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# **Reform the Social & Moral Conditions of Indian Migrants in Mauritius: 1850-1880**

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The Colony of Mauritius recorded the colossal arrival of migrants from 1834 to 1839. They were not less than 25 281 individuals according to the immigration office report based in Port Louis, prior to the suspension. In accordance to the Order in Council of 15<sup>th</sup> January 1842, the government took charge of this administration to regularize the system, until the end of immigration in 1910. The contracts provided, amongst other provisions, were the support of a return passage back to their places of origins at the end of their engagement, the term of the contracts was five years.

But, many did not have the means to make the return journey. This paper aims to examine the conditions and treatment of the immigrants engaged on the plantations for the purposes of an assessment with what one could qualify as “a new system of slavery”. Few examples on the ill-treatment inflicted on the migrants, with a particular emphasis on the role of the subordinate women migrants whose working conditions make the contractual provisions governing their presence on the sugar estates uncertain, had been underlined. The many stories of violence and sexual abuses that marked the journey of these women showed how their experiences can be compared to reliance.

## **Restructure and Redress the Social & Moral Conditions of Indian migrants – 1850-1880: Women as an Agency within the immigration system**

Hugh Tinker characterized indenture system as a new form of slavery after the emancipation period in the 19<sup>th</sup> century. The migration system and the colonial practice had a major impact on the lives of millions of people and concurrently shaped the forthcoming development of many societies. The new wave of settlement initiated after the abolition of slavery was termed indentured system. On September 1834, Hunter & Arbuthnot introduced 36 Hill Coolies who reached Mauritius on 2<sup>nd</sup> November. Subsequently, more migrants were brought by other private companies. The contract stipulated five rupees per month as wages, with a weekly provisions, a yearly set of clothing and a free passage back to India after term of five years. The Indian indentured labour became a central constituent of the imperial economy. Between 1839 and 1841, immigration to Mauritius was criticized for the abuses and was immediately suspended. The indentured labour system prompted the exploitation and violence

against Indian labourers by reinstating the facets of Slavery. The Anti-Slavery Society was heedful following emancipation to prevent a revival of slavery in a new form.

The women played a crucial role in the debates to restructuring and improve the social and moral conditions of men on the colony. The voice of the silent (women) which was hardly heard, was considered as preservers of culture and identity. However, women ensured that the links with their motherland, culture, language and religion are never lost. Attempt to formulate the ratios in which: “the quantity and quality of women emigrants would be sufficient to improve the moral condition of the estates” (Conceiving the Coolie Woman: Indentured Labour, Indian Women and Colonial Discourse, Mishi Faruque).

Relatively the women were most of the time described for her morality and sexuality besides her labour on the colonies. The Colonial Office encouraged the introduction of women on the colonies in order to redress the injustices on the sugar estates. At the same time the authority conceived women as the main problems on the estates. Yet it was also considered that women were needed to solve these problems. Decisions were taken not only to increase the proportion of women but to also regulate the type of women to migrate.

The ratio of men to women in early migration, was 4 is to 10. The disproportion of sexes was noticed by the Home Government since 1838 and at the end of 1840 there were but 200 women and about 19,000 men on the colony. The requisite proportion of women to men was enacted in the Order in Council of 1842, and the master of the ship should obtain a certificate from the Protector of Emigrants.

The proportion of Females to Males in the Indian Immigration population has increased from 38.4 per cent on the 31<sup>st</sup> December 1859 to 40.2 per cent on 31<sup>st</sup> December 1860 (Immigration Department, Annual Report, 1860).

Arthur Phayre, the Medical Superintendent of Emigrants at Calcutta, articulated his concern on the long list of old aged folks whose physical appearance do not give promise of an effective labourers, along with the number of hill coolies among whom death at sea was frequent. He was left with no choice but to accept some men since they were accompanied by women who could not be replaced.

Women were not recruited in large number during early migration procedure, as planters were looking for male labour force on the estates. Besides, women labour was commonly measured second-rate to male labour by the planters. Some planters were not opposed to the introduction of women, they thought the presence of women were valued as it would have a better control over the men on the estates. Women who were recruited though technically allotted to

a particular estate in India, when arrived on the Colony were at liberty to choose to go to any other estate, accompanying the man or men allotted to that estate.

