THE "APPRENTICESHIP" SYSTEM IN MAURITIUS: ITS CHARACTER AND ITS IMPACT ON RACE RELATIONS IN THE IMMEDIATE POST-EMANCIPATION PERIOD, 1839-1879

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In the summer of 1833, the British Parliament passed into law a bill designed to abolish slavery throughout the British Empire. The Abolition Act conferred freedom on all slave children in the plantation colonies, who were not over six years of age, and declared as free persons children born after the passage of the act. All persons over six years of age became free but were required to work for their former owners as "apprentices" for a limited period: the domestics were to serve for four years, while the agricultural slaves were to work for six years. The act also provided for twenty million pounds sterling to be given as compensation to the owners of the slaves. As the title of the act states, the "apprenticeship" system was designed to promote the "industry of the manumitted slaves . . ." (Great Britain, Public Record Office [PRO], C.O. 167/205, Glenelg to Nicolay, 6 November 1838). The apprenticeship system was inaugurated in the British West Indies in 1834, and in Mauritius and her dependent colonies on 1 February 1835. Following the examples of Antigua and Barbados, the British West Indian colonies aborted the system in 1838; in Mauritius and its dependencies the system came to an end in 1839.

The assessments of the apprenticeship system are varied. The framers of the Abolition Act pronounced the system as one in which "manumitted" slaves performed compulsory labor for a limited period and in their own interests. Some contemporary observers (Baker and Blackhouse, 1838) were inclined to think that the apprenticeship system was a prolongation of slavery. Other assessments tend to take a "middle of the road" position; for example, William Mathieson (1967: 11) has suggested that, although the apprenticeship system "fell far short of emancipation," it "certainly was not worse than slavery . . . ."

The aims of this paper are twofold. First, it re-examines the "apprenticeship" system in Mauritius in the light of the foregoing evaluations. The paper offers a modified interpretation, namely that the apprenticeship system converted chattel slaves into serfs. In the second place, the paper explores the effects of the system. It is suggested that the period of apprenticeship strengthened rather than weakened the old patterns of master-servant relationships that were not conducive to the smooth working of the emergent multiracial, or shall we say multiethnic, society

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of Mauritius. The paper will start with the legal and administrative framework, then proceed to a discussion of the working of the system and its termination, and finally attempt an assessment of its effects.

LEGAL AND ADMINISTRATIVE FRAMEWORK

The apprenticeship system in Mauritius was governed by the Order in Council of September 17, 1834 (Accounts and Papers [A and P], 1835, vol. 50, number 278: 372-389). The Order in Council prescribed the duties and obligations of the apprentices and their master-employers, and laid down penalties for their non-fulfillment. The agricultural apprentices, or praedials as they were also called, were required to work for their masters without pay at the rate of seven and one-half hours a day for a total of forty-five hours a week, Sundays and holidays excepted. The domestics worked the normal 45 hours a week, but the limits could be exceeded because of the nature of their chores. In return for their work, the praedial laborers were given food rations or land for cultivation. The laborers who received land were entitled to spend not less than four and one-half, and not more than seven and one-half hours a week on the land to raise their own food; the laborers could gather the usufruct, but the land belonged to their masters. Domestic workers received straight food rations. The master was required to issue clothing once a year to his apprentices above the age of five; if he had 40 or more apprentices, he was required to engage a medical practitioner to care for their health. The abolition law made provision for the apprentices to purchase their release from their duties at prices determined by evaluation. It was hoped that this concession would stimulate the workers to work more industriously.

The Order in Council imposed heavy penalties on the apprentices for non-performance or ill-performance of their duties, whether the duties were obligatory or contractual. For every hour that an apprentice was absent from work, he was required to render extra service to his master up to a maximum of 15 hours a week. An apprentice was regarded as a "deserter" if he absented himself from work, without reasonable cause, for more than seven and one-half hours a week; as a "vagabond" if his absence was more than two days in a week; and as a "runaway" if his absence was more than six days in one week. "Deserters" were to be sentenced to imprisonment at hard labor for a period up to one week; "vagabonds" were to be sentenced to jail for a period up to two weeks and were to receive, in addition, up to 15 lashes; "runaways" could be imprisoned for a period up to one month in addition to receiving up to 30 strokes of the cane. Conviction for "indolent," "careless" or "negligent" performance of duty was punishable by the rendering of extra services; in this case the employer was entitled to exact from the culprit extra service up to 15 hours a week. If the convicted apprentice was a praedial laborer, he was to be given up to 15 lashes in addition. For a second offense within two months of the first offense the worker was to be imprisoned at hard labor for a period up to one week. For a third and subsequent offense within two months of the first offense, he was to be confined at hard labor for a period up to two weeks, and to be given up to 20 lashes. Three or more apprentices who agreed to resist or actually resisted the "lawful commands" of their master became guilty of "unlawful conspiracy." The "conspirators" were subject to imprisonment at hard labor for a period not exceeding six months. If they were men, they could also receive up to 39 strokes, but if they were women they were to be confined in the stocks during daylight hours. Three or more apprentices, engaging in a "riot" or "tumultous assembly," and refusing to

disperse within ten minutes after they had been ordered to do so by a justice of peace, were to be sentenced to imprisonment at hard labor for a period up to 12 months.

