounds in Victorian Literature and Culture* (Athens: Ohio University Press, 2013), 22–69.; J. Esmail, ' "Perchance My Hand May Touch the Lyre": Orality and Textuality in Nineteenth-century Deaf Poetry', *Victorian Poetry*, 49,4 (2011), 509–34.
23. E. Bar-Yosef, 'The "Deaf Traveller," the "Blind Traveller," and Constructions of Disability in Nineteenth-century Travel Writing', *Victorian Review*, 35, 2 (2009), 133–55.
24. Bar-Yosef, 'The "Deaf Traveller," the "Blind Traveller" ', 139.
25. For an example of this happening elsewhere see Laura Talibi, 'A Homogeneous Society? Britain's "Internal Others", 1800-Present' in C. Hall and S. O. Rose (eds), *At Home With the Empire*, 53–76.
26. J. Kitto, *The Lost Senses* (London, 1845), 12.
27. Indeed many disability activists talk about those who are not disabled as the 'temporarily able bodied' to signify the fragility of the condition, not least as one ages.
28. Kitto, *The Lost Senses*, 1–17.
29. It is important to note that the 'manual alphabet', 'finger spelling' or as Kitto himself often put it 'finger-talk' is a manually transcribed form of the English language, not a language in its own right. In this way it is radically different from British Sign Language (BSL), for example, which is a language entirely independent to English with its own grammar and vocabulary. Whilst Kitto was an enthusiastic user of the manual alphabet he 'abominated' sign language.
30. For more on the intersections between disability and colonialism, see M. Sherry, 'Postcolonizing Disability', *Wagadu*, 4 (2007), 10–22 and A. Quayson, 'Looking Awry: Tropes of Disability in Postcolonial Writing' in David Theo Goldberg and Ato Quayson (eds), *Relocating Postcolonialism* (Oxford: Blackwell, 2002), 217–31.
31. In Deaf politics 'deaf' (with a 'small d') is used as an adjective to denote not being able to hear; Deaf (with a 'capital d') is used to denote an identity

- (in the same way as Black operates as a political identity) and may, in some cases, be used to describe a hearing person closely affiliated with the Deaf community. In this chapter, I use this distinction only when discussing contemporary theoretical work by Deaf scholars and historians. In the nineteenth-century, the distinction did not exist. As I shall explore, Kitto's identification with a d/Deaf identity is highly ambivalent and I discuss him as 'deaf' throughout to minimise confusion.
32. H. Lane, *The Mask of Benevolence: Disabling the Deaf Community* (San Diego: DawnSignPress, 1993).
 33. J. Rée, *I See A Voice: Language, Deafness & The Senses. A Philosophical History* (London: Harper Collins, 1999).
 34. J. Ackers, 'Historical Notes on the Education of the Deaf', *Transactions of the Royal Historical Society*, 8 (1880), 164.
 35. M. Wilson Carpenter, *Health, Medicine and Society in Victorian England* (Santa Barbara, Calif.: Praeger, 2009), 115.
 36. Kitto, *The Lost Senses*, 12.
 37. A.G. Bell, *Memoir Upon the Formation of a Deaf Variety of the Human Race* (New Haven, 1883).
 38. J. Branson and D. Miller, *Damned for Their Difference: The Cultural Construction of Deaf People as Disabled* (Washington, D.C.: Gallaudet, 2002).
 39. P. Ladds, *Understanding Deaf Culture: In Search of Deafhood* (Clevedon: Multilingual Matters, 2003). See also, Nicholas Mirzoeff, *Silent Poetry: Deafness, Sign and Visual Culture in Modern France* (Princeton; Chichester: Princeton University Press, 1995), 68.
 40. D. Baynon, 'Disability and the Justification of Inequality in American History' in Paul K. Longmore and Lauri Umansky (eds), *The New Disability History: American Perspectives* (New York: New York University Press, 2001).
 41. *The Sheffield & Rotherham Independent* (01 November 1862), 6.
 42. Holmes, *Fictions of Affliction*, 158–64.
 43. J. Kitto to William Oliphant (30 March 1850), in J. E. Ryland (ed.), *Memoir of John Kitto DD, Chiefly Compiled from his Letters and Journals* (Edinburgh: William Oliphant and Sons, 1856), 610.
 44. Kitto, *The Lost Senses*, 74.
 45. Kitto, *The Lost Senses*, 100.
 46. Kitto, 'The Deaf Traveller, No. 1', 310.
 47. R. Garland-Thomson, *Staring: How We Look* (New York; Oxford: Oxford University Press, 2009).
 48. Kitto, *The Lost Senses*, 28.
 49. See for example: W. Anderson, *The Cultivation of Whiteness, Science, Health and Racial Destiny in Australia* (Carlton South, Vic.: Melbourne University Press, 2002); M. Harrison, *Climates and Constitutions: Health, Race, Environment and British Imperialism in India 1600–1850* (Oxford: Oxford University Press, 1999); M. Vaughan, *Curing their Ills: Colonial Power and African Illness* (Polity, 1991).
 50. R. Seton (1996) ' "Open Doors for Female Labourers": Women Candidates of the London Missionary Society, 1875–1914' in R. Bickers and R. Seton (eds), *Missionary Encounters: Sources and Issues* (Richmond, Surrey: Curzon Press, 1996), 63–64.
 51. J. Kitto (18 April 1824) 'Diary', reproduced in Ryland, *Memoirs of John Kitto DD*, 138.

52. Kitto in Ryland, *Memoirs of John Kitto DD*, 113.
53. Kitto, *The Lost Senses*, pp. 20–22.
54. In making this point I am influenced by Katherine Foxhall's arguments about the space as a transitional points where 'emigrants' become 'settlers'. Katherine Foxhall, *Health, Medicine and the Sea: Australian Voyages 1815–60* (Manchester: Manchester University Press, 2012).
55. J. Kitto to Mr Burnard (13 November 1827), Malta, reproduced in Ryland, *Memoirs of John Kitto DD*, 255.
56. J. Kitto to Mr Burnard (25 October 1830) Baghdad, reproduced in Ryland, *Memoirs of John Kitto DD*, 375.
57. J. Kitto to Mr Burnard (25 October 1830) Baghdad, reproduced in Ryland, *Memoirs of John Kitto DD*, 375.
58. Kitto, *The Lost Senses*, 118.
59. Kitto, *The Lost Senses*, 100.
60. Ryland, *Memoirs of John Kitto DD*, 151–56.
61. J. Kitto to Henry Woolcombe (21 July 1832), Baghdad, reproduced in Ryland, *Memoirs of John Kitto DD*, 471.
62. J. Kitto letter to Rev Joseph Marsh (22 May 1831), *Memoirs*, 399.
63. J. Kitto to Henry Woollcombe (27 June 1838), *Memoirs*, 559.
64. See e.g. M. L. Pratt, *Imperial Eyes: Travel Writing and Transculturation* (London: Routledge, 1992); E. W. Said, *Orientalism: Western Conceptions of the Orient* (London, 1995).
65. Kitto, 'The Deaf Traveller, No. 1', 310.
66. Kitto, 'The Deaf Traveller, No. 1', 310.
67. See, for example, J. Kitto, *The People of Persia* (London, 1846).
68. Kitto in Ryland, *Memoirs of John Kitto DD*, 561.
69. Kitto, *The Lost Senses*, 108.
70. Kitto, *The Lost Senses*, 118.
71. Kitto, *The Lost Senses*, 20, 120–37.
72. Kitto, *The Lost Senses*, 5.

8

Expelling and Repatriating the Colonial Insane: New Zealand before the First World War

Angela McCarthy

Introduction

Throughout the nineteenth century, medical doctors and immigration agents communicated concern about the arrival of the insane in New Zealand.¹ Published accounts reveal a number of cases where newcomers to New Zealand were thought to have been deliberately shipped from their homelands by Poor Law authorities. Writers in the US also pointed to such fears there with disproportionate rates of Irish and German migrants admitted to asylums before 1870 and attributed to ‘the practice of shipping mentally deranged persons to America.’² Some contemporary alienists shared this view. Both Frederick Norton Manning in Australia and a resident physician at New York’s Blackwell Island’s Asylum believed that intentional attempts were made to ship the insane from Ireland, particularly during lucid intervals.³

Examination of such actions in the historiography, however, has focused predominantly on the calculated shipment of the poor, criminal, or morally inferior rather than the mad, though Pauline Prior shows that the criminally insane were occasionally shipped abroad.⁴ Robin Haines, for instance, examines the movement of migrants to Australia between 1831 and 1860 and argues that Britain did not shovel out the criminal and the poor.⁵ Helen Woolcock gives some attention to the health of migrants voyaging to Queensland in Australia but combines this with concerns about appearance and behaviour.⁶ Gerard Moran’s study of Irish assisted emigration to North America includes a section on the poor law unions which endeavoured to assist the long-term poor, primarily females and children.⁷

Diseased immigrants, especially the Irish, were thought to have been deliberately dumped on Canada.⁸ Relocation within the UK also occurred, especially the removal of migrants back to Ireland from Britain.⁹ Transferring the mentally ill across such distances is not simply a lacuna within the literature, but required shrewdness and persistence.

This chapter builds upon important work surrounding the administration of the poor law and emigration but shifts the focus to an alternative marginalised and deviant group: the insane. Indeed, the historiography of lunatic asylums has focused frequently on patients' deviant behaviour. Whether examining religious delusions, sexual compulsions, or alcoholic binges, among other 'causes of insanity', asylum doctors – and family members – perceived patients' behaviour as beyond society's expectations. Twentieth-century studies of deviance and medicalisation also point to mental health patients as transgressing social norms.¹⁰ Yet by engaging with sociological theories of deviance that emphasise the concept as being a struggle over rules, we might amend consideration of who acted in a deviant fashion in the realm of insanity.¹¹ As this chapter argues, deviance can be attributed to the subversive actions of Poor Law authorities, emigration agents, and family members who shipped the insane from their places of origin as well as some asylum doctors who sought to repatriate them. Their actions have echoes of Michel Foucault's reflections on the metaphor of the 'ship of fools' in which 'to hand a madman over to sailors was to be permanently sure he would not be prowling beneath the city walls; it made sure that he would go far away; it made him a prisoner of his own departure.'¹²

These issues are explored through a focus on New Zealand in the nineteenth century. First, this case study examines why individuals, families, and authorities sought to circumvent imperial controls and regulations and undermine legislation designed to prevent the insane entering New Zealand. Second, it examines responses in New Zealand to the arrival of the mad, including the implementation of legislation to prevent such immigration and repatriate those who were found to be of unsound mind. Were such reactions prompted by the fiscal repercussions of shipping the insane or fears of degeneracy? These concerns connect with wider studies of inclusion and exclusion throughout the British World that were not simply racially or socially motivated, but were also, as argued here, an economic response.

Shipping the insane

Relatives

The earliest example relating to the purposeful shipment of lunatics to New Zealand so far located dates to January 1863 when Otago's Provincial Secretary reported to the Provincial Surgeon that:

One of the unmarried females who recently arrived by the Sarah M from London has been reported by the Immigration Agent to have been affected with insanity about a month after her embarkation; and as it appears from information received that the malady is hereditary, and that she has probably been sent out to the Province by her relatives, in order to relieve themselves of her charge, it has been considered desirable that a commission should be appointed to hold an investigation into the circumstances, so far as they can be ascertained.¹³

The individual in question was probably confined at the Dunedin hospital or gaol, but by the end of the year the city's public asylum had opened its doors. Further evidence at the end of the decade indicates continuity in this practice of intentionally shipping the insane to the colony. In these early examples New Zealand medical and immigration officers blamed relatives of the insane rather than poor law authorities for such practices. Writing in 1869, E. W. Alexander, the medical officer at the Dunedin Asylum, pointed to the increased proportion of insane in the Otago province which he attributed to

the practice that prevails of shipping lunatics to this province from the United Kingdom and principally from Scotland. In the statement appended, it will be seen that several have been in asylums – the last case Walker from the City of Dunedin now in Port – is that of an incurable lunatic. And to appearance he has been so for a length of time. He was a private patient in the County Asylum and has been evidently sent out by his relatives to get rid of him.¹⁴

Alexander's emphasis on Scotland presumably reflects the strong Scottish foundations of Dunedin rather than any over-representation among the Scots in shipping abroad their insane family members. Moreover, Alexander's knowledge and awareness of such practices stemmed from his training and experience at, and travels to, numerous hospitals throughout Europe.¹⁵

Overseas-based alienists, who visited New Zealand, echoed Alexander's concerns. W. Lauder Lindsay, physician to the Murray Royal Institution for the Insane in Perth, Scotland, wrote damningly in 1873 in the *Journal of Mental Science* that 'imbeciles and lunatics are sent abroad with a knowledge, on the part of the relatives or friends, of the mental want or perversion, simply in order to rid themselves of a family encumbrance and a domestic nuisance.' Consequently, Lindsay recommended that 'there ought to be some legislative enactment punishing, if it be possible, all who are accessory to the sending or receiving from the home country of persons labouring under any form or stage of insanity.' He continued:

This transshipment or importation of lunatics or imbeciles from Britain – the immigration of cases of moral insanity, or persons tainted with dipsomania – of ne'er-do-wells, who swell the ranks of idlers, gamblers, swindlers, frequenters of low society – undoubtedly adds materially to the insane population of New Zealand and other British colonies.¹⁶

With such categories, Lindsay's remarks indicate that a range of 'others' were grouped together with the insane as deviant. Moreover, the vices of such deviants became increasingly visible and associated with insanity from the 1870s.¹⁷

A particularly striking example of such unease can be seen in the case of Irish woman Bridget O'K who arrived at Auckland in 1875 on the *British Empire*. An official enquiry indicated that Bridget's early conduct did not suggest an unsound mind but disturbing symptoms developed during the voyage. George Goode, the Surgeon Superintendent of the ship, deemed her brother 'highly culpable. He acknowledged in presence of several of the girls that she was bad in this way before.' Goode further alleged that

Some of the girls say that her brother told her in presence of several of the girls nearly six weeks ago that he would have her put into an asylum when he got to New Zealand. He also asked me just before the Commissioners came on board to get them to send her to some asylum. He evidently wants to get her off his hands. The mystery is why he should have brought her here. He says her mother is alive in Ireland, and that they have three brothers in Australia who are doing well.

Goode reproached scornfully, 'If he can be punished for bringing this girl to the colony I consider he will richly deserve it.'¹⁸

Bridget was duly committed to the Auckland Asylum, the cause cited as 'change of country'.¹⁹ The Commissioner's Report on the ship disclosed that her brother, Michael, was aware of her condition prior to departure which 'he now denies, but there is only too much reason to believe that he was not altogether ignorant of the girls condition, and that she was liable to at least occasional mental derangement prior to embarkation.' The Report solemnly continued:

It is to be regretted that there are no available means provided by law for the punishment of frauds of this description by which the colony is subjected either to heavy permanent charges for maintaining such persons for life, or put to the serious cost of returning them again to the Mother Country.²⁰

It was not solely emigration officials who voiced their concern about such practices. The Revd Torrance in 1890 published his opinions, castigating 'the shameful extent to which weak-minded and mentally impaired persons have been deported from the Home country by their relatives or others, and shunted on to the colony'. Such relatives, he contended, were 'heartless people' who sought to free

themselves of family burdens at the expense of the Province or of the colony – not to speak of the cruelty of ruthlessly sending the weak-minded or mentally afflicted away from all family connections and home associations to the extreme ends of the earth for the mere selfish purpose of getting rid of them.²¹

Torrance emphasised the fiscal repercussions of maintaining the insane in the colony and, as chaplain to Seacliff Asylum, was presumably influenced by doctors' opinions on the matter.

The main reason identified for such deviant actions in the examples cited was for families to avoid responsibility for their kinsfolk. This leaves aside, however, consideration that shame may also have played a role as well as a desire to avoid the financial costs in supporting a suffering family member. Nevertheless, it is critical to note that such incidences testify to the vital role that family members played in this respect, just as they influenced the admission and discharge of asylum patients.²²

Parochial authorities

Various officials in the UK were also blamed for the relocation of the insane, though it is uncertain whether they were acting for family

members. The *Peter Denny* arrived in 1869 with cabin passenger Eliza W who was 'brought on board at Glasgow in a deceitful manner by a person who called himself Dr Weir (of which the enclosed caste is a likeness) who represented to the Agents and Surgeon of the vessel that the Passenger referred to was only a little eccentric and not of unsound mind'. Upon Eliza's arrival in New Zealand, it was determined that the vessel owners should be held responsible for the expense incurred in sending her home.²³

No authoritative statistics yet exist to demonstrate the scale of insane migrants expelled abroad. Nevertheless, the New Zealand evidence indicates that the insane continued to be shipped deliberately to the colony during the 1870s and early 1880s when assisted and nominated immigration reached its height.²⁴ A particularly instructive case is that of Jane T, who in September 1875 arrived at Timaru on the sailing ship *Merope*. Described as a 31-year-old single servant from Cornwall, she was 'said to be insane'.²⁵ In a letter composed after the ship's arrival, the Surgeon Superintendent claimed that Jane had been an inmate of Bodmin Asylum in Cornwall, England, and stated that if the clergy and medical officials in her home county were unaware of her condition, 'it is perhaps another of those cases where the Parochial authorities have tried to rid their Parish and the rate-payers of the charge of a Pauper or Lunatic by persuading her to emigrate – a practice which cannot be too strongly condemned.'²⁶ The allegations surrounding Jane's migration prompted officials to declare

that Government would be justified in returning her to the care of her Parish in England. This course would be less expensive to the Colony than to keep her here at the great risk of her becoming a permanent inmate of our Lunatic Asylum – or what would be even worse – possibly, if married, the mother of children suffering the same mental defect as she has herself exhibited.²⁷

Investigations were therefore made to ascertain the state of Jane's mental health before her embarkation for New Zealand. A local emigration agent who visited the Portreath area in Redruth Union, Cornwall, doubted Jane's committal to the Bodmin Asylum because he learned that 'she is from a very respectable family'.²⁸ The agent obtained statements from 'inhabitants of Portreath' who testified that Jane 'had never been the inmate of a Lunatic Asylum'.²⁹

Jane's case shows the intricate investigations undertaken in places far removed from migrants' eventual country of settlement and the

determination of New Zealand authorities to undertake rigorous enquiries about those considered to be insane. Intriguingly, however, and in contrast to the emigration agent's investigations, the reception orders for Bodmin Asylum reveal the admission of 23-year-old field labourer Jane, on 30 June 1858, with her mother resident at Portreath. Jane was confined for a year and re-admitted at 32 years of age in December 1867. The reception orders specified that she had 'great fear of every one who approaches her – afraid she is going to hell'.³⁰ In this case, attempts to ascertain the mental health of prospective settlers by the New Zealand authorities were clearly impeded by parochial authorities in the sending country, and can again be seen as subversive of imperial controls.

The increased scale of immigration during the period in which Jane arrived sharpened responses to newcomers who deviated from the desired norm of fit, healthy, and productive colonists. J. W. Hamilton, the Inspector of Sunnyside Lunatic Asylum, reported gravely in 1876 that three patients were admitted 'recently arrived from England, all of whom I had reason to presume were not of sound mind when they left. ... [Of one it] is not unreasonable to presume that this person was fraudulently palmed off on the agents at home to become a permanent burden on the colony.'³¹ Just who deceived the agents is not specified. Fears that patients in UK asylums or showing 'insane tendencies' were being shipped to New Zealand by commercial or imperial emigration agents to escape 'the burden of their maintenance at home' continued the following decade.³² According to A. H. Neill, the Medical Superintendent at the Dunedin Asylum, some patients were 'shipped off to get rid of the burden of looking after them. Then there are many cases sent to asylums as lunatics, who, if in Britain, would be cared for in poorhouses'.³³ By 1883, George Grabham, in his role as General Inspector of Asylums, judged 'the fact that the expense of their maintenance in these establishments is defrayed by the Government becomes a powerful incentive to the removal of them'.³⁴ The next year he asserted,

I have also good reason to think that persons who have recently been in English asylums, or have shown insane tendencies, are not rarely shipped to this colony, with the view of escaping the burden of their maintenance at home. It would appear only right that persons of this kind should be sent back to their own country, and left in the care of their relatives.³⁵

These comments point to the care of the insane in England which was funded initially through local parish rates and then county and

borough authorities. A government contribution did not emerge until 1874 while in the 1880s county councils took over responsibility for asylum provision and finance. Similarly in Ireland, local authorities provided care for the insane. Throughout the nineteenth century, medical doctors made frequent comparisons between systems of financial support in New Zealand and the UK and the fiscal burden of caring for the mentally ill, rather than fears of degeneracy, shaped many pronouncements.³⁶ This is partly because an emphasis on degeneracy and issues of national fitness did not feature regularly in medical and popular discourse until later in the century.³⁷

A particularly extensive example from the 1870s is useful in illustrating allegations of the complicit involvement of parish authorities in exporting the insane. Brothers James and Robert A emigrated to Napier in 1875 with their wives and children on the *Countess of Kintore*. Enquiries into their relocation were sparked not by authorities in New Zealand, but by their family in Dorset who sought information about their whereabouts:

As they was sent from the Union in Dorsetshire from Wimborne to get rid of them they ought not to be out here sent away as they are not fit people to be sent to New Zealand. My poor Robert was ill at the Dorset Asylum nine years being insane and my poor James had no money.³⁸

In consequence, the Agent-General made official enquiries to establish if Robert and James had previously been admitted to an asylum at home. Initial queries were directed to Frank H. Tanner, clerk to the Board of Guardians at Wimborne, who had remitted the funds for the brothers' emigration and who subsequently admitted that James and Robert were in receipt of parochial assistance.³⁹ Explanations were also sought from the 'respectable Householders of the Applicant's Parish', the local physician, and the local clergyman who all testified to Robert's character and mental condition and that his certificates were authentic. All correspondents denied knowledge of Robert's asylum admission at Dorset.⁴⁰

Desiring a detailed, on-site investigation, the Agent-General directed Edward A. Smith to visit the district. There Smith learned that the brothers were in receipt of parish relief. He further reported that the brothers' mother stated that Robert had been in an asylum twice for four and a half years each time and that 'the Parish Authorities had forced them to emigrate'. Further enquiries revealed that the brothers had applied to emigrate to Canada but were refused assistance by the

Poor Law Guardians because of the easy return from North American ports. As one of Smith's informants acknowledged,

the Parish Authorities were anxious to assist the [A____s] to emigrate as although quite capable of doing any kind of farm labour and being strong able men, still, as long as they had the parish to fall back on they would not work any more than they could possibly help, and they (the Guardians) thought that when they got out to New Zealand, having no Union to fly to, they would be compelled to work for their living.

As part of his enquiries, Smith confirmed Robert's second admission and discharge from the Dorset Asylum.⁴¹ A detailed investigation of four asylums in Dorset's neighbouring county, Devon, reveals the discharges of patients back to their families or other institutions such as workhouses, but what happened to such patients subsequently is elided.⁴² We are fortunate in tracing the lives of Robert and James, however, as colonial newspapers picked up on their case some seven years after their arrival in New Zealand. At that time, the *Wanganui Herald* pronounced that James had been 'smuggled to the colony from a lunatic asylum' in the UK and had been admitted to the Napier Asylum.⁴³ He had been arrested on a charge of vagrancy and appeared in court 'clad in clothing of many colours and all in tatters, he was about performing a dance on the floor of the courthouse ... and was keeping up a continual chatter.'⁴⁴

In her study of the labouring poor in Australia, Haines suggests that the willingness of Unions to pay the passage to Australia rather than Canada (which was half the cost) indicates that migrant preferences were taken into account.⁴⁵ An alternative explanation, evident from the case of brothers James and Robert, is that Poor Law Unions were willing to pay the larger one-off costs of transporting their mentally ill charges to remote destinations in the belief that the afflicted would never return home. Robert and James' case is all the more interesting given the reduction in parish assisted migration after 1852 and a focus from 1870 on Poor Law subsidies being directed towards Canada.⁴⁶ Whatever the reasons, the disquiet expressed by contemporary officials in the antipodes that the mother country was discharging undesirables to remote corners of the Empire has some merit.

Emigration agents

The extent to which emigration agents in Britain and Ireland were complicit in the removal of the insane from Britain and Ireland is unknown.

In part, this is due to a historiographical focus on agents' recruitment techniques.⁴⁷ This omission is surprising given the investigations that agents were subjected to for sending the insane abroad.⁴⁸ For instance, James B, a native of Lurgan in County Armagh, Ireland, who arrived in New Zealand in February 1875, was selected as an assisted migrant by the sub-agent George Foy and then approved by James Adam, New Zealand's immigration agent in Scotland. Colin Allan, the immigration officer investigating the case, claimed that Adam had never seen James B 'for had he done so he never would have passed him'. In light of his enquiries, Allan deemed James B 'a fit subject for the Lunatic Asylum'.⁴⁹ Investigations conducted at Lurgan resulted in denials by authorities there. As Lurgan medical doctor, Philip Russell, explained, whatever ill health James had on arrival in New Zealand was not present when Russell examined him.⁵⁰ Communication with the agent George Foy, meanwhile, sought an explanation about the case with a stipulation that if no reply was forthcoming then his role as agent would be relinquished.⁵¹ The archival record suggests that Foy never responded.⁵² It is also important to note in this case that James Adam's location in Scotland presumably prevented him from inspecting James B. That the immigration agent was located in Scotland with sub-agents operating in Ireland reflects the bias of New Zealand's recruitment efforts. That said, emigration agents, advertising, and the provision of shipping within Ireland all favoured Ulster. In 1873, for instance, of 46 local agents in Ireland, only 9 were located outside Ulster.⁵³ Certainly, the Revd Torrance, writing in 1890, was under no illusions about the role of 'unscrupulous immigration agents, who, for the sake of £1 per head, recklessly sent crowds of human beings out from the Home country, without any regard to their fitness mentally, physically, or morally'.⁵⁴ That agents received money for each migrant they enticed to the colonies inevitably resulted in some divergence from various immigration regulations. In revealing the range of individuals and groups complicit in removing the insane abroad, we might well conclude that it was their actions in abandoning care of the insane that were deviant.

Other immigration agents operated within the regulations. Among them was Thurlow Astley at Dalkeith, Scotland, who represented the parents of Irish woman Ellen W who was resident in New Zealand. Ellen's parents were keen to join her in the colony but her father had been confined previously in the Richmond Asylum in Dublin 'suffering from what the Doctor called ... "Melancholy Madness," produced I believe a great deal by his utter inability to find work or employment in Dublin.' Astley also stated that Ellen's parents would be accompanied

by other children 'not yet in their prime ... whose services and power of labour would be of the greatest use in the Colony.' Astley therefore asked Isaac Featherston, the Agent General, whether Ellen could nominate her siblings and if their father would be entitled to accompany them.⁵⁵ The Agent General's reply to Astley was unambiguous: 'The Government in New Zealand have given strict instructions not to encourage in any way the Emigration to the Colony of any person who has been or may be the inmate of a Lunatic Asylum.'⁵⁶ Featherston further stated that Ellen could not claim free passages for any family members.⁵⁷ In a subsequent letter, however, he acknowledged that 'The Government cannot prevent the arrival of any person who pays his own passage to the Colony, but it is one of their objects to discourage the emigration of persons in whose family indications of insanity are known to exist.'⁵⁸ This enquiry was probably referred to Dalkeith from local agents in Ireland, though it is unknown if Ellen's family ever arrived in the colony. Featherston's reply, however, shows that if migrants could fund their passage they could attempt to circumvent immigration restrictions. This did not ensure, however, that they would arrive unimpeded, for authorities could still decide who was, in their opinion, deviant.

