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# The French Empire, 1542–1976

Jean-Lucien Sanchez

## Introduction

From 1852 to 1953 more than 100,000 convicts (*bagnards* or *forçats*) from France and the French colonial empire were sent to penal colonies (*colonies pénitentiaires* or *bagnes coloniaux*) located in French Guiana and New Caledonia. Inspired by the penal colonization model set up by Great Britain in Australia,<sup>1</sup> the French legislature of the Second Empire wanted to use convicted offenders to expand the empire while contributing to the enrichment of the metropolis. The goal was threefold: to empty the port prisons (*bagnes portuaires*) of Brest, Toulon and Rochefort of their convicts and expel them from the metropolis while simultaneously granting the colonies an abundant workforce; to promote colonial development; and to allow more deserving convicts to become settlers.<sup>2</sup> Ten years after penal transportation to Australia had begun to slow (and was finally ended in 1868), France undertook a project that would continue for an entire century. French practice developed to incorporate the whole empire, and colonially convicted convicts were transported to French Guiana and New Caledonia, as well as to smaller penal colonies in Obock, Gabon and Indochina. In Saint-Laurent-du-Maroni and Nouméa, convicts or former convicts could be heard speaking Arabic, Swahili, Vietnamese, Corsican or Malagasy; living together at a crossroads that gathered all the outcasts from France and its colonial empire.

This chapter will situate the history of French penal transportation (and its many variations) from the sixteenth to the twentieth centuries in a global perspective. The first experiments in penal colonization attempted during the *Ancien Régime*, notably in Louisiana,

all failed. Hard labour was, however, employed in French galleys (*galères*) and port prisons. It was also widely used in *hôpitaux généraux* (general hospitals), prisons and *colonies pénitentiaires agricoles* (agricultural penitentiary colonies, so-called '*bagnes pour enfants*'). But with French colonial expansion throughout the nineteenth century, the empire became a central element in French penal policy and social control. *Déportation* (deportation) and *internement* (internment) was first used for political offenders. Then came the 1854 and 1885 laws on *transportation* and *relégation* (relegation). In colonial Africa and Indochina, in addition to the enforcement of *déportation*, *transportation* and *relégation*, colonial populations were also subject to the 'native code' (*code de l'indigénat*) and its numerous labour obligations. Further, in France condemned unruly soldiers to hard labour in the military prison of 'Biribi' (*bagne militaire de 'Biribi'*).

## **Early experiments during the *Ancien Régime***

The first French attempt at a penal colonization dates from 1542, when Jean-François de La Roque de Roberval was allowed to take approximately fifty convicts to colonize Canada. In 1555, King Henri II authorized Nicolas Durand de Villegagnon to take prisoners to establish the colony of 'Antarctic France' in Brazil. In 1556, Henri II also permitted the sending of convicts to Corsica, and the following year, allowed Troilus de la Roche de Mesgouez to include prisoners in the colonizing party at Île de Sable (off Canada).<sup>3</sup> In 1627, the *Compagnie de la nacelle de Saint-Pierre Fleurdelysée* (*Company of the nacelle of Saint-Pierre Fleurdelysée*) obtained permission to capture vagrants and beggars and keep them in servitude for six years, with their only obligation to clothe and feed them. At the end of the seventeenth century, Jean-Baptiste Colbert, *contrôleur général des finances* (controller general of finance) authorized the shipment of women from the *hôpital général* to Canada,

where they were to be taken as wives by settlers. Finally, an 1763 ordinance authorized parents to request the deportation of their children to the island of *La Désirade* (off Guadeloupe), for ‘the honor and tranquility of their families’: by 1767, fifty-seven had been so deported.<sup>4</sup>

But the main test of penal colonization during the *Ancien Régime* occurred in Louisiana in the eighteenth century. After 1717, John Law, owner of the *Compagnie d’Occident* (Company of the West), was granted a commercial monopoly in Louisiana for twenty-five years, provided he supplied it with a workforce and settlers. When he failed to do so, the decision was made to send released prisoners, vagrants, orphans and prostitutes from the *hôpitaux généraux* to Louisiana. Several ordinances during 1718 to 1720 encouraged judges to condemn former convicts, exiles and vagrants to deportation. The General Police Lieutenant Thierry d’Argenson gave orders to the provincial administrators (*intendants de province*) to increase the arrests of beggars, and an armed squad nicknamed the *Bandouliers de Mississipi* was created to arrest vagrants in Paris. However, by 1720 their excesses had prompted the State Council (*Conseil d’Etat*) to prohibit the deportation of vagrants to Louisiana. This incident served as the inspiration for the Abbé Prévot’s novel *Manon Lescot*, and had the important consequence of postponing the French experiment with penal colonization. This was in contrast to the British who, as Hamish Maxwell-Stewart notes in this volume, had begun transporting convicts to Virginia and Maryland. As Saint-Simon points out in his *Mémoires*, John Law’s bankruptcy, the extortionist acts of the *Bandouliers* and, in particular, the rejection of convicts by free settlers in Louisiana all led to the failure of these early French efforts.<sup>5</sup>

## **The use of hard labour in the metropolis**

These limited penal colonization experiments were quickly abandoned in favour of service on the galleys, which was arguably the true ancestor of the penal colonies. Indeed, the term *forçat* (convict) actually derives from the Italian *forzato*, from the verb *forzare*, to force. It refers both to the people who were condemned to row in the kings' galleys and those who were condemned to work in the port prisons. The word *chiourme*, which means 'convicts' in prison slang, also comes from the Italian *ciurma*, derived from the Latin *celestus*, which means 'song of those condemned to the galley'. Thus, convicts were the penal descendants of those condemned to row in galley ships.<sup>6</sup>

From classical antiquity to the middle ages, the galleys were powered by free rowers who were warriors or professional sailors, the *galleoti*. But starting in the fifteenth century difficulties in recruiting rowers forced the authorities to establish the penalty of galley service. France had had galleys since its annexation of Provence in 1481, and they were located in the city of Marseille. To expand the quantity of rowers and to empty the prisons of the kingdom, the kings encouraged judges to condemn large numbers of people to the galleys. They included vagrants, who were the biggest targets of the *commites* and *argousins* (i.e. prison guards) in the galleys, as well as those who had been defeated in naval wars, heretics, insurgents and slaves. The judges sentenced as many as 60,000 individuals to terms of years or life in the galleys. In order to make them recognizable and thus prevent escape, they were burned with a hot iron on the right shoulder with the three letters 'GAL'.<sup>7</sup> From the late eighteenth century onwards, the galleys had diminished in value because they had to compete with faster sailing ships. A 1748 ordinance transferred galley crews to the control of the Department of the Navy which henceforth sentenced the *chiourme* to hard labour, keeping them locked up in port prisons. By 1830, however, only three port prisons remained, in Brest, Toulon and Rochefort, and the average number of convicts fluctuated between 6,000 and 7,000 annually.<sup>8</sup> Convict chain-gangs built or repaired ships and participated in various

activities in the ports. Convicts sentenced to a limited term wore a green cap and were employed in *petite fatigue*, or light labour. Those condemned for life wore a red cap and were employed in hard labour, or *grande fatigue*.<sup>9</sup> To reach the port prisons, convicts were chained together like condemned to the galleys before them, and under the supervision of the *garde-chiourmes* (prison guards) had to cross the entire kingdom on foot amidst the jeers of the public.<sup>10</sup>

Labour was always at the centre of penal practice, as were religion and education, and in particular the rehabilitation and correction of prisoners.<sup>11</sup> During the *Ancien Régime*, elites represented beggars and vagabonds as idle and lazy, and thus necessarily criminal. They were condemned to galley service, colonial deportation and after 1656 confinement in general hospitals, as means of both confining them and making them work. This was what Michel Foucault famously called the ‘great confinement’ (*grand renfermement*).<sup>12</sup> First opened in Paris, after 1662 *hôpitaux généraux* were built in other French cities. After 1767, *depôts de mendicité* (workhouses) succeeded them, and by 1808, every French *département* (region) had to have one. Workhouses existed throughout the nineteenth century, and their objective was to force vagrants and beggars to work in order to promote their social reintegration.<sup>13</sup> During this period, labour was also mandatory for French prisoners. For some authors, the use of penal labour was at the origin of the development of prisons from the second half of the eighteenth century.<sup>14</sup> The penal code of 1791 included the following punishments: *fers* (irons, i.e. hard labour ‘for the benefit of the State either in the *maison de force*, or in ports and arsenals, or the extraction of mines, or for the drying of the marshes, or, lastly, for any other arduous work’), *réclusion* (imprisonment) in a *maison de force*, *gêne* (embarrassment, i.e. total isolation of the prisoner), *détention* (i.e. imprisonment) and *déportation*. Labour was compulsory for those condemned to *fers* and to *réclusion*. Those condemned to *gêne* and *détention* had a choice: The prison administration provided bread and water, and prisoners

could work in order to improve their conditions.<sup>15</sup> The penal code of 1810 further hardened the prison regime. Custodial sentences for criminal offences included: hard labour for a term of years or in perpetuity, *déportation* and *réclusion*. For less serious crimes (‘correctional matters’), sentences included imprisonment in *maisons de correction* (jails). However, labour was now mandatory for all prisoners. The money earned by prisoners in *maisons de correction* was used to pay their detention costs, improve their diet and build savings for their release. Under the *Consulat*, in 1801, the first *maisons centrales de détention* (penitentiaries) were created. First built in Belgium (Ghent and Vilvoorde), Napoleon generalized them to the whole of the French Empire in 1808 (Embrun, Clairvaux, Fontevault, Bicêtre, Saint-Lazare, Eysses, etc.). Penitentiaries received all prisoners sentenced to more than one year's imprisonment; labour was also compulsory. In exchange for providing food, clothing and wages to the prisoners, private contractors could use prison labour (*enterprise system*).<sup>16</sup> This system caused numerous scandals, as prisoners were often exploited and subjected to very harsh working conditions, as in the Clairvaux *maison centrale de détention* where many died because of ill-treatment.<sup>17</sup> This system came to an end in 1927, but labour remained compulsory for all French prisoners until 1987.