In 1850s the Colonial Office encouraged the introduction of women, and a bounty was paid to man to emigrate along with their wife(s) and family. In other words, the British administration emphasized on reproduction rather than obtaining a plantation labour force. The women contribution to the settlement and development of the communities was complex and diverse.

The order from the Home Government about Emigrant vessels not being allowed to leave the Indian Ports with less than fifty per cent of women is very hard to carry out. I am afraid it will almost stop Emigration altogether. If not, it will certainly make the men we collect very expensive (Mauritius Emigration Agent at Bombay, 27<sup>th</sup> August 1860).

However, the Mauritius Emigration Agent at Madras, uttered that he had received instruction through the Bengal Government, “not to dispatch a single ship without the full complement of fifty per cent of females” (Mauritius Emigration Agent at Madras, 28<sup>th</sup> August 1860).

For the authorities and employers, migration system was an opportunity to ameliorate and change the natural “immorality” of coolies, especially women (Mishi Faruqee). The authorities showed an outward interest in endorsing the marital stability among the Indian immigrants. It refused to accept the appeal of the Indian men to legally recognize the Indian customary marriages. The Protector of Immigrants J.F. Trotter, expressed his apprehension on the illegitimate births among the Indian population, which include a large number of children whose parents married according to their own rites and customs.

Before 1853 there was no legislations to validate marriages among the immigrants on the colony, henceforth Ordinance 21 of 1853 was passed for that purpose. Marriages contracted in India were never recognized until the Ordinance 3 of 1856 was passed to facilitate proof of such marriages and legitimacy of children born from the marriages of these parents (Articles 1, 2, 3 & 5 of Ordinance 1856).

Following the Ordinance of 1856, the Indian immigrants had to produce a Certificate of Non Marriage endorsed by the Protector of Immigrants, on which their names, ages, castes, places of birth and immigrants’ number are mentioned, to the best of his knowledge the persons named in the certificates were not married. Whereas, the Acting District Magistrate of Grand Port, however, stated that no marriage was lawful among the Indians until it was performed by the officer of the Civil Status, or a minister of the Christian religion, “the marriage became subject to general law of Mauritius, by which no minor under 15 years could contract a marriage without special permission from the Governor” (Royal Commission, 1875, p. 465, para 2788).

The Commissioners articulated that the law is ill-adapted to the case of the Indians on the colony. In India the betrothals were done at a very early age and the marriage was celebrated as soon as the girl attained the age of puberty. Therefore, the restriction of the legislations in Mauritius targeted the children under fifteen years who cohabited illegally or lead a life of prostitution. In 1868, the Indian immigrant Oochallee appealed to the Protector of Immigrants to marry a minor named Ukmee with whom he had been living as concubine. Oochallee special consideration was approved by the Governor on 26<sup>th</sup> January 1869.

The 1867 annual report of the Protector of Immigrants quantified that the bounties paid to married women on their arrival had been discontinued, as it headed to false declaration of marriages. Instruction was given rather to pay premiums to females in India, which would induce unmarried women to migrate in sufficient numbers.

According to the laws of the Colony, the eligible age of marriage for men and women is fixed at 18 years and 15 years respectively. It is understood, therefore, why there were so many illegal marriages as Indians girls were married at a very early age and do not live together until she has attained the age of puberty of 12 or 13 years.

The popularity of early marriages therefore, went on increasingly in medieval times. Some enlightened rulers like Akbar disliked them and recommended to their subjects that marriages should be performed after the attainment of puberty (Position of Women in Hindu Civilization, A.S.Altekar, 1959).

In spite of their (Indians) knowledge that their religious marriage is neither legal nor binding yet they did not avail the facility provided under the Civil Marriage. The Protector of Immigrants J.F. Trotter, did not see how a religious marriage could be legalized within seven days. "How then can the legislative proceed to render an illegal act a legal one?" (Protector of Immigrants J.F. Trotter, 1898).