Legislation: Preventing entry and repatriating the insane

Throughout the British World, a range of procedures, mainly legislative, were put in place to prevent the arrival of undesirables. Canada's Immigration Act of 1869 was implemented two years after formation of the dominion, and restricted the entry of 'any lunatic or idiotic person'. It also stipulated measures for the 'reconveyance of such persons to the port from which he was carried to Canada'.⁵⁹ Other countries likewise practised deportation of the insane. In India, early 'mad' Europeans who had spent longer than a year in an asylum were sent back to England because it was considered cheaper than providing institutional care for patients. Some may have feigned madness to ensure repatriation. By the mid-nineteenth century, however, the practice was no longer considered economically viable.⁶⁰ Deportation could also occur within the UK, with Irish patients in English asylums liable to be returned to Ireland. By contrast with the situation in India, it is suggested that this may have prompted some to become violent to prevent repatriation.⁶¹ Scottish and English migrants in Irish asylums, by contrast, were not subject under the Irish Poor Law to return to their countries of birth.⁶²

Given the status of New Zealand as an immigrant nation, significant attention has been given to laws of regulation and exclusion, particularly

in respect of Asian immigrants.⁶³ Put simply, immigration acts specified who would and would not be permitted entry. Yet, as with the United States, deportation for the mid-Victorian period is rarely studied in depth and instead is seen as a response to later political maturity. According to Daniel Kanstroom, in his study of deportation from the United States, colonies were perceived as places to which people were brought or sent rather than those from which they were removed.⁶⁴ Positing deportation as a 'powerful tool of discretionary social control',⁶⁵ Kanstroom outlined the history of expulsion in the United States, noting that each state had its own exclusion laws until the federal Immigration Act of 1882.⁶⁶ At this time, legislation mandated the exclusion and return to their homelands within one year of landing by those responsible for their entry of 'any convict, lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge'.⁶⁷ The 1891 Immigration Act, meanwhile, compelled steamship companies to return those passengers who were rejected by US inspectors. It also stipulated the deportation of those found to be mentally ill within one year of arrival whose illness predated their emigration. This was extended to three years with the Immigration Act of 1903 and five years in 1917.⁶⁸ Irish migrants repatriated from the US usually ended up in the Cork Asylum due to trans-Atlantic ships docking at Queenstown (now Cobh), the port of Cork. In 1903 it was estimated that seven percent of Ireland's asylum population were returned immigrants, though it is uncertain how many were deliberately repatriated.⁶⁹

In her study of immigrant medical inspection, Amy Fairchild emphasised that out of the 25 million migrants inspected in the United States between 1891 and 1930, 700,000 received medical certificates signifying disease or defect. Deportation rates for medical causes, however, never surpassed one percent.⁷⁰ There were, though, differences in rates for European groups with the French, Irish, and Germans most prone to be deported for mental illness.⁷¹

How, though, did authorities in New Zealand respond to the arrival of the insane? In the 1860s, Dunedin's medical officer E. W. Alexander offered a three-fold solution: to institute greater inspection of migrants; to legislate a penalty against vessels landing lunatics in the colony; and to repatriate the insane. In respect of the latter option, Alexander reported on such devious practices in the UK where lunatics were transferred around their counties to avoid charges to the parishes where they were apprehended. Attached to Alexander's letter on the issue was a list of patients deemed appropriate for deportation back to Britain and Ireland, several of whom had previously been in an asylum

at home.⁷² From Scotland the following decade, W. Lauder Lindsay reiterated Alexander's solution. In the *Journal of Mental Science* he called for a more thorough inspection of vessels and passengers and the 'immediate return to Britain of immigrants found, on arrival out, to be insane or imbecile, and unprovided with funds for their independent maintenance'.⁷³

The initial impetus for legislating the deportation of the insane from New Zealand, however, was the arrival of those deemed mad from other colonies, rather than from Britain and Ireland. As reported in the press, at the time the 1873 Imbecile Passengers Act was enacted it was deemed 'of great importance in preventing other colonies throwing their useless population upon the colony'.⁷⁴ One of the chief proponents of the Act, Thomas Bannatyne Gillies, superintendent of the Auckland Province between 1869 and 1873, attested that it was designed 'to prevent idiots being sent in from Fiji'.⁷⁵ New Zealand's parliamentary debates reveal that the bill was put before parliament due to the deliberate shipment of a lunatic from Fiji 'to be landed at the nearest British port', Auckland. Dr Pollen, proposing the Bill, stipulated that the current bill 'was copied from an Act which had been in force in Victoria for some time'. He also stressed the financial repercussions of admitting lunatics who 'were sometimes transported by their friends to the colonies'.⁷⁶ Little recognition is, however, given to this Act, with much research focusing on the twentieth century as well as a recent assertion contending that most restrictions on immigration in New Zealand were first imposed in 1881.⁷⁷ This claim relates to the 1881 Chinese Immigrants Act that was followed by a series of further bills to restrict Chinese migration. Other ethnicities were also targeted in legislation designed to restrict immigration including Indian migrants (who were British subjects), under the 1895 Asiatic and other Immigration Restriction Bill. This bill, however, was defeated. Despite this focus in the historiography, those perceived as 'unfit' or 'undesirable' were similarly targeted.⁷⁸

The Imbecile Passengers Act was passed during the period of peak assisted immigration to New Zealand in the 1870s and 1880s, but did not apply to immigrants 'brought to New Zealand either wholly or partly at the expense of the Colony'.⁷⁹ This was because assisted migrants underwent health inspections, albeit cursory, as part of the emigration process. The case of Mary C who arrived on the *Waitangi*, 'evidently of unsound mind', demonstrates this.⁸⁰ Prior to sailing in 1874 Mary was examined by the ship's surgeon superintendent, George J. Stewart, who later recalled that she gave 'no indications of insanity, answering all questions in a perfectly rational manner'. During the

voyage, however, Mary attracted attention from ‘the noise she made at night singing and shouting, disturbing the other single women’.⁸¹ Investigations conducted after Mary’s arrival at Auckland alleged that she had spent three months in an asylum at home and should be sent back to England ‘so that the Parish to which she belongs in her native country may bear the expense of maintaining her’.⁸² The recommendation in Mary’s case was that ‘colonial funds should be employed in returning immigrants of this description to the places whence they may have come. If allowed to remain in the Colony such persons must become permanent burdens on the public bounty.’⁸³ In such examples, it was primarily the fiscal drain of caring for such individuals rather than fears of degeneracy that preoccupied immigration authorities.

By contrast, those migrants paying their passage who had previously been admitted to an asylum before arrival in the colony or who landed in a state of insanity were subject to deportation to their country of origin. If the captain or owner of a vessel refused to return the insane migrant, they were required to pay a bond of £100. The Imbecile Passengers Act stipulated that if the passenger was admitted to an institution within five years then the bond was taken as payment for their maintenance. If the bond was insufficient, the shipping agent or company was obliged to continue maintenance payments for the five-year duration.⁸⁴ The Imbecile Passengers Act was amended in 1875, extended in 1879, and replaced in 1882.

The 1875 amendment revolved around the arrival of Colvin S who had voyaged from Glasgow, Scotland, on the *Aldergrove*. Colin Allan, Dunedin’s immigration agent, believed Colvin had been ‘shipped away to New Zealand by his friends to get him out of the way’. Allan went on:

This cruel and inhumane act was perpetrated by a Thomas Smith Bookseller Elgin Scotland who styles himself, in a letter from him ... Emigration agent Elgin ... I have further ascertained that the said Thomas Smith accompanied the imbecile in question to Glasgow, and also that the latter was an inmate at an asylum for some time in the north of Scotland.⁸⁵

In response to such queries, Thomas Smith indicated that Colvin’s friends had applied for and paid his passage to New Zealand. Smith admitted being in Glasgow at the time the vessel departed but emphasised that he was enquiring about all those passengers engaged by him. He denied any relationship to Colvin and claimed he ‘knew nothing of his mental condition, and that he had nothing farther to do with him

than supplying his ticket ... He says, however, that he has intimated the purport of my letter to Colvin [S____]'s friends, who, he says are well to do and that he does not doubt the passage money will be forthcoming.⁸⁶

In consequence of Colvin's arrival in New Zealand, the Imbecile Passengers Act 1873 was enacted and notice was served on the captain of the *Aldergrove*. Problems arose, however, because the ship was quarantined and the notice was served after the expiry of seven days. The Act was subsequently amended to 14 days to prevent this occurrence in the future.⁸⁷ It also transpired that the ship's agents agreed to transport Colvin back to Britain if legal actions against them were withdrawn. Colvin therefore left for London in December on the ship *Timaru*.⁸⁸ The 1879 extension to the Act ensured that its provisions encompassed the crew of ships.⁸⁹ The 1882 replacement, meanwhile, made Customs collectors rather than asylum Superintendents responsible for certifying the arrival of any 'lunatic, idiotic, deaf, dumb, blind, or infirm' passenger. It specified that the bond was to support passengers in public or charitable institutions. The replacement Act also incorporated reference to the 1881 Crown Suits Act which allowed for the recovery of maintenance or support.⁹⁰

New Zealand's legislative policy to prevent entry and repatriate the insane was, therefore, early among those laws created in the British World, but where it substantially differed was in the existence of a specific act for lunatics. Australia, Canada, and the United States, by contrast, set out legislation against lunatics in overarching immigration legislation. In this way, New Zealand also contrasted with New South Wales where Frederick Manning highlighted in 1891 that no legislation existed to prevent the entry of the insane or to repatriate them to their homelands.⁹¹

The legislation in place in New Zealand not surprisingly generated difficulties for shipping companies, with charges likely to be levied at home and abroad. In 1882, L. W. Loveday quoted Dr Hacon's comments that, 'care should be taken to prevent the immigration of imbeciles and persons discharged from Home asylums,' and recommended that 'not only should careful inquiry as to possibility of former attack of insanity or hereditary taint be made, but on arrival here all imbeciles or lunatics should be at once noticed, and steps taken to return them.' Critically, 'the captain of a ship landing an imbecile or lunatic passenger cannot be compelled to take such a passenger back; and if he did take him back the chances are he would be compelled by the authorities at Home to contribute towards the maintenance of such imbecile or lunatic'.⁹²

It is certainly likely, albeit difficult to confirm, that shipping companies deliberately bypassed legal requirements.

Among those shipping companies which did return a passenger was the master of the ship *Invercargill* who, rather than pay the bond, decided to return him to Scotland. 'He was today discharged', the Captain disclosed, 'and leaves again for Glasgow in a few days'.⁹³ On other occasions ship's agents challenged the action taken against them. For instance, instructions were levied requesting a bond of £100 for maintenance under the Imbecile Passengers Act 1882 for Charles R, a crew member who deserted the *City of Auckland* in 1884 at Auckland.⁹⁴ The ship's agent, however, refused to enter a bond due to claims that Charles 'was not known to be ill during the voyage' and had been arrested 'by police for drunkenness which may have brought on insanity which had not appeared previously'.⁹⁵ Subsequently, the United States consul assumed all costs for Charles's treatment and maintenance.⁹⁶

The fiscal repercussion of such cases in New Zealand is unknown. In the United States, however, between 1891 and 1930 steamships were collectively fined around \$500,000 for attempting to bring in excluded immigrants. To this should be added the charges associated with transportation, meals, lodgings, and legal costs where cases were challenged. As such, 'the financial burden on transportation companies was considerable'.⁹⁷

The final point to note here is that asylum doctors themselves were sometimes deviant in their efforts to repatriate the insane. Truby King, superintendent at Seacliff Asylum, admitted in 1888, 'I took the risk of discharging him on his promising to refrain from referring his delusions at least until he was well on the high seas'.⁹⁸ King also hoped to transfer a patient to Melbourne 'during one of the intervals between her troublesome attacks'.⁹⁹ Yet although such acts can be seen as disingenuous, asylum doctors did operate within the legislation of the various colonial Lunatics Acts. By 1882, for instance, consent in writing from those willing to receive the lunatic was required together with a bond of £50.¹⁰⁰ Doctors also acted in such ways due to a belief that the patient would recover better among their own family and friends. For overseas migrants, this entailed their return to their place of birth 'in the belief that the illness is caused by the stresses of migration and that the patient will recover back in his original country'.¹⁰¹ On other occasions, asylum doctors were liable to accusations of improperly releasing a lunatic. In August 1900, for instance, Truby King, wrote to the Managing Director of the Union Steamship Company to challenge the charge that 'an attempt has been

made to deport a lunatic to another Colony from this Asylum whether with or without any sanction'. As King made clear: 'I have no power or responsibility with regard to a person who happens to have been in the Seacliff Asylum after the patient has been legally discharged by the magistrate.' Despite defending his actions, King acknowledged, 'I had no reason to suppose she would become insane although of course a person who has been insane previously is more liable to mental disease than one who has not had the same experience.'¹⁰²

This chapter has argued that the deliberate expelling and repatriation of the insane during much of the nineteenth century was shaped more by economic considerations than by emphases on degeneracy and prompted deviant actions pursued by a range of individuals and groups in an effort to circumvent fiscal responsibility for the mad. Economics also shaped the responses of immigration authorities in New Zealand in their efforts to exclude the entry of insane migrants and repatriate them. For historians of deviance and empire, this chapter also illuminates issues of power, knowledge, and agency. Authorities may have implemented various regulations to exclude the insane, but a range of individuals pursued subversive tactics to evade restrictions surrounding the movement of the insane throughout the British World. The extent to which such perceptions and actions filtered throughout the British World is beyond the scope of this chapter, but future work might investigate how definitions of 'deviance' converged or diverged in diverse locations, in both the settler colonies and the non-white empire.

Notes

1. Material featured in this chapter appears in my book, *Migration, Ethnicity and Madness: New Zealand, 1860–1910*, published in 2015 by Liverpool University Press. My thanks to the publisher for permission to include this material here.
2. T. W. Salmon quoted in Örnulv Ödegaard, 'Emigration and Insanity: A Study of Mental Disease Among the Norwegian-Born Population in Minnesota', *Acta Psychiatrica et Neurologica Supplementum*, 4 (1932), 37. Research for this chapter was supported by a Royal Society of New Zealand Marsden fund award for the project 'Migration, ethnicity and insanity in New Zealand and Australia, 1860–1910', 08-UOO-167 SOC.
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9

Devious Documents: Corruption and Paperwork in Colonial Burma, c. 1900

Jonathan Saha

Introduction: The contradictions of paperwork

Cecil Champain Lewis, the British judge whose novels chronicled official life in colonial Burma, was well aware of the tedium of paperwork.

You must figure us at our labours inside the treasury vault, an uncompromising three-sided brick erection outside the subdivisational office. There was just room for my chair within, alongside the open safe. I sat with two bulky registers on my knees and an indelible pencil in my hand, diligently ticking off totals. Then, Byu and the sub-accountant squatted on a mat at my feet manipulating the contents of the safe. Outside, the policeman in charge of the treasury guard peered, yawning, through the iron grating. I can recall now the damp odour of the brick-work, the sickly smell that came from the Government opium chest in the corner, and the wheezy crackle of the dusty brown paper envelopes that held the stamps.¹

This sleepy scene from his 1913 novel *Fascination* is typical of accounts of imperial boredom.² Following this description, the fictional protagonist, a district officer called Chepstowe, is distracted from his work by Mrs Cavisham, a demanding and highly-strung tourist in Burma. She expresses her exasperation at having to share his attention with this laborious and tiresome bureaucratic work. In reply, Chepstowe explains to her that paperwork was a necessary part of his job, intimating that his Burmese clerks could not be trusted with these tasks.³ In this short exchange, paperwork is portrayed as an arduous but nonetheless central part of the daily routine of imperial rule. Lewis also demonstrates how its authority was predicated upon performances of race and gender. By

doing his paperwork, Chepstowe was performing imperial masculinity in contrast to the disinterested policeman, the untrustworthy clerks, and the impatient female tourist.⁴ It was dull work, but someone had to do it.

However, the novel also details how paperwork could provide an escape from the demands of administrative labour. Hanbury, a European police officer, routinely uses a long-running and hopeless investigation into a cattle theft as an excuse to have a break from his duties. The eternally incomplete file on this case was an administrative fiction that Chepstowe indulged.⁵ Through Lewis's light-hearted description of this trumped-up minor criminal case, the novel unwittingly exposes a contradiction of paperwork. It was a practice through which state authority was enacted, and it was a practice through which state authority was circumvented.⁶ This chapter explores how this contradiction played out in colonial Burma during the late nineteenth-century and early twentieth-century. It is a contradiction that has important methodological implications for historians interested in deviant behaviour in imperial contexts. Forms of deviance, such as criminality, were defined and rendered legible through colonial surveillance practices underpinned by written documentation.⁷ Historians have relied upon the archive produced through these practices to reconstruct social histories of crime and to deconstruct colonial discourses.⁸ Acknowledging that this documentation was not only used to record criminal acts but was also used to perform criminal acts,⁹ requires us to doubt this archive.

Bhavan Raman and Miles Ogborn's studies of paperwork in India under Company rule are instructive in examining this contradiction. Both demonstrate that British imperialism engendered new writing practices, and altered existing ones, in order to enact bureaucratic control over territory. And both reveal how these same writing practices could undermine and even subvert this bureaucratic control. The materiality of documents was central to understanding the contradiction of paperwork for Raman and Ogborn. The technologies used to produce colonial records and the material forms they took made it possible for documents to be leaked, duplicated, forged, fabricated and destroyed.¹⁰ Following their approach, this chapter focuses on the material practices involved in producing and circulating written records to examine the ways in which they were used for ends that deviated from their intended purpose. It treats documents not only as written evidence but also as material artefacts that had complex social lives.

Tracing the social lives of colonial documents necessitates focussing on the low-ranking Burmese and Indian officials whose labour went into making, circulating and using them. The contradictions of paperwork

were particularly acute in the daily work lives of these subordinate officials. Clerks, translators, village headmen, township officers, policemen, excise officers, forest rangers and many other officials produced and handled colonial documentation routinely. At the same time, they were monitored by the white upper echelons of the administration through the production and maintenance of additional written documents for the particular purpose of enacting bureaucratic discipline, such as confidential rolls and diaries.¹¹ British officials in the Indian Civil Service also received petitions making misconduct accusations against their subordinates. If suspicions were raised about an official through their monitoring of documents or in petitions, or from some other source such as the local newspapers or hearsay, high-ranking officials would launch investigations. In the process, the documents that subordinate officials had routinely produced were gathered and interrogated as evidence in a quasi-judicial fashion. As with other disciplinary practices, these investigations discursively constructed and perpetuated their own target. Burmese and Indian subordinate officials were rendered inherently prone to corruption. In contrast, the white superior officers empowered to investigate and punish them were implicitly believed to be incorruptible. Investigations into misconduct performed and reinforced this racial division.¹²

However, high-ranking British officials did not have things all their own way. Subordinate officials' role in producing and maintaining the bulk of the administration's written records meant that they could also use these records to avoid detection by creating a misleading paper-trail. Thus their superiors, when they suspected corruption, were left with a potentially duplicitous collection of records to interpret for evidence of malfeasance. Written records were the means through which officials at different levels both engaged in and policed corruption. Unsurprisingly, British officials often doubted the veracity of their own records even while they relied upon them.¹³ Colonial documents, as a result of their potentially subversive social lives, were thus a source of anxiety. But they were also the means through which British officials sought to assuage their anxieties.

As well as contemporary officials, historians have reason to doubt the record. In revealing the ways in which paperwork may have been produced with the intention of deceiving its readers, my argument exposes the fragility of the evidential base of histories based on these documents. Of course, this is not a novel concern. The implicit assumptions that underpinned colonial sources have long led historians to question the value of colonial documentation.¹⁴ There have also been more fundamental philosophical questions raised about the epistemological

regimes that created archival 'facts'. These insights have led historians, among others, to consider new methods for deconstructing and reading colonial documents so as to militate against reifying the imperial nexus of power/knowledge in their writings.¹⁵ As such, the attempt in this chapter to trace the material practices involved in the production of colonial paperwork chimes with a wider turn in imperial history towards treating the archive itself as an object of study.¹⁶ Examining the contradictions of paperwork can reveal some of the deeper structures of the archive and the anxieties that engendered them.¹⁷ In other words, in a small way, the chapter attempts to contribute to big questions regarding how-we-know-what-we-know about empire.

Therefore, in this chapter, I will explore the contradictions in how documents were produced and used in *fin-de-siècle* British Burma through four levels of analysis. First, uncovering the intended purpose behind the documents in constituting state authority. Second, examining the ways in which the documents could be made and used for ulterior purposes by the subordinate officials who produced and deployed them. Third, drawing out the anxieties higher-ranking officials had about these documents and revealing the 'hierarchies of credibility' that informed their assessment of their veracity.¹⁸ Fourth, and finally, considering the implications of these contradictions and doubts for subsequent historians using these documents in their own studies. The chapter takes three branches of the colonial bureaucracy and analyses the documents produced in them at these four levels – land revenue, excise controls on opium, and forestry.¹⁹

Land revenue

Following the second Anglo-Burmese war of 1852 and the British conquest of the deltaic regions of lower Burma, there was a rapid expansion in wet-rice agriculture. By the twentieth century, the Burmese delta was the largest rice producing region on the planet. This increase in production was not brought about by new techniques. It was a result of increased access to the world market combined with the greater availability of credit for the would-be-cultivators who migrated from upper Burma and India. It resulted in the widespread destruction of mangrove forests in order to make land available for cultivation.²⁰ Between 1880 and 1890, villages in the delta swelled into towns five times their earlier population.²¹ In order to be able to assess and extract taxation and revenue in this highly fluid and rapidly changing socio-economic landscape, the colonial bureaucracy also expanded and spread into the delta.

It was a labour-intensive process making the land ready for rice,²² and so was the bureaucratic monitoring of cultivation. Regular settlement reports were written. Extensive mapping was conducted. Land grants were surveyed, demarcated and allocated. Village headmen, township officers and government surveyors were deployed to produce these documents. Historians tracking the longer history of the development of the colonial state in Burma have viewed this period of economic change also as the period in which the imperial administration was rationalised and was primarily concerned with the extraction of revenue.²³ Written records concerning the ownership and allocation of land were vital to these processes.

With these changes, land became a valuable commodity. Colonial documents also became important for establishing and evidencing legal ownership of land, and not only for administrative surveillance. This utility created incentives for officials to make and use documents pertaining to land ownership for corrupt ends. An investigation into a forest ranger named Maung Pyo in 1902 appeared to uncover some of the strategies for illegally acquiring land. Following an investigation, it was judged by the Lieutenant-Governor of Burma, the highest ranking official in the colony, that Maung Pyo had come to own land far in excess of what government regulations for officials allowed. Moreover, he concealed this acquisition by abetting an official with the power to grant land in issuing land deeds to four bogus applicants. He then 'purchased' this land from these invented land owners in the name of his mother. Due to these breaches of trust, among some other misdemeanours, he was dismissed from his post.²⁴ Land ownership was a route to economic advancement, and colonial documents could enable officials to achieve this without the difficulties and costs of acquiring credit. It could be a very successful strategy. In a neighbouring district, four years later, a village headman was transferred after it was found that 640 acres of land within his jurisdiction was owned by close members of his own family.²⁵

As a result of cases such as these, British bureaucrats in the Indian Civil Service were suspicious of documents regarding land and sought to monitor them. As we have just seen, discrepancies and inconsistencies could lead to dismissal. However, often the documents were difficult to interpret. One reason for this was the difficulty of proving the intent behind irregular documents. British superior officers often had to conduct further enquiries into whether documents had been deliberately made in an irregular fashion or whether it was the result of incompetence. In 1903, the Commissioner of Sagaing Division called

upon a township officer called Maung Su Myok to explain why he had paid compensation to people whose lands had been acquired by the state, why the compensation payments were so high, and why he had been recovering the rents from this land himself.²⁶ Similarly, in a case that occurred in the Irrawaddy Division a year later, another township officer was called upon to explain minor financial irregularities and why he failed to sign the maps produced.²⁷ In both cases, there was a suspicion of embezzlement as a result of dubious documentation, but superior officers were unsure whether this was due to incompetence or malicious intent. According to the calculus by which high-ranking British officials decided upon appropriate punishments for misconduct,²⁸ intent was important in judging a case's severity but this remained difficult for investigators to decipher from the documents. The coherence of an accused subordinate's written explanation was usually used to make this judgement. Where they could convincingly explain the major discrepancies in paperwork in their prose, they could escape punishment.²⁹

Judging whether or not an official was using land records for corrupt ends is no easier more than a century later. The unresolved suspicion around the documents in these particular cases, casts doubt on the archival evidence of government land allocation more broadly. These instances are only those that superior officials were able to uncover. As such, they represent only the tip of the iceberg. The cumulative effect of these inaccurate and misleading documents calls into question the credibility of colonial statistics regarding land ownership based on this paperwork. The spread of government land grants, for instance, is difficult to be sure of if we accept that an unknown quantity may have been allocated to fake applicants. Within the colonial archive, however, these doubts about the veracity of the records are contained. The potential misconduct involved in producing land documents is dealt with within these investigations, and the paperwork produced through them was separated and classified 'miscellaneous' for the purposes of filing. In published reports, the possibility of malfeasance and inaccuracy was played down. The contradictions of paperwork apparent in misconduct investigations do not contaminate these records. We can see this policing of the archive in the publication of the 1892 Settlement Report on the Amherst District written by a young Indian Civil Servant named Aubray Pennell. In its pages, he blasted the incompetence and what he suspected were the corrupt motives of many of the village headmen and township officers involved in the recording, demarcation and granting of land. The length of the published report was cut

at the suggestion of the Director of the Department of Land Records and Agriculture. Even after this editing, the report was attacked by the Financial Commissioner in his review published with the front-matter of the report as being 'sententious', 'controversial' and 'declamatory'. Of Pennell's complaints about land grants, the Commissioner noted that this might have been dealt with in a paragraph, rather than over three pages.³⁰ These admonishments foregrounded and framed the report, diminishing and undermining the force of Pennell's criticisms. This was not the place for presenting these anxieties about colonial paperwork. It was too public.