Regarding minors, the penal code of 1791 designated all those under sixteen years of age as juveniles.<sup>18</sup> The ‘discerning’ minor (*mineur discernant*) could be convicted, while the ‘non-discernant’ juvenile (*mineur non-discernant*) was either returned to their parents or placed in a *maison de correction*. At the beginning of the nineteenth century, minors were incarcerated in the same institutions as adults, and subjected to the same regime. Gradually, separate wards were set up in the prisons, and then juvenile establishments were built, including the Petite Roquette prison in 1836. Then, following the creation in 1839 of the penal colony of Mettray by Frédéric-Auguste Demetz, the 1850 law on the education and patronage of juvenile prisoners organized their imprisonment in penal or correctional colonies (*colonies*

*pénitentiaires ou correctionnelles*).<sup>19</sup> The State encouraged the management of these establishments by private contractors, and young prisoners were subjected to compulsory labour, in particular agricultural work. This was a vocational apprenticeship designed to enable juveniles training in preparation for release, away from supposedly criminogenic cities. Many penal and correctional colonies opened in France (Gaillon, Aniane, Eysses, Auberive, Belle-Île-en-Mer, etc.) and the colonies (Algeria, Réunion island and Senegal).<sup>20</sup> Despite the fact that they were transformed into *maisons d'éducation surveillée* (educational institutions) in 1927, the conditions in these establishments were very harsh. In 1934, for example, pupils of the *maison d'éducation surveillée* of Belle-Île-en-Mer revolted and a major press campaign denounced the '*bagnes pour enfants*'. These institutions disappeared in 1945, when *éducation surveillée* (monitored education) was reformed by an ordinance on delinquent childhood (*l'enfance délinquante*).<sup>21</sup>

## ***Déportation* for political offences and internment**

Penal colonization was reactivated during the French Revolution. The penal code of 1791 ordered the *déportation* of repeat offenders and recidivist beggars according to the law of *Vendémiaire* 24, year II in the French Republican calendar. For the members of the Convention, the *déportation* of convicts was motivated by the Enlightenment, which had in great part inspired the redaction of the penal code and advised the humanization of sentences in contrast to the penalties of the *Ancien Régime* which were by then considered barbarous. The model of penal colonization that Great Britain had developed in Australia represented a real step forward for most Enlightenment philosophers.<sup>22</sup> On *Brumaire* 11, year II of the French Republican calendar, the Convention decided to deport convicted repeat offenders and beggars to Fort Dauphin, which was renamed Fort-de-la-Loi, in Madagascar. Two convoys set

sail but were stopped because of the war with Great Britain; hence the penal experiment ended right there.<sup>23</sup> Ultimately, for the first part of the nineteenth century, France authorized *déportation* only for political reasons.<sup>24</sup> Two 1792 decrees established the *déportation* of rebellious priests to the civil constitution of the clergy and designated French Guiana as their destination. Then on 5 September 1797, the *Directoire* banished all priests who disturbed the ‘public peace’. From 1797 to 1801, 300 priests were deported to Conamama in French Guiana, of whom only 149 survived.<sup>25</sup> In addition to the rebellious priests, France also sent political deportees of the *coups d’état* of 18 Fructidor and Thermidor to French Guiana: including General Jean-Charles Pichegru, Guillaume Tronçon du Coudray, André-Daniel Laffon de Ladebat and François Barbé-Marbois.<sup>26</sup> Others convicted for political offences were deported elsewhere: after the assassination attempt against the First Consul Napoleon Bonaparte in December of 1800, seventy convicts were deported to the Seychelles.<sup>27</sup> After the repression of the riots of June 1848, a decree declared the *déportation* of any individual who had taken up arms (*pris les armes à la main*), and subsequently the government shipped 462 prisoners to Algeria.<sup>28</sup> Although the government of the Second Republic abolished the death penalty for political offences, it was immediately replaced by a new law of 1850, which designated the Marquesas Islands as a site of *déportation*. This new law ordered ‘simple deportation’ on the island of Vaitahau, and ‘deportation in a fortified enclosure’ on the island of Nuka Hiva. This measure however was soon deemed too expensive and in the end affected only three deportees.<sup>29</sup> After the *coup d’état* of Louis-Napoléon Bonaparte and the riots that followed, an 1851 decree ordered the *déportation* of any individual guilty of belonging to a secret society and placed under police surveillance (*surveillance de la haute police*). Algeria thus received 6,147 *déportés* (first of all in Bône and then in the penitentiary of Lambèse) and, again, French Guiana received 3,146.<sup>30</sup> In 1858, after the failed attempt of Felice Orsini against the Emperor Napoleon III, 349 Republicans were also deported to Algeria.<sup>31</sup> The law

of 23 March 1872 modified *déportation* destinations. New Caledonia replaced the Marquesas: the peninsula of Ducos was reserved for ‘deportation in a fortified enclosure’ and the islands of Pines and Maré were reserved for the ‘simple deportation’. The first *déportés* to New Caledonia were Algerians. A great revolt had broken out in Kabylie in 1871, led by Bachagha El Mokrani. This insurrection was fiercely repressed and the administration deported 101 insurgents, who they called ‘Arabs’, to New Caledonia: those condemned to ‘simple deportation’ (including Mokrani) were sent to the island of Pines, while thirty-two others, condemned to ‘deportation in a fortified enclosure’, were imprisoned on the Ducos peninsula.

Another insurrection also led to the sending of *déportés* to New Caledonia: that of the *Commune*. Following the defeat of France against Prussia and the fall of Napoleon III, the signing of the armistice on 18 January 1871 led to the beginning of a popular revolt in Paris between those who wished to continue the war and those who wanted the armistice. The government then moved to Versailles and a confrontation started between the *Versaillais*, led by Adolphe Thiers, and the *Communards*. This civil war ended in a terrible repression called the *semaine sanglante* (Bloody Week, 21–28 May 1871); 4,150 insurgents were condemned to *déportation* to New Caledonia: 900 to ‘deportation in a fortified enclosure’ (on the Ducos peninsula), about 2,900 to ‘simple deportation’ (on the Isle of Pines) and 323 to hard labour (in the Nou Island penitentiary, off Nouméa). Most of these *déportés* were not subjected to hard labour and some were joined by their families. Others made their mark on the colony, like Louise Michel, who assisted the Kanaks during their 1878 revolt,<sup>32</sup> and Henri Rochefort, who escaped from the colony in 1874.<sup>33</sup> All these *déportés* were granted amnesty in 1880 and were able to return to France.

*Déportation* for political offences continued with an 1895 law, which designated the Îles du Salut (Royal, Saint-Joseph and Devil’s islands), off the coast of French Guiana, as well as New Caledonia’s Ducos peninsula, as places of ‘deportation in fortified enclosure’.

The first and most famous *déporté* to French Guiana was Captain Alfred Dreyfus, imprisoned on Devil's Island from March 1895 to June 1899.<sup>34</sup> Thirty-seven other *déportés* followed him, most of them convicted of treason during the First World War. Unlike the other two categories of convicts (*transportés* and *relégués*), *déportés* were not subject to hard labour.<sup>35</sup>

The internment was also an important tool of political repression that was set up by France in its metropolis and in its colonies. Internment was an administrative security measure that resulted in a deprivation of liberty against individuals considered dangerous.<sup>36</sup> It had its origin in the Law of Suspects of 17 September 1793, which allowed imprisonment or house arrest of 'enemies of the Revolution'. From 1841 until the early 1880s, Algerian prisoners of war and insurgents were interned in 'castles or fortresses of the interior' ('*châteaux et forteresses de l'intérieur*') in metropolis (like Emir Abd el-Kader in 1847), mainly in *Sainte-Marguerite* island (off Cannes) and in the 'depot of Arab internees' ('*dépôt des internes arabes*') of Calvi (Corsica).<sup>37</sup> During the First World War, 60,000 Austrians, Germans, French from Alsace-Lorraine and 'suspects and undesirables' (like prostitutes, suspects of espionage or vagrants) were interned in 'concentration camps' ('*camps de concentration*') situated far from the battlefield.<sup>38</sup> And to compensate for the shortage of manpower due to this war, more than 90,000 Chinese workers were recruited and sent to France where they were placed in camps and worked in very difficult conditions: some died on the battlefield or diseases.<sup>39</sup>

Then, the Decree-Law of 12 November 1938, ordered the internment of 'undesirable foreigners' in camps and the Law of 18 November 1939, ordered the internment of 'any individual, French or foreign, considered as dangerous for national defense or public security'. Then, refugees from the Spanish Civil War (in metropolis and in Algeria and Tunisia) or German and Austrian refugees who fled Nazism were interned in camps from 1939. The next year, they were interned in foreign workers' companies (*compagnies de*

*travailleurs étrangers*, CTE), which became later groups of foreign workers (*groupements de travailleurs étrangers*, GTE), where labour was compulsory.<sup>40</sup> They were then Jews, Gypsies (interment camps for nomads), foreigners and various political opponents who were interned in camps during the Vichy regime (1940–1944). Many of them were then sent to Nazi concentration and extermination camps.<sup>41</sup> From 1938 to 1946, internment affected about 600,000 people in France.<sup>42</sup> In parallel, more than 600,000 French people were subjected to compulsory labour and sent in camps located in Germany for the Compulsory Labour Service (*service du travail obligatoire*, STO), in order to support the German war effort.<sup>43</sup>

Finally, during the war of Algeria (1954–1962), about 10,000 activists of the National Liberation Front (*Front de libération nationale*, FLN) and the Algerian National Movement (*Mouvement national algérien*, MNA) were imprisoned in French prisons.<sup>44</sup> Some had been convicted in Algeria and were sent to France to be incarcerated. They obtained the status of political prisoner in 1959 (special category A regime, ‘*régime de catégorie A*’).<sup>45</sup> Most of them after their release from prison were interned in centres for house arrest (*Centre d’assignation à résidence*, CARS) run by the Ministry of the Interior: 15,000 were interned there.<sup>46</sup> Many Algerians were also incarcerated or interned in Algeria during the war. There were three kinds of centres: the *centres d’hébergement*, which were intended for internees placed under the authority of the prefectures; the triage and transit centres (*centres de triage et de transit*), which were under the responsibility of the army and which kept suspects waiting for interrogation; and the military centres of internees (*centres militaires d’internés*), which were destined for the combatants prisoners by the army and not judged. In 1960, there were 15,000 detainees and 20,000 internees in Algeria.<sup>47</sup> But in addition, 2,350,000 Algerians (26 per cent of the total population) were interned in regrouping camps (*camps de regroupement*) run by the French army and intended to deprive the FLN of assistance from the local population.<sup>48</sup>

## The 1854 law on *transportation*

In nineteenth-century France, overseas settlement represented the ideal solution to what was called the 'social question'. For the first half of the century, elites believed that poverty was a result of people's lack of education and property, which forced them to work for miserable wages.<sup>49</sup> Humanitarians worried over the precarious situation of the landless proletariat, who possessed nothing but their own labour, since they were subject to the vagaries of economic conditions and could occasionally be led either to revolt or to crime. Penal colonization gave convicts property, giving them the opportunity to become self-sufficient, and in this way operated as a 'social valve' for France. Defenders of *transportation* maintained that it solved the problem of released convicts, who often relapsed after they had served their sentence in port prisons.

