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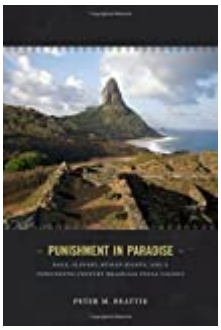

Peter M. Beattie. *Punishment in Paradise: Race, Slavery, Human Rights, and a Nineteenth-Century Brazilian Penal Colony.* Durham: Duke University Press, 2015. 352 pp. $27.95 (paper), ISBN 978-0-8223-5830-5; $99.95 (cloth), ISBN 978-0-8223-5816-9.

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Barely visible as a speck punctuating the northeastern coast of Brazil, the Atlantic island of Fernando de Noronha, located some 220 miles off the mainland, has been a feature on maps of the Portuguese South Atlantic since the early sixteenth century. By the nineteenth-century period of postcolonial monarchy in Brazil known as the Empire, the remote island had become a national agricultural penal colony. The historian Peter M. Beattie, with this book, brings his exhaustive research on the ample documentary record that the penal colony produced together with his insightful analysis of a range of works on the criminal law, punishment, and coerced labor in the nineteenth-century Atlantic world. *Punishment in Paradise* falls at the unique and compelling confluence of several crucial themes for the study of postcolonial Latin American history, and contributes richly to all of them: sexuality and citizenship, slavery and free labor, family history and the history of prisons.

Punishment in Paradise is the first book-length treatment of the history of Fernando de Noronha, and it is one of a small number of studies in English of any of Latin Americaâs numerous postcolonial penal colonies. Indeed, throughout this book both implicitly and explicitly, Beattie takes on the perennial, methodologically and conceptually important question of scale and representativeness: what does the history of this small and isolated place show us about broader processes and phenomena? What is this really a history *of*? Fernando de Noronha, on the one hand, was distant and physically disconnected from the mainland and, as a penal institution, was under an exceptional disciplinary regime. But on the other hand, the colony was national in scope and jurisdiction, housing convicts from throughout Brazilâs vast national territory and thus providing a better sample from Brazilian society than perhaps any other local study derived from the records of prisons, jails, police precincts, court documents, or civil registries. Moreover, the social and power relations there reflected, in condensed form, dynamics at play on a much larger scale. The island serves us, as retrospective observers, just as it served penologists, politicians, and other observers in the nineteenth century as a âpenal laboratoryâ (p. 5). The policies implemented on Fernando de Noronha to maintain order and economic viability strikingly recalled those on the mainland; the island provided both a âfoilâ and a proving ground where authorities rehearsed new ways of contending with the great challenges of the age: foremost among them, Brazilâs status in the nineteenth century as a slaveholding nation trying to find its way toward post-abolition modernity (p. 2). Fernando de Noronhaâs

value as an object of study derives largely from the unexceptional nature of its social structures and interactions. Fascinatingly, Beattie shows that âFernando de Noronha was in essence a large, if exceptionally isolated, plantation where convicts provided most of the laborâ (p. 4). Both enslaved and free convicts were given access to provision grounds, just as enslaved workers were elsewhere in the Americas. The island was also connected to mainland policing and discipline through the circulation of personnel, from the enlisted guards to the commanders.

Life in the penal colony over the roughly century-long period that forms the chronological focus of the book reflected events on the mainland. Beattie details how rebellions or waves of police repression altered the population on Fernando de Noronha. Fascinatingly, the author also shows how changes in the criminal law had dramatic effects on the population of the island. As the death penalty was phased out, for example, the number of enslaved convicts rose. Fluctuating populations of enslaved convicts reflected such phenomena as changing judicial sentencing patterns on a nationwide scale, the consistent use of convict labor, the War of the Triple Alliance (1864-70), and the rise and then end of military impressment. Even the rebellions that broke out several times in the colony âbear a family resemblance to mainland slave revolts and army mutiniesâ (p. 176). *Punishment in Paradise* provides a remarkable view of these events as seen from this offshore vantage, thus connecting the finely grained, locally specific history that the book reconstructs with a century of upheaval familiar to anyone who has studied the Atlantic world.

Punishment in Paradise recounts the story of nineteenth-century Brazil through its detailed social history of Fernando de Noronha derived from parliamentary and ministerial reports, travel accounts, newspaper reporting, literature, and especially the manuscript administrative records from the penal colony. Beattie writes, âToo often the study of crime and criminality is limited to the study of arrests and trials, but Fernando de Noronhaâs documentation allows one to explore how convicts lived their sentencesâ (p. 4). Beattie magnificently reconstructs the structure and texture of daily life for convicts, as well as the less well-documented lives of their families and dependents. The bookâs central chapters focus on the postindependence period through the end of the nineteenth century, coinciding with the high-water mark and then the decline of African enslaved labor in Brazil, and with the introduction of penal reform. These chapters examine quotidian life in the penal colony as they each take on a subtheme that reveals an aspect of the âsimplified ecologies of penal colonies and prisonsâ and the macrocosm of which it was a part (p. 48). The chapter on licit and illicit commerce provides a telling view of the labor regime as it focuses on production and the ways in which convicts and their overseers acted to mitigate the punitive aspects of living in material privation. Convicts were paid a small wage, and a cash economy existed on Fernando de Noronha as well as a parallel, illicit economy dealing in goods and services. A chapter on the historical sociology of record keeping provides a deep analysis of the range of different experiences of poverty in nineteenth-century Brazil. Other chapters focus on the formation of social hierarchies on Fernando de Noronha, and on conflicts that sometimes became violent among guards, among convicts, and between these groups as well as the insurrections that beset the colony in the 1870s and 1880s.