Excise controls on opium

Along with revenue generated from the rapid expansion of the rice frontier, the colonial administration acquired income from the sale of opium. From the beginnings of British rule in Arakan and Tenasserim following the end of the first Anglo-Burmese war in 1824–26, the sale of opium through state controls was a feature of the bureaucracy, contrasting with its prohibition under the pre-colonial Konbaung dynasty. However, in the nineteenth century generating profit directly from sales was not the principal motive behind colonial policies, although it was an important factor. Instead, the regulated sale of opium was informed by concerns about social order and by racial discourses. As a consequence of these concerns, by the 1880s, the colonial state was involved in the sale of opium to Indian and Chinese populations in Burma, in part because of a belief that their economic activities were enabled and stabilised by opium consumption. In contrast, the sale of opium to the Burmese was prohibited from 1893 due to British officials' paternalistic belief that it led to addiction and social breakdown,³¹ although this attitude began to relax in the early twentieth century. The government regulated the sale of excise opium by selling a limited number of licences to sanctioned shops at auction, and from 1902 at fixed prices.³² In order to monitor the sales in these shops, and to ensure that the licenced sellers did not sell beyond the proscribed quantities allocated to different ethnic groups, written documents such as accounts, diaries and registers were maintained.

High-ranking British officials acknowledged that their control over the consumption of opium was incomplete. Opium smuggling was their major concern, perhaps because it was among the commodities whose prohibited trading networks defied jurisdictional boundaries and drew the British into settling disputed territorial borders with the colony's

neighbours.³³ A lesser concern for them, but one regularly noted by officials, was that of the re-selling of government opium, or hawking.³⁴ Subordinate officials were found to be involved in the latter of these illicit practices, and the production and use of written documents was useful for both enabling and concealing their actions. An investigation into an excise officer at Lemyethna called Maung Po Win in 1906 highlights ways in which written documents might be used to disguise these practices. Sales in one licensee's shop, under Maung Po Win's jurisdiction, had suddenly decreased and it appeared on investigation that the amount of opium within the shop was larger than what was recorded in the register. It was suspected that this discrepancy was intended to mask the hawking of the excess opium that had probably contributed to a corresponding drop in legal sales. In his explanation, Maung Po Win admitted to having altered the register so that the balance would be correct. He also admitted allowing people with no legal or bureaucratic responsibility for excise work to stay in the shop, individuals who were 'intimately connected' with illegal selling. The circumstances were suspicious, but not unusual. In the investigation of the case, the Superintendent of Excise found substantial evidence of widespread connivance in opium hawking by low-ranking excise officials.³⁵ In a similar case in a nearby district roughly a year later, another excise officer was removed from his post when it was found that many of the names of those listed in his registers as purchasing opium were false.³⁶

However, paper trails also enabled high-ranking officials to investigate subordinate officials' malfeasance. In one of the charges of misconduct laid against Maung Po Win, he was said to have provided false evidence to protect one of his licensees who had been found in illicit possession of opium and was suspected of hawking. The Deputy Commissioner investigating him noted that there was no corroborating evidence of the events that Maung Po Win mentioned verbally in court having ever occurred in Maung Po Win's written documents, such as his official diary. Initially Maung Po Win was demoted because of these two misconduct cases against him, but he was not dismissed from service since it was not proved that he actively engaged in the illegal selling. Due to the limitations of the written evidence, his superiors could only prove that he had allowed hawking to go on either through his 'dishonesty or stupidity'.³⁷ As with land records, intent was difficult to show through these discrepancies in the documents. This evidential gap was filled, in this case, months later when a licensee and a clerk who worked with Maung Po Win produced a written list of 94 individuals who had obtained increased allowances of opium to sell as a result of bribing him.³⁸ Attempts to

uncover corruption were not only based upon the consistency of routine records, such as registers, and upon the production of documents for hierarchical surveillance, such as diaries. In addition to these, corruption investigations generated informal and ad hoc written documents, such as this list, that existed outside of regularised documentary practices.

As historians, this evidence does not convince. The intentions behind these additional documents might also be suspect. Moreover, high-ranking officials' judgements were not solely based on a dispassionate examination of the records. The 'hierarchies of credibility' that they deployed in interpreting the documents were structured by ideologies of race and gender. As a result, some officials were given the benefit of the doubt. The case of a township officer called John U Saw White from 1894 brought some of the implicit assumptions of Indian Civil Servants to the surface. He stood accused of taking scraps of opium and giving them to his wife to illegally re-sell, and of selling opium in larger quantities than he was empowered to. His written explanation for his actions was little more than a frank admission of his wrong-doing, whilst blaming his opium addiction.³⁹ The judgement of the evidence made by the Chief Commissioner was informed by conceptions of Burmese women as manipulative and overly powerful. Her apparent disregard for her husband's fate in court was noted. As a result of this gendered portrayal of events, U Saw White's responsibility for the misconduct was diminished. In addition, his racial background informed the level of punishment. Of Anglo-Burmese origin, U Saw White was shown leniency because of his British father's 'good service'.⁴⁰ A form of patrilineal paternalism prevailed. The underlying and usually unstated influence of wider colonial discourses in the archival record of misconduct investigations means we must be wary of accepting the existing evidence in our own studies, as to do so would be to risk reifying these discourses in our writing.

Forestry

A third major area of economic activity that the colonial administration became increasingly involved with during the nineteenth century was the timber trade. Between 1850s and 1880s, there was a shift in government policy from taking a *laissez-faire* approach to the commercial use of forest resources, towards becoming more interventionist along the principles of scientific management. The result of this shift in policy was the creation of a more professionalised forestry department that, like the rest of the colonial administration, was hierarchically divided

with a white upper branch and a predominantly Burmese subordinate branch.⁴¹ By the 1880s, the department had established forest reserves to be protected, and these grew quickly, more than doubling in size from 8,059 square miles in 1892 to 20,411 in 1904.⁴² This period also saw the emergence of European timber companies with interests in the colony's well-reputed resources, particularly teak. Outfits such as the Bombay Burmah Trading Corporation were influential in shaping government policies,⁴³ and their operations expanded greatly. Although far from having harmonious relations with the forestry department, their activities, alongside state reservations, put increasing pressure on smaller-scale uses of forest products. Shifting cultivators, peasants and locally-based Burmese timber companies were the primary losers in the allocation of forest rights.⁴⁴ By the twentieth century, permission to cut down trees in most of Burma's prime timber forests was allocated through leases. These written documents were vital, as was the paperwork that went into assessing applications prior to granting them.

As the forestry department grew, so did a perception among the higher-ranks that their subordinate officials were prone to misconduct. Accusations of widespread incompetence, fabrication of reports, embezzlement and extortion were regularly levelled at Burmese forest officials.⁴⁵ In the emerging, constrained colonial 'political ecology', the economic value of these leases certainly made them useful documents for acts of corruption, and provided grounds for suspicion. This was the case for a lease issued by the forest officer Maung Po Thet in the Myaungmya district, seemingly, on 10 April 1898. The investigation into his actions showed that he had retrospectively issued a licence for timber that had been illegally cut. The suspicion of his superior officer was that the intent was to embezzle the royalties owed on the timber. This intent was difficult to prove, but the discrepancies between the dates on the licence and the dates in Maung Po Thet's case book indicated that the timber had already been cut prior to him issuing the licence. This was enough to prove culpable negligence in the eyes of the investigating forestry officer, who recommended that he be demoted and transferred.⁴⁶ In earlier cases against him and Maung Po, another forest official, high-ranking officials had failed to gather sufficient evidence of bribery and charging irregular fees.⁴⁷ Careful paperwork might mean an official was honest, but British officials feared that it might also mean they were successful in their concealment of corruption. Conversely, careless paperwork might merely be a sign of negligence.

Tracing the social lives of these licences was necessary for British officials seeking to unpick these ambiguities, but this was no easy task.

The local networks of allegiance and enmity uncovered in the processes often made events less clear. The investigation into a forest ranger named Maung Mo in 1902 was as illuminating as it was ultimately opaque. His superior officers' suspicions were raised when it transpired that smaller Burmese companies were sharing licences between them. One group would purchase a licence, and the others would 'buy' the timber from them by cutting it directly from the forest. In addition to this irregular use of the licence, it came to their attention that Maung Mo's mother-in-law, whom he lived with, lent money to timber traders who were attempting to buy licences. As a result, Maung Mo was transferred to another district.⁴⁸ However, accusations against him continued to be received via anonymous petitions accusing him of taking bribes and abusing his power. The background of these petitions uncovered further complexities. This time his superior officers disbelieved the petitions, since they were not born out by any written documentation. In order to find out who had sent these apparently malicious petitions, Maung Mo was asked who he suspected.⁴⁹ As his Deputy Commissioner noted on his letter in reply, Maung Mo's response was self-serving. Maung Mo argued that through his strenuous efforts in policing illegal timber (including having Bombay Burmah Trading Corporation officials arrested after a physical altercation with forestry officials) he had made enemies who were attacking his reputation. Among them were the local school's headmaster, Mr Campagnac, and the above mentioned Maung Po Thet. Maung Mo had been influential in securing Maung Po Thet's transfer and now the latter was seeking revenge, according to Maung Mo. To combat these petitions he attached nine typed and signed statements from his colleagues attesting to his honesty and victimisation.⁵⁰ It was unclear who was telling the truth, but it was clear that the licences and petitions were embedded in the dynamics of local feuds between influential powerbrokers.⁵¹

As historians looking back at this messy picture, the difficulties faced by British officials attempting to disentangle it need not concern us too greatly. This is because through their ill-fated attempts to verify documents and clarify suspicions we gain a glimpse into the world of everyday interactions in which the social lives of written documents were played out. Their misconduct investigations were attempting to discipline state practices and maintain the inherently illusive boundary between the state and society. The tensions of this boundary were clear in the forestry officials' clashes with timber companies, feuds between state officials, and the involvement of family members. In colonial Burma, these anxieties about the permeability of this boundary were

also coloured by attempts to maintain racial divisions. The authority of white colonials was split on both sides of the above dispute. Maung Mo had his Deputy Commissioner on his side, but had a timber trader called Mr Boog and the headmaster against him, temporarily fracturing this otherwise foundational division. These cases remind us that the state is not usefully understood as a given entity separate to society. Instead, it should be conceptualised as the effect of disciplinary practices such as misconduct investigations,⁵² practices that are now traceable through the written documents that make up the archive.

Conclusion: Doubt in and doubting the archive

The duplicity that lay behind some of the written records can reveal the structure of the archive itself and enable us to better understand its content. The contradictions of colonial paperwork should encourage us to follow Ann Laura Stoler's suggestion and read 'along the archival grain'. For Stoler, the structure of the archive was generated by epistemic anxieties over the categories of race and sex that were axiomatic to colonial governance. Attempts to define and police these categories produced the documents that made up the archive.⁵³ In the present case, the anxiety within the Indian Civil Service in Burma about their records led to misconduct investigations, and to the generation of a misconduct archive. These investigations were moments in which the state was instantiated by white high-ranking officials through an interrogation of how it had previously been instantiated by their predominantly Indian and Burmese subordinates. In other words, by inquiring into how the records were produced, British officials hoped to set the record straight, to discipline subordinate officials into performing their duties faithfully, and to maintain the 'rule of colonial difference' based on race.⁵⁴ These investigations were material performances of state power that sought to establish proper boundaries between state and society and between colonised and coloniser.⁵⁵ Therefore, misconduct investigations performed the state as structured by a racial hierarchy, with white superior officers disciplining the mostly Indian and Burmese lower orders.⁵⁶

However, although documents were produced to discipline subordinate officials in this way, ruling British administrators routinely doubted the credibility of their records. This doubt meant that their anxieties about corruption were rarely sated by investigations, which were themselves often based upon interpretations of already suspect documents. These were doubts about documentation that historians might share. They are certainly doubts that historians might productively interrogate.

Although there has been a lot of work conceptualising the silences of the colonial archive,⁵⁷ little thought has been given to records with potentially fictive content which were perhaps fabricated with corrupt intent. My caveats of ‘potentially’ and ‘perhaps’ are crucial here. It is difficult to be certain that any particular document was fabricated. Anjali Arondekar argues that the absence of empirical evidence of homosexuality in the official colonial archive is what feeds the historian’s desire to discover the reality of its presence.⁵⁸ With corruption, it is the reverse. Its archival presence feeds doubts about the archive, even where direct mentions of corruption are absent. Corruption makes us aware of the limits of historical knowledge.

Nevertheless, in tracing the material practices involved in producing written records through misconduct investigations, this chapter has uncovered some of the ways in which both archival silences and archival fictions have been made. We cannot now know what was lost when the police officer Aung Pu apparently destroyed police records in Pyapon in 1908.⁵⁹ Nor do we know who actually bought the opium the excise officer Maung Po Sin sold in the nearby town Donubyu that same year, when it turned out the people listed as purchasing it did not exist.⁶⁰ However, we can track how these actions have produced gaps in our knowledge. The chapter has also attempted to uncover how British officials attempted to fill these gaps, and make judgements on the basis of their limited evidence. As this chapter hopes to have demonstrated, we can not rely upon the outcomes of these misconduct investigations. To do so would be to reproduce the ‘hierarchies of credibility’ deployed by imperial officials to assess suspicious documents.⁶¹ Instead, we must unpack how investigating officials sought to grapple with the contradictory nature of written documents, reveal the basis upon which they formed their judgements, and consider the material production of colonial records as a set of practices through which state power was simultaneously constituted and contested. If we do not do this, we risk re-inscribing imperial assumptions and their racialised, gendered logics.

What, then, do we know about acts of corruption in colonial Burma? How do we address our doubts about documents as historians without filling in the gaps with imperial assumptions? After all, it must also be born in mind that ‘corruption’ and ‘misconduct’ themselves are artefacts of the colonial archive. They were categories of deviant behaviour defined and deployed by the white upper echelons of the colonial administration to discipline their subordinate officials and to perform their own supposed incorruptibility and justify their despotic rule.⁶² Our reflective archival practice, concerned as it is with not reproducing

colonial discourses, might suggest that we can not, in fact, even be sure that officials were corrupt; particularly, since it is possible that our written evidence of deceptive paperwork might itself be deceptive. We are entering circles within circles. Doubt spreads. The ensuing paranoia threatens to paralyse our analysis. We need something solid to hold onto. We need some tangible evidence. And we have it: the documents themselves. Not simply as textual evidence, but as material artefacts with traceable social lives.

Treated in this way, we can see how written records were inherently inscribed with the possibility of duplicity.⁶³ As we have seen, they had an intrinsic contradiction to their production and potential use as material artefacts. They could reinforce colonial power, and they could be used to manipulate or avoid it. As such, for high-ranking British officials, documents could always be doubted. They were perennially a source of anxiety. It is as a result of this anxiety, and the further investigatory documentation that it engendered, that we can trace their complex social lives. We can follow how they were made, circulated and used. We can uncover how they were read alongside and against one another in investigating officers' often doomed attempts to get to the truth. But, as far as possible, we should not follow officials into this epistemological cul-de-sac. More modestly, what I think we *can* say is that corruption was always already a possibility of paperwork. To this extent, corruption was more than merely a colonial disciplinary label or a fleeting figment of the archive, it actually existed 'out there'. Beyond the unconfirmed suspicions, accusations, counter-accusations and indeterminate investigations of contemporary actors, or rather because of them, we can uncover how documents made certain corrupt practices possible, even probable. Corruption conceived of in this way might be described as being a set of practices that were structurally integral to the co-constitution of colonial archive and the colonial state. Therefore, by treating documents as more than texts, we can examine the contingent ways that paperwork could simultaneously sustain and subvert empire.

Notes

1. Cecil Champain Lowis, *Fascination* (London: John Lane, 1913), 64–65.
2. Jeffrey A. Auerbach, 'Imperial Boredom', *Common Knowledge*, 11, 2 (2005), 283–305.
3. Lowis, *Fascination*, 67.
4. For more on race and gender in Lowis's novels, see: Jonathan Saha, *Law, Disorder, and the Colonial State: Corruption in Burma c.1900* (Basingstoke: Palgrave Macmillan, 2013), 125.

5. Lewis, *Fascination*, 30–31.
6. Ben Kafka, *The Demon of Writing: Powers and Failures of Paperwork* (New York: MIT Press, 2012).
7. See: Clare Anderson, *Legible Bodies: Race, Criminality and Colonialism in South Asia* (Oxford: Berg, 2004); Radhika Singha, 'Settle, Mobilize, Verify: Identification Practices in Colonial India', *Studies in History*, 16, 2 (2000), 151–98.
8. For the former approach see: Anand A. Yang, ed., *Crime and Criminality in British India* (Tucson: University of Arizona Press, 1985); Sandria B. Freitag, 'Crime in the Social Order of Colonial North India', *Modern Asian Studies*, 25, 2 (1991), 227–61; for an attempt to negotiate both approaches see: Kim A. Wagner, 'The Deconstructed Stranglers: A Reassessment of Thuggee', *Modern Asian Studies*, 38, 04 (2004), 931–63; and for the latter approach, see: Parama Roy, 'Discovering India, Imagining Thuggee', *The Yale Journal of Criticism*, 9, 1 (1996), 121–45; Tom Lloyd, 'Thuggee, Marginality and the State Effect in Colonial India, circa 1770–1840', *Indian Economic Social History Review*, 45, 2 (2008), 201–37; Daniel J. R. Grey, 'Creating the "Problem Hindu": Sati, Thuggee and Female Infanticide in India, 1800–60', *Gender & History*, 25, 3 (2013), 498–510.
9. For the demand for written evidence could result in criminal actions, see: Anupama Rao, 'Problems of Violence, States of Terror: Torture in Colonial India', *Interventions: The International Journal of Postcolonial Studies*, 3, 2 (July 2001), 186–205.
10. Miles Ogborn, *Indian Ink: Script and Print in the Making of the English East India Company* (Chicago: University of Chicago Press, 2007); Bhavani Raman, 'The Duplicity of Paper: Counterfeit, Discretion, and Bureaucratic Authority in Early Colonial Madras', *Comparative Studies in Society and History*, 54, 02 (2012), 229–50.
11. Saha, *Law, Disorder and the Colonial State*, 81–82.
12. Saha, *Law, Disorder and the Colonial State*.
13. Anxieties over information have been discussed in other contexts in India, see: C. A. Bayly, *Empire and Information: Intelligence Gathering and Social Communication in India, 1780–1870* (Cambridge: Cambridge University Press, 1996); D. K. Lahiri Choudhury, 'Sinews of Panic and the Nerves of Empire: The Imagined State's Entanglement with Information Panic, India c.1880–1912', *Modern Asian Studies*, 38, 04 (2004), 965–1002; Kim A. Wagner, "'Treading Upon Fires": The "Mutiny"-Motif and Colonial Anxieties in British India', *Past & Present*, 218, 1 (2013), 159–97.
14. For some calls for a more skeptical approach that acknowledges the limits of colonial records in Burma, see: Ian Brown, "'Blindness Which We Mistake for Sight": British Officials and the Economic World of the Cultivator in Colonial Burma', *The Journal of Imperial and Commonwealth History*, 33, 2 (2005), 181–93; Kumar M. Satish, 'The Census and Women's Work in Rangoon, 1872–1931', *Journal of Historical Geography*, 32, 2 (2006), 377–97.
15. Ranajit Guha, 'The Prose of Counter-Insurgency,' in Ranajit Guha (ed.), *Subaltern Studies II: Writings on South Asian History and Society* (Delhi: Oxford University Press, 1983), 1–42; Gayatri Chakravorty Spivak, 'The Rani of Sirmur: An Essay in Reading the Archives', *History and Theory*, 24, 3 (1985), 247–72; Nicholas B. Dirks, 'Colonial Histories and Native Informants:

- Biography of an Archive', in Peter van der Veer and Carol Appadurai Breckenridge (eds), *Orientalism and the Postcolonial Predicament: Perspectives on South Asia* (Philadelphia: University of Pennsylvania Press, 1993), 279–312; Ann Stoler, 'Colonial Archives and the Arts of Governance,' *Archival Science*, 2, 1 (2002), 87–109; Anjali Arondekar, 'Without a Trace: Sexuality and the Colonial Archive', *Journal of the History of Sexuality*, 14, 1/2 (2005), 10–27; Anupama Rao, 'Affect, Memory, and Materiality: A Review Essay on Archival Mediation', *Comparative Studies in Society and History*, 50, 2 (2008), 559–67.
16. Durba Ghosh, 'Another Set of Imperial Turns?' *The American Historical Review*, 117, 3 (2012), 772–93.
 17. Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Commonsense* (Princeton, NJ: Princeton University Press, 2009).
 18. Ann Laura Stoler, "'In Cold Blood": Hierarchies of Credibility and the Politics of Colonial Narratives', *Representations* 37 (1992), 151–89.
 19. In other publications I have examined the duplicity of legal records and medical records, see: Jonathan Saha, 'A Mockery of Justice? Colonial Law, the Everyday State and Village Politics in the Burma Delta c.1900', *Past & Present*, 217 (2012), 187–212; Jonathan Saha, 'Colonization, Criminalization and Complicity: Policing Gambling in Burma c 1880–1920', *South East Asia Research*, 21, 4 (2013), 655–72; Jonathan Saha, "'Uncivilized Practitioners": Medical Subordinates, Medico-Legal Evidence and Misconduct in Colonial Burma 1875–1907', *South East Asia Research*, 20, 3 (2012), 423–43.
 20. See for details, and different explanations for its rise and weaknesses: Michael Adas, *The Burma Delta: Economic Development and Social Change on an Asian Rice Frontier, 1852–1941* (Madison, Wisconsin: University of Wisconsin Press, 1974); Ian Brown, *A Colonial Economy in Crisis: Burma's Rice Delta and The World Depression of the 1930s*, RoutledgeCurzon Studies in the Modern History of Asia 28 (London: Routledge Curzon, 2005); of course, we should remain aware that there were important pre-colonial continuities, see: Michael Adas, 'Imperialist Rhetoric and Modern Historiography: The Case of Lower Burma before and after Conquest', *Journal of Southeast Asian Studies*, 3, 2 (1972), 175–92; Peter A. Coclanis, 'Southeast Asia's Incorporation into the World Rice Market: A Revisionist View', *Journal of Southeast Asian Studies*, 24, 2 (1993), 251–67.
 21. *Imperial Gazetteer of India: Provincial Series, Burma Vol. 1: The Province; Mountains, Rivers, Tribes; and the Arkan, Pegu, Irrawaddy, and Tenasserim Divisions* (Calcutta: Superintendent of Govt. Printing, 1908).
 22. Ian Brown, *Economic Change in South-East Asia, C.1830–1980* (Kuala Lumpur: Oxford University Press, 1997).
 23. See: Robert H Taylor, *The State in Myanmar*, New ed. (London: C. Hurst, 2008); Mary P Callahan, *Making Enemies: War and State Building in Burma* (Ithaca: Cornell University Press, 2003); for more on the chronology of this process, see: Neil A Englehart, 'Liberal Leviathan or Imperial Outpost? J. S. Furnivall on Colonial Rule in Burma', *Modern Asian Studies*, 45, 04 (2011) 759–90; we should also be aware of pre-colonial bureaucratic development designed to improve taxation and revenue collection, see: Thant Myint-U, *The Making of Modern Burma* (Cambridge: Cambridge University Press, 2001).
 24. National Archives of Myanmar, Yangon, hereafter NAM, 1/15 (E), 7077, 1902 File No. 7M-3, 28 October 1902.

25. NAM, 1/15 (E), 7287, 1906 File No. 7M-16, 10 December 1906.
26. NAM, 1/15 (E), 7108, 1903 File No. 7M-12, 9 March 1903.
27. NAM, 1/15 (E), 7150, 1904 File No. 7M-13, 18 February 1904.
28. Saha, *Law, Disorder and the Colonial State*, 16–46.
29. The case of township office Maung Gale is an excellent example: NAM, 1/15 (E), 7023, 1900 File No. 7M-11, 31 May 1900.
30. A. P. Pennell, *Report on the Settlement Operations in the Amherst District, Season 1891–92* (Rangoon: British Burma Press, 1893); a decade later Pennell's propensity to publicly criticize the Government of India, this time for exposing the corruption and violence of British police officers, would result in his removal from the Indian Civil Service, see: Great Britain. India Office, *East India (case of Mr. A.P. Pennell) : Correspondence Relating to the Removal of Mr. A.P. Pennell from the Indian Civil Service*. (London: printed for HMSO by Darling & Son, 1902).
31. Ashley Wright, 'Opium in British Burma, 1826–1881', *Contemporary Drug Problems*, 35 (2008), 611–46.
32. Ashley Wright, *Opium and Empire in Southeast Asia: Regulating Consumption in British Burma* (Basingstoke: Palgrave Macmillan, 2013), 95–100; it should also be noted that opium policies differed in the 'Scheduled Areas' of Burma's borderworlds: Robert Maule, 'British Policy Discussions on the Opium Question in the Federated Shan States, 1937–1948', *Journal of Southeast Asian Studies*, 33, 2 (2002), 203–24.
33. Eric Tagliacozzo, 'Ambiguous Commodities, Unstable Frontiers: The Case of Burma, Siam, and Imperial Britain, 1800–1900', *Comparative Studies in Society and History*, 46, 2 (2004), 354–77.
34. Wright, *Opium and Empire in Southeast Asia*, 97.
35. NAM, 1/15 (E), 7313, 1907 File No. 7M-5, 1 August 1907.
36. NAM, 1/15 (E), 7344, 1908 File No. 7M-4, 27 June 1908.
37. NAM, 1/15 (E), 7313, 1907 File No. 7M-5, 1 August 1907.
38. NAM, 1/15 (E), 7328, 1907 File No. 7M-22, 19 December 1907.
39. NAM, 1/15 (E), 1139, 1894 File No. 2C-15, 3 November 1894.
40. *Ibid.*, 4 November 1894, 29 November 1894.
41. Raymond L Bryant, *The Political Ecology of Forestry in Burma, 1824–1994* (London: Hurst, 1997), 43–51.
42. Bryant, *Political Ecology of Forestry*, 85.
43. For how the BBTC influenced public opinion and imperial policy in the lead up to the annexation of Upper Burma in 1885, see: Anthony Webster, 'Business and Empire: A Reassessment of the British Conquest of Burma in 1885,' *The Historical Journal*, 43, 4 (2000), 1003–25.
44. Bryant, *Political Ecology of Forestry*, 43–126; although, there were some attempts at collaboration in forest management, with mixed results, see: Raymond L. Bryant, 'Shifting the Cultivator: The Politics of Teak Regeneration in Colonial Burma,' *Modern Asian Studies*, 28, 2 (1994), 225–50.
45. Bryant, *Political Ecology of Forestry*, 49.
46. NAM, 1/15 (E), 6891, 1898 File No. 7M-10, 9 September 1898.
47. *Ibid.*, 29 July 1898.
48. NAM, 1/15 (E), 7084, 1902 File No. 7M-12, 21 April 1902, 1 June 1902.
49. *Ibid.*, 28 November 1902.
50. *Ibid.*, 20 December 1902.

