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**“A Crosscultural Vagabondage:”  
Postcolonial Theories of Diaspora and Colonial Theories of Labor**

Mauritian poet Khal Torabully's concept of “coolitude” inhabits a number of paradoxes at the heart of contemporary theories collocating South Asian and African diaspora. Torabully's self-conscious echoing of *negritude* seems at first to indicate a logic of equivalence between two diasporic histories that, while they intermingle under 19<sup>th</sup>-century colonial labor regimes, remain distinct and separate; he explains his neologism by asserting: “I chose this word because the coolie was the one who essentially replaced the slave in the plantocratic society.”<sup>1</sup> However, he goes on to claim “coolitude” as anti-essentialist, privileging a historical position in a racialized system of colonial labor over any notion of ethnic origin: “Coolitude is not *negritude à l'indienne*. It is not essentialist, i.e. referring to one people, or race, or religion. It springs in fact, from a word (coolie/indentured), which at the beginning, designated an economic status, and has been broadened to encompass a human situation.”<sup>2</sup> Torabully goes on to characterize this broadened sense of “coolitude” as a particular kind of hybridity with “a crosscultural vagabondage at its heart.”<sup>3</sup>

Torabully's choice of vagabondage as the central metaphor of coolitude is a powerful and complex one. Like the “coolie,” the “vagabond” is a subject position sedimented with histories of colonial labor regulation and created by global regimes of labor as a marginalized underclass.

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<sup>1</sup> Khal Torabully and Marina Carter, *Coolitude: An Anthology of the Indian Labour Diaspora* (London: Anthem Press, 2002), 144.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid., 194.

Like Brent Hayes Edwards's notion of “vagabond internationalism,”<sup>4</sup> Torabully's invocation of the vagabond draws on its double-edged history as both a criminalized identity subject to surveillance, incarceration, and economic exclusion and a specter of exorbitant emancipation that exceeds nationally bound or politically legible claims to freedom.

This paper investigates vagrancy as a site for British colonial theories of race and labor in the mid-nineteenth century. Vagrancy, as a legal and rhetorical concept, reveals the complex and contradictory relationship between slavery and “free” labor as articulated under 19<sup>th</sup>-century colonial theories of governance. By excavating the racialized rhetoric of vagrancy in nineteenth-century colonial discourse surrounding slavery and indenture, I ask how such a history might illuminate contemporary critical uses of vagrancy and vagabondage as metaphors underpinning theories of South Asian and African diaspora.

By the nineteenth century, the legal and social category of the vagrant already had a long history in British domestic and colonial law. Early modern and eighteenth-century vagrancy laws in Britain fundamentally criminalize the refusal to participate in dominant relations of labor. The Vagrancy Act of 1824, like its earlier predecessors, criminalizes “every Person being able wholly or in part to maintain himself or herself, or his or her Family, by Work or by other Means, and willfully refusing or neglecting so to do” as well as members of other groups whose economic activity was seen as the refusal of legitimate labor, such as unlicensed peddlers, prostitutes, fortune-tellers, and beggars.<sup>5</sup> It also targets those who are found in certain places, such as docks or warehouses, and who are carrying items that imply an intent to steal; vagrancy law thus criminalizes the *intent* to engage in illegitimate economic activity even if no such activity

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<sup>4</sup> Brent Hayes Edwards, *The Practice of Diaspora: Literature, Translation, and the Rise of Black Internationalism* (Cambridge: Harvard UP, 2003), 187.

<sup>5</sup> *An Act for the punishment of idle and disorderly persons, rogues and vagabonds* (5 Geo. IV c. 83).

actually takes place. Vagrancy law criminalizes a broad array of activities because these activities were all perceived to be signs that the vagrant was a certain kind of person, driven by specific desires and prone to certain kinds of economic activity. Such interest in the vagrant as a specific kind of economic being echoes A.L. Beier's classic evaluation of seventeenth-century vagrancy law: "Vagrancy is perhaps the classic crime of status, the social crime *par excellence*. Offenders were arrested not because of their actions, but because of their position in society. Their status was a criminal one, because it was at odds with the established order."<sup>6</sup>

In criminalizing the refusal to work, vagrancy law sought to define and criminalize people based on practices that were consolidated as signs of an interior disposition towards labor. Distinguishing between the vagrant and the "honest" poor—between those who *would* not work and those who *could* not work—was a matter of intense concern. Again and again, vagrancy legislation and texts relating to poor relief remark on the difficulty of distinguishing between these two groups, especially when they engage in the same economic activity. Vagrancy discourse ultimately depends on a claim to locate this elusive distinction in the human interior and to render this interior legible to the public and to the law.