Besides the above, the Order in Council imposed restrictions on the movements of the apprentices. An apprentice was permitted to move about without a pass within a radius of five miles from his legal residence. An apprentice found beyond the permitted limits could, on conviction by a special justice, be punished as a "vagabond," unless he could prove to the satisfaction of the judge that he was on his way to or from public worship; and the only way he could satisfy the judge was to produce a pass issued by his master or by a judge in his district.

Compared to the penalties imposed on the apprentices, the masters suffered only slight penalties for not fulfilling their responsibilities towards their apprentices. A master who fraudulently or forcefully prolonged the weekly services of his praedial laborers was required, on conviction, to pay each laborer one shilling for every hour that the laborer worked in excess of the stipulated number of hours. An employer could be ordered by the special justice in his district to pay wages due to the apprentices for contracted taskwork or for extra services rendered. If the amount owed was not paid within one week of the issue of the order, the justice could order the attachment of that master's produce, utensils or some other property on his plantation. The judge could also impose a fine of up to five pounds sterling on an employer or his authorized agent for flogging, imprisoning or confining in the stocks or otherwise maltreating his workers.

Lastly, to ensure the smooth working of the apprenticeship system the Order in Council provided for the appointment of special judges or magistrates who would be paid and controlled by the British Government. Most of the nine districts of Mauritius were subdivided to make the administration of the apprenticeship law easier; a special judge or magistrate was appointed to each district or subdivision. In the year 1837, there were altogether 16 magistrates (PRO, C.O. 167/201, Nicolay to Glenelg, 31 January 1838).

THE SYSTEM IN PRACTICE

The actual working of the apprenticeship system was affected by a number of factors. Besides the legal framework provided by the apprenticeship law, there were such variables as the differing needs, and the temperament and attitudes of the proprietary class and the apprentice class. The former was not a homogenous group. It included whites (French Creoles and a few Britons) and "Free Persons of Color" (persons of mixed black and white or Indian ancestry). Large planters had several scores of apprentices; other persons had only a few (apprentices). Their needs, interests and temperament varied, and all affected the actual working of the apprenticeship system. The apprentices numbered 61,045 in 1835 (Mauritius, Central Statistical Office, 1955: 3). They differed greatly in such matters as working abilities, temperament and habits. The justices themselves were not an undifferentiated lot. Whereas some of them discharged their duties conscientiously, others did not. In spite of these differences, it is possible to discern dominant concerns among each group. For the planters, the dominant and consuming concern during and after the period of the apprenticeship system was the availability of ample, steady, and pliable labor to meet the needs of an agricultural economy based increasingly on sugar production and exports. The labor needs of the planters may be illustrated by the fact that the sugar output was less than one million pounds in 1812 but more than 60 million pounds in 1830 (Pridham, 1946: 375).

As the sugar industry was still labor-intensive, it was in the interest of the planters to work their apprentices hard in order to maintain the high level of output. For the apprentices, the foremost wish was the attainment of full, unfettered freedom. By the nature of their appointment, the justices' common concern was to administer and uphold the apprenticeship law. The role of these three groups will now be discussed.

The planters tried various methods to increase the amount of labor they extracted from apprentices. One method was to add Saturday to the working week. Some planters behaved like one master in the Black River District, who threatened to deny his apprenticed workers the privilege of gathering fruits and vegetables from his estates if they refused to work for him on Saturdays, and also to deny them the privilege of keeping their pigs and poultry on his plantations and might even order them to sell the ones that they already had (PRO, C.O. 167/182, J. Minchin to Colonial Secretary, Mauritius, 13 May 1835). Others were perhaps less threatening, and used more persuasive techniques to get their apprentices to do Saturday work, in return for which the apprentices received graded scales of wages according to their abilities (PRO, C.O. 167/193, J. Minchin to Colonial Secretary, Mauritius, 13 May 1835). The planters who did not demand Saturday work used their laborers three hours beyond the working hours imposed by law (PRO, C.O. 167/203, Nicolay to Glenelg, 25 June 1838). Another device used to increase labor output was piecework. By the latter part of the year 1838 only Port Louis District and the first section of Pamplemousses District did not require piecework. In the other districts and sections of districts, the number of estates adopting the piecework method varied from four in the second section of Black River to 31 in the first section of Rivière du Rempart (PRO, C.O. 167/205, Nicolay to Glenelg, 15 November 1838). The piecework method was probably the most productive of the methods described above, but such was the demand for labor that other devices had to be used to increase its amount and ensure its flow. The additional method was an attempt to mobilize the free blacks and the apprentices who might gain their freedom, in the interest of sugar and other related industries. The instrument used was the enactment of Ordinance No. 16 of 1835 by the Mauritius Council of Government, a legislative body established in 1832 and composed, then, exclusively of British officials and influential white planters and businessmen.