51. In fact, Maung Mo's case was bound up with a much larger and extensive web of intrigue involving his brothers, one of whom was the above mentioned forest ranger found guilty of misconduct regarding land records, Maung Pyo, see: Saha, *Law, Disorder and the Colonial State*, 83–94.
52. Timothy Mitchell, 'Society, Economy, and the State Effect', in Aradhana Sharma and Akhil Gupta (eds), *Anthropology of the State: A Reader* (Oxford: Blackwell, 2006), 169–86.
53. Stoler, *Along the Archival Grain*.
54. Partha Chatterjee, *The Nation and Its Fragments: Colonial and Postcolonial Histories* (Delhi: Oxford University Press, 1994), 14–34.
55. In this way misconduct investigations resemble commissions, see: Stoler, 'Colonial Archives and the Arts of Governance,' 103–107; and for more on the modern state as the metaphysical effect of everyday material practices, see: Philip Abrams, 'Notes on the Difficulty of Studying the State', *Journal of Historical Sociology*, 1, 1 (1988), 58–89; Timothy Mitchell, 'The Limits of the State: Beyond Statist Approaches and Their Critics', *The American Political Science Review*, 85, 1 (1991) 77–96; Mitchell, 'Society, Economy, and the State Effect'.
56. Saha, *Law, Disorder and the Colonial State*, 72–96.
57. Spivak, 'The Rani of Sirmur'; Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995); Arondekar, 'Without a Trace'.
58. Arondekar, 'Without a Trace'.
59. NAM, 1/15 (E), 7343, 1908 File No. 7M-3, 31 January 1908.
60. NAM, 1/15 (E), 7344, 1908 File No. 7M-4, 27 June 1908.
61. Stoler, 'In Cold Blood.'
62. Saha, *Law, Disorder and the Colonial State*, 72–96.
63. This draws from anthropological understandings of the relationship between law and corruption, see: Monique Nuijten and Gerhard Anders, 'Corruption and the Secret of Law: An Introduction', in Monique Nuijten and Gerhard Anders (eds), *Corruption and the Secret of Law: A Legal Anthropological Perspective* (Aldershot, Hants, England: Ashgate, 2007), 9–12.

10

Not Seeking Certain Proof: Interracial Sex and Archival Haze in High-Imperial Natal

Will Jackson

Introduction

In colonial settings, nothing was as dangerous to racialised social hierarchies as sexual contact between ‘white’ and ‘black’.¹ While Africans and Asians were constructed as – variously – rapacious, lascivious, hyper-sexed or diseased, Europeans who had sex with so-called ‘natives’ were perceived not only as culpable for the emergence of mixed-race populations but also as betraying a profound lack of racial feeling – to be recognised as white required those classified as such to think and feel as well as behave according to tightly circumscribed racial norms.² Interracial sex was problematic because it raised the question of why Europeans would have sex across racial boundaries. To contemporaries, these people may have been constructed as degenerate or deranged but these categorisations masked something far more disturbing. Sexual subversives were dangerous because they embodied what was collectively felt but fiercely suppressed – the possibility that any European might feel desire, affection or intrigue for those beyond the racial divide. They represented, in other words, the collapse of racial feeling and with it the possibility that the entire emotional and intellectual superstructure of empire might be shown up to be false. However, if interracial sex signalled the most profound contravention of social norms, its deviant aspect was in no way simple or straightforward. Sex was never merely an extension or a subversion of colonial power, nor was it only ever a physical exchange. As historians of sex and empire have broadened their conceptual frameworks to incorporate, in the words of Barbara Voss and Eleanor Casella, ‘an entire constellation of embodied and expressive human intimacies’, any account that limits itself to the bodily ‘act’ cannot fail to appear naive.³

This chapter considers the history of interracial sex in early twentieth century Natal. Annexed to the British crown in 1844, by the end of the second South African war in 1902, the colony was home to some 90,000 people of European descent (the majority English-speaking) and 100,000 'Indians and Asiatics' besides almost a million black Africans.⁴ Sex between Africans and Europeans had been pervasive since the beginning of white settlement but through the first half of the twentieth century a succession of new miscegenation laws worked to constitute various kinds of physical and emotional intimacy as deviant in powerful and unprecedented ways.⁵ While historians have written in some depth on the discourses and debates that framed interracial sex at this time, far less attention has been paid to its social reality.⁶ This essay seeks to address this imbalance by adopting a micro-historical approach to a series of cases involving Europeans thought to be having sexual relations with African men or women.⁷ Ranging from the turn of the twentieth century to the aftermath of the 1927 Immorality Act, it covers not only the formation of the South African state but also the development of those interlocking hierarchies of race, gender and class from which the state took its cultural and political bearings.⁸ The particular value of these case studies, I argue, lies not so much in their 'proving' that sex across racial borders did indeed take place but, rather, in the very uncertainty – the haze – of their documentary remains. Embracing this hazy, uncertain quality is to pit ourselves against both the positivist academic tradition that marshals unambiguous empirical evidence in support of historical argument, and the colonial search – the search for certain proof – that characterised contemporary investigations. Fixated by the act of reproductive, heterosexual sex, authorities accumulated all sorts of telling peripheral detail that, ironically, only the protocols of the modern archive can afford. We know enough already about the problem of miscegenation for white settlers and, in particular, the symbolism of the mixed-race child.⁹ Beyond its figurative significance, however, what was its social and affective context? What attends to sex, in other words? What clings to its archival trace?¹⁰

In South African archives, considerable documentary evidence can be found for 'immorality' – that is, sex between those categorised as 'natives' and those classed as Europeans.¹¹ In their correspondence, memoranda and reports government officials discussed strategies for controlling such deviant racial contact. They also investigated particular individuals: interracial sex was inspected case by case. Initiated sometimes by concerned white settlers, sometimes by black Africans, enquiries were conducted and recorded by officers of the state – police detectives, magistrates and bureaucrats.¹² These men shared a

considerable ill-ease over the prospect of intimacy between Africans and Europeans and theirs was a language of repugnance and disgust. Interracial sex was a disgrace, an 'evil' to be watched for and erased. Yet, expressions of outrage were combined with the pragmatics of how best to proceed and correspondents were able to write quite calmly around policies of prevention and strategies for cure while untoward suppurations of repulsion and rage were secreted across the page.

All were agreed that what was ultimately at stake was the basic racial difference to which mixed-race children – 'bastards' and 'half-castes' in the parlance of the day – were the embodied affront. What was being described in their paperwork was much more, however, than the sexual act. Bureaucrats were historians too, constructing back-stories for the doom-laden couplings that they knew to have taken place but could never quite reveal, not least to their own cognitively-dissonant, imaginatively impaired minds. Always, the conventions of the law and of the archive itself clashed with the evasive nature of human feeling. As was frequently stressed, implementation of the immorality laws was frustrated by the problems of permissible evidence. A copulating couple, caught in the act, was the only certain proof. Moreover, only the female involved could testify to 'connection' having occurred yet in cases involving African women, native testimony was, by dint of racial character, always deemed defective. Police raided buildings and lurked in yards but their quarry – positive evidence of penetrative, vaginal sex – remained unrealised, perpetually out of reach. If at the heart of colonial deviance was this great genital taboo, what got lost in the hunt, but, paradoxically, emerges from the archives in complex and voluminous narrative reams are the stories around that act. If sex is at their centre, it is entirely banal. The prudery and prurience of the colonial imagination may have conjoined to foresee a brightly lit stage on which the guilty parties – or guilty parts – could be clearly seen but the recoverable histories of colonial sex are the histories of the surrounding haze. In that haze, and in place of an (analytically sterile) voyeurism questions emerge. What was the nature of these relations? Were they fleeting or long-lived? Did they form relationships and if so, what was their emotional content? Was sex between Europeans and Africans in colonial Africa no more than the operation of racial and patriarchal power? Is there room to talk of love?

Frontier deviance and the settler colony

While the crossing of racial boundaries had carried the portent of degeneration since the beginning of European settlement in Southern Africa,

during the Victorian period transgression at the frontier was imputed more with romance than with dereliction. Present-day Durban began its life as an international port after a handful of English colonists from the Cape pitched up in 1824 with vague designs to trade with the Zulu kingdoms in land. All 'went native'. The most famous was Henry Francis Fynn who, in establishing a proto-diplomatic presence at the court of the Zulu king Shaka, took on all the patriarchal trappings of Zulu political capital. His contemporary, the 19-year old Nathaniel Isaacs, wrote the lasting account of these years. Describing Fynn, he writes:

His head was covered with a crownless straw hat, and a tattered blanket fastened round his neck by means of strips of hide served to cover his body, while his hands performed the office of keeping it round his nether man.¹³

It was poverty – simple material deprivation – that prompted Fynn to adapt to local culture, though his crownless straw hat suggested the tenacious preservation of a wholly European concern to combat the ferocity of the midday sun. All these early settlers, it has been noted, had sexual relations with African women but the record speaks exclusively of marriage; casual ('illicit') liaisons would be remarked upon only much later in the nineteenth century.¹⁴ The important point here is that in marrying Zulu women, British men entered African political economy. At first, they took wives as tribute from Zulu kings; as they established their own power – and their own communities of followers – their marriages constituted patrimonies of their own. As the 'high imperial' moment approached, significant 'mixed' communities had come to exist in Natal, bearing the names of their 'white' patriarch founders.¹⁵

These first European inhabitants of Natal, we should note, were not in fact settlers at all but itinerant hunter-traders.¹⁶ What they lacked was the ethnocentric desire – the ideology – to spread civilisation. They sought only their own enrichment – via ivory, hides and guns. 'Going native' served that aim. Ironically, it is precisely this pragmatism – this racial dexterity – that affords these figures their romantic reputation. These were men who lived before the inflexibility of the late nineteenth century racial discourses; the romance imputed to them in latter day accounts derives from its nostalgia. Contemporaries were divided, however, reflecting their relative propensity to understand racial transgression in moralising terms. In the 1860s, the famous 'white African', John Dunn, who carefully crafted a persona of heroic transfrontiersman, appalled missionaries by his disregard for their civilising mission.¹⁷ On entering a

territory, wrote Charles Ballard, missionaries were 'naturally shocked and disgusted' to find white men living as 'heathen' with black wives and 'bastard' children.¹⁸ Yet, it was the fact that men such as Dunn actually ruled over African clients that was more alarming for missionaries. Both Protestant cultural imperialism and the self-interested accrual of wealth needed service from political power. The contest, then, was a direct struggle between the transfrontiersman and the missionaries for loyal and regenerative constituencies of support. To the 'shocked and disgusted' missionaries, one may be tempted to ask whether it was the white man's appearance of having taken on African habits of life or the fact of interracial sex itself that generated revulsion. Yet, each was intimation of the other, both harbingers of incremental racial loss.

By the late 1860s, the boundary crossing characteristic of a porous frontier was beginning to diminish. Systematic settlement created the colony of Natal; the Zulu wars of the 1870s led to the dismantling of the Zulu kingdom.¹⁹ When it was made clear to him that the British authorities determined to irrevocably neutralise Zulu power, Dunn went with the only viable prospects for his political survival. Incorporated into the colonial administrative system as one of seven African chiefs, Dunn bore the cloak of co-opted tradition.²⁰ Who better than a 'white African' to implement indirect rule?²¹ At his appointment, the old division between the moralists and the pragmatists publicly flared. In the British press (notably to a greater degree than in Natal itself) Dunn flourished briefly as an outlier of a passing age. On the ground his relevance ebbed as the proliferating bureaucracy of the new colonial state went to work.

Across Southern Africa, as settler-politicians strived to render stable sovereignties from porous frontiers, ambivalence over change was projected onto the figure of the native. By the later nineteenth century, the 'native in transition' had emerged as what would become the enduring expression for the constant element of doubt that the project of colonial modernity contained. Detribalisation would be the watchword for moralists alarmed by the disordering effects of industrial capitalism on the African veldt.²² Poor and criminal Europeans corrupted the African. Rogue farmers, missionaries and even – especially – the police seduced African girls. Offenders of the liquor ordinance sacrificed racial pride to private profit by selling alcohol to Africans. Unsanitary eating houses incubated racial mixing. 'Continental women' failed to discriminate between European and African clients. Up-country store-owners, the social if not biological descendants of Dunn and Fynn, enjoyed close daily contact with the Africans amongst whom they lived.²³ These were the social milieus in which immorality took place. It is important

to emphasise that their subversive quality was not confined to sex alone but encompassed wider anxieties around the affective and corporeal dimensions of racial mixing. Deviance involved the ways people ate and drank, in other words, how and where they slept and with whom they laboured, lived and loved. While sex – and specifically, the sexual act – crystallised in the popular mind such assorted kinds of intimacy, so too were these kinds of otherwise innocuous daily contact freighted always with the nightmare image of what was at once their origin and result.

Racial mixing and the legal limit

Not all the cases recoverable from the archives comprise court records or police investigations: enquiries were carried out with varying degrees of formality; some cases constituted no more than the levelling of an accusation or the anonymous relaying of a rumour. Ironically, the case that is most instantly recognisable as deviant, most redolent of the contemporary image of colonial transgression, is one without legal prosecution and without the conclusive end such as a verdict might imply. Mary Collins migrated to Natal from Ireland in the 1880s and married a sailor with whom she had two children. When her husband died unexpectedly, Collins was stranded in a settler colony that lacked state welfare provision, unable to simultaneously care for her children and perform wage labour.²⁴ Sometime after her husband's demise, Collins was reported to have begun an 'immoral life amongst the natives'. Why she had done so the relevant records provide no clue, fogged over as they are with their authors' disgust and disdain. For nine years, Collins lived a scratch subsistence life in a wood and iron house amongst Africans on whom she depended for sustenance and support. Archival records speak of a 'degraded woman' in a 'disgraceful state' amid 'filthy conditions'.²⁵ Within these fulminations, however, is conveyed also the clear limitations of social control. Collins had broken no law and only warnings to 'behave herself' were issued. State officials made intermittent threats to have Collins placed in an asylum but no evidence was found to support a case of insanity. By 1901, when the documentary trail abruptly ends, Collins was still living her 'depraved life' amongst the natives on the farm.²⁶

That 'immorality' pointed simultaneously towards prostitution and interracial sex only compounds our confusion in this case. However, there is little doubt that Collins did have sex with Africans: sources speak repeatedly of her 'half-caste' children whom she adamantly refused to leave. Indeed, it is children who represent the most basic

gendered difference between the handling of immorality cases involving European women and European men. Children were themselves the most obvious embodiment – the most powerful certain proof – of inter-racial sex. Yet, as Durba Ghosh has shown, this gender differential was always cut with class. In early nineteenth century India, the racial transgressions of lower-class Europeans differed significantly from those of the colonial elite.²⁷ Low-ranking men left in their wills very few directions for the schooling of their mixed-race children, unlike men of status who, by raising their children as white, enabled the erasure of their private transgressions. For the rich, children were the means for the bifurcation of private deviance and public respectability. For the poor, the very boundaries between private and public blurred, and blur in turn, the archival records. As Ghosh explains:

The households of lower-ranking Europeans ... were entirely different from the world of high-ranking English society that is familiar to us from travel memoirs, diaries, and novels.... At this level of Anglo-Indian society there was a greater deal of interaction, both cooperative and conflictual, between local Indians, servants, European soldiers and tradesmen. Households were often permeated by neighbours, domestic servants, and distant relatives....²⁸

It is a striking scene – the household of porous borders. And it is one that resonates remarkably with a Natal police report of 1904. In October of that year Europeans living in the village of Richmond, twenty-five miles south-west of Pietermaritzburg, complained of a house nearby being used ‘for immoral purposes’. Just before midnight on the night of the 26th October, a detachment from the Natal Police arrived at the house. Sergeant Hayes, the man at their head, recorded what they found:

I knocked several times at the door but got no answer, so burst the lock and entered the house instructing a trooper to stop at each of the doors of the rooms which opened onto the passage. In the first room on the left hand side I found a European youth named Goode in one bed and a small Arab boy in the other. In the next room I found the Arab book-keeper from M.A. Parak’s store in a double bed by himself. In the third bedroom I found two girls (European), Victoria Poole and Amy Goode, in one double bed. I asked Mercer, the bookkeeper, what the girls were doing in this house at the same time cautioning him in the usual way that anything he might say may

be used against him, and he then stated that Victoria Poole was his wife, having been married to him by Mahomedian rights by a priest at Inchanga. I then told him that there was no Mohamedan priest at Inchanga and he then said that another priest had married him. I am quite certain from enquiries I have made, that this man is not married to this woman. On asking what Goode was doing in the house, Mercer stated that she was going to marry M.A. Parak but was staying with her brother who was employed by Parak. These two girls are about 16 years of age, Amy Goode's parents reside in Durban and the mother of Victoria Poole was convicted in this Court some time ago for cohabiting with natives.²⁹

As with the scandal around the George Webb Hardy affair – when a newspaperman in Durban claimed that European school-girls were enjoying romps with Africans in the grounds of their school – here, it was the necessity to conform to legal convention of what constituted passable evidence that forced upstanding colonists to confront the spectacle they otherwise collectively repressed.³⁰ Juridical truth could accommodate neither euphemism nor equivocation. It was precisely this failing, moreover, that determined the inadequacy of the laws to manage transgressive behaviour. The Immorality Ordinance of the previous year categorised only Indian 'coolies' as natives. As the Richmond magistrate remarked, the law did not include 'those Indians generally known as Arabs or Traders'.³¹ It was a problem that persisted through the interwar years: white women continued to live with Indian men but only the 'coolie' came within the rubrics of the immorality laws. As a Durban police official noted in 1929:

The average 'Coolie' to whom the Law particularly applies is not the person who commits offences of this nature, as he invariably cannot afford to associate with white woman ... in fact the cases coming to police notice are invariably those of European women consorting with Indians of the merchant and landowner class who are able to afford motor cars and other luxuries, and who are the chief offenders in bringing European women under their baneful influence.³²

Binary categorisations of 'European' and 'native', embedded in legal prohibition, could not allow for upward social mobility; subverting boundaries of class threw racial designations into doubt. Nor could they capture the fluid, interstitial realities of human life. Indeed, perhaps the most remarkable aspect of Sergeant Hayes' report is its powerful

intimation of an entire social underground in which people of diverse ethnic, religious and social background lived side by side and cheek by jowl. Sex is both everywhere and nowhere here; what all the occupants of the Richmond house appear to share is a total lack of respect for – or even an awareness of – prevailing racial norms. What Hayes describes, sighted by torch-beam directed from a passage into darkened rooms, were boys and girls, Arab and European, in various states of intimate repose. There was no violence taking place here; it is important to stress, no sexual ‘acts’, none of the movement that the very notion of transgression suggests. What is rendered, instead, are the implications of transgression. That the Europeans in the house were all young indicates the real colonial fear: that sexual transgression will result in Europeans lacking appropriate racial feeling. That the mother of one European girl had been previously convicted for cohabiting with natives only directs us back to the failure of state control to bring subversive racial contact to a satisfactory or conclusive end.

Legislation to debar cross-racial intimacy proceeded incrementally: immorality was outlawed at the start of the century, sexual – or illicit – relations in 1927. In 1948 the mixed marriage act coincided with a revised version of the ban on inter-racial sex; the passing of the Group Areas Act two years later was in part designed to dispel the murk from the kind of racial disorder sighted in Richmond almost 50 years before.³³ If the onset of apartheid leads us to imagine a final moment in a progressive hardening of racial boundaries, however, it is worth noting that prosecutions for contraventions of the immorality act were constant and numerous during the very ‘high-apartheid’ years when racial consciousness was – we might suppose – at its height.³⁴ It was the state’s tolerance for inter-racial sex, in other words, not the phenomenon itself, that diminished. We should not confuse that, moreover, with social intolerance: those prosecuted came from all walks of life and it was by no means only the poor or marginal who subverted racial bounds.³⁵ If the later twentieth century was a time of apparently clear racial boundaries that began to dissolve away as apartheid declined but masked a fairly consistent level of inter-racial sex, then the early twentieth century might be imaged as a time of apparently porous boundaries being subject to new forms of social control.

Aborted love and moral condemnation

If the problem of mixed or racially-indeterminate offspring was at the root of colonial anxieties around interracial sex, at the level of those individuals directly concerned there is no neat division between the

transgressions of men and those of women. Deviance was undoubtedly gendered but its experiential reality was far more complex than the preoccupations of state officials would suggest. Two concurrent legal cases bear this out. In the winter of 1916, a Pietermaritzburg magistrate by the name of Walker-Wilson presided over two cases in quick succession, one involving a European man and the other a European woman. In both cases, and reflecting popular feeling, Walker-Wilson used the rhetorical space the court-room provided to make a public plea for a change to the immorality laws that would make white men as culpable for the crime of interracial sex as white women. But the narrative back-stories of the two cases – and, indeed, their archival haze – was very different. They reveal, moreover, the problem not so much of sex, but of love.

One afternoon in early August 1916, a Natal police detective stopped an African man named Gileni on the road outside Pietermaritzburg. Gileni had with him a mixed-race child; he explained that he was on his way to his kraal and that he was the father of the child. The mother was a white woman, Nancy Evelyn Voller, who had come out to Natal from England five years previously and had been living with her husband at Umbilo, a little north of Durban. Called to give evidence in the ensuing trial, Gileni said that he first became known to Voller when hawking jam. Voller was alone in the house at the time, caring for her young child. Her husband was ‘away’. Ironically, it appears that it was out of concern for his wife and child’s safety that Voller’s husband agreed that Gileni (or ‘the native’ as he was termed) should be employed to sleep in the kitchen ‘as a sort of protection’. Asked if he had anything to say to the court, Gileni stated that he and Voller had ‘become fond of each-other’ during this period. ‘Intimacy’ followed.³⁶ The affair (because that is what it might properly be termed) must have gone on for some time. Voller fell pregnant with Gileni’s child and in the late stages of her pregnancy, the two went up-country together where Voller gave birth.

The surviving evidence of this case can be read from several angles: from the perspective of the state (in the form of the magistrate); from the perspective of the settler community (via the local press reports) and – most difficult of all – through the eyes of Voller and Gileni themselves. Of the latter, given only the slightest of archival voice, we cannot duck an empathic interpretation. To reconstruct: Evelyn Voller sailed to Durban from England in 1911. There she met a man whom she married. Soon after, she fell pregnant. Installed in a house in an isolated settlement, in a strange country far from her family, Voller, as her solicitor stated, ‘stood alone without a friend in the country’.³⁷ For two years, Voller and her baby remained in the house. It is into this situation that

Gileni arrived. With no evidence on record to indicate what transpired between Voller and Gileni, we can only imagine and infer. But Gileni's statement that the intimacy that developed was the expression of 'fondness' between himself and Evelyn implies an element of sincere affection. At the least we are forced to contemplate the possibility that across great social and cultural distance space was found for some kind of solidarity to emerge.

William Dalrymple, writing of the love that developed between European men and Indian women in the eighteenth century, did so in a distinctly romantic vein.³⁸ By contrast, the story of Gileni and Voller is one of tragedy. Both were found guilty of immorality and sentenced to 12 months in gaol with hard labour. In the dock, Gileni addressed the magistrate: what would be the fate of his and Voller's child? Walker-Wilson replied: 'you need not concern himself with that'. The crispness by which the magistrate despatched this filial relation speaks powerfully of the ways by which legal sanction worked to terminate relations that troubled racial bounds.³⁹ By comparison, and despite her custodial sentence, Voller was looked upon forgivingly by the court. Although Walker-Wilson was unswayed by her solicitor's request for mercy, he did agree to the bulk of the evidence being submitted in the form of sworn affidavits – 'a humane consideration' – as opposed to being read aloud and, although the magistrate underlined the gravity of the case, he noted too how sorry he was that the situation had come to pass.

Such rhetorical exculpation was in stark opposition to the second case Walker-Wilson heard that August, this involving a European man named Simon Hoffenberg and an unnamed African woman. On both occasions, Walker-Wilson rehearsed the conventional dogmas around the lowering of white prestige but while Voller's was depicted as a 'sad case', Hoffenberg's was framed as 'despicable and disgraceful'. Unlike Voller, who was charged with contravention of the immorality ordinance, Hoffenberg was charged with indecent assault. He, however, was found not guilty. His victim (or, as was implied by the not guilty verdict, his consenting partner) had delayed going to the police; Hoffenberg, what is more, had made overtures in the past. As Walker-Wilson remarked, 'one would have thought that she, a civilised native woman, would have known how to act in the event of a repetition of these unwelcome attentions.' Virtue here was raced – a 'civilised native', it was suggested, should be able to withstand sexual harassment – while the play of racial power at work in any white man's sexual advances towards an African was elided. This double-standard worked to defend the white man's honour: consistent with the racial

domination of black women by white men, sex between them could not, categorically speaking, constitute assault.⁴⁰

In spite of (or because of) the not-guilty verdict, Walker-Wilson did not pass up the opportunity to condemn Hoffenberg morally. As the press reported:

The Magistrate, speaking in the strictest tones, said that he had absolutely no pity for the accused at all. On his own showing, he had been around at the woman's place and nothing could be more despicable and disgraceful than the position in which the accused found himself.⁴¹

Such discursive disapproval served to shore up the legal anomaly that saw white women jailed while white men escaped custodial sentence. Dishonouring the aberrant white man worked to protect the generic 'white man' that underwrote the particular ideological alloy of race and gender that articulated in turn the logic of the settler colony. The advantage of moral condemnation over legal sanction was that it provided a partial license for white men to have sex with Africans. The unstated rule demanded that such men deploy sufficient discretion to keep their transgressions out of public sight and that their reputation should be firm enough to withstand harmful rumour if accusations were levelled against them. Alfred Hulley, a clerk living in the township of Newcastle, was transferred from the division after complaints were made that he was sleeping with 'native girls'. 'The fact that Hulley does not take a room at the club where he has his meals,' noted the local magistrate, 'but lives by himself is in itself a suspicious circumstance'.⁴² Social credibility operated, then, as the measure against which subversive behaviour could be emphasised or overlooked. Significantly, at least one police investigation was derailed after accusations were made that the investigating officers were themselves conducting sexual relations with African women. The line between the use and abuse of power was in a constant state of fraught negotiation.

Elusive evidence and archival haze

Men who were socially aloof were more likely to suffer the damage to their reputation that a police case involved. We see this most clearly in our final case, that of George William Linfoot and Gracie Sibiya, both of whom were charged in 1928 under the year-old South African Immorality Act. Unlike the case of Voller and Gileni, in the Linfoot and

Sibiya trial only the African accused was found guilty and imprisoned. Linfoot got off. The case reignited the generations-old controversy over the lowering of Africans' respect for their supposed racial superiors but, more importantly for our purposes, demonstrates the interpretative value of the haze around the crime. In detailed witness testimony a picture was pieced together, an assemblage of sights and sounds that together 'added up' to guilt. While a legal loophole allowed Linfoot to escape conviction, his consequent ostracism by the local settler community ensured an effective measure of social control.