The law on *transportation* was presented to parliament on 4 June 1852 and was voted on 30 May 1854. Yet before the vote could take place, under a decree of 27 March 1852, all convicts then detained in port prisons were ordered to serve their sentences in French Guiana. This decree followed a report from the Ministry of the Navy, in which he offered convicts the opportunity to volunteer for *transportation*. The minister promised a softening of the standard sentences; two thousand convicts immediately signed up.

*Transportation* mainly affected convicts from port prisons as well as those who had been recently released from those prisons. Indeed, port prisons were generally regarded as sites of corruption where the enforcement of sentences was not rigorous enough to intimidate convicts. In addition, port prisons were quite expensive to maintain and convicts were competing with the free labourers of the arsenals. The government also worried that the contact between labourers and convicts would set a bad example for the free workers.

The government also wanted to deter released convicts from returning to France and sought to force them to settle permanently in French Guiana. Article 6 introduced the principle of ‘*doublage*’ (‘doubling’): those who were sentenced to less than eight years of hard labour had to remain in the colony upon their release for a period equivalent to the duration of their sentence; those convicted to lengthier sentences were required to remain for life. By staying in the colony, recently released convicts were obliged to work and to contribute to its prosperity, and therefore that of France. Convicts were thus employed in ‘the most painful occupations of colonization and all public works’.<sup>50</sup>

Female *transportées* could also be sent to French Guiana.<sup>51</sup> Even though women condemned to hard labour could choose either to go to French Guiana or to serve their sentence of hard labour in a French *maison centrale*, from a legislative perspective the *transportation* of women would facilitate marriages between convicts and help promote settlement. Those who served with good behaviour could be assigned to work for individual employers, colonial public services or enterprises; benefit from a land concession; or even get married. Crimes and offences committed by *transportés* were adjudicated by a local special court, the Maritime Special Tribunal (*Tribunal maritime spécial*). In all, from 1852 to 1936, almost 52,000 men and 394 women were sent to French Guiana (Table 5.1).

Table 5.1 Annual Number of *Transportés* Present in French Guiana, 1876–1912

Year	Men	Women
1876	3,684	161
1877	3,519	144
1878	3,525	131
1880	3,443	119

1882	3,250	142
1884	3,444	124
1885	3,406	115
1886	3,443	119
1896	5,115	45
1899	5,630	41
1900	4,237	14
1901	4,438	16
1902	3,647	16
1904	4,106	9
1905	4,113	6
1907	4,195	6
1908	4,458	4
1909	4,551	4
1910	4,477	3
1911	5,839	8
1912	6,120	8

*Source: Notices sur la transportation à la Guyane française et à la Nouvelle-Calédonie, 1876–1912.*<sup>52</sup> Detailed statistics for the period 1852–1869 can be found in Spieler, *Empire and underworld*, 227–230.

To these should be added the 1,000 people from Martinique, Guadeloupe and French Guiana who were condemned to *réclusion* and were designated as *réclusionnaires coloniaux*, or the

second category of *transportation*, and would serve out their sentences in the prisons of French Guiana.

Many of the *transportés* who were sent to French Guiana came from different parts of the French colonial empire, especially from Algeria.<sup>53</sup>

Figure 5.1 Convicts in the port of Algiers ready to embark aboard the ship *Loire*, bringing them to French Guiana. *Source*: Collection Léon Collin/Criminocorpus, 1906–1910.

But it is difficult to determine exactly from which colonies and in which proportion because official statistics do not specify them.<sup>54</sup> However, from the beginning of *transportation* in 1852 to 1881, of the 22,706 *transportés* who arrived in French Guiana, 9.12 per cent were of ‘Asian, African or Polynesian origin’ and 3.02 per cent were *réclusionnaires coloniaux* from Martinique, Guadeloupe and French Guiana (Table 5.2).

Table 5.2 Convict Transportation Flows, 1852–1881

Type of convicts	Number of convicts
<i>Forçats de race blanche</i> (‘white race’ convicts)	16,776
<i>Forçats d’origine africaine, asiatique ou polynésienne</i> (convicts of Asian, African or Polynesian origin)	2,081
<i>Réclusionnaires</i> (sentenced to <i>réclusion</i> )	687
<i>Repris de justice</i> (recidivists)	2,816
Political offenders (affiliated to secret societies)	329
Expelled European foreigners	8
Volunteer <i>transportés</i>	9
Total	22,706

*Source: Vice Admiral Peyron, Notice sur la transportation à la Guyane française et à la Nouvelle-Calédonie pour les années 1880–1881 (Paris: Imprimerie nationale, 1884), 87.*

As noted above, the French government initially selected French Guiana as the destination for the *transportés*. The abolition of slavery in 1848 had led to economic difficulties for the colony's settlers, and the new workforce of convicts was intended to form a new labour supply.<sup>55</sup> The first convoy of 301 convicts left Brest for Cayenne on 31 March 1852 aboard the ship *L'Allier*.<sup>56</sup> They stopped and settled in the Îles du Salut.

The number of convoys multiplied thereafter. The decision was then made to settle convicts on the mainland: first in Rémire, and then in western French Guiana at Montagne d'Argent and the penitentiary of Saint-Georges-de-l'Oyapock. But those locations were very unhealthy, and the administration decided to abandon them, in 1864 and 1856 respectively. As the convoys increased, however, it became necessary to create new camps to accommodate the incoming convicts, who in 1855 numbered 3,780 individuals. For this reason, two hulks were created: one in the harbour of Cayenne and the other at the mouth of the Kourou River. These impractical sites were soon replaced by two further camps: Sainte-Marguerite and Saint-Augustin, located near Cayenne in La Comté. However, outbreaks of yellow fever and malaria compelled the administration to close them.

The administration then decided to change its strategy. Under the direction of commodore Laurent Baudin, in 1857 part of the prison was transferred to the Maroni region in western French Guiana. This camp in Saint-Laurent (named in honour of Laurent Baudin) was devoted to the development of the Maroni territory. For the first time, the mortality rate of the convicts decreased. An 1860 decree established the penitentiary territory of Maroni (*territoire pénitentiaire du Maroni*) as 'exclusively reserved for the purposes of the *transportation*'. There, after a period of settlement, the most deserving *transportés* could

obtain a land concession. Yet from 1852 to 1866, the number of convicts who obtained a land concession was barely 899. In addition, there were only 130 convict marriages, just 20 women and children came from France to join male convicts, and only 75 (out of 124) children survived birth in the colony.<sup>57</sup> In response to the lack of a coherent plan for colonization, and in the absence of direction from the Ministry of the Navy, successive governors of the colony tried to locally administer the *transportation* process: as a result, camps opened and then closed, forest clearance started and then stopped suddenly, and so on. Legislation was sparse, the implementation of the *transportés* piecemeal and there was never any coherent vision.

As a result, *transportation* to French Guiana quickly became a failure. *Transportés* did not become self-sufficient; the number of concessions dropped to 732 in 1867, and soon all attempts at growing food crops were unsuccessful. This situation proved costly to the budget of the Colonial Office: the expenses for the prison of French Guiana reached an enormous 3,762,660 francs for the single year of 1865. In addition, the mortality rate of the convicts was appalling: while between 1852 to 1866, French Guiana had received 21,620 *transportés*, by 1866 only 7,466 were still alive (Table 5.3).<sup>58</sup>

Table 5.3 Mortality Rate of *Transportés* in French Guiana, 1852–1867

Year	Average workforce	Number of deaths (by disease)	Proportion of deaths per 100 individuals	Accidental deaths
1852	1,500	72	4.8	0
1853	2,703	519	19.2	0
1854	2,689	246	9.1	0
1855	2,954	754	25.5	0
1856	3,702	909	24.5	0

1857	4,139	346	8.4	0
1858	4,400	357	8.1	0
1859	5,177	514	9.9	0
1860	5,597	462	8.3	0
1861	6,376	507	8	0
1862	6,139	469	7.6	0
1863	6,233	357	5.7	0
1864	6,512	263	4	0
1865	7,595	395	5.2	0
1866	7,655	558	7.2	57
1867	7,557	560	7.4	24

*Source: Notices sur la transportation à la Guyane française et à la Nouvelle-Calédonie publiée par les soins de son Exc. M. l'amiral Rigault de Genouilly, ministre de la marine et des colonies, 28.*

Released *transportés* were unable to find jobs or to settle in the colony. They were rejected by the local population and placed in competition with under sentence *transportés* who were either working in the prisons or leased out by the administration to local enterprises or individuals at very low wages. The primary argument for this undertaking, the desire to transform convicts into settlers, was completely destroyed, and the government decided to abandon *transportation* to French Guiana: in 1867, all the European *transportés* were henceforth sent to New Caledonia, while only the colonial *transportés* continued to be sent to French Guiana. The milder climate of New Caledonia, geographically closer to its Australian

model, was viewed as more conducive to colonization with penal labour, and mortality rates were indeed lower than those of French Guiana.

## The penal colony of New Caledonia

From 1864 to 1931 about 30,000 convicts were sent to New Caledonia: 21,204 men (and 328 condemned locally) and 525 women were *transportés*; 3,945 men and 20 women were *déportés*; and 3,319 men and 453 women were *relégués*.<sup>59</sup> Table 5.4 shows the number of convicts present in the colony during the period 1876–1912.