As its preamble states, Ordinance No. 16 of 1835 (POR, C.O. 169/2) had a dual aim: first, to combat the "natural inclination to idleness and sloth" of individuals just emerging from a state of servitude to one of freedom; second, to remedy the insufficiency of the existing laws to compel the lower classes to work in the interest of agriculture and industry, and to protect "mutual" interests. The ordinance provided for compulsory census of all persons not subject to the Act for the Abolition of Slavery in the British Empire. All persons who failed to declare to the census officers their names, ages, places of birth and last residence, and occupations were liable to pay a fine of up to two pounds sterling. The ordinance equated unemployment with "vagrancy" and punished it as such. All adult, able-bodied persons without employment or "recognized" means of subsistence were placed under the supervision of the police. "Vagrants" who broke police regulations were to be imprisoned for as many as three months for the first offense, and one year for a repetition of the offense. All adult "vagrants" under 60 years of age were required to find jobs within a stipulated time. If they failed to find work, the state was entitled to employ them on public works for its own benefit. If they failed, while working for the state, to secure employment within three months, they were

liable to be sentenced to work on the plantations or in manufacturing establishments for a period not exceeding three years. The Courts of First Instance, as the lower courts were called, were empowered to issue sentences that might be appealed within eight days. If the worker serving the three-year sentence was not able to secure a job by the end of that period, he was to be subjected to "a new engagement in the same manner as before" (PRO, C.O. 169/2).

Ordinance No. 16 of 1835 required workers or apprentices employed for a period exceeding a month to register their names on official registers kept either in the registry office in Port Louis or in the district registry offices. A person who did not register his name had to pay a fine not exceeding one pound sterling, or go to jail for as many as three days. Persons who registered their names were given tickets showing their names, places of birth, occupation and marital status. Tickets were to be renewed each time that the bearers changed their employers; if they failed to do so they could be imprisoned for eight days. Employers hiring workers without tickets were liable to pay a fine not exceeding ten pounds sterling. Lastly, the ordinance imposed "appropriate" sanctions for the slightest breach of contracts, threats or "conspiracies" on the part of the workers. For example, if three or more employees "conspired" to quit or neglect their work, change their conditions of service or secure an increase in wages, they could be sentenced to up to six months imprisonment (PRO, C.O. 169/2).

Ordinance No. 16 of 1835 was put in force until the pleasure of the British Crown could be ascertained. Unfortunately for the planters and other employers of labor, the Crown disallowed the ordinance on the ground that it imposed unnecessary burdensome restraints on the labor of freemen. Similarly, a companion piece of legislation, Ordinance No. 17 of 1835, was disallowed. The news of the disallowance reached Mauritius several months after the ordinances had been in operation (in those days, dispatches from Mauritius to Britain and vice versa took several months to reach their destination). The news caused considerable disquietude. Planters and officials alike were very much disappointed. On 25 July 1836, Governor Nicolay wrote a dispatch to the secretary of state for the colonies, pointing out that the restraints imposed by Ordinance No. 16 of 1835 "are not in general" as heavy as the restraints imposed by special laws regulating the relations between masters and servants in places other than Mauritius. He said that the regulations contained in the ordinance "have already produced a good practical effect, without any manifestation of discontent, or complaint of oppression" (PRO, C.O. 167/190, Nicolay to Glenelg, 25 July 1936). Six months later he wrote that the disallowance had excited among the "inhabitants at large . . . a considerable degree of alarm." In two districts, planters had asked the governor for permission to hold public meetings to draw up memorials protesting against the disallowance. The governor said that more requests to hold public meetings for the same purpose would have followed if he had not refused to sanction any public meetings for the purpose indicated. He added that since the news of the disallowance became public, there had been "a visible increase of idleness and disorder among the lower classes" (PRO, C.O. 167/196, Nicolay to Glenelg, 21 January 1837).