The most valuable evidence from these cases comes from the testimony of witnesses and the accused. For the prosecution, the most important witness was Gracie's brother, Shushu. He testified that at about 6 p.m. on 14 November, Gracie left home for Richmond. She was going to see 'a white man,' Shushu said, 'her friend, Linfoot, whom she loved'. When Gracie arrived at Linfoot's house, she entered at the back; Shushu, who had followed his sister, then saw Linfoot appear from the direction of a nearby hotel and go into the house. Shushu reported what he had seen to the Police. With them, he returned to the house and while the policemen skulked behind a fence, Shushu tapped on the window. When Linfoot, dressed in striped pyjamas, opened the door, Shushu asked to see his sister. Inside, Gracie was lying on a bed wearing a shirt to her waist. Shushu could not see if she was wearing anything else, he explained, because his sister was in the bed, covered with a blanket. Shushu recollected that there was only one bed in the room. 'There were blankets, sheets and pillows on the bed,' he noted, '... they were not straight'.⁴³

On leaving the house, Shushu returned to the police behind the fence to divulge what he had seen. Together, they went back to the house. Shushu knocked at the bedroom window, from which a light was shining dimly. He heard a bed creak and a voice respond, 'who's there?' At the back door the group confronted Linfoot. He demanded a warrant and attempted to close the door but the police forced their entry. In the bedroom, they found Gracie on her back, lit up by their torches. 'Two people had been in that bed', one of the police officers confidently asserted, 'the other pillow had a dent as though a head had been on it.' Linfoot, the police noted, was in his pyjamas: 'he had no socks on, his hair was ruffled'. Such was the stuff of racial crime.⁴⁴ Without conclusive proof, the police fell back on the circumstantial evidence of indented pillows, absent socks and tousled hair. Suggestive of but secondary to the central (f)act of the case, to readers approaching these sources almost a century later such incidental detail is

arresting nonetheless. While academic convention directs us towards the categories and concepts of unambiguous analytical prose, it is the very arcane, idiosyncratic quality of private lives that both humanises colonial deviance and defamiliarises those well-worn categories of coloniser and colonised.

Linfoot's own testimony furnishes the most problematic, compelling evidence of the case. A book-keeper and accountant, George Linfoot had been living in Richmond for four years. He was married but his wife, as several witnesses confirmed, was not living in the town; Linfoot took his meals at the Richmond Hotel.⁴⁵ On the evening of 14 November, as Linfoot explained, Gracie Sibiya arrived at his house for the 'usual cleaning, scrubbing up and putting things in order' (Sibaya had been working for Linfoot as a domestic servant for the previous six weeks). At about half past seven Linfoot lit a candle, instructed Gracie to get on with her work and went across the road to the hotel for his dinner. When he returned, 45 minutes later, he found Gracie busy at her tasks; Linfoot set about with some carpentering that he had been doing in the passage-way that ran along the back of his house. It was a hot night and so Linfoot removed his coat and waistcoat. When he was finished with his work he went into his bedroom and 'slipped into' his pyjamas. It is here that we encounter the real confusion at the heart of the case. According to Linfoot, as he stood in his pyjamas he instructed Gracie to boil the kettle and prepare tea. Gracie said she was very tired; her brother, who would escort her back to her kraal, was late in returning. After Gracie had prepared the tea, Linfoot invited her to partake in some herself. It is important to note that it was here, not when Linfoot undressed to his pyjamas, that the first transgression occurred: physical display was nothing to emotional display; undressing before 'natives' was never as deviant as caring for them. Gracie offered to continue to work – to sweep up the shavings and saw-dust from the passage – but Linfoot said no; again, his refusal can be read as a suggestion of care. Compassion, however, was itself conveyed through the exercise of power: Linfoot invited Gracie to take some tea at the same time as he instructed her to make it.

At this point, according to Linfoot, he fetched an arm chair into his bedroom on which he placed his watch and pipe and sat himself on the side of the bed, where he began to read. When Shushu appeared at the window, Linfoot was sitting on the bed; Gracie was sitting on a box. Only after her brother left and Gracie said again how tired she was did Linfoot allow her to lie down on his bed. While Gracie rested, Linfoot read, 'half-sitting, half reclining' beside her.

Linfoot was firm in his insistence that he had not 'had connection' with Gracie. The blanket he had hung up over the window was 'a permanent arrangement' to mitigate the rips in his window-blind; at no point did Linfoot remove his pyjamas, vest, slippers or socks; when the police arrived, Linfoot was on and not in the bed. He had no idea, he insisted, that Gracie was partially undressed; nor did he intend her to get under the bed clothes when he suggested she lie down.

It was the perennial lack of decisive proof that determined that Linfoot escaped conviction. The circumstantial evidence was enough, however, to attach to him a powerful stigma. A short while after the trial Linfoot wrote to the South African Minister of Justice, pointing out that a large part of his business had been lost 'as nobody wishes to employ a man who has spent a month in gaol'.⁴⁶ 'Most people avoid me,' Linfoot went on, 'as though I were stricken with the plague'. The crux of the collected testimony, however, remains the ghost-like imprint of a head upon a pillow. It was here that the evidence of the prosecution and that of the defence diverged: Linfoot claimed he had never reclined; the indentation on the pillow suggested that he had. Even so, to recline is not to 'have connection'. Sex in any number of positions would not have involved two heads side by side depressed upon the pillow. What that image suggests is a far more poignant intimacy – of two bodies at rest. If this may be read as a peaceful scene, however, we cannot but return to the unalterable facts that Linfoot, at 63, was 40 years Gracie's senior and that on the day in question, she was due to collect her pay. Power dynamics (configured in this case primarily through race but multiplied and compounded by gender, age and class) cannot be wished away.

Conclusion

It is important to stress that these were not isolated or aberrant cases.⁴⁷ In early twentieth century Natal, the crossing of racial borders was less exception than the rule. The cases discussed here, however, do point us towards the many different kinds of encounter characteristic of interracial sex at this time. Since Ronald Hyam's provocative thesis, historians have struggled with the tendency to read sex either as racial conquest or as conciliation. But the evidence of the South African archives is of a broad spectrum of relations and behaviours, characterised by violence and coercion at one extreme and the possibility for sincere and mutual affection at the other. Even a scalar model such as this, however, cannot account for the coexistence or combination of seemingly antithetical

emotional poles and apparently incompatible distributions of power. The reach of prevailing ideologies (as well as that of state control) was always incomplete; asymmetries of power did not preclude compassion or care. If racial hierarchies were always prone to challenge or collapse, however, we cannot avoid the fact that in the archival record it is men who enjoy predominant voice. Of the cases discussed above, Gracie Sibiya's is the only female testimony recorded. And yet – and this despite the consistency of hers and Linfoot's testimony – she was disbelieved. How, outraged Africans wanted to know, could the white man get off while the black woman went to jail? Surely, their offences were the same.⁴⁸ In fact, they were not. The 1927 Immorality Act stipulated two different crimes linked to two different kinds of criminal. Clause one referred to a European man who had 'unlawful carnal intercourse with a native female'. Clause two aimed at the native female who permitted such a man to do so. One crime was an act, the other a state of being acted upon. It was only because immorality was gendered in this fundamental way that it was possible for Linfoot and Sibiya to be charged separately. Ironically, it was because Linfoot's alleged offence was judged more serious that he was tried by a second magistrate, one invested with the power to impose a lengthier sentence.⁴⁹ As civilised agents, white men bore a heightened responsibility for protecting racial boundaries – and a heightened culpability for their breach. And yet, Linfoot escaped. The paternalistic rhetoric around racial deviance cannot obscure the more telling fact – that, whatever the conventions of the law, white men consistently enjoyed the ability to exercise the very gendered power that they claimed to disavow. It is a dynamic that mirrors, furthermore, the very archival production of colonial intimacy, by which a white, male agent not only speaks but speaks for a female subject of any race. In the archive of colonial immorality, women were rendered marginal or – more often – mute.

To seek to establish any kind of clear, coherent sense of the emotional or experiential dimensions to sex, then, may well be an impossible task. What is more, it is not what the historical sources point us towards. Colonial authorities sought out evidence for intimacy 'having occurred'. But intimacy, colonial or otherwise, can hardly be limited to a happening or an act. What we find instead are scenarios, stories and, above all, silence. Around that silence accrue layers of narrative and descriptive detail, itself embedded within broad and overlapping congeries of social deviance. Reports of immorality pointed towards the elusive fantasy of the sex act itself but it is their assemblage of clues and signs that provide for historians perhaps the more telling, if confusing, truth.

Notes

1. The historiography of sex and empire has proliferated rapidly in recent years. For the most influential contribution, see Ann Laura Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (California: University of California Press, 2002).
2. Ann Laura Stoler, *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things* (Durham: Duke University Press, 1994).
3. Eleanor Conlin Casella and Barbara Voss, 'Intimate Encounters: An Archaeology of Sexualities within Colonial World' in Voss and Casella (eds), *The Archaeology of Colonialism: Intimate Encounters and Sexual Effects* (Cambridge: Cambridge University Press, 2012), 1. Ronald Hyam's *Empire and Sexuality: The British Experience* has attracted considerable attention since its publication. Its focus, however, was limited to the sexual exploits of British men overseas. Ronald Hyam, *Empire and Sexuality: The British Experience* (Manchester: Manchester University Press, 1991).
4. John Lambert, ' "The Last Outpost": The Natalians, South Africa and the British Empire' in Robert Bickers (ed.), *Settlers and Expatriates: Britons Over the Seas* (Oxford: Oxford University Press, 2010); Marjory Harper and Stephen Constantine, *Migration and Empire* (Oxford: Oxford University Press), 153.
5. A series of laws passed in the immediate aftermath of the South African War outlawed sex between white women and African men. These were the Cape of Good Hope Act No. 36, 1902; Transvaal Ordinance No. 46, 1903; Orange Free State Ordinance No. 11, 1903; Natal Law No. 31, 1903 and Transvaal Act No. 16, 1908. By targeting only women, these laws emerged from agitation over female prostitution. The 1927 South African Immorality Act was the first piece of legislation aimed at European men and women.
6. Paul Furlong, 'Improper Intimacy: Afrikaans Churches, the National Party and the Anti-Miscegenation Laws', *South African Historical Journal*, 31, 1 (1994), 55–79; Jonathan Hyslop, 'White Working-Class Women and the Invention of Apartheid: "Purified" Afrikaner Nationalist Agitation for Legislation Against "Mixed" Marriages, 1934–39', *Journal of African History*, 36, 1 (1995), 57–81; Timothy Keegan, 'Gender, Degeneration and Sexual Danger: Imagining Race and Class in South Africa, ca 1912', *Journal of Southern African Studies*, 27, 3 (2001), 459–77; Jeremy Martens, 'Citizenship, "Civilisation" and the Creation of South Africa's Immorality Act, 1927', *South African Historical Journal*, 59, 1 (2007), 223–41.
7. On microhistory as historical method, see 'Giovanni Levi, 'On microhistory' in Peter Burke (ed.), *New Perspectives on Historical Writing*, 2nd ed. (Cambridge: Polity Press, 2001) and John Brewer, 'Microhistory and the Histories of Everyday Life', *Cultural and Social History*, 7, 1 (2010), 87–109.
8. Saul Dubow and William Beinart (eds), *Segregation and Apartheid in Twentieth Century South Africa* (London: Routledge, 1995).
9. From a considerable literature, see J. M. Coetzee, 'Blood, Flaw, Taint, Degeneration: The Case of Sarah Gertrude Millin', *English Studies in Africa*, 23, 1 (1980), 41–58; Paul B. Rich, *Race and Empire in British Politics*, 2nd ed. (Cambridge: Cambridge University Press, 1990), ch. 6; Robert Young, *Colonial Desire: Hybridity in Theory, Culture and Race* (London: Routledge, 1994), ch. 6; Avtar Brah and Annie Coombes, eds., *Hybridity and its Discontents: Politics,*

- Science, Culture* (London: Routledge, 2000); Lucy Valerie Graham, *State of Peril: Race and Rape in South African Literature* (Oxford: Oxford University Press, 2013), ch. 3.
10. This essay is inspired by elements of recent scholarship on colonialism, archives and sexuality. In particular, I am indebted to Anjali Arondeker, *For the Record: On Sexuality and the Colonial Archive in India* (Durham, N.C.: Duke University Press, 2009) and Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense* (Princeton, NJ: Princeton University Press, 2009).
 11. 'Immorality' was the relevant contemporary term but it was ambiguous in that referred both to prostitution and to interracial sex. This reflects in part the assumption that Europeans would not have sex with Africans for pleasure as well as the primary concern over European women's sexuality, a concern that coalesced at the turn of the century around the question of prostitution. This essay uses government sources from the South African National Archives in Pietermaritzburg (hereafter, PMB), Pretoria (hereafter, PRT) and Durban (hereafter DBN), as well as printed matter seen at the Killie Campbell Africana library in Durban.
 12. Besides the sources discussed below, for community agitation over interracial sex see resolutions and correspondence collated in PMB: CSO 1904-11185; PRT: LD AG2173/08 and PRT: NTS, 18-400 (1912-49).
 13. Nathaniel Isaacs, *Travels and Adventures in Eastern Africa, Descriptive of the Zoolus ... With a Sketch of Natal*, Vol. II (London, 1836), 32. See also John Stuart (ed.), *The Diary of Henry Francis Fynn* (Pietermaritzburg: Shuter & Shuter, 1950).
 14. It is important to note, of course, that marriage meant marriage by African custom. European men paid bride wealth for African wives – and indeed, continued to do so long into the twentieth century.
 15. Shirron Bramdeow, 'Henry Francis Fynn and the Fynn Community in Natal, 1824-1988', MA Dissertation, University of Natal, 1988.
 16. I think of definitions of a settler as involving a settler motivation, mentality or ideology. See, for an elaboration of this point, James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Anglo World, 1783-1939* (Oxford: Oxford University Press, 2009) pp. 149-151. On Natal's early hunter-traders, see E. H. Brookes and C. Webb, *A History of Natal* (Pietermaritzburg: University of Natal Press, 1965), ch. 3; A. T. Bryant, *Olden Times in Zululand and Natal* (London: Longmans Green, 1929), pp. 373, 567.
 17. Charles Ballard, *John Dunn, The White Chief of Zululand* (Johannesburg: A. D. Donker, 1985); T. J. Tallie, 'Racialised Masculinity and the Limits of Settlement: John Dunn and Natal, 1879-83', *Journal of Natal and Zulu History*, 30 (2012). On the concept of the transfrontiersman, see Allen Isaacman and Barbara Isaacman, 'The Prazeros as Transfrontiersmen: A Study in Social and Cultural Change', *The International Journal of African Historical Studies*, 8, 1 (1975), 1-39.
 18. Ballard, *John Dunn*, p. 158.
 19. Jeff Guy, *The Destruction of the Zulu Kingdom: The Civil War in Zululand, 1879-84* (London: Longman, 1979).
 20. Previously Dunn had moved with ease from his several up-country *kraals* to the merchant elite of Durban. Notably it was men in commerce, as

- pragmatic as he was, who feted him. By the colony's official community he was snubbed.
21. The question of whether Natal saw the emergence of indirect rule as a philosophy of system is no better tested than in Jeff Guy, *Theophilus Shepstone and the Forging of Natal* (Scottsville: University of KwaZulu-Natal Press, 2013).
 22. Gareth Cornwell, ' "A Teaspoon of Milk in a Bucketful of Coffee": The Discourse of Race Relations in Early Twentieth-Century South Africa', *English in Africa*, 38, 3 (2011), 9–28.
 23. On liquor trading see Jonathan Hyslop, "'Undesirable Inhabitant of the Union"..."Supplying Liquor to Natives": D. F. Malan and the Deportation of South Africa's British and Irish Lumpen Proletarians, 1924–33', *Kronos*, forthcoming. On eating houses as sites of racial mixing, see *Colony of Natal, Native Affairs Commission 1906–07, Evidence*, pp. 354, 359; *Natal Witness*, 17 November 1904, p. 5; PMB: SNA 1,1, 365 (1907). For continental women, see 3/DBN: 5/2/5/4/1, Superintendent of Police Reports, 1903, p. 12, 246; E. van Heyningen, 'The Social Evil in the Cape Colony 1868–1902: Prostitution and the Contagious Diseases Acts', *Journal of Southern African Studies*, 10, 2 (1984), 170–97; R. Posel, 'Continental Women and Durban's "Social Evil", 1899–1905', *Journal of Natal and Zulu History* (1989), 2–24.
 24. See for example, the numerous petitions for support submitted by widowed British migrant women to colonial authorities collated in PTR: GG 41 series and PTR: BNS 1/3/1–1/3/4.
 25. PMB: CSO 1899 / 1938L J. R. Royston to Resident Magistrate, 30 January 1899; Assistant Under Secretary to Sergeant White, Ixopo, undated; PMB: CSO 1899 / 1938, AG to Prime Minister, 25 May 1899.
 26. CSO 1899 / 1938, Attorney General to Prime Minister, 25 May 1899.
 27. Durba Ghosh, *Sex and the Family in Colonial India: The Making of Empire* (Cambridge University Press, 2006), 129–30.
 28. Ghosh, *Sex and the Family in Colonial India*, 180.
 29. PMB: CSO 1904/9771, Report of Sergt. Hayes, N.P., re. house of M. A. Parak, Richmond, suspected of being used for immoral purposes, 1 November 1904.
 30. Gareth Cornwell, 'George Webb Hardy's The Black Peril and the Social Meaning of "Black Peril" in Early Twentieth-Century South Africa', *Journal of Southern African Studies*, 22, 3 (1996), 441–53.
 31. PMB: CSO 1904–9771: Mr. I. Graham, Ag Magistrate, to the Principal Under Secretary, 4 November 1904.
 32. PRT: JUS 4–144–29: G.R.C. Baston, District Commandant Durban, to Deputy Police Commissioner, Pietermaritzburg, 27 February 1929. For discussion of other cases, see PRT: JUS 1–600, 1923, Part I.
 33. Act No. 41 of 1950.
 34. Mark Gevisser notes that in 1964 alone, 155 couples were convicted of this crime. How many people escaped detection, let alone conviction, remains unknown. Mark Gevisser, 'Edendale', *Granta*, 114 (Spring, 2011), 16. For a fictional account of 'sex across the colour line' during this same period, see Des Troye, *An Act of Immorality* (Johannesburg: Trans-world, 1963).
 35. The joke – at least, amongst English-speaking whites – was that it would typically be the staunch Afrikaner *dominée*, the man who personified revulsion towards racial transgression, who had himself transgressed. My thanks to Marleen Roberts for pointing this out to me.

36. PTR: LD-1447-1957, White Men Living With Natives; 'White Woman and Native', *Rand Daily Mail*, 18 August 1916; 'Distressing Court Case', unidentified newspaper, undated.
37. 'White Woman and Native', *Rand Daily Mail*, 18 August 1916.
38. William Dalrymple, *White Mughals: Love and Betrayal in Eighteenth Century India* (London: Flamingo, 2003); Pankaj Mishra, 'More Trouble Than It Is Worth', *Common Knowledge*, 11, 3 (2005).
39. For comparable tragic narratives in South African fiction, see the novels by André Brink, *Looking on Darkness* (1973) and *An Instant in the Wind* (1976).
40. During this period only a handful of indecent assault cases involving white men and African women got to court, far fewer than those involving white men and white women. See, DBN Supreme Court Registers, 1903-09 and PMB: AGO 38A/1906, Return of Indecent Assault Cases, 1906; PMB: RSC 1/1/44/, 58, 62, 144, 147 and 148.
41. 'Magistrate's Severe Strictures', *Rand Daily Mail*, 28 August 1916.
42. PMB: CSO 1909 C2, G.M. Adamson, Newcastle Magistrate to Mr. Bird, 24 December 1908.
43. PRT: JUS 4/156/49, Ordinary Jurisdiction No. 697 of 1928.
44. PRT: JUS 4/156/49, Rex vs. George William Linfoot, Testimony of Ivan Charles White.
45. PRT: JUS 4/156/49, Rex vs. George William Linfoot, Testimonies of Fairfax Saunders and Alexander Taylor.
46. PRT: JUS 4/156/49, G. W. Linfoot to South African Minister of Justice, Cape Town, 19 February 1929.
47. Only the limitations of space prevent a discussion of some of the many other cases that preoccupied colonial authorities at this formative historical time. For other case studies, see PRT: LD 1957/07; AG1270/09; AG 227/10; GG 13/1564; JUS 1-600-23, Parts II and III and for anecdotal evidence see *Native Affairs Commission*, pp. 13, 56, 248. For fictional accounts, see Alan Paton, *Too Late the Phalarope* (London: Jonathan Cape, 1953) and Herman Charles Bosman, *Willemsdorp* (Cape Town: Human & Rousseau, 1977).
48. For African outrage, see the correspondence included in PTR: NTS, 18-400 including the undated, privately published pamphlet by Gabriel Mabeta, entitled *White Men and Black Women* (undated).
49. PRT: JUS 4/156/49: Rex vs Gracie Sibiyi, Rex vs. George William Linfoot, Memorandum, 27 March 1929.

11

Empire and Sexual Deviance: Debating White Women's Prostitution in Early 20th Century Salisbury, Southern Rhodesia

Ushewedu Kufakurinani

Introduction

This chapter examines the debates surrounding prostitution by white women in Salisbury's Pioneer Street in the first two decades of the twentieth century.¹ The prostitution of white women in early twentieth century Southern Rhodesia would appear at first to constitute a classic case of imperial deviance: white prostitutes not only flouted bourgeois codes of feminine respectability; by taking African clients, they transgressed the racial boundaries that structured settler society. By making their sexual availability public, moreover, these prostitutes presented to all in Salisbury the very visible manifestation of degraded white prestige. And yet, the colonial government (in the form of the British South Africa Company) adopted a position in favour of continued white female prostitution, particularly in Salisbury's Pioneer Street. The colonial state preferred to supervise rather than eliminate sexual deviance. The state was prepared to tolerate the deviance of prostitution as a safety valve to what was perceived as a more grievous form of deviance – the sexual intimacy of white men with African women. It is within this context that prostitution was perceived by the colonial state as 'a necessary evil'. The Salisbury residents, on the other hand, wanted prostitution to be eliminated, citing several reasons to justify this position. After an almost decade-long wrangle, the argument in favour of continued white female prostitution won out. The essay challenges, then, what has become a now-settled historical consensus – that inter-racial sex involving white women presented a far more heinous transgression than those involving white men – though, to be sure, the underlying interests at stake remained those of racial patriarchy.²

It should be noted that despite the disagreements over the handling of white women's prostitution, settler society was agreed on the principles involved and the ultimate goals. As Southern Rhodesia emerged as an embryonic settler-state, propriety, respectability and good reputation became central concerns. As Levine correctly observes, 'unrestrained sexuality was an unending threat to Empire'.³ The major bone of contention, however, lay with the methods of control and the extent of restraint needed to sustain the colonial project. As noted, on the one hand, white women's prostitution was seen by the government as tolerable because it was believed to prevent white men from having sex with African women. The anti-prostitution camp, on the other hand, viewed the trade itself as a form of unrestrained sexuality which could not be tolerated in whatever form. For both the government and the anti-prostitution lobby, propriety, reputation and respectability were all configured as mobile points of reference in a morally freighted and intensely argued debate.

The concern that government felt towards interracial sex between white men and African women and its hope for prostitution as the panacea is captured by the Administrator's response to the 1907 petitions to eliminate prostitution. This petition was signed by Salisbury residents who were opposed to white women's prostitution in Pioneer Street. The Administrator wrote:

If the evil were absolutely suppressed, such suppression would be a source of danger to the community in general and would almost inevitably cause relations to be established between Europeans and natives which are wholly undesirable and dangerous.⁴

In what ways would ending prostitution be 'a source of danger to the community in general'? It is possible that the potential source of danger lay in the skewed ratio of white women to men in the colony. A. S. Mlambo indicates that between 1904 and 1911 the number of females per every 1,000 males was between 406 and 515.⁵ With fewer women in the colony, competition for women could engender serious social instability.

As for the relations between white men and African women, these were considered 'undesirable and dangerous' in so far as they would compromise the supremacy of the white race. Sexual intimacy between white men and African women was frowned upon and was believed to lower the status of whites. In his recommendations on interracial intimacy, the CID Superintendent, Jos A. Brundell, stated that, 'Marriage between

Europeans and natives should be strictly prohibited' arguing that, 'the result of such marriages, where permitted, has always resulted in the progeny not being acknowledged or accepted either by the European or native race. In addition, it has the effect of lowering the status of the European or governing race.'⁶ One vice – that of prostitution – was to be allowed to persist in order to solve another, perceived by the state, to be more dangerous: that of sex between white men and African women. For different reasons, the authorities in South Africa's Transvaal, in their response to prostitution in the area, also 'operated a policy of selective enforcement – a policy of social control'.⁷ Debates over prostitution were also focused on whether to attempt to eliminate or simply to control or regulate prostitution.

Emergence of the trade and its conduct

Southern Rhodesia was colonised in 1890 and, at least for the next 50 or so years, white settlers in the country were predominantly male. The colony was also dominated by British settlers, though there were other groups of Afrikaner origin and from mainland Europe. It was after 1893 that 'pioneer' women began to trickle into the country, in most instances joining their husbands, though a few came independently to explore opportunities presented by the new colony. The new settler society not only incorporated but deepened bourgeois Victorian gender-norms. 'Victorian racial and gender ideology' in the words of Elizabeth Schmidt, 'placed European women on a pedestal and held them up at the epitome of purity and chastity.'⁸ This partly explains the obsessions and controversies over white women's moral conduct in Southern Rhodesia and elsewhere in the British Empire.⁹ Prostitution was considered an immorality in Victorian and colonial societies and white women who took up this trade were universally constructed as deviant. Prostitution sparked perennial debates in both the metropole and the colonies. In Salisbury, the capital of Southern Rhodesia, white women's prostitution triggered conflict between advocates for and against the trade. The colonial government, represented by the Administration, was unwilling to end the trade, while the residents of the town, represented by the Town Council, ministers of religion and different stakeholders expressed their disapproval of the existence of prostitution in the capital.¹⁰ Public media such as *The Salisbury Herald* played a pivotal role in expressing the concerns of the residents and in lobbying against the trade.¹¹ These debates and controversies over prostitution are reflective of what Frederick Cooper and Ann Stoler have termed 'tensions

of empire'.¹² They also confirm Stoler's observation that 'Colonizers themselves ... were neither by nature unified nor did they inevitably share common interests and fears.'¹³

While there are many social and economic explanations for the rise of prostitution in any given society, the emergence of prostitution by white women in Rhodesia must be understood within the context of an unbalanced male to female ratio within the settler community, referred to above. In early Southern Rhodesia many men preferred to live in Rhodesia without their families. Providing evidence to the Cost of Living Committee of Inquiry in 1913, a Civil Service witness noted that it was expensive to keep a family in Rhodesia, stating, 'It pays to keep the families out of the country.'¹⁴ The Director of Censors, however, explained the gender imbalance in terms of:

The unsettled state of the country and to a certain extent to the prevalent belief that residents in the country exposed women and children to grave risks to health and life, in consequence of which many married men kept their wives and families in what is now the Union of South Africa or overseas.¹⁵

Whatever explanation that was given, the reality was that early Southern Rhodesia experienced sharp male-to-female population imbalances. The result of the gender imbalances, as noted by the Cost of Living Committee of Inquiry, was to promote prostitution. 'The effect on the men is bad in every way', read the report and added, 'Prostitution is an abnormal evil owing to men sending their wives away.'¹⁶

Prostitution in Pioneer Street can be dated to as early as 1900.¹⁷ However, the trade was not confined to Salisbury and reports were made about prostitution taking place in localities such as Bulawayo, Umtali and Gwelo. Indeed, some of the prostitutes residing in, or operating from, the notorious Pioneer Street around the Kopje area had migrated from these smaller localities.¹⁸ It was in 1907, and specifically in Salisbury, that 'the attention of the Town Council was drawn to the prevalence of the Social Evil in a certain street, and a special committee was formed to deal with the matter.'¹⁹ This committee concluded that the 'open prostitution in Salisbury',²⁰ conducted by some white women, was disturbing and the Town Council went on to make appeals to various authorities, including the South African High Commissioner, the Resident Commissioner and the Administrator. These appeals attracted a series of debates which evoked moralist, materialist, racist and imperialist rationalisations of the existence of prostitution in Salisbury.