Table 5.4 Annual Number of *Transportés* in New Caledonia, 1876–1912

Year	Men	Women
1876	6,769	124
1877	7,655	110
1878	8,218	175
1880	8,009	155
1882	8,870	156
1884	9,634	176
1885	9,842	155
1886	10,413	155
1896	9,361	76
1899	7,806	74
1900	7,340	76
1901	6,867	73

1902	7,272	72
1904	6,419	67
1907	5,227	60
1908	4,915	60
1909	4,685	60
1910	4,427	51
1911	4,171	56
1912	3,949	56

*Source: Notices sur la transportation à la Guyane française et à la Nouvelle-Calédonie, 1876–1912.*

Among them was a significant minority of Algerians, for in 1889 the Ministry of the Colonies had ordered that all Maghrebian convicts be sent not to French Guiana but to New Caledonia. They totalled 1,822 *transportés*, 236 *déportés* and 1,623 *relégués*. For these men, known locally as ‘Arabs’, the island took the name of *Caledoun*.<sup>60</sup>

New Caledonia had been a French colony since 24 September 1853, following its occupation by commodore Febvrier Despointes. It became a penal colony in an 1863 decree signed by the Emperor Napoleon III.<sup>61</sup> A first convoy of 250 *transportés* sailed from the port of Toulon on 5 January 1864, on the ship *Iphigénie*, which took 123 days to reach its destination. The convicts were welcomed by Governor Guillain who installed them on Nou Island, facing the harbour of Nouméa. They built a penitentiary, which became the colony’s main institution of confinement, where they were supervised by about 150 guards and 17 Kanak (indigenous) policemen.<sup>62</sup> The governor organized the *transportés* into four classes: the first class consisted of the best-rated convicts, who were likely to obtain a commutation of

sentence or a pardon. They could be hired by private individuals, obtain a land grant or be classified as ‘artisans’. The second category included *transportés* who had incurred more than six punishments during the previous year: they were subjected to the least laborious hard labour. The third category included more serious offenders or those who were considered lazy: they were subjected to the hardest labour. The fourth category included those condemned by councils of war (*conseils de guerre*) or considered ‘incorrigible’. They could be chained, locked up at night or sent to the prison of Napoleonville (Canala), which was reserved for ‘incorrigibles’ until 1870. Subsequently, after 1887 ‘incorrigible’ *transportés* were incarcerated in the harsh environment of Camp Brun. In 1895, Camp Brun was replaced by the new disciplinary district of Camp Est on Nou Island. Other penitentiaries opened their doors as new convoys arrived, including at Ducos and Bourail, which held convict women.

An 1880 decree had relaxed *transportation* discipline by abolishing corporal punishment in French Guiana and New Caledonia, but the disciplinary regime became considerably harder after 1891. Then, the wages of the *transportés* were abolished and the number of classes shrank to three: the first-class *transportés* could obtain a land grant, be employed by individuals, or benefit from commutation of sentence or pardon. Those of the second class were employed in the works of colonization or of public utility. Third class *transportés* were subjected to the most arduous hard labour: they were separated from each other during the night and subjected to silence day and night. However, after 1887, all the European *transportés* condemned to more than eight years’ hard labour were once again sent to French Guiana, and New Caledonia welcomed only the most highly rated *transportés*. There, the administration began to hire out convicts to private mining companies. To exploit the large deposits of nickel situated on the island, thousands of convicts worked in the mines of la Pilou, Bernheim and Thio, notably for the Higginson Company. Historian Louis-José

Barbançon has described this privatization of the convict workforce as characterized by ‘contracts of human flesh’.<sup>63</sup>

The number of land concessions multiplied in places like Bourail, La Foa-Fonwhari, Diahot and Poembout. Indeed, the *transportés*, as in French Guiana, were condemned to sentences that required them to remain in the colony after their release (*doublage*). Many were then given an agricultural or industrial concession. Thanks to an 1884 decree, the penal administration retained control of 110,000 hectares in New Caledonia, including in the Belep islands, Isle of Pines, and on the ‘*Grande Terre*’, (‘Big Land’) in Bourail, La Foa-Fonwhari, Diahot, Pouembout-Koniambo and Prony.

Penal colonization, and the subsequent arrival of free settlers from France, reduced substantially the territory of the indigenous inhabitants of the island, the Kanaks. On 25 June 1878, several tribes led by Chief Atai attacked settlers in La Foa-Fonwhari and Bouloupari and killed 140 people. The repression was intense because the French feared that the insurrection would spread to the rest of the island. Atai was killed in September 1878 and gradually the insurrection was totally suppressed: whole tribes were decimated, nearly 800 insurgents were killed and 750 were deported to the Isle of Pines and 300 to Belep islands.<sup>64</sup>

From the end of the nineteenth century, the local population increasingly criticized the penal colony of New Caledonia, because convicts competed with free workers and the penitentiary controlled a lot of land. Appointed in 1894, Governor Paul Feillet took steps to ‘turn off the dirty water tap’ and to abolish the penal colony. The decision was taken in 1897 to stop sending convicts to New Caledonia: all convoys were henceforth sent to French Guiana.<sup>65</sup> But the abolition of the New Caledonia penal colony was gradual. Little by little, the release of convicts led to the closure of various penitentiaries and the last *transportés*,

*déportés* and *relegués* were concentrated on Nou Island. It was not until 1931 that the penal colony officially closed.

## The penal colony of French Guiana

In 1885, a new category of convicts appeared: the *relégués*. Convicted by the law of 27 May 1885 concerning the *relégation* of recidivists, the *relégués* were repeat offenders mostly guilty of theft and vagrancy.<sup>66</sup> After the ‘major criminals’ of the Second Empire, the ‘petty criminals’ of the Third Republic were regarded as ‘incorrigible’ and were considered particularly dangerous.<sup>67</sup> This sentence resulted in ‘perpetual confinement’ in a colony and created a dual system. *Relégués* with sufficient financial means were classified in a system of individual relegation (*relégation individuelle*): they had freedom of movement but were not allowed to leave the colony. Those who did not have sufficient means, in other words the vast majority of them, were classified in a system of collective relegation (*relégation collective*): like the *transportés*, they were incarcerated in a penitentiary where they were supervised by prison guards and subjected to hard labour.

Table 5.5 The Number of *Relégués* Arriving Annually in French Guiana and New Caledonia, 1887–1900

Years	French Guiana	New Caledonia
1887	648	405
1888	507	557
1889	523	401
1890	573	100
1891	285	802

1892	377	264
1893	281	464
1894/1895	940	667
1898	480	0
1900	648	0

*Source: Notices sur la relégation à la Guyane française et à la Nouvelle-Calédonie, 1887–1900.*

Nicknamed the ‘*pieds-de-biche*’ 3,740 men and 457 women were sent to New Caledonia from 1887 to 1897, and 17,375 men and 519 women were sent to French Guiana from 1887 to 1938 (Table 5.5).<sup>68</sup> In New Caledonia, they were incarcerated in the Isle of Pines, Ouaménié and Prony. In French Guiana, they were incarcerated mainly in the penitentiary of Saint-Jean-du-Maroni and its neighbouring sub-camps.<sup>69</sup>

The arrival of the first convoy of *relégués* in French Guiana in June 1887 coincided with the resumption towards French Guiana of the convoys of European *transportés* sentenced to more than eight years of hard labour. Then, as we have seen previously, in 1897 all convoys of convicts to New Caledonia were suspended. From that point until 1953, French Guiana received convicts condemned to *transportation*, *déportation* and *relégation*, despite the failures experienced in the Second Empire. This change was accompanied by a shift in policy. The utopian ideals of the earlier model were replaced by a tougher stance towards convicts: prison was no longer intended to provide rehabilitation but exclusively as a convenient means of purging criminals from France and some of the French colonies (mainly Algeria).

Most of the Guianese prison facilities in the late nineteenth century were concentrated in Maroni. The rest of the colony had smaller penitentiaries. Cayenne had a penitentiary with an average of 300 *transportés* who were employed in the maintenance and cleanliness of the city or were loaned out to individual employers or local businesses. A number of them were also employed in building the main colonial road or in logging camps. Established in 1859, the penitentiary of Kourou was composed of the penitentiary of Les Roches and two agricultural sites located nearby. Off the coast of Kourou, the penitentiary of Îles du Salut was an archipelago of three islands. The most dangerous *transportés* were incarcerated on Royal Island. *Transportés* sentenced to reclusion by the *Tribunal Maritime Spécial* were incarcerated on Saint-Joseph's Island and, as mentioned above, those who were condemned to 'deportation in a fortified enclosure' were settled on Devil's Island.

In 1880, Saint-Laurent officially became a prison town (*commune pénitentiaire*) within the larger boundary of the Maroni prison territory, giving the prison administration the responsibility for developing a vast terrain.<sup>70</sup> But the concentration of the convicts in Maroni, which the colony's General Council (*Conseil général*) had repeatedly requested during the second half of the nineteenth century, was not without its drawbacks. The General Council did not really want the convicts to intermingle with the free population in and around Cayenne, so the majority of the convicts were placed on sparsely populated territory isolated from the rest of the colony. As most of the free population lived in eastern French Guiana, mainly in Cayenne, the convicts therefore could not integrate with local people.

In addition, at the end of the nineteenth century, the management of the prison administration was established in Saint-Laurent, which created a significant political problem for the colony. In accordance with the law, the governor, who resided in Cayenne, had 'supreme authority' over the prison and its director. But in reality, since the main facilities of the prison were concentrated in Maroni and there was no road between Cayenne and Saint-

Laurent, the prison director had complete autonomy over his territory. This situation caused tensions between the governor and the director of the prison administration, because they did not share the same ideals. Indeed, we can describe this phenomenon as a ‘double colonization’ of French Guiana: the governor was responsible for the development of the colony while the director had to manage the prison and enforce penalties.<sup>71</sup> These antagonistic functions were one of the reasons for the failure of penal colonization in French Guiana. It was really a dispute over sovereignty that prevented the convicts from working for the colony and becoming settlers once they were released from prison. As the journalist Georges Le Fèvre wrote:

French Guiana, a country without population, without industry, without trade and without agriculture, has two capitals. This inert, bicephalous monster is ridden by two elephant drivers, who keep trying to move it forward by hitting the same head. The governor in Cayenne shouts: ‘Gee!’ And the director at Saint-Laurent replied: ‘Dia.’ It has been fifty years ago that this little game has been going on, and the beast does not move forward.<sup>72</sup>

The prison administration required convicts to help it to develop the vast territory of Maroni. However, its agents had been recruited not for their knowledge of tropical agriculture but for their ability to monitor and punish convicts. For a century, the Ministry of the Colonies regularly sent orders to the director of the prison administration to take measures to ensure the development of the Maroni, and especially to promote the prison’s self-sufficiency for food rations. But these goals, despite colonial objectives and the efforts of several generations of convicts, were never achieved.