Throughout these chapters, Beattie effectively makes a case for the striking centrality of labor to the social organization and governance of the penal colony. Work served as the punishment itself, but it also was considered the vehicle for redemption, the means of material viability of the distant, isolated island, and the breeding ground for what Beattie labels as corruption and an illicit trade in goods and services. Conversely, officialsâ concerns that the penal colony was a place of leisure where convicts evaded work fuelled and mirrored debates on the mainland about both the treatment and governance of slaves and the role of punishment in society. *Punishment in Paradise* thus fruitfully fuses labor history with the history of crime and punishment. At the same time, the book joins a conversation at the cutting edge of Brazilian historiography that seeks to bring labor history and the study of slavery into dialogue with each other.

The penal colony housed both enslaved convicts and those who had been free before their criminal conviction, and thus Beattie is able to inquire into the curious juridical position of enslaved persons who committed crimes. The author provides a lucid and detailed account of the criminal law as it related to enslaved Brazilians in the nineteenth century. The phasing out of forms of punishmentâlike execution, flogging, and *galÃ©s* (shackled gangs performing forced labor)âgenerally considered archaic by reformist jurists and politicians coincided with the introduction of newer forms of punishment, such as confinement in a penitentiary, and the introduction of a âprison with workâ sentence, which aimed, in principle at least, to reform the criminal through therapeutic hard labor. Enslaved and non-enslaved persons were subjected to coerced labor as part of their sentence and

lived out their lengthy sentences together. Not only did authorities fail to separate enslaved convicts from non-enslaved ones, but in fact Beattie points to strong archival evidence that the penal colonyâs authorities made a point of mixing these different types of convicts together. As he does elsewhere in this book, Beattie pays detailed attention not only to the data contained in the rich manuscript prison administrative records but also to the mode of recording that information as, itself, a revealing historical artifact. In doing so, he is able to use the stateâs processing of enslaved convicts accused of violent crimes to penetrate the legal morass of conflicting claims and rights to private property on the one hand and public order on the other. As the book draws to a close, Beattie shows the effect that abolition had on the treatment of enslaved conflicts and, most fascinatingly, the strategies that enslaved persons themselves used to pursue their interests to the extent possible. âIn less than a decade,â the author remarks, âbeing a slave convict on Fernando de Noronha had moved from being a liability to an advantageous argument for freedomâ (p. 198). The âintegrationist impulseâ that âled Brazilian authorities to permit convicts to live in exile with their wives, heterosexual consensual lovers, and dependents founded much of its logic in assumptions about gender and familyâ (p. 176). The impulse to integrate rather than segregate different categories of convictsâmarried and single, convicts and non-convicts, enslaved and free convictsâis what makes, for Beattie, the case study so relevant for processes unfolding in the country broadly.

Perhaps one of the bookâs most important and unique contributions is its attention to the family, gender, and sexuality in its analysis of the history of crime and punishment. Marriage had come to the fore of political debates in the 1870s in Brazil, mainly around questions of military recruitment, civil marriage and the burning âreligious question,â and the broader questions of labor and social discipline in slaveryâs final decades. Long-brewing ideas about the nefarious effects of celibacy became formal policy in Fernando de Noronha in 1865, when strict gender segregation gave way to new policies that allowed male convicts to apply to take their wives and dependents with them to the island. This change in policy reflected similar conversations going on among the slave-owning classes about the management of a captive workforce, which came to include the recognition of their de facto right to marry. Womenâs presence on Fernando de Noronha was a perennial source of conflict. Male prisoners were often allowed to bring their wives or formed heterosexual families on the island. The all-male corps of police, guardsmen, and army regulars who patrolled and governed the island also brought female companions with them to Fernando de Noronha, an acquired right that they fought to preserve. In the villages where convicts were settled, single convicts slept not in cells but in barracks-like dormitories. Married convicts sometimes could live in a family arrangement in a separate dwelling. Sexuality became key to both the stateâs disciplinary tactics and, fascinatingly, a bargaining chip that prisoners managed to use to gain privileges that, effectively, grew into rights that became difficult if not impossible to retract. The tension between reformist theory and actual penal practice is a major theme running through much scholarship on the West in the nineteenth and twentieth centuries. This book takes a unique approach to this familiar theme, and it offers a particular take on the idea of the rehabilitation of convicts and a rare view of the negotiation for privileges that became rights in a state disciplinary institution. *Punishment in Paradise* is sure to become a reference for future scholars who look to sexuality as a way of considering the social history of punishment.