It is understood that the fundamental principle in regard to marriages cannot be forced on the migrants and the authority's power stop here. The Protector of Immigrants J.F. Trotter, further expressed his concern on this issue, "you may take a horse to the pitch but you cannot force him to drink and that is very much the position which the Indian now stand in regard to Civil Marriages" (1898). The Civil Codes govern the cases of legitimate heirs and Ordinance 21 of 1883 acknowledged the natural heirs.

Dr. Conran, the Emigration Agent at Madras, had the practice of conveying, not only the marriage certificates of immigrants but also the certificates of those living in a state of concubines. This was done in the anticipation of the Protector of Immigrants would advised these migrants to legalize their marriage prior to leaving the depot, and endorse the tie between them "as valid as any

Malabar ceremony” (Royal Commission 1875, page 466, para 2793) according to the laws of Mauritius. He further stated “that concubinage was an established institution among the Malabars”, (Royal Commission 1875, page 466, para 2793) and it became practically difficult to separate those living under such condition after having several children.

Marriages solemnized in India and duly endorsed by the Protector were not held requisite on the colony. Following the grievance addressed to the Magistrate of Grand Port by Kasseewah against, first his wife Mooneah who absconded his house and second against Tarkoo for harbouring her. His marriage certificate produced in court showed that he was married to both Meeginee and Mooneah.

The articles 1 and 5 of Ordinance 3 of 1856 only considered one wife according to the forms and ceremonies of the Indian religion. The case referred to the Procureur-General, uttered that the law of Mauritius do not recognize two women at the same time as the lawful wives of one man. Neither, can man contract a second marriage during the first wife’s lifetime, unless his marriage had been dissolved. The court established that the marriage certificate disclosed Meeginee as the first wife, and his complaint against both Mooneah and Tarkoo was declared null and void. It’s understood that marriages contracted in India were not lawful on the Colony.

Murders and rape on Indian women migrants in the colony were due to personal feelings and passions of men which cannot be elucidated according to the Police Inspectors reports of 1880. The Police reports enlightened that,

The women murders by Indians, I regret to say, are often attended with great brutality [...] and are the result of jealousy among a semi-civilized race, and men recruited from the lower strata of the population of Hindustan (Police Department Annual Report, 1880, MNA).

Practically Indians on the colony married according to their religious customs, but the authorities on the sugar colonies did not give legal recognition to Hindu and Muslim marriages. However, the non-recognition of the Indian religious marriages encouraged the infidelity of the women towards their men.

The refusal to recognize the validity of Indian marriages solemnized in accordance with custom and religion tended to weaken the marriage ties and facilitate the desertion of unfaithful wives to form new matrimonial connections (Mangru 1987).

It is asserted that Indians on the colony did not believe legal recognition was mandatory to validate their marriages. The absence of a legal framework gave

reasons why women were unfaithful to their husbands. The Indian women on the colonies were described

Hindu women in this country are like a rudderless vessel with its mast broken drifting from the rocks [...] she passes from one man to another [...] then tossing him aside thirsting for the next (Mishi Faruqe).

In 1870s, Britain appointed a Royal Commission to investigate on the conditions of the Indian migrants on the colony, the two Commissioners were Williamson and Freres respectively. The Commissioners were far more judgmental about the failure of the system's moral objectives. "We have not been able to discover the great physical, moral and intellectual advance accruing to Indians which is asserted to be the consequence of their immigration to Mauritius" (Royal Commission 1875).

The Colonial Officials sought to explain why the indentured system had failed to make fair and equal the moral backwardness of the Indian labourers. In his report to the Colonial Secretary, T.M Rennards, the Stipendiary Magistrates' of Black River District, expressed his apprehension about a "considerable number of children of various ages wandering about the Camps in idleness, ignorance, and vice, and in a state approaching to nudity" (Stipendiary Court, Black River 10<sup>th</sup> January 1866). However, among the Indians appearance depended upon the state of their clothing. It was found in Mauritius, "shabby, old, cast-off regimental coats and jackets and other clothing made out of gunny bags with a greasy handkerchief upon their heads, constitutes the dress of majority of the labourers" (Royal Commission 1875, Chap. XXVI, Moral & Physical Condition, para 2767).