Labour was the main activity of the *transportés*, but the level of intensity of their work differed according to their qualifications and was especially dependent upon which of the many possible jobs within the camp they held. The more skilled workers, such as carpenters, cooks or accountants, or those who managed to find employment at the hospital or infirmary fared much better. But loggers, miners and farmers were subjected to tough and dangerous conditions. As in New Caledonia, the *transportés* were divided into three classes. The third class was compelled to perform the most arduous hard labour. The second class was forced to do less exhausting labour but was prohibited from labouring for private individuals or obtaining an agricultural concession. These opportunities were only offered to the *transportés* in the first class. However, this classification could change according to the behaviour of the *transportés*: they could move up in class, but they could also be downgraded. The most ‘incurable’ *transportés* were incarcerated in the bush camp of Charvein, where the living conditions were particularly harsh.

As in New Caledonia, the process of the abolition of the penal colony of French Guiana was protracted. It began in 1923 following the investigation of the journalist Albert Londres for the newspaper the *Petit Parisien*, which informed the public about the cruelty of what it viewed as an archaic institution.<sup>73</sup> In 1933, the Salvation Army, led by Captain Charles Péan, arrived in the colony to help ameliorate the conditions of released convicts.<sup>74</sup> Meanwhile, Guyanese deputy Gaston Monnerville pressed the French Parliament for the closure of the prison, which was finally agreed upon in 1936.<sup>75</sup> But the signing of the decree into law (*décret-loi*) in 1938 only abolished *transportation* to French Guiana, and not *relégation*. It was only in March 1945, after the Second World War, and after many *relégués* had died of hunger and exhaustion in prison (almost 48 per cent died in 1942),<sup>76</sup> that the decision was taken to ‘liquidate’ the penal colony. Under the direction of Lieutenant Colonel Doctor Sainz and the Salvation Army, repatriation convoys were organized; the last ones left

in August of 1953.<sup>77</sup> The penalties of hard labour and *déportation* were officially abolished in 1960 and *relégation* in 1970.<sup>78</sup>

## Africa and Indochina

The French made extensive use of hard labour to punish colonized populations in other parts of the empire. If courts could impose the penalties of *transportation*, *relégation* and *déportation* on colonial populations (who were subject to the French penal code), they could also subject them to hard labour because of the exceptional legal regime that applied in the French colonies: the native system (*régime de l'indigénat*). Colonial populations had the status of French subjects: they had French nationality (and were therefore subject to the sovereignty of France), but they did not have French citizenship (and thus did not have the same rights as French citizens).<sup>79</sup> The native code (*code de l'indigénat*) was the pillar of this policy of domination. Established in Algeria in 1881, it set up an exceptional legal regime to repress criminal offences. Until 1946 it was enforced by administrative authorities who could condemn colonized populations to internment (i.e. imprisonment, house arrest or *déportation*), order them to pay fines (collective or individual) or sequester their property, including land.<sup>80</sup>

The *code de l'indigénat* was later extended: to Cochinchina, New Caledonia, and French East Africa (*Afrique orientale française*, AOF) in 1881 Annam, Tonkin, Laos and Leeward Islands (Îles-Sous-le-Vent) in 1887, Cambodia in 1897, Mayotte and Madagascar in 1898, French Equatorial Africa (*Afrique équatoriale française*, A.E.F.) in 1901, Somalia Coast (*Côte des Somali*) in 1907, Togo in 1923 and Cameroon in 1924. In Algeria, those condemned to internment could be either interned in Calvi; incarcerated in an Algerian penitentiary; or placed under house arrest in remote areas.<sup>81</sup> In Senegal, they could be exiled

and interned in the French territories of Casamance, Mauritania or the AEF.<sup>82</sup> In the AOF, an 1887 decree allowed, without the possibility of appeal, penalties of fifteen days' imprisonment and fines of 100 francs. This discretionary power applied to many special offences in the colonies (which did not exist in the metropolis), such as delays in paying taxes or refusing to participate in *prestation* (labour service on public works for a certain number of days per year). In 1923, a further colonial decree ordered that vagrants should be put to work for private enterprises or on public works. In this way, the native code enabled the infliction of hard labour on colonized populations, compensating for labour shortages, especially after the abolition of slavery.

This was also the case for those sentenced to imprisonment. The French imperial penitentiary was a powerful state tool. Its aim was to suppress opposition and to enable political domination; it did not seek to correct or socially reintegrate colonial detainees.<sup>83</sup> It also provided an abundant workforce to support colonial economic production. Indeed, the regulations of most penitentiary institutions imposed hard labour on 'native' detainees (but not Europeans),<sup>84</sup> including in French Guinea (after 1895) and the AEF (1894). Such prisoners were forced to work in agriculture or on public works (including in stone quarries, and in building roads and bridges). They could also work for private contractors who rented them from the administration.

Until 1919, the organization of hard labour in the AEF was mainly based on labour requisitioning: the administration relied on 'native' chiefs (*chefs de cercle*) to obtain workers for colonial public works. This forced recruitment was particularly brutal and resulted in large population displacements, particularly in the case of the construction of railway lines or the carriage of rubber.<sup>85</sup> Mortality and escape rates were very high, especially during the building of the Congo–Ocean Railway. Indeed, the novelist André Gide and journalist Albert Londres both denounced particularly harsh working conditions there.<sup>86</sup> Faced with pressure from the

International Labour Office, following a conference in Geneva on forced and compulsory labour, in 1930 France regulated hard labour across the empire. At the time this consisted of: *prestation*; the second part of the military contingent (*deuxième portion du contingent militaire*), which required certain ‘native’ soldiers to work on public worksites (nicknamed ‘*tirailleurs-la pelle*’); prison labour; and the obligation to cultivate, i.e. to compel native farmers to grow crops.<sup>87</sup> In 1946, the French abolished both hard labour and the *régime de l’indigénat* in the colonies.

In Indochina, inmates in provincial prisons and central prisons were also subjected to hard labour, including road construction.<sup>88</sup> Those condemned to *déportation*, *transportation* and *relégation* could serve their sentence in Indochina but also in French Guiana (997 were sent there between 1885 and 1922), New Caledonia, Obock, Pnom-Penh and Gabon.<sup>89</sup> In Indochina, they could be incarcerated in isolated penitentiaries, including at Poulo Condor, Phu Quoc and the Île de la Table (islands off Saigon), Lao Bao and Buon Ma Thuot (Annam), Cao Bang, Ha Giang, Thai Nguyen, Son La and Lai Chau (Tonkin).<sup>90</sup> The annual number of convicted persons incarcerated in these penitentiaries was, from 1913 to 1941, around 3,300 (Table 5.6).

Table 5.6 Number of Indochinese People in Penitentiaries, 1913–1941

Year	No. in penitentiaries
1913	2,301
1914	2,415
1915	2,317
1916	2,219
1917	2,460

1918	2,392
1919	2,638
1920	2,987
1921	2,778
1922	2,810
1930	3,297
1931	3,666
1932	4,895
1933	4,723
1934	4,242
1935	4,279
1936	3,850
1937	3,648
1938	3,767
1939	4,043
1940	4,349
1941	6,813
Total	73,424

*Source: Zinoman, The Colonial Bastille, 58.*

Located south of Saigon, 180 kilometres from the coast, the island of Poulo Condor became a penal colony in 1862.<sup>91</sup> An 1862 decree divided the convicts into two categories: those incarcerated for rebellion or common crimes and those condemned for war. The first category was employed on public works. The second was granted land concessions. Both

underlined the use of Poulo Condor as a French tool of repression in Indochina following initial colonization in 1858. The first *bagne* was built in 1875 and could accommodate 800 convicts. Subsequently, the administration gradually enlarged it: the second *bagne* was constructed in 1916 (for 960 convicts) and the third in 1928 (for 640 convicts). In *bagne I* were incarcerated common criminals sentenced to hard labour. In *bagne II* were imprisoned political prisoners (especially nationalists and communists) who were not subjected to hard labour. And in *bagne III* were incarcerated the ‘incorrigibles’, i.e. those who were guilty of escape or assault against supervisors or their convict assistants. The imprisonment regime was very hard and there were many revolts. This included a rebellion in 1882, when 150 convicts, facing the brutality of their regime of hard labour, revolted and killed two French officers. During a second, in 1890, one Vietnamese guard and nine convicts were killed. In 1918, one French officer, two Vietnamese guards and seventy-two convicts died in another violent uprising.

Prison overcrowding and the desire to expel political prisoners liable to revolt or incite revolt resulted in the sending of 531 Indochinese convicts to French Guiana in 1931. They were placed under the supervision of Senegalese soldiers in the territory of Inini, which was under the exclusive direction of the governor of the colony (and not the director of prison administration), in three special penitentiaries (*établissements pénitentiaires spéciaux*, EPS): Crique Anguille, Saut Tigre and La Forestière.<sup>92</sup> With great organization and solidarity, several strikes broke out among these convicts, including in November 1937, at the Crique Anguille camp, where all convicts (i.e. 152 individuals) went on hunger strike. In May 1944, these penitentiaries were closed and the convicts were gradually repatriated to Vietnam from 1954 to 1963.

Like the Indochinese, other colonial *transportés* and *relégués* including Malagasies and Tunisians could also serve their sentences in their colonies. The governors of the colonies

made the decision regarding local imprisonment or transportation overseas. In the AOF, *transportés*, *relégués* and *déportés* could serve their sentences in the penitentiaries of Grand Bassam (Ivory Coast) and Porto Novo (Dahomey); in AEF, they could serve their sentences in the penitentiaries of Bria and Bambari (Ougangui-Chari), Fort-Lamy (Chad) and Libreville, Loango and Djolé (Gabon).<sup>93</sup>

An 1886 decree authorized the transportation to Obock of convicts condemned to hard labour in the French territories of the Indian Ocean. From April 1887 to August 1893, a total of 161 convicts from the French Indies (mainly Pondicherry), as well as Réunion island, the island of Sainte-Marie (off Madagascar) and French Africa were sent to the penitentiary of Obock, situated on the east coast of Africa (now the Republic of Djibouti) (Table 5.7).