The "idlers" and "disorderly" persons who reveled in the Crown's disallowance of Ordinance No. 16 of 1835 included the black "apprentices." The latter viewed the apprenticeship system as renovated slavery. As slaves, their masters possessed their persons and their services; as "apprentices," they were "personally free" but their masters owned their services. As slaves, they could be bought and sold; as "apprentices," they could no longer be sold individually, but they could be sold as

integral parts of their masters' estates. In fact, one of the reasons why the planters opposed the "premature" termination of praedial apprenticeship in 1839 was the fact that many estates had been bought and sold on the assumption that the apprenticeship system would run its full course (PRO, C.O. 167/205, Nicolay to Glenelg, 10 December 1838). As slaves, the apprentices were flogged by their masters for offenses detailed or unstipulated by the slave laws; as "apprentices," they received, for diverse offenses, punishments (including flogging) ordered by the special justices, although the latter sometimes intervened on their behalf. As slaves, they could purchase their freedom with their savings; as "apprentices," those who could afford it purchased their freedom "at enormous prices," as one resident Briton (Baker, 1838) put it, "as if no act of emancipation existed."

The functioning of the apprenticeship system, as far as the black apprentices were concerned, was affected by all of these factors. If the apprentices shared a common evaluation of their status, however, they responded to it differently. Some of them worked very hard in their spare time to accumulate enough money to buy their freedom. In the Grand Port District, for example, 138 apprentices paid £1,736 and 8 shillings for their freedom between 1 April 1837 and 1 February 1839. In the colony as a whole, several thousand apprentices bought their freedom between February 1835 and February 1839 (A and P, 1847, vol. 39, number 325: 256-58, 261). It is said that some of the apprentices who had purchased their freedom would come to the unliberated apprentices to show off their shoes—as neither the slaves nor the apprentices were allowed to wear shoes—as marks of their free status (Blackhouse, 1838). The apprentices who could not buy their freedom numbered in several scores of thousands. The apprentices as a whole discharged their duties generally in two ways. Some of them worked as best they could, occasionally receiving commendation for work well done or punishments for their transgressions; many of them rarely complained to the special magistrates about the wrongs that their masters had done to them. They failed to complain, not because the special magistrates were inaccessible—in fact, some of the magistrates did their best to protect them from grave ill-treatment—but because they feared that they might not receive justice at the hands of the magistrates, men with whom their masters socialized in the rural isolated districts. As some of them put it, making their grievances known to the special magistrates "would only make the situation of ourselves and our children worse; and, in a few years, we shall be free" (PRO, C.O. 167/208, Blackhouse to Buxton, 14 May 1838).

The other category of apprentices discounted submission and silent suffering in favor of militancy. They considered criminal acts and "criminal protests" as more effective means of fighting an exploitative system. Their chief instruments were stealing, "drunkenness," insubordination, mutilation of farm animals, lateness for work and, above all, marooning (running away). For these offenses the criminal elements and the "criminal protesters" drew upon themselves the anger of their masters and earned the penal sanctions imposed by the special magistrates.

The judicial decisions and the attitudes of the special magistrates greatly influenced the character and working of the apprenticeship system. "By their exertions," as one of them (PRO, C.O. 167/196, Anderson to Glenelg, 1 February 1837) put it, "the apprentice is compelled to perform the work to which his employer is entitled . . . ." This compulsion made it difficult for them to win the confidence of the apprentices, and to assure the latter that they could receive justice. On the other hand, it was the duty of the special magistrates to make sure that the master-employers fulfilled their obligations towards their apprentices.

Fulfilling the latter task was not so easy as some of them soon learned. The case of Special Magistrate Minchin may be taken to illustrate some of the pressures to which the magistrates were subjected. Minchin served as special magistrate in the Black River District from March 1835 to June 1836. In June 1836, Colomb d'Ecotay, a planter with whom Minchin had been on very intimate terms, complained to Governor Nicolay that "from the manner in which Special Justice Minchin had interfered with his apprentices, they had been thrown into a state of insubordination;" d'Ecotay also complained that one of his female apprentices had been seduced by Minchin and that she was living with Minchin as a mistress. In his defense, Minchin stated that d'Ecotay had actually received £300 for the emancipation of the female apprentice; he attributed the charge that he had incited d'Ecotay's apprentices into "insubordination" and "menacing conduct" to d'Ecotay's resentment of Minchin's attempts to protect the apprentices (PRO, C.O. 167/191 and 193, Nicolay to Glenelg, 17 October 1836). Governor Nicolay appointed Special Magistrates C. Anderson and R. M. Thomas to investigate and report on the charges made against Minchin.