In a colonial context, this establishment of the vagrant as a kind of economic being shows most clearly its essentially racialized character. One example of this is the prominent role of vagrancy in debates surrounding slavery in the eighteenth and nineteenth centuries. Vagrancy law and its surrounding discourse seek to uncover what animates a body to work, and how this animation might be incited in the face of resistance to labor. Vagrancy was therefore a resonant concept for authors on all sides of the slavery debate as they sought to advance competing visions of the future of colonial labor. Supporters of slavery drew on the long-established

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<sup>6</sup> A. L. Beier, *Masterless Men: The Vagrancy Problem in England 1560-1640* (London: Methuen, 1985), xxii.

association between vagrancy and social disorder, arguing that only the violent compulsion to labor could ensure the preservation of the existing social order and labor force. For example, a 1788 pamphlet argues that emancipation would result in a country “filled with a nation of independent vagrants, who would most probably live upon rapine.”<sup>7</sup> Another from 1792 projects a similar argument onto Britain, characterizing vagrancy as an explicitly racialized threat: “When the patrons of the Negroes shall have carried this their favorite Scheme, the Negroes from all parts of the world will flock hither, mix with the natives, spoil the breed of our common people, increase the number of crimes and criminals, and make Britain the sink of all the earth, for mongrels, vagrants, and vagabonds.”<sup>8</sup>

Between the abolition of the slave trade in 1807 and the act mandating the gradual abolition of slavery in most British colonies in 1833, debates surrounding slavery focused increasingly on *how* to abolish slavery while still maintaining profitable colonial plantations. The antislavery movement was politically diverse, including advocates of gradual emancipation as well as more radical critics of colonial labor and advocates of immediate emancipation of all slaves. Here, I'll focus on arguments for gradual emancipation, which was the policy eventually mandated by law. While opponents of emancipation evoked vagrancy as the threat of uncontrollable refusal of the economic order, advocates of gradual emancipation sought to reassure the British public that vagrancy could be regulated and emphasized vagrancy law as a tool by which a 'free' population could still be compelled to labor. For example, an 1824 address printed by the Liverpool Society for Promoting the Abolition of Slavery lays out a plan for

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<sup>7</sup> Henry Evans Holder, *A short essay on the subject of negro slavery, with a particular reference to the island of Barbadoes* (London: 1788) 40-41.

<sup>8</sup> John Scattergood, *An antidote to popular frenzy, particularly to the present rage for the abolition of the slave-trade; with a view to the probable consequences, both present and remote* (London: 1792), 24.

gradually emancipating slaves “till they partake of the character of a well regulated peasantry.”<sup>9</sup>

The text explains:

No person, slave or free, will labour without a motive. The motive of the slave is, at present, the fear of punishment. Withdraw this, and he will work no more than a brute animal. [...] It is evident, therefore, that in removing this, we must substitute another motive to supply its place; and this motive can only be one that shall apply to the mind, or reason, of the being to be influenced.<sup>10</sup>

The advocates of gradual emancipation varied in their opinions on vagrancy as a racial characteristic; for example, the Liverpool Society's address claims that the danger of vagrancy arises from the “habits and dispositions induced by the long continuance of personal slavery” (9), while another text advances similar arguments but attributes vagrancy to “the naturally indolent character of the negro.”<sup>11</sup>

But in a sense, this distinction matters little; whether or not they believe that vagrancy is an essentially racial trait, what these texts have in common is their attempt to *produce* a new racialized economic position and thus ensure a continuing supply of labor for the colonial plantations. George Clark's 1833 *Proposals for the Formation of a West India Free Labour Company*, for example, joins the texts quoted above in warning that without some form of compulsion to work, emancipated slaves will refuse all participation in colonial labor. He thus proposes a race-based criminalization of any refusal to work or attempt to negotiate the conditions or wages of labor: “To restrain the idle and the dissolute from contaminating and seducing the well-disposed, a strict police system would be established, to prevent and punish vagrancy, combination, and neglect of work contracted for. No negro who refused to work would be entitled to claim the privilege conferred upon him by the 16<sup>th</sup> Article, of retaining possession

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<sup>9</sup> *An address from the Liverpool Society for the abolition of slavery* (Liverpool: Jonathan and George Smith), 5.

<sup>10</sup> *Ibid.*, 10.

<sup>11</sup> Anon, *The Common-Sense Book* (London: Shackell and Arrowsmith, 1824), 209.

of land and tenements occupied by him, but might at any time be dispossessed by application to a magistrate, and moreover be subject to punishment as a vagabond.”<sup>12</sup> This proposal seeks to replace the racialized economic position of “slave” with another racialized economic position, using vagrancy law to legally bind blackness to a precarious and provisional economic personhood.

Against this backdrop, I'm now going to turn to a related development in British colonial labor. In the wake of the abolition of slavery, the system of Indian indenture grew into a global trade in indentured laborers, who were brought from India to other British colonies. For advocates and beneficiaries of the indenture system, indenture provided the free labor force the colonies were in need of after the abolition of slavery. Opponents, however, sought to portray indenture as a simple revival of slavery under another name. The relationship between slavery and indenture is still a matter of historiographic debate. Direct engagement with this debate is outside the scope of this paper, and so I make no claims regarding the extent to which indenture did or did not reinstate the conditions and relations of slavery. Instead, I focus on how nineteenth-century British colonial administrators and commentators theorized the connection between slavery and indenture, and how their invocations of this connection shaped their construction of racialized systems of colonial labor.