Table 5.7 Origin of Convicts in Obock, 1887–1893

Origin of convicts	Number of convicts	Percentage
French India (Pondicherry)	114	70.80
Mascareignes (Reunion)	38	23.60
East Africa	9	5.6
Total	161	100

Source: Colette Dubois, 'Obock, un bagne éphémère et méconnu (1886–1895)', *Ultramarines* 21, 22.

This penitentiary of Obock was thus exclusively intended for colonial subjects who were used to build basic infrastructure. But the numerous escapes of the convicts (they were monitored by only seven guards) and the very high mortality rate among them led to the rapid closure of this penitentiary in 1895. The surviving convicts were transferred to French Guiana. In 1967, the former penitentiary of Obock was occupied by the French army.

Following the Declaration of Independence of Algeria, the 3rd *bataillon d'infanterie légère d'Afrique*, installed in 1967 on the naval base of Mers el Kebir (Algeria), was moved to Obock, in the French territory of the Affars and Issas (*Territoire français des Affars et des Issas*). This battalion was dissolved on 31 March 1972.

Finally, an 1887 decree created penal establishments in Gabon (Africa) for Indochinese and Chinese hard labour convicts. Two convoys brought 161 individuals to Libreville. But the mortality rate was so high (113 deaths) that the prison was soon closed in 1900.<sup>94</sup> Later, from 1898 to 1913, another penal establishment was opened at Djolé (Gabon) but reserved only for African *déportés* (condemned to imprisonment) from different African colonies (notably Senegal, Dahomey, Sudan, Ivory Coast, Guinea and Chad). Gabonese *déportés* were sent to other African colonies (Oubangui-Chari, Chad or Ivory Coast).<sup>95</sup>

## **‘Biribi’**

From 1830 to the early 1970s, between 600,000 and 800,000 soldiers were sent to *Biribi* (i.e. Algeria, Tunisia and Morocco), where they constituted between one and two per cent of the French army.<sup>96</sup> But, as Dominique Kalifa has demonstrated, *Biribi* consisted of an aggregation of repressive structures.<sup>97</sup> Governed by an 1818 ordinance, disciplinary companies (*compagnies de discipline*) concerned soldiers who were not convicted by court martials but who nevertheless ‘persevere[d] by faults and contraventions which cannot be repressed by disciplinary penalties’. They were divided into two classes: the fusiliers and the pioneers (harder). These disciplinary companies existed, among others, in the *légion étrangère* (foreign legion, settled in Algiers), alongside ‘native’ troops, and within colonial troops (in Tonkin, Cochinchina and Madagascar). In 1824 were added the disciplinary sections of the navy

(settled in Saint-Pierre in Martinique, also called *peaux de lapin*, or rabbit skins). These men were mainly employed in hard labour and the development of colonial infrastructure.

The situation was different for those soldiers who were incorporated in the *Bataillons d'Infanterie Légère d'Afrique* (the battalions of the African light infantry; also called *Joyeux* [happy] or *Bat'd'Af'*). Created by an order of 1832, the *Bat'd'Af'* were intended for soldiers leaving prison, soldiers coming from disciplinary companies still under sentence and volunteers. An 1889 law added young conscripts who had been sentenced to more than three months' imprisonment before they joined the army or who were in prison at the time of their conscription. These battalions constituted a test corps, a means of rehabilitating former convicts, through military service and development work. Soldiers convicted of crimes or military offences were incarcerated in military prisons (for accused prisoners and prisoners sentenced to less than one year of imprisonment) or military penitentiaries (for those sentenced to more than one year of imprisonment). Those sentenced to labour on public works (*peine des travaux publics*) were incarcerated in *ateliers* (workshops) *de travaux publics*.

Created by an 1860 ordinance, the *disciplinaires coloniaux* (also called *cocos*) were intended for soldiers who had undergone correctional sentences of more than three months' imprisonment, in other words the 'incurables' from the military penitentiaries and the *Bat'd'Af'*. The *disciplinaires coloniaux* were incarcerated on different sites, in Algeria, Réunion island, Senegal, New Caledonia, Guadeloupe, Martinique and Madagascar. A later law of 1889 created another corps, the *exclus de l'armée* (military underclass): it included soldiers who were had been sentenced by criminal courts (including *transportés*), *relégués* and those condemned to more than two years' imprisonment with loss of civil rights. The *exclus de l'armée* convicted in the colonies had to be employed in those colonies; otherwise, those from France and Algeria were to be employed in Algeria.

Here are summarized the different categories forming the ‘special corps of the French army’ which were installed mainly in the North African colonies of Tunisia, Algeria and Morocco. Not only were they intended to remove various categories of ‘undesirables’ from France and the French army, they also, like all imperial punishments, had a further objective: to assist colonial development via the supposedly regenerative virtues of colonial labour. Despite its remoteness, the atrocities committed in *Biribi* and the draconian regime of the *chaouchs* (prison guards) were denounced very early on by journalists, novelists, anti-militarists and former convicts. They included Georges Darien, who in 1890 published a testimony on his experiences during his imprisonment in Tunisia. Subsequently, campaigns by the journalists Jacques Dhur for *Le Journal* and Albert Londres for the *Petit Parisien* led to important reforms in *Biribi*, notably the abolition of public works in 1928.<sup>98</sup> *Biribi* was from that date suspended, though it did not officially come to an end until 1976, i.e. fourteen years after empire came to an end in North Africa and all soldiers were repatriated to France.

## Conclusion

Since the *Ancien Régime*, hard labour constituted a powerful lever of constraint through which the French state could discipline and profit from many categories of its population, including: vagrants, beggars, prostitutes, abandoned children, ‘natives’, convicts, prisoners and mutinous soldiers. By supporting and adapting to changes in the economy of France between the eighteenth and twentieth centuries, the penalty of hard labour was later exported to the French colonies. Further, for more than a century, French Guiana, New Caledonia and Algeria in particular helped France to reduce its prison population and to get rid of so-called dangerous offenders. They also served to regulate the colonial populations considered threats to the French Empire. If political repression was important to French penal policy, so was

economic exploitation, for the use of convict labour in French colonies made it possible to compensate for the loss of unfree labour following the abolition of slavery. Practices of domination thus circulated throughout the French Empire, with hard labour taking on different characteristics according to local economic and social configurations.

There are few descendants of the convicts in French Guiana but they nevertheless left many vestiges and traces of their time there. The prisons have recently been restored; and the Guyanese people, like Australians, have been confronting this aspect of their past history and turning it into an object of pride. The Transportation Camp of Saint-Laurent today houses a museum run by the Centre for the Interpretation of the Architecture and Heritage of Saint-Laurent (*Centre d'interprétation de l'architecture et du patrimoine*).<sup>99</sup> The Îles du Salut, managed by the National Centre for Space Studies (*Centre national d'études spatiales*), also incorporate a museum.<sup>100</sup> There are many descendants of convicts and penal administrators in New Caledonia today, and the island's history of penal colonization has thus become the object of an important memorial investment. There are today, for instance, many descendants of Maghrebians still present in New Caledonia (and there are associations of descendants, such as the Association of Arabs and Friends of the Arabs of New Caledonia). Since the 1990s, many former penal buildings have been preserved and enhanced by local people and associations. A museum dedicated to the prison of New Caledonia should soon open its doors in the old bakery of the penitentiary of Nou Island.<sup>101</sup>

## Notes

The author thanks Clare Anderson, Mary Gibson and Hamish Maxwell-Stewart for their review of this chapter.

1 On the influence of the British model of penal colonization in Australia, see Colin Forster, *France and Botany Bay: The Lure of a Penal Colony* (Melbourne: Melbourne University Press, 1996). See also Colin Forster, 'Convicts: Unwilling Migrants from Britain and France',

in *Coerced and Free Migration: Global Perspectives*, ed. David Eltis (Stanford, CA: Stanford University Press, 2002), 259–291; Colin Forster, ‘Prison or Deportation: Botany-Bay and the French Penal Debate, 1814–1832’, in *Workings Papers in Economic History*, no. 136 (Canberra: Australian National University Press, 1990), 1–36; Briony Neilson, ‘The Paradox of Penal Colonization: Debates on Convict Transportation at the International Prison Congresses 1872–1895’, in *French History and Civilization: Papers from the George Rudé Seminar* 6, ed. Julie Kalman (2015), 198–211, <http://www.h-france.net/rude/rudevolvi/NeilsonVol6.pdf> (accessed 26 January 2017). See also Hamish Maxwell Stewart in this volume.

2 Michel Pierre, *La terre de la grande punition. Cayenne 1852–1953* (Paris: Autrement, 2001; orig. 1982), 19. About the history of the French Guiana penal colony, see: Alexander Miles, *Devil’s Island, Colony of the Damned* (Berkeley, CA: Ten Speed Press, 1988); Miranda Frances Spieler, *Empire and Underworld. Captivity in French Guiana* (Cambridge, MA: Harvard University Press); Jean-Lucien Sanchez, ‘French Guiana. The Penal Colonization of French Guiana 1852–1953’, *Convict Voyages* (2015) <http://convictvoyages.org/expert-essays/french-guiana> (accessed 7 February 2017); Peter Redfield, *Space in the Tropics: From Convicts to Rocket in French Guiana* (Berkeley, CA: University of California Press, 2000); Stephen A. Toth, *Beyond Papillon. The French Overseas Penal Colonies, 1854–1952* (Lincoln, NE: University of Nebraska Press, 2006).

3 Eric Fougère, *Le grand livre du bagne en Guyane et Nouvelle-Calédonie* (Sainte-Clothilde: Éditions Orphie, 2002), 43.

4 Eric Fougère, *Des indésirables à la Désirade* (Matoury: Ibis Rouge éditions, 2009). See also Arlette Farge and Michel Foucault, *Le désordre des familles, lettres de cachet des Archives de la Bastille* (Paris: Gallimard, 1982).