The two magistrates (Anderson and Thomas, 1836) reported that d'Ecotay had been "most culpably negligent of his duty" towards his apprentices. The huts of the apprentices were found in a "ruinous" state and the apprentices had not been given proper medical attention. These conditions, the magistrates believed, had combined with "the violent and unjust severity of Mr. Colomb d'Ecotay in several individual cases" to create "a feeling of aversion and distrust" on the part of the apprentices, which "only time and better treatment can remove." The two magistrates found no evidence of the alleged "riotous and tumultous conduct" on the part of the apprentices; rather, they were impressed by "the calmness and patience with which the apprentices had for so long endured acts of violence, oppression and injustice." The report cleared Minchin of the first part of the charges made against him, but the second charge was not easily forgiven since it was extra-magisterial in nature. To make matters worse, Minchin was said to have cheated on his allowance for house rent. He was, therefore, relieved of his post (PRO, C.O. 167/191 and 193, Nicolay to Glenelg, 17 October 1836).

From the foregoing, it would seem that Minchin deserved the punishment that he received. It would appear, however, that he was not the only magistrate who committed indiscreet acts and other offenses, as the following remark by a British missionary (PRO, C.O. 167/208, Blackhouse to Buxton, 14 May 1838) indicates:

> It is said that those who have been removed from the office of special magistrate have universally been those who filled it the most efficiently, in the performance of their duty as the protectors of the Apprentices: and though it might be too much to suppose that their moral characters were clear in the points charged against them; yet, when similar instances of delinquency are notoriously known to exist in others who lean to the planters, and are suffered to pass unnoticed, the general feeling of the Colony on the subject appears unequivocal.

Faced with situations similar to those in which Minchin found himself, the special magistrates thought twice before incurring the enmity of the planters by overzealously protecting the apprentices from abuses.

The special magistrates adopted a tough posture towards the apprentices. Minchin himself, for all his zeal in protecting d'Ecotay's apprentices, did not hesitate to impose punishments exactly as they were prescribed by the apprenticeship law on offending apprentices. An entry in his journal may be taken to illustrate this point. One Horace, an apprentice of one Labuttee, was absent from work from 30 March to 4 April 1835. On 15 April Minchin (PRO, C.O. 167/193,

Minchin's Journal) sentenced the apprentice to receive 25 lashes, one month extra labor for the benefit of his master, and to be put "in the Bloc at night for the same period." Other punishments entered in Minchin's journal were no less "fitting" to the offenses committed by the apprentices. The other magistrates behaved very much like Minchin in the awarding of punishments, which frequently included flogging. For example, Special Magistrate Edward Kelly of the second section of Pamplemousses District (PRO, C.O. 167/201, Kelly to Dick, 20 September 1837) reported that he had awarded an average of 115 punishments monthly between February 1836 and February 1837. Of these 110 were of a corporal nature. In his district during the period, there were 6,235 apprentices, 3,900 of whom were males. Between February and September 1837, the average number of monthly punishments had declined to 72, but 30 of them were of a corporal nature.

The relatively high incidence of punishments aroused the concern of Lord Glenelg, the Secretary of State for the Colonies. He wrote a dispatch to Governor Nicolay, asking him to call the attention of the special magistrates to "the frequency of punishments generally and particularly to those of a corporal nature, which are stated to be far beyond the proportion in the West Indies of a nearly similar extent of population." He expressed the wish "that the Magistrates should consider whether some other mode of punishment could not be advantageously substituted for whipping and whether corporal punishments might not be rendered more efficacious by being resorted to less indiscriminately." On the receipt of Glenelg's dispatch, Nicolay directed the colonial secretary (chief secretary) of Mauritius to send circular letters to the special magistrates on the subject of Glenelg's dispatch. The special magistrates were requested to explain the probable primary causes of the offenses for which the apprentices were punished, and to suggest the best means of preventing and ultimately stopping them (PRO, C.O. 167/201, Nicolay to Glenelg, 31 January 1838).

Most of the reports of the special magistrates were in agreement in attributing the major causes of the crimes and offenses for which the apprentices received punishments to the apprentices themselves. Special Magistrate C. Anderson of Port Louis District (PRO, C.O. 167/201, Anderson to Dick, 21 September 1837) acknowledged that the "capricious and vexatious although not illegal conduct of employers" frequently drove the apprentices to "acts of desperation" which brought punishment to the apprentices, but he also ascribed the causes of the crimes committed to the deep-rooted and demoralizing habits formed by persons reaching manhood and old age in slavery, and "to whom religion and morality and all the advantages of rectitude of conduct are unknown . . . ." Special Magistrate Edward Kelly of the second section of Pamplemousses District (PRO, C.O. 167/201, Kelly to Dick, 20 September 1837) stated that the apprentices' characters and habits had to be changed before "they can be led to feel the injustice and wickedness of robbery and the baneful effects of drunkenness, and how much an indulgence in these crimes is calculated to affect their individual welfare and happiness here and after." Special Magistrate F. Randall of the second section of Riviere du Rempart (PRO, C.O. 167/201, Randall to Dick, 26 September 1837) believed that the crimes were caused by the conjunction of "the grossest ignorance" and "the grossest depravity" among the apprentices, who "lacked" respect for the property of others and "any practical proof" of the ability to distinguish between right and wrong. Special Magistrate J. Regnard of the second section of Flacq District (PRO, C.O. 167/201, Regnard to Dick, 20 September 1837) said that the

blacks were in general disobedient, insolent, and robbers, driven to commit these vices by idleness, malignant will, indolence, and habitual drunkenness. The views of most of the other special magistrates were similar.