Accordingly it is agreed that women migrants were the cause of this immoral activities on the colony. Colonel O'Brien's opinion as to the morality among the Indian population wrote "the great disparity between the sexes in the immigrant population renders polyandrisism [...] an acknowledged system" (Royal Commission 1875, para 2771). It is observed that the well-being interest of the rising generation of Indian children were not anticipated by the employers of their parents. The planters preferred to see the children in the field rather than attending the schools.

One of the most experienced planters of the Colony, Mr. Martin, substantiated that every Indian woman has a plurality of men. The men generally of their own free-will choose few friends to live with them in their huts. It was only when a woman abandoned a man that the latter objected to her intercourse with other men out of jealousy and even lead to murder. On inspection on one estate in the district of Savanne, in December 1867, the Commissioners took cognizance of the death of an Indian woman named Lutchmee. During their investigation it was found that she had been ill-treated by her concubine Chunchoo, with whom she had three children, and she left him to stay with three

other men in a hut. Chunchoo was suspected for this murder case and had been sentenced to ten years imprisonment.

In another homicide case on Plaisance Estate, the husband suspected his wife to cohabit with other men though she denied it. Amongst these men one was sentenced to death but commuted to twenty years' imprisonment and the other two were acquitted. At Flacq district, the immigrant Hurree confessed having committed the murder of a man on the instigation of the victim's wife with whom he had been living for last two years. Many murder cases occurred according to the Royal Commission's inquiry, because of women who cohabited alternately with two or three men within the adjacent districts.

Why the indentured system failed to balance the real moral backwardness of Indian labourers on the colony? Many agreed the main reasons behind this failure was the immorality of the women. The morality of the women on the colony was even compared to women of Indian villages. Though supporters and critics disagreed with the moral degradation of women, but almost agreed the system was dishonored.

Some observers emphasized that Indian women were inclined to sexual wantonness because of temptation from "presents of jewellery or other articles of personal adornment" (Mangru, 1987). The great deal of temptation as there were a number of young unmarried men on the sugar estates with money. Owing to the disproportion of the sexes among the migrants on the colonies, "women on the estates enjoyed a 'value and influence' that they would not have" (Mishi Faruquee).

The proprietary rights of women were tardily recognized in almost all Civilisations, especially in a patriarchal societies. For long time there was no question of woman holding any property, as she herself was an item in the moveable property of her husband. Being under the tutelage of her husband she could not possess any separate property. Women were a sort of enlivened deed of conveyance.

## **The Custom & Abolition of Sati**

The term "*sati*" literally means "*a pure and virtuous woman*" (Modern Indian History, B.L. Grover & S. Grover, 1983). The custom of sacrificing the widow at the funeral of her husband was widely predominant in ancient India. There was a general belief in the society that the life and needs of the dead is similar to that in his life time.

It became practically important that the man needs all his belongings along with his dear one in his next birth. Sati was considered the highest veneration and was taken to the accompaniment of music in grand possession. Hence all his possessions along with his wife were set on his pyre as the customs prevailed. This custom made the patriarchal life safe and eliminated all possibility that his properties and dear one being carried away by others.



William Cavendish Bentinck appointed Governor-General of India in 1828-1835, inspired by the same ideals which characterized the ruling classes in the Era of Reform in England. Undoubtedly, Bentinck took effective steps to root out social evils such as sati, and infanticide.

In the words of Lord Macaulay, Bentinck, infused into Oriental Despotism the spirit of British freedom [...] the end of government is the welfare of the governed, who abolished the cruel rites' (Modern Indian History, B.L. Grover & S. Grover, 1983). Like Akbar, other enlightened Indian nationalists leaders took steps years later to abolish this practice across India, even the Portuguese in Goa and French at Chandernagore followed the same steps.

## Conclusion

This paper tend to position the role of Indian indentured women on the sugar plantations by focusing on their recruitment as a labour-force, wages, and their characters within the migration system. It is also to discuss whether bonded migration led to female emancipation, meaning liberation from all customs of subjugation. It is observed that economic exploitation had impacted on the life of women, her subordinated position in the family, considered as a second rate labour by the planters. The oppression of women were based on the economic system, race, gender and sexual division of labour because men claimed to have undeniable sexual rights over women.

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