5 Saint-Simon, *Mémoires (1716–1718)*, vol. 6 (Paris: Gallimard, 1986), 570. See also Charles Frostin, ‘Du peuplement pénal de l’Amérique française aux VIIe et XVIIIe siècles: hésitations et contradiction du pouvoir royal en matière de déportation’, *Annales de Bretagne et des pays de l’Ouest* 85, no. 1 (1978): 67–94.

6 Gabriel Audisio, ‘Recherches sur l’origine et la signification du mot bagne’, *Revue africaine* 98, nos. 452–453 (1957): 363–368.

7 André Zysberg, *Les Galériens. Vies et destins de 60 000 forçats sur les galères de France, 1680–1748* (Paris: Seuil, 1987). See also Pieter Spierenburg, ‘Prison and Convict Labour in Early Modern Europe’, in *Global Convict Labour*, eds. Christian G. de Vito and Alex Lichtenstein (Leiden: Brill, 2015), 112; André Zysberg, ‘Galley Rowers in the Mid-Eighteenth Century’, in *Deviants and the Abandoned in French Society: Economies, Sociétés, Civilisations*, eds. Robert Forster and Orest Ranum (Baltimore, MD: Johns Hopkins University Press, 1978), 83–110; André Zysberg, ‘Galley and Hard Labor Convictions in France, 1550–1850’, in *The Emergence of Carceral Institutions: Prisons, Galley, and Lunatic Asylums, 1550–1900*, ed. Pieter Spierenburg (Rotterdam: Erasmus University of Rotterdam, 1984), 78–124; Jacques-Guy Petit, *La prison, le bagne et l’histoire* (Paris and Geneva: Librairie des Méridiens, Médecine et Hygiène, 1984); Jacques-Guy Petit, Nicole Castan, Claude Faugeron and Michel Pierre, *Histoire des Galères, Bagnes et Prisons, XIII–XXème siècles. Introduction à l’étude pénale de la France* (Toulouse: Privat, 1991); Nicole Castan, André Zysberg and Jacques-Guy Petit, *Histoire des galères, bagnes, et prisons en France de l’Ancien Régime* (Paris: Payot, 2002). See also Mary Gibson and Ilaria Poerio in this volume.

8 Philippe Henwood, *Bagnards à Brest* (Rennes: Ouest-France, 1986); Frédérique Joannic-Seta, *Le bagne de Brest, 1749–1800: l’émergence d’une institution carcérale au siècle des Lumières* (Rennes: Presses universitaires de Rennes, 2000); André-Roger Voisin, *Le bagne de*

*Rochefort* (Turquant: L'apart, 2011); Jean-Paul Meyrueis and André Bérutti, *Le bagne de Toulon* (Gémenos: Autres Temps, 2010).

9 Michel Pierre, *Le Dernier Exil, histoire des bagnes et des forçats* (Paris: Gallimard, 2008; orig. 1989), 40; Michel Pierre, *La légende noire du bagne. Le journal du forçat Clemens* (Paris: Gallimard, 1992), 54.

10 Sylvain Rappaport, *La Chaîne des forçats, 1792–1836* (Paris: Aubier, 2006).

11 Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York, NY: Random House, 1975). See also Jacques-Guy Petit, 'The Birth and Reform of Prisons in France, 1791–1885', in *The Emergence of Carceral Institutions: Prison, Galleys and Lunatic Asylum*, ed. Spierenburg, 125–147.

12 Michel Foucault, *Madness and Civilization: A History of Insanity in the Age of Reason* (New York, NY: Routledge, 2006).

13 Jean-François Wagniar, *Le vagabond à la fin du XIX<sup>e</sup> siècle* (Paris: Belin, 1999), 133.

14 Georg Rusche and Otto Kirchheimer, *Punishment and Social Structure* (New York, NY: Columbia University Press, 1968; orig. 1939).

15 Jean-Claude Vimont, *La prison. À l'ombre des hauts murs* (Paris: Gallimard, 2004), 17.

16 Jacques-Guy Petit, *Ces peines obscures. La prison pénale en France (1780–1875)* (Paris: Fayard, 1990), 143–180. See also Jacques-Guy Petit, Claude Faugeron and Michel Pierre, *Histoire des prisons en France, 1789–2000* (Toulouse: Privat, 2002); Patricia O'Brien, *The Promise of Punishment. Prisons in Nineteenth-Century France* (Princeton, NJ: Princeton University Press, 1982); Gordon Wright, *Between the Guillotine and Liberty: Two Centuries of Crime Problem in France* (New York, NY, and Oxford: Oxford University Press, 1983); Michelle Perrot, 'Delinquency and the Penitentiary System in Nineteenth Century France', in *Deviants and the Abandoned in French Society*, eds. Forster and Ranum, 210–219. If private

contractors were not interested or available, the penal administrator organized and worked prisoners (*régie* system).

17 Dominique Fey and Lydie Herbelot, *Clairvaux. Vies emmurées au XIXe siècle* (Lille: TheBookEdition, 2013), 334–362. See also Dominique Fey and Lydie Herbelot, ‘Les dérives d’un système: Le scandale de Clairvaux en 1847’, *Criminocorpus* (2014) <https://criminocorpus.revues.org/2887> (accessed 7 February 2017).

18 Jean-Jacques Yvarel, ‘Histoire de la justice des mineurs depuis 1791’, *Criminocorpus* (2015) <https://criminocorpus.org/fr/ref/25/17950/> (accessed 13 February 2017). See also Christian Carlier, *La prison aux champs. Les colonies d’enfants délinquants du nord de la France au XIXe siècle* (Paris: Les Éditions de l’Atelier, 1994).

19 Jacques Bourquin, ‘La difficile émergence de la notion d’éducabilité du mineur délinquant’, *Criminocorpus* (2012) <http://criminocorpus.revues.org/1938> (accessed 13 February 2017).

20 Bruno Maillard, ‘“Ils sortiront des hommes”. Les enfants du pénitencier de l’Ilet à Guillaume (île de la Réunion) 1864–1879’, *Criminocorpus* (2012) <http://criminocorpus.revues.org/1770> (accessed 13 February 2017); Ibrahima Thioub, ‘Marginalité juvénile et enfermement à l’époque coloniale: les premières écoles pénitentiaires du Sénégal, 1888–1927’, in *Enfermement, prison et châtements en Afrique. Du 19e siècle à nos jours*, ed. Florence Bernault (Paris: Karthala, 1999), 205–226.

21 Jean-Jacques Yvarel, ‘Ordonnance 45–174 du 2 février 1945 relative à l’enfance délinquante’, *Criminocorpus* (2012) <https://criminocorpus.org/fr/reperes/legislation/45-174/> (accessed 16 February 2017).

22 Voltaire, *Mélanges, Commentaire sur le livre des Délits et des Peines* (Paris: Gallimard, 1961; orig. 1766), 785–786.

23 Louis-José Barbançon, *L'archipel des forçats. Histoire du bagne de Nouvelle-Calédonie (1863–1931)* (Lille: Presses universitaires du Septentrion, 2003), 31.

24 Jean-Claude Vimont, *La prison politique en France: genèse d'un mode d'incarcération spécifique, XVIIIe-XIXe siècles* (Paris: Anthropos, 1993). See also Jean-Claude Vimont, 'A History of Political Detentions in France', *Criminocorpus* (2013) <http://criminocorpus.revues.org/2977> (accessed 13 February 2017).

25 Maurice Barbotin, *Conamama, Camp de la mort en Guyane pour les prêtres et les religieux en 1798* (Paris: L'Harmattan, 1995), 220–232.

26 Spieler, *Empire and Underworld*, 35.

27 Louis-José Barbançon, 'Aux origines de la guillotine sèche. La déportation dans les Assemblées révolutionnaires', *Criminocorpus* (2007) <http://criminocorpus.revues.org/147> (accessed 17 January 2017).

28 Louis-José Barbançon, 'Transporter les insurgés de juin 1848', *Criminocorpus* (2008) <http://criminocorpus.revues.org/153> (accessed 17 January 2017).

29 Louis-José Barbançon, 'La loi de déportation politique du 8 juin 1850: des débats parlementaires aux Marquises', *Criminocorpus* (2006) <http://criminocorpus.revues.org/149> (accessed 17 January 2017).

30 Barbançon, *L'archipel des forçats*, 63–65.

31 Jean-Claude Vimont, 'Les déportés républicains de 1858', *Criminocorpus* (2013) <http://criminocorpus.revues.org/1943> (accessed 13 February 2017).

32 For further details, see below.

33 Danielle Donet-Vincent, 'Louise Michel, de la déportation à l'aventure', *Criminocorpus* (2011) <http://criminocorpus.revues.org/1089> (accessed 7 February 2017). See also Jean

Baronnet and Jean Chalou, *Communards en Nouvelle-Calédonie. Histoire d'une déportation* (Paris: Mercure de France, 1987); Louise Michel, *Mémoires* (Paris: La Découverte, 2002; orig. 1886).

34 About Dreyfus affair, see Vincent Duclerc, *Alfred Dreyfus. L'honneur d'un patriote* (Paris: Fayard, 2006). See also Alfred Dreyfus, *Cinq années de ma vie 1894–1899* (Paris: La Découverte, 2006; orig. 1901).

35 Philippe Collin, 'Charles Benjamin Ullmo (matricule 2)', *Musée Criminocorpus* (2017) <https://criminocorpus.org/fr/ref/25/18604/> (accessed 30 August 2017). But a large number of anarchists were condemned to *transportation* because they were condemned for ordinary crime. See Colombe de Dieuleveult, 'Lettres et récits d'Alexandre Marius Jacob: les contraintes de l'écriture ordinaire', PhD diss., Université de Rouen, 2015. See also Colombe de Dieuleveult, 'Alexandre Jacob, forçat anarchiste en Guyane: politique ou droit commun?', *Criminocorpus* (2013) <http://criminocorpus.revues.org/2410> (accessed 7 February 2017); Jean-Marc Delpech, 'Parcours et réseaux d'un anarchiste, Alexandre Marius Jacob, 1879–1954', PhD diss., Université de Nancy 2, 2006; Jean-Marc Delpech, *Voleur et anarchiste, Alexandre Marius Jacob* (Paris: Nada éditions, 2015); Daniel Vidal, *Paul Roussenq, le bagnard de Saint-Gilles* (Paris: Éditions du Monde Libertaire; Brussels: Éditions Alternative libertaire, 1998); Philippe Blandin, *Eugène Dieudonné* (Paris: Éditions du Monde Libertaire; Brussels: Éditions Alternative libertaire, 2001); Yves Frémion, *Léauthier l'anarchiste. De la propagande par le fait à la révolte des bagnards, 1893–1894* (Montreuil: l'Échappée, 2011). The anarchists could also be condemned to *relégation* following the law of 28 July 1894 tending to repress the anarchist pursuits (*loi tendant à réprimer les menées anarchistes*), forming a part of the so-called 'scoundrels laws' ('*lois scélérates*') voted between 1893 and 1894. About these laws, see Francis de Pressenssé, un juriste and Émile Pouget, *Les lois scélérates de 1893–1894* (Marseille: Le Flibustier, 2008; orig. 1899).