Most of the special magistrates were also in agreement on the question of the best methods of checking, if not of extinguishing, the crimes. Several examples will suffice. C. Anderson (PRO, C.O. 167/201, Anderson to Dick, 21 September 1837) stressed the "limited means" available to the magistrates to make "favorable impressions" on the apprentices who committed offenses and crimes. He suggested the extension of solitary cells, the reduction of prison allowance of rice from one and a half pounds to one pound a day, and the erection of treadmills to produce "a dread amongst the apprentices which no flogging or common prison detention or work could inspire . . . ." Randall (PRO, C.O. 167/201, Randall to Dick, 26 September 1837) recommended effective use of whipping for culprits who "have made so little progress in civilization, as to be generally speaking not very many degrees above the brute creation . . . ." Special Magistrate H. M. Self of the first section of Flacq District (PRO, C.O. 167/201, Self to Dick, 25 September 1837) stated that "the greater portion of the field laborers being in a state of semi-barbarism, and totally devoid of all means of instruction, nothing but strong measures, and a constant recurrence to corporal punishment, has any effect upon them." Regnard (PRO, C.O. 167/201, Regnard to Dick, 20 September 1837) suggested the enforcement of a vigorous prison discipline, effective working of people in prison at hard labor, and solitary confinement. Special Magistrate H. B. Jones of Grand Port District (PRO, C.O. 167/201, Jones to Dick, 21 September 1837) recommended the erection of treadmills, the enforcement of silence during the performance of prison labor, and the imposition of solitary confinement for the breach of the silence, as the most effective means of punishing and checking the apprentices' crimes and offenses.

There was one notable departure from the attitudes analyzed above. This was the attitude of Special Magistrate Percy Fitzpatrick of the second section of Savanne District. Fitzpatrick (PRO, C.O. 167/201, Fitzpatrick to Dick, 4 November 1837) perceived that there was a connection between certain crimes and slavery:

> the want of moral and religious instruction united to the influence of savage life, and of the Laws by which Slavery has been protected in this Colony seem to me the chief causes of the offenses of the Apprentices. The most prevalent crime in my opinion is theft, a vice generally existing among men in the State of nature. This fault, natural to the Savage, became confirmed in the Slave by the old French law which deprived him of all legal right to property.

He believed that men "thus debarred from the open right of getting property were driven to its secret acquisition, and to habits of theft. Moreover petty theft if confined to articles of food were not much looked into by the masters who considered that such acts were not much to his [sic] disadvantage if the food was consumed by the slave." As to the means of checking the crimes and improving the habits of the apprentices, he suggested that "all measures which tend to their civilization and to their moral elevation would diminish crime. Every institution also which facilitates their becoming proprietors by honest means would render theft less frequent."

Since most of the special magistrates were firmly convinced that the black apprentices were by nature prone to committing crimes, and that only severity would compel them to stop marooning as well as committing other offenses, it is not unreasonable to suggest that the punishments given to the offending apprentices reflected, besides confirming the officially prescribed battery of punishments,

the biased attitudes of the special magistrates. Fortunately for the apprentices, they were spared from experiencing a more drastic penal regime by external events that they had hardly anticipated.

THE SYSTEM ABORTED

Following the examples of Antigua and Barbados, the British West Indies Islands liberated their "apprentices" in 1838. In Mauritius, the domestics were due to be freed on 1 February 1839, but praedial apprenticeship was not due to expire until 1 February 1841. As a result of the events in the West Indies, it was feared that it would be difficult to compel the praedials to work after the domestics had been freed. Consequently, the secretary of state wrote a dispatch to Governor Nicolay on 11 July 1838, recommending the "immediate and entire liberation" of the praedial apprentices from the unexpired term of their apprenticeship (PRO, C.O. 170/11, Mauritius Legislative Council, Proceedings, 29 October 1838). Governor Nicolay communicated the recommendation of the secretary of state to the Council of Government on 29 October 1838, but the discussion of the matter was postponed to enable the members of the council to consult public opinion on the subject. The question was discussed at the meetings of the council held on 5 and 19 November. A number of resolutions and amendments were offered, but were not adopted.