Judging from the case references made by Brundell, it is clear that the prostitutes operating from Pioneer Street were of diverse origins. Brundell's 1916 report cited a number of cases including those of prostitutes from Pioneer Street. Most had migrated from overseas, settled in other towns in the country and proceeded to relocate to Salisbury. One such example is that of Renee Bredof, a French national, who arrived in Rhodesia in 1906, lived in Gwelo, then relocated to Pioneer Street 'where she still carried on her trade of prostitution'.²¹ Some were Rhodesian born and had relocated from other parts of the country to Pioneer Street. The backgrounds of these women ranged from French, Jewish, Cape Colonial Dutch, and Belgian to Rhodesian. Similar trends were observed in South Africa where prostitutes came from different parts of the world.²²

There are a number of possible explanations why the 'social evil' in Pioneer Street received so much attention from 1907 but undoubtedly crucial was its increased visibility to the Salisbury residents. This visibility not only involved increasing numbers of prostitutes but also the conduct of their business. Writing in April 1909, the Town Council noted that 'the number of brothels in Pioneer Street [had] gradually increased and there [were] now nine of them, containing 20 or 30 females.' Eight of the brothels were actually 'owned and occupied by prostitutes [and were] valued for municipal purposes at £3,665'.²³ It is interesting to note that prostitution was linked to material advancement. The success of what was considered immoral commerce was itself a cause of worry as it signalled the attractiveness of prostitution to other immigrant women. As for the conduct of the trade, it was observed that the prostitutes were 'day by day getting more insolent to passers-by, and out-stepping all the bounds of propriety even during day time'.²⁴ The insolence was so bad that residents were now avoiding the street despite it being 'the readiest means of access to the town'.²⁵ It was also feared that such moral deviance would have a corruptive influence on the young generation.²⁶

It also seems that previous convictions and general hostility in other localities drove white women prostitutes to Pioneer Street. Renee Bredof, for example, was forced to leave Gwelo 'owing to the action taken by the Police authorities' in connection to her working in that area.²⁷ Margaret Herdies, a woman of Belgian nationality and 'a well-known and convicted prostitute' was prosecuted in Bulawayo in March 1903 for keeping a brothel, but absconded and 'was subsequently located in Salisbury where she took up her abode in Pioneer Street [and] continued to carry on the profession'.²⁸

It would be inaccurate to assume that these women were mere victims of a patriarchal colonial society. The fact that they migrated to places that appeared advantageous shows that they had control over their destinies and were able to navigate, negotiate and exploit opportunities that paved their way to economic survival. As some of the residents were to claim, Pioneer Street seemed to offer a less hostile environment for white prostitutes. The response of the Administrator to a petition to end prostitution in the street signed by 75 residents in 1907 seems to confirm this 'soft' position of the government in relationship to prostitution, particularly in Pioneer Street. The Administrator noted that police 'supervision' would be put in place to monitor the activities in this area and added that only in instances where 'offense' was given would 'the offenders [be] prosecuted to stringent provisions of the existing law'.²⁹ It is thus not surprising that, as *The Salisbury Herald* indicated, in many ways Pioneer Street became 'a sanctuary for unfortunates'.³⁰

Confronting 'the dire incubus'³¹

The competing positions in the debate over women's prostitution in Pioneer Street can be summarised as follows: First, prostitution was 'a necessary evil' that should be allowed to continue, ideally in an alternative location where its existence would be less offensive to the residents of Salisbury. Alternatively, it could be allowed to continue in its current location but with police supervision that would keep in check instances of public indecency. The first position was attributed to certain members of the deputation sent to the Administrator in 1909; the second represented the government position throughout the controversy, though typically it was expressed with caveats and equivocation. The third and opposing position held that prostitution was irredeemably morally deviant and was not, therefore, to be tolerated. This position was held by religious leaders as well as by some town officials and Salisbury residents. Those against the trade also argued that because prostitution was illegal and as it would represent a clear failure of the legal system if all attempts were not made for its suppression. This position was shared by residents and several other stakeholders who opposed the 'social evil' and it was expressed largely in the print media, particularly *The Salisbury Herald*.

In an effort to pressure the government to act against prostitution, different reasons were advanced by the anti-prostitution camp. First, they argued that the trade had a negative impact on the value of property. In February 1909, the spokesman of the Deputation to the Administrator

noted that prostitution in Pioneer Street had led to 'the serious depreciation of property in the neighbourhood'.³² Appealing to the Directors of the BSACo in London, the Salisbury Mayor, W. H. Brown, proposed that the company purchase the eight houses used as brothels, adding that 'Pioneer Street will become a respectable residential quarter once the brothels are removed'.³³ This demonstrates an interesting nexus of morals with materiality, sex and class. The anti-prostitution camp also argued that the continued existence of the trade in Salisbury would tarnish 'the good name and well-being of this place'.³⁴ On this note, the deputation from the Salisbury Town Council to the Administrator argued that 'Pioneer Street forms the main avenue of approach to the town from the south, and it is much to be regretted that strangers entering the town whether by train or otherwise should receive such an unfavourable impression such as the first view of the town must present.'³⁵

Even the dead were brought into the arguments for a hard line approach to the problem of prostitution in Pioneer Street. One Mr Coxwell, a member of the Special Committee on Prostitution in Pioneer Street, noted 'Pioneer Street was the natural road to the cemetery, yet what happened now was that every funeral had to go by a straggling road at the back of it.'³⁶ According to the spokesman of the deputation to the Administrator, 'even if a circuitous route is taken, it is difficult if not impossible to avoid seeing objectionable sights on the melancholy occasions when we are conveying our dead to the burial.'³⁷ An article in the *Salisbury Herald* of 21 April 1909 also made reference to the proximity of the area to the cemetery, noting that 'people cannot bury their dead here without being reminded of a scandal which could not be permitted in any other town in the British Empire'.³⁸ These concerns echoed the residents' obsession with propriety.

Not surprisingly, the proponents for the elimination of prostitution made reference to Africans to advance their cause. In 1909, the Salisbury Town Clerk wrote:

The street to which they [prostitutes] are confined lies directly between the town on the one hand and the Native Location and cemetery on the other. The native population is thus obliged to pass and re-pass day after day, the whole stretch of the tainted area; and the effect upon the native mind of [such] visible and flagrant vice is too awful to contemplate.³⁹

One can only imagine the perceived effect on 'the native mind'. For Mr Coxwell, the concern was 'the moral influence on the minds of the natives when they saw a whole street given up to the purpose of

immorality in such an open and barefaced manner'.⁴⁰ Coxwell's concern, like that of most of his contemporaries, was with maintaining a certain standard of respectability believed to be in keeping with the image of a superior race. According to settler stereotypes, where sexual matters were concerned the African was seen as wild and uncontrollable.⁴¹ Perhaps, the fear was that this alleged wild and untamed sexual appetite would be re-kindled by the exposure of Africans to such 'visible and flagrant vice'. The logic here was that sexual deviance amongst whites was liable to trigger a far greater – and racialized – deviance: that of the black African male. Once again, one form of deviance – white women's prostitution – could be tolerated to certain limits so as to contain what was considered as a much more intolerable form of deviance.

The 'reckless' behaviour of these women in the presence of, or with, Africans was a species of deviant behaviour that could not be allowed to continue. In his presentation to the High Commissioner, Reverend John White made reference to one High Court case in which an African had intervened to prevent a fight in Pioneer Street between a drunken prostitute and 'another unfortunate woman'. 'It is needless', he remarked, 'for me to comment on the awful effect such a sordid spectacle would have on the minds of any natives who may have witnessed it.'⁴² In another case, a prostitute in Pioneer Street, known to be 'a habitual drunkard', was observed during her 'periodic bouts of drunkenness' to have 'associated with natives'.⁴³ Renee Bredof was one of several prostitutes indiscriminate in her choice of clients.⁴⁴ According to the report by Brundell, this was 'on account of her age and unprepossessing appearance'.⁴⁵ Bredof was 60 years old in 1906. It was unimaginable that, in the words of Schmidt, 'a white woman could have a human relation with a black man'⁴⁶; hence efforts to rationalise the associations with black men in terms of 'drunkenness' or 'old age'.

For the state, prostitution by white women was a form of deviance that could be tolerated in certain contexts and to certain degrees. However, if such prostitution transcended racial boundaries, it reached intolerable levels for this was not only perceived to subvert white femininity in general but was also thought to be a source of the black peril.⁴⁷ Brundell's report on the cases of white prostitution noted that the prevalence of the black peril in Bulawayo, the second largest city from Salisbury, during the years 1902 and 1903 was mainly attributed, by the general public, to one notorious white prostitute.⁴⁸ This woman was indiscreet in her choice of clients and was known

to associate with African men. Diana Jeater notes that such women were accused of 'lowering' their levels, while at the same time 'raising' those of the Africans, leading the latter 'to imagine themselves equal to whites'.⁴⁹ African men might then be incited 'to attack white women'. These racially transgressive sexual encounters were commonly believed to be responsible for awakening 'the inherent perversity of [the] African male'.⁵⁰

'Extreme' instances of sexual deviance such as interracial sex commonly attracted prosecution and deportation as in the case of Margaret Herdies and Renee Bredof, referred to above. At least on this point the state and the anti-prostitution camp had a common position. As early as 1903, the Immorality Suppression Ordinance had been enacted to criminalise sexual relations between white women and black men. By this law, 'a European woman having sexual intercourse with an African man could be sentenced to two years imprisonment with hard labour, while the man could be sentenced to up to five.'⁵¹ In Southern Rhodesia, like the rest of the British colonies in Africa, 'physical intimacy between white women and black men was perceived as symbolic of the yielding of civilisation to barbarism.'⁵² It is not surprising that the arrests which took place in Pioneer Street and subsequent prosecutions seemed to target the 'offensive' cases that crossed the racial boundary. This approach did not address, however, the wider concerns of Salisbury residents who were fiercely opposed to *any* form of commercial sex undertaken by white women.

On the whole, the concerned residents strongly felt that the lukewarm attitude of the administration towards the prostitution of white women defied accepted social norms and did not reflect or represent British imperial values. In his response to the petition against the continued existence of prostitution in Pioneer Street, the Administrator had stated that it was most convenient for the prostitutes to be left where they were because that part of town was 'least frequented by the general body of the inhabitants'.⁵³ Infuriated by this response, a correspondent of *The Salisbury Herald* wrote, 'This communication, which is likely to achieve notoriety, places Salisbury in the position of being about the *only town in the British Empire* where prostitution is officially recognised'.⁵⁴ Here, the mere recognition of the trade was taken as deplorable; the attitude of the government, it was argued, was 'utterly out of keeping with the high standard of Administration obtaining in all other parts of His Majesty's Dominions'.⁵⁵ Recognising prostitution was seen as compromising the reputation of the country and was

taken to signal a kind of social and, by extension, racial failing on the part of the Rhodesian society.

Prostitution: A necessary evil?

The response and position of the government to prostitution in Pioneer Street was complex, evasive and, above all, cautious and pragmatic. The government did not advocate a radical process where the 'social evil' would be confronted head on, but argued instead that prostitution was a somewhat necessary evil. This attitude baffled many amongst the settlers, including ministers of religion. It would, however, be incorrect to suggest that the government did nothing at all about prostitution in Rhodesia in general and in Pioneer Street in particular. The report by Brundell, for instance, makes reference to a number of women who were arrested some of whom were deported. For the concerned residents, however, the response of the government was too soft and for any observer who perused the cases in Brundell's report, it seemed that the extreme and 'reckless' cases that caused offense were the only ones dealt with directly as opposed to the practice of prostitution itself.

Part of the response from the Administrator to the petition for the elimination of prostitution in Pioneer Street confirms the reluctance (or possibly the inability) of the government to confront and end the trade. It read:

As the evil undoubtedly must exist, the only course open is to provide that anything of a nature offensive to the public shall be absolutely controlled and prevented. The most effective way of ensuring this is that these unfortunates should remain in that part of the town least frequented by the general body of the inhabitants. This, in the opinion of the Administrator, has been achieved by their spontaneous settlement in the locality where they now live. In addition, the constabulary have informed those concerned that anything occurring which might be offensive to those of the public who are obliged to use that part of the town will be severely dealt with, and offenders prosecuted under the stringent provisions of the existing law.⁵⁶

It is not clear what really constituted this 'offensive' conduct but one could easily assume that it included prostituting with people of the 'wrong colour' as well as various forms of public indecency. The Salisbury residents were disappointed by this response and could not accept 'such special open recognition by government of brothels, and such special police supervision of vice'.⁵⁷

The idea of a 'necessary evil', was found to be anything but logical by some. Cleveland, who was at one point member of the special committee to deal with prostitution in Pioneer Street, said he 'had yet to learn the logic of a thing being an evil and being also necessary,' adding that 'if it was necessary it was not an evil and should be regulated by licence.'⁵⁸ The ministers of religion quizzed the government on its usage of this phrase and protested 'emphatically against the description of prostitution as a "necessary" evil'. For the clergy, such a description cast 'a slur on the good character of our citizens and on the good name of our town, and would appear to be a distinct encouragement of vice.'⁵⁹ The government disassociated itself from the controversial phrase, pointing out that, on its part, it considered the occurrence an 'inevitable evil'. The *Salisbury Herald* noted that whether the 'evil' be called necessary or inevitable, it remained 'evil' and 'as long as human nature is what it is, there will be crime, but to say that crime is inevitable is an unconvincing argument against the employment of the strenuous methods to suppress it.'⁶⁰

The legal battle

Colonial society attempted to keep sexual deviance under check through statutory instruments. As Phillipa Levine observes, 'A vast range of regulations governed sexuality, far more in imperial settings than in metropolitan Britain'.⁶¹ A series of regulations and amendments to these regulations were also in place in Southern Rhodesia as early as 1900. The settlers, in their arguments against prostitution also turned to an existing piece of legislation, Ordinance 13 of 1900. The intention of this ordinance was to 'make further provision for the protection of women and girls [and] the suppression of brothels'.⁶² Another instrument that could be invoked was Ordinance 10 of 1904 which restricted 'undesired' immigrants. Among these undesired immigrants were prostitutes. Section 4 of the 1904 Ordinance indicated that 'prohibited immigrants' included 'any person male or female, who lives on or knowingly receives any part of the proceeds of prostitution, either by way of rent or otherwise.'⁶³ In the early twentieth century, the majority of white women were first generation immigrants and as such the Ordinance could easily be applied to those who breached Section 4. Neither the government nor the residents, in their debates over prostitution in Pioneer Street, made reference to this Ordinance which was likely to have less complication in its interpretation and implementation. The residents may not have been conversant with the provisions of Ordinance 10, while the government's

silence could well have been deliberate since it was determined to contain and not eliminate the trade. As will be shown, it was the interpretation of Ordinance 13 that became a major bone of contention between the Salisbury residents and the Administrator.

When the Town Council petitioned the government to consider the implementation of Ordinance 13 in the case of brothels in Salisbury's Pioneer Street, the government responded by advising the council to bring the issue to the Legislative Council and also suggested that the council use its municipal by-laws to deal 'with houses of ill-fame'.⁶⁴ But the Administrator, as the Council saw it, was missing the point. There was no need to approach *Leg Co*, they argued, because the citizens were 'not appealing for any fresh legislation, but for carrying out a law that was already in the statute book'. Second, it was 'superfluous to pass any local by-law before it had been proved that the law was 'inadequate to deal with the offence'. In any case, in the eventuality that a by-law would be made, its effect would be negligible, given the fact that the maximum fine of breaking a municipal law was ten pounds, 'a sum which would not prove a deterrent in this case'.⁶⁵

The government also indicated that the location where prostitution was taking place was convenient, perhaps because it was on the outskirts of town, and that the law would be applied only when offense was given by the prostitutes in Pioneer Street. The public media did not take lightly such a pragmatic response to the trade. An article published in the *Salisbury Herald* of 12 March 1909 noted:

In effect, the authorities say that they are willing to countenance what is admittedly an evil, provided there is no extension of it outside the limits of Pioneer Street. In other words, they claim the right to decide which laws shall be ignored and which offenses condoned; which section of the population shall have the Outcasts of Pioneer Street as their neighbours and which shall be free of such undesirable associations.⁶⁶

Government's failure to act decisively, it was argued, represented a clear legal anomaly and forced respectable citizens to witness on a daily basis that to which authorities preferred to turn a blind eye.

The residents pressured the government to put an end to prostitution in Pioneer Street by employing Ordinance 13 which, to them, clearly made prostitution and brothels illegal. Responding to the appeal by the ministers of religion, the government, however, gave the impression that there was little it could do because the law did not allow 'wholesale

removal of the persons referred to from the locality they presently occupy'.⁶⁷ According to the Administrator, 'all that the government is in a position to do is to ensure, by a continuance of the special police supervision now maintained, that no acts contrary to public decency occur'.⁶⁸ Ministers of religion responded to the Administrator 'expressing their profound disappointment' with the latter's reply and pointed out that they had not asked for the wholesale removal of people but only the application of the law in the hope that this prevent the persons concerned from conducting their trade in any locality in the country.⁶⁹ The *Salisbury Herald* of 22 March 1909 also argued that the government only had to use the 1900 Ordinance and provide heavy penalties which 'would make it impossible for the people complained of to remain there or anywhere else in town'. In any case, it was argued, the very presence of such houses was 'an offense against public decency'.⁷⁰

In one important respect, the government exploited the ambiguity of the law, specifically, the inadequacy of certain sections of Ordinance 13. Section seven, for example, noted that 'any person who *keeps* a brothel shall be guilty of a contravention'.⁷¹ The Government's definition of the word 'keep' was limited to 'ownership' while that of the Town solicitors meant 'maintenance'.⁷² As long as the government stuck to its interpretation, it remained difficult to apply the Ordinance because most of the inhabitants in Pioneer Street did not own the brothels that they inhabited and maintained. In one of their investigations in 1912, for example, the police failed to establish ownership of six out of the seven brothels in Pioneer Street, a task made more difficult given that several of these houses had more than one occupant. In the single case where ownership was established, the woman who occupied the premises hired it from another who resided in Buenos Aires and was, therefore, beyond the reach of the law.⁷³

The determination of several residents to safeguard the respectability of Salisbury in particular, and the colony at large, was such that it was difficult for them to understand, let alone accept, the position taken by the government. Members deemed especially influential in shaping policy were singled out for particular criticism. The Attorney General, for example, C. H. Tredgold, the man responsible for giving legal advice to the government, came under public attack for apparently supporting the continued existence of prostitution. According to the Administrator, in his letter to the BSACo Board members in London:

The Attorney General has been grossly attacked and maligned in this matter. In his private capacity as leading member of the congregational and Presbyterian Community he has been arraigned

at a formal meeting but his explanations of the position led to a practically unanimous vote of confidence and his re-election to one of the chief offices of the church of which he is a most prominent and earnest member.⁷⁴

It would be interesting to know what exactly the AG said to his congregation which convinced them to give him such overwhelming confidence. The AG occupied a crucial position in the government and a leading role in the church. He was therefore involved in both formal and informal systems of social control which, at this point, at least, were antagonistic.

The local politics of prostitution in Pioneer Street cannot be divorced from the global politics of the settler empire. Before 1923, Southern Rhodesia had a partially self-governing status with a Legislative Council in which the settlers and the BSACo had representation.⁷⁵ The Administrator had advised the Town Council to take up the issue with the Legislative Council but they did not. The Mayor of Salisbury, W. H. Brown, had also indicated in 1910 that, 'if nothing is done to remove the grievances before the next meeting of the Legislative Council, I shall feel it my duty to bring up the matter there.'⁷⁶ Yet he did not, at least in the period under discussion. The possible explanation for this can be found in the reasons given by the Mayor in his submissions to the High Commissioner for South Africa in November, 1909. The residents had little faith in the Legislative Council solving their problem and the Mayor pointed out that the country was not self-governing but only partially self-governing; from their past experience, once the government adopted a certain policy, it was likely to receive unanimous support from the members of the Council.⁷⁷ As DiPerna notes, 'the 1898 constitution gave the white Rhodesians only a limited voice in the affairs of their government.'⁷⁸

The Constitution provided for an Executive Council and Legislative Council, both presided over by the Company Administrator. The Legislative Council had four members elected by the settlers and five by the Company. Following pressure from the settlers, the Company made concessions in 1907 after which point the settlers enjoyed seven to five majority representation. However, the Administrator could also cast his vote, meaning that the company effectively had six representatives in the Council. Thus, the Mayor, casting doubt on the option of taking the legislative route, noted:

There was considerable doubt whether the elected members would be prepared to act with a like unanimity. We had reason to believe that

there were some elected members who, not yet having on themselves the responsibilities of life in the way of marriage or domesticities, might perhaps not have agreed with the views on morality taken up by the others, and it only required one such member to go against us, and side with the government, to defeat our object.⁷⁹

Indeed, it is possible that prostitution had the support of several other stakeholders for different reasons and this could influence the members of the Legislative Council. Van Onselen has shown that in the Transvaal prostitution received 'strong overt and covert support' from 'the canteen keepers and other interested groups – such as landlords who benefited from high brothel rents'.⁸⁰ On the whole, efforts by the anti-prostitution camp to use existing legislative measures to bring the trade to a halt failed. The government, on the other hand, capitalised on the limitations of existing legislative options, including the lack of clarity in Ordinance 13, to resist the pressure to stop prostitution in Pioneer Street.

Beyond the Administrator

While the disagreements with their government raged on, Salisbury's residents made appeals beyond the Administrator, whom they began to see as more of an impediment than a solution to their problem. Appeals were made to the High Commissioner for South Africa as well as the BSACo board members in Britain. The meeting with the High Commissioner took place on 9 November 1909 in Salisbury; representatives from the Rhodesian government, Salisbury Council and Ministers of Religion were present. In his address, Rev. White explained the decision to seek the audience of the High Commissioner as follows:

Having failed to convince the government ourselves of these things, we are here today respectfully to urge that your Excellency will use your potent influence to induce the government to reconsider its decision, and to take action as will secure the removal of what we cannot but regard as a dark blot on the reputation of our town and a source of grave danger to its inhabitants.⁸¹

Having listened to the plea of the Salisbury Council and the Ministers of Religion, the High Commissioner responded by distancing himself from the issue, arguing that it was not procedural for him to interfere with the internal affairs of Rhodesia. He noted that the logical path would

have been for Council members to have used their representation in *LegCo* to make their case.⁸²

Having failed to get concrete support from the High Commissioner, W. H. Brown went on to appeal to the BSACo Board members in London at the beginning of 1910. In response, the Board went on to write to the Administrator, asking him to settle the question 'in consonance with the wishes of the community'. The Board also expressed doubt over 'whether full consideration has been given to the powers conferred by Ordinance 13,' adding that, 'if proper evidence is forthcoming, the Attorney General should not refuse to take action for reasons of policy, but [...] the law should take its normal course'.⁸³ The Attorney General was not amused by these instructions from the Board. He denied emphatically that his application of the law had been politically swayed and expressed disappointment at the suggestion that his legal opinions were not based on the spirit and letter of the law.⁸⁴ He also expressed disappointment at the fact that the Board had 'accepted the statement of Mr Brown as a true version of the matter'.⁸⁵ The Administrator, likewise, defended the government's position, indicating that they had no 'policy' on the matter under discussion, and that the administration of the Law was in the hands of the police who acted autonomously and on their own initiative. He also questioned the evidence of Mr Brown, noting that 'the statements in Mr Brown's letter diverge[d] in such important respects from the actual facts as to give an entirely wrong impression of the position'.⁸⁶ The Administrator and his legal advisor, Tredgold, stood their ground, arguing that the government had done everything it could and should to address the problem of prostitution in Pioneer Street.

The subject had the potential to cause significant tensions between the Rhodesian government and the Board members and, as such, one party had to make concessions. The Board members seemed more prepared to concede and, in their letter to the Administrator, they wrote:

The Directors appreciate the many difficulties with which the question is attended and have full confidence that any further action which may be necessary can be left safely to your discretion, as indicated in my letter of the 28th May last.⁸⁷

Salisbury residents would not, however, let the matter rest and on the 19th of July 1911, a petition signed by 259 residents was sent to the Board members in London. The petition called for the suppression of the 'social evil' in Pioneer Street for reasons already highlighted. In their response

to this petition, the Directors wrote to the Administrator noting that, given the 'numbers and standing of the Petitioners who have addressed the Board upon this subject, it is the desire of my Directors that, so far as the law allows, effect should be given to the views expressed in the Petition'.⁸⁸

The Directors' response was not likely to cause any change on the position already taken by the government. The phrase 'in so far as the law allows' enabled the government to retain the power to interpret the law as it saw fit. Indeed, when the Town Clerk continued to quiz the government on its interpretation of the law, the Administrator remained intransigent. A letter from the Secretary to the Administrator read, 'in reply, I am directed to inform you that the Administrator adheres to the opinions previously expressed'.⁸⁹ Nothing more could be extracted of the debates and official discussions beyond this response which seemed to seal the correspondence on the subject. However, this certainly did not mean an end of prostitution in Pioneer Street or to the discussions and debates on white women's prostitution, at least outside official circles.