36 Marc Bernardot, *Camps d'étrangers* (Bellecombe-en-Bauges: Éditions du Croquant, 2008), 62–63.

37 Sylvie Thénault, 'Une circulation transméditerranéenne forcée: l'internement d'Algériens en France au XIX<sup>e</sup> siècle', *Criminocorpus* (2015) <http://criminocorpus.revues.org/2922> (accessed 26 February 2017). Internment was also introduced in New Caledonia in 1887, in Indochina and in AOF in 1904 and in Tunisia in 1934. See Olivier Le Cour Grandmaison, *Coloniser. Exterminer. Sur la guerre et l'État colonial* (Paris: Fayard, 2005), 210.

38 Jean-Claude Farcy, *Les camps de concentration français de la Première Guerre mondiale (1914–1920)* (Paris: Anthropos, 1995), 129.

39 Véronique Poisson, 'Les grandes étapes de cent d'histoire migratoire entre la Chine et la France', *Hommes & Migrations*, no. 1254 (2005): 6–17.

40 GTE were located in the metropolis of Algeria, Tunisia and Morocco. See Denis Peschanski, *La France des camps. L'internement (1938–1946)* (Paris: Gallimard, 2002), 226.

41 See Mary Gibson and Ilaria Poerio in this volume.

42 Peschanski, *La France des camps. L'internement (1938–1946)*, 475.

43 Patrice Arnaud, *Les STO. Histoire des Français requis en Allemagne nazie 1942–1945* (Paris: CNRS éditions, 2010), 11.

44 Emmanuel Blanchard, 'Contrôler, enfermer, éloigner. La répression policière et administrative des Algériens de métropole (1946–1962)', in *La France en guerre 1954–1962. Expériences métropolitaines de la guerre d'indépendance algérienne*, eds. Raphaëlle Branche and Sylvie Thénault (Paris: Autrement, 2008), 329.

45 Fanny Layani, 'La détention des militants nationalistes dans les prisons de France métropolitaine pendant la guerre d'Algérie', PhD diss., Université de Paris I, being drafted.

Activists of the Organization of the secret army (*Organisation de l'armée secrète*, OAS), supporters of French Algeria, also benefited from this regime. See Pierre Calvas, 'Les généraux de l'OAS à la prison de Tulle: réalités et rumeurs', *Criminocorpus* (2012) <http://criminocorpus.revues.org/1777> (accessed 26 February 2017).

46 Emmanuel Blanchard, 'Police judiciaire et pratiques d'exception pendant la guerre d'Algérie', in *La guerre d'indépendance des Algériens 1954–1962*, ed. Raphaëlle Branche (Paris: Perrin, 2009), 270.

47 Sylvie Thénault, 'Interner en République: le cas de la France en guerre d'Algérie', *@mnis* 3 (2003): 213–228. See also Sylvie Thénault, 'Assignation à résidence et justice en Algérie 1954–1962', *Le Genre humain* 3, no. 32 (1997): 105–115; Sylvie Thénault, *Violence ordinaire dans l'Algérie coloniale* (Paris: Odile Jacob, 2012).

48 Michel Cornaton, *Les camps de regroupement de la guerre d'Algérie* (Paris: L'Harmattan, 1998; orig. 1967), III.

49 Louis Chevalier, *Labouring Classes and Dangerous Classes in Paris during the First Half of the Nineteenth Century* (Princeton, NJ: Princeton University Press, 1978).

50 Article 2 of the Law on Execution of Hard Labour of 30 May 1854, Louis-José Barbançon, 'Déportation, transportation et relégation française', *Musée Criminocorpus* (2006) <https://criminocorpus.org/fr/ref/25/16931/> (accessed 17 January 2017).

51 Odile Krakovitch, *Les femmes bagnardes* (Paris: Perrin, 1998). See also Odile Krakovitch, 'Les femmes dans les bagnes de Guyane et de Nouvelle-Calédonie', *Histoire de la justice* 3 (1990): 51–68; Odile Krakovitch, "'Le bien d'autrui tu ne prendras ...'" ou à Cayenne pour le vol d'une paire de draps. L'envoi de femmes aux bagnes de Cayenne et de Nouvelle-Calédonie pour vols et escroqueries, de 1858 à 1883', *Bulletin d'Information des Études Féminines* 13 (1983): 61–81; Katia-Christiane Ferré, *Graine de bagnarde, Marie Bartete*

(1863–1938) (Le Coudray-Macouard: Feuillage, 2014); Marine Coquet, ‘Coloniser par la voie pénale: de l’idéal familial à la réalité coloniale des rapports entre les sexes dans la colonie pénitentiaire du Maroni (Guyane française, XIXe–XXe siècle)’, in *Enfermement III, le genre enfermé, hommes et femmes en milieux clos (XIIIe–XXe siècle)*, ed. Isabelle Heullant-Donat (Paris: Publications de la Sorbonne, 2017), 105–125.

52 The complete collection of the *Notices sur la déportation, la transportation et la relégation à la Guyane française et à la Nouvelle-Calédonie* (from 1852 to 1912) is available on Criminocorpus: ‘Notices bagnes coloniaux’, *Musée Criminocorpus* (2017) <https://criminocorpus.org/fr/ref/118/23/> (accessed 28 august 2017).

53 Michel Pierre, ‘Les Algériens au bague de Guyane’, *Histoire de la justice* 26 (2016): 171–187.

54 The *Notices* use categories such as ‘European’, ‘Arab’ and ‘Black’, but do not specify the colony of origin of the *transportés*.

55 Danielle Donet-Vincent, *De soleil et de silences. Histoire des bagnes de Guyane* (Paris: La boutique de l’histoire, 2003), 93. See also Danielle Donet-Vincent, ‘De l’esclavage et du bague en Guyane française’, *Revue d’histoire du XIXe siècle* 18 (1999) <http://rh19.revues.org/149> (accessed 7 February 2017); Pascale Cornuel, ‘Guyane française: du “paradis” à l’enfer du bague’, in *Le livre noir du colonialisme, XVI–XXIe siècle: de l’extermination à la repentance*, ed. Marc Ferro (Paris: Fayard, 2003): 208–219; and Michel Pierre, ‘Aux origines du bague ou le temps de l’utopie’, *Actes. Cahiers d’action juridique trimestriels*, no. 45/46 (1984): 67–69.

56 On convict shipment, see Franck Sénateur, Bernard Cognaud and Paul Mauro, *Martinière: Le Transport des forçats (1910–1955)* (Rennes: Marines Éditions, 2008). See also Jean-Lucien Sanchez, ‘Les convois de forçats en direction des bagnes coloniaux: l’exemple du

*Martinière*’, in *Fureur et cruauté des capitaines en mer*, ed. Pierre Prétou (Rennes: Presses Universitaires de Rennes, 2012), 236–251.

57 *Notices sur la transportation à la Guyane française et à la Nouvelle-Calédonie publiée par les soins de son Exc. M. l’amiral Rigault de Genouilly, ministre de la marine et des colonies* (Paris: Imprimerie Impériale, 1869), 16.

58 About the health conditions of the convicts in French Guiana and New Caledonia, see the testimony of Dr Léon Collin, *Des hommes et des bagnes. Guyane et Nouvelle-Calédonie, un médecin au bagne, 1906–1913* (Paris: Libertalia, 2015). See also Claire Jacquelin, *Aux bagnes de Guyane. Forçats et médecins* (Paris: Maisonneuve & Larose, 2003).

59 Louis-José Barbançon, ‘La “Nouvelle” : le bagne des antipodes’, *L’histoire* 64 (2014): 33.

60 Louis-José Barbançon and Christophe Sand, *Caledoun. Histoire des Arabes et Berbères de Nouvelle-Calédonie* (Nouvelle-Calédonie: Association des Arabes et Amis des Arabes de Nouvelle-Calédonie, 2013), 36.

61 Isabelle Merle, *Expériences coloniales: La Nouvelle-Calédonie, 1853–1920* (Paris: Belin, 1995), 62. See also Isabelle Merle, ‘La Nouvelle-Calédonie, 1853–1920. Naissance d’une société coloniale’, *Cahiers du Centre de Recherches Historiques*, no. 11 (1993): 17–26; Isabelle Merle, ‘The Trials and Tribulations of the Emancipists: The Consequences of Penal Colonization in New Caledonia, 1864–1920’, in *France, Oceania and Australia: past and present*, ed. Robert Aldrich (Sydney: University of Sydney, 1991), 39–55; Isabelle Merle, ‘Les vagabonds de la colonie: misère et exclusion des libérés du bagne calédonien’, in *La Nouvelle-Calédonie ... d’avant 1914*, ed. Association Pacifique (Ministère des DOM-TOM) (Paris: Editions Pacifique, 1992), 76–78; Robert Aldrich, *The French Presence in the South Pacific, 1842–1940* (London: Palgrave Macmillan, 1990).

62 Barbançon, 'La "Nouvelle"', 33. On prison guards in New Caledonia and French Guiana, see Stephen A. Toth, 'The Lords of Discipline. The Penal Colony Guards of New Caledonia and Guyana', *Crime, Histoire & Sociétés/Crime, History & Societies* 7, no. 2 (2003): 41–60.

63 Barbançon, 'La "Nouvelle"', 33.

64 Barbançon and Sand, *Caledoun*, 86.

65 Ibid., 89.

66 See Jean-Lucien Sanchez, 'Histoire de la récidive en France (1791–2011)', *Musée Criminocorpus* (2013) <https://criminocorpus.org/fr/ref/25/16939/> (accessed 30 January 2017).

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