The final discussion of the matter took place in the meeting held on 21 November 1838, after which the following resolution was passed by a majority of one vote:

> The Council recognizes that its constitution does not give it the power to decide by a legislative enactment a question of so much importance, and which affects so numerous private interests, regulated and guaranteed, moreover, by an Act of Parliament.
>
> Neither does the constitution of the Council authorize it to express the wishes of the inhabitants, whose concurrence and consent only could warrant a change in the provisions of the Act which has established the conditions of emancipation.
>
> But if the Council were to give an opinion on the subject, it would be that, notwithstanding the disposition which the inhabitants may feel to enter into the views of an early liberation, the most serious motives would render the execution of that disposition, in the present circumstances of the colony, extremely difficult, and dangerous alike for public order and tranquility, and the welfare of all classes of the population (PRO, C.O. 170/11, Mauritius Legislative Council, Proceedings, 21 November 1838).

It is clear from the resolution that the majority opinion in the legislature considered the question of terminating praedial apprenticeship in Mauritius before it ran its course as equivalent to an expropriation of property without due process. The vote itself was not unpredictable. The only novel point was the argument that the Council of Government could at once not speak and speak for private interests. The council claimed that it could not vote away the rights of private interests without first consulting those interests, and yet it spoke for private interests by arguing against the adoption of the secretary of state's recommendation.

The opposition of the Council of Government to an early termination of praedial apprenticeship in Mauritius was a belated one, for on 5 November 1838, an Order in Council decreed that:

> All . . . persons who, on the 1st day of February 1839, shall be holden within the colony of Mauritius as praedial apprenticed labourers, shall, upon and from and after a day to be named in any proclamation for that purpose to be issued by the Governor or officer administering the government of Mauritius, become and be,

> to all intents and purposes whatsoever, absolutely freed and discharged of and from the then remaining term of their apprenticeship . . . (PRO, C.O. 167/205, Glenelg to Nicolay, 6 November 1838).

Governor Nicolay received the Order in Council on 10 March 1839. On the following day, he issued a proclamation, declaring all praedial apprentices "absolutely freed and discharged" from the remaining time in their apprenticeship as of 31 March (PRO, C.O. 167/209, Nicolay to Glenelg, 15 March 1839). The planters read the emancipation proclamation with apprehension about the future state of the sugar industry. Among the persons emancipated, however, the governor's proclamation was a cause of rejoicing and long celebrations.

THE RESULTS

The termination of the "apprenticeship" system was followed by a massive withdrawal of the ex-slaves from the big sugar estates. One 4 May 1839, Governor Nicolay reported that "a great number of the large sugar estates had been almost wholly abandoned by the former ex-slaves;" he attributed the withdrawal to the ex-slaves' "predilection for establishing themselves in particular parts" of Mauritius, "owing to their comparative local advantages over others . . ." (PRO, C.O. 167/210, Nicolay to Glenelg, 4 May 1839). By July, the governor was not so sanguine about the reasons for the ex-slaves' withdrawal from the plantations. On the twentieth of that month, he wrote: "I fear that, in too many instances, they have mistaken idleness for freedom and sensual indulgence for a mark of liberty" (PRO, C.O. 170/12, Nicolay's minute, 20 July, 1839). In April, some four to five thousand of the ex-slaves had agreed to work as contract laborers for one year. They had agreed to do so under the pressure of circumstances: " . . . it was," as Special Magistrate C. Anderson (PRO, C.O. 167/216, Anderson to Russell, 1 May 1840) explained, "only from a confused and imperfect idea of their new condition, the difficulty of finding a hut to retire to, or the influence of the stipendiary magistrates that . . . the men were induced to engage as field-laborers for a year, which terminated in April 1840 . . . ." By 1841, as it was later (PRO, C.O. 170/22, Mauritius Legislative Council, Report, 15 August 1845) reported, "the Ex-Apprentices had for the most part ceased to labour on the Sugar Estates. . . ."