Mauritius was one of the first colonies to import indentured laborers from India, and debates about the indenture system often commented on the colony's rapid transition from slavery to indenture. Patrick Beaton, a mid-nineteenth century advocate of colonial missionary work, writes approvingly of indenture as a solution to the problem of slaves' antipathy towards

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<sup>12</sup> George D. Clark, *Proposals for the Formation of a West India Free Labour Company* (London: J. Tomlinson, 1833), 40-41.

labor. While many advocates of vagrancy law in the West Indies justified such laws with arguments that Africans were (by nature or habit) indolent, Beaton uses this exact argument to justify the importation of an Indian labor force, supposedly more prone to industry. Of former slaves, he writes: “If they did labour at times on the cane-fields, it was only to procure a little money to satisfy their wants, or to gratify their vanity. When their object was attained, they returned to that state of indolent, ambitiousless existence, which seems to be the normal condition of the African race. To escape from this unenviable position, the planters, with the assistance and sanction of the local Government, had recourse to the Indian peninsula.”<sup>13</sup>

However, not all British administrators and observers of the indenture system shared this opinion; other commentators accused Indians of exactly the same disposition towards idleness that Beaton attributes to Africans. As historian Richard Allen argues, the vagrancy laws imposed in Mauritius immediately following the abolition of slavery were originally intended to target former slaves, but were increasingly used in the following decades as tools to regulate the island's growing population of Indian laborers.<sup>14</sup> One administrator justifies these laws as tools to compel industrious habits in a race that lacks them: “It is a well known fact that Indians will never work if they can live a life of idleness and I am confident that this system will soon convince the vagabond class that they can no longer unmolestedly lead a life of idleness...”<sup>15</sup>

Vagrancy law in Mauritius did not just seek to regulate indentured laborers; laws passed throughout the 19<sup>th</sup> century targeted the Indian population as a whole, placing both indentured

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<sup>13</sup> Patrick Beaton, *Creoles and Coolies, or, Five Years in Mauritius* [1859] (Port Washington, NY: Kennikat Press, 1971), 167.

<sup>14</sup> Richard Allen, “Vagrancy and Labour Control in Mid-nineteenth-century Mauritius” in Vijayalakshmi Teelock (ed.), *The Vagrant Depot of Grand River, Its Surroundings, and Vagrancy in British Mauritius* (Port-Louis, Mauritius: Aapravasi Ghat Trust Fund, 2004), 35.

<sup>15</sup> Qtd. in Saloni Deerpalsingh, “An Overview of Vagrancy Law, Its Effects, and Case Studies, 1860-1911” in Teelock, 75.

and ex-indentured laborers under restrictive compulsions to labor under planters' terms and establishing a racialized economic position that reached beyond the terms of the indenture contract.<sup>16</sup> In this context, vagrancy law seeks to create a racialized population that is always potentially vagrant, a population in which all economic agency is seen as criminal.

For British colonial administrators and those with stakes in the plantation economy, the abolition of slavery required the creation of a new kind of racialized economic being when the position of “slave” was no longer available. “Apprentice” was one such being. “Coolie” was another. “Vagrant,” both before and after abolition, marks the constitutive outside of these positions. Though it is a creation of the colonial labor system, it is also a position marked by its resistance to being the kind of economic being that racialized laborers are supposed to be. And so while the naming as “vagrant” is an attempt at containment, it also inadvertently creates this alternative kind of racialized economic being that doesn't fit or prop up this regime of labor. This is why, I think, it's so compelling to more recent theorists of diaspora and race. In *The Practice of Diaspora*, Brent Hayes Edwards reads Claude McKay's novel *Banjo* as an expression of a "vagabond internationalism," rooted in "a fascination with the flotsam and jetsam of life, the goings-on at the margins, the pungent and busy 'wide-open dumps' of whatever any system must reject and extrude in order to function."<sup>17</sup> According to Edwards, McKay evokes under the label of "vagabond" a collectivity that rejects the racialized order of capitalism but does not unite under any alternative order:

...stubbornly, McKay insists on locating internationalism against the grain of nationalism without grounding it in any alternate universalism (an internationalism of the 'human' or an internationalism of the 'proleteriat,' for instance). This is an internationalism of the

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<sup>16</sup> Deerpalsingh, 72-73.

<sup>17</sup> Brent Hayes Edwards, *The Practice of Diaspora: Literature, Translation, and the Rise of Black Internationalism* (Cambridge: Harvard UP, 2005), 224.



defective: the unregistered, the undocumented, the untracked—an ab-nationalism, as it were, of all the 'Doubtful.'<sup>18</sup>

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<sup>18</sup> Ibid., 239.