Conclusion

Prostitution went against bourgeois codes of morality and could not be tolerated by Salisbury residents. But even more unacceptable was the sexual deviance signalled by white women having sex with African men. In the settler colony the contradictory interplay of race, class and sex made deviance especially difficult to handle and police. The response of the colonial state and that of society at large was conflicted and divided. Settlers in Salisbury wanted the prostitution of white women extirpated, while the state's position was more pragmatic and concerned with limiting rather than ending the trade altogether: it was feared that the elimination of prostitution would only breed a worse form of deviance—sexual relations between white men and African women. The differences between the government and the Salisbury residents over white women's prostitution caused continuous tensions and disagreements. The settler community took their case as far as they could but lost out in the end. Prostitution continued in Pioneer Street as a necessary form of sexual deviance. The efforts of the anti-prostitution camp were, however, not totally in vain as there subsequently existed closer supervision of the activities in the street. Around 1911, Detective Sergeant T. Delahay, after periodic visits in Pioneer Street, observed that the houses in Pioneer Street were being 'conducted in a very orderly manner' and that he did not witness any soliciting for the whole year that had passed.⁹⁰

Notes

1. I am grateful to the useful comments and suggestions made by reviewers to this chapter. I also extend my gratitude to Kate Law, Andrew Hartnack and the members of the Department of Economic History at the University of Zimbabwe who read and commented on the earlier drafts of this chapter.
2. A similar conclusion has been made by John Pape in his study of Sex Perils in Rhodesia. See John Pape, 'Black and White: The "Perils of Sex" in Colonial Zimbabwe', *Journal of Southern African Studies*, 16, 4 (1990), 699–720.
3. Philippa Levine, 'Sexuality, Gender and Empire' in P. Levine (ed.), *Gender and Empire* (Oxford: Oxford University Press, 2004), 134.
4. Quoted in *The Salisbury Herald*, 29 April 1909.
5. Alois S. Mlambo, 'Aspects of White Immigration into Rhodesia', *Zambezia*, 25, 2 (1998), 128.
6. NAZ, S1227/2, Black and White Perils in Southern Rhodesia: Special File, Report by the Superintendent, Jos A. Brundell, 1916
7. Charles Van Onselen, *Studies in the Social and Economic History of the Witwatersrand, 1886–1914*, Vol. 1 New Babylon (London: Longman, 1982), 105.
8. Elizabeth Schmidt, 'Race, Sex, and Domestic Labour: The Question of African Female Domestic Servants in Southern Rhodesia, 1900–39' in Karen Tranberg Hansen (ed.), *African Encounters With Domesticity* (New Jersey: Rutgers University Press, 1992), 234.
9. See Philippa Levine, *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire* (New York: Routledge, 2003).
10. Southern Rhodesia was run by the British South Africa Company before attainment of Responsible Government Status in 1923. The Administrator was a company official responsible for the day-to-day administration of the colony. Throughout this period, the Administrator was Sir William Henry Milton.
11. *The Salisbury Herald* newspaper, like the *Cape Argus* noted by van Heyningen in her South African case study, played a significant role in the social debate on prostitution, summarising the arguments made for and against prostitution and providing critical views on the debates and the trade itself. E. van Heyningen, 'The Social Evil in the Cape Colony, 1868–1902: Prostitution and the Contagious Diseases Act', *Journal of Southern African Studies*, 10, 2 (1984), 170–94.
12. Frederick Cooper and Ann Stoler (eds), *Tensions of Empire and Colonial Cultures in Bourgeois World* (California: University of California Press, 1997).
13. Ann Laura Stoler, 'Rethinking Colonial Categories: European Communities and the Boundaries of Rule', *Comparative Studies in Society and History*, 31, 1 (1989), 137.
14. Quoted in Deborah Kirkwood, 'Settler Wives in Southern Rhodesia: A Case Study' in H. Callan and S. Ardener (eds), *The Incorporated Wife* (London: Croom Helm, 1984), 147.
15. Mlambo, 'Aspects of White Immigration into Rhodesia', 129.
16. Report on the Cost of Living Committee of Enquiry, 1913 cited in Kirkwood, 'Settler Wives in Southern Rhodesia', 147.
17. These cases are documented in File NAZ, S1227/2, Black and White Perils in Southern Rhodesia: Special File, Report by the Superintendent, Jos A. Brundell, 1916.

18. NAZ, S1227/2, Report by the Superintendent, Jos A. Brundell, 1916.
19. NAZ, A3/28/60, H. H. Brown (one of the BSACo directors in Southern Rhodesia) to H. Birchenough Esq (Company board member), London, 4 February 1910. The committee was made up officials of the Town Council and some residents.
20. NAZ, A3/28/60, Salisbury Town Council to the High Commissioner per the Resident Commissioner, 30 April 1909.
21. NAZ, S 1227/2, Report by the Superintendent, Jos A. Brundell, 1916, White Peril Case no. 7 Salisbury 1907. Gwelo, 1906: Renee Bredof.
22. Ros Posel, 'Continental Women and Durban's "Social Evil", 1899-1905', *Journal of Natal and Zulu History* (1989), 2-24; Onselen, *Studies in the Social and Economic History of the Witwatersrand*.
23. NAZ, A3/28/60, Salisbury Town Council to the High Commissioner per the Resident Commissioner, 30 April 1909.
24. NAZ, A3/28/60, Annexure No. 1, 2 February 1909.
25. NAZ, A3/28/60, Annexure No. 1, 2 February 1909.
26. NAZ, A3/28/60, Annexure No. 5, 25 March 1909.
27. NAZ, S1227/2, White Peril Case No. 7 Salisbury 1907. Gwelo, 1906: Renee Bredof.
28. NAZ, S1227/2, White Peril Case No. 7 Salisbury 1907. Gwelo, 1906: Margaret Herdies.
29. Quoted in *The Salisbury Herald*, 29 April 1909. As will be shown, there were two possible legal instruments that could be invoked; that is, Immorality Ordinance 13 of 1900 that outlawed prostitution and brothels and the Section 4 of the Immigration Ordinance 10 of 1904 which barred the former in particular. The Administrator makes continuous reference of 'offensive' behaviour but does not spell out what such behaviour actually constituted. One can only infer from the deportations and prosecutions that this included having black clients or selling them liquor.
30. *The Salisbury Herald*, 12 March 1909. The word 'unfortunates' is used in the correspondences in reference to the white women prostitutes of Pioneer Street.
31. NAZ, A3/28/60, Annexure No. 1, Extract from remarks made by the spokesman of the Deputation to the Administrator, 2 February 1909.
32. NAZ, A3/28/60, Annexure No. 1, Extract from remarks made by the spokesman of Deputation to the Administrator, 2 February 1909.
33. NAZ, A3/28/60, W. H. Brown, Mayor of Salisbury to H. Birchenough, BSACo Board Member, London, 1 February 1910.
34. *The Salisbury Herald*, 22 March 1909.
35. NAZ, A3/28/60, Annexure No. 1, 2 February 1909.
36. NAZ, A3/28/60, Annexure No. 5, 25 March 1909.
37. NAZ, A3/28/60, Annexure no. 1, 2 February 1909.
38. *The Salisbury Herald*, 21 April 1909.
39. NAZ, A3/28/60, Salisbury Town Council to the High Commissioner, 30 April 1909.
40. NAZ, A3/28/60, Annexure No. 5, 25 March 1909.
41. For similar perceptions on the sexuality of the colonised in different parts of the Empire, See Levine, 'Sexuality, Gender, and Empire', 135.
42. Notes of an interview between the deputation from public bodies and H. E. The Earl of Selborne, High Commissioner for South Africa held at Cecil House, Salisbury, Rhodesia, 10 November 1909.

43. NAZ, S1227/2, Black and White Perils in Southern Rhodesia: Special File, Case no. 12 Bulawayo and Salisbury, 1903: Margaret Herdies.
44. NAZ, S1227/2, Black and White Perils in Southern Rhodesia: Special File, White Peril Case no. 7 Salisbury 1907. Gwelo, 1906: Renee Bredof.
45. *Ibid.*
46. Schmidt, *Peasant, Traders and Wives: Shona Women in the History of Zimbabwe* (Portsmouth, NH: Heinemann, 1992), 170.
47. For discussions on constructions of white femininity, see Kathy Deliovsky, 'Normative White Femininity: Race, Gender and the Politics of Beauty', *Atlantis*, 33, 1 (2008); Jawad Syed and Ali Faiza, 'The White Woman's Burden: From Colonial *Civilisation* to Third World *Development*', *Third World Quarterly*, 32, 2 (2011); Raka Shome, 'White Femininity and the Discourse of the Nation: Re/Membering Princess Diana', *Feminist Media Studies*, 1, 3 (2001); and Kate Law, 'Writing White Women: Whiteness, Gender, Politics and Power in Rhodesia, c. 1950–80' (Ph.D. Thesis, University of Sheffield, History Department, 2012).
48. NAZ, S1227/2, Black and White Perils in Southern Rhodesia: Special File, General Remarks by the Superintendent CID, 1916.
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12

R. v. Mrs Utam Singh: Race, Gender and Deviance in a Kenyan Murder Case, 1949–51

Stacey Hynd

‘Then my father said.... “You will be sent back to your parents because such things cause damage to our reputation and we cannot tolerate such things”.¹

‘He said “I will sleep with you by force because you have no child”’.²

Introduction

On the afternoon of 20 February 1949 police were called to an Indian household in Kijabe, Nairobi, following reports that four African robbers had attacked the house and shot dead an elderly Sikh man, Mankaran Singh. Upon arrival however, it quickly became apparent that the story of African robbers was ‘a cock and bull tale’.³ Instead it appeared that the daughter-in-law of the household, a 23-year old woman called Harjit Kaur, had attempted to teach their African servants this story to cover up the fact that she herself had shot Mankaran Singh.⁴ The dead man’s daughter, Jessa Singh, told the police of how Harjit had quarrelled with her father-in-law, and asserted that Harjit had shot him. Harjit was arrested and charged with murder. The subsequent trial from 7–25 June 1949 in Nairobi’s Supreme Court revealed the tensions within the family regarding whose deviant behaviour was to blame for the shooting. For the historian, the archival record left by this trial highlights the contested nature of ‘deviance’ within colonial societies, and how narratives of deviance were constructed around ideas of ‘truth’ and ‘justice’ within the legal arena. The dead man’s family asserted that on the fatal afternoon Harjit had been caught outside the house talking to a turbaned stranger in a car, and this was clearly an indication of adultery which had led Mankaran to threaten to send Harjit back

to her family because she was bringing shame upon their household.⁵ Harjit, however, denied committing adultery and instead insisted that Mankaran Singh had sexually harassed her and told her to sleep with him if she wanted a child. She denied shooting Mankaran in self-defence from fear she would be sexually assaulted but instead insisted that he had been shot accidentally. Harjit claimed she had taken her husband's pistol and pointed it to her head, pretending to threaten suicide to shame her father-in-law for his words, but when Mankaran lunged forward to grab the gun he was shot during the ensuing struggle. Neither the judge, Ransley S. Thacker, nor three Indian assessors sitting on the case believed Harjit's story, finding the crime characterised by 'planning and deliberation'.⁶ On 25 June 1949, Thacker found Harjit guilty of murder and she became the first Indian woman in Kenya to be sentenced to death. The question was what would happen then: was she a criminal who should hang for an apparently premeditated murder with a lethal weapon? Or was she a victimised woman who had failed to conform to the social mores of both colonial and Asian communities but who deserved mercy nonetheless? In the face of public disquiet and colonial misgivings about the execution of women, Harjit's sentence was subsequently commuted to ten years imprisonment. However, the story does not stop there. Some 18 months later, Harjit's husband, Utam Singh, proclaimed that the family had perjured themselves to cover Mankaran Singh's sexual deviance and protect 'family honour', sparking a campaign for Harjit's release by the Indian community and the settler-led East African Women's League. This campaign pulled issues of race, gender and sexual deviance to the forefront of Kenya's politico-legal debates, as both settler and Asian women fronted a campaign for Harjit's release against Kenya's patriarchal structures of authority.⁷

Courtrooms formed an arena in which social, political, and ideological contests played themselves out; in which not only particular litigants and defendants struggled, but the contradictions of British law were exposed and the Empire itself put on trial.⁸ Courts were also key sites for putting race and gender on trial and for (re-)establishing the boundaries of deviance, 'respectability' and colonial citizenship/subjecthood. Durkheim's concept of the 'collective conscience', whereby deviance revealed the moral order of a community through its transgression of that order, could hardly apply in a colonial environment where there were multiple communities with contested moral consciences, each with their own community frameworks for understanding, and managing, deviance.⁹ Harjit's case, or that of Mrs Utam Singh as she was generally referred to in official documentation, has the most detailed archival

record of any (non-Mau Mau) criminal trial extant in the Kenyan National archives, highlighting the depth of tensions contained within: over 400 pages of trial transcripts, police records, prison files, petitions and meetings with politicians. Although murder cases deal primarily with criminality rather than deviance, they can be useful sources for the study of deviant behaviour as by the late colonial period the evidential requirements for a capital conviction necessitated detailed investigations into the private lives of the accused, their victims, and community attitudes towards them. Depictions of Harjit drawn by Kenyan officials and the dead man's family demonstrate how colonial constructions of gender intersected with ideas of race, age and 'civilization' to shape ideas of deviance and criminality. This micro-history traces the contested narratives of deviance that emerge from different levels of the case archive, as well as the gendered and racial hierarchies of credibility that shaped Harjit's sentencing, contextualizing the case within the tensions between the Asian community and the colonial government.¹⁰

Deviance is a malleable concept, but can be broadly defined as 'banned or controlled behaviour that is likely to attract punishment or disapproval'.¹¹ The categorization of particular behaviours as 'deviant', however, was always contested, both within communities and between colonial states and their citizens or subjects. Colonial attempts to categorize deviance and enforce social or criminal sanctions against it formed a crucial nexus of the politico-legal authority which underpinned the colonial enterprise, but – as other chapters in this collection demonstrate – such attempts sometimes failed, highlighting the limits of colonial power both practically and discursively. Even within courtrooms, different levels and functions of deviance could be found. Lying is the fundamental act of deviance within legal systems which are predicated on the telling of 'truth' as a mechanism towards the prosecution and punishing of all other deviant and criminal behaviours. Evidence was always liable to be faulty – particularly from the viewpoint of colonial officials who often regarded Africans and other colonial subjects as incapable of producing 'truthful' and accurate testimonies, through either deliberate dissembling or through narrative traditions which contained very different ideas of 'truth' and prized the crafting of suitable narrative over empirical objectivity. As such, a form of epistemic deviance lurked within the legal rituals of giving testimony and bearing witness, potentially disrupting the legal structures of power.¹² Judgements about the un/truths told in court also shaped how private lives, and the testimonies which revealed them, were constructed and received. What the legal records in this particular case therefore highlight is the concealing

and revealing of deviance at different levels of the colonial archive, and how 'deviance' and 'respectability' are relative and inter-related concepts. Adultery, sexual harassment, rape, suicide, parricide and lying appear in these case records, as enacted offences or accused behaviours, and the targeting of such accusations reveals the hierarchy of offences and the sectors of society whose non-conformity was considered most dangerous and contaminating.¹³ Feminist criminology suggests that women are underprotected but over-controlled in the realm of social deviance and it seems that female deviance was of particular concern in colonial societies where gender identities were rapidly shifting and women's position as markers of 'civilization' was fundamental to the developing social order.¹⁴ The purpose of this chapter is not to assess 'guilt' or 'innocence' but to use this murder trial as a lens through which to explore public, legal narratives of deviance – the actions which people were accused of to discredit them – to assess relative understandings of 'deviance' and 'respectability' and thereby to analyse the boundaries of belonging in this colonial society.

'Native mendacity' and sexual(ised) deviance: Race and gender on trial

Studies of crime and deviance in colonial Africa, particularly in Kenya, have tended to conceptualise deviance in terms of its opposition or threat to the colonial order and to focus on the African/European racial binary, neglecting the social history of Indian, or Asian, communities (persons of Indian descent were racially categorized as 'Asian' in Kenya).¹⁵ In Kenya's racially-stratified colonial society, Asians occupied an intermediate but dichotomous position. Compared to Africans, Asians enjoyed legally privileged positions as key collaborators in the colonial state, with Indians first arriving in Kenya as indentured labour on the railways, before expanding into professional and business spheres.¹⁶ However, in the post-war years, there were significant tensions between Kenya's 90,000 strong Asian community, of which some 10–15,000 were Sikh, and both the African and European populations.¹⁷ Urban Africans often complained that Asian businessmen exploited them by overcharging for food and services, whilst white settlers, outnumbered three-to-one by Asians, were determined to retain priority within the Kenyan political system and had long opposed Asian demands for land rights, inclusion in the voting franchise and representation on the Legislative Council. Asian political activity was, in turn, dominated by opposition to racial discrimination, particularly the limiting of Indian immigration,

communal electoral representation, racial segregation and the unequal distribution of government resources.¹⁸ As a result, relations with the colonial government were somewhat strained, particularly after India's independence in 1947.¹⁹

These political tensions combined with wider racial stereotypes to suffuse the legal discourses surrounding Harjit's trial. The dominant trope regarding Indians in imperial legal discourses was one of 'native mendacity'; of Indians as duplicitous, as schemers and degenerates.²⁰ Such theories of inherent deviance stemmed from imperial critiques of Indian mentalities and cultural practices, from sati and child-marriage to *thuggee*, and were enhanced by nineteenth and early twentieth-century scientific racism which purported the biological inferiority of non-white peoples, reaching their apogee in the colonial category of the 'criminal tribe'.²¹ In Kenya, an analysis of murder trials confirms that these tropes of sexual and moral deviance travelled across the empire and highlights that cases involving Indian accused, particularly in Nairobi, were particularly likely to be found 'deliberate and premeditated' and therefore, sentenced harshly.²² The rationale behind this thinking was that Indians were both 'primitive' and 'civilized', caught between standards of 'white' and 'black' behaviour. Their historical civilizations demonstrated that they were from a sophisticated cultural background and should therefore be expected to display 'civilized' self-control and held to a comparable standard of behaviour as the 'man on the Clapham Omnibus', but contemporary discourses of native mendacity 'Other-ed' Indian accused and foregrounded their supposed criminal predilections and inherent, racialized deviance. Africans on the other hand, could be less severely punished for offences which were seen as 'natural' to their cultures, but received harsher treatment for more 'civilized' crimes; in the eyes of the colonial state, the most dangerous forms of African deviance were those that involved moving away from their tribal cultures.²³ Colonial judges routinely held that Africans who had converted to Christianity and/or gained European education should be held to higher standards of behaviour, and should be cognisant of the consequences of their deviant and criminal behaviour.²⁴ Whilst environmental explanations of crime and anti-social behaviour were becoming dominant in discourses surrounding African deviance by the late colonial era, particularly in relation to juvenile delinquency, Kenyan criminal archives suggest that discourses of Asian deviance remained tied to biological, racial characteristics.²⁵ So whilst Kenya's Indians may have received privileged status in daily life compared to Africans, in the courtroom their racial status could penalise them twice over.

Tropes of Indian 'native mendacity' certainly came to the fore in Harjit's case, as both she and the dead man's family were repeatedly accused of lying. Police and legal officials were known to complain that the Asian community withheld information and refused to fully cooperate with colonial justice.²⁶ As one official noted, 'in these Indian cases I have some doubt as to whether the real facts ever come out in court'.²⁷ Harjit lost any sympathy she might have gained from the authorities by lying in her original statement, telling the family's African servants to support her story that Mankaran was shot dead by four African robbers. In court, she claimed she invented this story because she feared her brothers-in-law would kill her, but colonial judges were firm in their belief that lying to the court was a sign of determined criminality, and defendants caught lying in murder trials were frequently sent to the gallows.²⁸ However, Harjit was not the only actor in the trial accused of lying. The Officer-in-Charge of Prosecutions, Mr Ebblewhite wrote that 'members of the family of the deceased [are] ... most anxious to do all they can to hang the accused'.²⁹ Her husband, Utam Singh, testified that his brothers had complained that 'they had wasted two nights on Jessa teaching her the story about a man in a car', whilst the trial was nearly derailed after an assessor informed Thacker that both Utam Singh and his brothers had visited his house to 'discuss the case' with him.³⁰ In their manipulation of judicial 'truth' and their attempts to interfere with the course of justice, Mankaran Singh's family revealed themselves to be deviant colonial subjects who contested the state's legal authority.

Race also overlaps strongly with gender and sexuality in constructions of deviance. Sex was part of the politics of Empire, and struggles over reproduction and domesticity, or the 'politics of the womb' as Lynn Thomas terms them, were central to colonial history.³¹ Kanogo suggests that in colonial Kenya patriarchal discourses increasingly emphasized domesticity, the control of sexuality and the need to stabilize the family as paradigms of constructing womanhood.³² These strictures applied to Asian as well as African communities, with notions of deviance and conformity for a young Sikh woman framed in terms of reproduction, sexual agency and familial control.³³ Combating deviance was not simply a matter of regulating and disciplining the body, but of perceptions of that body, of attacking or protecting a person's reputation.³⁴ Like the vast majority of Kenyan Indian girls, Harjit Kaur had been married young, at the age of 15.³⁵ However, aged 23, she remained childless, a fact which was raised repeatedly at trial and seen as causal to her deviance. Harjit responded to this by acknowledging that she had failed to fulfil her marital duties by not bearing children, but claimed this

behaviour had not been 'punished' as the family remained fond of her and had 'provided a child for her to raise as her own'. She stated that Utam Singh taking a second wife was never discussed, indicating her continued acceptance within the family.³⁶ Female delinquency is overwhelmingly (and incorrectly) seen as sexual deviancy, and this was the familial tactic used to assert Harjit's deviance and explain her criminal actions.³⁷ Jessa testified that on the day of the shooting she had returned from temple to see Harjit 'standing close' to a turbaned stranger. She stated that Mankaran Singh had told Harjit '[t]his is not good on your part and I have had three previous complaints in the past against you.... You will be sent back to your parents because such things cause damage to our reputation and we cannot tolerate such things'.³⁸ The foregrounding of this purported sexual deviance in the familial narrative of Harjit's offending highlights that adultery was considered a grave offence against patriarchal control and familial honour, one worth killing to conceal. Her deviance was thereby constructed as stemming from her unfulfilled femininity. Police officers investigating and officials commenting on the case accepted the story of Harjit's adultery, linking it back to her childlessness. They stated: 'the accused, suffering as she does [being barren], would know that the consequences of her affairs and affections with other men could not land her in the position of producing a child and consequently she would be more willing and ready to lead a loose life'.³⁹ However, the Sikh man she was alleged to be having an affair with was never found, and there is no archival evidence of attempts to locate him, casting doubt on the veracity of the adultery accusations.

Whilst officials were quick to accept Harjit's alleged sexual deviance, they were notably reluctant to countenance the possibility that an elderly man would commit sexual harassment, let alone make such suggestions to a member of his own family. Harjit testified that Mankaran had said to her 'What is all this, every time you are sick, if you really want a child, come and sleep with me', and 'If I wish, I can even do it by force'.⁴⁰ Judge Thacker, however, noted that he could not 'believe that this comparatively old man would have made such a suggestion to his own daughter-in-law, the wife of his son'.⁴¹ This sentiment was doubtless influenced by British cultural norms of respect for the elderly and perceptions about their lack of sexual activity, as well as his belief in Kehar's 'respectable' masculinity, with the deceased having been the head of a comfortably prosperous mercantile family. A handwritten note from O'Connor simply stated that 'I do not believe that he attempted to rape her'.⁴² The cultural politics of rape and sexual violence were

symbolically significant in discourses of empire.⁴³ As Kolsky shows, female plaintiffs in rape trials in colonial India were routinely framed as non-credible witnesses whose characters and behaviours had to be scrutinised. Indian women not only had to deal with British legal presumptions about false charges of rape, they also had to contend with specifically colonial ideas about the unreliability of native witnesses and other prejudicial ideas about Indian culture.⁴⁴ As the 'Black Peril' inter-racial rape scares of the earlier twentieth century show, 'deviant' women, whose social and sexual behaviour did not conform to dominant social norms – be they 'loose women' or independent ones – found that their stories of assault were not believed.⁴⁵ In colonial 'hierarchies of credibility' their testimonies were discredited by their (alleged or proven) social deviance.⁴⁶

Narratives of deviance and duty: Gender, race and the royal prerogative of mercy

After Harjit had been convicted and her appeal denied, her case fell to Governor Mitchell to decide whether she should be executed or have her sentence commuted under the royal prerogative of mercy.⁴⁷ Feminist criminology has shown that women face higher risks of punishment for social deviance, but can be granted leniency for serious offences through a judicial 'chivalry of mercy', due to social concerns about the infliction of violence on female bodies.⁴⁸ In colonial Kenya this gendered punishment was mediated by race, which was crafted in conjunction with concepts of 'civilization' rather than straightforward biological determinants.⁴⁹ Few women were executed in colonial Africa. From 1108 extant murder cases in the Kenyan archives between 1908 and 1958, 41 women stood trial for murder, of whom 22 were sentenced to death but had their sentences commuted to periods of imprisonment and only one was executed.⁵⁰ This judicial leniency seems to have been common across much of British colonial Africa, and was explicitly granted in relation to women's sex, although it was also shaped by understandings of race.⁵¹

Colonial judges' interpretations of violent female criminality, particularly in African women, were marked by a paternalistic attitude. Judges often sought to diminish these women's moral responsibility for their actions and to deny the rational nature of their acts. Constructions of female deviance read women as feeble-minded and prone to irrational, violent behaviour, which for African women was explained on bio-cultural grounds as Africans were routinely held to be impulsively violent

and lacking in self-control. Constructions of deviance for white women focused on mental weakness or illness, except where their offences were committed against Africans, in which case narratives of social and racial 'respectability' were used to rationalise their behaviour.⁵² Explanations for violent crimes were often linked to female bodily functions, such as post-natal depression, or mental instability, particularly in cases of infanticide or the killing of children.⁵³ Harjit's defence case was marked by such an attempted medicalization of female deviance. During her trial, attempts were made to represent Harjit as an 'abnormal', 'weak' and 'hysterical' woman, although the defence of insanity was never raised. Harjit herself told the court of her history of menstrual problems, weakness, gynaecological operations and fainting fits. The main medical evidence came from the head of Mathari Lunatic Asylum, J.C. Carothers. According to Carothers, Harjit was a 'hysterical personality' marked by an 'excessive urge to appear more important ... coupled with a marked inability for self-understanding'. Staging a suicide would be characteristic, and '[a] jeer at her sterility would affect such a person more than most people because they would have a tremendous sense of their own importance'. Carothers was careful to indicate however that 'it would be quite wrong to say quite a lot of killings by women are due to hysteria', countering the prosecution's attempt to depict Harjit murdering Mankaran in a fit of emotion. However, he acknowledged that his findings were not based on his own observations but on what other doctors had told him, and Carothers' testimony was consequently dismissed by Thacker as unhelpful.⁵⁴ Indeed, in Kenya during the 1940s there was considerable scepticism among the judiciary as to the value of psychiatric evidence, with complaints that doctors were too quick to dismiss deviant and criminal behaviour as 'madness' rather than 'badness'.⁵⁵ In court, the law rather than medicine was intended to determine the boundaries of 'ab/normal' behaviour.