The withdrawal of black labor created a crisis for the sugar industry. The planters felt the pinch acutely for the withdrawal coincided with the suspension by the Government of India of the exportation of Indian laborers to Mauritius, a suspension that was not lifted until 1842. In 1834, there were some 40 Indian laborers working in Mauritius as indentured workers, but by 1838, the number had risen to about 24 thousand (Barnwell and Toussaint, 1949: 157-58). Anticipating a regular and increasing flow of Indian labor, and assuming that the labor of the praedial apprentices was guaranteed until 1841, many planters had made "extensive purchases of estates, with every prospect of profitable return" (PRO, C.O. 167/216, Anderson to Russell, 1 May 1840). Now both sources of labor seemed to have dried up forever. Stung by the two events, the planters openly denounced the "premature" termination of the praedial apprenticeship as an act of "spoliation" and urged more stringent definition of the laws of "vagrancy" (PRO, C.O. 167/215, D. Barclay to Russell, 20 September 1839). In desperation, the planters searched for alternative sources. In December 1839, an Immigration Committee was formed for the purpose of obtaining permission to recruit laborers from Madagascar, the Comoros, and the east coast of Africa. The committee expressed its willingness to pay the governments concerned fees for the privilege

of recruiting workers (PRO, C.O. 167/217, Immigration Committee to Nicolay, 21 January 1840). The secretary of state for the colonies refused to approve the proposals (PRO, C.O. 167/217, Russell to Lionel Smith, 19 August 1840). Attempts to get the Government of India to lift the ban it imposed on the emigration of indentured laborers eventually succeeded, however. After 1842, Indian labor poured in.

The inflow of indentured Indian labor produced dramatic results in Mauritius. Economically, there was a soaring of sugar output. In 1843, the quantity of sugar produced was only 55,125,758 (French) pounds. Nine years later, the output was over one billion pounds (PRO, C.O. 170/37, Mauritius Legislative Council, Report, 13 August 1853). The prosperity of the sugar industry had a wholesome effect on the public revenue. Between 1853 and 1859, the revenue of Mauritius increased two-fold (Lubbock, 1935: 26-27). Indian immigration into Mauritius produced other important results. Between 1846 and 1861, the racial and ethnic complexion of Mauritius was transformed. According to the calculations made by Barnwell and Toussaint (1949: 163), there were in 1835, three free persons to every nine slaves; in 1846, there were three free persons and nine emancipated slaves to every six Indians; but in 1861, "there were three free persons descended from white or coloured families, nine free persons descended from emancipated stock, and no less than twenty-four Indians, in every thirty-six people in Mauritius." The census returns of 1861 contained slightly different proportions; in 1846, the Indians constituted 35.4 percent out of a total Mauritian population of 158,462; in 1851, 43 percent out of a total population of 180,823; and in 1861, 55 percent out of a total population of 310,050 (PRO, C.O. 170/58, Mauritius, Census Returns, April 1861). In spite of the differences between the two sets of data, there is no doubt that immigrant Indian workers had replaced the ex-slaves as the most numerous ethnic group in Mauritius.

The relations between the major ethnic sections of the Mauritian society were affected in no small measure by the apprenticeship system. After the ex-slaves had withdrawn their labor from the plantations, they dispersed to the various parts of Mauritius, settling down as laborers in Port Louis, as peasant cultivators of purchased or leased patches of land, or as "squatters"—despite the prohibition of "squatting" by the order in Council of October 8, 1838—in relatively remote forests and mountain valleys. Some of them managed to keep body and soul together; many became indigent. Cholera and smallpox epidemics took a heavy toll of their lives, reducing their population to about 50 thousand in 1846 (PRO, C.O. 172/12, *Supplement to the Mauritius Times,* 12 August 1846) and about 49 thousand in 1851 (PRO, C.O. 170/55, P.B. Ayres, Report, 11 September 1861). Little was done to help them on account of their heavy withdrawal from the plantations. The eyes of the planter and of the ex-slave were averted from each other. Even where some planters evinced a desire to receive the ex-apprentices back on the plantations as workers, the rigors of the apprenticeship system were such that the blacks could not endure contract labor which they equated with slavery. Going back to the plantations was thought to be equivalent, as Patrick Beaton (1971: 88) aptly put it to "a galley slave resuming the oar, when told that he was free." Neither planter nor ex-apprentice was, for different reasons, interested in forging fruitful relations with the other.

The relations between the planters and the Indian laborers were generally bad. Heavy fines were imposed on them for their absences from work. "The heaviest fine," was, as Barnwell and Toussaint (1949: 161-62) have stated, "that the

labourer lost two days' pay for every day on which he stayed away from work. Sometimes fines were so heavy that the labourer received no wages at all at the end of the month; he then worked for food only, and was thus little different from a slave." Those who had served their five-year indenture or "industrial residency," as C. R. Telfair, a British planter (1864) put it, were often arrested and treated as "vagrants" if they refused to work for the planters. Their wages were irregularly paid and were often in arrears. Their working conditions remained bad until 1878, when the Mauritius legislature passed a new labor code which it hoped "must conduce to the interest and harmony of all classes of the community" (PRO, C.O. 170/104, Mauritius, Administrative Reports for 1879).

The "apprenticeship" system in Mauritius was of short duration, lasting just four years, but its direct and indirect results were felt for several decades by the country's multiracial society.

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