Beattie is particularly interested in the categorization of people into groups as a socio-legal process, and he pays keen attention to the stateâs categorizing function. An underlying theme throughout the book considers the categories under which society places its members, and the legal and penal regimes and cultural values that reproduce them. This classic theme in social history gets a particularly interesting twist here; on this penal colony island, residents may look, act, and interact like those on the mainland, but by virtue of the islandâs status as a penal colony the questions that only implicitly beset mainland society are explicitly asked here: who can live side by side with whom, who is allowed to mount the social hierarchy, how are people to be defined, and to what degree should it matter? Beattie introduces the term âcategory driftâ to denote the circulation of people from the poorest classes from one category to another. One of the central debates that took place both on and off the island concerned the mixing of different categories of prisoners. Beattie makes superb use of the mixing of slave and free on the island, and the slippage and relationship between free persons of little means and the enslaved. He uses the term âintractable poorâ to refer broadly to socially vulnerable people, a term that encompasses the enslaved along with military recruits, convicts, âIndians under government-organized villages,â and others (p. 5). They fall into the same category, he argues, on the basis of their vulnerability to coercive labor extraction. In

practice, on Fernando de Noronha, slaves and freepersons received similar treatment and lived and labored side by side. Both of these coinagesâcategory drift and the intractable poorâprovide Beattie with a useful way of dealing with socioeconomic precariousness while avoiding using an anachronistic language of class.

The book ends by exploring the move toward the abolition of slavery, flogging, and capital punishment in the 1870s and 1880s. Beattie considers the expansion of basic rights that accompanied the abolition of slavery for Brazilâs formerly enslaved in the context of what he views as a general expansion of rights for the âintractable poor.â He probes the deep cultural meanings of flogging and the conflicts over the practice of corporal punishment in the military and civilian society in the nineteenth century of penal reform. The story draws to a close as Brazil abolished slavery (1888), its monarch was deposed and the federalist First Republic declared (1889), and Fernando de Noronha went from being a national penal colony (in 1898) to one under the jurisdiction of the state of Pernambuco of which it is a part.

As the book closes by bringing events in Brazil in conversation with the nineteenth-century Atlantic world writ large, Beattie brings to the fore a discussion of âhuman rights,â a term that appears in the bookâs subtitle and, from its first mention at the beginning of the introduction to its extensive treatment in the final chapter, serves as a touchstone in Beattieâs analysis. This is perhaps the bookâs one major lost opportunity, as nowhere does he explicitly define or deeply historicize the concept. Can we truly understand nineteenth-century penal reform in the Atlantic world as a question of human rights? Much of the literature on crime and punishment would suggest that it was not. If Beattie wished to redirect the conversation toward a new periodization of the global history of human rights, as seen from the South Atlantic, then a more explicit definition of both elements of that term, âhumanâ and ârights,â would have been in order. As the author examines the end of the death sentence in 1879 and then finally in the Republic in 1890 in contrast with the United States, he productively asks why slave-holding Brazil was so intent on ending capital punishment. Yet he does not present historical evidence to justify introducing this discussion under the banner of âhuman rights.â The documentary evidence Beattie does present, through his elegantly and thoughtfully researched socio-legal history, shows society weighing the social costs and benefits of applying one punishment versus another. Sending convicts to penal exile was a choice that authorities made, instead of death by state execution and instead of flogging, a form of punishment for the enslaved that would have preserved mastersâ property rights. Although one of Beattieâs points at the end of the book is that Brazilian jurists were less concerned with preserving mastersâ property rights than was the case in the United States, arguably enslaved persons in Brazil still lacked actual rights in any but the customary sense. Even as gradual legal changes in the 1870s brought about what might be characterized as a more humane legal regime in Brazil as the abolition process began to unfold, calling the limits on masterâs and state power vis-Ã -vis the enslaved ârightsâ might be defensible but needs to be explained and not assumed. For instance, can laws forbidding the separation of slave families actually be classified as âhuman rightsâ? Maybe these legal protections of the enslaved are points along the human rights continuum, to the extent that any limitation of state power for reasons that are not purely pragmatic are ârightsâ and to the extent that they implicitly but powerfully recognize the essential humanity of those subjected to chattel slavery. Yet the characterization of these state concessions as human rights needs to be explicitly justified.

Beattie deserves recognition for having raised this question even if he did not answer it, leaving room for future researchers to historicize the struggle for human rights in nineteenth-century penal theory and practice. This book is a magnificent achievement of creative and tenacious historical scholarship. The gaping void between penal practice and aspirational social control ideals is much discussed but rarely if ever has the social history of this phenomenon been told in such rich detail. Beattie has opened up several completely fresh lines of inquiry into a subject that touches on the most pressing issues of our time, particularly the social effects of incarceration and the stateâs use of the family to police public morality.

Punishment in Paradise will be essential reading for scholars and legal practitioners interested in understanding the criminal law and penal practice and its embeddedness in a long history of labor appropriation. It should attract a broad readership, including those interested in Brazilian history, the transatlantic nineteenth century, slavery and abolition, and the history of crime and punishment. This book should make its way onto syllabi for advanced undergraduate and graduate courses on the history of crime and justice; the history of gender and sexuality; and the social history of Brazil, Latin America, and the Atlantic world generally.

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