Another reason for judicial leniency was the sympathy accorded to African female murderers because many of them were acknowledged as victims of spousal abuse, highlighting officials' unease over the levels of severe physical violence experienced by many African women, with wife-beating considered normative in many cultures.⁵⁶ Whilst colonial officials did little to combat this structurally, when domestic violence escalated to lethal levels there was a clear chance to make a statement and delegitimize such social deviance by denying mercy to men who killed their wives, and in turn conceptualising women who killed their abusive husbands within a 'battered wife syndrome' mercy narrative which allowed evidence of premeditation to be legally neutralised.

Domestic violence was overwhelmingly conceptualised as physical violence; verbal threats, such as those alleged by Harjit, did not draw the same level of official condemnation. It was also strongly racialized; domestic violence within the Asian community was not a noted concern for officials, perhaps as such offences were largely dealt with within the community, and within the settler community it was often exculpated through tropes of madness, degeneration or female misbehaviour.⁵⁷ Parricide however was harshly punished, regardless of race, as an offence against both generational and gender hierarchies.

Trial defence narratives were often significant in mercy decisions. Although they were often awed and confused by courtroom surroundings and legal procedures conducted in English, African women were not simply passive recipients of a judicial 'chivalry of mercy', but were actors capable of using courtroom demeanour together with specific explanations of deviance and rationalizations of their violence as legally-aware strategies to gain mercy.⁵⁸ Scholars have shown how deviant, 'wicked' women's behaviour often stemmed from an assertion of female agency against structural gender violence, with women's acts of violence often committed in defence of their social position.⁵⁹ Women presented themselves as 'good wives and mothers', stressing that their violence was a reaction against their husband's deviant behaviour, that they killed because of excessive physical chastisement, threats to their children or fear of neglect because their husbands were failing to uphold the 'bargains of marriage', and local customary law did not allow divorce or redress. In many respects, these African women were more successful in utilising their limited agency to craft an effective legal narrative for mercy than Harjit Kaur was.⁶⁰ Because her childlessness prevented her playing the 'good mother' card, Harjit instead chose to present herself as a 'dutiful daughter-in-law', stressing her respectfulness, respectability, obedience to Sikh gender norms, and the cultural politics of domesticity. Her defence narrative at trial therefore attempted to navigate a path between contrasting notions of family honour and personal salvation, stressing conformity to the very normativities that deviance undercut.⁶¹

It is unclear how much influence her defence counsel, H. E. Stacey and Pritam Singh, had on this strategy, but it was subsequently asserted that 'the accused was counselled by her husband (who freely admits it) that she must protect the family honour'.⁶² The strategy, however, left Harjit in an ambivalent position with regard to her father-in-law, needing to place blame on him for causing her actions but unable to fully condemn him if she wanted to play the 'good daughter'. Under cross-examination Harjit stated 'Amongst us, it is the custom that we

never look into the face of the father-in-law, and respect and honour him greatly, and just serve him', highlighting her acceptance of social norms and family hierarchy. She also said that she did not inform Jessa of Kehar's harassment as 'no women can tell such things or allow such things to be known to a young, unmarried girl'. Harjit refused to make a claim of self-defence and instead her case rested solely on the defence of accident. She claimed she had wanted only to 'bring shame' on Mankaran by putting the gun to her head and pretending she would commit suicide, a grave offence against Sikh cultural norms. Recalled to the stand, she stated that, 'It was part of my defence that I did that [took the gun] to save my honour as a woman'. However, despite being repeatedly pressed, she refused to say that he definitely wanted to sexually assault her and denied shooting him to avoid being raped, instead saying she 'did not know his mind'.⁶³ Whilst officials maintained that 'far from saving the family honour, Mrs Utam Singh did her best to besmirch it', Harjit in fact stopped short from outright condemning Mankaran: after telling the court that Mankaran had previously impertuned her with an 'unbecoming' suggestion, she then claimed that she could not remember exactly what he had said.⁶⁴

The narrative of the dutiful daughter-in-law was, however, too heavily contrasted with the prevailing view of Harjit as a devious liar and consequently, lacked discursive traction. As Harjit was an Indian woman, not a 'primitive' African, and had used a lethal weapon to kill her father-in-law rather than a violent husband, officials were much less sympathetic to her position. British legal and political authorities refused to accept the defence plea that Harjit was a weak, oppressed woman with influences brought to bear on her by the family as a result of "semi-purdah" conditions and instead repeatedly depicted her as a liar, a malingerer and an adulteress who had premeditatedly murdered her father-in-law, 'actuated by a very strong motive, fear of social disgrace and economic disaster' due to her adultery being discovered 'and dwelling on this and being an abnormal personality she committed this crime'.⁶⁵ In his report to the Governor, Judge Thacker made no specific recommendation to mercy, 'but ha[d] no doubt that age and sex will be taken into consideration'.⁶⁶ The Attorney General noted however 'that there appears to be so strong a public feeling in her favour amongst the public that to execute her would cause something in the nature of a public scandal', the repetition of 'public' clearly indicating the concerns raised by media interest and public petitions about the moral propriety of the conviction, and of executing women.⁶⁷ In the end, the Executive Council agreed unanimously to grant Harjit mercy, and on 18 August,

her sentence was commuted to ten years imprisonment with hard labour. As O'Connor noted, 'she is a woman. But for this she would have probably been hanged'.⁶⁸

Conforming for clemency: Feminine weakness and patriarchal deviance in the campaign for Harjit's release

Harjit's imprisonment did not end the debates over her guilt and deviance however. Although Utam Singh repeatedly petitioned for his wife's release, it took action from prominent settler and Asian women to successfully provoke a response from Kenya's patriarchal authorities. The East African Women's League (EAWL), one of the most powerful non-government organizations in Kenya, became involved after League member, Mrs Henn, met Harjit in January 1951 during her visits to Nairobi prison as part of EAWL welfare activities, whilst prominent Asian women like Mrs Khuda Bux became instrumental in forwarding mercy petitions to the Governor and seeking new evidence from within the Asian community.⁶⁹ The campaign to free Harjit had two main strands – one, to depict her as a 'weak woman' who deserved clemency and two, to show that her actions, whilst criminal, had been caused by Mankaran Singh's deviant behaviour.

The archival records do not reveal precisely why members of the Asian community chose to break their silence, but it seems that prominent women (and some men) chose to contest the narratives of gendered deviance which had settled around the case, speaking out against colonial presumptions of patriarchal, masculine respectability. The EAWL and Mrs Khuda Bux interviewed prominent Asian city councillors and other respected citizens. Chunilal Singh, a lifelong family friend, asserted that Mankaran Singh had been 'highly-sexed' and 'had made improper advances in the past to Asian women'.⁷⁰ This accusation was supported by Utam Singh, who claimed that 18 months prior to the shooting his father had 'got hold of [Harjit] and wanted to dishonour her' before his mother and Jessa had intervened.⁷¹ Guadias Kaur, the wife of Mankaran's nephew, also went on record stating that Mankaran had previously 'entered her bedroom and demanded to have intercourse with her, and she had difficulty persuading him to leave her unmolested' when she was staying with the family in her husband's absence.⁷² She also noted that prior to this Mankaran had 'invited me, contrary to custom, to take food with him. This in itself is a familiarity', linking social and sexual deviance.⁷³ Furthering this narrative of patriarchal deviance, Harjit herself now stated that the fatal quarrel had

been precipitated by Mankaran 'lung[ing] towards her with the object of having his way with her', and that this account was not given as the trial because 'the accused was counselled by her husband (who freely admits it) that she must protect the family honour'.⁷⁴ Officials, however, discounted this as yet another lie.

Utam Singh attempted to explain the family's actions in covering up his father's deviance. He stated that after his father's death the family 'decided in accordance with what is the traditional custom in our community, that our first duty was to the head of the family and that it were better that my wife should be put in peril than that my father's honour – and through him the honour of the whole family – should be besmirched.... I did at that time what I believed to be best, though I was greatly attached to my wife'. He claimed he did not speak out before because 'I did not think that she would be hanged', trusting in the colonial state's mercy.⁷⁵ Charles Archer, legal adviser to the EAWL, drew on existing colonial discourses of Sikh culture to highlight how conceptions of honour had helped conceal deviance: citing Lord Curzon, Archer wrote 'The standards of personal or family honour and self-respect that prevail among the Sikh community in India are of a very rigid and uncompromising character.... A Sikh will not only take life, but will freely give up his own life, sooner than that an ineffaceable stain should rest upon his family escutcheon'.⁷⁶ He contrasted this with the European community, who were 'in no way hampered by similar sentiments about family honour', being instead concerned that an innocent woman had been convicted.⁷⁷ Archer might also have added that the settler community were not immune to charges of sexual deviance and the dishonouring of family names, considering the rumours of sexual immorality and debauchery surrounding the 'Happy Valley' set.⁷⁸ Colonial officials, however, found it 'very difficult to reconcile what has happened in this particular case with the upholding of any particular standard of honour'.⁷⁹ Attorney General Whyatt maintained that 'far from saving the family honour, Mrs Utam Singh did her best to besmirch it'.⁸⁰ What becomes apparent from the trial records is that whilst all parties in the case spoke of 'honour', this term was variable and culturally contingent. When legal officers wrote of 'honour' in this case they understood it in terms of the physical sanctity of Harjit's body, of her defence of it against violation. When Harjit spoke of her 'honour' it is clear she included in this the maintenance of her social position within the household, as a wife and daughter-in-law. The politics of gender, family and reputation thereby intersected with the contingent nature of 'honour' to craft Harjit's ambivalent defence narrative as she

attempted to balance the defence of her life in a politico-legal arena against the need to uphold family honour in public discourses if she were to have any chance of returning to the household.

By mid-1951, officials were complaining of strong 'public interest' and a 'build-up of pressure to get her out of jail', with the recently-elected Indian members of the Legislative Council submitting community petitions on her behalf and stating that they believed the stories of the 'immoral overtures' made against her.⁸¹ Finally, after protracted deliberations, it was agreed that Harjit should be released, and on 27 October 1951, she was granted a remittance of sentence by Governor Mitchell, ostensibly on the grounds that she 'may die if another psychogenic crisis or an illness of moderate acute severity should occur'.⁸² The construct of the 'weak woman' was an accepted grounds for leniency within colonial legal and medical discourses. Harjit had been in poor physical health since her admission to prison, although the Director of Medical Services was initially reluctant to recommend release on medical grounds as there were suspicions that her illness was 'deliberately induced', again reinforcing ideas of Harjit's mendacity.⁸³ Although the Legal Department believed her to be 'malingering', the Prison Superintendent supported her application for early release as her husband was willing to support her, her conduct and labour at string-making had been 'exemplary' and she was unlikely to re-offend.⁸⁴ It was by conforming to the norms of female obedience, husbandly control and domesticity enshrined in prison regulations, that Harjit secured institutional support for her release. However, whilst she was ostensibly released on health grounds, the archival records reveal this was a deliberate mistruth; Governor Mitchell was informed that the release order should be presented as an act of gubernatorial clemency rather than being acknowledged as a result of political pressure and representations from the Indian community.⁸⁵ Whilst deviance was readily contested in the public arena and within colonial communities, criminality was to be regulated by the state alone.

Conclusion

The boundaries of deviance are not static; even within a colonial community or family, they are contested along racial, gendered and generational lines and evolve alongside such social networks. As we have seen, the case of Harjit Kaur reveals the many facets and fractures in legal narratives of deviance. Not only her own purported sexual deviance and violent criminality, but the alleged harassment by her father-in-law

and the family's cleaving to 'honour' over 'truth' highlight the different forms of deviant and anti-social behaviour that drew opprobrium from state and community alike, and how these allegations could be challenged or deployed in court. Harjit's trial and clemency campaign particularly reveal the gendered dynamics of colonial social control mechanisms. Condemned by patriarchal officials and family structures, she was freed largely as a result of female efforts to disrupt the persistent narrative of masculine 'respectability' that surrounded her father-in-law, but also due to her own careful adherence to female norms of submissive femininity and fragility. A purely gender-based analysis of the case, drawing on orthodox feminist criminology, would be incomplete however: race indelibly shaped the contours of both deviance and justice in Kenya, with stereotypes of Indian 'mendacity' emerging strongly, with age, social status and other vectors of identity additionally shaping community and state sanctions against unwelcome or illegal behaviour. Deviance in the British Empire had local, colonial and imperial idioms which intersected and interacted to regulate the boundaries of community within the various colonies, being facilitated in this by trial narratives and judicial sentencing. Ultimately, the deviant would be judged by both state and their society, but those judgements – and the constructions of deviance and criminality they contained – could be contested and challenged, sometimes successfully.

Notes

1. Jessa Singh, trial transcript, p. 7, Murder of Mankaran Singh s/o Matha Singh at Kijabe, acc Harjit Kaur w/o Utam Singh Supreme Court Criminal Case 99/49, AG/52/423, KNA. The names of the accused, deceased and family members who testified have been changed.
2. Harjit Kaur, under cross-examination, trial transcript, 87, AG/52/423, KNA.
3. Attorney-General K. K. O'Connor to Governor Mitchell, AG/52/423, KNA.
3. Executive Council minute, 19 August 1949, AG/52/423, KNA.
4. Harjit Kaur w/o Utam Singh statement to police, recorded by Kenneth Price, 20 February 1949, AG/52423, KNA.
5. Harjit had been living with the family whilst her husband was away on business.
6. R. S. Thacker, Judgement of 25 June 1949, AG/52/423, KNA.
7. Executive Council minute, 19 August 1949, AG/52/423, KNA.
8. M. J. Wiener, *An Empire on Trial: Race, Murder and Justice under British Rule, 1870–1935* (Cambridge: Cambridge University Press, 2007), 6.
9. É. Durkheim, *The Division of Labour in Society*, trans. W. D. Hall (Basingstoke: Macmillan (1984 [1903])).
10. A. L. Stoler, ' "In Cold Blood": Hierarchies of Credibility and the Politics of Colonial Narratives', *Representations*, 37 (1992), 151–89.

11. D. Downes and P. Rock, *Understanding Deviance*, 6th edn. (Oxford: Oxford University Press, 2011), 3.
12. See C. Ginzburg, 'Checking the Evidence: The Judge and the Historian', *Critical Enquiry*, 18, 1 (1991), 79–92; N. Z. Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Cambridge: Polity, 1987).
13. See A. L. Stoler, 'Making Empire Respectable: The Politics of Race and Sexual Morality in 20th Century Colonial Cultures', *American Ethnologist*, 16 (1989), 634.
14. See C. Smart, *Women, Crime and Criminology* (London: Routledge, 1976).
15. See D. Crummey (ed.), *Banditry, Rebellion and Social Order in Africa* (Oxford: James Currey, 1986); D. M. Anderson, 'Black Mischief: Crime, Protest and Resistance in Colonial Kenya', *The Historical Journal*, 36, 4 (1993), 851–77.
16. J. S. Mangat, *A History of the Asians in East Africa c. 1886 to 1945* (Oxford: Clarendon Press, 1969).
17. C. J. Martin, 'Demographic Study of an Immigrant Community: The Indian Population of British East Africa', *Population Studies*, 6, 3 (1953), 234.
18. L. W. Hollingsworth, *The Asians of East Africa* (London: Macmillan & Co., 1960).
19. M. Frenz, 'Swaraj for Kenya, 1949–65. The Ambiguities of Transnational Politics', *Past & Present*, 218 (2013), 151–77.
20. V. Lal, 'Everyday Crime, Native Mendacity and the Cultural Psychology of Justice in Colonial India', *Studies in History*, 15, 1 (1999), 145–66.
21. See E. Kolsky, *Colonial Justice in British India: White Violence and the Rule of Law* (Cambridge: Cambridge University Press, 2011); M. Brown, 'Race, Science and Construction of Native Criminality in Colonial India', *Theoretical Criminology*, 5, 3 (2001), 345–68; K. Wagner, *Banditry and the British in Early Nineteenth-Century India* (Cambridge: Cambridge University Press, 2007).
22. See for example Mohamed Bachu, MLA/1/1295, KNA; SC 118/38 Mohamed Shah s/o Lal Shah, Murder s.186, AG/52/428, KNA. Rates of execution were lower however because a number of cases were acquitted on appeal on legal technicalities or appeals on grounds of insanity as the accused men's families were able to afford good legal representation.
23. See M. Vaughan, 'Idioms of Madness: Zomba Lunatic Asylum, Nyasaland, in the Colonial Period', *Journal of Southern African Studies*, 9, 2 (1983), 218–38. On punishment, see D. Branch, 'Imprisonment and Colonialism in Kenya, c.1930–52: Escaping the Carceral Archipelago', *International Journal of African Historical Studies* (2005), 239–65.
24. S. Hynd, 'Murder and Mercy: Capital Punishment in Colonial Kenya ca 1909–56', *International Journal of African Historical Studies*, 45, 1 (2012), 92.
25. C. Campbell, 'Juvenile Delinquency in Colonial Kenya, 1900–39', *The Historical Journal*, 45, 1 (2002), 129–51; P. Ocobock, ' "Joy Rides for Juveniles": Vagrant Youth and Colonial Control in Kenya, c.1901–52', *Social History*, 31, 1 (2006), 39–59.
26. See Privy Council Appeals: by Balwant Rai and Saran Singh – Murder of Hon. Isher Dass, AG/52/386, KNA.
27. Unattributed note, 20 August 1949, MLA/1/329, KNA.
28. Harjit Kaur, trial transcript, 64–66, AG/52/423, KNA.
29. Statement of Mr Ebblewhite, Officer-in-Charge of Prosecutions, 26 May 1949, AG/52/423, KNA.

30. Utam Singh, under cross-examination, trial transcript, 121, R.S. Thacker, trial transcript p. 142, AG/52/423, KNA; 'Judgment Tomorrow in Murder Trial', *The East African Standard*, 24 June 1949. Thacker's reputation itself was hardly blemish-free; he was known to have problems with debt, drinking, and was regarded by some officials as having too close links with the settler community. Many thanks to Victor Lal for this information. Thacker later gained notoriety during the Mau rebellion as the judge who convicted the 'Kapenguria Six', including Jomo Kenyatta. Thacker received £20,000 from the colonial government to hear the case, a payment widely regarded as a bribe to secure Kenyatta's conviction. See John Lonsdale, 'Kenyatta's Trials: Making and Breaking a Kenyan Nationalist' in P. Coss (ed.), *The Moral World of the Law* (Cambridge: Cambridge University Press, 2000), 196–239.
31. See P. Levine, 'Sexuality, Gender and Empire' in P. Levine (ed.), *Gender and Empire* (Oxford: Oxford University Press, 2004), 134; Lynn M. Thomas, *Politics of the Womb: Women, Reproduction and the State in Kenya* (Berkeley: University of California Press, 2003).
32. T. Kanogo, *African Womanhood in Colonial Kenya, 1900–50* (Oxford: James Currey, 2005).
33. These gender norms were themselves influenced by Victorian imperialism. D. Jakobsch, *Relocating Gender in Sikh History* (New Delhi: Oxford University Press, 2003).
34. On disciplining the body, see M. Foucault, *Surveiller et Punir: Naissance de la Prison* (Paris: Gallimard, 1975).
35. Martin, 'Demographic Study of an Immigrant Community', 237.
36. Harjit Kaur, trial transcript, 57, AG/52/423, KNA. It should be noted that whilst Harjit spoke both Kiswahili and English, she seems to have testified in Punjabi, with her words translated for the court.
37. Downes and Rock, *Understanding Deviance*, 293.
38. Jessa Singh, trial transcript, 7, AG/52/423, KNA.
39. Statement of Officer in Charge of Prosecutions Ebblewhite, 26 May 1949, AG/52/423, KNA.
40. Harjit Kaur, trial transcript, 57, 60, AG/52/423, KNA.
41. Judge Ransley Thacker, trial judgement, 25 June 1949, AG/52/423, KNA.
42. K. K. O'Connor to Governor Mitchell, c. November 1950, AG/52/423, KNA.
43. See A. L. Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California Press, 2002); P. Scully, 'Rape, Race and Colonial Culture: The Sexual Politics of Identity in the Nineteenth-Century Cape Colony, South Africa', *American Historical Review*, 100 (1995), 335–59.
44. E. Kolsky, ' "The Body Evidencing the Crime": Rape on Trial in Colonial India, 1860–1947', *Gender & History*, 22, 1 (2010), 111.
45. D. Kennedy, *Islands of White: Settler Society and Culture in Kenya and Southern Rhodesia, 1890–1939* (Durham, N. C.: Duke University Press, 1987). It is noticeable that Kenya's 'black peril' scares focused on inter-racial sexual violation of the 'helpless and innocent'; children and elderly women. See D. M. Anderson, 'Sexual Threat and Settler Society: "Black Perils" in Kenya, 1907–30', *Journal of Imperial and Commonwealth History*, 38 (2010), 47–74.
46. Stoler, ' "In Cold Blood": Hierarchies of Credibility'.
47. Court of Appeal for East Africa Judgment, 3 August 1949, AG/52/327, KNA.

48. See Smart, *Women, Crime and Criminology*; F. Heidenson, *Women and Crime* (New York: New York University Press, 1985).
49. C. Campbell, *Race and Empire: Eugenics in Colonial Kenya* (Manchester: Manchester University Press, 2007).
50. This figure excludes Mau State of Emergency cases, but no women were executed for Emergency offences either. The one woman executed was a Christian convert who stabbed her neighbour to death after a prayer meeting whilst the neighbour was carrying her young child. R. v. Magerina wa Kori (Woman), SC24/27, 1927, AG/52/316, KNA.
51. South Africa did hang a number of women for murder, usually premeditated offences by poor women, including poor whites. See R. Turrell, *White Mercy: A Study of the Death Penalty in South Africa* (Westport: Praeger, 2004), 109–11.
52. See W. Jackson, *Madness and Marginality: The Lives of Kenya's White Insane* (Manchester: Manchester University Press, 2013); Wiener, *An Empire on Trial*, 219.
53. S. Hynd, 'Deadlier than the Male: Women and the Death Penalty in Colonial Kenya and Nyasaland, c.1920–57', *Stichproben*, 12 (2007), 13–33.
54. J. C. Carothers, trial transcript, 125–26, AG/52/423, KNA.
55. Dr H. L. Gordon – Confidential Despatch of 16 October 1936, Death Sentences and Executions, CO 533/462/9, TNA. See Sloan Mahone, 'Psychiatry and the Practical Problems of Empire in East Africa', in M. Vaughan and S. Mahone (eds), *Psychiatry and Empire* (London: Palgrave, 2008), 41–66.
56. See S. Hynd, 'Fatal Families: Narratives of Spousal Killing and Domestic Violence in Murder Trials in Kenya and Nyasaland, c.1920–57' in R. L. Roberts, E. Thornberry and E. S. Burrill (eds), *Domestic Violence in Africa: Historical and Contemporary Perspectives* (Athens, Ohio: Ohio University Press, 2010), 159–78.
57. See Jackson, *Madness and Marginality*, 106–24.
58. Hynd, 'Deadlier than the Male', 17–20; T. B. Zimudzi, 'African Women, Violent Crime and the Criminal Law in Colonial Zimbabwe 1900–52', *Journal of Southern African Studies*, 30 (2004), 499–517.
59. See Dorothy L. Hodgson and Sheryl McCurdy, 'Wicked' *Women and the Reconfiguration of Gender* (Oxford: James Currey, 2001).
60. As these women were represented by state-assigned defence counsel, who often did not meet their clients before the trial, it is unlikely they had any extensive preparation for their testimonies.
61. Harjit was represented at trial by H. E. Stacey and Pritam Singh.
62. Charles Kenneth Archer Memorandum, EAWL Executive Committee, 12 March 1951 68a, AG/52/423, KNA.
63. Harjit Kaur, under cross examination, trial transcript, p. 123, AG/52/423, KNA.
64. Member for Law and Order John Whyatt to Governor Mitchell, c.19 June 1951; Harjit Kaur, trial transcript, 80, AG/52/423, KNA.
65. Unattributed note, 20 August 1949, MLA/1/329, KNA; Crown Counsel Somerhaugh, closing address, 25 June 1949, AG/52/423, KNA.
66. Judge R. S. Thacker's Report on Mercy to Governor Mitchell, 8 August 1949, MLA/1/329, KNA.
67. Memo by K. K. O'Connor, 20 August 1949, MLA/1/329, KNA.
68. Attorney General K. K. O'Connor to Solicitor General J. Basil Hobson, 10 April 1951, AG/52/357, KNA.

69. J. Lewis, *Empire State-Building: War and Welfare in Kenya, 1925–52* (Oxford: James Currey, 2001), 181; EAWL Executive Committee Memorandum, 12 March 1951, AG/52/423, KNA.
70. Statement of Chunilal Kirparam, 3 May 1951, AG/52/423, KNA.
71. Utam Sing Statement to K.K. O'Connor, 30 November 1950, AG/52/423, KNA.
72. Mrs Henn, EAWL Executive Committee Memorandum, 12 March 1951, AG/52/423, KNA.
73. Statement of Guadias Kaur, translated by Mrs Khuda Bux, 5 May 1951, AG/52/423, KNA.
74. Charles Kenneth Archer Memorandum, EAWL Executive Committee, 12 March 1951 68a, AG/52/423, KNA; Somerhaugh memorandum, 28 June 1951, AG/52423, KNA.
75. Statement by Utam Singh Dhillon to Charles Kenneth Archer, 8 May 1951, AG/52/423, KNA.
76. Letter Kenneth Archer to Somerhaugh, 9 October 1951, citing George Nathaniel Curzon, 'Leaves from a Viceroy's Note-book', East African Court of Appeal 153/49 R. v. Mrs Utam Singh, AG/52/357, KNA.
77. Charles Kenneth Archer to Director of Public Prosecutions Somerhaugh, 22 October 1951, AG/52/357, KNA.
78. See Jackson, *Madness and Marginality*, 57–60; Brett L. Shadle, *The Souls of White Folk: White Settlers in Kenya, 1900–1920s* (Manchester: Manchester University Press, 2015).
79. Attorney General Somerhaugh to Charles Kenneth Archer, 12 October 1951, AG/52/357, KNA.
80. Attorney General Whyatt to Governor Mitchell, c.19 June 1951, AG/52/423, KNA.
81. Member for Law and Order John Whyatt to Governor Mitchell, 25 and 31 July 1951, AG/52/423, KNA.
82. Remittance of Sentence Order, 27 October 1951, AG/52/357, KNA.
83. Kenya Prisons Prisoners Record: Indian Female, Nairobi 1638/D Mrs Utam Singh Dillon née Harjit Kaur 1949–50, AG/16/290, KNA.
84. Remittance of Sentence Order, 27 October 1951, AG/52/357, KNA.
85. Member for Law and Order de Souza to Governor Mitchell, 25 October 1951, AG/52/357, KNA.

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